

Digital Transformation of Government: Towards A Digital Leviathan?

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INTRODUCTION

A warm welcome to you all. It is a great pleasure to be able to participate in this exciting collaboration between Universidad Carlos III de Madrid (UC3M) and Indiana University—a conference that the *Indiana Journal of Global Legal Studies* is publishing in celebration of its thirtieth issue. This is a milestone for us, and we could not be happier to celebrate it in this way. Let me begin with a few words about the nature of this journal and its scholarly goals over the years.

The *Indiana Journal of Global Legal Studies* is a peer-reviewed interdisciplinary journal focusing on the intersections of global and domestic legal regimes, technologies, markets, politics, societies, and cultures. The journal seeks to facilitate dialogue among international communities of scholars in law and other disciplines, with intersecting concerns bearing on new forms of law related to globalization processes, transnationalism, and their social effects.¹ By its very nature, seeing law in such terms challenges the conventional boundaries among subject disciplines and professional research practices, as well as the boundaries around sovereign state regulatory regimes.

In 1993, when the Journal published its first issue, a bright line between domestic and international law was already largely illusory. As a result, we needed fresh assessments of issues, such as the role and theory of the nation-state in the twenty-first century, the need for and

1. Editor's note: Our journal receives submissions globally, and our goal and mission is always to preserve authorial voice and style. This issue follows our standard editing conventions while also preserving the authors' voices. Due to the nature of the symposium, we have allowed for greater authorial discretion in terms of citations. We have ensured the accuracy of these citations with the goal of maintaining the authors' discretionary style choices.

development of new international and global institutions, and, in particular, the kinds of domestic legal reforms necessary to mesh with or respond to global economic and political effects. But at that time, our global institutions were few—even the WTO, for example, had not yet been established. There was also a lingering sense that globalization was a single, all encompassing process affecting everyone, everywhere, at the same time.

Today we know that globalization is not a single process pitched toward harmonization, but something far more complex. We know it is not a unidirectional process in time or locale, a process that occurs only once, as if globalization were a straightforward yes/no question, but—again—something far more complex. As we embark upon our thirtieth issue and the symposium topic, the “Digital Transformation of Government: Towards a Digital Leviathan?,” we have a timely opportunity to focus on digital technology and to reflect on how law will or should respond to a technology that is at once local and global, personal and impersonal. We know that digital technologies have the capacity to greatly enhance our abilities to creatively and humanely interact in a global world, but we also know that they have the capacity to undermine, if not eliminate, a concept of the public interest.

The answers to the many questions implicitly and explicitly posed by technological innovations, such as the internet, will not come from technology alone. This conference, by its theme and individual papers, underscores the range of engagement with the challenges these issues and others related to them pose for all of us. The themes of these papers point to some exciting new conversations—new theoretical innovations within and across academic disciplines, new institutional partnerships, new legal regimes, and forms of legal analysis. For example, do we need new constitutional rights to be able to live with the impacts of these new technologies? Do we need new regulatory structures? What are they and, more importantly, who will build them?

Questions such as these epitomize the aspirations of the *Indiana Journal of Global Legal Studies*. Over the past thirty years, globalism has meant many things. At the outset, the Journal dealt mainly with globalism as a set of challenges to traditional concepts of national sovereignty, regionalism, and citizenship as these were transformed by the compression of public and private interests on a large scale. Those challenges remain, but our symposium topic points to a major shift in globalization itself—since digital technologies are now global and intimate, potentially affecting the ways people inhabit time, place, and their own identities.

For now, again, I want to thank José Vida and colleagues here at UC3M for this collaboration, and all participants for their contributions.