

Introduction

The protection of fundamental rights in the digital age is increasingly at the core of Internet law. The massive spread of digital and algorithmic technologies is raising questions that are inherently constitutional. Rights and freedoms are exposed to the opportunities and challenges of digital technologies, thus leading to different constitutional responses.

We believe that developing skills and expertise in this area is critical for law students, and this idea has driven us to work on this book based on our experience in teaching courses on Internet law and constitutional law at Bocconi University, particularly the LL.M. in Law of Internet Technologies. This book is a collective enterprise that is in line not only with our research interest but also with our teaching focus.

The book is structured in three parts. It begins by providing a focus on the primary questions around the Internet, particularly the regulation and governance of the digital environment, the jurisdictional challenge and the access to the Internet. The second part of the book examines the law of online content, looking at the protection of freedom of expression in the real and the digital world, the law of online intermediaries, the challenges raised by disinformation and hate speech and specific sectors such as copyright and audiovisual media services. The third part analyzes the field of privacy and data protection by looking at their historical roots, the role of the General Data Protection Regulation and specific challenges, particularly the right to be forgotten, data retention and the transfer of data.

We believe that the first edition of this book can provide our students with a benchmark for understanding the constitutional challenges of the digital age. The book can be a valuable resource for undergraduate and graduate courses such as advanced constitutional law, Internet law, fundamental rights, privacy and data protection. We also believe that this book can provide a first overview for entering this area and address the constitutional questions that the development of digital technologies has raised in recent years.

This volume is also the result of the work of our research team. They have played an important role in this project, particularly at the editing stage. Therefore, we would like to express our gratitude to Flavia Bavetta, Pietro Dunn and Federica Paolucci for their support and commitment to this project.

Last but not least, we owe a world of gratitude to our students at Bocconi University who were the inspiration for this book over recent years in various undergraduate and postgraduate courses where we had the chance to teach these thrilling subjects in an intellectually vibrant and genuinely committed community.