Nordic Summer University

EHU
European Humanities
University

JCI J. Althusius
Institute

Study Circle 5:
Patterns of Dysfunction in Contemporary Democracies
Impact on Human Rights and Governance
Joint Venture Between NSU and EHU.

March 1-3 2019, Saint Petersburg, Russian Federation

IN COLLABORATION WITH THE SAINT PETERSBURG STATE UNIVERSITY, FACULTY OF LIBERAL ARTS AND SCIENCES, AND THE GAGARIN CENTER FOR HUMAN RIGHTS AND CIVIL SOCIETY

Smolьny
St. Petersburg State University   Faculty
Bard College   of Liberal Arts
                                  and Sciences

Program for the Winter Session – Special Focus: The Digital Revolution and Democracy

Friday the 1ˢᵗ of March	
15.00-15.45	Jean-Pierre Cléro, Professor, University of Rouen, France. Is the Coupling with Machines a Threat for Democracy? Chair: Denis Skopin
15.45-16.30	Gorm Harste, Assdociate Professor, University of Aarhus. *The Complexity and Democracy debate between Jürgen Habermas and Niklas Luhmann - The early themes.* Chair: Denis Skopin
16.30-16.45	Pause
16.45-17.30	Zinaida Rozhkova, Research Fellow, Institute of philosophy, RAS. *Role and mechanisms of public opinion formation*

	Chair: Pavel Kononenko
17.30-18.15	Carsten Friberg, Independent Scholar, Denmark. *The Fall of Public Spaces.* Chair: Pavel Kononenko
20.00	Dinner at

Saturday the 2nd of March

10.00-10.45	Alexandra Keidiia, Ph.D. Student, Faculty of Political Science, St-Petersburg State University. *E-participatory budgeting - new principles of direct democracy or an instrumental upgrade of habitual practices?* Chair: Oleg Bresky
10.45-11.00	Pause
11.00-11.45	Polina Kolozaridi. Assistant Professor, Higher School of Economics, Moscow. *To save democracy, click here: critical analysis of digital alarmism* Chair: Oleg Bresky
11.45-12.30	Dmitry Muravyov. Ph.D Student, Higher School of Economics, Moscow. Can Algorithms be Democratic? Chair: Oleg Bresky
12.30-13.30	Lunch
13.30-14.15	Oleg Bresky, Professor, EHU, Vilnius, Lithuania. *New forms of democratic representation and participation* Chair: Mogens Chrom Jacobsen
14.15-15.00	Natallia Vasilevich, Director, Cultural Educational Centre – Ecumena. The Holy and Great Council of the Orthodox Church (Crete, 2016) addressing Fundamentalism, Democracy and Human Rights. Chair: Mogens Chrom Jacobsen
15.00-15.15	Pause
15.15-17.30	Student Presentations Chair: Oleg Bresky
20.00	Festive Dinner:

Sunday the 3rd of March

9.00-9.45	Barbara Kowalczyk, Associate Professor, University of Wroclaw. "Smart borders". Chair: Barbara Gornik
9.45-10.30	Adam Diderichsen, Associate Professor, University College Copenhagen, Denmark. Policing False Positives: Lessons from Epidemiology Chair: Barbara Gornik
10.30-10.45	Pause
10.45-11.30	Katsiaryna Beliakova, Associate Professor, Vitebsk State University, Belarus. *Migration and Security* Chair: Barbara Gornik
11.30-12.15	Morten Bønke Pedersen, Editor, Independent Scholar, Frydenlund Publishing House. The value of democracy: A Kantian contribution to a contemporary understanding of democratic legitimacy Chair: Barbara Gornik
12.15-13.30	Lunch

We also welcome the following participants:			
Denis Skopin,	Associate Professor	St-Petersburg State University, Faculty of Liberal Arts and Sciences	Russian Federation

Pavel Kononenko	Assistant Professor	St-Petersburg State University, Faculty of Liberal Arts and Sciences	Russian Federation
Barbara Gornik	Research Assistant	Science and Research Centre Koper	Slovenia
Mogens Chrom Jacobsen	Coordinator, Independent Scholar	Nordic Summer University	Denmark

Abstracts

Dmitry Muravyov

<u>Can Algorithms be Democratic?</u>

There is a vast discussion nowadays on democratic potential of algorithms. Algorithms now play a crucial part in social life in finance, medicine, marketing, risk management and other areas that possess power over individual existence (Beer, 2017, Zietwitz, 2016). Therefore, they have recently become an object of interest not only for social scientists but for political theory as well.
In my talk I would like to discuss the issue of the relationship between algorithms and political judgment. In his book "The People vs Tech" Jamie Bartlett questions the use of apps such as "iSideWith", which allows users to understand what candidates do better at matching their own political beliefs: ««If you're going to use an app, why not just hand your vote over to an algorithm entirely?» (Bartlett, 2018). So, what he suggests is that using such apps deprives humans of their own faculty and society of space where civil judgement is made. However, what is presumed in such vision is that politics is a "higher realm" that is exclusively human essentially. That view is pretty much Arendtian since politics here is to be understood as a set of actions that allows humans to ascend above other activities. Therefore, such understanding requires politics to be exclusively human. As STS research demonstrates, politics is not something that involves only human actors and while we gladly accept technology's assistance in a lot of spheres it presents too overwhelming to assume that a modern citizen does not need some help in comprehending complex political realities (Barry, 2001, Latour, 2005, Winner, 1980). I suggest that modern theorizing of algorithms in public life requires not only understanding ways in which human political capacity is predetermined and limited but also open up ways in which technology can complement meaningful political action (Crawford, 2016). By turning my attention to twitter debates surrounding the app "iSideWith" I would like to demonstrate how such apps not only do not deprive citizens of meaningful political choice but also contribute to the critical examination of social realities.

Barry, A. (2001). Political machines: Governing a technological society. A&C Black.
Bartlett J. (2018). The People vs Tech. Pinguin Books.
Beer, D. (2017). The social power of algorithms.
Crawford, K. (2016). Can an algorithm be agonistic? Ten scenes from life in calculated publics. Science, Technology, & Human Values, 41(1), 77-92.
Latour, B. (2005). Reassembling the social. Política y Sociedad, 43(3), 127-130.
Winner, L. (1980). Do artifacts have politics?. Daedalus, 121-136.
Ziewitz, M. (2016). Governing algorithms: Myth, mess, and methods. Science, Technology, & Human Values, 41(1), 3-16.

Alexandra Keidiia

<u>E-participatory budgeting - new principles of direct democracy or an instrumental upgrade of habitual practices?</u>

Referring to the concept res publica, we assert that the city becomes a common thing and common cause about it becomes part of public policy. Participatory budgeting (PB) is one of those urban practices that implements relevant today the principle of direct political participation and demonstrates a lack of confidence to the representative form of democracy: The idea of returning our city to ourselves, to make it again our property and not the patrimony of the officials is as simple as the idea that Cicero expressed more than 2,000 years ago. Involving a lot of actors (including non-human) in the dispute on any issue and making decision on it can satisfy the request of the entire urban community. The use of digital tools in PB is not a new topic. From the mid-

2000s similar projects exist in Brazilian cities Belo Horizonte and Ipatinga, in Rosario of Argentina. In the post-Soviet space, e-PB is implemented, for example, in Kiev and Tartu. In fact, I can call such projects the practical embodiment of digital direct democracy. But this thesis raises several research questions. Firstly, why is given in favor the choice of e-PB and not "analog"? Secondly, what kind of barriers does e-PB meet (infrastructure, citizens' Internet-practices)? Third, does the introduction of the digital element in the PB change the understanding by the participants of the budget process of the main value categories that accompany this initiative political public practice at the stage of justification and criticism of its implementation? I refer to such categories efficiency (usually reproduced by officials), the general will/common good (the category of experts who serve as a link between citizens and officials) and the inspiration/space of a house (categories of citizens). Focusing on these issues will help to understand not only the instrumental features of the implementation of e-PB but also fix a possible gap in value categories in comparison with the "analog" PB. This step will help answer the main question: does the introduction of a digital element change direct democracy at the concept level?

Polina Kolozaridi

To save democracy, click here: critical analysis of digital alarmism

In this proposal I will try to critically assess the discussions on internet and democracy in order to revise their background and suggest alternative approaches. My hypothesis is that pessimistic attitude towards digital technologies has its roots in a binary understanding of technologies (they are definitely good or ultimately bad) and from techno deterministic position (technologies as a source of utopian and dystopian changes). These understandings are based on global imaginaries which are not sensitive to context. I suggest socio-historical approach as a useful in such situation. It accumulates different attitudes towards digital technologies which have been forgotten in contemporary discussions. Historical approaches is grounded in a variety of other approaches. The first one is Internet Histories (Goggin, McLelland, 2017). As a research aim it suggests a reconstructing the multiplicity of internet histories and participants of this histories (Driscoll Paloque-Berges 2017). The second one is postcolonial STS perspective which is fruitful to undercover different positions which might be there (Harding, 2009). I will observe this approach on example of empirical data from my research on internet histories in Russian cities. This research also reveals the soviet and post-soviet ideological and imaginary background for understanding technologies. For example, we have revealed the connections between understanding internet and cybernetics. Following here Robin Mansel's critique we recognize imaginaries of cybernetics in internet as a part of understanding it as a part of systematised and regulated world with strong governing mechanism (Mansell 2012). I argue that looking at it as an inevitable part of digital technologies in post-soviet context, we avoid the binary opposition of good/bad internet for democracy. In contrast, we can acquire a instrument which can help us to revise our understanding of democracy.

Harding, S. (2009). Postcolonial and feminist philosophies of science and technology: Convergences and dissonances. Postcolonial Studies, 12(4), 401-421.
Goggin, G., & McLelland, M. (Eds.). (2017). The Routledge companion to global internet histories. Taylor & Francis.
Driscoll, K., & Paloque-Berges, C. (2017). Searching for missing "net histories". Internet Histories, 1(1-2), 47-59.
Mansell, R. (2012). Imagining the Internet: Communication, innovation, and governance. Oxford University Press.

Rozhkova Zinaida Igorevna

Role and mechanisms of public opinion formation

The problems of mechanisms of formation of public opinion and decision-making on its basis are often referred to as one of the key reasons for the imperfection and imitation of modern democratic regimes. C. Crouch says that the "age of parties" in their traditional form is over, politics is increasingly personalized, parties become a community of elites, dependent on sponsors. J. Kin calls it media-cracy - a form of oligarchy that rules with the help of various media with the use of phenomena of shadow PR, state supervision, etc., which creates a "reality in the report." Such a technocrat creating a "spectacular sport", calls the main hidden enemy of democracy N. Urbinati. M. Castels, argues that one side of the crisis of democracy is – the leading role of media policy in the maturation of discontent with democratic values, the other – a constant discrepancy between the power of communication and representative power. M. Hindman says that the idea that the Internet and other mass media technologies eventually smooth out the gap between citizens and democratic institutions is too far from reality. What unites the positions of the authors of these works is that society is increasingly moving away from a real understanding of the situation in the political sphere. The actual influence of citizens on the decision-making process is very small, due to the presence of a large number of manipulative techniques that are used to maintain communication between society and the representative.

Marharyta Fabrykant

Quality or Quantity: The Relation of Internet Use to Rights and Freedoms in 86 Countries

The paper presents the results of a comparative quantitative research dedicated to exploring country-level the interrelation between the opportunities and the actual intensity of internet use and a country's level of rights and freedoms. The research is based on the data from the Web Index dataset comprising 86 countries. The indicators of internet use are the number of internet users per million population, the number of secure internet services per million population, and the government online services index. The rights and freedoms are measured by the Freedom House indicators of the freedom of the press, political and civil freedoms. The results show the number of internet users and internet servers to be much more strongly related to all three freedoms indicators than the government online services index. All three indicators of internet use are more strongly related to civil freedoms, slightly less, to political freedoms, and the least strongly, to the freedom of the press. Most importantly, all the indicators for the internet use are found to be more strongly related to freedom indicators than the GDP per capita: when controlled for the effects of internet use, the relation of rights and freedoms to the GDP pc turns insignificant. The obtained results suggest that the mere quantitative increase in the supply and demand sides of the internet use, even more strongly than the quality of online services provided by the government, go hand in hand with civil and political freedoms, and that this relation is not wholly due to the economic growth.

Jean-Pierre Cléro

Is the Coupling with Machines a Threat for Democracy?

Descartes distinguished between *thinking beings* and *machines* that are extended things having none the less attribute of thinking. Nevertheless, not long after Descartes's time, were invented calculating machines that did what was first only expected from mental activity. So the mind may be coupled with machines to solve operations that it could not perform alone, first if it has not enough time available to do them; then, afterwards, because it would be impossible for it to get an infinite time to do by itself what they can do. Many handicaps, serious diseases are resolved by a pairing with sophisticated machines. The work of more and more men, whatever its nature, is connected with machines that are substituted to their minds or bodies in an increasing number of tasks, and could not

be achieved without their assistance. Our leisure has been linking, already for a long time, to complementarity with material agencies; Deleuze analyzed this phenomenon of *agencement* about cinema. Mind is, from all sides and according to indefinitely various ways, associated with machines that cannot think by themselves, but also, although created by human spirits, that are able to transform the relation that spirits do interweave between themselves and with the real. The coupling of mind with machines is not the adjunction of a pure subject to a pure object; it changes unceasingly the way for the couple to center and form itself into an original accompaniment. Will it be said that coupling has moved the subjectivity and threats it? Of course, this subjectivity -if there is a sense to speak of it- has changed and it creates productions that are different from those we were able to work and changes the producer itself. Have we any right to complain that we suffer such a situation? We are not in the right to think that there was a brave old age when spirit could have the control of the mediation that matter, materiality supports with it? Plato predicted in *Phaedrus* that the invention of writing « will produce forgetfulness in the minds of those who learn to use it, because they will not practice their memory » (275 b). The identity of spirit is a fiction; a devotion to an idolized past that drives to dream of a retrogradation towards an epoch which is a fancy rather than a reality. The moralists that would for us keeping the control of our couplings cannot give any matter to their dreams. Cleverness, will, imagination, sensibility, affectivity are so radically joined to machines that it is impossible for the further to part from the latter. The ethical problem is not to look back on the past and to claim a spiritual control -or a « human control »- to restore mind in its full rights: this sort of control neither existed nor will never exist. For it is neither to forecast a terrifying post-human situation. At any time, it is necessary to search and find the ethics and the political model that match with this situation always new and that never has been a separation of men from their material agencies. The discourse of the king of all Egypt, Thamus, to god Theuth bears out my assertion. We will tempt to demonstrate that Deleuze's thinking about *agencement* associated with a utilitarian conception of the ethical and political problem of coupling brings forth the best issue when neither pure subjectivity nor purely exterior machine can exist.

Gorm Harste

The Complexity and Democracy debate between Jürgen Habermas and Niklas Luhmann - The early themes

The present paper is chapter 7 from my book The Habermas/Luhmann Controversy (Columbia University Press 2019). The book contains two chapters abut their debate about democratic legitimation observed in terms of complex communication systems and deliberative discourse ethics. We can observe two levels in the Habermas/Luhmann-debate about political legitimacy. One of them relates to the philosophical claims involved in communication and the use of language. The other level concerns the question why political legitimacy is important, and in addition, how it becomes important in the context of communication processes in modern politics, and how it takes its stance within the discussion about proposals and decisions. In the present chapter, I will begin the more elaborated analyses of the Habermas/Luhmann-debate with this second level. To most readers, it is probably the easiest way to grasp the problems discussed; in fact, it also corresponds to that, which, historically speaking, has been the overall path followed by the debate. A representative and rich example of this is to be found in one text, which is in all probability the single most important or at least comprehensive text among those generated by the 1971 collection, and in itself an important contribution to this part of the debate, namely Habermas' Legitimation Crisis (Legitimationsprobleme im Spätkapitalismus) from 1973.

Carsten Friberg

The Fall of Public Spaces

In parallel to Richard Sennett's *The Fall of Public Man* I wish to reflect on the transformation of how we perceive public spaces. Space should here be understood as anywhere we find space for social activities. While such spaces could be said to have expanded considerably with the emergence of modern mass media, from radio and TV to the internet, a question is whether these spaces are really to be called public or if they only have an appearance of being public. A central question to ask here is how to understand public and private in relation to them. Does a possible blurring of what is public and what is private enable or undermine a democratic culture? The question is motivated by the lack of transparency regarding how social media regulate users access to and use of virtual public spaces. One such source of regulation is algorithms used in social media. They have lately become a topic of discussion, however their specific functions are still closed land for public investigation. Social media play a vital role in making space for political exchange and action; it became manifest during the Arab Spring and has recently been a topic of much interest in relation to elections in more countries. While this appears as a creation of more public fora for political exchanges and discourses enabling many to participate in debates hence including more citizens into the democratic culture, questions are what these spaces and fora really are. Are they public or rather of an indefinable semipublic kind defined and controlled by private interests? Social media appear as public fora but can they really be considered public when they are private businesses concerned with profit rather than public debate and consequently concerned with different consumer reactions? They do not view the users as citizens but as consumers or customers.

I will not address the political aspect such as discussing conflicts between consumer's voluntary agreeing to terms of conditions and the need of regulation of businesses influencing the public order despite individual user-behaviour; likewise I will not address sociological questions of how social mediea may change behaviour among different groups. My focus is to raise philosophical questions about the significance of public and private in relation to social media. When talking about public spaces and private business, public interest and private users how are the differences defined? What interests are involved? Are ideas of public and private undergoing changes due to new technology affecting communication, accessibility and perception of privacy? Are the differences in how we perceive public and private to the advantages of a democratic culture or a matter of ideology?

Morten Bønke Pedersen

The value of democracy: A Kantian contribution to a contemporary understanding of democratic legitimacy

While Kant's concept of democracy was different from today's, his inquiry of the constitutional and representative form of government as the only viable form designed to respect citizens' equal freedom relates very well to what we actually mean by "democracy" today. However, when looking at democracy today it is commonly proclaimed to be facing a severe legitimation crisis, being threatened by both populists and autocrats. This development has made it common to ask about "the value of democracy" as if we were looking for some benefit that democracy effects. Even non-instrumental arguments for democracy have a tendency to look for a value of democracy that is external to democracy – such as freedom, justice or equal treatment. My paper will show that this is a wrong way to assess political legitimacy. I line with Kant's political and legal thinking I will investigate the question of the moral importance of democracy as something that cannot be fully conceived independently from of the idea of a democratic organized public order. While arguing that the democratic public legal order constitutes something of moral importance and supporting the assumption of an overall progress in legality, Kant didn't write much of the historical materialization of this legal order. Looking at the

state of contemporary democracy one could very well be inclined to criticize his hypothesis of progress for being without any empirical plausibility. Though few philosophers today share Kant's modernist idea of humanity as an eternal subject eventually repealing the gap between legal coercion and moral freedom, my Morten Bønke Pedersen NSU ws2019 Circle 5: Presentation proposal presentation will show, that his historico-political thinking provides instructive insights fruitful for theorizing about the creation, progression and legitimation of meaning through the cause of historical exemplary events.

Natallia Vasilevich

The Holy and Great Council of the Orthodox Church (Crete, 2016) addressing Fundamentalism, Democracy and Human Rights

Barbara Gornik,

Potentialities of Information and Communication Technology for Building Culture of Human Rights

New technologies have proven to have immense impact on people's behavior, especially through the use of smart phones, social media and related information-communication (IC) tools. Several organizations, including PeaceTech Lab, The Peace Innovation Lab at Stanford, JustPeace Labs, Médiateur have already recognized the potential of technology for conflict prevention, human rights respect and peace-building. The paper follows their position in arguing that IC technology represents innovative way to tackle various societal challenges, especially in view of their weighty impact on contemporary social relations. The paper's basis standpoint is that building culture of human rights shouldn't be understood only in a narrow sense as postulating knowledge about human rights but also as building social and institutional infrastructure that supports human rights ideals. As anthropologist Sally Engle Merry says, human rights become part of local social movements and local consciousness by translating and transplanting institutions, programs and measures that give support to the emergence of human rights among the people at the local micro-level. Following this, the paper gives an overview of existing IC tools, which have been used for tackling challenges related to integration of migrants in European countries as well as for fostering mutual respect and countering racism and intolerance with the local population. It focuses particularly on practices, which aim at changing people's attitudes while achieving social solidarity, stimulating migrant integration and promoting of culture of human rights. In the second part, the paper presents the project "Migrant Children and Communities in a Transforming Europe" (MiCREATE), funded under Horizon 2020 program, as one of such initiatives, which plans to develop IC tools for social inclusion in school systems in order to empower migrant children in an ethnically diverse society.

Alexander Vashkevich

TBA

Adam Diderichsen

Policing False Positives: Lessons from Epidemiology

Modern crime control technologies often rely on a combination of massive amounts of data and some kind of test that allows law enforcement agencies to select interesting cases ('positives') from

a background noise of uninteresting cases. Often, it is assumed that more data equals better security, since a larger data set will lead to more hits. This is in particular the assumption behind mass surveillance. Drawing lessons from epidemiology, I shall however argue that large data sets mean that the signal from true positives will drown in the noise from false positives. I shall then pursue the implications of this idea on two levels. First, the practical implications for policing of the notion that 'small is beautiful' when it comes to surveillance. Second, the political and ethical implications for both civil liberties and for the relation between state and citizens that the attempt to police false positives may have.

Barbara Kowalczyk

"Smart borders".

I would like to present several EU law solutions in matter of external borders management based on administrative cooperation and EU databases. It causes some very important questions worth investigating in terms of human rights protection, e.g. access to asylum.

Liudmila Ulyashyna

Sui generis Nature of Charter of Fundamental rights of the European Union in the system of international protection of individual rights.

Charter of Fundamental rights is a phenomenon appeared due to the development of the European Union. The Charter referrers to universal values of human rights and sets an extensive list of provisions, which aim to strengthen the protection of fundamental freedoms in the light of changes in society, social progress and scientific and technological developments1. Indeed, protection of personal data; rights to integrity of the person and prohibition of eugenics practice; a ban on making the human body and its parts as such as a source of financial gain,; prohibition of the reproductive cloning of human beings; environmental and consumer protection; rights to good administration etc. are newly recognized human rights in the international system of individuals´ rights protection. However, the dualistic nature of the Charter – as an international treaty on one side and a part of the EU Treaties succeeding the European Community on other side – as well as other peculiarities of the normative act make the instrument hardly tailored for the individual protection of human rights. The author will analyze the document through a comparative approach when several international and regional legal instruments will be presented with application of the concept "human rights regime" (Donnelly, J., 1986) in order to approach a question: Is the Charter of Fundamental Rights a truly new step in international human rights protection or just a plausible attempt to create a comfortable tool for European bodies operating in the lagoon of the EU "self-contained" regime (Bruno Simma and Dirk Pulkowski, 2006)?

Katsiaryna Beliakova

Migration and Security

In recent years, the term "migrant" has often been used by populists in many countries as a synonym for a threat to society especially in electoral campaigns (even in countries that do not accept large numbers of migrants/refugees). Immigration is presented as an enemy of society, which directly affects the internal security of the state, determines the growth of criminality, migrants are often seen as outsiders who take jobs away from the local population. From the other hand, we can observe how this attitude primarily affects the safety of immigrants in these countries without division into refugees, working migrants and foreign students for example. Is the process immanent to the phenomenon of migration or it is possible to get out of this circle?

Sten Schaumburg Müller

<u>Private life and anonymity</u>

Private life is a prerequisite for a well-functioning democracy. In order to participate in societal life each member of society must be able to act as a competent citizen, competent to judge for herself, to commit herself, not just to be a tool for others' interests etc. This idea of the necessity of private life protection in a democracy is defended strongly by Jürgen Habermas. Among other rights, private life protection is in an important sense not merely up to the legislator to decide, but rather a prerequisite for having a democratically elected legislator in the first place. This perception of private life is recognizable in the judgments of the European Court of Human Rights. Of course, Habermas' idea of 'private life' is not beyond criticism, and the line between the basic necessary protection (which in principle ought to be out of reach of the legislator) and the concrete details for which exactly the legislator is fit, is not clear cut and ready to use. For the present purpose, however, the interesting part is the advent of digital media and their adverse impact on private life: Firstly, the mere fact that we are communicating by digital media enable states and tech companies to gather, to get access to and to exploit private information from all the digitally communicating participants. By means of big data technology the information may be used for profiling, foreseeing and influencing decisions made by private parties, decisions regarding consumer behavior, voting behavior (constitutional behavior) and even genuinely private life behavior in relation to choices of way of living, mating etc. Secondly, digitalization of communication jeopardizes private life to the extent that states cannot or do not protect private life on the internet compared to offline protection. Possible violations of private life such as dissemination of nude and sex pictures and movies appears to be hard to prosecute, probably because of a mix of tradition (internet violation is simply not conceived of as serious) technical problems (how to investigate online private life violations) and jurisdictional challenges. Similarly, unlawful attacks on reputation, which i.a. the ECtHR has specified falls under the protection of private life, appears to be difficult to prosecute. The challenges connect to the issue of anonymity (and other issues of freedom of expression). Anonymity may be conceived of as a necessary component of freedom of expression (ECtHR Delfi v Estonia) and as an obstacle for the necessary social life in a democratic society (ECtHR SAS v France). Obviously, anonymity thrives much easier on the internet, and to the extent that anonymity enables violations of private life, it must be considered 1) whether there ought to be restrictions on anonymity and 2) whether the intermediaries are or ought to liable.

Oleg Bresky

<u>New forms of democratic representation and participation</u>

Digital progress leads to the formation of new types of representation and democratic participation. Representative democracy has a vulnerability in terms of genuine participation. The use of numerical technologies expands this kind of vulnerability and risks for real participation. The presentation considers such risks and participatory models including fake participatory and abuse of representation.