



Università degli studi di Pavia



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2012 Law&Science Young Scholars Informal Symposium

Book of papers

Alessandra Malerba – Laura Massocchi – Amedeo Santosuosso (eds.)

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University of Pavia, May 14th 2012

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The cover shows: University of Pavia, “Aula Scarpa”.

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Introduction

This volume collects the materials of the “2012 Law & Science Young Scholars Informal Symposium”. The event, that is still the only one of its kind, was promoted by the Interdepartmental Research Centre “European Centre for Law, Science and New Technology” (ECLT) in collaboration with the Collegio Ghislieri (Pavia) and the Institute for Advanced Study (IUSS, Pavia). Already at its fourth edition in 2013, the Symposium has established itself as a steady reference point in ensuring that the focus on young researchers may be maintained within the scientific and academic communities.

The ECLT, instituted by the University of Pavia in 2004 under its previous name of “European Centre for Life Sciences Health and the Courts” (ECLSC), studies the evolution of legal systems according to the scientific and technological progress from an international perspective. Moreover, the Centre pays particular attention to those young people who are just starting off in the world of academic research.

The idea of organizing one single day completely dedicated to young researchers came about in 2010 and was then followed, within a few weeks, by the first edition of the Symposium, aimed at Italian researchers. Right from the beginning, the initiative aroused great enthusiasm and papers of an extremely high standard were submitted.

In 2011 the event was expression of the same idea and was enriched by the precious collaboration of the Collegio Ghislieri, Istituto Universitario di Studi Superiori (IUSS) of Pavia and the Fondazione Maugeri of Pavia (which funded the “Fondazione Maugeri Prize”). The 2011 Symposium also took on an international dimension (with the decision to have English as the sole working language) so that young scholars would have the chance to work directly with colleagues from around the world. The “2012 Law & Science Young Scholars Informal Symposium” has therefore become both an institutional and an informal forum within which young researchers (post-graduate researchers, Ph.D. students, post-doc students or early-career researchers in general) in the field of Law & Science can discuss their research results, meet other young scholars in the sector, enjoy the experience of participating in a conference and publish their papers.

The third edition has developed along these previous successful experiences. Special attention was paid to the participant selection procedure. An international commission of legal and scientific experts examined candidate proposals by double crossed revision. Two referees (not of the same nationality as the candidate) evaluated each abstract. This preliminary judgment led to select eight candidates. These eight young scholars were then requested to write a full paper, which was assessed by two other members of the Evaluation Panel.

At both stages each candidate received the referees’ observations on the strong points of his/her work and some advice on how to improve weak areas, thus obtaining precious and authoritative feedback. The names of the referees and the details of the selection procedure were published on the ECLT website page on the event along with a short report (<<http://www.unipv-lawtech.eu/lang1/2012-law---science-young-scholars-informal-symposium-and-prize---pavia--i,-14-may-2012.html>>).

The 2012 round of the Symposium confirmed the success of the initiative: among the 34 abstracts, which have been submitted from all over the world, 8 were selected. The successful candidates had the chance to present and discuss their work at the final event of the Symposium, which was held on May 14, 2012, in the 18th Century “Aula Scarpa” of the University of Pavia, already a symbol of the event: the historical setting in which the event takes place at first sight clashes with the contents of the presentations, all dealing with the most advanced technologies and scientific discoveries. On the contrary, it marks a continuity between the century long tradition of the University of Pavia and the new boundaries of knowledge which were discussed during the conference.

The morning and afternoon sessions opened with a Keynote Lecture from an eminent scholar. The morning session was opened by Carlo Casonato, professor of Constitutional Law and Biolaw at the University of Trento, who gave a lecture on *Hot issues in comparative constitutional biolaw*, a hymn to mutual understanding between law and science. The scientific Keynote Lecture, given by Gabriella Bottini, Professor of Physiological Psychology at the University of Pavia and coordinator of the laboratory of Neuropsychology at the Neurological Science Department of the Niguarda Hospital, addressed the most hotly-debated issues in current neurolaw research. Her lecture, with a voluntarily provocative title, *Neuroscience and law: any relationship?*, was an exhaustive reflection on all the possible contributions of neuroscience in the determination of legal responsibility.

The two best papers (as selected by the International Evaluation Panel) were awarded the “Fondazione Maugeri Prize”, sponsored by Fondazione Salvatore Maugeri of Pavia, while two other papers received a special mention from the jury.

The four best papers constitute the first four chapters of the volume, whereas the other contributions are presented in the alphabetical order of the authors’ names.

We would like to thank the academic institutions of Pavia and everyone who made this event possible. We wish that this work would boost the interest of other young scholars in participating to the next edition of the Young Scholars Informal Symposium.

Alessandra Malerba, Laura Massocchi, Amedeo Santosuosso*

* Alessandra Malerba conducts her research activity in AI and Law in cooperation with ECLT; Laura Massocchi is a LL.M. student in EU Law at the College of Europe (Bruges). They were responsible for the scientific organization of the event. Amedeo Santosuosso is the President and one of the founders of the ECLT as well as main promoter of the idea of the Symposium.

2012 Law & Science Young Scholars Informal Symposium

A cura di Alessandra Malerba – Laura Massocchi – Amedeo Santosuosso

Il “2012 Law & Science Young Scholars Informal Symposium” è un evento promosso e realizzato dal Centro di Ricerca Interdipartimentale “European Centre for Law, Science and New Technologies” (ECLT) dell’Università di Pavia in collaborazione con il Collegio Ghislieri e l’Istituto Universitario di Studi Superiori (IUSS) di Pavia.

Il Simposio è dedicato a giovani ricercatori nel settore Diritto e Scienza che desiderano far conoscere il proprio lavoro, confrontarsi con altri giovani studiosi in un clima stimolante e informale e ottenere un prezioso *feedback* sul proprio elaborato. I lavori presentati sono, infatti, valutati da una Commissione internazionale di esperti in materie giuridiche e scientifiche, che seleziona i partecipanti e fornisce loro osservazioni puntuali sul contributo presentato.

La giornata è aperta al pubblico e le due sessioni sono usualmente introdotte da una *Keynote Lecture* tenuta da esperti del settore giuridico e scientifico. Nel 2012 la sessione mattutina è stata aperta da Carlo Casonato, professore ordinario di Diritto Costituzionale e Biodiritto presso l’Università di Trento, mentre ospite della sessione pomeridiana è stata Gabriella Bottini, docente di Psicologia Fisiologica e Neuropsicologia presso il Dipartimento di Psicologia dell’Università degli Studi di Pavia.

I contributi selezionati e raccolti afferiscono a varie aree di ricerca interne all’ampia categoria Diritto e Scienza, spaziando dall’intelligenza artificiale alle neuroscienze e alla genetica. La scelta della lingua inglese come unica lingua di lavoro nonché la selezione dei partecipanti tramite un processo di revisione in più fasi, svolto da un gruppo di esperti provenienti da tutto il mondo, assicurano la qualità scientifica degli articoli.

Per maggiori informazioni si può visitare la pagina web dedicata all’evento sul sito del Centro ECLT: <<http://www.unipv-lawtech.eu>>.

Alessandra Malerba conduce la sua attività ricerca in collaborazione con il Centro ECLT.

Laura Massocchi è attualmente iscritta al Master in Diritto dell’Unione Europea presso il *College of Europe* (Bruges) e collabora con il Centro ECLT.

Amedeo Santosuosso insegna *Law, Science and New Technologies* presso l’Università di Pavia ed è tra i fondatori e attuale Presidente del Centro ECLT. È altresì il promotore del Simposio dedicato ai giovani ricercatori.