Digital Transformation in Law & Society: Comparative Perspectives on Families and New Media

Bonn, February 3-4, 2020
Käte Hamburger Kolleg „Recht als Kultur“
IntroducTory Notes

New media usage entails disclosure of various types of information, offers new channels for secluded one-on-one as well as collective communication, and bears new risks of violating privacy, emotional integrity, and sexual self-determination. While particularly vulnerable online, children also benefit greatly from inclusion in digital discourse, access to information, and social opportunities. Rights to participation are to be reconciled with rights to protection. Children – as normative subjects and human beings – have rights to free expression and privacy; parental and societal efforts to protect children risk undermining these rights. New media practices and collectives shape childhood in ways that adults today did not experience themselves as children. Social web applications have become part of family life. The use of online imagery gives both children and parents a new means of outward (self-)representation. Connected toys and smart home devices have implications for concepts of (family) trust and private space. These elements of digital transformation challenge conceptions of data, (artistic) copyright, and parental responsibility. (Nation) State laws and policies collide with developing transnational codes and digital (youth) cultures. Comparative perspectives will allow light to be shed on these aspects of digital transformation in law and society.

Nina Dethloff and Katharina Kaesling

MONDAY, FEBRUARY 3

14:00 Welcome and Introduction Nina Dethloff
I. Children as Social Subjects in the Digital World
14:30-16:30, Chair: Louisa Specht-Riemenschneider
Caja Thimm Digitized Families? Platform-based Activities on Instagram, TikToc or Alexa, and Family Interaction
Nadia Kutscher Positionings, Challenges and Ambivalences in Children’s and Parents’ Perspectives in Digitalized Familial Contexts
Katharina Kaesling Protection and Participation of Children Online: A Rights-based Approach
16:30 Coffee Break
II. Children as Objects (of Imagery)?
17:00-18:20, Chair: Katharina Kaesling
Ulla Authenrieth Doing Family Online – Visualization of Childhood and Family in the Social Web
Paula Távora Vítor Banning Children’s Images Online – A Portuguese Perspective on Sharenting
18:20 Dinner

TUESDAY, FEBRUARY 4

III. Regulating Data and Digital Economy, Protecting Children?
9:30-11:30, Chair: Nina Dethloff
Ayelet Blecher-Prigat Lost Between Data and Family? Shortcomings of Current Understandings of the Law
Olufunmilayo B. Arewa Information, Privacy and Children in the Digital Economy: A U.S. Perspective
Louisa Specht-Riemenschneider Protection of Children in the European Union: Privacy and Online Video Sharing Platforms
11:30 Coffee Break
IV. Family Homes and New Media: Private Life and Trust in the Digital Age
12:00-13:20, Chair: Katharina Kaesling
Simone van der Hof Smart Toys Watching Children – Legal and Philosophical Implications for Families
Victoria Nash The Rise of the Algorithmic Child: Protecting Children in Smart Homes
13:20 Conclusion of the Conference Katharina Kaesling
13:30 Lunch
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Olufunmilayo B. Arewa is Murray H. Shusterman Professor of Transactional and Business Law at Temple University, Philadelphia, USA.

Ulla Authenrieth is a social scientist and postdoctoral researcher at the University of Basel’s Department of Art, Media, and Philosophy, Switzerland.

Ayelet Blecher-Prigat is a legal scholar with a focus on family and privacy law and Professor at the Academic Center for Law and Science, Hod-Hasharon, Israel.

Nina Dethloff is Professor of Private Law, Private International Law, Comparative Law, and European Private Law at the University of Bonn’s Department of Law. She is Director at the Käte Hamburger Center “Law as Culture” and of the Institute for German, European, and International Family Law at the University of Bonn, Germany.

Simone van der Hof is Scientific Director of the Institute of the Interdisciplinary Study of the Law at the University of Leiden, Netherlands.

Katharina Kaesling is a legal scholar with a focus on IP/IT and family law and Research Coordinator at the Käte Hamburger Center “Law as Culture” at the University of Bonn, Germany.

Nadia Kutscher is Professor of Child Welfare and Social Work at the University of Cologne, Germany.

Victoria Nash is a political theorist and Associate Professor, Deputy Director, and Senior Policy Fellow at the Oxford Internet Institute, University of Oxford, United Kingdom.

Louisa Specht-Riemenschneider is Professor of Civil Law, Information, and Data Law at the University of Bonn’s Department of Law as well as Director of the Research Center for Legal Issues of New Technologies (ForTech), Germany.

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