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Herzliche Einladung zum Vortrag in Präsenz im Rahmen der Vorlesung zum Recht der Digitalisierung und der IRDi-Vortragsreihe

Am **15. Januar** wird **Prof. Aleixo** (Universidade Federal de São Paulo/Universität Bielefeld) **um 18 Uhr c. t.** einen Vortrag mit anschließender Diskussionsrunde, beides in englischer Sprache, zum Thema

Legal Theory and Digitalization – The Impacts of Digital Technologies on the Nature of Law

halten. Im Anschluss laden die Direktoren des Instituts für Digitalisierung zu einem kleinen Empfang ein.

Ort: Seminargebäude Pilgrimstein 12, Raum SEM 00/0130

Abstract zur Veranstaltung:

The ongoing digital revolution offers opportunities to advance legal theory's analytical endeavor of providing an accurate understanding of law as a social phenomenon. The impacts of digital technologies – whether they bring about change (transformative impacts), open up new possibilities for a more accurate understanding (revelatory impacts), or provide opportunities to look more closely at dimensions of the legal phenomenon that are not always adequately explored (highlighting impacts) – are important not only for law as a social phenomenon, but also for furthering the understanding of the nature of law. The lecture aims to answer the following questions about the impacts of digitalization on the nature of law: (i) Are there – from an analytical perspective – revelatory, transformative or highlighting impacts on the nature of law? (ii) Is it reasonable – from a predictive perspective – to expect revelatory, transformative, or highlighting impacts on the nature of law? When considering the nature of law, legal theory must take into account the typical and not just the necessary properties of law. These properties go far beyond the question of the basic criteria of legal validity, contested between legal positivism and antipositivism. Explanations of the nature of law must also include law's specific purpose, normativity, coerciveness and institutionality. As this lecture aims to reflect on the impacts of digital technologies on the nature of law, the first part clarifies certain assumptions about legal theory and the central features of the nature of law. The second part examines these central features in order to assess the impacts of digital technologies on the nature of law – whether revelatory, transformative or highlighting, and also whether in progress or looming on the horizon. The third part focuses on issues of legal reasoning. Even if legal reasoning in its entirety is not central to the nature of law, it encompasses interpretive reasoning. And depending on how digitalization affects the latter type of reasoning, conclusions can be drawn about the impacts of emerging digital technologies on the nature of law.