

Law, Technology and Society

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Credits Type: Law (4 Credits)

Course Vision and Conceptual Framework

The accelerating confluence of technological innovation and legal governance presents unprecedented challenges to established jurisprudential frameworks, necessitating a fundamental reconceptualisation of law's regulatory capacity in the digital age. This elective course articulates a comprehensive vision for understanding the complex interplay between emerging technologies, legal institutions, and societal transformation, positioning students at the forefront of contemporary legal discourse surrounding algorithmic governance, digital sovereignty, and technological justice.

The course's intellectual architecture rests upon three foundational pillars: first, the theoretical examination of how computational systems challenge traditional legal epistemologies and decision-making processes; second, the critical analysis of regulatory frameworks' capacity to govern technologies that transcend jurisdictional boundaries and temporal constraints; and third, the normative exploration of justice, fairness, and human dignity within algorithmically-mediated societies. This tripartite framework enables students to develop sophisticated analytical capabilities essential for navigating the evolving landscape of technology law.

Pedagogical Approach

The pedagogical methodology employs a dialectical approach that synthesises doctrinal analysis with interdisciplinary perspectives, incorporating insights from computer science, political economy, and critical theory. Through problem-based learning scenarios, students engage with real-world controversies at the intersection of law and technology, developing practical skills in regulatory design, policy analysis, and strategic litigation. The Socratic method facilitates critical interrogation of assumptions underlying technological determinism while fostering intellectual agility in addressing novel legal challenges.

Interactive seminars incorporate simulation exercises wherein students role-play various stakeholders – regulators, technology companies, civil society organisations – confronting complex regulatory dilemmas. This experiential learning component cultivates practical judgment and strategic thinking essential for legal practice in technology-intensive sectors. Additionally, the course integrates computational thinking exercises, enabling students to comprehend algorithmic processes' legal implications without requiring technical expertise.

Learning Outcomes

Upon successful completion, students will demonstrate:

1. Sophisticated capability to deconstruct complex socio-technical systems and identify legal implications, employing interdisciplinary analytical frameworks to evaluate regulatory effectiveness.
2. Deep understanding of contemporary legal theory's engagement with technological change, including critical perspectives on technological determinism and regulatory capture.
3. Ability to draft regulatory frameworks, conduct technology impact assessments, and advise clients on compliance strategies in rapidly evolving technological landscapes.

4. Comprehensive understanding of comparative approaches to technology regulation, enabling navigation of multi-jurisdictional compliance requirements and regulatory arbitrage dynamics.
5. Capacity to articulate normative positions on technology governance, balancing innovation imperatives with fundamental rights protection and societal welfare.

The course's intellectual rigour and practical relevance position graduates to assume leadership roles in technology law practice, regulatory institutions, and policy-making bodies. By fostering critical engagement with pressing contemporary challenges – from algorithmic discrimination to digital sovereignty – the course contributes to developing a new generation of legal professionals equipped to shape technology's trajectory toward justice and human flourishing.

Thirteen-Week Lecture Design

Weeks 1-2: Theoretical Foundations Examination of code-as-law paradigm, algorithmic regulation theory, and the transformation of legal normativity in computational contexts. Analysis of legitimacy, accountability, and democratic governance in automated decision-making systems.

Weeks 3-4: Data Governance and Digital Rights Critical engagement with data sovereignty movements, cross-border data flows, and competing regulatory models (GDPR, CCPA, emerging Global South frameworks). Exploration of data as an economic asset versus a fundamental right dichotomy.

Weeks 5-6: Artificial Intelligence Governance Comprehensive analysis of AI regulation frameworks (EU AI Act, China's algorithmic regulations, proposed U.S. federal legislation), examining risk-based approaches, prohibited practices, and accountability mechanisms. Investigation of explainability, fairness, and non-discrimination in algorithmic systems.

Week 7: Platform Power and Digital Markets Examination of platform capitalism, market dominance in digital ecosystems, and regulatory responses (Digital Markets Act, antitrust evolution). Analysis of content moderation as a quasi-judicial function and implications for free expression.

Week 8: Cybersecurity and Digital Infrastructure Critical assessment of cybersecurity as a national security imperative, ransomware resilience strategies, and attribution challenges in cyberspace. Exploration of public-private partnerships in critical infrastructure protection.

Week 9: Blockchain and Decentralised Systems Investigation of distributed ledger technologies' implications for property rights, contract theory, and regulatory sovereignty. Analysis of DeFi regulation, DAOs' legal personality, and smart contract disputes.

Week 10: Biometric Technologies and Surveillance Examination of facial recognition deployment, biometric data protection frameworks, and surveillance capitalism. Critical engagement with privacy-security trade-offs and dignity-based approaches to biometric governance.

Week 11: Generative AI and Intellectual Property Analysis of copyright implications of large language models, training data rights, and authorship attribution. Exploration of synthetic media regulation and authenticity verification mechanisms.

Week 12: Quantum Computing and Post-Quantum Law Investigation of quantum computing's implications for cryptography, evidence authentication, and legal certainty. Examination of quantum-safe transition strategies and regulatory preparedness.

Week 13: Synthesis and Future Trajectories Integration of course themes through comparative analysis of regulatory approaches across jurisdictions. Exploration of emerging challenges, including neurotechnology regulation, climate tech governance, and metaverse jurisprudence.

Essential Readings:

1. Brownsword, Roger, Scotford, Eloise, and Yeung, Karen (Eds.) (2016). *The Oxford Handbook of Law, Regulation, and Technology*. Oxford University Press.
2. Holt, Thomas J., Bossler, Adam M., and Seigfried-Spellar, Kathryn C. (2022). *Cybercrime and Digital Forensics: An Introduction*. Routledge.
3. Lessig, Lawrence (2006). *Code: And Other Laws of Cyberspace, Version 2.0*. Basic Books.
4. DiMatteo, Larry A., Poncibò, Cristina, and Cannarsa, Michel (Eds.) (2022). *The Cambridge Handbook of Artificial Intelligence: Global Perspectives on Law and Ethics*. Cambridge University Press.
5. Hartzog, Woodrow (2018). *Privacy's Blueprint: The Battle to Control the Design of New Technologies*. Harvard University Press.
6. Cohen, Julie E. (2019). *Between Truth and Power: The Legal Constructions of Informational Capitalism*. Oxford University Press.
7. Hildebrandt, Mireille (2020). *Law for Computer Scientists and Other Folk*. Oxford University Press.
8. Bradford, Anu (2023). *Digital Empires: The Global Battle to Regulate Technology*. Oxford University Press.
9. Flew, Terry and Martin, Fiona (eds) (2022). *Digital Platform Regulation: Global Perspectives on Internet Governance*. Palgrave Macmillan.
10. Dubber, Markus D., Pasquale, Frank, and Das, Sunit (Eds.) (2020). *The Oxford Handbook of Ethics of AI*. Oxford University Press.