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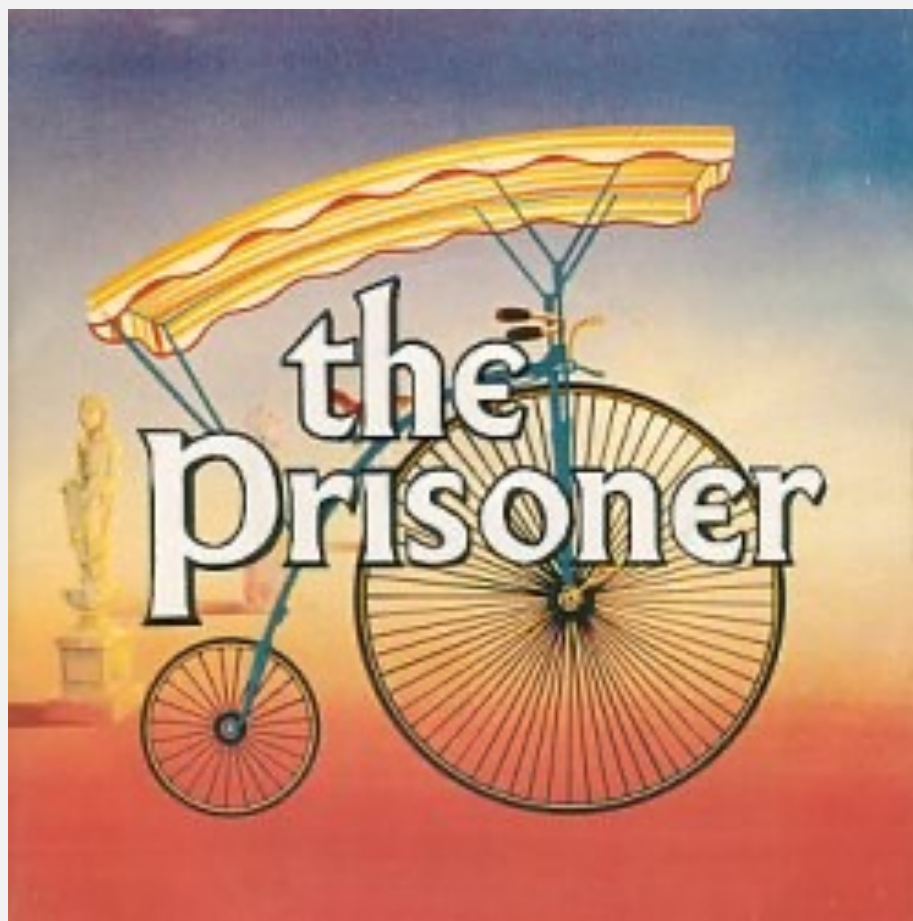
The Law and Technology Research Group

Metodi e sfide nel diritto comparato

At the Crossroad of Comparative Law: the Relationship of law with Other Sciences

Università di Trento, 22 September 2022

Roberto Caso



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Past and future of comparative law through the lens of power

- Roberta Aluffi [2022], Anne Griffiths [2022] and Giorgio Resta [2022]
- All three papers investigate past and future of comparative law through the lens of power.

Law, power and science

- Power of the West ahead of the power of the Rest (of legal traditions) → Aluffi [2022], Griffith [2022]
- Cultural and institutional power of a scientific community that recognizes itself in a discipline (the law) ahead of the power of other communities and disciplines (history, linguistics, anthropology, economics, data science etc.) → Resta [2022]

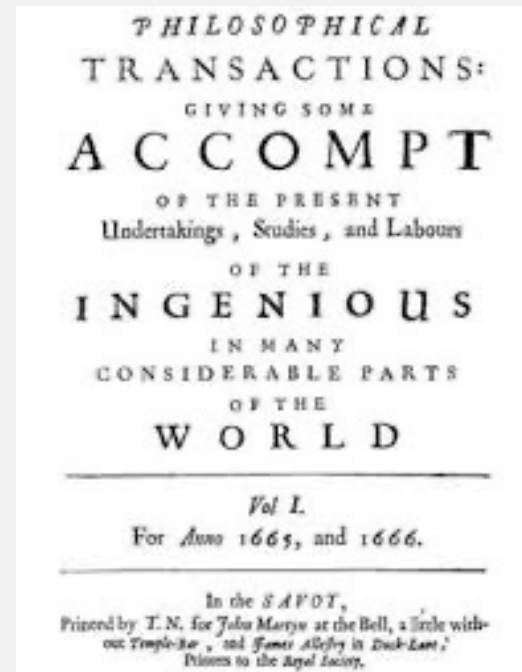
Aluffi, Griffiths, Resta

- a) Roberta Aluffi [2022], on the wake of Rodolfo Sacco's studies, implies that comparative law has to dialogue with anthropology to overcome the Western centric framework and take into proper account religion;
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- b) Anne Griffiths [2022] proposes to apply an anthropological methodology to comparative law: contextualization;
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- c) Giorgio Resta [2022] urges for an historical investigation of the interdisciplinary paradigm shifts of comparative law (linguistics, economics, data science etc.)

The institutional architecture of universities and faculties of law

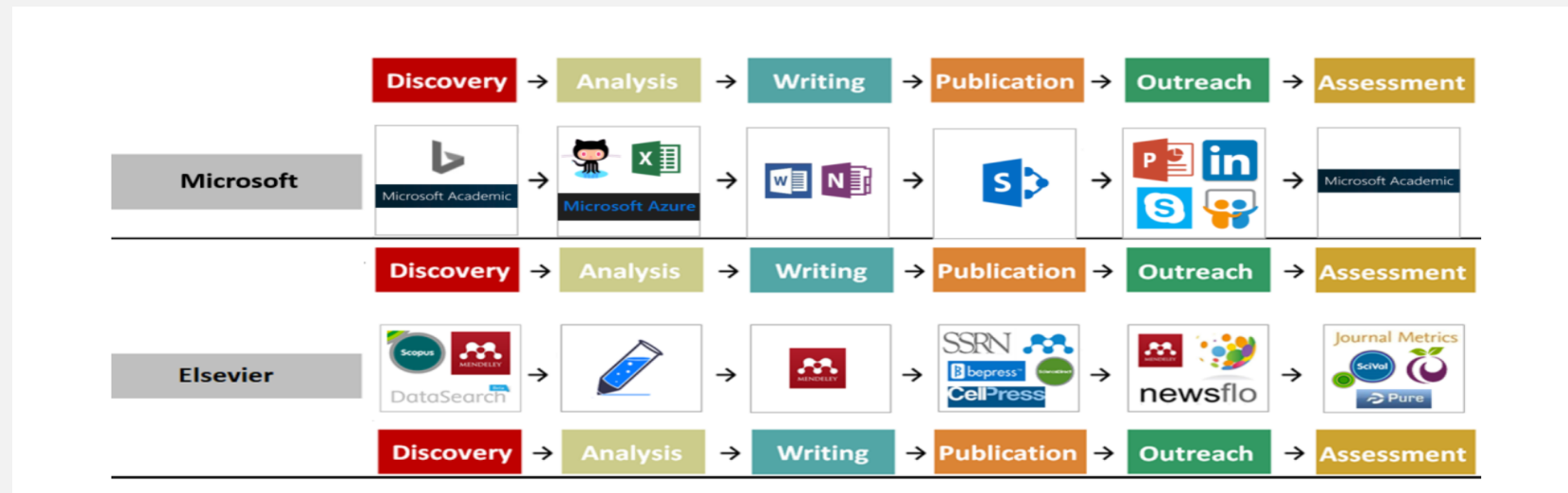
- The university is deeply transforming its nature: from a no-profit institution it is turning into a private company
- Commercialization of university
- Scientific communication system

Open Science as Public and Democratic science

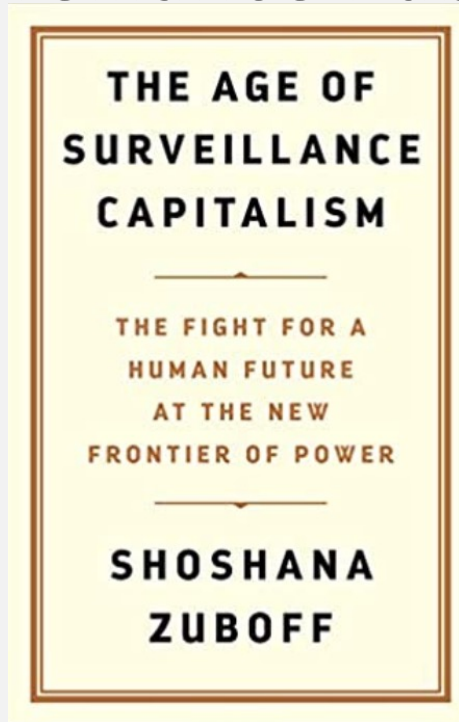


Brembs et al. Plan I [2021]

«While public institutions hesitantly deliberate, commercial providers act»



Zuboff [2019]. Surveillance Capitalism, Surveillance Publishing



Surveillance Publishing

Jefferson D. Pooley

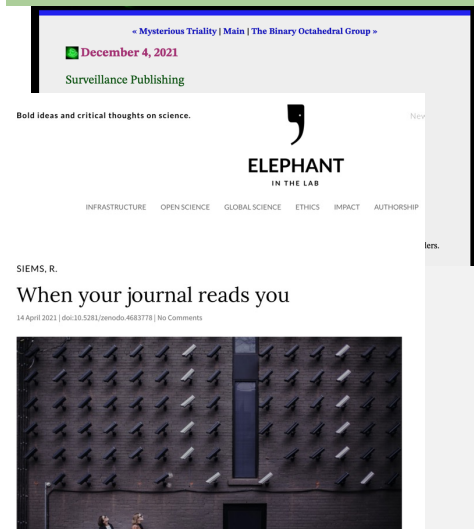
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Stop Tracking Science

The major academic publishers have made collection and trading of data about the research interests of individuals, groups and research institutions their new business model. Data about your scientific activities are collected in real time across the research workflow. The publishers take notes and sell the knowledge about you to third parties. This business model is in direct opposition to academic freedom. We have to stand up against these corporations!

Stop Tracking Science!



Karen Maex 8.1.2021



- “[...] And so **private companies continue to enlarge their role while the public character of our independent knowledge system is further eroded.**
- [...] What applies to **the future of democracy** applies equally to **the future of universities** and of independent education and research as vital building blocks for the organisation of knowledge. We cannot simply leave the future of knowledge to the corporate boardrooms”.

Una sfida per il diritto (comparato)?

- Against this backdrop, studying the relationship between (comparative) law and other disciplines perhaps also means to explore and reconsider the role of private companies (Tech Giants) in shaping the interdisciplinary dialogue



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References

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