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Seminar SoSe 23/23 Law, Democracy and Digital Sovereignty



Course Guidelines

Lucas Lasota, PhD
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This course in a nutshell

The latest technological developments as artificial intelligence, internet of things and cloud computing directly impact the traditional notion of democracy in Europe. Digital sovereignty is a current topic on the EU political discourse in the last years. The course will focus on the EU regulatory framework involved on the elements of concepts as sovereignty, self-determination and individual autonomy in the cyberspace, including data rights, intellectual property, artificial intelligence, internet regulation and cybersecurity.

What are you expected to do?

You are expected to accomplish the following assignments:

- Prepare a **blog post** of no less **3500 words** and **max. 7000 words** (an approximately 15-minute read in [Medium.com's](#) estimate on a chosen topic and provide three discussion topics (50% of the final grade);
- Post at least one contribution to the three discussion topics of your peers' blog posts (i.e. at least **3 comments per week**) (30% of the final grade);
- Attend the **monthly lectures**;
- Prepare in the end of the course a **term paper** of no less than 20.000 characters (without spaces but including footnotes) (20% of the final grade).

Basic information

Veranstaltungsart	Seminar	SWS	2
Semester	SoSe 23/23	Zugeordnete Person	Dr. Lucas Lasota / Prof. Dr. Herbert Zech
Modul	BZQ II	Moodle-Link	https://moodle.hu-berlin.de/enrol/index.php?id=117788id=101544
Sprache	English	Termine	Mittwochs 14:00 bis 16:00

Study programs

Abschluss	Studiengang	LP
Master of Laws	Dt. und Europäisches Recht Hauptfach	5
Master of Laws	Europäisches Recht Hauptfach	5
Staatsex./ 1. Jurist. Prfg.	Rechtswissenschaft Hauptfach	5

Course description

The latest technological developments as artificial intelligence, internet of things and cloud computing directly impact the traditional notion of democracy in Europe. Digital sovereignty is a current topic on the EU political discourse in the last years. The course will focus on the EU regulatory framework involved on the elements of concepts as sovereignty, self-determination and individual autonomy in the cyberspace, including data rights, intellectual property, artificial intelligence, internet regulation and cybersecurity.

Learning outcomes

Students in good academic standing at the end of the semester will:

- Develop an informed opinion about digital sovereignty from the perspective of the EU the regulatory framework concerning data rights, intellectual property, artificial intelligence, internet regulation and cybersecurity;
- Identify the main legal principles of policy concepts of individual and collective self-determination on cyberspace;
- Plan and develop a legal oriented research and conduct a professional-level discussion in regards to digital rights of different actors, ranging from states and businesses to civil society organisations and individuals.

Course format

The seminar is focused on individual research, collective learning experience and systemic flow of information among the proposed topics. It is divided into two parts:

- 1) The “blogger for one week” section; and
- 2) The term paper

Along with the term paper, each participant will be also a “blogger for one week”, working on one of available topics. Every participant is always a debater in the audience throughout the semester, except during the week when she/he is a blogger.

Each **blogger** is responsible for bringing the basic information in a clear and structured manner, so others can learn about the topic.

The **debaters** must ensure a collective learning process. Each topic should be well discussed by all participants.

During the **online meetings**, the lecturer will provide a bird’s eye view of the group of topics, in order to ensure the systemic flow of knowledge between the topics.

Assignments

1. Bloggers for one week

During the first two weeks of the course we will have the topics distribution. **You must choose one of the topics listed.** The course schedule will be based on that.

Every month will have a **online lecture** with a bird-eyes’ view on the topics and a wrap-up of the main take aways of the weekly discussions. It will be also a good chance to meet each other.

Below you find the instructions for bloggers and debaters.

Instructions

For Bloggers

Duties

1. You **must** prepare a blog post and send Lucas by email on your scheduled **Wednesday before 11:59 a.m.**
2. You **must** provide three discussion topics together with your blog post on **Forum**.
3. In the week following your article you should interact with your peers in the **Forum**. It does not mean you must be online 24 hours and answer straight away, but you have to be present everyday, answer questions, reply to comments etc.

How to write a blog post

1. Your blog post should have not less than **3500 words and max. 7000 words** (an approximately 15-minute read in [Medium.com's](#) estimate. The blog post must be in the topic you have chosen!
2. Be creative: the style may be more informal and pedagogical; you can use pictures, memes, graphics, examples etc. Please respect copyright rules.

You can find a few examples of good blog posts [here](#), [here](#) and [here](#).

Feel free to contact me if you have any trouble. I do not expect you to be experts... yet :)

For Debaters

Duties

1. When a blog post is available (on Wednesdays), in the the week that follows you **must** post at least one contribution to the three discussion topics on Moodle forum (i.e. at least 3 comments per week) before the next **Wednesday at 11:59 a.m.**
2. The comments should be pertinent to the development of the discussion so far. Your week contribution **must** consist of at least 300 words (split among all your comments).
3. You may ask questions, politely disagree with the blogger, suggest improvements, support the blogger with more evidence, recommend material etc. Remember it is the participation (not the correctness) that counts on the grade!
4. In our monthly online meetings you should also actively participate, using the opportunity to interact about the topics.

2. Term paper

In the end of the course you are expected to prepare a term paper. Please note, the blog post is your main duty in the course. You should focus on the blog post and use it as basis for the term paper. Your paper:

- Should be written on one of the topics available for this course. Papers on other topics will not be accepted.
- Can be different from the topic of your blog post. However, you can use your blog post as basis for your text and try to develop the ideas you presented firstly on it.
- Should contain min 20.000 and max 62.000 characters without spaces but including footnotes.
- Is a **scientific and formal work**, so you must abide the [HU norms on term papers](#).

The deadline for the submission will be announced during the course.

Monthly online lectures

The monthly online lectures will tackle the topics of the thematic groups and followed by the interaction among all participants. The meeting will have approximately 1 hour of duration. It will be a good opportunity for live Q&A.

Grading policy

To pass the course, you must achieve a performance of at least 60% on each of the items above separately, which includes abiding by the Course Guidelines.

- One complete blog post and the proposal of 3 discussion topics (**50% of final grade**)
- Active participation on the discussion forums every week (**30% of final grade**)
- Term paper on the chosen topic (**20% of the final grade**)

I need help

These are unprecedented times. My overriding concern is your health and safety. As a student you may be under personal stress. The Humboldt University provides free, confidential services including individual and group [psychological counseling](#) and evaluation for emotional, social and academic concerns. Given the COVID pandemic, students may consult with staff remotely.

Do you possess any special needs to participate in this course? Please feel free to reach me out in Moodle or at [lucas.lasota\(at\)hu-berlin.de](mailto:lucas.lasota(at)hu-berlin.de).

Topics for the blog post and term paper

Group 1. Digital democracy fundamentals

1. Defining digital democracy. Historical background, elements. Correlation with Digital Sovereignty, self-determination and the rule of law.
2. Digital constitutionalism, subjective and collective digital rights. Human rights in cyberspaces.

Group 2. Data economy and law

3. Data colonialism and law. Control over data. Monopoly over knowledge.
4. EU Framework for Data Law (GDPR, Data Act, Data Governance Act)

Group 2. Digital commons and open infrastructure

5. Free and Open Source Software and Open Data. Copyleft (Share-Alike) principle and democratic ways to access and control information.
6. Open standards, interoperability, right to repair and consumer's self-determination

Group 4. Cybersecurity rights and privacy

7. Human rights-based approach to cybersecurity: encryption, privacy and freedom of speech.

Group 5. Artificial intelligence: ethics and regulation

8. EU Regulatory Framework for AI: tort law, intellectual property and consumer protection
9. Algorithmic accountability, mass surveillance and human rights

Group 6. Internet regulation

10. Open Internet, EU Regulatory Framework for Platform Regulation (DMA, DSA)

Supporting bibliography

All works are available in the Humboldt Library or as Open Access in the Internet, except for some sources, which can be replaced by the provided alternatives. For better access policies, use the [HU VPN](#) service.

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