

# Critical Perspectives on Law, Technology, and Society Reading Group

Faculty of Law, The University of Cambridge

*Conveners: Dr Christopher Markou (Faculty of Law) and Dr Jennifer Cobbe (Department of Computer Science and Technology)*

This reading group will explore topics at the intersection of law and emerging technologies such as Artificial Intelligence, big data, surveillance, the Internet of Things, and the future of work. Each of these poses legal and societal challenges; but to what extent are they fundamentally distinct from those faced at earlier periods of industrialisation? The materials and discussions in this reading group will require participants to grapple with how these technologies, and the paradigms they create, are impacting our lives now and into the future. We will examine how technological change interacts, challenges, subverts, and co-evolves with the law and society. Although law-led, this reading group offers an interdisciplinary survey of emerging technologies and will orient students within the ongoing discourse between law and technological change, encouraging critical perspectives that challenge traditional legal and tech orthodoxies.

## Michaelmas 2018

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### Week One: Critical Perspectives on Technology and Society

[Joseph C Pitt, 'The Autonomy of Technology' in Thinking About Technology: Foundations of the Philosophy of Technology](#)

[Herbert Marcuse, 'The New Forms of Control' from One Dimensional Man \(1964\)](#)

[Leo Marx, 'Technology: The Emergence of a Hazardous Concept' \(2010\) 51 Technology and Culture 3](#)

[Zeynep Tufekci, 'As the Pirates Become CEOs: The Closing of the Open Internet' \(2016\) 145 Daedalus 1](#)

[Langdon Winner, 'Do Artifacts Have Politics?' \(1980\) 109 Daedalus 1](#)

### Week Two: The Technological Singularity

[Ray Kurzweil, 'The Law of Accelerating Returns' \(2001\)](#)

[Bill Joy, 'Why the Future Doesn't Need Us' \(2000\)](#)

[Vernor Vinge, 'The Coming Technological Singularity: How to Survive in the Post-Human Era' \(1993\)](#)

[Theodore Kaczynski, 'Industrial Society and Its Future' \(1995\)](#)

[N Bloom, Cl Jones, J Van Reenen and M Webb, 'Are Ideas Getting Harder to Find?' \(2018\)](#)

### **Week Three: Artificial Intelligence I (From Human Privacy to Artificial Personhood)**

[Peter Asaro, 'Robots and Responsibility from a Legal Perspective' \(2007\)](#)

[Mark Coeckelbergh 'Robot rights? Towards a social-relational justification of moral consideration' \(2010\) 12 Ethics and Information Technology 3.](#)

[Privacy International, 'Privacy and Freedom of Expression In the Age of Artificial Intelligence' \(April 2018\)](#)

[Nikolas Kompridis, 'Technology's Challenge to Democracy: What of the Human?' \(2009\) 8 Parrhesia](#)

[Visa AJ Kukri, 'Why Things Can Hold Rights: Reconceptualizing the Legal Person' in Visa AJ Kukri and Tomasz Pietrzykowski \(eds\) Legal Personhood, Artificial Intelligence and the Unborn \(Springer 2017\)](#)

### **Week Four: Artificial Intelligence II (Machine Learning)**

[Rockwell Anoyha, 'The History of Artificial Intelligence' \(2017\) Harvard University: Science in the News](#)

[David Lehr. and Paul Ohm, 'Playing with the Data: What Legal Scholars Should Learn About Machine Learning' \(2017\) U.C. Davis Law Review 51](#)

[Thomas Burri, 'Machine Learning and the Law: Five Theses' \(2016\)](#)

[Ryan Calo, 'Artificial Intelligence Policy: A Primer and Roadmap' \(2017\)](#)

[Joshua Kroll et al, 'Accountable Algorithms' \(2017\) 165 University of Pennsylvania Law Review](#)

## **Lent 2019**

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### **Week One: Big Data**

[Jose van Dijck, 'Datafication, dataism and dataveillance: Big Data between scientific paradigm and ideology' \(2014\) 12 Surveillance & Society 2](#)

[Francisco R Klauser and Anders Albrechtslund, 'From self-tracking to smart urban infrastructures: towards an interdisciplinary research agenda on Big Data' \(2014\) 12 Big Data Surveillance 2](#)

[danah boyd and Kate Crawford, 'Critical Questions for Big Data' \(2012\) 15 Information, Communication & Society](#)

[Rob Kitchin and Tracey Lauriant, 'Towards Critical Data Studies: Charting and Unpacking Data Assemblages and Their Work' \(2015\) The Programmable City Working Paper 2](#)

[Antoinette Rouvroy and Thomas Berns, 'Algorithmic governmentality and prospects of emancipation' \(2013\) 177 Réseaux 1](#)

## **Week Two: Surveilled Society**

[Shoshana Zuboff, 'Big Other: Surveillance Capitalism and the Prospects of an Information Civilization' \(2015\) 30 Journal of Information Technology](#)

[David Lyon, 'Surveillance Society' \(2008\)](#)

[Kevin Haggerty and Richard Ericson, 'The Surveillant Assemblage' \(2003\) 51 The British Journal of Sociology 4](#)

[Jennifer Cobbe, 'Reigning in Big Data's Robber Barons' \(2018\) The New York Review of Books - NYR Daily](#)

[C Rollet, 'The odd reality of life under China's all-seeing credit score system' \(Wired, 5 June 2018\)](#)

## **Week Three: The Digital Panopticon**

[Zygmunt Bauman et al, 'After Snowden: Rethinking the Impact of Surveillance' \(2014\) 8 International Political Sociology 2](#)

[David Lyon, 'Surveillance, Snowden, and Big Data: Capacities, consequences, critique' \(2014\) Big Data & Society](#)

[Michel Foucault, 'Discipline and Punish' \(1991\) pp.195-235](#)

[Antonella Galetta, 'The changing nature of the presumption of innocence in today's surveillance societies: rewrite human rights or regulate the use of surveillance technologies?' \(2013\) 4 European Journal of Law and Technology 2](#)

[Jon Penney, 'Chilling Effects: Online Surveillance and Wikipedia Use' \(2016\) Berkeley Technology Law Journal](#)

## **Week Four: Politics and the Public Sphere**

[Lincoln Dahlberg, "Computer-Mediated Communication and the Public Sphere: A Critical Analysis" \(2001\) 7 Journal of Computer-Mediated Communication 1](#)

[Zeynep Tufekci, 'Engineering the Public: Big Data, Surveillance, and Computational Politics' \(2014\) 19 First Monday 7](#)

[Natascha Just and Michael Latzer, 'Governance by algorithms: reality construction by algorithmic selection on the Internet' \(2017\) 39 Media, Culture & Society 2](#)

[Mark Leiser, 'AstroTurfing, 'CyberTurfing' and other online persuasion campaigns' \(2016\) 7 European Journal of Law and Technology 1](#)

[Sue Halpern, 'Hacking the Vote: Who Helped Whom?' \(2017\) The New York Review of Books - NYR Daily](#)

## **Week Five: The Internet of Things**

[Jat Singh and Julia Powles, 'The internet of things - the next big challenge to our privacy' \(The Guardian, 28 July 2014\)](#)

[Lilian Edwards, 'Privacy, Security and Data Protection in Smart Cities: A Critical EU Law Perspective' \(2016\) European Data Protection Law Review](#)

[Hillary Brill and Scott Jones, 'Little Things and Big Challenges: Information Privacy and the Internet of Things' \(2016-2017\) 55 American University Law Review 5](#)

[Steven Friedland, 'Drinking from the Fire Hose: How Massive Self-Surveillance and the Internet of Things Are Changing Constitutional Privacy' \(2017\) 119 West Virginia Law Review 3](#)

[Lee Rainie and Janna Anderson, 'The Internet of Things Connectivity Binge: What Are the Implications?' \(2017\) Pew Research Centre](#)

## **Week Six: The Future of Work (...Or the Lack Thereof)**

[Pablo Illanes, Susan Lund, Mona Mourshed et al., 'Retraining and reskilling workers in the age of automation' \(January 2018\) McKinsey Global Institute](#)

[CB Frey and M Osborne, 'The Future of Employment: How Susceptible Are Jobs to Computerisation?' \(2013\) Oxford Martin Research Paper](#)

[Simon Deakin and Christopher Markou, 'The Law-Technology Cycle and the Future of Work' \(2018\) University of Cambridge Faculty of Law Research Paper No. 32/2018](#)

[E McGaughey, 'Will Robots Automate Your Job Away? Full Employment, Basic Income, and Economic Democracy' Centre for Business Research, University of Cambridge, Working Paper no. 496](#)

[B Alarie, A Niblett, and A Yoon, 'Law in the Future' \(2016\)](#)

### **Week Seven: The Rule of Technology**

[Jill Lepore, 'Our Own Devices -- Does Technology Drive History?' \(\*The New Yorker\*, 12 May 2008\)](#)

[R Brownsword, 'In the year 2061: From Law to Technological Management' \(2015\) 7 \*Law, Innovation and Technology\* 1](#)

[Law Society, 'LegalTech in 2018: Threats and Opportunities' \(2018\)](#)

[P Leith, 'The Rise and Fall of the Legal Expert System' \(2010\) 1 \*European Journal of Law and Technology\* 1](#)

[Antoinette Rouvroy and Bernard Stiegler, 'The Digital Regime of Truth: From the Algorithmic Governmentality to a New Rule of Law' \(2016\) \*La Deleuziana – Online Journal of Philosophy\*](#)

### **Week Eight: Wrap Up**