Call for papers

Inaugural Conference of the IACL Research Group on Algorithmic State Market & Society – Constitutional Dimensions

Constitutional Challenges in the Algorithmic Society

European University Institute and University of Florence
May 9-11, 2019

The Research Group on "Algorithmic State, Society and Market – Constitutional Dimensions" is pleased to invite scholars to its inaugural conference on "Constitutional Challenges in the Algorithmic Society" organised by European University Institute, Bocconi University and University of Florence.

Background

The rise of the algorithmic society has led to a paradigmatic change where the public power is no longer the only source of concern for the respect of human rights and the protection of democracy, where jurisdictional boundaries are in flux, and where doctrines and procedures developed in the pre-cybernetic age do not necessarily fit with the current scenario.

The relatively low level of substantial transparency and accountability of algorithms which are programmed and developed in accordance with economic incentives, ethical frameworks and private law tools of corporate actors is salient. At the very least, therefore, serious constitutional engagement with what transparency demands from private and state actors alike is necessary. This is no trivial challenge, since the low level of transparency of automated decision-making processes is the result of the complexity to understand the language and logic of machine learning and algorithmic predictions. The lack of transparency is further accentuated by intellectual property regimes on the one hand, and by market concentration on the other.

Since information and data are new sources of power in the algorithmic society, patterns of market consolidation risk generating technological asymmetry which gravitates to a handful of multinational private players. The state then finds itself in a peculiar position, as it becomes partly dependent on the technologies of these players while vying for a similar position with respect to the data it collects and analyses, all at the same time as it retains the power (and

legal responsibility) to regulate the industry and guarantee the protection of constitutional rights.

Within this framework, this call for papers asks scholars to address these challenges in the non-exhaustive three main areas below:

1. Human Rights in the Algorithmic Society: the algorithmic society affects human rights shaping the relationship between public and private actors in ensuring their respect and enforcement. Privacy, Speech, Association, Equality. Dignity, Religion, Cultural Rights, Property (IP), Education are only some examples of how automated technologies can influence societal development. How could Constitutional States deal with such new challenges? Is the protection of human rights fostered or threatened in the algorithmic society? Do Constitutional States need to implement new guarantees in the algorithmic society?

2. Algorithms and Democracy: in the last years, automated technologies have played an increasingly significant role for democracy. The well-known debate about the use of such technologies during electoral campaigns is only one example of the impact which such technologies can have on democratic values. Indeed, Big Data and artificial intelligence technologies also raises new issues such as in terms of profiling and selection of information able to influence the public opinion. Are democratic States dealing with such a threat? Can democracies rely on a set of values to face these new challenges (i.e. democracy by design)? Which are the mechanism and the remedies to face with these issues (e.g. explanation, auditing...) in a democratic society?

3. Regulation and Policy in the Algorithmic Society: one of the main questions when dealing with new technologies is if and how regulate them. This question is significant in the algorithmic society where regulation affects the possibility for private actors to develop such technologies. The main issues concerns the possibility for Constitutional States to find a balance between innovation and human rights protection in the algorithmic society. Should regulation focus on automated technologies or rely on the responsibility of public and private actors? Which phase of automated processes should regulation deal with? Which regulatory styles fit in this environment (e.g. co-regulation)? Should regulation focus more on a specific sector or on algorithms as technology? Which is the role of regulating information sharing in the algorithmic society?

4. The responsibilities of private actors: the development of new automated decision-making technologies has triggered the rise of a new economic season where automation plays a crucial role. Private actors have defined new business models based on the processing of huge amount of data in a transnational perspective. Moreover, private actors are not only

online service providers but also developers, programmers and users of algorithmic technologies. Which model of accountability and liability fits with private actors in the algorithmic society? Which are the limits to their freedom to conduct business (e.g. ethics)? How is it possible to protect know-how without recognising a "safe harbour" model?

Keynote speakers

We are glad to announce the participation of distinguished **keynote speakers** including, among others still to be confirmed, Prof. Frank Pasquale (University of Maryland).

Submission and timing

This inaugural conference is open to scholars (including Ph.D. candidates and early career researchers) in the fields of law, economics and political sciences. Interested scholars are invited to submit an **abstract** (in **English**, no longer than **800 words**) along with their CV **by February 15, 2018**. Applicants should indicate their **name**, **e-mail address** and **affiliation** in the abstract file.

Applicants should submit their applications to the following address: **degregorio.giovanni@unibocconi.it.** The abstract file shall be submitted in **.doc, .docx** format, named **"Surname_Name",** and the subject line of the e-mail shall be composed as follows: **"Submission – Surname_ Name"**.

The Scientific Committee will evaluate the abstract and acceptance will be notified **by February 25, 2019.**

Accepted applicants should submit the final version of their works **by April 25, 2019**.

SUBMISSION OF ABSTRACT	**February 15, 2019**
ACCEPTANCE	**February 25, 2019**
SUBMISSION OF PAPER	**April 25, 2019**

Travel and accommodation

The inaugural conference will be held at the European University Institute (Florence, Italy) and the University of Florence on **May 9-11, 2019**.
Please note that the **all selected participants will be responsible for their own expenses for travel and accommodation**.

Further details will be provided before the conference.

For any further information about the conference and the call for papers, please send your inquiries to the following e-mail address: **degregorio.giovanni@unibocconi.it**.

Scientific Committee

Prof. Amnon Reichman (Haifa University); Prof. Oreste Pollicino (Bocconi University); Prof. Hans-W. Micklitz (European University Institute); Prof. Andrea Simoncini (University of Firenze); Prof. Giovanni Sartor (European University Institute).

The Research Group on Algorithmic State, Society and Market – Constitutional Dimensions

This Research Group promotes the debate in the field of law and technology, and primarily regarding the new constitutional challenges raised by the development of algorithms and new automated technologies which assist (if not control) decision making processes by state agencies or corporations (often large and multinational) which provide key services online. For more information, please visit the IACL website or contact the assistant to coordinators at **degregorio.giovanni@unibocconi.it**.

MediaLaws

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