

## **Granular Society - Granular Law? Individuality and Normative Models in the Data Society**

Initiative: Momentum - Förderung für Erstberufene

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Projekt-Website: [https://www.elsi.uni-osnabrueck.de/elsi\\_lehrstuehle/buscho/aktuelles.html](https://www.elsi.uni-osnabrueck.de/elsi_lehrstuehle/buscho/aktuelles.html)

With the rapid pace of the digital transformation of economy and society, new data-driven business models, which are based on the collection and processing of large amounts of data are being developed almost on a daily basis. The spectrum ranges from personalized marketing to individualized insurance tariffs and personalized medicine. At the same time, sociologists are observing the dissolution of collective categories, an increased focus on finely chiseled differences between individuals and the emergence of a "society of singularities" (Andreas Reckwitz). So far, research on the legal implications of these new developments mainly focuses on elaborating a regulatory framework for the new business models in the emerging data society. However, a different aspect of the digital transformation has received little attention: The "datafication" of individuals and their social relations could have a fundamental impact on the architecture of the legal system itself and the relationship between law and individuality. The emergence of big data could redefine the "optimal complexity" (Louis Kaplow) of legal norms and the granularity of the entire legal system. In the future, "granular" legal norms could enable a radical personalization of the law and fundamentally change the equilibrium between individual fairness, legal certainty, individuality and equality. In order to understand the conditions and consequences of a "granularization" of the law in the data society, an integrated research approach shall be developed which combines the latest research on "personalized law" with perspectives from comparative law and legal history, legal theory, economics, sociology and media studies into an original and holistic research approach.

### **Projektbeteiligte**

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### **Open Access-Publikationen**

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