REVIEWS AND ANNOTATIONS

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The new issue of Prague Law Faculty's open-source electronic periodical offers a set of working papers on various topics. The following provides a general outline of their content. Their full versions can be downloaded free of charge from *http://www.prf.cuni.cz*

Richard Blatný contributed a thorough study focused on the **Development and Comparison of Labor Law Conditions and the Institute of Holidays in the Czech Republic and in the Slovak Republic in the Years 1918–2020, and Comparison of the Length of Holidays in Selected Countries**. His study is based on the main conclusions of the long-time research in the field of the development of labor conditions and the institute of leave in the Czech lands and in Slovakia, from their beginnings to the legal status as of 1. 1. 2021 according to Act No. 285/2020 Coll. The study contains an overview of labor law legislation and the development of labor protection in a given time context in both cultural areas. The comparison of legal regulations in both territories is an interesting excursion in the field of legal history, but it mainly provides important expanding knowledge in the field of contemporary labor law. An overview of this matter is given in ten chapters with moments of gradual development of increasingly sophisticated adjustments up to the present with a view to the future.

Sean Davidson asked in his article: **Is Virus Lockdown Justifiable? And in Pursuit of What Aims?** In this commentary the author considers the legitimacy of three interests that might be pursued by virus lockdown: maintaining healthcare capacity, saving lives, and protecting morals. The article is divided into three sections accordingly, and in each section the author considers whether and under what circumstances lockdown would be justifiable in pursuit of such interests, in a modern European liberal democracy. In the first section, the author argues that the most legitimate interest of virus lockdown is maintaining healthcare capacity, but that lockdown is only justified when all other alternatives for expanding healthcare and treating patients have been exhausted. The author also analyses the factor of time passage in relation to this issue and concludes that lockdown is hardly justifiable as time passes. In the second section, the author states reservations concerning the interest of saving lives, specifically how this could be assessed and whether it is presumptuous to claim that lives would be saved. In this section, the author argues that even if "saving lives" is accepted as a legitimate aim of regulation, it would be difficult to argue that such drastic measures like lockdown would be justifiable in pursuit of such aim. In the third section, the author makes various remarks concerning the interest of protection of morals. Again, the author expresses concerns regarding whether this could justify virus lockdown but concedes that the question is inherently broader since it considers the nature of morals and how the law should reflect them.

Another contribution by **Sean Davidson** bears the title **Moral and Legal Commentary on Child-Raising, Use of Authority and the Supernatural.** This article considers morality of child-raising which involves specifically appeals to supernatural authorities or deities. This is referred to in the article as the following: "appealing to supernatural power in raising children" (asp). The article is divided into two main sections: the first concerns the morality of asp, and the second concerns how the law should approach this concept. In the first section, the author analyses whether asp differs from other appeals that parents make in raising their children, specifically comparing the situation when a parent uses their own parental authority and when a parent appeals to supernatural power for authority. The author argues that this comparison illuminates the issue of the morality asp. The author concludes that asp is problematic since it exploits the vulnerability of children and provides them with very little defence or ability to comprehend such commands. At the end of this section, the author concludes that asp is more immoral than appealing to parental authority and that it

should therefore only be used as a last resort, if at all. In the second section, the author considers how the law should approach asp in a liberal European democracy. The author argues that although asp is morally problematic, there are various reasons why the law should not prohibit it: 1) greyness of the morals involved and subtlety of difference; 2) difficulty of definition; 3) tensions with individual liberties and liberalism; 4) connection between religion and culture, and appearance of attack; 5) collective interests of pluralism and living in pluralistic society. The author further provides remarks on pluralism and the implications of child-raising in a pluralistic society.

Johannes Schaadt-Wambach treated in his contribution the topic of **Abuse of Dominant Position in the Online World with Special Emphasis to the Definition of Relevant Markets: The Example of Google.** The author argues that the emergence of digital markets and the increasing speed of its development have raised the question, whether existing competition rules are fit for the digital era. The three famous abuse decisions of the European Commission on Google (namely Google Search (Shopping), Google AdSense and Google Android) show that complicated technical processes open up many possibilities for results-oriented decision-making. This is also evident in the light of decisions by American, German and French competition authorities on similar issues. Google's business model, relying on a broad network, usually free of charge for consumers, is a good way of illustrating the special features of the online world. The European Commission's Google Search decision and Google AdSense decision demonstrate how quickly the relevant markets in the digital field can change. This will clearly show the possibilities for market definition offered by the technical intricacies. The European Commissionȩs Google Android decision illustrates the consequences of a technically understandable but otherwise rather questionable decision. German Bundeskartellamt's VG Media decision as well as French Autorité de la concurrence's Syndicat des éditeurs de la presse magazine decision and Gibmedia decision show differences and similarities within the EU regarding the definition of relevant markets.

Jakub Drápal wrote about **Using Re-Conviction Data to Measure Re-Offending: Incorporating Seriousness and Frequency into a Single Non-Binary Measure.** According to his contribution the re-offending is usually operationalized as a binary variable, signalling whether the criminal justice system encountered a given offender within a specific time-period. An increase or decrease in the proportion of participants committing a certain type of offense is usually considered the primary measure of effectiveness of any intervention. Yet such a binary operationalization of re-offending does not provide a complete picture of re-offending and might provide distorted or even false results by failing to take into account the seriousness and frequency of the re-offending. This paper begins by outlining why re-offending should be measured in a non-binary way, discussing the aims of evaluated treatments, the black-and-white nature of dichotomization, results from studies on desistance, chronic offenders and the effectiveness of sanctions including incapacitation. The author then discusses possible ways of measuring the seriousness and frequency of re-offending, with a specific focus on their measurement in the continental European context and on the measure of re-conviction (whereas re-arrest is usually used as the equivalent measure in common law countries). In the next part he treats the possible use of sentencing ranges set by legislators or of starting points set within various forms of sentencing guidelines to measure seriousness, in a similar way as the Cambridge Crime Harm Index does. He pays particular attention to the operationalization of the re-conviction measure in studying the effect of sanctions.

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