TAMING THE MACHINES – IT FOR A GOOD SOCIETY

MARKET DISCIPLINE AND THE ALGORITHMIC RULE OF LAW

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ÖFFENTLICHE RING-VORLESUNG

About the lecture

Our modern information society is now permeated by automated systems that coerce preferred behaviors through a combination of surveillance and algorithmic feedback. Major Internet platform businesses are built around such behavioral structures, imposing the discipline of the marketplace on their subjects. Increasingly, such automated systems are also being incorporated into legal decision-making, to determine criminal culpability, civil liability, and other legal status. Proposals for "personalized law" further suggest that data profiles can be used to tailor legal expectations to each individual, enhancing both legal efficiency and autonomy. In this lecture I will map out the intersection between the social construction of markets and the social construction of algorithms in the context of legal decision-making. I will argue that the algorithmic categorization can be expected to generate unexpected and perverse outcomes when used to determine legal status, and that we must begin to identify the contexts in which to curtail or restrict the algorithmic rule of law.

ETHIK IN DER INFORMATIONSTECHNOLOGIE

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