

TRACK 26

ENGLISH VERSION

LAW, DATA AND TECHNOLOGY: THE ROLE OF STS IN DIS/ENTANGLING INDIVIDUAL RIGHTS AND SOCIAL JUSTICE

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Contemporary societies are going through the 'digital turn', i.e. the progressive incorporation of information technologies intended to improve the quality and efficiency of organisational practices. Despite the flourishing of research in this field, relatively little light has been shed on the most relevant legal issues posed by digitalisation. Furthermore, this literature demonstrates a disproportionate focus on some topics (e.g. data-protection, confidentiality, licensure and liability) at the expense of others that merit consideration. Undoubtedly, the growing relevance assumed by data runs in parallel with the increasing exposition of personal information to risk of privacy breaches and other unauthorised uses. Notwithstanding the emphasis on data protection, what is missing are more comprehensive analyses of the overall impact of digitalisation on contemporary societies from a legal point of view, ranging from the emergence of new rights to the reconfiguration of existing ones. This is particularly true when one considers the emerging technologies of government in contemporary societies that are restructuring conventional epistemologies and therefore contributing to the appearance of alternative forms of normativity that interact with existing actors and institutions in complex ways.

In this context, the theoretical apparatus developed by STS has the potential to have a significant impact by shifting the tools traditionally at the disposal of scholars – and in particular those working in the legal realm. Similarly, the critical lenses developed by STS scholarship may benefit reflexively from assuming the situated perspective of legal scholars, one that usually proceeds from the need to tackle concrete cases concerning individual or collective rights.

This panel seeks to explore some of the most relevant challenges at the nexus of law, data and technology, viewed from the multi-faceted perspective developed in STS.

Contributions are welcomed on, for example:

- the interplay of (new) digital technologies with (new) digital rights;
- the values at stake in the technological transition, e.g. what society stands to gain or lose (e.g. democracy, rule of law, resistance, dignity) from the increasing reliance on computation as a conduit or tool for justice;
- the political economy of the creators of technological systems, and how this interacts with legal practice and the legal system;
- deconstruction of wide-spread narratives of technological efficiency and what the implications are of these on fundamental rights and the social institutions that support them;
- non-neutrality of technology in the prospective of law-as-a-technology.