

SCIENTIA MORALITAS  
International Journal of Multidisciplinary Research  
Vol. 9, No. 2, 2024

# MORALITAS

Editor: Dr. Ioan-Gheorghe Rotaru

SCIENTIA

MORALITAS

SCIENTIA MORALITAS  
Vol. 9, No. 2 | Year 2024

Scientia Moralitas Research Institute  
Beltsville, MD, 20705, USA  
[www.scientiamoralitas.com](http://www.scientiamoralitas.com)  
E-mail: [scientia.moralitas@email.com](mailto:scientia.moralitas@email.com)

Ioan–Gheorghe Rotaru, Editor-in-Chief

LIBRARY OF CONGRESS \* U.S. ISSN CENTER  
ISSN 2472-5331 (Print)  
ISSN 2472-5358 (Online)

Copyright © 2024 Authors  
First published, 2016

**SM**SCIENTIA  
MORALITAS

# CONTENTS

Editorial	vii	<i>Ioan-Gheorghe Rotaru</i>
The Relationship Between Prison Vocational Training and the Self-Perceived Effectiveness of Ex-Offenders in the Eastern Region of Kansas: A Statistical Analysis	1	<i>Hieu Phan Nicky Dalbir</i>
Impact of Governance Practices in Family Businesses on Socioeconomic Value Creation in Morocco	13	<i>Wafaa El Gouz Azzeddine Alloui</i>
The Playground Between Preferences and Reality: A Pilot Study at the Belhamzaoui School in Annaba	26	<i>Nadia Zediri Meriem Radouane</i>
Acceptance of Electric Vehicles: Critical Review Towards a Unified Research Concept	38	<i>Steffen Berg Mercedes Carmona Martínez Thomas Heupel</i>
The Morality of Christian Love: A Theological and Ethical Perspective	53	<i>Corneliu Beneamin Buzguța</i>
Occupational Stress Felt by Teachers and Students	65	<i>Maria Daniela Pipaș Janetta Sirbu</i>
Transmission of Family Businesses and the Continuity of Socioeconomic Value Creation in Morocco	75	<i>Wafaa El Gouz Azzeddine Alloui</i>
Criminological Analysis of Psychological Trauma and the Behavior of the Victim of Childhood Maltreatment	85	<i>Gabriel Tănăsescu</i>
Saint Nino, Saint Queen Shushanik and Assyrian Holy Fathers: Radiant Stars of the Apostolic Church of Georgia	96	<i>Revazi Tughushi</i>
Objectives, Subject and Scope of Personality Study in Forensic Tactics	103	<i>Nicoleta-Elena Hegheș Vitalie Jitariuc</i>
Judicial Individualization of Punishments in Romanian Criminal Law	113	<i>Gabriel-Alin Ciocoiu</i>

## EDITORIAL BOARD

**Ioan Gheorghe Rotaru**, ‘Timotheus’ Brethren Theological Institute of Bucharest, Romania  
**Nicoleta-Elena Heghes**, “Dimitrie Cantemir” Christian University of Bucharest, Romania  
**Julia M. Puaschunder**, Columbia University, Graduate School of Arts and Sciences, USA  
**Mimouna Zitouni**, Mohamed Ben Ahmed University, Algeria  
**Robert Czulda**, University of Lodz, Poland  
**Maila Dinia Husni Rahiem**, UIN Syarif Hidayatullah Jakarta, Indonesia  
**Nasraldin Omer**, University of the Western Cape, South Africa  
**Adeyemi Oginni**, University of Lagos, Nigeria  
**Titus Corlatean**, “Dimitrie Cantemir” Christian University, Romania  
**Salam Omar**, Abu Dhabi University, United Arab Emirates  
**Emilia Vasile**, Athenaeum University of Bucharest, Romania  
**Naira Hakobyan**, National Academy of Sciences of the Republic of Armenia  
**Albín Masarik**, Matej Bel University, Slovakia  
**Marian Gh. Simion**, Harvard University, United States  
**Krešimir Šimić**, J. J. Strossmayer University of Osijek, Croatia  
**Wojciech Szczerba**, Evangelical School of Theology, Wrocław, Poland; University of Cambridge, UK  
**Bojan Žalec**, University of Ljubljana, Slovenia  
**Zorica Triff**, Technical University of Cluj-Napoca, Romania  
**Ibanga Ikpe**, University Of Botswana, Botswana  
**Nina Corcinschi**, „Ion Creangă” State Pedagogical University; Institute of Philology of the Academy of Sciences of Moldova, Moldova, Republic of  
**Marcel Valentin Măcelaru**, „Aurel Vlaicu” University of Arad, Romania  
**Acad. Parush Parushev**, Academy of Sciences of Russian Federation, Leningrad, Russia; Bulgarian Academy of Sciences, Sofia, Bulgaria  
**Ciprian-Raul Romițan**, Romanian-American University, Romania  
**Arpad Kovacs**, Adventist Theological College, Pecel, Hungary  
**Adrian-Cristian Moise**, Spiru Haret University of Bucharest, Romania  
**Ouafa Ouarniki**, University Ziane Achour, Djelfa, Algeria

## Editorial

### Ioan-Gheorghe Rotaru

Professor PhD Dr.Habil. 'Timotheus' Brethren  
Theological Institute of Bucharest, Romania;  
Academy of Romanian Scientists, Bucharest, Romania  
dr\_ionicarotaru@yahoo.com

In recent years, the concept of emotional intelligence has gained significant attention, highlighting its significant role in every individual's life. But what do we do when society and the trends go in a different direction, and what we think is right does not fit in with what is happening in society?

For a very long time, IQ (cognitive or academic intelligence quotient) has been, and still is, a very good predictor of success. The more intellectually gifted a person is, the better positioned they are believed to be for achieving their goals in both personal and professional life. However, it has been observed that this is not always the case. We may know in our circle of acquaintances or friends, people who, despite being extremely intellectually gifted and scoring high on intelligence tests, have an IQ well above average, yet surprisingly, they fail in life to match their intelligence. They often face challenges in reaching their aspirations, building fulfilling careers, and even managing personal relationships. The reason for this state of affairs seems to be that components related to emotional intelligence may be significantly more important than IQ in achieving success. IQ measures a type of intelligence that refers to an individual's intellectual abilities, their ability to analyze and synthesize, their ability to work with abstract elements in their mind, ability to establish logical relationships between elements, how much they can learn, their ability to operate with new things, etc. These things are extremely important, but this type of intelligence is inert, meaning that this type of intelligence is just a tool. There is no doubt that for success, it is important to have very good intelligence, like an advanced and very sharp tool, but that is not enough. How you use that tool, that kind of intelligence matters more, and if the cognitive intelligence measured by IQ governs the act of knowing, the emotional intelligence part of it is the one that governs the action, the way you use what you know, for example, and the results in life, whether we like it or not, are not just in what you know, but in what you do.

Intelligence, in essence, refers to a person's ability to solve problems and adapt to the environment. IQ helps individuals to solve problems and adapt to the environment from a strictly cognitive, strictly intellectual point of view, which is why

those with a high IQ manage to have a very good intellectual performance, becoming very good specialists in life, with a worthy academic career. From this perspective, there is a real correspondence between IQ and school, university and academic results, while emotional intelligence is the type of intelligence that helps you to solve problems in the area of emotions and relationships, enabling you to adapt to the social environment, which is why both cognitive intelligence (IQ) and emotional intelligence (EQ) will show how capable a person is of intelligent behavior, both from a cognitive, intellectual, rational and emotional, relational point of view. It is not enough to have a developed intelligence, it is important that it is not wasted in all sorts of activities that produce nothing for the person who possesses it.

Thus, our life is nothing but a succession of emotional experiences. Emotions underlie everything we do. Therefore, all the decisions we make and all the behaviors we display originate from the emotions we experience and draw their energy from them.



# **The Relationship Between Prison Vocational Training and the Self-Perceived Effectiveness of Ex-Offenders in the Eastern Region of Kansas: A Statistical Analysis**

**Hieu Phan**

PhD, Morningside University, Sioux City, United States  
phanj@morningside.edu

**Nicky Dalbir**

PhD, Morningside University, Sioux City, United States  
dalbirn@morningside.edu

---

**ABSTRACT:** The purpose of this study was to determine what factors were associated with the rehabilitative success of ex-offenders (EOs) in the state of Kansas and what type of prison educational training needs to be provided to inmates before their release into the community to prepare them for employment opportunities in the state of Kansas. This study further explored why EOs lack self-effectiveness after re-entry into their community based on the quality of educational training received in the penal system. This study also examined the relationship between prison educational training of EOs in Kansas as the independent variable and their self-assessed effectiveness at their jobs as the dependent variable. The investigator surveyed a population of EOs working in the labor market in the eastern region of Kansas (Kansas City metropolitan). These EOs were working at different job classification levels of employment. The investigator developed a questionnaire for the instrument in this study and pilot-tested it. Five EOs, working in other occupations and of cultural backgrounds, acted as the pilot for the study. The investigator found the pilot helpful in shaping the research. Subsequently, 99 out of 125 recipients returned completed survey forms. This represented a 79.2% response rate. Used as computational formulas, the Pearson correlation coefficient, the Likert scale, and Cronbach's coefficient alpha showed the relationship between the independent and dependent variables.

**KEYWORDS:** self-effectiveness, correctional rehabilitation, correctional education, prison education, program effectiveness, prison education, prison vocational training, vocational education, prison vocational education

---

## **Introduction**

This study sought to find the relationship between components of prison educational training and factors associated with the self-perceived rehabilitative

success, or effectiveness, of ex-offenders (EOs) in Kansas. Prison educational training is vital for all eligible offenders because this scheme will help reduce re-offending, increase self-effectiveness, and provide responsibilities for their future and success after release (Mirko 2024). However, the cost is a hurdle for many correctional institutions. The Kansas Department of Corrections (KDOC) has a wide distribution of educational training programs for offenders but no instrument to measure or rate the quality and effectiveness of its training programs. The pressure for EOs to secure and maintain gainful employment has worked to the detriment of the KDOC and the effectiveness of its educational training programs. The problem is that EOs need more self-effectiveness after re-entry, especially self-effectiveness based solely on the quality of educational training received in the penal system.

The lack of prison education and training funds to help prisons address their educational needs and instill self-worth in offenders makes the investment expectations of employers and society more dubious. The structure and curriculum of prison educational training programs must be of better quality if offenders are going to gain the education and skills they need for employment. Without the essential underpinning skills of literacy, language, and numeracy, offenders are much less likely to achieve the education and skills they need to get and hold down a job, play a positive role in society, and, most importantly, feel adequate in their endeavors (Saylor & Gaes 1997). According to Travis et al. (2001), training offenders for jobs they cannot realistically expect to receive upon release from prison is ineffective or inefficient. Additionally, low-wage jobs will not afford the offender success in the world of work. Offenders must have the training and ability to earn a wage that will allow them to support themselves and their families. They must also be able to work in a job that will enable them to feel adequate and satisfied.

## **Literature Review**

### ***History of Prison Education***

Academic educational programming in prisons has existed since first developed in the United States (Gerber & Fritsch 1995; Lawrence 1994). A gradual shift in American penal philosophy occurred between the early 1800s and the 1970s. The idea of reforming a prisoner through harsh and brutal confinement began to be subordinated to a more humane understanding of the basic needs of people. This reform resulted in a significant increase in prison educational programs in the 1950s and 1960s. Although the debate over educational effectiveness continued through the 1970s and 1980s, the consensus in the 1990s was that prison educational training programs were needed. For example, according to Welch (1996), Walnut Street Jail, the first facility to

house felons during the latter part of the 1700s, included "instruction in reading, writing, and math" (173).

Such programs have expanded to the present time, so few prisons lack some educational endeavor (Kirshstein 1996). According to the Office of Correctional Education 1992 survey, 42 state responses were used, "almost all facilities offer educational training." In the United States, the penitentiary began with the intention of reforming criminal behavior. Reforming the criminal developed into control, isolation, and brutality to change behavior. A convicted felon was sent to prison to be punished and corrected. This idea was so novel that early 19th-century prison reformers came to the United States from around the world to study that American invention, the penitentiary.

### *Educational Training and Employment*

Educational programs in prisons can be real rehabilitation tools, as shown repeatedly by national and statewide recidivism studies. Because education can dramatically increase an inmate's chance of success upon release, correctional education programs should be of high quality and held accountable for outcomes. Prison educational training provides offenders with job skills and problem-solving experiences and prepares them for useful employment upon re-entry into society. According to the Bureau of Justice Statistics (1993), "nearly half of all inmates have received academic education" (27). It has been reported by Kirshstein (1997) that 400,000 state-held inmates "have participated in some type of correctional education program" (1). If the inmates' time is spent productively, they give back to society for the crimes they have committed. Also, opportunities for future employment are created that many EOs never imagined possible. Research indicates that simply because offenders are involved in education and vocational training while incarcerated, the likelihood that they will return to prison once released is reduced (Kirshstein 1997).

Governance patterns vary because, in most cases, the Department of Correction has charge of education, sometimes contracting with adult basic education and literacy, community colleges, vocational-technical schools, voluntary programs, and community-based organizations to deliver educational services to inmates. In other states, a department of education has been established solely to serve correctional institutions, thereby assuring that they do not have to compete with other education programs for funding (Nelson et al. 1988).

### *Effects of Educational Training*

According to Gerber and Fritsch (1995), most studies have shown a correlation between pre-college education and lower recidivism rates, post-release employment, and post-release educational participation. In contrast, according to Gerber and Fritsch (1995), fewer studies have shown "no correlation between

prison education and recidivism” (126). Glaser’s 1961 study found no relationship between these variables (Clear & Cole 1994). It was summarized that with the acquired prison educational training came unrealistic expectations of post-release life and employment. In addition to the numerous methodological questions, the lack of random assignment to groups and the absence of control groups, among other concerns raised about these studies, have shown the positive effects of prison education (Batiuk et al. 1997; Gerber & Fritsch 1995). Other issues of a theoretical nature were articulated as well. Specifically, Batiuk et al. (1997) assert that “there is a lack of clear specification about the process by which correctional education and recidivism are linked” (169). In an effort to address this problem, the relationship between postsecondary education and recidivism was thoroughly studied. Batiuk et al. concluded that “college education [in prison] does reduce the likelihood of recidivism, but this effect works principally through post-release employment” (175).

### ***Recidivism***

While focusing on recidivism, Lawrence (1994) cited an Oklahoma study by Langenbach, North, Aagaard, and Chown that found a “significant negative relationship between participation [in instruction by television] and recidivism” (47). Despite the methodological concerns identified above, Gerber and Fritsch (1995) concluded that prison education programs have positive outcomes. Gerber and Fritsch (1995) stated that the programs with the most significant degree of success include the following: “(1) those with more extensive programs, (2) separating the participating inmates from the rest of the prisoners, (3) providing follow-up after release, and (4) only placing only inmates meeting the program criteria” (135-136). One identifiable factor contributing to prison overcrowding is the high number of offenders who repeatedly commit crimes or violate the release conditions of probation or parole supervision, referred to as the “revolving door” of the penal system. This trend is recidivism, and it is an adaptive problem for most corrections departments throughout the United States. In its broadest sense, *recidivism* can be defined as a public safety failure (Barton & Turnbull 1989). More specifically, for the purposes of this study, recidivism is a new criminal activity by a person after a criminal conviction that resulted in either imprisonment or another sanction (i.e., probation, diversionary sentence, or fine). Many variables cause recidivism, and incarceration alone is ineffective in reducing recidivism. The prediction and causes of recidivism are important, and the development of appropriate and successful interventions is the key to improvement (Barton & Turnbull 1989).

## **Theoretical Framework**

The theoretical foundation for this study was influenced by Albert Bandura's self-efficacy theory, a social cognitive theory introduced by Albert Bandura, constructivism theory developed by Jean Piaget, and andragogy theory advanced by Malcolm Shepherd Knowles. This study proposed to capture self-efficacy and educational training related to the ex-offender population. The theories presented are learning theories regarding how students develop knowledge and problem-solving. Self-efficacy assessments tailored to domains of functioning and task demands identify patterns of strengths and limitations in perceived capability (Bandura 2006). Self-efficacy is concerned with perceived capability. According to Bandura (2006), this refined assessment increases predictability and provides guidelines for tailoring programs to individual needs. According to Zimmerman and Bandura (1994), the most successful way of creating a high sense of efficacy is through mastering experiences. According to Lunenburg (2011), people with low self-efficacy have low expectations and aspirations. The theoretical framework presented incorporated the relationship between ex-offender self-efficacy and prison education. The theories are similar because they promote learning through understanding and personal experiences.

## **Data and Methodology**

This study was designed to find the relationship between components of prison educational training and factors associated with the self-perceived rehabilitative success, or effectiveness, of EOs in Kansas. It was designed to determine problems encountered by EOs in their jobs, social environment, rehabilitation progress, and community. It was also directed towards determining the relationships between support systems and self-perceived effectiveness and, overall, makes recommendations on what type of prison educational training should be administered to inmates upon their arrival in the penal system to prepare them better for employment and meeting social expectations in American society. The main instrument to be utilized in this study was a survey questionnaire developed by this investigator. A pilot study was conducted with five EOs working in different occupations and with different cultural backgrounds. Five administrators (a correctional advisor, two parole officers, a probation officer, and a human resource specialist) also participated in the study to develop a reliable instrument. The pilot was helpful and helped the investigator in shaping the research. It also helped eliminate possible problems by refining some of the questions.

## ***Presentation of Descriptive Characteristics of Participants***

Criminal justice officials and human resource administrators who are supervising and employing EOs in this large metropolitan area were initially contacted to determine the EO population and the hiring dates of their current employment



starting in 1995. The KDOC provided this investigator with a list of EOs currently under post-release supervision, EOs who had completed parole and/or are working in various private and public establishments throughout the Kansas City metropolitan area. The identified population included EOs working in entry-level, skilled, and on-the-job training (OJT) positions in both public and private sectors. It should be noted that EOs' convictions and supervision status were not the focus of this study and were a matter of public record. If applicable, respondents were required to sign consensual forms at various probation and parole district offices in the Kansas City metropolitan area. Tables 1-5 depict the respondents' demographic characteristics.

### *Data Analysis, Instrument, and Procedures*

The main instrument to be utilized in this study was a survey questionnaire developed by this investigator. A pilot study was conducted with five EOs who were working in different occupations and with different cultural backgrounds. Five administrators (a correctional advisor, two parole officers, a probation officer, and a human resource specialist) also participated in the study to develop a reliable instrument. The pilot was useful and helped the investigator in shaping the research. It also helped eliminate possible problems by refining some of the questions. This study was designed to evaluate the standards for EOs' selection, including the level of education, experience, gender, and language because it details the construction and validation of the evaluation instrument for completion by male and female EOs in receipt of prison educational training.

Table 1: Respondents' Distribution by Gender

Value Label	Value	Frequency	Initial %	Valid %	Cumulative %
Male	1	69	69.7	69.7	69.7
Female	2	25	25.3	25.3	94.9
No response	9	5	5.1	5.1	100.0

Table 2: Respondents' Distribution by Job Classification

Value Label	Frequency	Initial %	Valid %	Cumulative %
Entry level	66	66.7	66.7	66.7
Semiskilled	23	23.2	23.2	89.6
Skilled	6	6.1	6.1	96.0
No response	4	5.1	5.1	100.0

Table 3: Respondents' Distribution by Level of Education

Value Label	Frequency	Initial %	Valid %	Cumulative %
No high school diploma	2	2.0	2.0	2.0
High school diploma	9	9.1	9.1	11.1
General equivalency diploma	35	35.4	35.4	46.5
Vocational	45	45.5	45.5	91.9
2-year degree	4	4.0	4.0	96.0
No response	4	4.0	4.0	100.0

This study aimed to enable such people (referred to throughout this study as EOs) to become more effective workers and citizens. It also set out to develop the knowledge, skills, understanding, and attitudes needed for active participation in mainstream community life as rehabilitated men and women. Another important contribution of the pilot test was to identify some sensitive questions and some that would lead to the recognition of some EOs who still hold supervisory or leadership positions in various business establishments in this metropolitan area. Respondents to the pilot study provided the researchers with the formulation of a list of critical topics to be explored in the survey.

### Research Questions and Associated Hypotheses

In this study, the quality of information to be conveyed in the prison educational training program was to be measured by EOs' perception of their level of comfort at the end of the training program and was based on the following:

RQ1: What factors are associated with the rehabilitative success of EOs in Kansas?

RQ2: What educational training should prisons provide inmates before their release into the community to prepare them for employment opportunities in Kansas?

H<sub>0</sub>1 addressed the level of perceived quality of prison educational training for EOs and its impact on the predictable working problems experienced by those workers. The higher quality of training was expected to produce fewer working problems. The correlation coefficient <sup>®</sup> was 0.07, nearly 0. The null hypothesis is not rejected. The substantive hypothesis is not supported.

H<sub>0</sub>2 sought to determine the relationship between the quality of the prison education training program and EOs' perceived effectiveness during their first year of employment. The higher the quality of the prison educational training program, the higher EOs perceived effectiveness during their first year of working. The

correlation<sup>®</sup> of -0.05 is not significant. The null hypothesis is not rejected; the data do not support the hypothesis.

H<sub>03</sub> external support systems are associated with EOs perceived effectiveness during their first year of working. The correlation coefficient of 0.16 is statistically significant at 0.05 level (one-tailed). The correlation is relatively not strong, but the data supports the hypothesis. Although there was no hypothesis about the relationship between the two variables, support systems and problems, the correlation was -0.2 (significance level of  $p = 0.025$ ), indicating that the more and better support systems the EOs had, the fewer problems they encountered and thus improved employment longevity and problem-solving abilities.

The hypotheses were based on the premise that there is a direct relationship between educational training programs for inmates and their aptitude to secure gainful employment upon release from the penal system. Therefore, it should be further asserted that the information presented in prison educational training programs may become more complete, more relevant, and better quality with each successive year. Consequently, the amount and quality of the information conveyed in the educational training program may vary. Table 4 shows the percentage of respondents who rated each of the components of the variable support systems “very important” or “important.”

These results indicated that support systems significantly affected the overall self-rated effectiveness of the EOs surveyed. Of these variables, personal ability to adjust (83.8%), church/religion (82.9%), family (71.8%), previous experience (65.7%), probation/parole officers (54.6%), and peers (53.5%) seem to be the most powerful predictors of effectiveness.

Table 4: Percentage of All Respondents Who Rated Each of the Support Systems “Very Important” or “Important” (N = 99)

Support System	Very Important	Important
Personal ability to adjust	41.42	42.4
Church/religion	57.6	25.3
Family	46.5	25.3
Previous experience	27.3	38.4
Probation/parole officers	26.3	28.3
Peers	20.2	33.3
Temporary lodging	28.3	12.1
Social services agencies	12.1	26.3
Coworkers	7.1	7.2

### Data Analysis and Results: Tests Conducted on Recent Released Population

The investigator expected that better educational training would lead to fewer problems and higher effectiveness. Neither hypothesis was supported in the data.



Training correlated only 0.09 with problems and -0.08 with effectiveness. The investigator also hypothesized that better support systems would enhance effectiveness. This relationship particularly supported newly released EOs who were working. The value of  $r$  was 0.38. This value was statistically significant at 0.001 level (one-tailed) and was a little more than double the value for the entire population. The relationship between support and self-perceived effectiveness was notably stronger. The null hypothesis was rejected, and the substantive hypothesis was supported. For the more recently released, the correlation between experienced problems and self-perceived effectiveness was also stronger. The correlation was -0.35, and  $p = 0.0001$ . Hence, the less severe problems workers experienced, the more effective they felt.

### *Analysis of Data: Importance of Support Systems*

During their first year at their jobs, EOs were reported to rely primarily on social support systems to feel effective as workers. These support systems logically had the most significant impact because EOs most easily accessed them. Table 5 shows the percentage of recently released respondents who rated each component of the variables' support systems "very important" or "important." The results essentially indicated that almost all support systems combined significantly affected the overall perceived effectiveness of respondents.

Table 5: Percentage of Recently Released Respondents Who Rated Each of the Support Systems "Very Important" or "Important" (N = 71)

Support System	Very Important	Important
Personal ability to adjust	39.4	44.1
Church/religion	60.6	22.5
Family	39.4	28.2
Previous experience	31.0	35.2
Probation/parole officers	29.6	32.1
Peers	39.4	16.9
Temporary lodging	16.9	33.8
Social services agencies	12.7	28.2
Coworkers	5.6	12.7

During their first year, many EOs seemed to rely heavily on support systems such as family, church/religion, personal ability to adjust, previous experience, criminal justice officials, and peers. This would make sense in that these support systems were available to EOs permanently and continuously enhanced their effectiveness. Taken separately, each of these major social support systems contributed differently to individual effectiveness. As Table 5 shows, other

support systems could have played a more important role in the overall effectiveness of EOs.

A second series of frequencies was run using the data collected only from the 71 new releases. As with the entire population ( $N = 99$ ), these EOs also relied on support systems to feel effective as workers during their first year at their jobs. A comparison with Table 4 showed that more new releases felt that previous experience (66.2% compared to 65.7% with the entire sample population) was better help for them than criminal justice officials (62.0% compared to 54.6% with  $N = 99$ ). In addition, the effect of temporary lodging increased from 40.4% to 50.7%.

Stepwise multiple regressions were conducted for this population, too. Self-effectiveness was independently related to the quality of support (unstandardized partial regression coefficient  $-0.21$ ) and the degree of problems (or lack of problems; unstandardized partial regression coefficient  $-0.27$ ). Regression results were also stronger for the more recently released population ( $N = 71$ ) than for the entire sample population ( $N = 99$ ), especially for the relationships between “experience of problems” and “perceived effectiveness” ( $r = -0.17$ ,  $\beta = -0.32$ ). The one-tailed significance was ( $p = 0.001$ ). Between variables “support systems” and “effectiveness,”  $r = 0.37$  and  $\beta = 0.34$  with one-tailed significance equal to  $0.001$ . This indicates that both variables (“experience of problems” and “support systems”) significantly impacted the overall effectiveness of new releases.

The specific case of the support system “church/religion” deserves to be highlighted. The majority of respondents (60.6%) declared that the impact of church/religion on their perceived effectiveness was “very important.” This was no surprise, considering that these EOs underwent the same experiences that new inmates were going through. They, therefore, formed the best group to provide practical advice and suggestions for new releases.

### **Implications of Findings and Conclusion**

At the beginning of this study, it was expected that better educational training would lead to fewer problems and higher effectiveness. Neither Hypothesis 1 nor 2 was supported in the data. What do these results suggest? The results of this study suggest that discussions may be conducted from two important perspectives: (a) a research perspective and (b) a practical perspective. From a research perspective, this study suggests that success for EOs’ adjustment and effectiveness at work may be more attributable to social variables in the host environment rather than specific aspects of prison educational training. The underlying assumption that EOs’ effectiveness is significantly influenced by the quality of educational training was not confirmed. Possible explanations of these results are as follows:

1. The prison educational training programs suffered from defects in what was taught and how it was taught.
2. The study might not have targeted detailed components of the educational training program that could link training to effectiveness in a cause-and-effect relationship.
3. It may be that ongoing support is more significant than prison educational training. This seems logical to some extent if one considers that EOs do not know what is ahead of them until they start working.

In addition, EOs reported that they did not perceive their prison educational training program as efficient in preparing them to handle employment problems appropriately and to feel effective as employees. Other problems they encountered at work were related to other employees and the working environment. However, the most harmful problems came from other sources, such as supervisors and managers, who made requirements that EOs found difficult and unacceptable, such as working shift work and long hours.

From a practical perspective, this study suggests that a prison educational training program is not a mechanical process that would serve as a necessary prerequisite to painless adaptability, effectiveness, or quality performance, regardless of the quality of training. Educational training must attempt to prepare EOs to fit in the workplace and community. In designing an educational training program for EOs, administrators have to consider the challenges and needs of EOs and tailor the training accordingly. Reentry and the transition period for EOs can cause considerable psychological pain and humiliation; therefore, training for them should be designed to prepare them for the contingencies of the work culture and community living through more highly experiential training principles.

Another factor that played a major role in facilitating the integration of EOs is that, as time went by, employers and the community could have been more accepting and developed a better understanding and tolerance of the nature of problems that EOs often encountered in society. Thus, EOs were better prepared to effectively build a network of social support systems to help reduce their degree of stereotyping, stigma, and discrimination.

## References

- Bagaric, Mirko. 2024. "Reducing Recidivism and Incarceration Through Education." *Australian Bar Review*. 54 (1): 42-59. <https://search.informit.org/doi/10.3316/informit.T2024052700014800663086680>.
- Bandura, Albert. 2006. "Guide for Constructing Self-Efficacy Scales." *Self-efficacy Beliefs of Adolescents* 5 (1): 307-337.
- Barton, Russell R., and Bruce W. Turnbull. 1989. "Evaluation of Recidivism Data: Use of Failure Rate Regression Models." *Evaluation Quarterly* 3 (4): 629-641. <https://doi.org/10.1177/0193841X7900300407>.
- Batiuk, Mary Ellen, Paul Moke, and Pamela Wilcox Rountree. 1997. "Crime and Rehabilitation: Correctional Education as An Agent of Change—A Research Note." *Justice Quarterly* 14(1): 167-180. <https://doi.org/10.1080/07418829700093261>.

- Beck, Allen J. 1993. *Survey of State Prison Inmates, 1991*. US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. <https://bjs.ojp.gov/content/pub/pdf/SOSPI91.PDF>.
- Clear, Todd R. and George F. Cole. 1994. *American Corrections* (3<sup>rd</sup> Ed). Belmont, CA: Wadsworth.
- Gerber, Jurg, and Eric J. Fritsch. 1995. "Adult Academic and Vocational Correctional Education Programs: A Review of Recent Research." *Journal of Offender Rehabilitation* 22 (1-2): 119-142. [https://doi.org/10.1300/J076v22n01\\_08](https://doi.org/10.1300/J076v22n01_08).
- Kansas Department of Corrections. 2003a. *Correctional Briefing Report*. Topeka, KS.
- Kansas Department of Corrections. 2003b. *Statistical Profile of The Offender Population*. Topeka, KS.
- Kansas Department of Corrections. 2004. *Correctional Briefing Report*. Topeka, KS.
- Kansas Open Record Act of 2002, Pub. L. No. 163-170, 249 K.S.A. 45-216 (a).
- Kirshstein, Rita J. 1996. *Survey Of the State Correctional Educational Systems: Analysis of Data from 1992 Field Test*. Pelavin Research Institute. <https://eric.ed.gov/?id=ED459211>.
- Kirshstein, Rita, and Clayton Best. 1997. "Using Correctional Education Data: Issues and Strategies." <https://api.semanticscholar.org/CorpusID:108231740>.
- Lawrence, Dan. 1994. "Inmate Students: Where Do They Fit In." *Journal of the Oklahoma Criminal Justice Research Consortium* 1: 43–51. <http://www.doc.state.ok.us/DOCS/OCJRC/OCJRC94/940650j.html>.
- Lunenburg, Fred C. 2011. "Self-Efficacy in The Workplace: Implications for Motivation And Performance." *International Journal of Management, Business, and Administration* 14(1): 1-6. <https://tinyurl.com/2ccmzzmy>.
- Nelson, Orville et al. 1988. "Corrections Education Evaluation System Model." <https://eric.ed.gov/?id=ED303525>.
- Saylor, William G., and Gerald G. Gaes. 1997. "Training Inmates Through Industrial Work Participation And Vocational And Apprenticeship Instruction." *Corrections Management Quarterly* 1(2):32-43. [https://www.bop.gov/resources/research\\_projects/published\\_reports/recidivism/oreprprep\\_cmq.pdf](https://www.bop.gov/resources/research_projects/published_reports/recidivism/oreprprep_cmq.pdf).
- Travis, Jeremy, A. Solomon, and Michelle Waul. 2001. *From Prison to Home*. Washington, DC: The Urban Institute. <https://tinyurl.com/ynbwa6am>.
- Welch, Michael. 2013. *Corrections: A Critical Approach*. Routledge. <https://doi.org/10.4324/9780203833353>.
- Zimmerman, Barry J., and Albert Bandura. 1994. "Impact of Self-Regulatory Influences on Writing Course Attainment." *American Educational Research Journal* 31(4): 845-862.

## Impact of Governance Practices in Family Businesses on Socioeconomic Value Creation in Morocco

**Wafaa El Gouz**

Mohamed V University, Morocco

**Azzeddine Alliouï\***

ESCA Ecole de Management, Morocco

\*Corresponding Author: aalliouï@esca.ma

---

**ABSTRACT:** The purpose of this paper is to make an investigation into the complex link that exists between the governance practices of family enterprises and the generation of socioeconomic value in the setting of Morocco. Family enterprises, which are a significant contributor to the economic landscape of the nation, are an essential component in the process of determining the socioeconomic growth of the nation. In this research, the primary objective is to examine of the governance structures that these businesses have chosen, as well as the ways in which these structures influence their capacity to produce value that goes beyond conventional financial advantages. By highlighting the significance of family companies in Morocco and the distinctive role they play in contributing to the larger socioeconomic fabric, the introduction establishes the context for the analysis that will follow. As we go through the next parts, we will dig further into the difficulties of governance in family businesses, focusing on how to navigate the delicate balance between professional management and familial relationships. An examination of the many different governance models that are widespread in Morocco is carried out in order to throw light on the consequences that various models have for decision-making procedures, transparency, and the long-term viability of these firms. The central focus of the paper is an investigation of the idea of socioeconomic value creation, with an emphasis on the multi-faceted character of this notion that extends beyond financial indicators. With a particular emphasis on the Moroccan setting, the research investigates the ways in which family companies, which are strongly established in cultural and community relations, make a constructive contribution to society. The purpose of this section is to emphasize the many ways in which these businesses have an influence on employment, community development, and social well-being. In conclusion, the results of this research provide useful insights into the essential role that governance practices within family companies play in influencing the contributions that these enterprises make to the socioeconomic growth of Morocco. It is crucial for policymakers, business executives, and academics who are interested in enhancing the good influence that family companies have on both the economic and social levels to have a solid understanding of these processes.

**KEYWORDS:** family companies, Morocco, socioeconomic growth, governance

---

## Introduction

Businesses that are run by families in Morocco function within a unique environment that is formed by a combination of traditional business techniques, cultural norms, and modern business procedures. The socioeconomic growth of Morocco is significantly influenced by these businesses, which are key contributors to the economic landscape of the nation. In the context of this discussion, the governance of family enterprises is defined by a difficult balance between the need for contemporary management methods and the traditional family values that have been passed down through generations (Addae-Boateng, Xiao, and Brew 2014).

The governance dynamics of family enterprises in Morocco are significantly influenced by cultural factors, which play a crucial part in the process. The cultural legacy of the nation, which places a strong emphasis on respecting family connections and elders, has a significant impact on the decision-making processes that take place inside these businesses. As a result of the intergenerational structure of family companies, succession planning, leadership transitions, and conflict resolution are often closely related to cultural norms. This adds an additional degree of complexity to the governance framework (Berent-Braun and Uhlaner 2012).

Additional factors that contribute to the formation of the governance landscape of family enterprises in Morocco include the legal and regulatory environment. The capacity to successfully navigate the regulatory frameworks that regulate these businesses is very necessary in order to guarantee compliance and viability. Understanding the legal requirements and being able to react to them is an essential component of good governance (Addae-Boateng, Xiao, and Brew 2014). This component has an impact on elements such as the structure of the firm, the reporting of financial information, and the adherence to inheritance rules. In this one-of-a-kind setting, family companies often find themselves at the crossroads where tradition and modernity meet. It is not enough for governance procedures to be in accordance with cultural values (Berent-Braun and Uhlaner 2012); they must also be able to satisfy the ever-changing requirements of a multinational economic environment. In order for family companies in Morocco to be successful and sustainable over the long term, it is vital to find a way to strike a good balance between tradition, regulatory obligations, and current business practices. This contextualization lays the groundwork for gaining a knowledge of the intricacies that are inherent in the administration of family businesses within the Moroccan economic environment.

The production of socioeconomic value bears important relevance within the setting of family enterprises in Morocco. The contributions that these businesses provide to society's general well-being are enormous, and they go beyond the basic financial advantages that they generate. The purpose of this part is to investigate

the complex significance of socioeconomic value creation and to shed light on the consequences that it has for enterprises as well as for the community as a whole.

To begin, the generation of socioeconomic value contributes to the preservation of family enterprises throughout the course of their whole existence (Caird et al. 2010). The establishment of positive connections and goodwill is facilitated by these businesses by their participation in activities that are beneficial to the community and society as a whole. Not only does this assist in the development of a durable and long-lasting company model, but it also helps to cultivate a climate that is favorable to support. In order to bring the interests of the family company into alignment with those of the community, sustainable practices, such as ethical decision-making and social responsibility, become important components of the governance structure. In addition, the socioeconomic value that is produced by family enterprises is an essential component in the process of community development at large (Caird et al. 2010). These firms become catalysts for economic growth by engaging in activities such as the creation of job opportunities, the promotion of skill development, and the provision of assistance to local businesses. The good effect goes beyond the local operations of the firm, and it has an influence on the general prosperity of the area. Family enterprises, which serve as the foundation of the community, provide significant contributions to the improvement of community living standards, infrastructure, and the general quality of life for the people who live in the area.

Moreover, the generation of socioeconomic value brings family enterprises into alignment with the wider social aims and development agendas. Family businesses have the potential to be agents of good change in Morocco, which is a country that is experiencing both social and economic issues simultaneously. In the process of solving social demands, such as education, healthcare, and environmental sustainability, family companies become essential contributors to the advancement of the country. These firms are positioned as significant participants in changing the socioeconomic landscape as a result of their alignment with society values, which not only improves their reputation but also positions them as essential players (Jorda-Capdevila and Rodríguez-Labajos 2017).

In conclusion, the significance of generating socioeconomic value inside family enterprises in Morocco extends beyond the realm of financial concerns. It is a strategic requirement that not only secures the long-term success of these businesses but also presents them as responsible and influential contributors to the improvement of society. This is a win-win situation. Through the adoption of this more comprehensive viewpoint on the generation of value, family companies have the potential to play a revolutionary role in the promotion of sustainable development and prosperity in Morocco.

## Literature Review

Through the examination of governance theories for family firms, one may get significant insights into the complex dynamics that affect decision-making, leadership structures, and overall sustainability within these types of organizations. Having an awareness of the many theories of governance is very necessary in order to successfully navigate the difficulties that are inherent in organizations of this kind, particularly in the context of Morocco, where family companies play a prominent role (Addae-Boateng, Xiao, and Brew 2014).

The Stewardship Idea is a popular governance theory that is useful to those who are involved in family companies (Berent-Braun and Uhlaner 2012). According to this point of view, members of the family are charged with the obligation of conserving and expanding the family's wealth throughout the course of several generations. Additionally, they function as stewards. A focus on long-term orientation, mutual trust, and ideals that are held in common are the primary focuses. In Morocco, where familial ties are highly engrained, the Stewardship Theory is prevalent, and it has an impact on government institutions that emphasize the preservation of family heritage and the transfer of wealth from one generation to the next.

On the other hand, the Agency Theory proposes that disagreements may occur between family owners and professional managers owing to the fact that they have different interests about the business. In this context, the primary emphasis is on ensuring that the goals of the family owners are aligned with the motivations of the managers. The adoption of governance structures (Addae-Boateng, Xiao, and Brew 2014) that are developed from the Agency Theory may be vital for ensuring openness, accountability, and performance alignment (Brenes, Madrigal, and Requena 2011), where family enterprises often include components of both the professional and the familial (Pindado and Requejo 2015).

Analysis of governance in family firms may also be done using the Resource-Based View (RBV), which provides an additional perspective (Berent-Braun and Uhlaner 2012). According to this notion, the distinctive resources and competencies of a company also contribute to the competitive advantage that the company has. In the context of family enterprises in Morocco, it is possible to see the knowledge and use of the distinctive family dynamics, cultural links, and social networks as important resources. The use of these internal resources in order to maintain a competitive edge is, according to this point of view, an essential component of effective governance.

Furthermore, the Socioemotional Wealth (SEW) approach emphasizes the significance of non-financial objectives, such as the maintenance of family unity and identity, in addition to the aforementioned theories. The SEW perspective offers a lens through which one can gain an understanding of how governance structures can be designed to protect not only the financial wealth of a family but



also the intangible assets that contribute to the family's well-being. This is particularly useful in Morocco, where family businesses frequently intersect with cultural values (Berent-Braun and Uhlaner 2012).

The examination of governance theories for family enterprises in Morocco sheds light on the complex dynamics that must be taken into consideration. The Stewardship Theory, the Agency Theory, the Resource-Based View, and the Socioemotional Wealth viewpoint each provide complimentary insights into the ways in which governance structures may be formed to handle the specific difficulties and possibilities that are present within family enterprises (Addae-Boateng, Xiao, and Brew 2014). In the Moroccan business scene, the adoption of a customized strategy that incorporates components from various theories has the potential to contribute to the long-term success and sustainability of family businesses.

In order to know how family companies in Morocco may have a good influence not only on their local surroundings but also on the larger community, it is vital to identify the variables that contribute to the production of socioeconomic value (Caird et al. 2010). Within the framework of these businesses, the development of socioeconomic value is influenced by a number of important aspects. This is one of the key ways in which family companies contribute to the production of socioeconomic value (Jorda-Capdevila and Rodríguez-Labajos 2017). Employment possibilities are another important approach. These businesses make a direct contribution to the economic well-being of people and families in the community by helping to provide employment opportunities for local citizens. In a country like Morocco, where unemployment may be a problem, family businesses play a crucial role in contributing to the improvement of lives and the reduction of economic inequities.

The capabilities of the workforce of family companies that engage in skill development and training programs not only contribute to the entire skill set of the community, but they also improve the capabilities of the workforce of the family company. This proactive strategy not only helps to boost the local labor market, but it also coincides with larger national goals relating to the development of human capital. One of the most important aspects of providing socioeconomic value is actively engaging with the community in which one resides (Caird et al. 2010). Family enterprises in Morocco that contribute to the general well-being of the community by supporting community development projects, cultural initiatives, and social welfare programs are a positive example of economic and social responsibility. By participating in this activity, beneficial connections are developed, and a feeling of shared prosperity is fostered. When it comes to the generation of socioeconomic value (Jorda-Capdevila and Rodríguez-Labajos 2017), the implementation of ethical business practices is absolutely necessary. When it comes to developing trust with stakeholders, such as workers, customers, and the community, transparent financial transactions, fair employment practices,

and adherence to ethical standards are all important factors. The establishment of this trust is essential to the continued prosperity and viability of family companies over the long term.

Family-owned firms that place an emphasis on environmentally responsible and sustainable business operations are making a contribution to the overarching objective of preserving the environment in this age of growing environmental consciousness. In addition to being beneficial to the environment, sustainable operations are also in line with the expectations of socially aware customers and investors, which further enhances the total socioeconomic effect (Caird et al. 2010). Through the use of cutting-edge procedures and technological advancements, family companies have the potential to achieve higher levels of efficiency, production, and competitiveness. Not only does this assist the company itself, but it also has a domino effect on the economy of the surrounding area by establishing better standards and fostering innovation within the ecosystem of businesses they operate in.

When it comes to evaluating the efficiency and well-being of family companies in Morocco, the definition of appropriate governance metrics is very important (Addae-Boateng, Xiao, and Brew 2014). A thorough knowledge of the governance structures and practices that impact decision-making, transparency, and overall performance may be obtained via the use of these metrics (Brenes, Madrigal, and Requena 2011). The importance of family involvement and succession planning cannot be overstated. It is possible to get valuable insights into the continuity and stability of family companies by analyzing the proportion of family members who are participating in key decision-making positions and the existence of a written succession plan with regard to the firm (Berent-Braun and Uhlaner 2012).

An additional crucial factor is the composition of the board and its independence. It is possible to get insight into the diversity and objectivity of governance by examining the ratio of family members to independent directors on the board, as well as the range of talents and experiences that are present within the board.

When it comes to governance, transparency and information disclosure are two of the most important factors. There is a correlation between evaluating the clarity and comprehensiveness of financial reporting and the availability of information on governance structures (Addae-Boateng, Xiao, and Brew 2014). This evaluation helps to guarantee that openness and accountability are maintained. Mechanisms for conflict resolution are very necessary in order to keep the peace within the family. Assessing the availability of formal methods for resolving disputes within the family and the company, as well as the speed and effectiveness of these processes, is a reflection of the resilience of governance structures. Performance metrics and executive compensation are both markers of how well governance is being carried out (Addae-Boateng, Xiao, and Brew 2014).

The implementation of responsible governance principles may be shown by transparent executive remuneration structures and their connection with long-term performance and the generation of sustainable value (Brenes, Madrigal, and Requena 2011). Management of risks and compliance are essential components of sustainable development (Parada et al. 2020). In order to maintain ethical corporate behavior, it is necessary to evaluate the efficiency of risk management systems and to conform to legal and regulatory frameworks, including the laws that exist in Morocco's local legislation.

The societal effect of family enterprises may be measured via the use of stakeholder engagement. A commitment to social responsibility may be shown by the existence of mechanisms for interacting with workers, customers, and the local community, as well as by the efficacy of feedback loops. Planning for the long term should be considered essential for achieving sustainable development. The strategic resilience of the company is ensured by the presence of a long-term plan that is clearly stated and that is aligned with the vision and values of the family governing the firm.

Initiatives that fall under the umbrella of Corporate Social Responsibility (CSR) demonstrate a dedication to the improvement of society. Understanding the presence of corporate social responsibility (CSR) programs in the community and the impact they have on the community, as well as the incorporation of socially responsible practices into core business operations, is a reflection of the family business's broader contributions to society.

**Development of Leadership and Succession Strategies** Both continuity and meritocracy are ensured by such programs. The availability of programs that are designed to cultivate future leaders from within the family and the success of such programs, in conjunction with the promotion of meritocracy in the appointment of leadership positions, contribute to the stability of governance over the long term. Shareholder Value Creation is a measure of a company's overall financial success. An understanding of the family business's capacity to generate wealth for its shareholders may be gained via the evaluation of its financial performance over a period (Brenes, Madrigal, and Requena 2011) of time, as well as through the consideration of its return on investment and dividend policies. When working in changing corporate contexts, the capacity to innovate and adapt to change is very necessary. It is possible to guarantee that the family company will continue to be robust and competitive by evaluating its capacity to adjust to shifting market circumstances and technology improvements, as well as by incorporating innovation into business procedures (Pindado and Requejo 2015).

When it comes to the theoretical model that illustrates the connection between governance and value creation in the context of family companies in Morocco, the governance structure is the primary focus of attention. The membership of the board of directors, the demarcation of duties among family members and professionals, and the decision-making procedures that impact the

strategic direction of the firm are all included in this area of concern. When it comes to the decision-making processes that take place inside the family company, the governance structure is an extremely important factor (Addae-Boateng, Xiao, and Brew 2014). One of the factors that contribute to the variety of ideas and knowledge is the makeup of the board, which takes into account both family representation and independent directors. This variety, in turn, improves the company's ability to make strategic decisions, which in turn makes it possible to conduct a more thorough analysis of both risks and opportunities (Berent-Braun and Uhlaner 2012).

When it comes to the family company, having effective governance structures that promote open communication and information flow is essential. It is essential to maintain this level of openness in order to bring the interests of family members, management (Parada et al. 2020), and other stakeholders into alignment. Through the cultivation of an atmosphere that is favorable to the development of value, clear communication helps to increase trust and collaboration. A connection is made between the governance structure and succession planning within the framework of the model (Addae-Boateng, Xiao, and Brew 2014). A succession plan that is both well-defined and transparent facilitates a seamless transfer of leadership, reducing the likelihood of any disruptions that may occur. This consistency in leadership is necessary for the continuation of the family business and for the company's capacity to provide socioeconomic value over the long term.

Additionally, the governance structure has an impact on the formation and enforcement of ethical business practices within the business process. Establishing trust with stakeholders requires a commitment to ethical behavior, which includes conducting financial transactions in a fair manner and according to legal and regulatory frameworks. Additionally, trust is a fundamental component that is necessary for the production of long-term value.

In addition to this, the model takes into account the responsibility that the governance structure plays in promoting innovation and flexibility. A governance structure that fosters an entrepreneurial attitude and is open to technology improvements puts the family company in a position to capitalize on opportunities and successfully manage problems, which ultimately leads to an increase in the amount of value that is created (Addae-Boateng, Xiao, and Brew 2014).

In conclusion, the theoretical model that has been provided makes the assumption that there is a mutually beneficial link between governance and the generation of socioeconomic value in family enterprises in Morocco. The cornerstone for sustainable wealth creation and the good influence that these businesses have on the larger socioeconomic environment is a governance structure that has been thoughtfully created and is defined by diversity, transparency, ethical behavior, and agility (Berent-Braun and Uhlaner 2012).

## Methodology

In order to provide a comprehensive and nuanced knowledge of the topic at hand, the study technique that is being used to investigate the connection between governance in family companies and the generation of socioeconomic value in Morocco is predominantly qualitative in nature. The first step is to conduct a comprehensive assessment of the current literature on family company governance. This evaluation will include both theoretical frameworks and qualitative investigations. Through this in-depth investigation, the basic understanding that is required for determining the most important ideas and the gaps in the existing body of knowledge is established.

There will be a limited number of family companies in Morocco that will be the subject of qualitative case studies. In-depth interviews with key stakeholders, such as family members, executives, and board members, will be conducted in order to collect rich, context-specific insights into governance structures, decision-making processes, and the perceived impact that these structures and processes have on the creation of socioeconomic value. It is anticipated that semi-structured interviews would be an important qualitative tool for data collection. Through these interviews, you will have the opportunity to dive into certain areas of governance, family relations, and the process of wealth generation. An analysis of the replies will be conducted using a thematic approach in order to identify patterns and themes that are pertinent to the study objectives.

An examination of theme analysis will be performed on qualitative data, which will include transcripts of interviews and materials derived from case studies. In this technique, patterns within the data are identified, analyzed, and reported on in order to develop themes that shed light on the complex link that exists between governance and the generation of socioeconomic value. Ethical concerns shall be adhered to in a stringent manner throughout the whole process of conducting research. All participants will be asked for their informed permission, and full adherence to confidentiality and anonymity will be maintained throughout the participation process. Guidelines of ethics shall be adhered to in order to protect the rights and privacy of the family companies that are participating as well as the stakeholders in those firms.

## Results

In the context of Morocco, the findings of the case studies provide unique insights into the dynamics of family company governance and the influence that it has on the generation of socioeconomic value. An examination of the chosen family companies via the lens of qualitative research uncovers a number of recurring themes and trends. When it comes to the structures of governance, it was noted that family firms that had a balanced composition of the board, which included both family members and independent directors, exhibited a decision-making

process that was more complete. When it came to tackling the difficulties and possibilities that the firm faced, the board's inclusion of a varied range of abilities and experiences led to the development of a comprehensive strategy.

The interviews with the most important stakeholders brought to light the relevance of open and honest communication in the delivery of efficient government. Higher levels of trust and collaboration were seen in family firms that encouraged open communication and the exchange of information among family members, executives, and board members. The importance of this openness cannot be overstated when it comes to supporting strategic decision-making and aligning interests effectively.

Planning for the next generation of leadership has become an essential component of governance in family enterprises (Addae-Boateng, Xiao, and Brew 2014). Those individuals who had well defined succession plans in place saw more seamless transfers in leadership, which ensured continuity and stability. On the other hand, family firms that had less established succession plans met with difficulties associated with leadership transitions, which might possibly have an effect on the overall performance and value generation of the organization (Brenes, Madrigal, and Requena 2011).

In their governance processes, family firms have constantly highlighted the importance of ethical issues as an inherent part of their operations. For the purpose of establishing trust with stakeholders and maintaining the company's reputation over the long term, it was believed that it was vital to adhere to ethical standards, conduct fair financial transactions, and comply with legal and regulatory frameworks. In addition to this, the theme analysis brought attention to the significance that family dynamics play in governance (Addae-Boateng, Xiao, et Brew, 2014). There was a distinct separation between family concerns and company choices in the successful family enterprises, which revealed excellent systems for dispute resolution. The split helped to create a more positive environment inside the firm, which in turn had a beneficial effect on the process of value generation (Berent-Braun and Uhlaner 2012). In general, the case studies provide light on the interconnection of governance practices and the effect that these practices have on the generation of socioeconomic value in Moroccan family enterprises (Caird et al. 2010). Based on these results, a more nuanced knowledge of the precise factors that contribute to the success and sustainability of family businesses in the Moroccan economic scene has been provided.

A full knowledge of the link between governance practices and the generation of socioeconomic value in Moroccan family enterprises may be obtained from the results of the case studies. A number of significant patterns and themes have surfaced as a result of qualitative investigation, which has contributed to the development of a detailed picture of the dynamics that are inherent in these enterprises.

Businesses that had a balanced composition of the board, including both family members and independent directors, demonstrated a more comprehensive decision-making process. This was the case in the field of governance. The varied set of experiences and abilities that were present on the board led to the development of an all-encompassing strategy for handling obstacles and making the most of opportunities. It became clear that open and honest communication was a crucial component of efficient government. Businesses run by families who placed a high priority on open communication and the exchange of information had much higher levels of trust and collaboration. Because of this openness, the interests of family members, executives, and board members were brought into alignment, which made it easier to make strategic decisions.

There was a strong emphasis placed on succession planning as an essential component of governance. There was a correlation between well stated succession plans and more seamless leadership transfers, which were related with maintaining continuity and stability within the organization. On the other hand, companies that had lower levels of formalization in their succession plans saw difficulties in reacting to changes in leadership, which might possibly have an effect on overall performance and value generation (Pindado and Requejo 2015). There was a continuous appearance of ethical issues in the tales of successful family enterprises. For the purpose of establishing trust with stakeholders and maintaining the company's reputation over the long term, it was determined that it is essential to adhere to ethical standards, conduct honest financial transactions, and comply with regulatory frameworks (Berent-Braun and Uhlaner 2012).

In addition, the role of family dynamics in governance was brought to light via the use of thematic analysis. A more positive organizational climate was achieved through the implementation of efficient mechanisms for conflict resolution and the establishment of a distinct boundary between family matters and business decisions. Furthermore, this resulted in a positive influence on the creation of overall value. In summary, the results from the case studies provide a nuanced perspective on how governance practices, transparency, succession planning, ethical considerations, and family dynamics collectively shape the ability of Moroccan family businesses to create socioeconomic value (Caird et al. 2010; Jorda-Capdevila and Rodríguez-Labajos 2017). The findings of this study contribute to a more in-depth understanding of the complex mechanisms that are responsible for success and sustainability in the context of family businesses in Morocco.

When it comes to successful family enterprises, ethical concerns have constantly emerged as a guiding principle. Not only were adherence to ethical standards, honest financial transactions, and a dedication to conformity with legal and regulatory requirements, but they were also the foundations around which confidence was established. The companies understood that ethical behavior was

not a compromise but rather an investment in the long-term reputation and goodwill that are the foundations of continuous wealth development.

Using thematic analysis, we were able to highlight the complex relationship that exists between family dynamics and government. The development of efficient processes for dispute resolution and the establishment of a distinct boundary between family concerns and business choices have emerged as aspects that are essential to the health of a company. The capacity to manage family connections and to keep a harmonic balance had a good impact on the overall operational environment, which contributed to a culture in the workplace that was favorable to the development of value and innovation.

In conclusion, the case studies offer a comprehensive depiction of the ways in which governance practices (Berent-Braun and Uhlaner 2012), which are characterized by diversity, transparency, strategic succession planning, ethical considerations, and adept management of family dynamics (Parada et al. 2020), collectively shape the capacity of Moroccan family businesses to generate long-lasting socioeconomic value (Caird et al. 2010). These results not only add to academic knowledge, but also provide practical insights for family firms that are looking to achieve sustained success (Jorda-Capdevila and Rodríguez-Labajos 2017) within the specific setting of the Moroccan economic sector.

## Conclusion

In conclusion, the in-depth investigation of the administration of family businesses and the influence that it has on the generation of socioeconomic value in Morocco shows a landscape that is complex and interwoven. The case studies, qualitative analysis, and theme insights all give useful viewpoints that lead to a more comprehensive understanding of the dynamics that are present inside these businesses.

The results of this study highlight the critical significance that governance structures have in determining the decision-making processes that are used by family firms. In order to create a more holistic approach to handling issues and capitalizing on opportunities, a board composition that is balanced and includes both family members and independent directors is particularly beneficial. These firms are able to better adjust to changing circumstances as a result of the variety that serves as a driving force. When it comes to good governance, transparent communication emerges as a crucial component, as it helps to foster trust and collaboration among family members, executives, and board members. This technique is not only a means of exchanging information; rather, it is a strategic facilitator that helps to align interests and direct strategic decision-making in a manner that is congruent with the comprehensive vision of the organization. The process of succession planning stands out as a valuable strategic asset since it guarantees a smooth transfer of leadership and maintains continued operations.



The capacity of family companies to handle leadership transitions with stability and composure is facilitated by well-defined succession plans, which contribute to the resilience of family enterprises.

In the context of successful family enterprises, ethical issues emerge as core principles since they are an inherent part of the fabric. Trust is built on the foundation of adhering to ethical standards, conducting fair financial transactions, and complying with legal frameworks. This helps to protect the company's image over the long term. Using thematic analysis, one may better understand the complex relationship that exists between family dynamics and government. Maintaining a healthy organizational climate and cultivating an atmosphere that is conducive to creativity and value creation can be accomplished through the implementation of effective conflict resolution mechanisms and the establishment of a distinct boundary between family matters and business decisions.

In essence, the findings support the adoption of a holistic approach to governance in Moroccan family businesses. This approach acknowledges the mutually beneficial relationship that exists between various governance structures, open and honest communication, strategic succession planning, ethical behavior, and the skillful management of family dynamics. By using such an approach, not only is it possible to guarantee the long-term viability and resilience of these enterprises, but it also puts them in a position to be contributors to the production of long-term socioeconomic value within the specific business environment of Morocco.

## References

- Addae-Boateng, Samuel, Wen Xiao, and Yaw Brew. 2014. "Governance issues in family businesses." *International Journal of Economics, Commerce and Management* 2: 1-28.
- Berent-Braun, Marta M., and Lorraine M. Uhlaner. 2012. "Family governance practices and teambuilding: Paradox of the enterprising family." *Small Business Economics* 38: 103-119.
- Brenes, Esteban R., Kryssia Madrigal, and Bernardo Requena. 2011. "Corporate governance and family business performance." *Journal of Business Research* 64(3): 280-285.
- Caird, Jenny, Rebecca Rees, Josephine Kavanagh, Katy Sutcliffe, Kathryn Oliver, Kelly Dickson, Jenny Woodman, Elaine Barnett-Page, and James Thomas. 2010. *The socioeconomic value of nursing and midwifery: a rapid systematic review of reviews*. EPPI Centre, London.
- Jorda-Capdevila, D., and B. Rodríguez-Labajos. 2017. "Socioeconomic value (s) of restoring environmental flows: systematic review and guidance for assessment." *River Research and Applications* 33(3): 305-320.
- Parada, Maria Jose, Alberto Gimeno, Georges Samara, and Willem Saris. 2020. "The adoption of governance mechanisms in family businesses: An institutional lens." *Journal of Family Business Management*.
- Pindado, Julio, and Ignacio Requejo. 2015. "Family business performance from a governance perspective: A review of empirical research." *International Journal of Management Reviews* 17(3): 279-311.

## **The Playground Between Preferences and Reality: A Pilot Study at the Belhamzaoui School in Annaba**

**Nadia Zediri**

Architecture and Town Planning Research Laboratory,  
Badji MOKHTAR-Annaba University, Algeria  
nadia.zediri@univ-annaba.dz

**Meriem Radouane**

Architecture and Town Planning Research Laboratory,  
Badji MOKHTAR-Annaba University, Algeria  
meriem.radouane@univ-annaba.dz

---

**ABSTRACT:** The significance of physical outdoor play is well-established, benefiting child development across multiple dimensions, including physical, psychological, social, and cognitive aspects. Given that children spend a significant portion of their time at school, it is crucial that their recreational needs are met through the outdoor spaces available within these institutions, primarily the playground. This study focuses on the primary users of this space—the students—and investigates their preferences regarding the use of the playground. We selected Belhamzaoui Abdelaziz School as a pilot case, developing criteria related to the configuration and design of the space, which guided the development of a student questionnaire and the conduct of field observations. The results of this study reveal the degree of alignment between the students' preferences and the existing conditions of the playground, providing insights that could guide potential redesigns, serve as a model for further analysis, or inform new designs.

**KEYWORDS:** child, outdoor play, playground, elementary school, usage preferences

---

### **Introduction**

In today's world, as in Algeria and globally, technology has not merely emerged—it has pervaded. This infiltration is profoundly reshaping childhood, leading increasingly to scenarios where children are found isolated, and passively engaged with screens presented to them under minimal restrictions, rather than actively expending energy, finding amusement, or engaging in interpersonal communications through play. However, the significance of physical play, particularly outdoors, is incontrovertible. It fosters development across multiple

dimensions: physically enhancing motor skills and overall health; psychologically by managing stress and providing revitalizing interactions with nature; socially through the sharing of spaces and intergenerational interactions; and cognitively.

Considering that children spend a predominant portion of their lives within school boundaries, the need for regular recreation, play, and physical exertion, which are crucial for the optimal assimilation of educational content, can only be satisfied through the outdoor spaces these institutions offer, specifically the playgrounds. Consequently, substantial emphasis must be placed on the design of these areas to ensure they truly fulfill the recreational and developmental needs of the students. As the primary users of these spaces, students are not only beneficiaries but also key stakeholders in the policies concerning the redevelopment of school environments. This study, therefore, aims to delve into students' perceptions of their school courtyards, exploring their preferences and aspirations for these spaces to better understand and meet their needs.

This study explores the perceptions and preferences of students regarding their school's playground. Belhamzaoui Abdelaziz Elementary School in Annaba was chosen as a pilot case to address the following questions:

- What configurations and arrangements do students prefer for their school playground?
- Does the current playground meet their expectations?

To answer these questions, a literature review was conducted on playgrounds, specifically focusing on those in elementary schools, to identify seven design criteria related to the configuration and arrangement of the space that could engage students' interest. These criteria were used to develop a sociological survey via a questionnaire for the students and establish an observation grid for field observations. The comparison of survey results with observational data allowed us to assess the alignment between the two, drawing necessary conclusions for further studies.

### **The Playground: Preferred Configuration and Design Criteria**

If the design of a playground must consider the safety of children against intrusions or accidents, as well as their visual, auditory, olfactory, and tactile comfort, it is equally important to consider adaptations to the capabilities and preferences of the children. (See Figure 1) Therefore, this section will focus on the preferences and interests of the students concerning the use of the courtyard, with the understanding that meeting these preferences and interests should ideally encourage children to engage more fully with the space as intended.

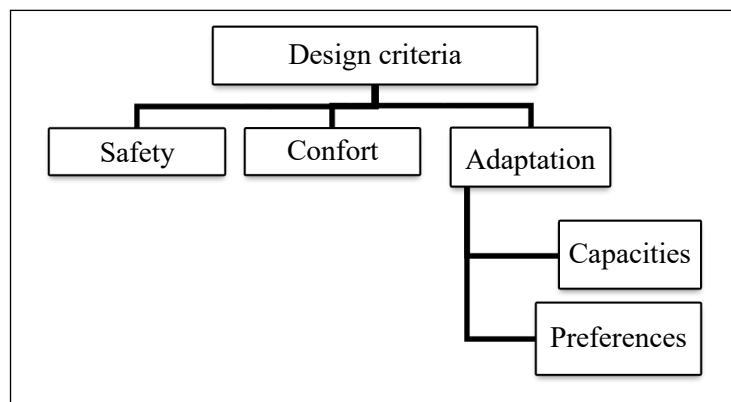


Figure 1. Design Criteria for a Playground

Following an extensive review of literature on playgrounds, specifically those within elementary schools, seven criteria related to the configuration and arrangement of the space have been identified to analyze the case study. These criteria are designed to spark the interest of students and include zoning, sports fields, recreational equipment, ground markings, urban furniture, objects, and natural elements.

### **Zoning: Diversity of Recreational Choices**

The concept of zoning within a playground is pivotal. Quality recreational spaces should offer a variety of activities, as supported by literature (Yates 2001; Mazalto 2017, 194). Effective zoning involves organizing the playground into distinct areas, each designed for different activities. These zones can be demarcated by physical landmarks or visually distinct ground markings (Périno 2014, 224; Anouck, 2015; Delidou, Matsouka, and Nikolaidis 2015) and should be versatile, complex, and flexible in their setup (Bru et al. 1984, 79).

Including various surfaces -such as asphalt, rubber, grass, and sand- enhances the functionality of each zone. Moreover, integrating covered areas or classrooms adjacent to the playground allows for diverse activities like drawing or group discussions during recess. Such strategic zoning facilitates the harmonious coexistence of activities ranging from dynamic movement and equipment use to exploration and rest, providing spaces that children can personalize for their unique activities.

### **Sports Field and Its Beneficial Contributions**

While not overshadowing the rest of the playground's layout, the presence of a standard multi-sport field within a playground allows children to engage in both team sports (such as football and basketball) and individual sports (like running and tennis). These activities not only provide physical exertion but also contribute significantly to a child's overall development, fostering social skills through team play and instilling respect for rules. Additionally, it is advisable to position a gymnasium

close to the playground if one is available. This proximity allows for the gymnasium's use when installing a sports field is not feasible or during inclement weather, ensuring that physical activities can continue uninterrupted.

Whether stationary or portable, recreational equipment is a staple in outdoor play areas. Swings, slides, and various play modules are designed to encourage essential playful activities crucial for child development, such as sliding, jumping, and learning to wait one's turn. These activities also teach children about sharing and risk assessment. However, just like the sports field, these elements should not overwhelm the playground's layout but rather maintain a harmonious balance with other aspects of the playground environment, ensuring a well-rounded recreational space (Peiron 2013).

### **Ground Markings: Low-Cost Distraction**

Ground markings offer a low-cost, creative solution to enhance a playground's usability and aesthetic appeal. Simple designs like hopscotch, snail, twister, and various circuits painted on the playground surface promote physical activity and agility development (Delidou, Matsouka, and Nikolaidis 2015). These markings also facilitate social interactions among students and serve as educational tools through shapes and colors, contributing significantly to the beautification and functionality of the space.

### **Urban Furniture: A Significant Addition to Well-being**

Urban furniture significantly enhances the functionality and user experience of playgrounds, from smaller elements like trash bins to larger fixtures such as picnic tables. Central to these elements, benches are particularly emphasized in playground design for their multifaceted utility (Delidou, Matsouka, and Nikolaidis 2015; Dawance, Deneff, and Ribeiro 2018; Wagner 2018).

These benches can be artistically crafted by local artists or even co-designed with the children themselves, offering a personal touch while fostering a sense of ownership and pride among the users. Strategically placed in visible, frequently accessed areas along the playground's periphery, benches facilitate multiple essential functions: they provide a spot for teachers to oversee activities, a place for students to rest, hydrate, or gather their thoughts, particularly useful in resolving conflicts or during casual interactions (Anouck 2015).

Picnic tables, optimally located in shaded and quieter sections of the playground, create versatile spaces for students to engage in various activities such as eating, drawing, or playing board games. These tables thus contribute to the social and recreational richness of the playground environment. Hygiene and safety are paramount, necessitating the strategic placement of trash bins near benches and tables, where snack consumption is frequent. These bins should accommodate waste sorting, be sufficiently numerous, and maintained regularly to ensure a clean

and safe environment (Dawance, Denef, and Ribeiro 2018). Additionally, other urban furniture components, including flower boxes, pergolas, kiosks, and water fountains, not only enhance the aesthetic appeal but also increase the functional value of the playground, making it more welcoming and usable.

### **Portable Recreational Objects: Supporting Developmental Activities**

The playground should include a variety of play objects such as wheeled toys, balls, sticks, marbles, cards, and knucklebones, along with creatively reused items that collectively support the playground's dynamic environment (Peiron 2013).

These objects are grouped into developmental categories: sensorimotor, symbolic, assembly, and rule-based (Levine 2019), aligning with the different stages of child development. Such classification ensures that the recreational tools provided are not only fun but also instrumental in enhancing motor skills, cognitive abilities, and social interactions among children.

### **Natural Elements: Vital for Holistic Development**

Incorporating a rich diversity of natural elements within playgrounds is crucial for fostering daily interaction with nature, which is essential for reducing stress and promoting focused, calm behavior among children (Bru et al. 1984, 79; Laberge, Boudreault, and Dumont 1999, 14; Manfred 2004, 81). Key natural features include an assortment of greenery -trees, shrubs, vegetable gardens, plants, flower boxes, hedges, and grassy expanses which are widely acknowledged for their positive impact on children's well-being (Dadvand et al. 2015; Dawance, Denef, and Ribeiro 2018).

Additional natural elements such as bodies of water, ponds, rocks, sandboxes, hills, and varied living organisms enhance the ecological learning environment and encourage exploratory play. Diverse ground coverings and textures, including natural options like grass and sand, are recommended to provide different sensory experiences, further enriching the playground's educational and recreational value. These elements not only contribute to the physical landscape but also to the cognitive and emotional development of the children who use the space.

### **The Belhamzaoui School Playground: The Gap Between Student Preferences and Reality**

Among the various elementary schools in Annaba, Belhamzaoui Abdelaziz Elementary School, established as the oldest functioning school in the area, has been selected as the primary focus for our case study. Originally functioning as a communal girls' school named "Caraman" during French colonization in Algeria, the school is steeped in history. It was erected in 1856 by the mayor of Bône and later expanded vertically in 1880. Now it sits in the old town of Annaba, within the 4th sector as designated by the POS division (See Figure 2).



Figure 2. The Location of the School  
Source: Google Earth modified (2022)

The architectural layout of the school features a central playground measuring  $168\text{m}^2$  flanked by an R+2 building covering  $512\text{m}^2$ . This infrastructure supports approximately 240 students, offering insights into the school's capacity and spatial utilization (See Figure 3).



Figure 3. The School's Massing  
Source: Google Earth (2022)

To better understand the dynamics and preferences of the student body regarding the playground, a sociological survey was implemented, using a written questionnaire in Arabic. This questionnaire was distributed to a random sample of 30 students, about 10% of the school population, including boys and girls ranging from 4 to slightly over 10 years old. The responsibility of distribution and collection was managed by school teachers, with the assistance of parents for filling out the forms. From the 30 questionnaires distributed, 19 were successfully retrieved, forming the basis of our analysis. The demographic distribution of the respondents included 37% boys and 63% girls, primarily aged between 5 to 9 years, spanning from preparatory to 4th grade (See Tables 1 and 2).

Table 1. Sample by Age

Age	5	6	7	8	9	10
%	21.05	26.31	15.78	21.05	15.78	0

Source: Zediri (2022)

Table 2. Sample by Educational Level

Level	Preschool	1	2	3	4	5
%	21.05	26.31	21.05	15.78	15.78	0

Source: Zediri (2022)

Students were asked to select their preferred features for their school courtyard from the previously mentioned criteria (zoning, sports fields, recreational equipment, ground markings, urban furniture, objects, and natural elements).

The results showed a favorable response for the presence of recreational equipment (74%), a sports field (68%), zoning (63%), ground markings and objects (53%), urban furniture (37%), and natural elements (32%), in that order (See Figure 4).

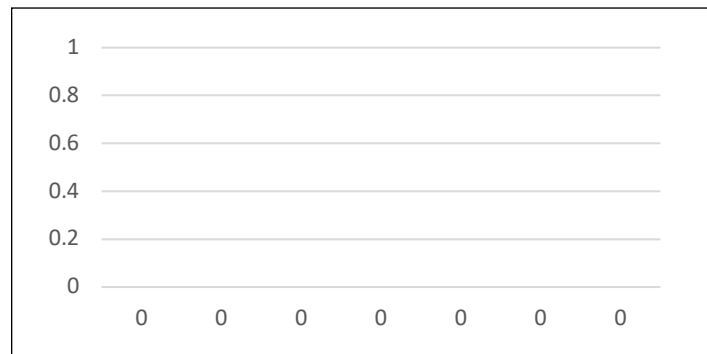


Figure 4. Student Preferences  
Source: Zediri (2022)

Concurrent with the sociological survey, the following results are derived from observations made at the playground of the school under study, both before and during the students' recess period.

The playground is a central rectangular space measuring 168m<sup>2</sup> and accommodates 240 students (See Figure 5). This dimension translates to a capacity of 0.7m<sup>2</sup> per student—a markedly low capacity compared to international standards (between 5 and 8 m<sup>2</sup> per student) (Dawance, Denef, and Ribeiro 2018) and even national standards (3m<sup>2</sup> per student) as per the 2020 decree defining the typology of school constructions.

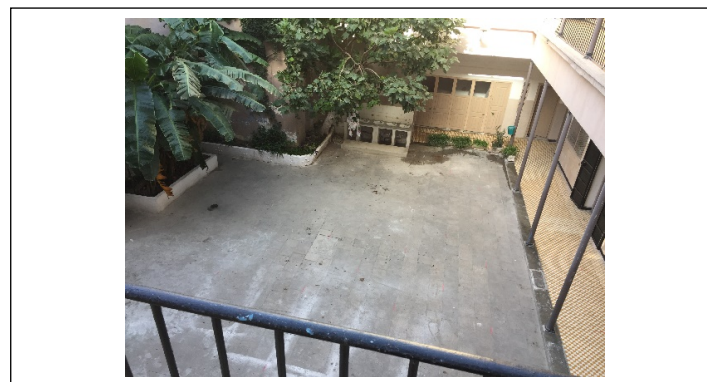


Figure 5. View of the Belhamzaoui School Courtyard  
Source: Zediri (2022)



The limited capacity of the courtyard, at  $0.7\text{m}^2$  per student, can be attributed to the school's age, originally designed for a smaller number of students and without considering a vertical extension. This constrained capacity significantly limits the possible uses of the space and impacts the preferences indicated by the students, such as the installation of equipment.

In response to these space constraints, the school's educational team has opted for staggered recess periods. Initially, students from the 3rd, 4th, and 5th grades take their recess, followed by those in the 2nd grade, and finally, the 1st graders and preparatory students (See Figure 6). This arrangement minimizes the number of students using the space at any one time, thereby effectively increasing its capacity.



Figure 6. Recess by Groups

Source: Zediri (2022)

This method not only manages the available space more efficiently but also aligns with the students' expressed preferences by adapting the use of the courtyard to better accommodate the diverse activities they favor.

The practice of staggered recesses adopted by the school serves as a practical solution to spatial constraints. However, this method has its drawbacks; it restricts interactions between students of different ages and educational levels, thereby limiting the exchange of social and educational experiences among them. Additionally, the layout of the school with classrooms surrounding the courtyard means that students in session are inevitably subjected to the noise from their peers enjoying their recess, which can be disruptive.

### **Zoning: Student Appropriation of Space**

What might be viewed as a form of unplanned or informal zoning is the presence of a central tarred surface that is used for physical games or group gatherings. Surrounding this area is a shelter equipped with two benches and a slight elevation difference (threshold) which is primarily utilized as a seating, discussion, and snack area. This area is covered with slightly slippery tiles, encouraging children to jump following the square markings and to slide on them. The border around an existing tree is also used for seating, and the external bathrooms with sinks function as a water area (See Figure 7).

Despite the absence of formally designated zones, students manage to organize themselves and adapt the use of the existing space according to their needs for physical activity and rest. At the same time, more than half of the surveyed students

(63.15%) expressed a preference for having designated zones within their courtyard, highlighting a significant interest in structured spatial organization.



Figure 7. Students in the Courtyard  
Source: Zediri (2022)

### **Sports Field, Equipment, Ground Markings, and Objects: Notable Absences and Potential Solutions**

The lack of a sports field, which is favored by 68.42% of the students, is particularly noteworthy. Given the limited space in the courtyard, accommodating a standard-sized sports field is impractical. However, innovative alternatives could include installing basketball hoops, mounting a movable vertical wall near the sinks for racquet sports, and delineating a mini soccer pitch with temporary artificial turf to facilitate physical activities.

Similarly, playground equipment, which is the top preference for 73.68% of the students, is conspicuously absent. In light of the space constraints, mobile and temporary equipment setups could serve as a feasible solution to meet the students' needs. The deficiency is also apparent in ground markings and objects, desired by 52.63% of the students. While the tile tracing in the shelter might serve as a rudimentary form of ground marking, facilitating play, more structured and versatile markings could enhance the usability of the space. Establishing rules for conflict management and alternating the use of different activities could also help in managing these features effectively.

### **Urban Furniture: Existing Setup and Enhancements**

The existing urban furniture in the courtyard consists merely of two benches positioned under the shelter, along with two simple trash bins mounted in opposite corners and two hanging light fixtures (See Figure 8). Concurrently, 36.84% of the surveyed students indicated a preference for urban furniture in the layout of their courtyard.



Figure 8. The Urban Furniture of the School  
Source: Zediri (2022)

The mere presence of two benches is grossly insufficient given the number of students occupying the courtyard simultaneously. This shortage forces them to sit on the threshold of the shelter, a surface that is ill-suited for seating. The trash bins, on the other hand, require regular emptying to maintain cleanliness. Removing the existing benches and installing new ones that are appropriately sized for children along the shelter could potentially meet the students' needs more effectively, especially during snack time.

### Natural Elements: A Dominance of Greenery

As for natural elements, these are predominantly characterized by greenery, with a tree situated in one corner of the courtyard, plants around the shelter and classroom windows, a cat observed during photo sessions, and water if one considers that flowing from the taps at the sinks (See Figure 9). Regarding the preferences of the surveyed students, 31.57% expressed a desire for more natural elements within their courtyard.



Figure 9. The Greenery in the Courtyard  
Source: Zediri (2022)

Thus, while greenery is quite prevalent as a natural element within the courtyard, there is room for adding more diverse elements where feasible, such as a vegetable garden, a removable sandbox, a water fountain, and some domestic animals. These additions would enhance the children's direct contact with nature, enriching their educational and recreational experiences at school.

### Additional Elements Suggested by Students

Students also suggested incorporating a space dedicated to reading activities and a room for electronic games. The reading area could be set up outdoors or within quiet classroom spaces, utilizing areas like balconies on upper floors to create a conducive environment for reading.

The proposal for a room dedicated to electronic games reflects the current generation's inclination towards digital entertainment, which, if designed with active participation in mind, could also serve physical development purposes.

## Conclusion

As noted at the commencement of this study, the role of outdoor play in fostering a child's multifaceted development is indisputable, establishing the playground as a critical platform for such activities. Optimal service to the child user demands the incorporation of specific configuration and design criteria within the playground. These essential elements encompass zoning, sports fields, recreational equipment, ground markings, urban furniture, objects, and natural elements.

The playground's markedly limited capacity presents a substantial challenge to its utility. Therefore, implementing staggered recesses has emerged as a feasible interim solution. However, this method introduces several limitations, particularly the restricted interaction among students across different age groups and academic levels, which could potentially diminish valuable social exchanges. Additionally, the proximity of classrooms to the playground area subjects those students in session to disruptive noise from the playground.

Given the lack of explicit and delineated zoning, there is observable evidence that students have adapted the usage of the existing space to meet their needs for both physical activity and relaxation. This adaptability suggests a significant benefit in involving students more actively in the decision-making processes related to their playground, ensuring that their direct input might lead to more user-focused design solutions. Considering the spatial constraints, it may become necessary to consider temporary modifications of the playground setup, including alternating different activities based on a predetermined schedule and effectively managing usage conflicts through the implementation of clear rules.

This study is positioned as a foundational or pilot investigation, with ambitions to extend this research to other institutions while specifically addressing preferences across different genders and age groups. Such an expanded study is poised to offer a deeper, more comprehensive understanding of playground dynamics, which could then inform targeted enhancements and solutions.

Ultimately, the extended findings are anticipated to contribute to a methodological framework for the design and redesign of playgrounds. This framework aims to ensure the creation of high-quality spaces that are fully supportive of the healthy physical, psychological, social, and cognitive development of children, thereby transforming playgrounds into truly beneficial environments for child users.

## References

- Anouck, Thibaut. 2015. "Violence: une cour de récré magique à Couvin : 6-12 ans." Bruxelles. *Le ligueur* 66(19):8–9.
- Bru, Monique, Claude, Cohen, Guy, Champagne, Yvon, Gac, Denis, Morin, and Jacques Rey 1984. *Pourquoi ? Comment ? Aménager les cours d'écoles*. Cannes : Institut Coopératif de l'École Moderne Pédagogie Freinet.
- Dadvand, Payam, Mark, J., Nieuwenhuijsen, Mikel, Esnaola, Joan, Forn, Xavier, Basagaña, Mar, Alvarez-Pedrerol, Ioar, Rivas, Mónica, López-Vicente, Montserrat, De Castro Pascual, Jason, Su, Michael, Jerrett, Xavier, Querol, and Jordi, Sunyer. 2015. "Green spaces and cognitive development in primary schoolchildren." *Proceedings of the National Academy of Sciences* 112(26):7937–7942. Doi:10.1073/pnas.1503402112.
- Dawance, Sophie, Julie, Deneff, and Amélia, Ribeiro. 2018. *Mon école, un espace de qualité. Guide pour l'enseignement fondamental*, p. 110. Perspective. Brussels. Available at [https://perspective.brussels/sites/default/files/documents/mon\\_ecole\\_un\\_espace\\_qualite\\_0.pdf](https://perspective.brussels/sites/default/files/documents/mon_ecole_un_espace_qualite_0.pdf).
- Delidou, Eleni, Ourania Matsouka, and Christos Nikolaidis. 2015. "Influence of school playground size and equipment on the physical activity of students during recess." *European Physical Education Review* 22(2):215–224. Doi:10.1177/1356336X15598790.
- Google LLC. 2022. Google Earth (Version 7.3.4). Available at <https://earth.google.com>. Accessed November 15, 2022.
- Laberge, Benoit, Diane, Boudreault, and Édith, Dumont. 1999. *Mieux vivre ensemble dans la cour d'école*. Montmagny : Direction de la santé publique, de la planification et de l'évaluation, Régie régionale de la santé et des services sociaux de la Chaudière-Appalaches.
- Levine, Fabienne Agnès. 2019. "Le cadre ludique ou l'art de préparer les espaces de jeux." Available at <https://lesprosdela petiteenfance.fr/eveil-activites/jouer-pour-grandir/le-cadre-ludique-ou-l-art-de-preparer-les-espaces-de-jeu>.
- Manfred, Engel. 2004. "Aires de jeux. Conception et planification d'aires de jeux attractives et sûres." Available at <https://www.yumpu.com/fr/document/view/16871359/conception-et-planification-daires-de-jeux-pour-enfants-attractives-et-sures>.
- Mazalto, Maurice. 2017. *Concevoir des espaces scolaires pour le bien-être et la réussite*. Paris : L'Harmattan.
- Peiron, Joanna. 2013. "Ce qui se joue dans la cour de récréation : Actu parents." *Le ligueur* 64(6):18–19. Available at <https://leligueur.be/article/ce-qui-se-joue-dans-la-cour-de-recreation>.
- Périno, Odile. 2014. *Des espaces pour jouer. Pourquoi les concevoir ? Comment les aménager ?* Erès.
- Wagner, Saul. 2018. "How to Choose School Playground Equipment." *Hertz Furniture*. Available at <https://www.hertzfurniture.com/buying-guide/education-resources/playground-design.html>.
- Yates, Corinne. 2001. "School playground." Available at <https://apps.hci.rwth-aachen.de/borchers-old/cs377c/Assignment2/yates.html>.
- Zediri, Nadia. 2022. "La cour de récréation dans les écoles primaires algériennes. Entre l'existant et le souhaitable. Cas de l'école primaire Belhamzaui Abdelaziz à Annaba". 3ème séminaire international sur l'environnement et l'enfant. Batna: LEVE.

# Acceptance of Electric Vehicles: Critical Review Towards a Unified Research Concept

**Steffen Berg**

Universidad Católica San Antonio de Murcia, Spain  
sberg@alu.ucam.edu

**Mercedes Carmona Martínez**

Prof. Dr. Universidad Católica San Antonio de Murcia, Spain

**Thomas Heupel**

Prof. Dr. FOM Hochschule für Oekonomie & Management, Germany

---

**ABSTRACT:** In many countries, electric mobility, especially electrified vehicles, is seen as essential for moving towards a more efficient, cleaner, and ideally CO<sub>2</sub>-neutral way of personal transportation. Despite the considerable technological progress in electric mobility over the last decade, the challenge of public acceptance remains unresolved, raising concerns for both manufacturers and policymakers. This article first outlines the registration situation in Germany and then explains the political framework surrounding it. Following that, it presents the number of publications related to electric vehicles, placing them within the larger context of research on acceptance. Additionally, existing meta-analyses on electric mobility are reviewed to identify potential factors influencing the adoption of electric vehicles, including purchasing decisions and future ownership. Finally, the research question is framed within the literature on customer preferences, and an overview of the theoretical implications is discussed.

**KEYWORDS:** technology acceptance, user acceptance, electric vehicle, electric mobility, consumer preferences

---

## 1. Introduction

The levels of pollutants and particulate matter in the air, primarily due to vehicle traffic, have been rising each year. The transportation sector accounts for about 20% of global carbon dioxide emissions annually, with nearly half of that coming from private motorized transport (Deutsches CleanTech Institut 2020; Europäisches Parlament 2023, 3; Martin et al. 2022; Rodrigue 2020, 132 f.). This indicates that passenger transport significantly affects both human health and the environment, contributing to local noise and air pollution as well as global climate change (Creutzig et al. 2015, 911 f.; Lelieveld et al. 2015, 1 f.). As a result, more people are becoming concerned about environmental issues (Attenborough & Lagarde 2019, 5; Continental AG 2020, 7; Finger 2015, 10). In this context, the traditional internal



combustion engine is at the center of discussions about drive technology. The goal of electrifying drives is to promote the use of environmentally friendly technologies. This offers a chance to decrease long-term oil dependence and lower emissions (Appel 2021; Delhaes 2021; Karle 2022, 2; Proff and Szybisty 2018, 2). To meet the targets outlined in the Paris Agreement<sup>1</sup>, it is crucial to cut emissions from motorized private transport (Rockström et al. 2017, 1269 f.).

Electric Mobility (EMOB) is crucial for the energy transition and the quest for sustainable transportation in many countries. Specifically, battery electric vehicles (BEVs) are a key component in this effort (Kampker et al. 2018, 60 f.; Karle 2022, 29f.; Middelkoop and Koppelaar 2017, 45 f.). BEVs utilize electricity sourced from local, low-emission options whenever possible (Ajanovic and Haas 2016, 1452; Bradley and Frank 2009, 115 ff.; Chan 2007, 707 ff.). Electric vehicles have been commercially available for just over a decade (F. Dudenhöffer 2022b, 37; Karle 2022, 3). For a long time, electric vehicles made up only a small fraction of total vehicle sales in Germany, leading to significant skepticism about the market potential of this innovative drive technology (Kampker et al. 2018, 13; Kraftfahrt-Bundesamt 2024b).

## 2. Electromobility in Germany

The low number of registrations can be attributed to several factors. Key criticisms of electric vehicles include their significantly higher purchase price, limited range, inadequate charging infrastructure, lengthy charging times, and concerns regarding technical safety and reliability (Bennett and Vijaygopal 2018, 501; Proff et al. 2022, 7). It was not until the period from 2020 to 2022 that we saw a significant rise in electric vehicle sales. Given these changes, it is important to consider whether the increase in registered electric vehicles is solely due to political support measures or if other technical, socio-economic, or psychological factors have also influenced consumer buying decisions (Bandelow and Kundolf 2018, 172; CAM 2021; Kampker et al. 2018, 14; Kraftfahrt-Bundesamt 2022). Despite the growing number of registrations, the criticisms of current electric vehicles cannot be overlooked. Considering the technical limitations, it seems reasonable to suggest that consumer acceptance of electric vehicles may still be constrained (K. Dudenhöffer 2015, 321; Fazel 2014, 303–306; Sanguesa et al. 2021, 391).

The Federal Republic of Germany set an ambitious goal of having 1 million registered electric vehicles by 2020, but this target was not achieved (Bundesministerium für Wirtschaft und Klimaschutz der Bundesrepublik Deutschland 2016). However, electric vehicle sales saw a significant increase, with over 524,200 new registrations recorded in Germany in 2023. In December 2023, the government announced an early end to the environmental bonus, a subsidy for electric vehicles that was initially intended to last until the end of 2024. In light of

---

<sup>1</sup> The Paris Agreement is an international treaty concluded by 195 parties to the United Nations Framework Convention on Climate Change with the aim of protecting the climate, following the Kyoto Protocol (United Nations 2015).

this, several manufacturers stated they would temporarily absorb the government funding portion to avoid a sharp drop in sales. The subsidy for plug-in hybrid vehicles had already lapsed at the end of 2022, and support for electric vehicles owned by commercial entities ceased in August 2023 (Kraftfahrt-Bundesamt 2024a; ntv, 2024). As a result, interest in electric cars in Germany has noticeably declined. In July 2024, the number of registered electric cars was 36.8 percent lower than in the same month the previous year, making up only 12.9 percent of all new registrations. Since the start of the year, around 215,000 electric cars have been sold, marking a significant drop compared to the same period in 2022. Contributing factors to this trend include high prices, a lack of affordable models, limited range, long charging times, and insufficient charging infrastructure. Despite advancements in technology, demand remains low. The government's goal of reaching 15 million electric vehicles by 2030 seems increasingly difficult, especially considering that only 1.4 million have been registered to date (Kraftfahrt-Bundesamt 2024b). Dudenhöffer, an expert in the automotive industry, has sharply criticized the SPD's plans to offer purchase premiums of €6,000 for new electric cars and €3,000 for used ones. He describes these initiatives as reactionary and lacking a systematic approach. Dudenhöffer points out that the lack of a clear strategy creates uncertainty for potential buyers, which ultimately stifles demand instead of encouraging it. The ongoing discussions about the car summit and the various, sometimes disjointed, political proposals are destabilizing the market. As a result, buyers are becoming more hesitant, worsening the situation (F. Dudenhöffer 2024). Given these considerations, it is important to explore the reasons behind the slow acceptance of electric vehicles and the strategies that could be implemented to promote the adoption of innovative drive technologies (Bundesministerium für Wirtschaft und Klimaschutz der Bundesrepublik Deutschland 2016, 2022, 2023; Dudenhöffer 2022a, 160 ff.). This leads to the following question: Which factors influence the acceptance of electric vehicles?

The research project aims to investigate this question to understand the elements influencing the acceptance of electric mobility and to find effective tools for boosting both acceptance and sales. The ultimate objective is to sustainably enhance the sales of electric vehicles.

### **3. Acceptance research and electric mobility**

The goal of acceptance research is to explore the psychological and sociological factors that affect how individuals accept new technologies and to create models based on these factors (Dillon and Morris 1996, 8). User acceptance refers to the enthusiastic adoption of a product or idea through active engagement, rather than just passive acceptance (Dethloff 2004, 18). Developing positive attitudes and intentions is essential for achieving acceptance. Acceptance serves as a measure of how consumers view a product, like electric vehicles, as a legitimate alternative (K. Dudenhöffer 2015, 76; Wicki et al. 2022, 66). Research on the Technology



Acceptance Model (TAM) can be categorized into four distinct phases: introduction, validation, expansion, and refinement (Lee et al. 2003, 755). According to Lee et al. (2003), the technology acceptance research conducted so far can be segmented into four phases: model introduction, model validation, model expansion, and model refinement (Fazel 2014, 131; Lee et al. 2003, 755).

The accompanying Figure 1 illustrates how various technology acceptance models have evolved over time. TAM 1 (Technology Acceptance Model 1): This model was first introduced in the late 1980s and underwent several validation studies until the early 2000s. TAM 2: An extension of the original TAM, introduced in the mid-2000s, which became the focus of extensive research throughout the 2010s. The Unified Theory of Acceptance and Use of Technology (UTAUT) was developed in the mid-2000s and builds upon earlier models, being developed alongside TAM 2. TAM 3 and UTAUT 2: Both models were introduced in the late 2000s and continue to be refined and developed to this day. UTAUT 2 showcases a progressive enhancement, contextualization, and exploration of technology acceptance.

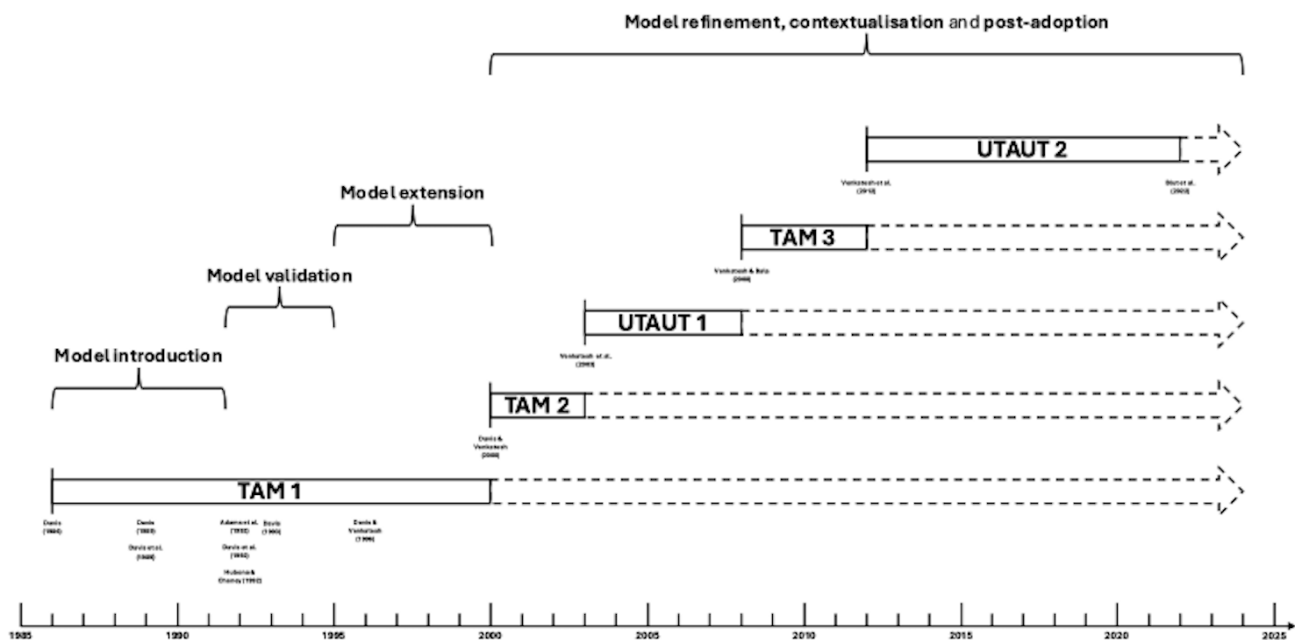


Figure 1. Phases of technology acceptance research to date and key publications<sup>2</sup>

To better understand the developmental stages of technology acceptance models, it is also helpful to provide a descriptive overview of the literature on acceptance research related to electric mobility. For this purpose, the multidisciplinary database Scopus was searched for peer-reviewed research literature that includes the term 'electric vehicle' in the title, abstract, or keywords. The results underwent a systematic relevance check (Holden and Karsh 2009, 162; Yarbrough and Smith, 2008, 652).

<sup>2</sup> For completeness, the figure also includes Davis' 1986 dissertation, which is the first to mention the technology acceptance model. However, as the 1989 paper is referred to in the literature below as the "origin of TAM", this is also taken into account in this paper.

To align with the research context of this study, the following search terms were used: 'electric AND vehicle' along with 'intention OR acceptance OR TAM OR UTAUT OR technology acceptance OR technology acceptance model'. The following Figure 2 illustrates that this focused search resulted in a total of 1,843 publications (shown in orange) and 1,088 specialized articles (shown in blue).

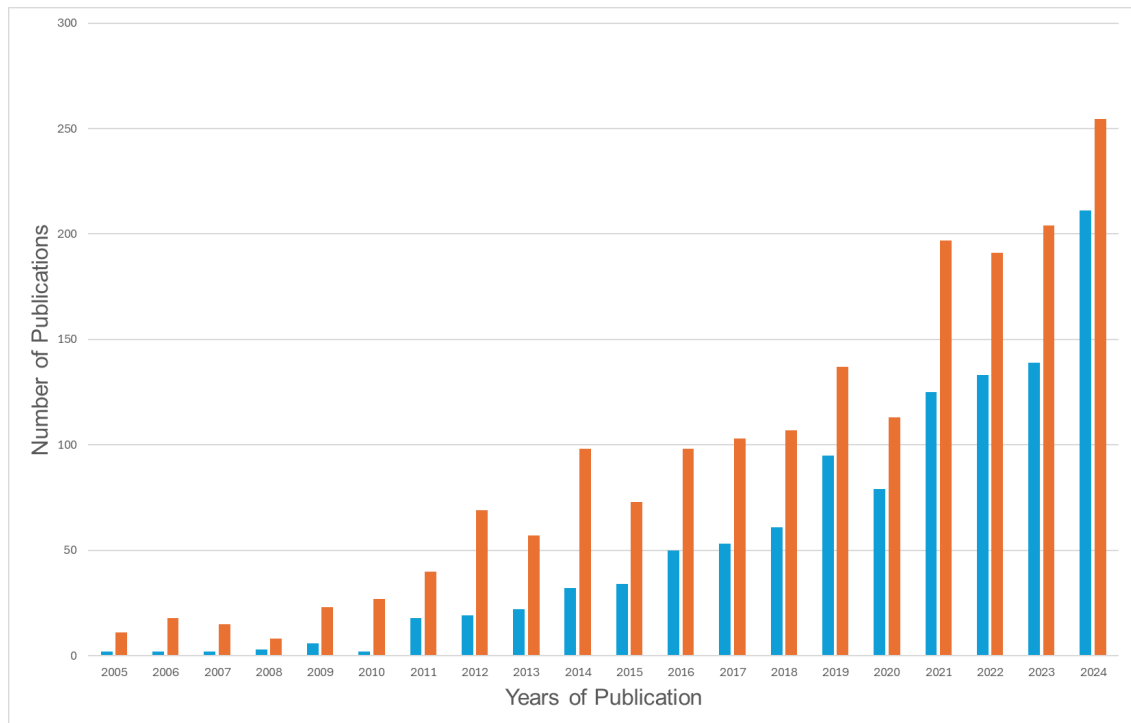


Figure 2. Number of Publications for electric vehicles from 2005 to 2024<sup>3</sup>

The publications were also examined based on scientific journals. It was discovered that there is a significant link between acceptance research and electric vehicles, especially in journals related to transport and sustainability. In total, articles were published across 160 journals, with around two-thirds of the publications found in 29 of the journals listed in the following table.

Table 1. Number of publications in the field of research context according to scientific journals

Journal	Publications
Sustainability Switzerland	69
Transportation Research Part A Policy and Practice	44
Transportation Research Part D Transport and Environment	39
Journal of Cleaner Production	33
World Electric Vehicle Journal	33
Energies	30
Energy Policy	30
Transport Policy	21
Energy	18
Transportation Research Part C Emerging Technologies	16

<sup>3</sup> The figures for the year 2024 are extrapolated, the call-off date of the data is the 31st of May 2024.

Transportation Research Part F Traffic Psychology and Behaviour	16
Journal of Power Sources	13
Technological Forecasting and Social Change	13
Applied Energy	12
IEEE Access	12
Qiche Gonachenq Automotive Engineering	12
International Journal of Electric and Hybrid Vehicles	11
International Journal of Hydrogen Energy	11
International Journal of Sustainable Transportation	11
Journal of Energy Storage	11
Case Studies on Transport Policy	10
Environmental Science and Pollution Research	9
IEEE Transactions on Vehicular Technology	9
IEEE Transactions on Intelligent Transportation Systems	8
Dianli Xitong Baohu Yu Kongzhi Power System Protection and Control	7
Energy Reports	7
Energy Research and Social Science	7
International Journal of Automotive Technology	7
Research in Transportation Business and Management	7

The research clearly shows that many individual studies have been carried out in the area of 'electromobility and technology acceptance'. However, since this work focuses on the broader obstacles to accepting electric vehicles, it is important to look at not just the individual findings that fit the specific context, but also those that might overlook some key factors influencing acceptance. Meta-analyses are particularly relevant to summarize findings in their field of research (Moro and Lonza 2018).

The exploration of attitudes and preferences regarding electric vehicles began in 2007. Table 2 below summarizes the relevant studies. It shows that, alongside Davis' technology acceptance model, researchers also utilized the theory of planned behavior and Rogers' diffusion theory as their theoretical frameworks. It is also striking that only a small number of the studies scientifically examined, validated and qualified their results from the literature research in a second step.

Table 2. Overview of EMOB meta-analyses and reviews

Author/s	Title	EV-type	Method of factor identification	Research focus & Main theory	Categories to bundle the research determinants
Lane and Potter 2007	The adoption of cleaner vehicles in the UK: exploring the consumer attitude–action gap	BEV	> Literature review > Qualitative and quantitative interviews via questionnaire	> Adaption barriers of BEVs <i>via</i> > Theory of Planned Behavior (TPB) > Value-belief-norm theory > Habits > Diffusion of Innovation Theory (DOI)	> Situational factors > Psychological factors
Razvani et al. 2015	Advances in consumer electric vehicle adoption research: A	PHEV	> Literature review, Peer-reviewed journals only	> Consumer intentions and adoption behavior towards EVs <i>via</i> > Theory of Planned Behavior (TPB)	> Technical factors > Contextual factors > Cost factors > Individual and social factors

	review and research agenda				
Coffman et al. 2017	Electric vehicles revisited: a review of factors that affect adoption	EV	>Literature review, Peer-reviewed journals only	Adaption factors for EVs <i>via</i> >Gap analysis	>Internal factors >External factors
Li et al. 2017	A review of factors influencing consumer intentions to adopt battery electric vehicles	BEV	>Literature review, Peer-reviewed journals only	>Adaption intention of BEVs <i>via</i> >Theory of Planned Behavior (TBP) >Diffusion of Innovation Theory (DOI) >Technology Acceptance Model (TAM)	>Demographic factors >Situational factors >Psychological factors
Liao et al. 2017	Consumer preferences for electric vehicles: a literature review	BEV. PHEV	>Literature review	Consumer preferences <i>via</i> > Identification of the variables for further research	>Financial attributes >Technical attributes >Infrastructure attributes >Policy attributes >Individual-specific attributes
Hardman et al. 2018	A review of consumer preferences of and interactions with electric vehicle charging infrastructure	BEV. PHEV	>Literature review	Recognize consumer preferences for charging infrastructure for market introduction <i>via</i> >Literature review	>Charge point activity and locations >Pricing and interoperability >Cost of charge >Number of public charging stations >Temporal distribution of charging and charge management >Information, education, and outreach
Daramy-Williams et al. 2019	A systematic review of the evidence on plug-in electric vehicle user experience	PHEV	>Literature review	User experience of PHEV <i>via</i> >Systematic Literature review	>Driving behavior >Travel behavior >Interactions with the vehicle >Subjective aspects of the user experience
Wicki et al. 2022	What do we really know about the acceptance of battery electric vehicles? – Turns out, not much	EV	>Literature review, Peer-reviewed journals only >Meta-analysis (PRISMA)	Identify determinants for BEV adoption and prospective ownership <i>via</i> >Technology Acceptance Model (TAM)	>Technical determinants > Contextual determinants > Cost-related determinants >Sociodemographic determinants >Attitudinal and behavioural determinants >BEV-specific experience >Social determinants

The multitude of results, both in terms of the identified determinants and their groupings in the individual studies, as well as their temporal difference, make it difficult to derive a unified research model. Therefore, in this article, the latest research of Wicki et al. (2022) is focused on and shortly presented below.

As shown by the meta-analysis 'What do we really know about the acceptance of battery electric vehicles?' – Turns out, not much' by Wicki et al. (2022) shows that the discussion about the relevant factors that play a role in different socio-cultural and context-dependent decision-making situations is not yet complete. Table 2 lists the identified determinants and their classification into seven groups. In addition, the last column shows how these determinants influence the acceptance of electric vehicles when their influence is strengthened (Wicki et al. 2022).

Table 3. Identified determinants for acceptance of BEVs with concluded effect

Categorization of the determinant groups	Determinant	Concluded effect when the value of the determinant is strengthened
Technical determinants	Motor power	(+)
	Driving range	(+)
	Reliability	(+)
	Charging time	(-)
Contextual determinants	Market availability	(+)
	Charging availability	(+)
	Environmental impact	(+)
	Policy & incentives	(+)
Cost determinants	Purchase price	(-)
	Operational costs	(-)
	Fuel efficiency	(+)
	Resale value	(+)
Sociodemographic determinants	Income	(+)
	Education	(+)
	Gender	(+) <sup>4</sup>
	Age	(-) <sup>5</sup>
Determinants of individual attitudes and behavior	Travel demand	(-)
	Vehicles per household	(+)
	Technology affinity	(+)
	Environmental attitudes	(+)
Determinants of BEV-specific experience	Knowledge	(+)
	Familiarity	(+)
Social determinants	Norms	(+)
	Neighbourhood	(+)
	Word-of-mouth	(+)

<sup>4</sup> (+) = male

<sup>5</sup> (-) = older

Wicki et al. highlight six important limitations that future research should consider.

- Generalization without representativeness: Many studies rely on insufficient samples, and there is a lack of information regarding response rates.
- Limited cross-country comparability: The use of different survey methods complicates comparisons between countries.
- A significant drawback is the absence of causal analysis, as most studies focus on correlations instead of exploring causal relationships.
- Another limitation is the scarcity of replication data; only a handful of studies share their data for review, which restricts the potential for replication.
- The analysis is confined to English-language, peer-reviewed studies published from 2010 to 2019, which may create a bias towards English-language research.
- Additionally, grey literature and internal company data were not included in the analysis (Wicki et al. 2022, 80 ff.).

#### 4. Consumer preferences and cultural impact

This chapter shows that consumers from different countries have varying preferences for the types of drive systems they choose for their vehicles. It also explores whether there are commonalities and differences in the main selection criteria and if these can be linked to cultural, social, or personal factors. The countries examined are China, the USA, and Germany, as they display the most significant differences in purchasing preferences, as noted in the literature (F. Dudenhöffer 2021, 2022b; K. Dudenhöffer 2015, 236) (K. Dudenhöffer 2015, 236 ff.). The figure<sup>6</sup> 3 below depicts consumer preferences for the types of drive systems used in passenger vehicles across three countries: the USA, China, and Germany. It compares the distribution of preferred drive systems, including internal combustion engines, hybrid drives (PHEV and HEV), and battery electric vehicles (BEV).

- The internal combustion engine remains the most common drive system in all three countries. In the USA, 64% of consumers prefer it, while in China, this figure drops to 33%. In Germany, the preference stands at 49%.
- Hybrid vehicles: The preference for hybrid drives (PHEV + HEV) is strongest in China, where they make up 31% of preferences. In Germany and the US, the respective shares are 21%.
- Battery electric vehicles (BEV): The preference for fully electric vehicles is lowest in the USA, with only 6% of consumers choosing BEVs. In Germany, this figure rises to 13%, and in China, it reaches as high as 33%.

The graphic shows that the preference for electric or electrified vehicles in China is significantly higher than in Germany and the United States, while the internal combustion engine continues to be the dominant mode of propulsion in the United States (Proff et al. 2024, 6).

---

<sup>6</sup> Based on the Deloitte study "2024 Global Automotive Consumer Study Key Findings: Global Focus Countries".

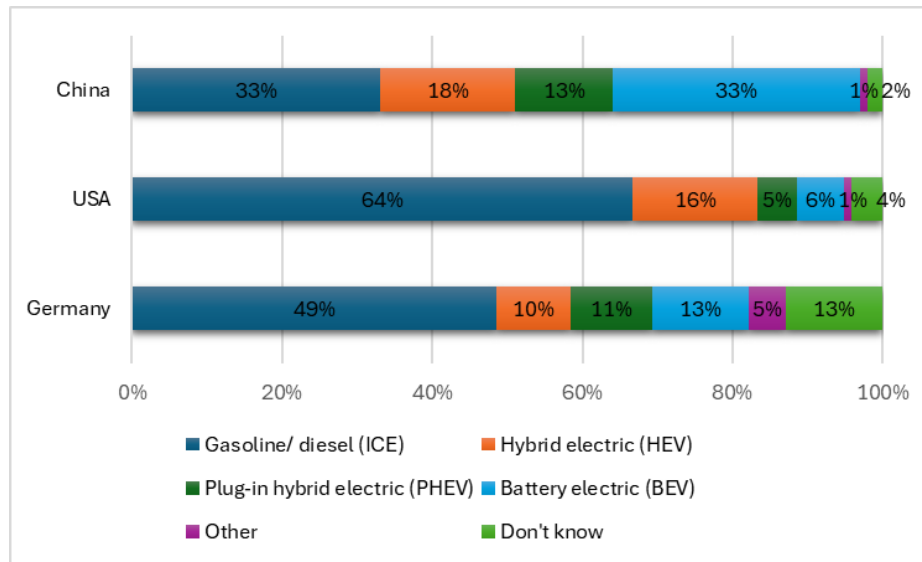


Figure 3. Consumers' powertrain preferences for their next vehicle

A comparison of consumer preferences today with those from 13 years ago shows significant changes. While electric mobility was relatively insignificant back then, it has gained importance in recent years and is now increasingly viewed as an eco-friendly alternative to traditional combustion engines (Bandelow and Kundolf 2018, 205 f.; Deutsches CleanTech Institut 2010, 17; F. Dudenhöffer 2022a). Over this time, consumer awareness of this innovative technology has grown. According to Rogers' diffusion theory, the first users of vehicles with (partially) electric drives can be classified as "early adopters," as they embraced the new technology early on (Karnowski 2017, 21; Rogers 2003, 281). The following Figure 4 presents findings from a 2011 Deloitte study that explored the acceptance and adoption of electric vehicles across various countries. The graphic illustrates how consumers in the US, Germany, and China reacted to this emerging technology in different ways (Giffi et al. 2011, 1–3).

- In the United States and Germany, both known for their automotive traditions, a rather skeptical view of electric vehicles was noted. The graph clearly indicates that consumers in these nations were less receptive to the introduction and use of electric drives. This skepticism may stem from established preferences for conventional drive technologies and a deep-rooted automotive culture.
- China: The chart shows that consumers in China are much more open to electric vehicles compared to those in other countries. One reason for this greater acceptance could be the lower number of private vehicles, which might lessen any bias against new technologies. Furthermore, many consumers have not yet developed strong preferences for specific types of vehicles, which likely makes them more receptive to innovative technologies like electric drives.

The graphic 4 highlights the cultural and geographical differences in how electric vehicles are perceived and accepted, particularly contrasting the established

automotive markets in the USA and Germany with the emerging market in China (K. Dudenhöffer 2015, 60–62, 296–298).

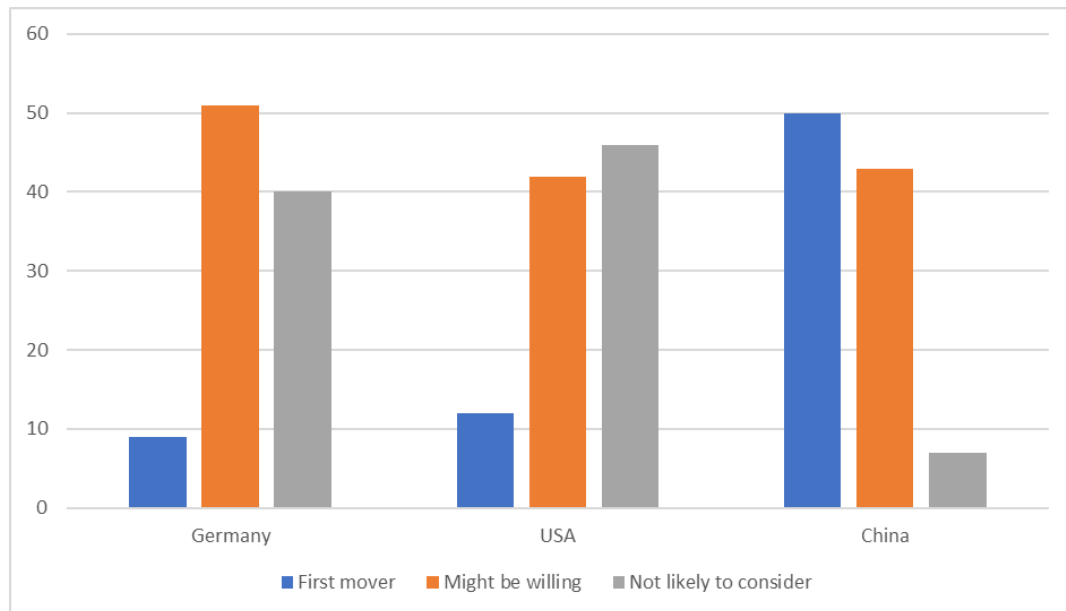


Figure 4. Comparison of consumer interest in purchasing EVs in selected countries in 2011

In addition to the consumer statements of intent regarding the acceptance of electric mobility from 2011 and 2024, further surveys conducted by various institutions have analyzed the key requirements for electric vehicles. It has become clear that factors such as reduced emissions, environmental friendliness, government subsidies or tax breaks, lower costs in terms of life cycle cost analysis (total cost of ownership, TCO), and the need to keep up with technological advancements could be crucial in influencing the decision to purchase an electric vehicle. However, since the underlying studies and surveys are distinct, a direct comparison of results among the three countries (USA, China, Germany) is not feasible (BDEW - Bundesverband der & Energie-und Wasserwirtschaft e.V, 2020; Deloitte Global 2018, 12; Proff et al. 2024, 6 f.; Rakuten Insight 2019).

Incorporating additional factors derived from cultural, social, and individual characteristics may provide a more comprehensive understanding of technology acceptance. Individual factors, in particular, are believed to play a significant role in consumers' acceptance and purchasing decisions (K. Dudenhöffer 2015, 321). Moreover, there is a correlation between research findings based on individual characteristics and the local context (e.g., Germany), which allows for insights into the social and cultural nuances of the respective research area and the segmentation of consumers. A country-specific comparison of purchase intentions between 2011 and 2024 shows that the conditions for electromobility have changed significantly, highlighting the need for new insights into the target group for TAM research (K. Dudenhöffer 2015, 322; Wicki et al. 2022, 82).



## 5. Research implications

The goal is to create a unified study design that can be tested across various countries with representative population samples at different times. It is suggested that surveys or field experiments be employed to assess the causal effects of specific factors on the acceptance of battery electric vehicles (BEVs). Additionally, it is advised that study designs and raw data be made publicly accessible to facilitate future research (Wicki et al. 2022, 80–82). A thorough theoretical model is necessary to effectively capture the complexity of a diverse product. Research has shown that technology acceptance models are not only useful for explaining the acceptance of information systems but can also be adapted to other technology domains (Davis 1986; Fazel 2014, 103; Kumar Jain et al. 2022, 3). The following approach is suggested to identify the most appropriate technology acceptance model, which can serve as a foundational model for the research. Initially, a comparison will be made between the findings of Wicki et al. and the definitions of existing technology acceptance models to determine which determinants from Wicki et al. can be linked to the constructs of these models. The aim is to assign and compare the determinants identified by Wicki et al. without altering or expanding the models themselves. After this assignment is completed, a decision will be made regarding which acceptance model aligns best with Wicki et al.'s research based on the highest level of agreement. The next step will involve assessing whether any model extension or adaptation is needed and to what degree. The number of determinants that can be linked to the target model will influence this decision. Hypotheses will also be formulated in this context. Finally, the research model will be developed, the hypotheses will be outlined, and the entire research project will be summarized.

The following figure provides a visual representation of the process outlined for developing the research model.

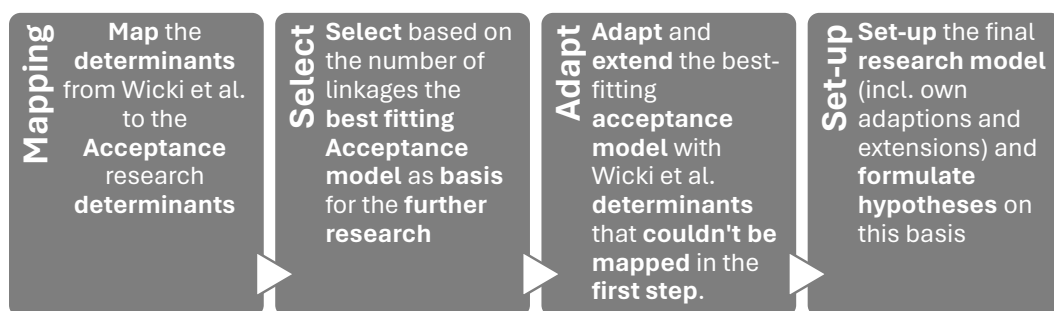


Figure 5. Procedure for deriving the research gap and setting up the research model

The research model should be broadened to include the cultural context as an indirect moderating variable (Hilale and Chakor 2024). Blut et al. (2022, 13) highlighted in their meta-analysis that cultural moderators can significantly affect the strength of relationships between variables across different contexts. It is essential to consider moderators whenever applying the UTAUT model, as certain

predictors, like social norms, are particularly influenced by the dimensions of individualism and collectivism. Consequently, the adapted technology acceptance model is utilized (Blut et al. 2022; Zhang et al. 2018). In collectivist cultures, individuals in high-status positions have a more substantial impact on behavior. However, the effect of social influence is stronger among vertical collectivists compared to horizontal collectivists and individualists, who tend to be more independent (Hofstede 1980; Triandis 2004).

## References

- Ajanovic, Amela, and Reinhard Haas. 2016. "Dissemination of electric vehicles in urban areas: Major factors for success." *Energy* 115, 1451–1458. <https://doi.org/https://doi.org/10.1016/j.energy.2016.05.040>.
- Appel, Von Holger. 2021. Im Antriebsdilemma - Taugt Norwegen für uns als Elektroauto-Vorbild? In Deutschland ist Strom abschreckend teuer. Aber auch die Abgasreinigung für Benzinmotoren kostet immer mehr. Von. Frankfurter Allgemeine Zeitung (FAZ). <https://www.faz.net/aktuell/technik-motor/elektromobilitaet/mobilitaet-und-klima-das-dilemma-mit-dem-antrieb-der-elektroautos-17163477.html#void>.
- Attenborough, David, and Christine Lagarde. 2019. "The Greatest Balancing Act Nature and the global economy." *Finance and Development* 56(4): 4–5.
- Bandelow, N. C., and Kundolf, S. 2018. "Verkehrspolitische Entscheidungen." In O. Schwedes (Ed.), *Verkehrspolitik - Eine interdisziplinäre Einführung*, 2. Edition, pp. 169–180. Springer Fachmedien.
- BDEW - Bundesverband der, & Energie-und Wasserwirtschaft e.V. 2020. *Interesse an Elektromobilität*. [https://www.bdew.de/media/documents/20200903\\_BDEW\\_Zahl\\_der\\_Woche\\_Interesse\\_E-Mobilitaet.pdf](https://www.bdew.de/media/documents/20200903_BDEW_Zahl_der_Woche_Interesse_E-Mobilitaet.pdf).
- Bennett, Roger, and Rohini Vijaygopal. 2018. "Consumer attitudes towards electric vehicles: Effects of product user stereotypes and self-image congruence." *European Journal of Marketing* 52(3–4): 499–527. <https://doi.org/10.1108/EJM-09-2016-0538>.
- Blut, Markus, Alain Yee Loong Chong, Zayyad Tsigas, and Viswanath Venkatesh. 2022. "Meta-Analysis of the Unified Theory of Acceptance and Use of Technology (UTAUT): Challenging its Validity and Charting a Research Agenda in the Red Ocean." *JAIS - Journal of the Association for Information Systems* 23(1): 13–95. <https://doi.org/10.17705/1jais.00719>.
- Bradley, Thomas H., and Andrew A. Frank. 2009. "Design, demonstrations and sustainability impact assessments for plug-in hybrid electric vehicles." *Renewable and Sustainable Energy Reviews* 13(1): 115–128. <https://doi.org/https://doi.org/10.1016/j.rser.2007.05.003>.
- Bundesministerium für Wirtschaft und Klimaschutz der Bundesrepublik Deutschland (BMWK). 2016. *Kabinett beschließt Förderung von Elektroautos. Elektromobilität*. <https://www.bmwi.de/Redaktion/DE/Pressemitteilungen/2016/20160518-kabinett-beschliesst-foerderung-von-elektroautos.html>.
- Bundesministerium für Wirtschaft und Klimaschutz der Bundesrepublik Deutschland (BMWK). 2022. *Elektromobilität in Deutschland. Elektromobilität*. <https://www.bmwk.de/Redaktion/DE/Dossier/elektromobilitaet.html>.
- Bundesministerium für Wirtschaft und Klimaschutz der Bundesrepublik Deutschland (BMWK). 2023. *Rahmenbedingungen und Anreize für Elektrofahrzeuge und Ladeinfrastruktur. Elektromobilität*. <https://www.bmwi.de/Redaktion/DE/Artikel/Industrie/rahmenbedingungen-und-anreize-fuer-elektrofahrzeuge.html>.
- Center of Automotive Management (CAM). 2021. *E-Mobilität in Deutschland 2021*. AutomotivePERFORMANCE, E-Mobility. <https://auto-institut.de/automotiveinnovations/emobility/e-mobilitaet-in-deutschland-2021/>.
- Chan, Ching Chuen. 2007. "The state of the art of electric, hybrid, and fuel cell vehicles." *Proceedings of the IEEE*, 95(4): 704–718. <https://doi.org/10.1109/JPROC.2007.892489>.
- Continental AG. 2020. *(Elektro-) Mobilität in Zeiten der Covid-19-Pandemie*. Die Continental Mobilitätsstudie 2020. <https://www.continental.com/resource/blob/240098/b49689e01c6d73ccdca664593139c504/elektro-mobilitaet-in-zeiten-der-covid-19-pandemie-data.pdf>.
- Creutzig, Felix, Patrick Jochem, Oreane Y. Edelenbosch, Linus Mattauch, Detlef P. van Vuuren, David McCollum, and Jan Minx. 2015. "Transport: A roadblock to climate change mitigation?" *Science* 350(6263): 911–912. <https://doi.org/10.1126/science.aac8033>.

- Davis, Fred D. 1986. *A technology acceptance model for empirically testing new end-user information systems: theory and results* Massachusetts Institute Of Technology. <https://doi.org/10.1126/science.146.3652.1648>.
- Delhaes, D. 2021. *Eine Million E-Autos: Deutschland erreicht Elektro-Ziel dieses Jahr*. Handelsblatt - Elektromobilität. <https://www.handelsblatt.com/politik/deutschland/elektromobilitaet-eine-million-e-autos-deutschland-erreicht-elektro-ziel-dieses-jahr/26940120.html?ticket=ST-6505449-G3LvWJqqNLnt5pTWQ3T1-ap6>.
- Deloitte Global. 2018. "2018 Deloitte Global Automotive Consumer Study - Module 2: Advanced Technology Update & Customer Experience - Primary Insights: Germany" (pp. 1–47). Deloitte Development LLC. [https://www2.deloitte.com/content/dam/Deloitte/de/Documents/consumer-industrial-products/2018\\_GACS\\_Data\\_Deck\\_Germany.pdf](https://www2.deloitte.com/content/dam/Deloitte/de/Documents/consumer-industrial-products/2018_GACS_Data_Deck_Germany.pdf).
- Dethloff, C. 2004. Akzeptanz und Nicht-Akzeptanz von technischen Produktinnovationen.
- Deutsches CleanTech Institut. 2010. Studienband 4 - eMobilität. In *Clean Tech Studienreihe* (Issue 4). Deutsches CleanTech Institute. [http://www.dcti.de/fileadmin/pdfs\\_dcti/DCTI\\_Studien/DCTI\\_Studienband\\_4\\_eMobilitaet.pdf](http://www.dcti.de/fileadmin/pdfs_dcti/DCTI_Studien/DCTI_Studienband_4_eMobilitaet.pdf).
- Deutsches CleanTech Institut. 2020. *Strom.Laden.Fahren 2020 Ladesäulen, Wallboxes, Autostromtarife. Schlüssel zur Elektromobilität*. [https://www.hrcg.eu/images/GreenGuide\\_2020/epaper/ausgabe.pdf](https://www.hrcg.eu/images/GreenGuide_2020/epaper/ausgabe.pdf)
- Dillon, Andrew, and Michael G. Morris. 1996. "User acceptance of new information technology: theories and models." *Annual Review of Information Science and Technology* 14(4): 3–32. <http://hdl.handle.net/10150/105584>.
- Dudenhöffer, Ferdinand. 2021. "Battery exchange stations for electric cars — China sets a new standard." *Wirtschaftsdienst (Hamburg)*, 101(9): 740–742.
- Dudenhöffer, Ferdinand. 2022a. "Electromobility: Is the electric car running out of breath?" *Wirtschaftsdienst (Hamburg)* 102(3): 160.
- Dudenhöffer, Ferdinand. 2022b. "The Great Age of the Car is on Its Way." *Wirtschaftsdienst* 102(13): 36–39. <https://doi.org/10.1007/s10273-022-3171-y>.
- Dudenhöffer, Ferdinand. 2024. *Kaufprämien von 6000 Euro für E-Autos? Jetzt kommt der „Erst mal abwarten“-Effekt*. Focus Online. [https://www.focus.de/auto/gastbeitrag-von-ferdinand-dudenhoeffer-kaufpraemien-von-6000-euro-fuer-e-autos-jetzt-kommt-der-erst-mal-abwarten-effekt\\_id\\_260332708.html](https://www.focus.de/auto/gastbeitrag-von-ferdinand-dudenhoeffer-kaufpraemien-von-6000-euro-fuer-e-autos-jetzt-kommt-der-erst-mal-abwarten-effekt_id_260332708.html).
- Dudenhöffer, Kathrin. 2015. *Akzeptanz von Elektroautos in Deutschland und China: Eine Untersuchung von Nutzungsintentionen im Anfangsstadium der Innovationsdiffusion* (1. Edition). Springer Fachmedien Wiesbaden.
- Europäisches Parlament. 2023. *CO<sub>2</sub>-Emissionen von Pkw: Zahlen und Fakten ( Infografik )* (Vol. 20190313ST). <https://www.europarl.europa.eu/news/de/headlines/society/20190313STO31218/co2-emissionen-von-pkw-zahlen-und-fakten-infografik>.
- Fazel, Ludwig. 2014. *Akzeptanz von Elektromobilität: Entwicklung und Validierung eines Modells unter Berücksichtigung der Nutzungsform des Carsharing*. Springer Fachmedien.
- Finger, T. 2015. Europa bekommt Feinstaubbelastung nicht in den Griff. *WirtschaftsWoche*, 24. February 2015. <https://www.wiwo.de/technologie/green/dicke-luft-europa-bekommt-feinstaubbelastung-nicht-in-den-griff/13551272.html>.
- Giffi, Craig, Vitale Jr., Joe, Drew, M., Kuboshima, Y., and Sase, Masato. 2011. "Unplugged: Electric vehicle realities versus consumer expectations." In *Deloitte Global Services Limited*. [https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Manufacturing/gx\\_us\\_auto\\_DTT\\_GlobalAutoSurvey\\_ElectricVehicles\\_100411.pdf](https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Manufacturing/gx_us_auto_DTT_GlobalAutoSurvey_ElectricVehicles_100411.pdf).
- Hilale, Hassana, and Abdellatif Chakor. 2024. "Acceptance of electronic payment systems: A critical review forward a parsimonious model including vertical and horizontal cultural orientations." *Telematics and Informatics Reports* 14: 100139. <https://doi.org/https://doi.org/10.1016/j.teler.2024.100139>.
- Hofstede, G. 1980. *Motivation, Leadership, and Organization: Do American Theories Apply Abroad?*
- Holden, Richard J., and Ben-Tzion Karsh. 2009. "The Technology Acceptance Model: Its Past and Its Future in Health Care." *Journal of Biomedical Informatics* 43: 159–172. <https://doi.org/10.1016/j.jbi.2009.07.002>.
- Kampker, Achim, Dirk Vallée, Schnettler, A., Thomes, P., Kasperk, G., Brost, W., Deutschens, C., Kreisköther, K., Fluchs, S., Förstmann, R., Nee, C., Meckelnborg, A., and Drauz, R. 2018. "Elektromobilität - Grundlagen einer Zukunftstechnologie." In A. Kampker, D. Vallée, & A. Schnettler (Eds.), *Elektromobilität* (2. Edition). Springer Vieweg. <https://doi.org/10.1007/978-3-662-53137-2>.
- Karle, Anton. 2022. *Elektromobilität: Grundlagen und Praxis*, 5. Edition. Carl Hanser Verlag.
- Karnowski, Veronika. 2017. *Diffusionstheorie*, H.-B. B. Patrick Rössler (ed.). Nomos.
- Kraftfahrt-Bundesamt (KBA). 2022. "Jahresbilanz 2022 - Fahrzeugbestand für das Jahr 2021." In *Jahresbilanz*. [https://www.kba.de/DE/Statistik/Fahrzeuge/Bestand/Jahresbilanz\\_Bestand/fz\\_b\\_jahresbilanz\\_node.html;jsessionid=2B7CA0B099300D989EB68735ADA315B9.live21323?yearFilter=2022](https://www.kba.de/DE/Statistik/Fahrzeuge/Bestand/Jahresbilanz_Bestand/fz_b_jahresbilanz_node.html;jsessionid=2B7CA0B099300D989EB68735ADA315B9.live21323?yearFilter=2022).
- Kraftfahrt-Bundesamt (KBA). 2024a. *Anzahl der Neuzulassungen von Elektroautos in Deutschland von 2003 bis September 2024*. <https://de.statista.com/statistik/daten/studie/244000/umfrage/neuzulassungen-von-elektroautos-in-deutschland/>.

- Kraftfahrt-Bundesamt (KBA). 2024b. *Jahresbilanz 2024 - Fahrzeugbestand für das Jahr 2023*. [https://www.kba.de/DE/Statistik/Fahrzeuge/Bestand/Jahresbilanz\\_Bestand/fz\\_b\\_jahresbilanz\\_node.html?yearFilter=2024](https://www.kba.de/DE/Statistik/Fahrzeuge/Bestand/Jahresbilanz_Bestand/fz_b_jahresbilanz_node.html?yearFilter=2024).
- Kumar Jain, N., Bhaskar, K., and Jain, S. 2022. "Research in Transportation Business & Management What drives adoption intention of electric vehicles in India ? An integrated UTAUT model with environmental concerns, perceived risk and government support." *Research in Transportation Business & Management*, 42(May 2021), 100730. <https://doi.org/10.1016/j.rtbm.2021.100730>.
- Lee, Youngwha, Kenneth A. Kozar, and Kai RT Larsen. 2003. "The Technology Acceptance Model: Past, Present, and Future." *Communications of the Association for Information Systems Volume 12*(1). <https://doi.org/10.17705/1CAIS.01250>.
- Lelieveld, Jos, John S. Evans, Mohammed Fnais, Despina Giannadaki, and Andrea Pozzer. 2015. "The contribution of outdoor air pollution sources to premature mortality on a global scale." *Nature* 525: 367–371. <https://doi.org/10.1038/nature15371>.
- Martin, A. Risquez, Giacomo Grassi, Efisio Solazzo, et al. 2022. *Emissions Database for Global Atmospheric Research, version v7.0\_FT\_2021*. <http://data.europa.eu/89h/e0344cc3-e553-4dd4-ac4c-f569c8859e19>.
- Middelkoop, Willem, and Rembrandt Koppelaar. 2017. *The TESLA revolution: why big oil is losing the energy war*. First Edition. Amsterdam University Press.
- Moro, Alberto, and Laura Lonza. 2018. "Electricity carbon intensity in European Member States: Impacts on GHG emissions of electric vehicles." *Transportation Research Part D: Transport and Environment* 64(July 2017): 5–14. <https://doi.org/10.1016/j.trd.2017.07.012>.
- ntv. 2024. *Absatz von E-Autos bricht ein*. Wirtschaft. <https://www.n-tv.de/wirtschaft/E-Autos-sind-Ladenhueter-Absatz-bricht-ein-article25137900.html>.
- Proff, Harald, Bowman, K., Robinson, R., and Barber, C. 2024. *2024 Global Automotive Consumer Study Key Findings: Global Focus Countries*. <https://www.deloitte.com/global/en/Industries/automotive/perspectives/global-automotive-consumer-study.html>.
- Proff, Harald, Bowman, K., Takahashi, H., Zhou, A., Kim, T. K., Singh, R., Robinson, R., Helmer, S., and Meng, P. W. 2022. *2022 Global Automotive Consumer Study - Key findings: Global focus countries To learn more about the Global Automotive Consumer Study (Issue January)*. Deloitte. [www.deloitte.com/autoconsumers](http://www.deloitte.com/autoconsumers).
- Proff, Heike, and Gregor Szybisty. 2018. *Herausforderungen für den Automobilhandel durch die Elektromobilität*. (1. Edition). Springer Gabler. <https://doi.org/10.1007/978-3-658-21272-8>.
- Rakuten Insight. 2019. *Main reasons to choose an electric car over a conventional car in China as of June 2019*. Rakuten Insight Global. <https://www.statista.com/statistics/1028621/china-main-reasons-for-favoring-an-electric-car/>.
- Rockström, Johan, Owen Gaffney, Joeri Rogelj, Malte Meinshausen, Nebojsa Nakicenovic, and Hans Joachim Schellnhuber. 2017. "A roadmap for rapid decarbonization." *Science* 355(6331): 1269–1271. <https://doi.org/10.1126/science.aah3443>.
- Rodrigue, Jean-Paul. 2020. *The Geography of Transport Systems*. Edition 5. Routledge. <https://transportgeography.org/>.
- Rogers, Everett M. 2003. *Diffusion of Innovations*. Edition 5. New Press.
- Sanguesa, Julio A., Vicente Torres-Sanz, Piedad Garrido, Francisco J. Martinez, and Johann M. Marquez-Barja. 2021. "A review on electric vehicles: Technologies and challenges." *Smart Cities* 4(1): 372–404. <https://doi.org/10.3390/smartcities4010022>.
- Triandis, Harry C. 2004. "The many dimensions of culture." *Academy of Management Perspectives* 18(1): 88–93.
- United Nations (UN). 2015. Paris Agreement. *Treaty Series*, 3156(54113). [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=XXVII-7-d&chapter=27&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-7-d&chapter=27&clang=_en).
- Wicki, Michael, Gracia Brückmann, Franziska Quoss, and Thomas Bernauer. 2022. "What do we really know about the acceptance of battery electric vehicles?—Turns out, not much." *Transport Reviews* 43(1): 62–87. <https://doi.org/10.1080/01441647.2021.2023693>.
- Yarbrough, Amy K., and Todd B. Smith. 2008. "Technology Acceptance among Physicians: A New Take on TAM." *Medical Care Research and Review: MCRR*, 64, 650–672. <https://doi.org/10.1177/1077558707305942>.
- Zhang, Yali, Jun Sun, Zhaojun Yang, and Ying Wang. 2018. "What Makes People Actually Embrace or Shun Mobile Payment: A Cross-Culture Study." *Mobile Information Systems*, 2018. <https://doi.org/10.1155/2018/7497545>.

## The Morality of Christian Love: A Theological and Ethical Perspective

**Corneliu Beneamin Buzguța**

PhD(c), Aurel Vlaicu University of Arad, Romania,  
Interdisciplinary School of Doctoral Studies  
corneliubbuzguta@gmail.com

---

**ABSTRACT:** This article examines the foundational role of Christian love, or agape, in defining Christian morality. Agape, understood as an unconditional, self-giving love that reflects God's nature and commands, serves as the ethical cornerstone for both personal and societal relationships. Rooted in the teachings of Jesus Christ, the Apostle Paul, and the Apostle John, the New Testament portrays agape as a divine command and the ultimate reflection of God's character. Jesus' Great Commandment and radical calls to love one's enemies highlight agape as central to moral living, while Paul and John extend its theological and ethical dimensions, presenting it as the fulfillment of divine law and the hallmark of Christian discipleship. The study also explores theological perspectives on agape from key Christian thinkers, including Augustine of Hippo, Maximus the Confessor, Martin Luther, Dietrich Bonhoeffer, and Paul Fiddes. Their reflections emphasize agape as central to Christian ethics—whether as rightly ordered love, a cosmic force of unity, a gift of grace, or a relational participation in God's Trinitarian life. Together, these perspectives reinforce the indispensability of agape to Christian moral thought. Finally, the article discusses the ethical implications of agape. On a personal level, it fosters humility, forgiveness, and reconciliation. Socially, it drives movements for justice, as exemplified by Martin Luther King Jr.'s advocacy for nonviolent resistance. Globally, it inspires action against poverty, inequality, and environmental degradation, offering a framework for addressing contemporary ethical dilemmas. In conclusion, Christian love is not merely a component of Christian morality but its essence and foundation, calling individuals and communities to reflect God's transformative love in all aspects of life.

**KEYWORDS:** morality, Christian morality, agape, Christian love, ethics

---

### 1. Introduction

This article argues that Christian morality (Rotaru 2024, 301-318) is defined by the principle of Christian love. Christian love, often encapsulated in the Greek term agape, is an unconditional, self-giving love that reflects the nature and commandments of God. Rooted in Scripture and theological tradition, it provides a

moral compass for human relationships and ethical conduct. This study examines the basic characteristics of Christian love and its role as a moral framework, arguing that it provides both an individual and a societal paradigm for addressing contemporary ethical dilemmas. The aim is to highlight the fundamental foundations of Christian love as presented in the New Testament by Jesus Christ, the Apostle Paul, and the Apostle John. Additionally, the study will explore the theological perspectives on love and the morality of love as presented by significant Christian thinkers, including Augustine of Hippo, Maximus the Confessor, Martin Luther, Dietrich Bonhoeffer, and Paul Fiddes. Finally, it will explore and highlight the ethical and moral implications of Christian love.

## **2. Biblical Foundations of Christian Love**

The New Testament anchors Christian morality in love, framing it as both a divine command and a reflection of God's character. The teachings of Jesus and the apostolic writings, particularly those of Paul, establish *agape* love as the cornerstone of ethical living and interpersonal relationships. The New Testament situates love (*agape*) as the central pillar of Christian morality, presenting it as both a divine command and a manifestation of God's own character. This dual role of *agape*—as a directive for human conduct and a reflection of divine nature—is foundational to the ethical teachings of Jesus and the apostolic writings. The concept transcends human emotion, emphasizing unconditional, self-giving love that mirrors the love of God for humanity.

### **2.1. The Great Commandment**

Jesus' teachings repeatedly underscore the primacy of love as the essence of moral living. Jesus identifies love as the greatest commandment, summarizing the entire Law and the Prophets. In Matthew 22:37–39 (ESV), He declares: "You shall love the Lord your God with all your heart and with all your soul and with all your mind. This is the great and first commandment. And a second is like it: You shall love your neighbor as yourself."

This dual commandment intertwines vertical love for God with horizontal love for others, presenting them as inseparable expressions of authentic moral life. Loving God entails devotion, obedience, and reverence while loving one's neighbor encompasses acts of kindness, empathy, and justice. Jesus extends the scope of neighborly love to include even enemies, as illustrated in Matthew 5:44 (ESV): "Love your enemies and pray for those who persecute you." Here, love for God and love for neighbor are inseparably linked, forming the foundation for all ethical behavior. This principle is reiterated in the Sermon on the Mount, where Jesus challenges conventional notions of morality by commanding love for one's enemies and prayer for one's persecutors (Matthew 5:44, ESV). Such radical love

embodies the divine nature and calls believers to transcend human inclinations toward revenge and hatred (Rotaru 2015, 318-322).

### **2.2. Paul's Vision of Love**

Paul's writings further develop the theological and ethical dimensions of *agape*. In 1 Corinthians 13, often referred to as the "hymn of love," Paul describes love as the greatest of the theological virtues, surpassing even faith and hope. He writes, "Love is patient and kind; love does not envy or boast; it is not arrogant or rude. It does not insist on its own way; it is not irritable or resentful" (1 Corinthians 13:4–5, ESV). For Paul, love is not only an ethical imperative but the very expression of a life transformed by the Spirit. He views *agape* as the fulfillment of the law, stating in Romans 13:10 (ESV), "Love does no wrong to a neighbor; therefore love is the fulfilling of the law." This underscores the idea that love is the ultimate criterion for moral judgment and action, harmonizing human relationships with God's will.

### **2.3. John about love**

The Johannine writings also highlight the intrinsic connection between love and divine character. In 1 John 4:8, the Apostle asserts, "Whoever does not love does not know God, because God is love." This identification of God with love emphasizes that to live in love is to live in God, and it establishes *agape* as the distinguishing mark of authentic Christian discipleship. The Gospel of John reinforces this theme, with Jesus commanding His disciples to love one another as He has loved them (John 13:34–35). This love, modeled on Christ's sacrificial death, becomes the defining ethic of the Christian community.

### **2.4. Beyond Personal Relationships**

The biblical ethic of love transcends individual relationships, influencing broader societal structures. The early Christian community exemplified this by caring for the poor, advocating for equity, and challenging oppressive systems. Acts of *agape* love often manifest in fostering justice, reconciling conflicts, and building inclusive communities. As Paul writes in Romans 13:10 (ESV): "Love does no wrong to a neighbor; therefore love is the fulfilling of the law." Through these teachings, the New Testament situates love not only as a personal virtue but as a communal and social ethic, providing a moral foundation for addressing injustices and fostering reconciliation in diverse contexts.

These New Testament teachings collectively present *agape* as both a divine gift and a human responsibility. The emphasis on love as the cornerstone of Christian morality reflects its transformative power to reconcile individuals with God and one another, fostering a community grounded in mutual care and justice. Through *agape*, Christian ethics achieves its ultimate purpose: embodying and reflecting the character of God in the complexities of human relationships and societal challenges (Rotaru 2010, 7).

### 3. Theological Interpretations of Christian Love

Theological reflections on Christian love (*agape*) have shaped the moral and ethical paradigms of Christianity throughout its history. Thinkers such as Augustine of Hippo, Maximus the Confessor, Martin Luther, Dietrich Bonhoeffer, and Paul Fiddes offer nuanced interpretations of how love informs and defines Christian morality and ethics.

#### 3.1. Augustine of Hippo

In his works *Confessions* and *City of God*, Augustine develops a theology of love centered on the distinction between *amor Dei* (love of God) and *amor sui* (self-love). Augustine argues that human morality depends on the proper ordering of love (*ordo amoris*) (Saint Augustine 2000, XV, 599). Love directed toward God aligns human desires with divine will, fostering virtue and true happiness. Conversely, disordered love, which prioritizes self over God, leads to sin and moral corruption.

For Augustine, loving God fully transforms human love into a source of moral excellence. In *City of God*, he contrasts the earthly city, characterized by *amor sui*, with the heavenly city, defined by *amor Dei*, demonstrating how Christian love serves as the foundation for personal and communal ethics (Saint Augustine 2000, XIV, 558-559).

For Augustine, divine love is inseparable from God's unmerited grace, which reaches out to sinners ensnared by deviant desires and disordered affections. God's love, a gift rooted in His own nature, purges false attachments and forms the Church—a community bound in Christ by this transformative love. Infused through the Holy Spirit, as expressed in Romans 5:5, divine love provides eternal joy and communion with God (Blowers 2023, 70-71). His theology affirmed that such love must be supernaturally infused, surpassing human capacity and revealing the sheer gratuity of God's grace. Augustine's own journey of redemption illustrates the unifying power of this love, as it draws scattered, broken lives into divine order (Sainte Augustine 2002, XI, 200-216).

Augustine's theology of love underscores the transformative power of divine grace in aligning human desires with God's will. By distinguishing between the love of God (*amor Dei*) and self-love (*amor sui*), he demonstrates that true morality and happiness depend on the proper ordering of love (*ordo amoris*). Divine love, infused by grace, purges disordered attachments, uniting individuals in the Church and fostering a community rooted in virtue and eternal joy. For Augustine, this unmerited love reveals God's sheer graciousness and serves as the foundation for both personal redemption and communal ethics.

#### 3.2. Maximus the Confessor

Maximus the Confessor presents love as the central virtue in the Christian moral and spiritual life, deeply embedded in his cosmic and divine theology. In *Four*



Hundred Chapters on Love, Maximus describes love (agape) as the divine energy that restores the image of God in humanity and unites creation to its Creator. For Maximus, love originates in God, who is the source of all unity and relationality and is both the goal and the means of the Christian life. He emphasizes that love transcends human emotion, serving as the force that enables spiritual ascent—purification of the soul, illumination through divine knowledge, and ultimately union with God in theosis (Blowers 2023, 71).

Maximus views love as the synthesis of ascetic practice and divine grace. While ascetic efforts such as prayer, fasting, and almsgiving prepare the soul by detaching it from worldly passions, it is divine grace that perfects love, transforming human relationships and aligning the individual with God's will. In this transformative process, love empowers the soul to transcend self-centeredness and become a vessel of God's love for others. Maximus highlights the ethical dimension of love, insisting that it compels Christians to embrace compassion, humility, and forgiveness, transcending divisions of ethnicity, social status, or even enmity. To love one's neighbor, he asserts, is to love God, for in loving others, one reflects God's boundless and impartial love (Maxim The Confessor 2005, 69-81).

Beyond personal ethics, Maximus underscores the cosmic significance of love. He sees the incarnation of Christ as the ultimate act of divine love that unites the created and uncreated realms, binding all things in harmonious interdependence. Love thus becomes the means by which creation is sanctified and drawn toward its eschatological fulfillment. By participating in love through acts of charity, reconciliation, and care for creation, believers engage in a theurgical work, cooperating with God to transform the world. This vision of love integrates human effort and divine action, offering a holistic framework for Christian morality that encompasses individual spirituality, communal ethics, and cosmic restoration. Maximus's theology of love remains a profound and enduring contribution to Christian thought, emphasizing the inseparability of divine grace, human action, and the ultimate purpose of creation (163-167).

### **3.3. Martin Luther**

Martin Luther's theology of love is deeply rooted in his understanding of divine grace and the transformative power of faith. He rejects the notion of love as a human achievement, asserting instead that true love is a gift from God, imparted to believers through faith (Methuen 2014, 11). In *The Freedom of a Christian* (1520), Luther emphasizes that the Christian life is marked by a radical reorientation: "A Christian lives not in himself, but in Christ and in his neighbor; otherwise, he is not a Christian." For Luther, faith unites the believer with Christ, and this union becomes the wellspring of love, which flows naturally toward others (Luther 2022, 30).

Love, in Luther's thought, is not a requirement to be met for salvation but a consequence of justification by faith. Once reconciled with God through faith, the

believer is freed from self-centeredness and empowered to serve others selflessly. This love is not rooted in human merit but in God's prior act of grace, which liberates the believer from the bondage of sin and enables genuine care for one's neighbor (Paulson 2014, 191-192).

Luther's understanding of love also informs his ethical vision, particularly his doctrine of vocation. Every Christian, regardless of their societal role, is called to serve God and neighbor in their daily life. Love becomes the animating principle of this service, transforming ordinary work into an expression of faith and a means of fulfilling God's command to love one's neighbor. This vocational ethic reflects Luther's conviction that love is both the fruit and the evidence of faith, shaping a life devoted to God and the good of others. His writings consistently connect this theological understanding of love to practical ethics, underscoring its centrality to Christian life (Lindberg 2003, 174).

Luther's approach is notably Christocentric, framing love as a participation in Christ's love for humanity. In *The Freedom of a Christian*, he argues that just as Christ freely gave Himself for the sake of humanity, so too are Christians called to give themselves freely in service to others. This selfless love, grounded in faith and empowered by grace, reflects God's transformative work in the believer's life. Luther's theology thus presents love not as a condition of salvation but as its natural outcome, a divine gift that reshapes both the individual and their relationships with others. His thought is vividly documented and he explores the implications of the Great Commandment in the believer's ethical life. His writings remain foundational for understanding Luther's vision of love as the heart of Christian morality and service.

### **3.4. Dietrich Bonhoeffer**

Dietrich Bonhoeffer's theology of love emphasizes its costliness and its active engagement with the world, deeply rooted in the life and sacrifice of Christ. In *Ethics* (1949), Bonhoeffer defines love not as an abstract principle but as a deeply personal, relational obligation. Bonhoeffer discusses the concept of love in the context of responsible action and personal relationships. He emphasizes that love is not merely an abstract principle but is realized in concrete, responsible actions toward others, love is not a general principle but a personal obligation, the obligation of the person to the person. This perspective underscores love's incarnational nature, reflecting Christ's willingness to enter human suffering and bear it for the sake of others. In *Ethics*, Bonhoeffer critiques any theology or ethic that prioritizes personal piety over social responsibility, insisting that love must be lived out in the public sphere through acts of justice, reconciliation, and advocacy for the marginalized. For Bonhoeffer, Christian love demands concrete action, not mere sentiment, and it is inseparable from responsibility (Bonhoeffer 2005, 334-335).

Bonhoeffer's understanding of love is profoundly shaped by his experiences during the rise of Nazism, where he witnessed systemic injustice and human suffering. He argued that genuine Christian love requires active resistance to evil and solidarity with the oppressed. This love is not passive or detached but involves taking on the burdens of others, mirroring Christ's self-sacrificial love on the cross. Bonhoeffer's concept of costly love challenges Christians to embrace risk and sacrifice. In his earlier work *The Cost of Discipleship* (1937), he contrasts "cheap grace" with "costly grace," the latter being inseparable from the self-giving love of Christ. He extends this idea in *Ethics*, where he argues that love calls Christians to participate in the world's suffering, to take responsibility for others, and to confront injustice even at great personal cost. This vision of love as self-sacrificing and socially engaged remains central to Bonhoeffer's ethical thought and has continued to inspire movements for justice and reconciliation (Wilmer 1999, 173-188).

Bonhoeffer's theology of love is ultimately Christological, seeing Christ as the model and source of all true love. Just as Christ's love transcends self-interest and embraces the suffering of others, so too must Christian love be directed outward, manifesting in tangible care for one's neighbor. His insistence on love as action, responsibility, and solidarity challenges believers to embody faith in transformative ways, making love a radical and redemptive force in a broken world (Bonhoeffer 2005, 336). This vision is articulated throughout *Ethics* and complemented by his prison writings, particularly in *Letters and Papers from Prison*, where he reflects on the cost of discipleship and the call to live out love in a hostile world. These works remain vital for understanding the ethical and theological depth of Bonhoeffer's thoughts on Christian love.

### **3.5. Paul Fiddes**

Paul Fiddes's theology of love centers on a relational understanding of God and its implications for human morality. In *Participating in God: A Pastoral Doctrine of the Trinity*, Fiddes describes love as the dynamic interaction within the Trinity, emphasizing that the triune God exists in an eternal relationship of mutuality and self-giving. This relational nature of God is not static but active and participatory, inviting humans to join in the divine life. Fiddes emphasizes that the God who is love calls us into relationships of love that reflect the mutuality of divine life, underscoring the transformative potential of divine-human communion (Fiddes 2000, 191-201).

For Fiddes, the Trinitarian nature of God's love provides the model and foundation for ethical practice. Participating in the love of God means embracing relationships that mirror the mutual care, equality, and selflessness of the Trinity. This participation is not limited to spiritual experiences but extends into practical expressions of justice, reconciliation, and community-building. Fiddes argues that love requires ethical engagement with the world, challenging Christians to embody

God's relational love in acts that address systemic injustice and promote peace (Vanhoozer 2001, 21-22).

The ethical implications of Fiddes's theology are rooted in his belief that love is inherently outward-facing and communal. Christian morality, in this framework, is not about rigid adherence to rules but about fostering relationships that reflect the divine pattern of love. Fiddes links this relational ethic to the biblical narrative, particularly the Great Commandment to love God and neighbor, showing how divine love transforms human relationships and inspires a commitment to social and ecological justice (Fiddes 2015, 17-20).

Fiddes's work builds on the tradition of relational theology, emphasizing that love is both the essence of God's being and the guiding principle for human ethical action. By participating in the life of the Trinity, Christians are empowered to live out love in ways that foster mutuality, solidarity, and hope in a fragmented world. His vision, as articulated in *Participating in God*, offers a compelling framework for integrating theology and ethics, with love as the central dynamic that unites divine and human realities.

#### **4. Ethical Implications of Christian Love**

Christian love, or agape, serves as a profound ethical guide that shapes decision-making across personal, social, and global contexts. Rooted in the universal and sacrificial nature of Christ's love, this ethic prioritizes the inherent dignity of every individual, emphasizing values such as forgiveness, compassion, and justice. These principles are not abstract ideals but actionable imperatives, grounded in biblical teachings and theological reflection.

In personal ethics, agape challenges individuals to overcome self-centeredness and cultivate virtues like humility and altruism. This transformation is modeled on Christ's self-giving love, as highlighted in Matthew 5:44 (ESV): "Love your enemies and pray for those who persecute you." Such love fosters reconciliation, peace, and empathy in interpersonal relationships, requiring believers to transcend natural inclinations toward resentment and retaliation. Augustine of Hippo elaborates on this dynamic in *The City of God*, where he argues that rightly ordered love aligns human actions with divine will, creating harmony both within the soul and in relationships.

Socially and globally, Christian love underpins movements for justice and human rights. Martin Luther King Jr.'s application of agape during the Civil Rights Movement demonstrates its power to confront systemic injustice while maintaining a commitment to nonviolence and reconciliation. In his famous sermon "Loving Your Enemies," King describes agape as an "understanding, creative, redemptive goodwill for all men," illustrating how love can transform not only individuals but entire societies (King, 1957, sermon). This vision resonates with Dietrich Bonhoeffer's call in *Ethics* to embody costly love through active

resistance to evil and solidarity with the oppressed, emphasizing that love requires personal sacrifice and public responsibility.

Contemporary ethical challenges – such as poverty, environmental degradation, and global inequality – further underscore the relevance of Christian love. The biblical command to love one's neighbor as oneself (Matthew 22:39, ESV) compels Christians to engage in advocacy and action, addressing the systemic causes of suffering. Similarly, theologians like Paul Fiddes emphasize that participating in God's relational love inspires community-building and justice, calling Christians to work toward reconciliation and sustainability.

Christian love thus provides a holistic moral framework that transcends personal piety, engaging with the complexities of human relationships and global systems. By embodying agape, individuals and communities can contribute to a more just and compassionate world, reflecting the transformative power of divine love in action.

In conclusion, Christian love, or agape, offers a holistic and transformative ethical framework rooted in Christ's sacrificial love. It transcends personal piety, inspiring virtues like humility and reconciliation in personal relationships while driving advocacy for justice, equality, and sustainability on a societal and global scale. Grounded in biblical teachings and theological insights, agape compels believers to act with compassion and responsibility, addressing systemic injustices and fostering community. By embodying this divine love, individuals and communities can reflect God's transformative power, contributing to a more just and compassionate world.

## 5. Conclusions

This study has demonstrated that Christian morality is fundamentally defined by the morality of agape—a love that is unconditional, self-giving, and reflective of God's nature. Rooted in the New Testament teachings of Jesus, Paul, and John, agape emerges as both a divine command and the ethical cornerstone of Christian life. Jesus' Great Commandment establishes the dual focus of love for God and neighbor as the essence of moral living, while Paul and John expand on its theological depth, portraying agape as the fulfillment of the law, the highest virtue, and the ultimate expression of a life transformed by the Spirit. These teachings collectively underscore that agape is not merely an abstract ideal but an actionable imperative, calling for a transformative engagement with the world.

Christian morality is unequivocally founded upon and built around the morality of Christian love, or agape. This unconditional, self-giving love is not merely an attribute of Christian ethics but its very essence, permeating every aspect of moral thought and practice. As demonstrated in this study, agape is both the foundation and the framework of Christian morality, providing the theological, ethical, and practical grounding for how individuals and communities live in

alignment with the will of God. It is impossible to conceive of Christian morality apart from Christian love, for it is through agape that the character of God is most fully revealed and mirrored in human relationships.

The New Testament firmly anchors Christian morality in love, portraying it as both a divine command and a reflection of God's nature. Jesus' Great Commandment—"You shall love the Lord your God with all your heart and with all your soul and with all your mind... and you shall love your neighbor as yourself" (Matthew 22:37–39, ESV)—situates agape at the heart of ethical living. Here, love for God and love for neighbor are not independent virtues but interdependent expressions of a single moral vision, binding humanity to God and to one another. This radical and transformative love is further elaborated in Jesus' call to "love your enemies and pray for those who persecute you" (Matthew 5:44, ESV), challenging believers to embody divine love in their relationships, even with those who oppose or harm them.

Paul's theological writings expand on this foundation, presenting agape as the ultimate criterion of morality and the fulfillment of God's law: "Love does no wrong to a neighbor; therefore love is the fulfilling of the law" (Romans 13:10, ESV). Paul's hymn of love in 1 Corinthians 13 exalts agape as the highest virtue, surpassing even faith and hope, and characterizes it as patient, kind, selfless, and enduring. For Paul, love is not only an ethical imperative but the manifestation of a Spirit-transformed life. John's writings deepen this understanding by equating love with God's very being—"God is love" (1 John 4:8)—and presenting agape as the hallmark of true Christian discipleship, encapsulated in Jesus' command to "love one another as I have loved you" (John 13:34). These foundational teachings establish that Christian morality flows directly from the morality of agape, making love both the source and the goal of ethical behavior (Rotaru 2012,5).

The theological reflections of Augustine of Hippo, Maximus the Confessor, Martin Luther, Dietrich Bonhoeffer, and Paul Fiddes further underscore the centrality of agape to Christian morality. Augustine describes rightly ordered love (*ordo amoris*) as the principle that aligns human desires with divine purposes, making agape the foundation of both personal virtue and communal harmony. Maximus the Confessor elevates love to a cosmic and theurgical dimension, showing that agape is the unifying force that restores humanity's relationship with God and creation. Luther shifts the focus to love as a divine gift of grace, inseparable from faith, which manifests in acts of selfless service and humility. Bonhoeffer's theology emphasizes the costly and active nature of love, presenting it as a call to sacrificial engagement with the suffering of others and resistance to systemic evil. Fiddes, meanwhile, integrates love into a relational theology, highlighting its Trinitarian origins and its role in inspiring justice, reconciliation, and community-building. These theological perspectives collectively affirm that Christian morality is fundamentally an outgrowth of the morality of agape.

The ethical implications of agape further demonstrate its indispensability to Christian morality. On a personal level, agape fosters humility, forgiveness, and reconciliation, enabling believers to transcend self-centeredness and embody Christ's self-giving love. Socially, agape has historically undergirded transformative movements for justice and human rights, as seen in the Civil Rights Movement led by Martin Luther King Jr., who applied the principles of agape to confront systemic injustice with nonviolence and reconciliation. Globally, agape compels Christians to address pressing ethical challenges such as poverty, inequality, and environmental degradation. The biblical mandate to love one's neighbor as oneself (Matthew 22:39) drives advocacy and action, inspiring efforts to create a more equitable and sustainable world.

In conclusion, Christian love is not merely a component of Christian morality; it is its foundation, its essence, and its ultimate aim. Through agape, the moral teachings of Jesus and the apostles are unified into a coherent and transformative ethical vision. The theological reflections of great Christian thinkers reinforce that love is the guiding principle of all moral action, transcending personal piety to encompass social and global responsibilities. The morality of Christian love calls individuals and communities to embody the character of God, making love the measure of all ethical decisions. By living out *agape*, Christians reflect God's nature, participate in His redemptive work, and contribute to the healing and reconciliation of the world. Christian morality, in its fullest sense, is the morality of love (Rotaru 2017, 57-76).

## References

- Augustine, Saint. 2000. *"The City of God."* Translated by Murcus Dood, Introduction by Thomas Merton, New York: The Modern Library, eBook.
- Augustine, Saint. 2002. *"The Confession of Saint Augustine."* Oxford: Project Gutenberg Literary Archive Foundation, ePub.
- Blower, Paul. 2023. "Doctores Caritatis: Comparing Maximus the Confessor and Augustine of Hippo on the Mystery of the Love of God". *Phronema* 38 (1): 47–71.
- Bonhoeffer, Dietrich. 2005. *"Ethics."* Ed. Ilse Tödt et al., trans. Reinhard Krauss, Charles C. West, and Douglas W. Stott, vol. 6, Dietrich Bonhoeffer Works. Minneapolis, MN: Fortress Press.
- Brown Dewhurst, Emma. 2015. "The Ontology of Virtue as Participation in Divine Love in the Works of St. Maximus the Confessor." *Forum Philosophicum: International Journal for Philosophy* 20(2): 157–169.
- Fiddes, Paul, S. 2000. *"Participating in God: A Pastoral Doctrine of the Trinity."* Westminster: John Knox Press.
- Fiddes, P. S. 2015. "God and Story." In *The Church and in Doctrine: Reflections on the Ecclesial Basis of Method in Theology. Ecclesial Practices* 2(1): 5-22. <https://doi.org/10.1163/22144471-00201001>.
- King, Martin Luther, Jr. 1957. *"Loving Your Enemies."* Sermon Delivered at Dexter Avenue Baptist Church. Accessed on December 1, 2024. <https://kinginstitute.stanford.edu/king-papers/documents/loving-your-enemies-sermon-delivered-dexter-avenue-baptist-church>.
- Lindberg, Carter. 2003. "Luther's struggle with social-ethical issues". In *The Cambridge Companion to Martin Luther*, edited by Donald K. McKim, 165 – 178. Cambridge, New York: Cambridge University Press.

- Luther, Martin, 2022. *"The Freedom of a Christian."* Translated by Robert Kolb, Illinois, Crossway.
- Maximus The Confessor. 2005. *Filocalia*, Vol. II. Bucharest: Apologeticum Publishing House.
- Methuen, Charlotte. 2014. "Luther's Life." In *The Oxford Handbook of Martin Luther's Theology*, ed. Robert Kolb et al., 11 – 26. Oxford Handbooks, Oxford; New York: Oxford University Press.
- Paulson, Steven. 2014. "Luther's Doctrine of God." In *The Oxford Handbook of Martin Luther's Theology*, ed. Robert Kolb et al., 191–199. Oxford Handbooks, Oxford; New York: Oxford University Press.
- Rotaru, Ioan-Gheorghe. 2010. "Precum Eu v-am iubit pe voi, să vă iubiți unul pe altul !" [As I have loved you, that you love one another"]. *Argeșul Orthodox [The Orthodox Argeș]* IX, 467: 7.
- Rotaru, Ioan-Gheorghe. 2012. "Biserica lui Dumnezeu, sursa unui Râu al Vieții și al Vindecării" [The Church of God, Source of a River of Life and Healing]. *Argeșul Orthodox [The Orthodox Argeș]* XI, 564: 5.
- Rotaru, Ioan-Gheorghe. 2015. "Natura și scopul Legii Morale a celor sfinte Zece Porunci" [The Nature and Purpose of the Moral Law of the Holy Ten Commandments]. In *Păstorul Orthodox*, edited by Daniel Gligore, 318-322. Curtea de Argeș: Arhiepiscopiei Argeșului și Muscelului Publishing House.
- Rotaru, Ioan-Gheorghe. 2017. "Misiunea Bisericii în societate" [The mission of the Church in society]. *Timotheus – Incursiuni Teologice Tematice* 4 (2): 57-76.
- Rotaru, Ioan-Gheorghe. 2024. "Moral Values and Human Values: Support for Sustainable Societal Development." In *Europe in the New World Economy: Opportunities and Challenges. ESPERA 2023. Springer Proceedings in Business and Economics*, edited by Chivu, L., Ioan-Franc, V., Georgescu, G., De Los Ríos Carmenado, I., Andrei, J.V., 301-318. Springer, Cham. [https://doi.org/10.1007/978-3-031-71329-3\\_17](https://doi.org/10.1007/978-3-031-71329-3_17).
- Vanhoozer, Kevin J. 2001. "Introduction: The Love of God—Its Place, Meaning, and Function in Systematic Theology," 1 – 29. In *Nothing Greater, Nothing Better: Theological Essays on the Love of God*, ed. Kevin J. Vanhoozer, Grand Rapids, MI; Cambridge, U.K.: William B. Eerdmans Publishing Company.
- Willmer, Haddon. 1999. "Costly discipleship." In *The Cambridge Companion to Dietrich Bonhoeffer*, ed. John W. de Gruchy, 173–189. Cambridge, New York: Cambridge University Press.



## Occupational Stress Felt by Teachers and Students

**Maria Daniela Pipaş**

Associate Professor, PhD, Faculty of Economics, Management Department, "Bogdan Vodă"  
University of Cluj-Napoca, Cluj-Napoca, Romania  
dpipas@yahoo.com

**Janetta Sîrbu**

Professor, PhD, Faculty of Economics, Management Department, "Bogdan Vodă"  
University of Cluj-Napoca, Cluj-Napoca, Romania  
sjanetta2002@yahoo.com

---

**ABSTRACT:** In fast-paced and demanding work environments such as education, occupational stress is a significant concern for all stakeholders. Occupational stress occurs when the demands of a job or organizational environment exceed an individual's ability to cope, leading to a range of physical, emotional and psychological problems. As the nature of work evolves, understanding the causes, effects, and management strategies of occupational stress becomes increasingly important. Unfortunately, in educational environments, occupational stress affects both teachers and students. This stress can stem from various sources, including workload, expectations, and the emotional demands of the teaching and learning processes. Understanding the nature of this stress and its implications is crucial for fostering a healthier educational atmosphere. On the other hand, confronting stressors can lead to the emergence of adaptive mechanisms that will reduce the state of stress in subsequent interactions with different stressful situations. Although most of the time, stress only causes negative effects, such as reduced availability to communicate and interact with others (which can lead to social isolation and the appearance of negative transformations on an emotional, mental, or behavioral level), stress can also have a positive side, representing a challenge that will lead to personal development.

**KEYWORDS:** occupational stress, coping, self-efficacy, anxiety, performance

---

### Introduction

Experts in various fields have written about workplace stress and its effects on employees. The one to whom the "paternity" of the concept of stress is attributed is Selye (1984, 8) who stated that: "life itself is a stress." In this sense, Stănculescu (2015, 15) emphasizes: "starting from this conceptualization, we can deduce that stress is not necessarily something negative." Because confronting stressors can

offer the possibility of developing adaptive mechanisms that can later be useful. Thus we can deduce that stress can contribute to the personal development of the individual or, on the contrary, can lead to their isolation when negative transformations occur due to stress. These negative transformations can manifest at different levels: emotional, relational, mental, or behavioral.

Regardless of the form that stress takes (chronic or acute, professional, academic, relational, etc.) the physiological mechanisms and the effects triggered by it are the same, but it depends on how each individual reacts. Stănculescu (2015, 12) shows that: “there is no stress in itself, but a very large variability of manifestations of perceived stress (the actual experience generated by the sources of stress) and anticipated stress (the imagined experience or anticipation of the appearance of stressful factors).”

According to some authors (Quick et al. 2012, 53), for most individuals, the most important stressors are represented by: work, financial situation, interpersonal relationships, children, school, fear of a disaster/terrorist attack, other sources. Recently, researchers have identified the stressors associated with workload: pressure to complete tasks, the urgency of carrying out activities, bureaucracy, the large volume of procedures and methodologies that are applied in the office, confusion about the responsibilities related to work tasks. Stress management is influenced by a number of social or psychological factors, but the most used strategies are coping strategies. Depending on the conditions in which the stressors appear, different coping strategies are used.

### **Stress and coping strategies**

Earnest and Dwyer (2010, 888) define stress as: “an emotional or physical state caused by exposure to a challenging situation. Situations are perceived as threatening depending on the confidence that the individual has in their own ability to cope with difficult situations.”

Taking into account the definition of stress given by Earnest and Dwyer, following some studies, it was concluded that when the adaptation mechanisms (to the challenging situation) fail to maintain the body's equilibrium state, different reactions occur at a psychic, functional or metabolic and neuro-physiological level (Stănculescu 2015, 19-20):

- **Reactions at psychic level:** manifests itself through the appearance of disturbances either of an emotional nature (depressive states, anxiety, neuroses) or of a cognitive nature (irrational cognitions, distorted thoughts);
- **Reactions at functional level:** refer to the way the internal organs work;
- **Reactions at metabolic level:** when the metabolism is disturbed, somatization reactions occur (gastrointestinal disorders);
- **Reactions at neurophysiological level:** they affect the neuro-psychic functionality.

Selye (1978, 22), claims that moderate or low-intensity stress does not have negative effects. On the other hand, prolonged exposure to stressful factors constitutes demands that can exceed the mental and physical resources of the individuals concerned (Zautra 2003, 13) and lead to the appearance of somatic or even socio-emotional reactions (Broman-Fulks and Kelso 2012, 39).

To begin with, it is essential to establish a clear theoretical framework for the concept of coping. Thus we can say that there are two visions that define coping:

1. Coping is a “personality trait” - for the followers of this vision, coping represents: “a set of adaptive, unconscious defense mechanisms” (Vaillant 1998, 62), i.e., an important tool for controlling instinct;
2. The second view focuses on the process element of coping: followers of this view claim that coping represents: “the totality of stress control efforts. These efforts change over time, being shaped by the adaptive context that generates them” (Lazarus and DeLongis 1983, 246). This approach is contextual in nature and refers to the person-external environment relationship.

There is a multitude of opinions issued in order to define and/or establish the nature of coping, but most specialists agree that the following types of coping are the most effective:

1. Emotion-focused coping – “People use emotion-focused coping to prevent negative emotions from overwhelming them and hindering them in their problem-solving efforts” (Atkinson et al. 2000, 703-704);
2. Problem-centered coping – Considering the person-external environment relationship, problem-solving in this situation focuses on accumulating information to define the problem, finding alternative solutions and choosing the most suitable solution, making decisions and resolving the conflictual situation.

Regarding the relationship between stress and age, experts in the field show that adolescence is a rather difficult period. This period involves changes both from a psychosocial point of view and from an emotional and physiological point of view. Because of this, teenagers are more vulnerable and require coping strategies. Cunningham et al. (2002, 216) argue that in the short term, these changes in adolescents have a negative effect on academic performance. Carlton et al. (2006, 302) concluded that adolescents who achieve good academic results have much better mental health than students who perform poorly. In the long term, stress can lead to (Grant et al. 2004, 415): “increased adolescent vulnerability to neurotic (anxiety and depression) and behavioral disorders.”

Piko (2001, 223) carried out a study on a group of teenagers, after which she came to the conclusion that girls apply passive coping strategies, they orient themselves towards seeking support from those around them, and boys apply active coping strategies, focusing on the problem. The final conclusion was that the type of socialization of emotions in childhood induces gender differences, with

boys being taught not to externalize their fear, or emotional and physical distress, displaying a stronger front, while girls are used to receiving more attention and emotional support, especially from family.

In the specialized literature, a new term appeared, that of “burnout”, which designates the syndrome of emotional and physical exhaustion, which sometimes sets in over time, as a result of professional overload, role conflict: “excessive demands from superiors, the pressure and urgency of carrying out activities in a fixed period of time, which lead to the draining of the resources of the individual concerned.” Legeron (2003, 182), describes four stages of the “burnout” syndrome:

1. Emotional and physical exhaustion;
2. High level of stress, due to professional demands that exceed the individual's resources;
3. Aversion to oneself, with self-blame and the appearance of the feeling of uselessness, sometimes the emergence of aversion to other peers;
4. Cynical attitude towards the workplace and the activity itself, as well as low effectiveness.

Considering the demands of the teaching profession, it is understood that professional stress can turn into “burnout” syndrome at any time, in conditions where the pressures for performance and quality increase, or in the absence of organizational support and positive feedback.

If this syndrome occurs, teachers no longer have the physical and emotional energy needed to overcome the problems they face every day. In such situations, individuals present somatic manifestations that affect the internal organs and even emotional level manifestations that can lead to depression (Hakanen, Bakker and Schaufeli 2006, 498).

### **Self-efficacy and school stress**

Bandura et al. (1996, 1206) studied this relationship, first defining self-efficacy and demonstrating the importance of the beliefs that the individual has in connection with “his ability to exercise control over his own functionality and the demands of the environment.” Self-efficacy influences the level of motivation of the individual, the attitude towards the difficulties that arise, the aspirations and perseverance with which the individual pursues the fulfillment of the objectives, the attributions of failure and success as well as the way of managing stress.

School self-efficacy represents the set of beliefs that the student has in relation to their ability to learn, master the contents of various subjects and, last but not least, achieve their own expectations, the expectations of parents and teachers. In 1996, Bandura built an explanatory model of self-efficacy, starting from social cognitive theory, to demonstrate school performance, including several predictors: parental school efficacy and aspirations, as well as students' socio-economic status. At the end of the research, a direct link between socio-economic

status and parental aspirations was observed: the higher the socio-economic status of the student's family, the higher the parental aspirations related to the evolution and cognitive development of their own children.

Furthermore, parents' self-efficacy and aspirations contribute to building the child's self-efficacy and aspirations. It can be inferred that there is a reciprocal relationship between self-efficacy and aspirations. In this sense, it has been observed that students whose parents have high expectations develop over time the ability to self-regulate, thus resisting group pressures to engage in undesirable activities. In these cases, the teaching staff has the role of mediator between parents and students, because parents give an important role to teachers in the development of their children. The involvement of parents in the relationship between teachers and students leads to the valorization of the role of the school, to the increase of commitment of teachers and students towards achieving school performance.

Unfortunately, reality has shown that there are also situations that lead to negative results, such as parents having a hostile position toward their children and criticizing the work of teachers. In such cases, students can take over the parents' expectations and attitudes, ending up being hostile towards teachers and their interventions, or they will face ambivalent experiences that can be generated by their positive perception in relation to the teaching staff and the parents' negative perception towards teaching staff. In this situation, students cannot manage the stressful impact and become demotivated due to the tensions that affect the teacher-student relationship, as well as school performance.

To avoid such situations, Bandura et al. (1996, 1209) state: "it is much easier for parents to influence the school system, giving a high value to their children's education rather than trying to change instructional practices used by teachers."

Another study, conducted by Suh and Suh (2006, 16), demonstrated the importance of creating a strong bond between students and the school, respectively between teachers and their colleagues. Following this study, it was observed that students who had positive attitudes towards peers, teachers, school and the learning activity, could face stressors more easily, having a stronger motivation for learning.

Students who have behavioral problems as well as low social skills will not be accepted by their peers, and their own perception of inefficiency in establishing supportive and satisfying interpersonal relationships will lead to the appearance and accentuation of negative emotions, which may induce a depressive state. At the same time, students who consider school tasks as a burden that far exceeds their ability to solve them, will be more affected by stressors than students who have increased self-efficacy. On the other hand, when the student perceives a task as challenging, there is a much greater chance that he will use coping strategies to help them accomplish that task.

Another stressful factor for the student is exams. Thus, it was observed that nerves have a predictive factor for school performance. Optimistic students who have high self-esteem may use positive coping strategies to cope with academic stress more easily, compared to distrustful, pessimistic students who may develop negative coping strategies. The latter were found to have a higher dropout rate.

### **Stress in examination situations**

All situations in which students are checked to determine their learning progress (current, summative, continuous assessment, formal and informal assessment, tests, theses, aptitude test and baccalaureate exam), represent a whole list of academic stress situations. Some of the students perceive these types of assessments as threatening.

Von der Embse and Hasson (2012, 184), showed that when anxiety is high, in evaluation situations, unwanted effects on the results can very easily appear. Anxiety is considered the biggest disruptive factor in school performance.

In situations of anxiety, generated by assessments of school progress, teachers must understand the nature of these reactions and be concerned with establishing a climate of stimulation of the need for affirmation as well as elimination of fears related to failure. In this sense, Woolfolk (2012, 342) recommends teachers to:

- Creating learning situations through cooperation methods;
- Avoiding situations in which students who show anxiety answer in front of the class. Using some strategies to eliminate excessive competition between students;
- Avoiding time pressures;
- Clearly formulating the tasks that the students have to fulfill;
- Decreasing and even eliminating nervousness before important assessments;
- Development of alternatives to written tests, such as reports, essays, portfolios, etc.;
- Carefully reading the requirements of the evaluation tests;
- After testing – analytical approach to good parts and parts that can be improved.

The practice found in the school environment of motivating students to achieve performance, by creating a tense environmental environment before the assessment and using messages that appeal to the fear of not passing the respective exam, are totally ineffective. Such practices have the opposite effect of the intended one and lead to a decrease in school performance due to the emergence of a high level of anxiety.

## **Occupational stress factors**

Not only students can feel academic stress factors, but also teachers, only that the latter feel so-called occupational stress that appears at work. Occupational stress in the case of teachers is quite widespread and appears against the background of excessive demands that often exceed their resources and coping strategies.

Levy et al. (2017, 29) define occupational stress as: “a state of perceived imbalance between demands and the individual’s ability to respond to them, in conditions where the impossibility of meeting these demands has important consequences.”

In specialized literature, occupational stress is seen as a dependent variable (a person’s response to negative stimuli coming from the environment), an independent variable and a transactional process (demonstrating the mismatch between the environment and the person in question).

Regarding occupational stress factors, researchers in the field have concluded that there are both beneficial stressors and negative stressors. Among the most well-known occupational stressors we can mention:

- Factors related to the individual (biological factors, type of behavior, personality, developed coping mechanisms, etc.);
- Factors related to the physical environment of the workplace;
- Factors related to the profession and the activity performed (Ursu 2017, 20);
- Time pressure, lack of time management;
- Factors related to the organization’s structure and climate;
- Students’ lack of motivation;
- Discipline problems in the classroom that, in order to be managed, involve using higher amounts of teaching-learning time;
- Purely theoretical and very loaded didactic programs;
- Role ambiguity generated by the conflict between the didactic conception of the teaching staff and the conception promoted by the school in which they work;
- Relations with colleagues and school management that promote an authoritarian leadership style (lack of organizational support);
- Frequent changes in the system, changes of educational policies, the impossibility of attending continuing professional training courses, etc.;
- Lack of support from students’ parents;
- Increasingly higher standards for evaluating the performance achieved in working with students.

The most devastating effects of occupational stress are those related to job satisfaction and the individual’s health.

Job satisfaction was defined by Locke (1969, 312), as: “the positive and pleasant emotional state resulting from the evaluation of one’s job or one’s work experiences.” From this point of view, we can argue that job satisfaction has an

extremely important role, especially in its relationship with professional performance. A low satisfaction will be associated with the emergence of organizational problems (absenteeism, non-fulfilment of professional duties, staff turnover, sometimes even sabotage), while a high satisfaction will lead to the achievement of beneficial results for the organization.

In cases where employees present a state of dissatisfaction at work, their state of mental health will be a precarious one. These individuals will avoid interaction with co-workers and organizational leadership, become isolated, uncommunicative, and eventually experience anxiety and depression.

Taking into account the multitude of stress factors that are specific to the teaching profession, McIntyre, McIntyre and Francis (2017, 42), came to the conclusion that teachers who have deficient coping strategies, eventually end up facing relational and even emotional difficulties or, in worst cases, burnout syndrome.

In a study by Kyriacou and Chien (2004, 89), several ways to cope with stress were listed:

- Maintaining a harmonious family life;
- Deep understanding and mastery of the material to be taught to students;
- The existence of a supportive person, who empathizes with the difficult emotional experiences that the teaching staff goes through;
- Relaxation after the completion of a working day;
- Emotional self-regulation capacity (controlling negative emotions and finding solutions to manage emotional suffering).

Stress-resistant teachers are in control in challenging situations and overcome negative emotions, use active coping and have confidence in their own strength, have a healthy lifestyle, accept and consider the advantages of peer support. For teachers, occupational stress often arises from a combination of factors. High workloads, including lesson planning, grading, and administrative duties, can lead to feelings of overwhelm. Additionally, teachers face the pressure of meeting diverse student needs, managing classroom behavior, and adhering to curriculum standards. The emotional labor involved in supporting students - especially those facing personal challenges - can further exacerbate stress levels. Furthermore, the lack of resources and support from administration can leave teachers feeling isolated and undervalued.

Students, on the other hand, experience stress from different angles. Academic pressures, such as the need to perform well on exams and maintain high grades, can create a significant burden. The competitive nature of educational environments often leads to anxiety and fear of failure. Additionally, social dynamics, including peer relationships and extracurricular commitments, can contribute to students' stress levels. The increasing prevalence of technology and social media also adds a layer of complexity, as students navigate online interactions and the pressure to maintain a certain image.



## **Impact of Occupational Stress**

The impact of occupational stress on teachers and students can be profound. For teachers, chronic stress can lead to burnout, decreased job satisfaction, and even physical health issues. This not only affects their well-being but also their effectiveness in the classroom. Stressed teachers may struggle to engage students, leading to a less dynamic learning environment. For students, the consequences of stress can manifest in various ways, including decreased academic performance, mental health issues such as anxiety and depression, and difficulties in social interactions. The pressure to succeed can lead to unhealthy coping mechanisms, such as procrastination or substance use. Moreover, the stress experienced by students can create a cycle that affects their future educational pursuits and career choices.

## **Strategies for Mitigating Occupational Stress**

Addressing occupational stress requires a multifaceted approach. For teachers, schools can implement support systems, such as mentorship programs, professional development opportunities, and access to mental health resources. Encouraging a collaborative environment where teachers can share experiences and strategies can also alleviate feelings of isolation.

For students, fostering a supportive school culture is essential. Schools can provide resources for stress management, such as counseling services and workshops on coping strategies. Encouraging open communication about mental health and creating an environment where students feel safe to express their concerns can significantly reduce stress levels.

Additionally, promoting a balanced approach to academics, where the emphasis is not solely on grades but also on personal growth and well-being, can help alleviate pressure. Schools can also encourage extracurricular activities that allow students to explore interests outside of academics, providing a necessary outlet for stress relief.

## **Conclusions**

Occupational stress is a pervasive issue that affects both teachers and students within educational settings. By recognizing the sources and impacts of this stress, educational institutions can take proactive steps to create a healthier environment.

Through support systems, effective communication, and a focus on well-being, schools can help mitigate the effects of stress, ultimately leading to a more positive and productive educational experience for all factors involved.

Addressing occupational stress is not just beneficial for individual well-being; it is essential for fostering a thriving educational community.

## References

- Atkinsonová, Rita L., Richard C. Atkinson, Edward E. Smith, Daryl J. Bem, and Susan Nolen-Hoeksema. 2000. "Introduction to psychology." 11th Edition, Trans. from English by L.P. Băiceanu, G. Ilie, L. Gavrilă. Bucharest: Tehnica Publishing House.
- Bandura, Albert, Barbaranelli Claudio, Caprara Gian Vittorio, and Pastorelli Concetta. 1996. "Multifaceted Impact of Self-Efficacy Beliefs on Academic Functioning." *Child Development* 67 (3): 1206-1222.
- Broman-Fulks, Joshua J, and Kelso Kerry. 2012. *Stress Management*, 2<sup>nd</sup> Edition. Kendall Hunt.
- Carlton, Barry S., Goebert Deborah, Miyamoto Rob, and Andrade Naleen N. 2006. "Resilience, Family Adversity and Well-Being Among Hawaiian and Non-Hawaiian Adolescents." *International Journal of Social Psychiatry* 52(4): 291-308.
- Cunningham, Michael, Megan Hurley, Dana Foney, and DeMarquins Hayes. 2002. "Influence of perceived contextual stress on self-esteem and academic outcomes in African American adolescents." *Journal of Black Psychology* 28(3): 215–233.
- Earnest, David R., and Dwyer William. 2010. "In their own words: An online strategy for increasing stress-coping skills among college freshmen." *College Student Journal* 44(4): 888-900.
- Grant, Kathryn E., Compas Bruce, Thurm Audrey, and McMahon Susan D. 2004, "Stressors and Child and Adolescent Psychopathology: Measurement Issues and Prospective Effects." *Journal of Clinical Child & Adolescent Psychology* 33(2): 412-25.
- Hakanen, Jari J., Arnold B. Bakker, and Wilmar B. Schaufeli. 2006. "Burnout and Work Engagement Among Teachers." *Journal of School Psychology* 43(6):495-513.
- Kyriacou, Chris, and Chien Pei-Yu. 2004. "Teacher stress in Taiwanese primary schools." *Journal of Educational Enquiry* 5(2): 86-104.
- Lazarus, Richard S. and DeLongis Anita. 1983. "Psychological stress and coping in aging." *American Psychologist* 38(3): 245–254.
- Largerion, P. 2003. *Cum să te aperi de stres [How to protect from stress]*. Bucharest: Tei Publishing House.
- Levy, Barry S., Wegman David H., Baron Sherry L., and Sokas Rosemary K. 2017. *Occupational and Environmental Health*. Oxford Scholarship Online.
- Locke, Edwin A. 1969. "What is job satisfaction?" *Organizational Behavior and Human Performance* 4 (4): 309-336. Elsevier.
- McIntyre, Teresa Mendonça, McIntyre Scott E., and Francis David J. 2017. *Educator Stress: An Occupational Health Perspective*. Springer Publisher House.
- Piko, Bettina. 2001. "Gender differences and similarities in adolescents' ways of coping." *The Psychological Record* 51(2): 23-235. University of Szeged, Hungary.
- Quick, James Campbell, Wright Thomas A., Adkins Joyce A., Nelson Debra L., and Dr. Quick Jonathan D. 2012. *Preventive Stress Management in Organizations*, 2<sup>nd</sup> edition. American Psychological Association.
- Selye, Hans. 1984. *The stress of life*. New York: McGraw-Hill Education.
- Stănculescu, Elena. 2015. *Stress management in the educational environmen*, 2nd edition added and revised. Bucharest: University Publishing House.
- Suh, Suhyun, and Suh Jingyo. 2006. "Educational Engagement and Degree Attainment among High School Dropouts." *Educational Research Quarterly* 29 (3): 11-20.
- Ursu, Mihaela Andreea. 2017. *Stresul organizațional. Modalități de identificare, studiere, prevenire și combatere [Organizational stress. Ways to identify, study, prevent and combat]*. Iași: Lumen Publishing House.
- Vaillant, George E. 1998. *Adaptation to Life*. Harvard University Press.
- Von der Embse, Nathaniel, and Hasson Ramzi. 2012. "Test Anxiety and High-Stakes Test Performance Between School Settings: Implications for Educators." *Preventing School Failure* 56(3):180-187.
- Woolfolk, Anita. 2012. *Educational Psychology*, 12th Edition. Pearson.
- Zautra, Alex J. 2003. *Emotions, Stress and Health*. Oxford: Oxford University Press.

# Transmission of Family Businesses and the Continuity of Socioeconomic Value Creation in Morocco

**Wafaa El Gouz**

Mohamed V University, Morocco

**Azzeddine Alliouï\***

ESCA Ecole de Management, Morocco

\*Corresponding Author: aalliouï@esca.ma

---

**ABSTRACT:** The transfer of family enterprises has significant repercussions for the socioeconomic fabric of a society, and this paper looks into the particular situation of Morocco to examine the circumstances around this phenomenon. Family enterprises, which are an essential part of the economic landscape of the nation, provide a substantial contribution to the generation of socioeconomic value. The purpose of this paper is to investigate the process of passing family companies in Morocco in a thorough manner, with the specific goal of casting light on the obstacles, tactics, and results that are characteristic of this phenomena. We hope to make a significant contribution to the larger conversation about the sustainability and continuity of socioeconomic value creation within family businesses by conducting an investigation into the complex dynamics that are associated with the succession of business ownership in the Moroccan context. This paper seeks to broaden our awareness of the role that family enterprises play in the Moroccan economy and the influence that they have on the larger social and economic environment by making use of a comprehensive analysis of real-world situations and relevant literature.

**KEYWORDS:** socioeconomic value, succession, family businesses

---

## Introduction

One of the most important aspects of economic dynamics, especially in the context of Morocco, is the transfer of family companies from generation to generation. Businesses that are owned and operated by families constitute a sizeable component of the country's commercial landscape and have a significant amount of influence over the country's subsequent socioeconomic growth. In this paper, we look into the complex process of passing on family enterprises and the consequential influence that this process has on the continued generation of socioeconomic value within the Moroccan environment. It is important to note that family businesses, which are frequently distinguished by a singular

combination of familial ties and entrepreneurial endeavors, make a significant contribution to the economic fabric of Morocco. The challenges that are associated with the succession of these businesses are multifaceted, ranging from the dynamics that exist within the family to the pressures that come from the market being external. Not only is it essential for the success of individual businesses, but it is also essential for the socioeconomic landscape as a whole to have a thorough understanding of the complexities of the transmission process (Maity and Singh 2021).

This paper is to investigate the many different aspects of the transfer of family businesses in Morocco, taking into consideration the aforementioned context. The purpose of this paper is to provide a comprehensive overview by analyzing the difficulties that these companies are experiencing, the methods that are being utilized for effective transmission, and the results that are being produced by such processes. The ultimate objective is to provide a contribution of nuanced insights on the role that family companies play in ensuring economic stability and continuity in Morocco.

Our goal is to disentangle the complexity that is inherent in the transfer of family companies in Morocco by means of a combination of empirical research, case studies, and theoretical frameworks. It is essential for both academics and practitioners to conduct this investigation because it provides a more in-depth understanding of the mechanisms that are responsible for the sustainability and perpetuation of socioeconomic value (Armstrong and Kraemer-Mbula 2022) within family businesses in the Moroccan business landscape (Martínez-Romero et al. 2020).

## Literature Review

There is a rising interest in understanding the one-of-a-kind obstacles and possibilities that are linked with the process of family business transfer in Morocco, as seen by the literature that surrounds this topic. Scholars and researchers have investigated a variety of aspects of the succession of family businesses, which has resulted in the provision of useful insights into the processes that define the continuation of these businesses and their contribution to the development of socioeconomic value (Armstrong and Kraemer-Mbula 2022).

In the body of research, one of the most frequent themes is the interaction between family dynamics and the succession of company ownership. Several studies shed light on the complex connections that exist inside family-owned businesses and the ways in which these ties impact the decision-making process about the transfer of leadership and management. There are a number of factors that emerge as significant variables in the success or failure of the transmission process. Some of these factors include disputes within the family, breaks in communication, and different expectations among family members. In addition,

the research that has been done on the topic emphasizes the significance of efficient governance structures in the process of carrying out successful family business transfer. According to the findings of research, well defined governance structures, which may include succession plans, have the potential to reduce the likelihood of disputes and enable a seamless transfer from one generation to the next. For family companies that want to ensure their longevity and continue to provide socioeconomic value (Maity and Singh 2021), it is very necessary to conduct an investigation into the most effective governance techniques (Armstrong and Kraemer-Mbula 2022).

In addition, academic research investigates the external difficulties that family companies in Morocco encounter throughout the process of transfer. Uncertainties in the economy, complexity in regulatory frameworks, and the dynamics of the market all provide substantial challenges that call for strategic foresight and adaptation. It is essential for scholars and practitioners who are interested in enhancing the resilience of family companies to have a solid understanding of how these issues are navigated by family firms (Carr and Ring 2017). In addition to this, the literature investigates the methods that successful family companies in Morocco have used in order to overcome difficulties associated with transfer. There is a strong emphasis put on the role that professionalization plays, as well as mentoring programs and the development of leadership abilities among successful successors. Insights gained from real-world situations give vital insights and provide a road map for other family businesses that are attempting to navigate the complexity of generational transitions (Martínez-Romero et al. 2020).

The literature study sheds light on the complex nature of the transfer of family businesses in Morocco, shedding light on many different aspects. A more in-depth understanding of the complicated connections, governance structures, external difficulties, and success methods that influence the continuation of family companies in the Moroccan environment is achieved by scholars via the process of integrating information from a variety of sources. With this foundational knowledge, the stage is set for the empirical exploration and analysis that will follow in this article. This article will contribute to the larger discourse on the transmission of family businesses and the continuity of socioeconomic value creation in Morocco (Chirico 2008; Sharma and Carney 2012).

As part of the ongoing investigation into the literature concerning the transmission of family businesses in Morocco, this research delves into the role that cultural and contextual factors play, as well as the outcomes and impacts that are associated with the process of succession. When it comes to the transmission of family businesses (Martínez-Romero et al. 2020), cultural and contextual factors play a significant role in shaping the process. Cultural norms, traditions, and societal expectations influence the preferences and decisions of family members involved in the succession process. The findings of research

indicate that it is essential to have a thorough understanding of the cultural context in order to effectively design strategies that are in line with the values and expectations of the family (Armstrong and Kraemer-Mbula 2022), which will contribute to a more seamless transition. Furthermore, the legal and regulatory environment, which is present on both a national and international scale, has a significant impact on the planning and execution of succession, which adds an additional layer of complexity to the process of transmission (Carr and Ring 2017).

Examination of the outcomes and impacts of family business transmission on both the business itself and the broader socioeconomic environment is a topic that is becoming increasingly prevalent in the body of research that has been conducted (Armstrong and Kraemer-Mbula 2022). Successful transmission is often associated with enhanced firm performance, innovation, and long-term sustainability. Conversely, failures in the succession process can lead to financial instability, loss of employment, and even the dissolution of the business. Researchers have sought to quantify these outcomes, providing empirical evidence of the positive correlation between effective succession planning and the overall success of family businesses (Jose Parada and Vilad s 2010).

Moreover, the impact of family business continuity on the wider socioeconomic landscape of Morocco is a critical consideration (Maity and Singh 2021). Family businesses are integral to job creation, economic development, and community engagement. Understanding how the transmission process influences these contributions sheds light on the broader implications for the country's economic resilience and social well-being. In conclusion, the literature review highlights the intricate interplay of cultural, contextual, and legal factors in shaping family business transmission in Morocco. It emphasizes the outcomes and impacts of successful and unsuccessful succession processes, offering a comprehensive understanding of the ripple effects on the businesses themselves and the broader socioeconomic landscape (Armstrong and Kraemer-Mbula 2022). This foundational knowledge lays the groundwork for the empirical investigation and analysis that will follow, which will provide a comprehensive perspective on the transmission of family businesses (Carr and Ring 2017) and the implications that this transmission has for the continuation of socioeconomic value creation (Chirico 2008; Sharma and Carney 2012).

We will further explore the literature on the transmission of family businesses in Morocco. Our focus will be on the evolving role of technology and innovation in shaping succession strategies and their implications for the future sustainability of these enterprises. In the last several years, there has been a discernible movement in the literature towards the influence that technology and innovation have on the transfer of family businesses.

Family businesses (Mart nez-Romero et al. 2020) are confronted with the task of incorporating new technology into their operations while also negotiating

the complexities of succession planning. This problem arises as the corporate environment becomes more computerized. Studies shed light on the fact that technology can act as both a facilitator and a disruptor in the process of succession. These studies underscore the need for family companies to adapt and make use of creative solutions in order to secure their continued viability over the long term (Jose Parada and Vilad s 2010).

The use of digital technologies for the purposes of communication, information management, and strategic planning has emerged as an essential component of efficient governance in family businesses. The effective movement of information across family members is made possible by technology, which also helps to streamline decision-making processes and contributes to leadership transitions that are more transparent and collaborative. The literature, on the other hand, acknowledges the possible dangers that are connected to technology. These dangers include the deterioration of traditional values and the need to give careful regard to the human element in the process of succession (Armstrong and Kraemer-Mbula 2022).

Furthermore, the key to effective family company continuity is innovation in business models, product offerings, and market strategies. This highlights the need of innovation in these areas. According to research, family businesses in Morocco that embrace a culture of innovation are in a better position to adapt to the ever-changing needs of the market and the challenges of competition. The significance of establishing an entrepreneurial attitude in successors and incorporating innovation into the broader succession plan is shown by this evidence (Mart nez-Romero et al. 2020). In the context of technological improvements, the literature makes predictions about the future trajectory of family business transmission in Morocco. These predictions are based on the trajectory of the future. In order for family companies to continue to be competitive and sustainable over the course of several generations, it is vital for them to anticipate the influence of new technologies such as blockchain and artificial intelligence. Researchers stress the need of ongoing adaptation as well as a forward-looking strategy to succession planning that takes into account the ever-changing technology world (Carr and Ring 2017).

A conclusion has been reached on the literature assessment on the transfer of family businesses in Morocco, which now incorporates insights into the role that technology and innovation play. A layer of complexity is added to succession planning as a result of the ever-changing nature of these issues, which also highlights the need of adopting technology improvements in order to ensure long-term viability. In doing so, this lays the groundwork for the ensuing empirical analysis and debate, so offering a full framework for comprehending the complex dynamics of family business transfer within the context of Morocco.

## Methodology

This research design takes a qualitative approach to investigate the transfer of family companies in Morocco. The research design was developed for this study. By conducting in-depth interviews and conducting case studies, our goal is to get a comprehensive and nuanced knowledge of the dynamics, difficulties, and solutions that are involved in the process of succession preparation.

In order to ensure that the sample is representative of a wide variety of sectors, sizes, and generational transitions, the sampling process is deliberate and focuses on picking family companies. Within the framework of the transfer of family businesses in Morocco, the purpose of this purposeful sampling technique is to collect a wide range of experiences. One of the primary methods of data collecting is to conduct in-depth interviews with key stakeholders in each of the family businesses that have been specified. Included in this group of stakeholders are the company's founders, current executives, and future employees. The interviews are of a semi-structured nature, which allows for flexibility in the exploration of individual perspectives and experiences in relation to succession planning, family dynamics, and the larger socioeconomic backdrop.

In addition to the interviews, case studies are used in order to give a comprehensive analysis of certain family-owned firms. The purpose of these case studies is to provide a comprehensive investigation of the specific conditions, difficulties, and approaches that each family business used throughout the process of transfer. The purpose of the study is to provide context-specific insights that may not be visible in a more general quantitative analysis. This will be accomplished by conducting in-depth investigations into particular situations. An strategy known as thematic analysis is used in the process of data analysis. This method identifies recurrent patterns, themes, and narratives that emerge from qualitative data. By using this procedure, the research endeavor intends to provide a complete narrative that is capable of capturing the essence of the transfer of family businesses in Morocco. Ethical standards are upheld throughout the study process, which guarantees the anonymity of all concerned stakeholders and encourages their involvement on a voluntary basis. Obtaining participants' informed permission and taking measures to protect their identities are both processes that are carried out.

For the purpose of providing a nuanced and comprehensive knowledge of the transfer of family companies in Morocco, the qualitative technique that was used in this research endeavor was chosen (in conclusion). The purpose of this study is to provide significant insights into the intricate dynamics of succession planning within the familial and socioeconomic framework of Moroccan family companies. This will be accomplished by concentrating on human experiences and narratives.



## Results

With regard to the transfer of family companies in Morocco, the qualitative research offers a comprehensive investigation of the experiences, difficulties, and tactics that have been encountered. Key themes have developed as a result of in-depth interviews and case studies, which have made it possible to understand the dynamics of succession within the framework of the family and the socioeconomic environment. The transmission process is significantly impacted by the dynamics of the family, with disputes resulting from divergent perspectives and expectations, as well as communication failures, being among the most critical problems. The capacity to negotiate these complications was proved by successful family enterprises, which exhibited the ability to do so via open communication, scheduled family meetings, and the formation of defined roles and duties.

A number of different tactics have been discovered among family companies for the purpose of effective transmission. These strategies include the construction of codified succession plans, mentoring activities, and leadership development programs. The incorporation of non-family executives and governance structures, which were brought about by professionalization, played a significant part in the enhancement of the resilience of family enterprises throughout the process of going through succession (Jose Parada and Viladás 2010).

The research underlined the socioeconomic relevance of family companies in Morocco, highlighting the contributions that these enterprises make to economic development, the creation of jobs, activities that include the community, and the preservation of cultural traditions. It was found that successful transmission had a positive impact on the firms' capacity to continue making these contributions, but difficulties in succession had the potential to have ramifications not just for the company but also for the community as a whole (Martínez-Romero et al. 2020). During the process of transmission, cultural and contextual elements played a considerable role. Traditional values, social expectations, and the legal and regulatory environment all had a big impact on the decisions that family companies made and the tactics that they chose. The ability to adjust to these cultural idiosyncrasies turned out to be an essential component in the successful completion of the transmission process (Jose Parada and Viladás 2010).

Although the major emphasis of the research was not on technology, early results revealed that family companies are gradually incorporating technology into their operations. It was clear that technology plays a significant role in facilitating communication, the transfer of knowledge, and strategic planning. Participants brought up the delicate balance that must be maintained between preserving traditional values and embracing technological advancements in the context of succession planning. A complete investigation of the variables that are involved in the process of succession is provided by the qualitative research that was conducted on the transfer of family businesses in Morocco. A number of core

themes arose as a result of in-depth interviews and case studies, which shed insight on the varied character of this issue (Carr and Ring 2017).

Conflicts that arise from different perspectives, expectations, and communication breakdowns are noted as key problems in the process of transmission. Family dynamics play a vital part in the transmission process. The capacity to negotiate these complications was proved by successful family enterprises, which exhibited the ability to do so via open communication, scheduled family meetings, and the formation of defined roles and duties (Jose Parada and Viladás 2010).

The viewpoints of many generations that were engaged in the family company were also investigated in depth during the course of the research. As successors confronted the problem of reconciling tradition with the necessity for adaptability in a fast changing business world, founders often struggled with the conflict of whether or not to allow for innovation while still protecting the heritage of the company. In conclusion, this qualitative investigation offers a rich tapestry of insights into the transmission of family businesses in Morocco. It captures the complexities, problems, and tactics that define this complex process within the framework of the family and the socioeconomic environment. The qualitative research on the transmission of family businesses in Morocco provides a comprehensive and nuanced knowledge of the factors that are engaged in the process of succession involving family businesses. The study has unearthed numerous major themes via in-depth interviews and case studies, which has thrown light on the complex nature of this phenomena within the context of the family and the socioeconomic environment (Carr and Ring 2017).

One of the most prominent themes that emerged was the dynamics of the family, with disagreements resulting from divergent perspectives and expectations, as well as communication failures, being highlighted as key obstacles. Open communication, scheduled family gatherings, and the formation of defined roles and duties are some of the ways that successful family companies have proved their ability to handle these complications. There are a number of different ways that have been discovered for effective transmission, such as defined succession plans, mentoring programs, and leadership development efforts. The incorporation of non-family executives and governance structures, which were accomplished via the process of professionalization, played a significant part in the enhancement of the resilience of family enterprises throughout the process of succession (Jose Parada and Viladás 2010).

Through their participation in the research, participants indicated a variety of difficulties encountered throughout the process of succession. These difficulties included financial issues connected to inheritance and the distribution of wealth. The duties of assuring a fair distribution of responsibilities and assets, controlling conflicts of interest, and striking a balance between the interests of family members proved to be complex and difficult to successfully complete. In addition, the

research investigated the viewpoints of many generations that were active in the family company over its duration. As successors confronted the problem of reconciling tradition with the necessity for adaptability in a fast changing business world, founders often struggled with the conflict of whether or not to allow for innovation while still protecting the heritage of the company. In conclusion, this qualitative investigation has provided a rich tapestry of insights into the transmission of family businesses in Morocco. It has captured the nuances, challenges, and strategies that characterize this complex process within the context of the family and the socioeconomic environment. These results add to a more in-depth knowledge of the elements that influence effective succession, and they have consequences not just for academic discourse but also for practical applications within the area of family business management (Martínez-Romero et al. 2020).

## Conclusion

In conclusion, the findings of this qualitative research have shed light on the complex dynamics that are associated with the transfer of family enterprises in Morocco. A multifaceted picture has evolved as a result of an in-depth investigation of the dynamics of families, methods for succession planning, socioeconomic repercussions, cultural influences, and generational viewpoints. This has brought to light the complexity of the phenomena in question. In order to successfully navigate the dynamics of the family throughout the succession process, the results highlight the very important role that efficient communication and the formation of defined responsibilities play. In order to overcome obstacles, successful family companies have proven a capacity for adaptation and resilience. These organizations have used institutionalized succession plans, mentoring programs, and leadership development efforts.

There was a clear demonstration of the socioeconomic relevance of family companies in Morocco, which highlighted their contribution not only to the expansion of the economy but also to the creation of jobs, the participation of the community, and the preservation of cultural traditions. According to the findings of the research, effective transmission had a favorable influence on the potential of the firms to continue making these contributions, highlighting the wider impact that the transmission had on the community. In the process of succession, the tactics that family firms used were significantly influenced by a variety of elements, including cultural and environmental considerations. One of the most important themes that emerged was the difficult balance that must be maintained between protecting traditional values and adopting essential adjustments. This highlighted the need of matching plans with cultural subtleties.

There were noted as key obstacles the issues that were encountered throughout the process of succession. These challenges included financial concerns as well as the need for a fair division of duties and assets. A deeper understanding

of the complexities involved in resolving conflicts of interest and striking a balance between the various interests of family members was gained via the research. The conflict that exists between promoting innovation and conserving a heritage was brought to light via the investigation of the opinions of those from various generations who are active in family companies. Founders struggled with the difficulty of passing on traditions, while successors were confronted with the requirement of adapting to a corporate world that was fast changing.

In a nutshell, the findings of this qualitative investigation provide significant contributions to the understanding of the transfer of family enterprises in Morocco. The results of this study provide a framework for additional research and practical applications in the field of family business management. They also provide a nuanced knowledge of the elements that influence effective succession. These findings may be used to develop policies that contribute to the longevity of family companies and the beneficial influence they have on the larger community in Morocco, where family enterprises continue to play an important role in the socioeconomic fabric of the country.

## References

- Armstrong, Chris, and Erika Kraemer-Mbula. 2022. "Value Creation and Socioeconomic Inclusion in South African Maker Communities." *The African Journal of Information and Communication* 2022(29): 1-25.
- Carr, Jon C., and J. Kirk Ring. 2017. "Family firm knowledge integration and noneconomic value creation." *Journal of Managerial Issues*, 30-56.
- Chirico, Francesco. 2008. "The value creation process in family firms. A dynamic capabilities approach." *Electronic Journal of Family Business Studies*.
- Jose Parada, Maria, and Helena Vilad s. 2010. "Narratives: A powerful device for values transmission in family businesses." *Journal of Organizational Change Management* 23(2): 166-172.
- Maity, Moutusy, and Ramendra Singh. 2021. "Market development and value creation for low socioeconomic segments in emerging markets: An integrated perspective using the 4A framework." *Journal of Macromarketing* 41(2): 373-390.
- Mart nez-Romero, Mar a J., Alfonso A. Rojo-Ram rez, and Mar a del Pilar Casado-Belmonte. 2020. "Value creation in privately held family businesses: The moderating role of socioemotional wealth." *Canadian Journal of Administrative Sciences/Revue Canadienne des Sciences de l'Administration* 37(3): 283-299.
- Sharma, Pramodita, and Michael Carney. 2012. "Value creation and performance in private family firms: Measurement and methodological issues." *Family Business Review* 25(3): 233-242.

## **Criminological Analysis of Psychological Trauma and the Behavior of the Victim of Childhood Maltreatment**

**Gabriel Tănăsescu**

Faculty of Law, University of Craiova, Romania  
gabriel.tanasescu@edu.ucv.ro  
<https://orcid.org/0000-0003-1879-7225>

---

**ABSTRACT:** This study analyzes psychological trauma as a unique, devastating, suffering-filled experience that the victim experiences and cannot escape from. The consequences of childhood sexual abuse fundamentally change the victim's perception of social values, forming a devalued perception of their own identity. The history of the victim's behavior is represented by a chain of moral feelings and experiences, with the survivor's personality defined by the essence of these emotions, hidden and separated in another identity for fear of not having discovered the truth of their trauma. Out of the desire to escape the unbearable guilt complex, the victim, who has become a young adult, renounces the moral function and objectifies his will within the criminogenic process in order to satisfy the demands of uncontrollable destructive drives. An unusual transference process takes place: the young adult, a victim of sexual abuse in childhood, discovers in his affective memory a compulsive admiration for the will to power of the one who mistreated him. The aggressor is perceived by the traumatized one in a distorted way as an individual who will never know suffering because he uses violence and has absolute power over the victim. By taking action, the victim who has become an aggressor tries to escape the trauma and humiliation.

**KEYWORDS:** psychological trauma, maltreatment, homicidal ideation, will objectification

---

### **Introduction**

For psychologist Franz Ruppert, the word trauma means injury, and when the processes of perception, emotional experience, thinking, memory or imagination are affected and no longer function normally, then we have a psychological trauma (Ruppert 2012). A traumatic experience causes a lasting change in the body, mind, and soul; the consequences of a traumatic experience never completely disappear (Ruppert 2012). The neural representation of complex events experienced and

imagined reflects the unique experience of each individual; personal memories provide neural signatures of individual identity when events are reimagined and relived (Anderson et al. 2020). Memories of pleasant or traumatic experiences can be activated by the brain and relived, through the neural reading of the information that the person activates in mental images; Neuroimaging studies of brain activity have identified a core network of neuroanatomical regions that are activated during memory and imagination (Anderson et al. 2020). These data prove that psychological trauma is a real wound, neurally activated by brain activity. Traumatic experiences can lead to significant psychological difficulties for many individuals; various psychological issues may develop after trauma in some of those exposed, including anxiety disorders, depressive reactions, suicidal ideation, alcohol and other substance abuse, obsessive-compulsive disorders, psychotic reactions, aggression (Roberts et al. 2010). As individuals we are authentic, we experience and imagine social events differently.

The psychic apparatus retains representations of the world and transforms them into neural representations, each being having its own neural signature of its individual identity. The episodic memory network includes regions of the medial parietal cortex, inferior parietal cortex, medial prefrontal cortex, medial and lateral temporal lobes (Anderson et al. 2020). The traumatic experience fundamentally changes the life of the victim, who faces difficulties in terms of the perception of his own personality and the perception of the social world. For the victim, the world, as a social experience, seems a very dangerous place, distrust, vulnerability, weakness and loss of control are the feelings that overwhelm him; the consequences of psychological trauma are essential, vital consequences that negatively transform the life of the victim (Ruppert 2012). Trauma, as something that happens in the psychic reality, can appear suddenly, as a short-term, devastating event that endangers the victim's life (work and traffic accidents, criminal violence - attempted murder, rape, robbery), but there are also traumas that represent events that last longer and are repeated, producing feelings of helplessness, abandonment, suffering in the victim, such as torture, mistreatment, sexual and physical abuse (Ruppert 2012). After exposure to exceptional, threatening and terrifying events, the victim can develop a post-traumatic stress disorder; this mental disorder can appear after a single traumatic event or from prolonged exposure to trauma - childhood sexual abuse (Bisson 2015). Symptoms in the emotional, behavioral, cognitive and physiological spheres can cause dysfunction and disrupt the victim's social activity; interpersonal relationships, social involvement in the community, productivity, quality of life and health are affected (Yard and McCutcheon 2019). Traumatic events that trigger PTSD are events that go beyond the scope of ordinary life experiences and can include sexual assaults, combat in a war zone, and natural disasters (Yard and McCutcheon 2019). PTSD is associated with substantial psychiatric comorbidity, an increased risk of suicide, difficulties in integrating into social life and financial problems; patients present with cardiorespiratory,

immunological and gastrointestinal disorders (Bisson 2015). 10% of women and 5% of men are affected by posttraumatic stress disorder and present symptoms such as reliving the traumatic event (the appearance of nightmares), avoiding any existential situation or internal and external stimuli that would vitalize the traumatic event in consciousness, negative thoughts (ruminations), irritability, aggression and insomnia (Yard and McCutcheon 2019).

### **Criminological aspects**

The abused child, a victim of violence (rape, incest, bodily harm) suffers in silence and is helpless in the face of the aggressor's attack. Very often, the victim perceives himself as a weak creature, unprepared to sense the danger and incapable of preventing the criminal will of the perpetrator. His individual unconscious records the pain and his existential state of fear and despair, but his unconscious also records and perceives the will and power of the perpetrator, the hatred, violence and satisfaction that the criminal act exerts. The perpetrator appears in the visual and affective memory of the victim as an omnipotent individual, impossible to avoid, with an intimidating physical force that puts his life in danger. Brain imaging studies have found that intense emotional experiences stimulate the degree of activity in the left amygdala and improve memory in relation to the emotional intensity of an experience (Canli et al. 2000). The victim's affective memory will deposit in the depths of the unconscious the feeling of hatred towards his own self, towards his own being incapable of opposing, a creature frightened by the criminal act, too weak to initiate a retaliation. The victim will constantly reproach himself for his weakness, will have low self-esteem, and will hate and despise himself for not being able to confront the criminal. In certain situations, during a critical period of personality formation, the perpetrator acquires an oversized dimension and begins to be admired by the victim's confused Self. Although the traumatic event has faded and a period of time has passed since the criminal act, the image of the aggressor is temporarily fixed in the layers of memory and can follow the victim in the psychic activity of the individual unconscious (an abyssal area where drives are formed and repressions and suffering are closed). The perpetrator, who abused the child victim, later awakens in the confused Ego of the adolescent-young person a feeling of admiration for the dark force of evil and a feeling of disgust for the weak Ego of the creature who suffered and who was permanently lost in the terrible world of ruminations and psychic traumas. The omnipotent criminal is admired unconsciously because he holds control over the victim's life by force; he decides whether the victim must suffer, whether the victim must die, or whether the victim will survive the criminal act.

The child victim will retain the traumatic social event that will give rise to a devastating emotion, that is, a complicated internal sensory event, with repercussions on brain development and consequences in DNA methylation. The

child victim will be overwhelmed by the negative emotions of sexual abuse and maltreatment, will withdraw into his own solitude, and will seek to respond to aggression through self-destructive acts. Submissive and frightened, the victim will consider himself a weak person who deserves his punishment, and sometimes it is possible that suicidal ideation will materialize the transition to the act. Psychological trauma will create suffering, the traumatic social event will produce a neural signature of the victim's individual identity because neural fingerprints are unique to each individual's remembered experience (Anderson et al. 2020). Criminal behavior begins to be admired because it becomes an alternative to the powerless attitude of the child-victim, an alternative to the weak Ego that tends towards transformation, towards accepting the extrahuman will to power (Nietzsche 1999) of an aggressive Ego.

From a criminological point of view, through the will to power, the perpetrator wants to exercise the force of his destructive drive, possessing the entire being and corporeality of the victim, obtaining for himself the profound sensory experience of the criminal act. Heidegger in his study, *Nietzsche's Metaphysics*, considers that "the will to power is an aspiration towards the possibility of exercising force, an aspiration towards the possession of power" (Heidegger 2005). The perpetrator desires the power to control the victim's destiny, and, at the same time, forces the victim to experience the nightmare of the experiences that caused his traumas and the ordeal of his existence. The ego affected by the guilt complex represses its memories and experiences of the existential ordeal in order to distance itself and renounce the victimogenic behavior; the weak ego desires change and the transfer of forces. The victim inhibits its shyness and moral function, but desires to obtain as compensation - the force of the abusive perpetrator who destroyed his life. Thus, an internal conflict arises between the destructive drive of the aggressive ego, which wants to satisfy its immediate physical demands, which begins to grow to occupy vast spaces in the personality of the adolescent or young adult, and the frail resistance of the Superego, the psychic moral instance, which was unable to protect him from sexual abuse, injuries physical and traumas of the being, child victim. Self-punitive paranoia imposes the abolition of the moral court and forces the Superego to decompose in the darkness of the abyssal unconscious, because, although it respected all the rules, although it committed and wanted only good, the child was mistreated and suffered the abuses of the perpetrator-criminal. The child-victim considers himself abandoned because the moral function (guilty for the lack of anticipation of the evil act), the divinity, the parents, relatives, the school, the members of society, were all absent and allowed the violence (in psychotherapy sessions the victim blames himself, has a low self-esteem and devalues himself; no force of good prevented the perpetrator from attacking the innocent child). Thus, the transfer and dissociation of the ego takes place, the innocent child who has become a young adult, a victim of injustice, confused and vulnerable, chooses to obtain the absolute power of the one who abused him; the victim's affective



memory has kept alive the force of the omnipotent individual, who cannot be stopped by the instruments of good, obtaining for himself only satisfaction and the desire to subjugate and mistreat the victim; in the individual unconscious of the victim, the emotions have distorted reality and describe the aggressor as a person who dominates and controls the world through the force and presence of evil. The abused victim will change roles and become the aggressor; he will choose his innocent and vulnerable victims, to punish them because of their weakness and inability to fight and defend themselves. The perpetrator wants revenge because he actually hates and despises the hypostasis of the child-victim of childhood abuse; The criminal ego is free from the censorship of the superego and desires to satisfy the demands of the destructive instincts, as well as the satisfaction of the will to power of the one who abused him. From an analytical point of view, the criminogenic process in this situation is a transference process.

### **Psychoanalytic aspects**

Transferentially, the criminal can vent his anger and hatred on the victim, instead of putting it into action in a self-destructive way; by committing the criminal act, the anger at having been abused, which he was never able to express openly during childhood abuse, also takes place (Davies and Frawley 2017). If he had undergone psychotherapy, the open verbalization would have been positive; the patient (the dissociated child) would go through a phase of intense mourning for the lost childhood, as well as for the loss of good parents, his parents, before the abuse, compensatory phantasies (Davies and Frawley 2017). Freud believes that the symptoms of psychological trauma are residues of intense emotional experiences, their particular character is explained by the connection with the traumatic scene that caused them, they are commemorative symbols of traumatic psychological events (Freud 1992, 2014, 2017). In psychoanalysis, transference accompanies the exercise of speech, the one who analyzes is the guarantor of a good order of things and can play the role of healer (Chemama 1997). It is possible that sometimes the perpetrator, in a state of sensory and intellectual confusion, wrongly appreciates the silence, the moment of cataleptic horror of the victim's body as a consent, the scream, the spasm and the tears as an accepted violent pleasure, depending on the emotions he experienced in childhood as a child-victim. By objectifying the criminal will and transposing it into the expressed antisocial behavior, the perpetrator wants to stop the delirium and suffering caused by the guilt complex, he is unconsciously attracted to the satisfaction of the punitive destructive drive; by taking action, he abuses the victim regardless of the moral and social consequences (Tănăsescu 2012a, 2012b).

## Psychological aspects

Memories of physical and psychological violence create panic attacks and feelings of anxiety in the victim. Depersonalization and derealization are very common symptoms of panic attacks and are more common when anxiety symptoms follow a traumatic stressor, as in the case of posttraumatic stress disorder (American Psychiatric Association 2003). Derealization disorder is characterized by a feeling of detachment or alienation from oneself, the external world appears strange or unreal, and people are perceived as non-familiar beings; major depressive disorder, anxiety disorders, and personality disorders coexist with depersonalization disorder (American Psychiatric Association 2003). In the criminal's consciousness, the delusional system will collapse when excessive homicidal ideation (as a psychic process of forming criminal motivation) will move to the act, and thus the criminal will be objectified, that is, it will be expressed behaviorally; the perpetrator looks his enemy in the eye, and by moving to the act transforms the persecutor into a victim (Costello 2017). The structure of the paranoid being has performed an act of self-punishment (self-punitive paranoia, a term introduced by Jacques Lacan), because the perpetrator feels a state of relief at the moment of his capture and conviction; the target of the attack was himself, with the aim of diminishing and destroying the guilt complex (Costello 2017).

The perpetrator's antisocial personality manifests itself through an egocentric and aggressive attitude, emotionally unstable; the world as reality is perceived through the experiential flow as a sensory and intellectual construction of the Ego, the knowing subject, who mentally creates only the representations he needs, refuses the social world and does not accept the needs and social values of others. Criminal ideation can also be revealed in being as a brutal image of the violent act, an image that awakens the sensory will to experience the imagined act with intensity. The image of the criminal act can be stimulated by the appearance in the consciousness of the criminal ego of the visual representation of the vulnerable victim, who does not perceive the danger nor anticipates his role in the criminal project (Ted Bundy, diagnosed with antisocial personality disorder, confessed that he was sometimes stimulated by violent pornography, by the bloody scenes of magazines and detective stories, which presented the victims of homicides; there are serial criminals who have sexual fantasies before conceiving and materializing the criminal acts). From a psychoanalytic point of view, the decision to act is also determined by the lack of self-control of the perpetrator, the drive to destroy being much stronger than the censorship of the Superego, the moral function is missing and any resistance of the ethical is exhausted. The perpetrator uses emotional experience, memory and imagery to construct the experience of violent sexual fantasies or to conceive the emotionally intense scene of the murder of the victim (the case of Joshua Komisarjevsky, a victim of childhood rape, sentenced to death for rape and homicide in the Cheshire murders). The death drive is linked to early

psychic trauma, which tends to repeat itself throughout life; the repetition compulsion is basically an instinctual tendency towards the restoration of normal psychic functioning based on primary identification (Salonen 2006).

### **Philosophical aspects**

In *The World as Will and Representation*, Schopenhauer considers that the blind will (probably created by the impulses of the unconscious), active only in its original essence as a blind impulse, an unconscious volitional impulse, can intersect in its actions with the actions of the will illuminated by knowledge (the self-conscious will); the two forms of the will can mutually invade each other's domains in the form of two types of phenomena (Schopenhauer 2019). For Schopenhauer, the will is the thing in itself, the intimate content and the universal essence, while the visible world (the phenomenon) represents the mirror of the will as a manifestation of life; the will and the world coexist and are inseparable. According to Sandel (2009), in *The Moral Side of Murder*, consequentialist moral principles locate morality in the consequences of an act (utilitarianism), and categorical moral reasoning (Kantian moral philosophy) locates morality in certain absolute moral requirements (fundamental rights and duties) regardless of the consequences. The lack of moral function creates difficulties for the individual in understanding social values, the lack of moral reasoning leads the perpetrator's will to blindly satisfy the demands of the drives, without anticipating the immoral consequences and legal effects. For Jung (2004), the will is a psychological phenomenon from the sphere of the conscious Ego, a psychic energy at the disposal of consciousness; the volitional process is an energetic process, triggered by conscious motivation; culture and moral education influence and condition the will as a psychological phenomenon; will is not a psychic process driven by unconscious motivation.

Cognitive control refers to the mental processes that allow behavior to vary adaptively according to current goals; it is multidimensional, and one of its main functions is to restrain or inhibit undesirable but dominant response tendencies (Inzlicht, Bartholow, and Hirsh 2015). Cognitive control confers substantial benefits to individuals and society, including the prospective prediction of better health, higher academic performance, reduced substance dependence, improved personal finances, and lower crime rates (Inzlicht, Bartholow, Hirsh and 2015). Violence produces antisocial behavioral consequences through the perpetrator's lack of inhibition and through deficient cognitive control. Instinctive and emotional levels have their own dynamic energy, which can trigger behavior; unlike the former, the cognitive and spiritual value levels, which do not have an efficient energetic substrate, must be supported by the will to trigger behaviors; motivational instances are those forces capable of generating behaviors (Tănăsescu 2018). Psychiatry and forensic medicine describe deviance as a subsequent concept of behavioral and personality disorders or as a symptom of other psychiatric

pathologies; this field offers a more complicated description of what deviance is, depending on the individual situational and pathological context (Heghes and Şchiopu 2020).

The sensory event, as a deep emotion (catharsis) that disturbs the criminal ego (the perpetrator is aware that carrying out the act represents a tragic moment for the victim) is triggered by an opportunity – the presence of the victim or a social event that allows the perpetrator to proceed to the act. At the interoceptive level, the homicidal ideation awaits the impulse of the social event to develop the work of the criminal will (Travaglio – the creative moment of the expulsion of the act). The will conscious of carrying out the criminal act, but dominated by the disturbance of the sensory event (the emotional factor) uses the visceromotor regions of the brain and creates predictions; predictions are concepts necessary in the construction of perception, physiological regulation and guidance of action (Barrett 2017).

In the mind-body interaction, sensory processes can be identified as associations between the sense organs and the peripheral levels of the nervous system, while perceptual processes are those associations that take place at the higher levels of the central nervous system; sensations represent experiences with simple stimuli, and perceptions are integrations of these sensations (Atkinson 2002). The volitional factor belongs to the conscious criminal-ego and is guided by the conscious area of the being, of the psychic apparatus. In the egocentric and aggressive attitude of the perpetrator we also discover solipsism, as an attitude of his own personality; the world as reality is perceived only as a sensory and intellectual construction of the individual, the knowing subject, who mentally creates only the representations he needs, refuses the social world and does not accept the needs and social values of others. The unconscious is not the second personality, but probably a decentralized summation of psychic processes; under these conditions, the criminal unconscious, dominated by the destructive drive and psychotic contents, is able to take over the role of the conscious Ego, the consequences of this transfer being the emergence of confusion and delirium (Jung 2014).

There is a previous state of the criminal's will ready to react to the appearance of the victim. Mental states and physical states interact constantly; when the perpetrator acts - causal chains can be initiated that do not have sufficient physical antecedents (Popper 2002); by the perpetrator's act (the appearance of the vulnerable victim, the absence of the protector) - creates the physical causal chain (Popper 2002). David Eagleman argues that the visual system first scans the scene of reality. The prefrontal cortex generates signals on its way to the motor cortex, which precisely coordinates muscle contractions - through the perpetrator's trunk, arm, forearm and hand; by touching the victim (the object targeted by the objectification of the will) the nerves send a lot of information to the brain and the psychic apparatus (about the weight of the object, its place in space, temperature) about the victim's state of confusion and agitation, about the shock of the moment and the emotional crisis; the

information goes up the spinal cord and enters the brain, and at the same time compensatory information goes down as on a two-way circuit; the whole process is invisible to the mind of the conscious Ego (Eagleman 2018).

## Conclusions

Homicidal ideation intensifies its presence in the intellectual area of the criminal ego, but in order for the criminal to be objectified, the thought affected by the influence of sensory perceptions, the thought altered by the experience of the demands of aggressive drives must move away from the decomposed image of hallucinations and leave the world of violent sexual fantasies. The objectification of the criminal will is part of the criminogenic process, which, when activated, becomes a representation of the intention and reality of the criminal act. Homicidal ideation can constitute only a provisional stage at the level of thought; the dysfunction of the orbitofrontal cortex can cause an imbalance in the antisocial personality.

Analyzing the psychic processes of guilt, professor George Antoniu considers that guilt is a process of consciousness formed by the intellectual factor, with a significant role in the formation of homicidal ideation, and the volitional factor, very important in the process of taking action. The criminogenic process takes place in consciousness, where the representation of the act, the result of the criminal action and the existential consequences are analyzed (Antoniou 2006).

The genesis of the criminal will, as the production and manifestation of the final act of the reality of the criminal act (the volitional factor), represents the phase of the birth of the crime by associating the force of the homicidal ideation (the intellectual factor) with the occurrence of the sensory event (the emotional factor), a birth triggered by the victim as a component part of the social event (the social factor) and encouraged by the lack of the protector of the social order (the conjuncture, the opportunity); the behavioral expression of the will represents the last phase of the criminogenic process.

Freud claims that the victim of childhood sexual abuse is in a confused conflict state and can transform hatred and repulsion towards the pedophile perpetrator into desire and pleasure; disgust and horror are transformed into a scene of sexual passivity (Chemama 1997).

There are situations when sexual incidents may not have occurred, and in the case of hysterics, sexual abuse belongs to the realm of fantasy (Chemama 1997). The loss of innocence is a loss of moral function (loss of childhood due to sexual abuse or mistreatment) and can cause a depressive state similar to the loss of a loved one; a process occurs through which the perpetrator fights against the reaction of suffering and despair of the Ego decomposed into manic-depressive existential states; an intrapsychic work (work of mourning) is necessary to overcome the pain of the being engulfed in anguish and aggression, a detachment from reality and an

escape from trauma (Chemama 1997). Metaphorically, the minor can be described as a crystal object, which shatters and cracks following the traumatic event and it is possible that the cracks will never heal.

## References

- American Psychiatric Association. 2003. *Diagnostic and Statistical Manual of Mental Disorders, DSM-IV-TR*, edited by Aurel Romila. The Free Psychiatric Association in Romania Publishing House.
- Anderson, Andrew James, Kelsey McDermott, Brian Rooks, Kathi L. Heffner, David Dodell-Feder, and Feng V. Lin. 2020. "Decoding individual identity from brain activity elicited in imagining common experiences." *Nature Communications* 11 (5916). DOI: 10.1038/s41467-020-19630-y.
- Antoniou, George. 2006. *The new Criminal Code*. Bucharest, C.H: Beck Publishing House.
- Atkinson, Rita L., C. Atkinson Richard, Edward E. Smith, and Daryl J. Bem. 2002. *Introduction to Psychology*. Bucharest: Technique S.A. Publishing House.
- Barrett, Lisa Feldman. 2017. "The theory of constructed emotion: an active inference account of interoception and categorization." *Social Cognitive and Affective Neuroscience*, 1-23. DOI 10.1093/scan/nsw154.
- Bisson, Jonathan I., Sarah Cosgrove, Catrin Lewis, and Neil P. Roberts. 2015. "Post-traumatic stress disorder." *The BMJ Clinical Review* 351: h6161. DOI: 10.1136/bmj.h6161.
- Canli, Turhan, Zuo Zhao, James Brewer, John DE Gabrieli, and Larry Cahill. 2000. "Event-Related Activation in the Human Amygdala Associates with Later Memory for Individual Emotional Experience." *The Journal of Neuroscience*, 20 (19): RC99 1of 5. DOI 10.1523/JNEUROSCI.2019-j0004.2000.
- Chemama, Roland. 1997. *Dictionary of Psychoanalysis*. Bucharest: Univers Enciclopedic Publishing House.
- Costello, Stephen J. 2017. *The Pale Criminal: Psychoanalytic Perspectives*. Bucharest: Three Publishing House.
- Davies, Jody Messler, and Mary Gail Frawley. 2017. *Treating the Adult Survivor of Childhood Sexual Abuse: A Psychoanalytic Perspective*. Bucharest: Three Publishing House.
- Eagleman, David. 2018. *The Brain: The Story of You*. Bucharest: Humanitas Publishing House.
- Freud, Sigmund. 1992. *Psychoanalysis Lectures*. Bucharest: Didactic and Pedagogical Publishing House.
- Freud, Sigmund. 2014. *About Psychoanalysis*. Bucharest: Three Publishing House.
- Freud, Sigmund. 2017. *Psychology of the Unconscious*. Bucharest: Three Publishing House.
- Heghes, Nicoleta-Elena, and Cristina Gabriela Şchiopu. 2020. "Juvenile Delinquency Bio-Psycho-Social Bases of Deviances." *RAIS Journal for Social Sciences* 4(2): 30-38. DOI: 10.5281/zenodo.4286617.
- Heidegger, Martin. 2005. *Nietzsche's metaphysics*. Bucharest: Humanitas Publishing House.
- Inzlicht, Michael, Bruce D. Bartholow, and Jacob B. Hirsh. 2015. "Emotional foundations of cognitive control." *Trends in Cognitive Sciences* 19(3): 126-132. DOI: 10.1016/j.tics.2015.01.004.
- Jung, Carl. 2004. *Psychological Types*. Bucharest: Three Publishing House.
- Jung, Carl. 2014. *The Archetypes and the Collective Unconscious*. Bucharest: Three Publishing House.
- Nietzsche, Friedrich. 1999. *The Will to Power*. Aion Publishing House.
- Popper, Karl R. 2002. *Conjectures and Refutations. The Growth of Scientific Knowledge*. Bucharest: Three Publishing House.
- Roberts, Neil P., Neil J. Kitchiner, Justin Kenardy, and Jonathan I. Bisson. 2010. "Early psychological interventions to treat acute traumatic stress symptoms." *Cochrane Database of Systematic Reviews*, No. 3, John-Wiley & Sons, Ltd, 1465-1858. DOI: 10.1002/14651858.CD007944.pub2.
- Ruppert, Franz. 2012. *Trauma, attachment, family constellations. Trauma psychotherapy*. Bucharest: Three Publishing House.
- Salonen, Simo. 2006. "On destructive drive phenomena: a study of human aggression." *The Scandinavian Psychoanalytic Review* 29(2). DOI: 10.1080/01062301.2006.10592786.
- Sandel, Michael. 2009. "Justice: What's the right thing to do? The moral side of murder." *Opgeroepen op juni* 9 (2009): 2014. Boston, Massachusetts: Harvard University.

- Schopenhauer, Arthur. 2019. *The World as Will and Representation*. Bucharest: Humanitas Publishing House.
- Tănăsescu, Camil. 2012a. *Criminology*. Bucharest: Universul Juridic Publishing House.
- Tănăsescu, Camil. 2012b. *Judicial Psychology*. Bucharest: Universul Juridic Publishing House.
- Tănăsescu, Camil. 2018. "The Manifestation of Will: The Vectorial Force of Accepting Guilt." In *The 10th International RAIS Conference on Social Sciences and Humanities*, Princeton, The Erdman Center, NJ, USA. Atlantis Press, Paris, France, Part of Series: ASSEHR; Volume 211, DOI 10.2139/ssrn.3266925.
- Yard, Samantha S., and Stephen R. McCutcheon. 2019. F43.1 "Post-traumatic stress disorder," coordinating editors Schaffer, Jack B., Rodolfa, Emil, 2019, ICD-10-CM: *Casebook and Workbook for Students: Psychological and Behavioral Conditions*. Bucharest: Three Publishing House.

## **Saint Nino, Saint Queen Shushanik and Assyrian Holy Fathers: Radiant Stars of the Apostolic Church of Georgia**

**Revazi Tughushi**

PhD student, Georgian Technical University, Georgia  
rezotugushi@yahoo.com

---

**ABSTRACT:** This article explores the significant contributions of Saints' activity to the Apostolic Church of Georgia. Among the twelve apostles of Jesus, Andrew the First-Called preached in Georgia, and his work was continued in the 4th century by St. Nino, who was later called the Enlightener of Georgians. The merits of the holy Queen Shushaniki, who devoted herself to sacred activities in the 5th century, have been covered with halo. The contributions of the holy Assyrian fathers as defenders of Chalcedonism and revivers of monastic life in Georgia are also immeasurable. The Apostolic Church of Georgia has always defended and remained loyal to the canon law, which means that it has never violated issue of church jurisdiction. "Soviet historiography" emerged during the Soviet period<sup>1</sup>, and the highly authoritative publication of the Moscow Patriarchate, the "Orthodox Encyclopedia,"<sup>2</sup> is currently based on it. Accordingly, the Orthodox Encyclopedia of Soviet historiography claims that the Georgian Church invaded the borders of the Catholicate of Albania and appropriated those territories. This information is incorrect and does not reflect reality. According to the theory presented in the "Orthodox Encyclopedia" and the accompanying map, the indigenous territories of Georgia with their cities are included in the Catholicate of the Caucasus Albania: Bodbe, Gurjaani, Khashmi, Sagarejo, and the Davit Gareji monastery complex. The saints mentioned in the article were not only spiritual leaders but also prominent public figures who played vital roles in the cultural and social development of Georgia.

**KEYWORDS:** sainthood, jurisdiction, history of Apostolic Church of Georgia, canon law, hagiography

---

### **Introduction**

During the Soviet era, no matter how surprising, the study of Georgian hagiographic literature was included in the existing school educational program.

---

<sup>1</sup> Soviet period is the era when there was Soviet rule in Georgia from 1922-1991.

<sup>2</sup> Orthodox Encyclopedia is the official publication of the Moscow Patriarchate, published by the Patriarch of Moscow and all Russia editions. <https://www.pravenc.ru>.



However, it is important to highlight that this literature started chronologically with the "Martyrdom of Shushanik". Although Saint Nino belongs to a much earlier era (the first half of the 4th century) than Saint Queen Shushaniki (the second half of the 5th century), the emphasis remained on the martyrdom of Shushaniki. This situation cannot be attributed to chance, because the proper presentation of St. Nino was rejected for several reasons during the Soviet era.

One of the main reasons is that discussions about St. Nino often mention the merits and results of her apostolic activity, particularly the Christianization of Georgia. It is also known that Christianity was proclaimed as the state religion during the period of Saint Nino's holy activity in the 4th century. The second reason, which was no less unacceptable during the Soviet period, pertains to the geographical area of St. Nino's preaching in Georgia, which illustrated the territorial borders of Georgia and demonstrated its historical depth. As a result of these factors, St. Nino was marginalized, leading to the rejection of both Georgian and foreign written historical sources related to her. Every saint is glorified by the merits rendered on this earth, therefore, these merits are important from both theological and historical points of view.

### **The Impact of Saints on Georgian Identity**

Current Georgian hagiographic literature begins with the merits of St. Nino. Accordingly, the first place in the article is given to St. Nino.

#### **Saint Nino**

The merits of St. Nino are greatly glorified by the Church of Georgia, and she is considered equal in rank to the apostles. According to the calendar, the fete day of St. Nino is celebrated twice. The first one is June 1<sup>st</sup> – marking the day of her arrival in Georgia in a new style (Calendar of the Church of Georgia 2024), and the second one is January 27<sup>th</sup>, commemorating the day of her death in a new style (Life of the saints 2003a, 52).

As for Georgian written historical sources, several editions of her life have reached us about St. Nino: Shatberdul<sup>3</sup> (10th century), Chelishuri<sup>4</sup> (14th century), Sinur<sup>5</sup> (9th century). Also, a different edition of the life of St. Nino is included in the life of Kartli (2008), in particular, "the life of the Georgian Kings". The literature of the Council of Ruis-Urbnisi (1103) also testified about St. Nino, stating: "Saint Nino made all Georgians—all of Georgia follower to her religion" (Legal code of the council of Ruis-Urbnis, 2003, 225).

<sup>3</sup> Collection of Shatberd is a collection of exegetical, hagiographic and historical writings collected from different books. It dates back to the 60s-70s of the 10th century.

<sup>4</sup> Edition of Chelishi is one of the editions of "Conversion of Kartli" in which the life of St. Nino is described.

<sup>5</sup> The manuscript created in the 9th century is preserved in the St. Catherine's Monastery on Mount Sinai. <https://ka.wikipedia.org/wiki/სინურიმრავალთავი>

Various foreign written sources also testify about St. Nino. Greek, Latin, and Armenian sources are distinguished from foreign historical writing sources. One of them, specifically the written source of the 5th century, is an Armenian source, the author of which is Movses Khorenatsi (n.d.). The report of Movses Khorenatsi indicates a specific geographical area where St. Nino did her holy activity. Saint Nino Christianized a vast area, namely from the Black Sea to the Caspian Sea. He also preached from Klarjeti to the Maskuts living on the shores of the Caspian Sea. „In order to teach other corners of the country with her speech... she preached the gospel from Klarjeti to the gates of the Alans and Caspian, to the border of the Maskuts, as Agathangelos reports” (Foreign, Greek-Latin, n.d., 14).

St. Nino is really a phenomenon because, during the period of St. Nino's holy activity, Christianity was proclaimed as the state religion in Georgia in 326 AD (Calendar of the Church of Georgia 2024, 26). It is important to note that her grave is located in Bodbe (Wikipedia 2024), where the ancient monastery is located. Bodbe Monastery has always been the subject of special worship and care of the Kings of Georgia and the Patriarchs. Saint Nino's holy activity and death date back to the 4th century, making her grave in Bodbe (historically known as Bodin) one of the oldest sacred sites in Georgia, therefore it was always included in the jurisdiction of the Georgian Church.

### **Saint Shushanik**

Shushanik's martyrdom is a Georgian hagiographical literature recognized worldwide. Iakob Khutsesi-Tsurtaveli describes the martyrdom of Shushanik. The narrator does not mean to be only authorship, but also belongs to her time and is St. Shushanik's teacher. September 10 is established as the day of fete of St. Shushanik (Calendar of the Church of Georgia 2024, 88). St. Shushanik belongs to the 5th century, more precisely, the hagiographic monument itself says about it: “In the eighth years, the son of Arshusha Varsken Pitiakhsh was at the court of the king of Persia” (Georgian hagiographic literature 2008a, vol.1, ch.1, 164).

“The Martyrdom of Shushanik” tells us that Varsken was in the pitiakhsh of Hereti. It is also mentioned in the life of Kartli that the king of Persia appointed Varsken as the grand duke of Rani. The presentation of Hereti as a Rani and Mowakani is echoed by a Russian source where Shushanik is mentioned as the queen of Ran – Великомученица Шушаника, княгиня Ранская (Pravmir.ru, Orthodox calendar 2024).

Saint Shushanik was the wife of Varsken, Pityakhshi of Hereti. Shushanik was distinguished by the fear and love of God since childhood. Saint Shushanik felt Varsken's indifference towards religion from the very beginning. Due to indifference toward religion and establishing good relations with Persia, Varsken voluntarily rejected the true religion and accepted Mazdeanism (Petrozillo 2024, Dictionary of Christianity). After returning from Persia, Varsken first entered the

city of Hereti, Tsurtavi: "Pityakhsh came from the Persian king and came to Hereti near the border of Kartli" (Georgian hagiographic literature 2008a, vol.1, ch.2, 166).

Shushanik no longer wanted to live with her husband, who had changed his religion, left the palace and took refuge in the church with her four children. Varsken, who had changed his religion, decided to convince his wife to change her religion, but Shushanik bitterly exposed him. Filled with the desire to die as a martyr for Christ, Shushanik could not stop even at the request of her family members. During Shushanik's last dinner in the palace, the savage Varsken severely beat his wife. After the beating, by Varsken's order, shackled half-dead Shushanik was brought into the small room, and a guard was placed over her. Nevertheless, Shushanik's teacher, Iakob Khutsesi, managed to enter the Queen and when he saw her tortured face, he could not stand his feelings and cried loudly. Despite his pleas, Shushanik did not allow Iakob Khutsesi to wash her tortured face and wounds or to apply balm. During the coming Holy Forty,<sup>6</sup> the Queen spent time fasting and praying in a dark, small room near the church. After the fasting was over, Varsken beat Shushanik again, ordered to beat her with three hundred sticks, put a chain on her neck and imprisoning her.

Saint Shushanik was martyred by her husband, Varskeni himself. Saint Shushanik spent six years in prison. In prison, Shushanik herself encouraged the Christians who came to encourage her, and instead of receiving help, she herself helped the needy. Her blessing healed the sick, gave children to the childless. Before her death, the martyr blessed everyone and wanted to be buried where Varsken tortured her for the first time. In the 6th century, believers brought Shushanik's corpse to Tbilisi and buried it in the Metekhi church, which is treated with great modesty by the believers' community.

### **Assyrian Holy Fathers**

The 6th century marks a significant era in the history of the Apostolic Church of Georgia, particularly known for the entry of Assyrian fathers in Georgia. The date of the entry of Assyrian fathers into Georgia occurred in the forties of the 6th century. The entry of the Assyrian holy fathers into Georgia should not be separated from the general historical context. During this time, Georgia experienced significant political and religious struggles with Persia. The issue of the validity of the laws adopted at the IV Council of Chalcedon in 451 AD was acute. After the Fourth Council, the distance between Dyophysitism<sup>7</sup> and Monophysitism<sup>8</sup> grew. While the specifics of these religious dogmas are complex,

<sup>6</sup> In the liturgical practice of the Church of Georgia, "Forty-Twenty" is called a great fast, which is always before the Easter holiday.

<sup>7</sup> Dyophysitism (Greek: "binature") - the main dogma of the Orthodox Church, which recognizes the unmixed unity of the divine and human natures of Christ. The encyclopedic dictionary of the Georgian Orthodox Church. pg. 260.

<sup>8</sup> Monophysitism (Greek, "mononature") - heretical trend in Christianity. According to the Monophysite doctrine, the Son of God can be recognized as having two natures (divine and human) only before his realization. After the realization, the

it is significant to note the position of Persia itself, which was ready to support any religion or confession that could help separate the people of the Caucasus from Byzantium, Persia's main opponent (Georgian hagiographic literature, vol. III, 16). Such a position would naturally be accompanied by strong propaganda.

The Apostolic Church of Georgia celebrates the fete day of Assyrian fathers on May 20, at the same time, each Assyrian father's fete day is at a different time of the year (Calendar of the Church of Georgia 2024, 63).

History has preserved the names of Assyrian fathers: David of Gareji, Abibos of Nekresi, Shio of Mgvime, Joseph of Alaverdi, Anton of Martkopi, Thaddeus of Stepantsminda, Pyrrhus of Breti, Jesse of Tsilkani, Stephen of Khirsa, Isidor of Samtavisi, Michael of Ulumbo, Zenon of Ikalto (Georgian hagiographic literature, vol. III, 103). The construction of many monasteries in Eastern Georgia is connected with the name of the Assyrian fathers. According to the life of the Assyrian fathers, the Assyrian fathers who came to Georgia, in accordance with the Christian rule, visited the highest religious hierarch at that time, Catholicos Evlavios of Mtskheta. The Assyrian fathers who came to Georgia had a good understanding of the kingdom they were coming to, including the boundaries of the jurisdiction of this kingdom. Their area of activity was defined with the blessing of Evlavio the Catholicos. Reports published in the modern era state that the monastery founded by David of Gareji, one of the thirteen Assyrian fathers, belongs to the jurisdiction of Albania. This represents a major critical discrepancy, as any ecclesiastic who arrived in Georgia and received a blessing from a Catholic, especially a monk, cannot be under the jurisdiction of the Church of Albania. If he came to the Kingdom of Kartli, he could not do his activity in the Kingdom of Albania. According to the life of the Assyrian fathers, those who arrived in Mtskheta and received the blessing from the Catholicos of Mtskheta, Evlavio, after this have already made these great merits of theirs.

The Assyrian fathers who worked in the heart of the Apostolic Church of Georgia have been canonized as Saints by the Georgian Church since ancient times. In general, canonization is associated with special merits. Although there are differences of opinion about the date of entry of the Assyrian fathers and the purpose of their work, it is evident that they came to the Georgian Church as strong defenders of Chalcedonism<sup>9</sup>. Most of the Assyrian fathers who arrived in Georgia did their holy activity in Kakheti. Notable figures include Joseph of Alaverdi, Zenon of Ikalto, Stephen of Khirsa, Abibos of Nekresi, David of Gareji, Anton of Martkopi. All these mentioned fathers are base of the Apostolic Church of Georgia.

---

divine nature absorbed the human to such an extent that the latter completely lost its substance. After that, the Son of God is only mononature. Encyclopedic dictionary of the Georgian Orthodox Church pg. 621.

<sup>9</sup> Chalcedonian (Chalcedonism) - definition of religion, which recognizes two complete natures in the person of Jesus Christ - divine and human. World Council of Churches, which held in 451 at Chalcedon, discussed the issue of religion about the nature of Christ and proved the existence of two complete natures in one person. <https://www.nplg.gov.ge/wikidict/index.php/chalcedonian>

Currently, there is a dispute surrounding the great monastery founded by the great holy father – David of Gareji. This geographical area called Gareji and known to the wider society as Davit Gareji was located in Kartli, and accordingly, the Assyrian Father Davit, who arrived in Kartli, after receiving the blessing from Catholicos Evlavio, went to this mentioned area. This is the ancient land of Kartli, and in itself it is a unique sanctity for the spiritual person in Georgia. There were twenty-four monasteries in the monastery complex of Davit Gareji Lavra, although "Davit Gareji", "Natlismtsemeli", "Chichkhituri" and "Bertubani" stand out among them. The construction of "Dodo's Horn" is connected with the name of Dodo, the disciple of father Davit of Gareji. Despite the current extreme situation in terms of architecture, Davit Gareji monastery reflects Georgian spirituality through its architecture and ancient wall paintings. The walls of the churches, chapels and refectories in this monastery are painted in accordance with the ancient Georgian character.

We must not forget that when we talk about the Assyrian fathers, we are dealing with the era of the sixth century, specifically the middle of the sixth century. It is known from the history of Georgia that in the ninth century, with the support of the Arabs, the Kingdom of Shaki conquered South Kakheti and Hereti. This was a temporary event, at the same time in the ninth century, or centuries after the entry of the Assyrian fathers. It is the generalization of this temporary event that is connected with the currently expressed wrong views not only regarding David Gareji's monastery and its land, but also regarding the working area of the Assyrian fathers in the Kakheti region. For example, Stephen of Khirsa and Abibos of Nekresi seem to be doing their activity in Hereti because these areas of their activity are considered part of Hereti. In fact, we are dealing with ancient Georgian monasteries.

## **Conclusion**

This article emphasized the importance of hagiographic writings for Christian society. The merits of the Saints mentioned in this article symbolize the timeless essence of Georgian spirituality. The Georgian Orthodox Church, among the global Christian churches, is rich in the number of Saints. The mentioned Saints—St. Nino, St. Shushanik, and also the Assyrian holy fathers—occupy a central role in the Georgian Church, representing the border of the jurisdiction of the Georgian Church and the state border of Georgia. Accordingly, they belong to the Saints doing their holy activity in Georgia, and their attribution to the saints of other neighboring churches is not accurate. According to written sources, Nino from Cappadocia came to Georgia and enlightened the entire region of Kartli. A foreign written source testifies to the extensive reach of St. Nino's preaching, extending from Klarjeti along the Black Sea coast to the Maskuts residing by the Caspian coast. While the name of Saint Nino is associated with the Christianization of Georgia and the declaration of Christianity as the state

religion, Saint Queen Shushaniki stands as a strong defender of Christianity. Queen Shushanik was well aware that behind her step of martyrdom was not only personal sacrifice but also setting an example for the entire nation in the spirit of faith, which is crucial for the national identity. The Assyrian holy fathers who came to Georgia affirm the boundaries of the Apostolic Church of Georgia through their holy activities. Since those who came to Georgia worked within the jurisdiction of the Church of Georgia, they could not fall under the jurisdiction of other churches, including those of Caucasus Albania or Armenia.

### Acknowledgment

"Saint Nino, Saint Queen Shushanik and Assyrian Holy Fathers, Radiant Stars of the Apostolic Church of Georgia" is one of the chapters of the author's dissertation, "Ecclesiastical Jurisdiction in Hereti and Albania in VI-XI centuries", which was developed as part of the doctoral program in theology at the Technical University of Georgia.

### References

- Calendar of the Church of Georgia 2024. Tbilisi: Publishing House of the Patriarchate of Georgia.
- Canons of the Orthodox Church with explanations of St. Nikodim (Milas). 2020. Tbilisi: Alilo Publishing House.
- Council of Georgia. 2003. Book I. Metropolitan Anania Japaridze. Tbilisi.
- Council of Ruis-Urbnisi - convened by Davit Agmashenebeli near Ruis and Urbnis (Currently Kareli municipality). The date of the convocation of the Council of Ruis-Urbnisi is not mentioned in any of the historical sources that have reached to us. Historians mentions three probable dates: 1103, 1104, 1105, [https://ka.wikipedia.org/wiki/რუის-ურბნისის-საეკლესიო\\_კრება](https://ka.wikipedia.org/wiki/რუის-ურბნისის-საეკლესიო_კრება). Legal code of the council of Ruis-Urbnis. Councils of Georgia Book I. Metropolitan Anania Japaridze. Tbilisi 2003
- Foreign (Greek-Latin), Armenian and Georgian sources about Saint Nino. 2011. Tbilisi. Metropolitan Anania Japaridze.
- Georgian hagiographic literature. 2008b, volume III, Life of the Assyrian Fathers. Tbilisi.
- Georgian Hagiographic literature. 2008a, volume I. Martyrdom of St. Shushanik Queen. Tbilisi;
- Kh. Rakviashvili. Thirteen Assyrian Fathers and the monasteries they founded. 2015. Tbilisi;
- Life of Georgian Saints. 2003. Tbilisi-Athens 2003. Georgian Institute of Athens.
- Life of Saints. Volume I. 2003a. Tbilisi. Bakmi Publishing House.
- Life of Saints. Volume II. 2003b. Tbilisi. Bakmi Publishing House.
- Movses Khorenatsi, author of the "History of Armenia" is considered to be the author of the 5th century. [https://www.nplg.gov.ge/wikidict/index.php/მოვესეს\\_ხორენაცი](https://www.nplg.gov.ge/wikidict/index.php/მოვესეს_ხორენაცი)
- Petrozillo, Piero. 2024. Dictionary of Christianity. Mazdeanism is defined as a religion prevalent in Persia before Zoroastrianism. <http://www.nplg.gov.ge/gwdict/index.php?a=term&d=16&t=2831>
- Pravmir.ru, Orthodox Calendar 2024. <https://www.pravmir.ru/pravoslavnyj-kalendar/svyat1/aug28-shushanika.htm>
- The encyclopedic dictionary of the Georgian Orthodox Church. Institute of Manuscripts named after K. Kekelidze of the Patriarchate of Georgia. 2007. Tbilisi.
- The life of Kartli. 2008. Tbilisi: "Meridiani" "Artanuji" Publishing House.
- Wikipedia 2024. "Bodbe." The old name of Zemo Bodbi and Kvemo Bodbi villages of Signaghi municipality. It is traditionally believed that Bodbe is Bodi, a district of Kukheti mentioned in ancient Georgian historical sources and hagiographical literatures. There was died and buried Saint Nino, according to <https://ka.wikipedia.org/wiki/Bodbe>.

## Objectives, Subject and Scope of Personality Study in Forensic Tactics

**Nicoleta-Elena Hegheș**

Researcher 2<sup>nd</sup> Degree, “Andrei Rădulescu” Legal Research Institute of Romanian Academy, Bucharest, Romania, nicoleta.heghes@icj.ro; Professor, PhD, “Dimitrie Cantemir” Christian University of Bucharest, Romania, Vice-president of the Romanian Forensic Scientists Association, Bucharest, Romania  
nicoleta.heghes@ucdc.ro

**Vitalie Jitariuc**

Associate Professor, PhD, Dean of the Faculty of Law and Public Administration, Cahul State University “Bogdan Petriceicu Hasdeu”, Republic of Moldova, vjitariuc@gmail.com

---

**ABSTRACT:** The forensic study of personality should be understood as the acquisition of criminally relevant information about the offender, the victim of the crime, as well as the accused, the victim, and other participants in the investigation process. Thus, this information includes details about their inherent anatomical, biological, psychological, and social properties, which are necessary both for the identification of personality and for solving tactical tasks and establishing the actual picture of the crime event in the process of its detection and investigation, as well as for use in the implementation of forensic prevention. The criminalistic study of personality is one of the mutually conditioned, interrelated and important elements of the multidisciplinary and multidimensional study of personality as a subject of legal relations in the field of combating crime, which is disclosed in relation to the solution of criminal law, criminological, criminal procedural, operational and investigative, penitentiary tasks.

**KEYWORDS:** personality, tactical impact, tactical tasks

---

The central object of forensic activity as a cognitive process is the event of crime, displayed outwardly in the form of material and ideal traces. In turn, at the center of this event is always the criminal, the totality of whose properties decisively determines the nature of criminal activity and manifests itself in it. Detection and research of information about these properties is a necessary condition for the establishment of both the offender and the actual picture of the crime as a whole, including another important person - the victim of criminal offence with a complex of its personal properties (Lushechkina 2002, 65).

Thus, the first direction of personality study in criminalistics - the criminal and his victim - is outlined. It includes several independent tasks: firstly, to establish the identity of an unknown criminal and unknown victim; secondly, to establish the involvement of known persons in the investigated criminal-relevant event as a suspect, accused and victim. In turn, within the framework of these tasks, the task of identification, establishing the identity of a person by his or her externally displayed properties, is also solved.

The investigation process in relation to the event of the crime is retrospective in nature. Cognition of this event in the course of investigation is carried out indirectly, through the identification and study of traces that carry information about the factual aspect of the crime, including the perpetrator and the victim.

Analysis of the investigation process shows that the offender and his victim are, although the main, but not the only figures, the study of the personality of which is a necessary condition for the successful investigation of crime. In the process of detection, collection and research of information about the crime, the investigator has to study the properties of persons whose behavior is associated with the formation of sources of information about the crime: the suspect, the accused, the victim, the witness, knowledgeable persons, witnesses and others. These participants of the investigation process both within the framework of investigative actions and beyond them can by their behavior (intentional or careless), as well as by virtue of their condition and facilitate or hinder the acquisition of this information. Thus, for example, the accused may hide from the investigation, witnesses may forget facts known to them and give false testimony, witnesses may destroy important evidence, etc. In order to prevent or eliminate these "interferences" the investigator has to apply these measures of tactical influence to these persons. The choice of method for this impact will largely depend on the personality characteristics of a particular object of tactical influence.

Thus, the second direction of the criminalistic study of personality, pursuing the solution of tactical problems of investigation is determined. In relation to persons - objects of tactical influence, the process of studying their personal properties is carried out not only retrospectively and indirectly through other sources of information, but also through the personal perception of the investigator of their properties in the conditions of direct communication.

The process of detection and investigation of crime is inextricably linked with the solution of the problem of identifying the causes and conditions of its commission, with the performance of preventive functions within the framework of criminalistic activity. The range of objects of preventive criminalistic impact includes individual participants in the investigation process (Yablokov 1995, 124).

It seems that it is not only the accused, to whom the individual preventive impact is most often directed, but also individual victims characterized by victimistic behavior, unscrupulous witnesses, and other persons involved in the investigation process (Makhtaev 2001, 149-150). The role of forensic study of



personality is particularly important in the development of measures to suppress crimes that have begun and to prevent crimes that are in preparation, as well as in the course of overcoming resistance to the investigation. Criminalistic preventive means of direct impact on the listed objects used tactical techniques, selected with due regard for the characteristics of the personality of the participants of a particular investigative action. The very fact of disclosure of a crime and the establishment of its actual perpetrators, as a prerequisite for their punishment, has a general preventive effect on all persons involved in the case and their environment (Lushechkina 2002, 67).

The forensic study of personality for the purpose of prevention can be identified as the third specific direction. Criminalistic study of personality is a part of investigation as a cognitive process, during which the information necessary for disclosure of a crime and establishment of its full factual picture is collected. The effectiveness of the cognitive process in the investigation of a crime is ensured by the purposefulness of the search, firstly, for information reflecting the actual picture of the crime, secondly, for information on the factors affecting the investigation process itself, and its state. Such information, regardless of its nature and sources of origin, by virtue of its relation to the crime under investigation and the process of investigation acquires the character of criminally significant. Part of the forensic information, being clothed in a procedural form, will become evidence; non-procedural information will be used to obtain evidence (Lushechkina 2002, 68; Koldin 1985).

The diversity of situations arising in the course of criminal activity and crime investigation and the active role belonging to the persons involved in them create preconditions for the fact that information about any of their many human characteristics may be criminally significant.

Criminalistic theory and practice accept the use of the term “personality” in the broadest sense of the word, including in the properties of personality the whole totality of criminally significant human qualities: morphological, physiological, mental, and social. Thus, criminalists traditionally use the phrases “establishing the identity of the criminal”, “establishing the identity of the victim”, understanding under this and the identification of a person. For example, when we speak, for example, about the identification of a person by traces of fingers, toes, a verbal portrait, then in fact we mean not the identification of a particular person as a set of social relations (i.e., the actual person), but the identification of a person as a living being by its somatic features” (Tsvetkov 1973, 6). The same notes N.T. Vedernikov: “At the first stage of criminalistic study of the personality of the criminal, at the stage of collecting data on who committed this or that crime, the biological, physiological signs of personality come to the fore. It would be more accurate even to speak about the signs and properties not of a person, but of a person” (Vedernikov 1984, 74). Especially since in criminalistics, human identification is used as a rule not as the establishment of the identity of an abstract

person (although in the framework of forensic medical research it happens, for example, if it is possible to determine only that the remains belong to a person and not to an animal), but ultimately in order to establish a specific person, i.e. personality.

Data from forensic study of personality is a necessary basis for effective application by the investigator in necessary cases of methods of tactical influence on the participants of investigation. The subject and scope of the study of personality in criminalistic tactics are conditioned by the nature of tactical tasks of general (relating to the investigation as a whole, any investigative action or group of investigative actions) and local (relating to a certain type of investigative actions) levels.

The subject of the study of personality in criminalistic tactics is determined by those elements of its content, which consist in the study of *ideal* traces, i.e. information processes related to perception and memorization by potential interrogators and identifiers, as well as in the study of regularities of behavior of persons involved in the investigation process (Potashnik 1998, 18).

In this context, the study of the personality of participants in the investigation process is a cognitive tactical task, the solution of which creates a prerequisite for the use of tactical influence. For a brief description of this task and its significance, the statement of Filonov fits as well as possible: "... from the study of personality, through the impact on personality, to obtaining evidence" (Filonov 1979, 12). Tactical impact is "any legitimate impact on this or that object, carried out with the help of tactical techniques or on the basis of tactics of using other forensic means and methods - both forensic proper, and owed its origin to related areas of knowledge" (Belkin 1997, 163). For tactical impact on the behavior of participants of the investigation process in order to maintain or change their position in the direction necessary to solve the problems of detection and investigation of crime, tactical techniques of managerial type are intended, the object of the impact of these techniques is the personality of the participant of the investigation process, and the scientific basis of these techniques is psychology.

The subject of the criminalistic study of personality for tactical purposes is personality as the broadest set of elements that make up its psychological portrait. It seems that as a basis of this "portrait" for the solution of tactical tasks, the structure of personality proposed by Platonov, mentioned in the 1st chapter of the present dissertation, is the most suitable. Here it is necessary to present it in a developed form. According to the concept of Platonov's concept of personality structure consists of four elements - substructures: a) substructure of orientation (a set of socially conditioned qualities: worldview, beliefs, moral principles, value orientations, interests, ideals of personality); b) substructure of experience (knowledge, skills, abilities, habits-qualities formed both under the influence of social factors and under the influence of biologically conditioned properties-qualities); c) substructure of mental forms of reflection (mental processes, mental

states); d) substructure of temperament; e) substructure of mental processes (mental processes, mental states) (Platonov 1986, 24).

The diversity of tactical tasks, the solution of which is associated with the tactical and psychological impact on the personality, requires addressing all of the above elements of the psychological structure of personality. It is possible to distinguish two levels of tactical tasks solved taking into account the personal characteristics of the participants of the investigation: the 1st level - general tactical, relating to the investigation as a whole, as well as to any investigative action or to a group of investigative actions; the 2<sup>nd</sup> level - local, associated with the tactics of a separate investigative action.

Tactical tasks of the first level, solved taking into account information about the individual, include the determination of the place, conditions and time of the investigative action; the establishment of the sequence of investigative actions; the selection of participants of the investigative action; the prediction of the line of behavior of the main participants of the process (the accused and the victim) in the course of the investigation as a whole or at its certain stage; the prediction of the behavior of the participants of the investigative action within the framework of its conduct; and purposeful influence on the participants of the investigative action in order to change their behavior.

The latter, in turn, determines the solution of the following general tactical tasks: the establishment of psychological contact with the participants of the investigation as a prerequisite for subsequent acts of psychological influence; the distribution of duties between the participants of the investigative action; and the prevention and resolution of conflict situations in the process of investigation.

Tactical tasks at the local level arise from the content of a particular type of investigative action, such as interrogation, confrontation, search, or investigative experiment. For example, during an interrogation, the task may involve assisting in the recovery of the forgotten. In the case of a search, it may include observing the searched person and managing their behavior.

It should be noted that the most complex of the above tasks are predicting the line of behavior of the participants of the investigation and providing a targeted psychological impact on them. Successful resolution of many problematic investigative situations directly depends on the correct fulfillment of these tasks (Bayanov 1978, 136; Kovalev 1977, 18-22).

One of the most effective forms of tactical-psychological influence (and a way of solving a number of the above tasks) is, as is known, reflexive management. It consists of the "investigator's ability to think and make decisions for his *opponent*, taking into account these possible decisions when determining the line of his own behavior and making tactical decisions" (Yablokov 1999, 358). Reflexive management and forecasting are closely related in the practice of their application. However, the concept of prognostic activity is broader than the concept of reflexive management. The latter, as it is correctly noted in the forensic literature, is a

concrete realization by the investigator of the directions of the forecast (Boginsky 1983, 21).

Tactical influence on the personality of the participant of the process on the part of the investigator can be indirect, when the personality is influenced by the course of the investigation as a whole, its effectiveness, and direct, within the framework of personal communication. The first type is characteristic of the accused, who constantly evaluates the totality of the collected evidence and builds on this basis the strategy and tactics of his behavior. The second is for all participants in investigative actions. Within the framework of investigative actions, the main methods of psychological influence on personality are used: persuasion, coercion, prohibition, warning, threat, suggestion, setting and varying thought tasks (Chufarovsky 1996, 110-121). The mechanism of influence of the listed methods implies an appeal to the intellectual, emotional and volitional spheres of the person on whom the influence is directed.

One of the main influencing factors on the personality of the participant of investigation, which is used by the investigator, is the information communicated by him. However, it is important not only its content but also the form of presentation (oral communication on behalf of the investigator, disclosure of case materials, demonstration of objects and their images, demonstration of actions of other persons, etc.) The choice of the moment of presentation of information, and the sequence of presentation of its individual fragments is tactically significant. There is a tactical significance and demonstration by the investigator of his attitude to the presented information (impartiality, interest), as well as reaction to the behavior of the person on whom the tactical influence is directed. This reaction can be negative or positive, expressed in rejection, approval, regret, etc.

The ultimate goal of the tactical impact of the investigator on the participants of the investigation process is to change their position and behavior in the direction that contributes to the establishment of the truth in the case; intermediate - in the performance of specific tasks of a particular investigative action. Most often the impact is directed to overcoming the attitude to give false testimony, refusing to testify (in relation to the suspect and the accused); to the precise performance of procedural functions during the investigative action, compliance with the requirements of law and morality (for example, the investigator may suspend from participation in the criminal case the legal representative of a minor suspect or accused, if his actions are detrimental to the interests of the latter - art. 480 para. 3 from the Criminal Procedure Code of the Republic of Moldova (The legal representative of the minor may be removed from the criminal proceedings and replaced by another, when this is possible, if there are grounds to believe that his actions harm the interests of the minor. On the removal of the legal representative of the minor and his replacement with another representative, the body conducting the criminal investigation or, as the case may be, the court shall adopt a reasoned decision. Art. 480, para. 3, Criminal Procedure Code of the Republic of

Moldova. Law of the Republic of Moldova No. 122 of 14-03-2003. In Romania, the prosecution and trial of crimes committed by minors, as well as the enforcement of decisions concerning them, are carried out according to the usual procedure, with the additions and derogations expressly provided for in the Romanian Procedure Code (Chapter III - Procedure in cases involving minor offenders and in Section 8 of Chapter I of Title V of the General Part - Law no. 135 of July 1<sup>st</sup>, 2010). According to Art. 505 from the Romanian Procedure Code, during the criminal prosecution, the procedure in cases involving minor offenders is also applied to persons who have reached the age of 18, until reaching the age of 21, if at the date of acquiring the status of suspect they were minors, when the judicial body considers it necessary, taking into account all the circumstances of the case, including the degree of maturity and the degree of vulnerability of the person concerned. Whenever the judicial body cannot establish the age of the suspect or defendant and there are reasons to consider that he or she is a minor, the person concerned shall be presumed to be a minor. The results of the medical examination of the minor suspect or defendant on whom a preventive measure of deprivation of liberty has been ordered, carried out in the place of detention, according to the law on the execution of sentences and measures of deprivation of liberty ordered by judicial bodies during the trial, are taken into account to assess his capacity to be subject to the acts or measures ordered during the criminal trial. According to art. 511 of the same code, if any of the educational measures not depriving of liberty have been taken against the minor, after the decision has become final, a deadline is set for when the minor is ordered to be brought, his legal representative, the representative of the probation service for the enforcement of the measure taken and the persons designated to supervise it).

The admissibility of psychological influence techniques on the part of the investigator on the participants of the investigation process is a problem that has received considerable attention both in practice and in the legal literature. Let us limit ourselves to referring to one of the latest works - the study of Silnov. Calling the issue of admissibility of measures of influence in the investigation of crimes one of the most complex, acute and debatable both in the field of international law and in domestic jurisprudence, tracing the history of its development, the author, in our opinion, comes to the right conclusion, stopping at a clear criterion of legality of tactical techniques. He formulates this criterion in relation to interrogation as ensuring freedom of choice of behavior of the interrogated person, which is necessary for the unrestricted exercise by the participants of the process of their rights and legitimate interests, including the possibility to choose a particular position in the interrogation (Silnov 2001, 51-53). It should also be added that observance of the rights and interests of the participants in the process is facilitated by the investigator's knowledge of psychological regularities as a basis for distinguishing permissible methods of influence from impermissible ones (Smagorinsky 1994, 141-146).

The techniques of tactical influence on the participants of the investigation process, which meet the criterion of admissibility, based on the criminalistic study of personality, provide effective solutions to tactical problems only if this study is carried out methodologically, correctly, and in full.

*The scope of forensic study of personality*, i.e., the totality and depth of the study of the information to be established about the personality is determined in each specific case based on the tasks to be solved with the use of this information and taking into account the procedural role of the object of study. It is difficult to create a universal and exhaustive list of forensically significant personal data due to their diversity. It is more expedient to single out groups of data that bear the most significant forensic load in relation to the tasks of forensic study of personality. These are:

*Personographic data*: surname, name, patronymic, date and place of birth, place of residence, nationality, language, citizenship, social, material status, social environment (microenvironment), education, profession (specialty), place of work, attitude to military service, awards, honorary titles, etc. give information about the conditions of formation of individual-psychological image of a person, factors influencing his outlook and behavior.

*Mental processes*: perception, memory, thinking, speech. Peculiarities of perception and memory are taken into account in interrogation tactics when analyzing the process of formation of testimony, as well as when presenting for identification. The speed of thought operations, the level of mastery of types of thinking (concrete and abstract, logical and intuitive) are taken into account by the investigator in assessing the intellectual development of the individual and in the tactics and methods of investigation, for example, when studying the method of committing a crime by a particular person. Of particular interest to criminologists is the speech of a person. Being closely connected with the mentioned mental processes, being accessible for direct perception, it carries a lot of information about the properties of the speaker's personality: age, nationality, level of intellectual development, belonging to a certain social group, predominant place of residence, education, profession, level of culture, mental health, etc. By functional properties of speech (speed, clarity of pronunciation) in conjunction with facial expressions, pantomimics and voice features (strength, timbre, tone) it is possible to diagnose the mental state and mental properties of the speaker.

*Mental states*: expressions of feelings, attention, thinking, will. Emotional states (anxiety, fear, mood, stress, etc.); mental states manifested in intellectual activity (attention, concentration, interest and their opposite - absent-mindedness, indifference, apathy, etc.) and in the sphere of volitional activity (decisiveness - indecisiveness, confidence - uncertainty, struggle of motives, etc.) are most often criminally significant. Mental states have a sufficiently pronounced external picture of expression, which makes them available for direct perception. Criminal situations (committing a crime) and the situation of investigation often cause

similar, i.e., typical mental states in people falling into them. The tactics of each investigative action should identify and take into account the mental states of all its participants.

*Human temperament* is a biologically conditioned property of the psyche, reflecting the dynamic aspects of behavior (intensity, speed, rhythm of mental processes and states) depending on the strength, poise and mobility of nervous processes. The advantages and disadvantages of temperament properties affecting human behavior should be taken into account in psychological interaction in the process of communication: when establishing psychological contact, the choice of methods of purposeful influence on mental states, when analyzing the process of forming testimony.

*Worldview* as a set of views of a person on the surrounding reality, interhuman relations, is manifested in his life position, beliefs, and value orientations. Data on the character of a person as habitual for him stable forms of behavior in activity and communication help to reveal the motives of his actions, to predict his behavior in a particular situation, which is necessary for establishing the actual picture of the crime, and in the choice of tactical methods of psychological influence.

## Conclusions

In conclusion, the forensic study of personality should be understood as the establishment of criminally significant information about the perpetrator, the victim of a crime, as well as the accused, the victim and other participants in the investigation process, including information about their inherent anatomical, biological, psychological and social properties, which are necessary for the identification of the person, the solution of tactical problems and the establishment of a factual picture of the crime event in the process of its detection and investigation. The subject of criminalistic study of personality for tactical purposes is personality as the broadest set of elements constituting its psychological portrait. The scope of the criminalistic study of personality for tactical purposes includes, in general, the whole range of psychological, psychophysiological and socio-psychological properties of personality, i.e., practically all the data of this series characterizing personality in the sphere of crime control.

## References

- Bayanov, A.I. 1978. "Information Modeling in the Tactics of Investigative Actions". *Dissertation for the Degree of Candidate of Law*. Moscow.
- Belkin, R.S. 1997. *Course of Criminalistics*. Volume 3. M: Jurist Publishing House.
- Boginsky, V.E. 1983. *Reflexive Management in Interrogation*. Kharkov: Judicial Institute Publishing House.
- Criminal Procedure Code of the Republic of Moldova. Law of the Republic of Moldova No. 122 of 14-03-2003. In the Official Gazette No. 248-251, of 05-11-2013. Also available at [https://www.legis.md/cautare/getResults?doc\\_id=141507&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=141507&lang=ro#), accessed on 09.05.2024.

- Romanian Criminal Procedure Code - Law no. 135 of July 1<sup>st</sup>, 2010 on the Code of Criminal Procedure, published in Official Gazette No. 486 of July 15, 2010, with subsequent amendments and supplements.
- Chufarovskiy, Y.V. 1996. *Psychology in Operative-Search Activity*. "MZ-Press" Publishing House.
- Filonov, L.B. 1979. Psychological Ways of Revealing a Hidden Circumstance. Ed. by Moscow University.
- Investigative Actions*. 1994. Edited by B.P. Smagorinsky. M.
- Koldin, V.Ya., and N.S. Polevoy 1985. *Information Processes and Structures in Criminalistics*. Moskow University Publishing House.
- Kovalev, A.I. 1977. "Methodology of Crime Investigation and Method of Predicting the Behavior of the Accused, Suspects, Witnesses and Victims". In the book: *Methodology and Psychology of Crime Investigation*. Sverdlovsk.
- Lushechkina, M. A. 2002. "Criminalistic Study of Personality in the Tactics of Investigation". *Dissertation of Candidate of Legal Sciences*.
- Makhtaev, M.Sh. 2001. *Fundamentals of the Theory of Criminalistic Crime Prevention*. Raritet Publishing House.
- Platonov, K.K. 1986. *Structure and Formation of Personality*. Nauka Publishing House.
- Potashnik, D.P. 1998. *Criminalistic Tactics*. Zertsalo Publishing House.
- Silnov, M.A. 2001. *Issues of Ensuring Admissibility of Evidence in the Criminal Process (pre-trial stages)*. M. MZ-Press.
- Tsvetkov, P.P. 1973. *Study of the Personality of the Accused*. Leningrad Institute Publishing House.
- Yablokov, N.P. 1995. *Criminalistics*. Yurait Publishing House.
- Yablokov, N.P., Ed. 1999. *Criminalistics. Textbook*. Jurist Publishing House.
- Vedernikov, N.T. 1984. *Criminalistic Characterization of Crimes*.



## Judicial Individualization of Punishments in Romanian Criminal Law

**Gabriel-Alin Ciocoiu**

University of Political and Economic European Studies "Constantin Stere"  
Chişinău, Republic of Moldova,  
avocatalingabrielciocoiu@gmail.com

---

**ABSTRACT:** This study focuses on the judicial individualization of punishments, a fundamental principle of Romanian criminal law as provided in the Romanian Criminal Code. It aims to explain how this principle serves to adapt sanctions based on the gravity of the crime, the social danger it represents, as well as to the particularities of the offender. The purpose of judicial individualization is to ensure the application of fair, proportionate and efficient punishment, in accordance with the preventive and educational functions of criminal sanctions.

**KEYWORDS:** judicial individualization, punishments, dangerousness, gravity, consequences

---

### Introduction

The commission of a crime and the establishment of criminal liability for it have as an inevitable consequence the application of criminal law sanctions provided by law (punishments and educational measures), for the restoration of the rule of law, for the coercion and re-education of the offender. The operation by which the punishment is adapted to the needs of social defense in relation to the abstract or concrete gravity of the crime, as well as to the dangerousness of the offender, in order to ensure the fulfillment of its functions and purposes, is called the individualization of punishment (Grigoraş 1969, 76).

The judicial individualization of punishment is a part of the criminal law enforcement activity that is carried out based on the conditions and limits established by law. In this sense, the legislator sets certain coordinates within which judges carry out the operation of establishing and applying the concrete norm (Radu and Franguloiu 2004, 153).

The institution of individualization of punishment is dedicated to Chapter V entitled Individualization of Punishments, from Title III of the General Part of the Romanian Criminal Code. To these provisions are added those regarding the individualization of punishments in the case of aggravating circumstances –

concurrency of offenses, recidivism, continued offense, or mitigation – attempt and which are provided for in the regulations of the respective institutions.

There are three forms of individualization in Romanian Criminal Law: legal, judiciary or court and administrative (Mitrache and Mitrache 2016, 452-453). Legal individualization is carried out by the legislator in the phase of drafting the law and constitutes a materialization of the principles of legality and individualization of punishments. Judiciary or court individualization of punishment is carried out by the court and is materialized by applying the specific punishment to the offender for the committed act, depending on the specific gravity of the act, the dangerousness of the offender, the specific mitigating or aggravating circumstances in which the crime was committed. Administrative individualization of the prison sentence is carried out within the framework offered by legal and judicial individualization, depending on the severity of the applied punishment, the state of recidivism, the conduct of the convict in the place of detention, etc.

Judicial individualization of punishment is the individualization carried out by the court when applying the punishment provided by law for the crime committed depending on the gravity of the crime committed and the dangerousness of the offender which is assessed according to the general criteria of individualization. The adaptation of the concrete punishment carried out by the court takes place in compliance with the criteria of legal individualization, between the special limits of punishment provided by law for the crime committed, limits whose exceeding is possible depending on the states and circumstances of aggravation or mitigation and whose effect is provided by law. Compared to legal individualization, which, no matter how much the legislator tries to achieve it, remains within a general framework, judicial individualization is the one that is achieved in the specific case and plays an important role in individualization, and through the punishment applied to the offender, the violated order is restored, the offender is coerced and re-educated (Mitrache and Mitrache 2016, 453-454).

### **Individualization criteria**

According to the provisions of art. 74 of the Romanian Criminal Code, it follows that the individualization of the punishment based on general criteria only considers its establishment or application and not the manner of execution.

Determining the punishment, whether it is deprivation of liberty or another criminal sanction, is a complex process that requires the analysis of several factors to ensure proportionality between the gravity of the offense and the sanction applied. Establishing the duration or amount of the punishment is done in relation to the gravity of the offense committed and the dangerousness of the offender, which is evaluated according to the following criteria (Duvac 2019, 542-548):

- The circumstances and manner of committing the crime, as well as the means used;
- The state of danger created for the protected value;
- The nature and severity of the result produced or other consequences of the crime;
- The reason for committing the crime and the purpose pursued;
- The nature and frequency of crimes that constitute the criminal record of the offender;
- Conduct after committing the crime and during the criminal process;
- Level of education, age, state of health, family and social situation.

The criterion regarding *the circumstances and manner of committing the crime*, as well as the means used, involves a detailed analysis of the circumstances in which the crime was committed, including: the presence of elements of premeditation or spontaneous actions, the use of violent means, weapons, advanced technology or other dangerous instruments, the place and time of the crime, such as in public, in the presence of minors or in a private environment, the participation of other persons - co-authorship or instigation.

*The state of danger created for the protected value* refers to the extent to which the crime has endangered: the fundamental rights of the person, such as life, health, physical or mental integrity, social order, public security or material goods and trust in state institutions or social relations. For example, a shoplifting may be less dangerous than an armed robbery, even if the value of the stolen goods is similar. As regards the nature and seriousness of the result produced or other consequences of the crime, the concrete and immediate effects of the crime are analyzed: the seriousness of the harm caused to a person (e.g. physical injuries, death of the victim, psychological trauma), the size of the material damage (value of the goods destroyed or stolen), the indirect consequences, such as the damage to family relationships, loss of a job or the impact on the community.

*The motive for committing the crime and the intended purpose.* Motivation can considerably influence the moral gravity of the act. A distinction is made between: personal motives (revenge, jealousy, and despair due to a difficult economic situation), ideological, political or religious motives and selfish motives, such as the desire for easy enrichment. The intended purpose is also essential. For example, a crime committed to protect a family member may be viewed more leniently than one committed out of greed.

Regarding *the nature and frequency of the offenses that constitute the offender's criminal record*, the criminal history of the defendant is taken into account: if there is a criminal record, the type of offenses previously committed (for example, violence or economic crimes), the frequency of these acts and the time elapsed since the last conviction are analyzed, whether the defendant has benefited from more lenient measures in the past (such as suspension of the execution of the

sentence) and has not complied with them. Regarding the conduct after the offense and during the criminal trial, this may suggest the level of regret and the desire for rehabilitation: whether he tried to repair the damage or support the victim, whether he cooperated with the authorities, admitting the facts and providing useful information, whether he showed an attitude of defiance, tried to influence witnesses or fled from justice.

*Education level, age, health status, family and social situation.* These personal aspects of the defendant influence the assessment of the degree of culpability and can lead to the individualization of the punishment. A person with higher education is considered to be more aware of the legal and moral implications of his actions. Young or old people may benefit from mitigating circumstances, given their immaturity or specific vulnerability. Chronic illnesses or mental disorders can influence the severity of the punishment applied. The responsibility of supporting a family or social integration (a stable job, positive social relationships) can constitute an argument in favor of a milder punishment.

These criteria allow for a fair and proportionate approach in determining the punishment, emphasizing the individualization of sanctions and the prevention of recidivism.

### **Mitigating and aggravating causes**

For a fair individualization of the applicable punishment, the legislator has provided in the criminal legislation, both in the general part, but also in the special part or in special laws with criminal provisions, certain institutions that mitigate or aggravate criminal liability (Duvac 2019, 549). Mitigating or aggravating causes are those states, circumstances or qualities related to the crime or the offender that precede, accompany or succeed the criminal activity, expressly or implicitly regulated by the criminal law and that reduce or increase the seriousness of the crime or the dangerousness of the perpetrator, consequently mitigating or aggravating criminal liability (Molnar in Dobrinoiu et al 1997, 430).

Mitigating and aggravating circumstances play an essential role in the individualization of punishments within the framework of criminal law. They allow the courts to adapt the sanctions according to the concrete context of the act and the accused person, contributing to achieving a balance between the severity of the law and the need for social justice. The Romanian Criminal Code, updated through various legislative amendments, regulates these circumstances to ensure a proportionate and fair application of the law.

Mitigating circumstances are situations that reduce the degree of social danger of the act and allow the court to apply a lighter punishment than that provided by law. Article 75 of the Romanian Criminal Code expressly regulates these circumstances, in a manner that leaves room for judicial interpretation, but maintains a clear general framework.

The following circumstances constitute legal mitigating circumstances according to art. 75 of the Romanian Criminal Code:

“a) Committing the offence under the influence of a strong disturbance or emotion, determined by a provocation from the injured person, produced by violence, by a serious violation of the dignity of the person or by another serious illicit action;

b) Exceeding the limits of legitimate defense;

c) Exceeding the limits of the state of necessity.

d) Full coverage of the material damage caused by the offence, during the criminal investigation or trial, until the first trial date, if the perpetrator has not benefited from this circumstance within a period of 5 years prior to the commission of the offence. The mitigating circumstance does not apply in the case of the following crimes: against the person, aggravated theft, robbery, piracy, fraud committed through computer systems and electronic payment means, outrage, judicial outrage, abusive behavior, offences against public safety, offences against public health, offences against religious freedom and respect due to deceased persons, against national security, against the fighting capacity of the armed forces, offences of genocide, offences against humanity and war, offences regarding the state border of Romania, offences under the legislation on the prevention and combating of terrorism, corruption offences, offences assimilated to corruption crimes, those against the financial interests of the European Union, offences regarding non-compliance with the regime of explosive materials, nuclear materials or other radioactive materials, regarding the legal regime of drugs, regarding the legal regime of drug precursors drugs, those regarding money laundering, those regarding civil aviation activities and those that may endanger flight safety and aviation security, those regarding witness protection, those regarding the prohibition of organizations and symbols of a fascist, racist or xenophobic nature and the promotion of the cult of persons guilty of committing offences against peace and humanity, those regarding trafficking in organs, tissues or cells of human origin, those regarding the prevention and combating of pornography and those regarding the adoption regime.

(2) The following may constitute judicial mitigating circumstances:

a) The efforts made by the offender to eliminate or diminish the consequences of the offense;

b) The circumstances related to the committed act, which diminish the seriousness of the offense or the dangerousness of the offender”.

*Strong disturbance or intense emotion caused by the victim.* This circumstance refers to offences committed under the impulse of an intense emotional reaction caused by serious illicit actions of the victim (violence, serious insult, provocation). It is a fair provision, aiming to understand the human nature of reactions in the face of extreme situations. However, the application of this circumstance requires careful analysis in order to avoid abuses and unjustified pretexts. The circumstance

that the defendant caught his concubine having sexual relations with the victim, whom he repeatedly hit, causing her death, represents a state of strong disturbance caused by the victim's attitude (Criminal Decision no. 114/Ap of May 23, 2001, Braşov Court of Appeal).

*Exceeding the limits of self-defense* – this circumstance applies when the person who acted to defend himself or someone else reacted disproportionately to the attack. It is a valuable provision, which underlines that self-defense is a fundamental right, but must be exercised proportionally. However, the assessment of “excessive limitation” can be subjective and requires clear legal expertise.

*Exceeding the limits of necessity* refers to situations where the perpetrator acted to prevent an imminent danger, but created a greater harm than the one he wanted to avoid. Similar to self-defense, this circumstance recognizes the decision-making difficulties in extreme situations, but requires a detailed analysis to determine proportionality.

*Covering the material damage before the first trial* shows a reparative behavior and can influence the reduction of the sentence. However, this circumstance does not apply to an extensive list of serious offences, such as those against the person, corruption, or national security. The exclusion of certain offences is justified, given their seriousness and social impact. However, it is important that the reparation of the damage is considered a gesture of good faith, not just an attempt to obtain a reduction of the sentence.

With regard to *efforts to mitigate the consequences*, this provision recognizes the active involvement of the defendant in remedying the negative effects of the act. Courts must objectively assess whether these efforts are significant or merely symbolic.

Circumstances that mitigate the seriousness of the offence or the dangerousness of the offender allow the court to take into account the particular circumstances of the case or the perpetrator. It is a flexible provision, but it can generate inconsistency in the application of the law.

According to art. 76 of the Romanian Criminal Code, the effects of mitigating circumstances are: “(1) In the event that there are mitigating circumstances, the special limits of the punishment provided by law for the offence committed shall be reduced by one third. (2) If the punishment provided by law is life imprisonment, in the event that mitigating circumstances are retained, the penalty of imprisonment from 10 to 20 years shall be applied. (3) The reduction of the special limits of the punishment shall be made only once, regardless of the number of mitigating circumstances retained”.

### *Aggravating circumstances*

Aggravating circumstances are factors that increase the seriousness of the act and lead to the application of a more severe punishment. They are regulated by article

77 of the Criminal Code. The following circumstances constitute aggravating circumstances according to art. 77 of the Romanian Criminal Code:

- “a) The commission of the act by three or more persons together;
- b) The commission of the offence by cruelty or subjecting the victim to degrading treatment;
- c) The commission of the offence by methods or means likely to endanger other persons or property;
- d) The commission of the offence by an adult offender, if it was committed together with a minor;
- e) The commission of the offence by taking advantage of the state of obvious vulnerability of the injured person, due to age, health, and infirmity or other causes;
- f) The commission of the offence in a state of voluntary intoxication with alcohol or other psychoactive substances, when it was provoked with a view to committing the offence;
- g) The commission of the offence by a person who took advantage of the situation caused by a calamity, a state of siege or a state of emergency;
- h) Committing the offence for reasons related to race, nationality, ethnicity, language, religion, gender, sexual orientation, political opinion or affiliation, wealth, social origin, age, disability, chronic non-contagious disease or HIV/AIDS infection or for other circumstances of the same kind, considered by the perpetrator as causes of the inferiority of a person in relation to others”.

*The commission of the act by three or more persons together.* The participation of several persons in the commission of a offence indicates greater premeditation, increased organization and high social danger. This circumstance underlines the seriousness of group crimes, which often create difficulties in law enforcement and increase fear in the community. The application of a more severe penalty is justified in order to deter such actions.

*The commission of the offence by means of cruelty or degrading treatment.* Cruelty and degrading treatment denote an attitude lacking in humanity and an intensification of the suffering of the victim. This circumstance is essential to protect the fundamental rights of individuals and to sanction inhumane behavior.

*Committing the offence by methods or means that endanger other persons or property.* This includes situations in which the methods used to commit the offence create an extensive danger to other persons or property, for example, the particular aggressiveness of the defendant who committed the offence of robbery in the home of the injured party, the specific manner of committing it (blocking the door and lighting a fire) proves an increased dangerousness, which must be sanctioned accordingly (Criminal Decision no. 235/Ap of September 11, 2003, Braşov Court of Appeal). This provision highlights the importance of protecting public safety and material property, and the seriousness is increased by the indirect impact on third parties.

*Committing the offence by an adult together with a minor.* This situation involves the exploitation of the vulnerability of a minor, who can be influenced or manipulated by an adult. It is an important provision that protects minors and severely sanctions their negative influence. The application of this circumstance sends a clear message about the need to protect young people.

*Taking advantage of the victim's state of vulnerability.* Vulnerability can be determined by factors such as age, health, disability or other causes. It is a circumstance that protects vulnerable people, highlighting the increased moral and legal responsibility of criminals who abuse this condition.

*Committing the offence in a state of voluntary intoxication caused for the commission of the act.* This concerns cases in which the defendant induces his state of intoxication in order to reduce his inhibitions and facilitate the commission of the offence. The aggravation of the punishment is justified, since voluntary intoxication reflects additional premeditation and a lack of responsibility.

*Taking advantage of situations caused by calamities, states of siege or emergency.* In such situations, the offences committed demonstrate a serious lack of social solidarity and the exploitation of crisis circumstances. This sanctions behavior lacking empathy and respect for the community in moments of collective vulnerability.

*Committing the crime for discriminatory reasons.* Crimes motivated by hatred towards race, religion, gender, sexual orientation, disability or other personal characteristics reflect intolerance and can generate major social tensions. It is an essential provision for combating discrimination and protecting equality in society. The seriousness of this circumstance is justified by the wide-ranging impact on victims and society. The effects of aggravating circumstances are provided for in art. 78 of the Romanian Criminal Code: "(1) In the event of aggravating circumstances, a penalty up to the special maximum may be applied. If the special maximum is insufficient, in the case of imprisonment an increase of up to two years may be added, which may not exceed one third of this maximum, and in the case of a fine an increase of no more than one third of the special maximum may be applied. (2) The increase in the special limits of the penalty shall be made only once, regardless of the number of aggravating circumstances retained".

The courts have the responsibility to assess the mitigating and aggravating circumstances in light of the existing evidence. The final decision must reflect a balance between the gravity of the act and the individual characteristics of the defendant. In addition, the courts must respect the principles of proportionality and legality. The regulation of mitigating and aggravating circumstances in the Romanian Criminal Code allows for a flexible adaptation of sentences to the particularities of each case. These mechanisms contribute to ensuring fair criminal justice, which responds to the needs of society and respects the individual rights of the defendants. At the same time, they emphasize the importance of the context of the act and personal factors in the individualization of the act of justice.



## Conclusion

The judicial individualization of punishments is a complex process essential for ensuring fairness and proportionality in the application of criminal sanctions. It requires a detailed analysis of the circumstances of the act, the profile of the offender, and the social effects of the punishment, thus contributing to the administration of justice in a responsible and efficient manner. The judge has a margin of appreciation to adapt the punishment according to the particularities of the case. However, he must respect the minimum and maximum limits provided for by law, as well as thoroughly motivate the choice made. This principle guarantees respect for human rights and the balance between prevention and re-education, avoiding excessive or weak sanctions. It also contributes to the social reintegration of the convicted person and to the deterrence of criminal behavior.

## References

- Dobrinioiu, Vasile, Gheorghe Nistoreanu, Ilie Pascu, Alexandru Boroi, Ioan Molnar, and Valerica Lazăr. 1997. *Drept penal. Partea generală* [Criminal Law. General Part], 4<sup>th</sup> ed. Bucharest: Europa Nova Publishing House.
- Duvac, Constantin, Norel Neagu, Nicolae Gament, and Vasile Baiculescu. 2019. *Drept penal. Partea generală* [Criminal Law. General Part]. Bucharest: Universul Juridic Publishing House.
- Franguloiu, Simona. 2001. *Buletinul Jurisprudenței. Culegere de practică judiciară pe anul 2001, Curtea de Apel Brașov* [Bulletin of Jurisprudence. Collection of Judicial Practice for 2001, Brașov Court of Appeal]. Bucharest: Lumina Lex Publishing House.
- Grigoraș, Iustin. 1969. *Individualizarea pedepsei* [Individualization of punishment]. Bucharest: Științifică Publishing House.
- Mitrache, Constantin and Cristian Mitrache. 2016. *Drept penal român. Partea generală* [Romanian Criminal Law. General Part]. Bucharest: Universul Juridic Publishing House.
- Radu, Gheorghe, and Simona Franguloiu. 2004. "Individualizarea judiciară a pedepsei. Circumstanța atenuantă judiciară prev. în art. 76 lit. a C. Pen. Efecte" [Judicial individualization of punishment. Judicial mitigating circumstance provided for in art. 76 letter a of the Criminal Code. Effects]. In *the XIIIth Session of Scientific Communications*. Brașov: Omnia Uni S.A.S.T.
- Vasiliu, Alexandru, Gheorghe Radu, Mihaela Alexandru, Simona Franguloiu, Hărăstășanu A., Dumitrașcu M., Popa L., and Barbu M. 2005. *Curtea de Apel Brașov, Culegere de practică judiciară În materie penală 2003-2004* [Brașov Court of Appeal, Collection of Judicial Practice in Criminal Matters 2003-2004]. Bucharest: All Bech Publishing House.

# SCIENTIA

ISSN 2472-5331 (Print)  
ISSN 2472-5358 (Online)