

Impact story 1: Challenges in the knowledge base of law drafting and problems from the viewpoints of silent agents

Impact objective:

Insufficient knowledge base of law drafting can lead to laws causing unexpected harms for their target groups. The risk is especially high for those with very few means for participating in the production of the knowledge base (due to social, health-related, cognitive, legal, or biological restrictions). SILE project calls them silent agents. The project is especially interested in those whose position is heavily regulated and arouses moral tensions. There is a desire to control and protect these agents by legislation as they are often considered posing a risk to themselves, others, or the society. Due to the vulnerability of their position the effects targeted at them should be reviewed with special diligence. Usually, they are not actively involved in law drafting nor do they often have the capabilities or willingness to be, or they might lack the knowledge of the possibility to participate. Therefore, the knowledge base of law drafting isn't always realistic nor are the realities of the silent agent's everyday life necessarily considered sufficiently. SILE studies which kind of information is appreciated in law drafting, with what kind of information the effects concerning silent agents is reviewed, and in which way different kind of information is acknowledged in law drafting. One objective is to observe how epistemic battles manifest themselves in the context of law drafting. In other words, who in law drafting represents silent agents and with what kind of information. In addition, we are interested in how interest tensions are resolved between different entities. The objective is to increase understanding of the versatility of information in the context of law drafting so that different forms of information (quantitative, qualitative, experiential, legal) could complement each other. Another objective is to increase information and understanding of the position of silent agents to respond to the challenges of knowledge base of law drafting from the viewpoint of silent agents. The project develops a model of preliminary assessment of legislative projects that acknowledges the position of silent agents and the character of the information related to them.

Which of the LITERACY program's goals does the impact story consider?

Multi-disciplinarity is constantly present in SILE: the research theme requires a combination of social scientific and legal approaches, in part with animal welfare research. In meetings and discussions different perspectives complement each other and different disciplines broaden their understanding while presenting current analyses on the knowledge base of law drafting projects. In the beginning of the project the legal scholars presented to the social scientists the law drafting process. In the project an article manuscript combining social sciences, research in science and technology, and philosophy of science for impact assessment methodology has been made. Plenty of research material has been collected for different work packages with LAWRADAR. There are several ongoing analyses of the knowledge base of law drafting projects (of which scientific articles or overarching publications are written on). No major corrections concerning the basic scientific setting were needed.

Means:

Key forms of societal interaction and stakeholder collaboration in the year of 2021 have been presenting the project in different events in the fields of research, public authorities, and NGO's. Additionally, the working packages have met individual stakeholders. Within the project statements have been written to committees and we have been consulted concerning the knowledge base of law drafting. Additionally, we participated in Timeout-training in the autumn of 2021. SILE themes have been utilized in teaching as well and one working package has organized an open research Monday seminar during the fall. Latest law projects in drafting can be found on SILE's website. In the end of 2021, the website has opened Tell us

about your experiences form that has been advertised to stakeholder groups. However, the form has been found challenging for silent agents and is being developed to be more functional as the research progresses.