City University of Hong Kong

Course Syllabus

offered by School of Law
with effect from Semester B 2023/24

Part I   Course Overview

Course Title:	Internet Law, Rights, and Governance
Course Code:	LW6152E
Course Duration:	One semester
Credit Units:	3
Level:	P6
Medium of Instruction:	English
Medium of Assessment:	English
Prerequisites: *(Course Code and Title)*	Nil
Precursors: *(Course Code and Title)*	Nil
Equivalent Courses: *(Course Code and Title)*	Nil
Exclusive Courses: *(Course Code and Title)*	Nil

Part II   Course Details

1.   Abstract

Information technology is one of the major driving forces in our modern world. It is changing the mode of economic production, the manner of communication, as well the structure and method that we use to govern ourselves. The emergence of new technologies has created conveniences and efficiencies for the society; but it also brings about multiple new concerns and risks that must be addressed by the legal system. This course focuses on what challenges the technologies have posed to our basic rights and governance scheme, and how the law could respond to those challenges.

The two areas covered by this course are rights and governance: on the one hand, individuals enjoy a bunch of fundamental rights that are protected and facilitated by traditional theories, doctrines, and rules, such as equality, free speech, and privacy; on the other hand, various legal structures and institutions have been established to better govern our social and economic life. The Internet and relevant technologies have reshaped and reformulated both how the rights can be protected and how our society can be governed. This course will explore these issues.

Judicial cases, statutes, scholarly papers, and short commentaries from various jurisdictions will be read and discussed during this course. By critically engaging with the class discussions, students will get a clearer and deeper sense of cutting-edge issues in law; they can also develop the capability of thinking in a critical and interdisciplinary way. In addition, the Socratic method used in this course will train the students to express themselves in a coherent manner, and to think and argue an issue like a lawyer.

2.   Course Intended Learning Outcomes (CILOs)
(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	*A2*	*A3*
1.	Understand the information technologies and the challenges they pose to the legal field.		√	√	√
2.	Think critically how the law can respond to the challenges brought by the Internet and relevant technologies.		√	√	√
3.	Develop the capability of doing independent research on issues of law, technology, and governance.		√	√	√
		100%			

A1:   *Attitude*
Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.
A2:   *Ability*
Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.
A3:   *Accomplishments*
Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

3. Teaching and Learning Activities (TLAs)
(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.			Hours/week (if applicable)
		1	2	3	
Seminars	Students will be introduced to substantive issues related to Internet law, information technologies, and their challenges to human rights and governance.	√	√	√	
Class Discussions	Students will be encouraged to engage in class discussions and share their analyses or thoughts on the topics covered by the course.	√	√	√	

4. Assessment Tasks/Activities (ATs)
(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.			Weighting	Remarks
	1	2	3		
Continuous Assessment:				100%	
Participation Students are expected to participate actively in class discussions.	√	√	√	15%	The use of Generative AI tools is not allowed.
Response Paper Students should submit a short response paper, within 1,000 words, focusing on the issues on one seminar of the course.	√	√	√	15%	The use of Generative AI tools is not allowed.
Final Assignment Students should submit an essay on the topic that is covered by this course, based on independent research.	√	√	√	70%	The use of Generative AI tools is not allowed.
				100%	

Applicable to students admitted in Semester A 2022/23 and thereafter

Students must obtain an overall mark of 50% in order to pass the course.

Applicable to students admitted before Semester A 2022/23

Students must obtain an overall mark of 40% in order to pass the course.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Applicable to students admitted in Semester A 2022/23 and thereafter

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B)	Marginal (B-, C+, C)	Failure (F)
1. Participation	Engagement in class discussion, quality of group presentation, responsiveness to the course instructor.	High	Significant	Moderate	Inadequate
2. Response paper	Critical thinking, ability of summarizing issues and raising questions, coherent logic.	High	Significant	Moderate	Inadequate
3. Final assignment	Capability of identifying issues; originality; structure and logic; the ability of framing and solving the issue.	High	Significant	Moderate	Inadequate

Applicable to students admitted before Semester A 2022/23

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
1. Participation	Engagement in class discussion, quality of group presentation, responsiveness to the course instructor.	Excellent student performance with respect to the achievement of the applicable CILOs.	Good student performance with respect to the achievement of the applicable CILOs.	Fair student performance with respect to the achievement of the applicable CILOs.	Marginal student performance with respect to the achievement of the applicable CILOs.	Student failed to achieve the applicable CILOs.
2. Response paper	Critical thinking, ability of summarizing issues and raising questions, coherent logic.	Excellent student performance with respect to the achievement of the applicable CILOs.	Good student performance with respect to the achievement of the applicable CILOs.	Fair student performance with respect to the achievement of the applicable CILOs.	Marginal student performance with respect to the achievement of the applicable CILOs.	Student failed to achieve the applicable CILOs.
3. Final assignment	Capability of	Excellent student	Good student	Fair student	Marginal student	Student failed to

	identifying issues; originality; structure and logic; the ability of framing and solving the issue.	performance with respect to the achievement of the applicable CILOs.	performance with respect to the achievement of the applicable CILOs.	performance with respect to the achievement of the applicable CILOs.	performance with respect to the achievement of the applicable CILOs.	achieve the applicable CILOs.

Part III Other Information (more details can be provided separately in the teaching plan)

1. **Syllabus**
1.1 **Keyword Syllabus**
   (An indication of the key topics of the course.)

   Cyberlaw, privacy, data protection, freedom of speech, algorithmic accountability, generative AI, platform governance, digital government, echo chamber, citizenship online.

1.2 **Detailed Syllabus**

   Introduction to law and technology; from privacy right to data protection right; privacy enhancing technologies and regulations; robotic speech; free speech online; algorithmic bias and black-box; Generative AI and human dignity; government regulation of social media platforms; private governance of platforms; digital government; governing the metaverse; polarization in the cyberspace and the citizenship online. The above topics may be subject to minor changes.

2. **Reading List**
2.1 **Compulsory Readings**

   1. Lawrence Lessig, Code 2.0 (Basic Books, 2006).

   2. Yochai Benkler, The Wealth of Networks (Yale University Press, 2006).

   3. Cass Sunstein, #Republic: Divided Democracy in the Age of Social Media (Princeton University Press 2017).

   4. Daniel J. Solove, Conceptualizing Privacy, 90 Calif. L. Rev. 1087 (2002).

   5. Aidan Forde, The Conceptual Relationship between Privacy and Data Protection, 1 Cambridge L. Rev. 135 (2016).

   6. Tim Wu, Machine Speech, 161 U. Penn. L. Rev. 1495 (2013).

   7. Jack Balkin, Free Speech in the Algorithmic Society: Big Data, Private Governance, and New School Speech Regulation, 51 U.C. Davis L. Rev. 1149 (2018).

   8. Jarek Gryz & Marcin Rojszczak, Black Box Algorithms and the Rights of Individuals: No Easy Solution to the "Explainability" Problem, 10 Internet Policy Review (2021).

   9. Kate Klonick, The New Governors: The People, Rules, and Processes Governing Online Speech, 131 Harv. L. Rev. 1598 (2018).

   10. Mark Lemley & Eugene Volokh, Law, Virtual Reality, and Augmented Reality, 166 UPenn. L. Rev. 1051 (2018).

   11. Misuraca Gianluca et. al. (eds.), Exploring Digital Government Transformation in the EU - Understanding Public Sector Innovation in a Data-driven Society, Publications Office of the European Union (2020).

   12. Aziz Huq, The Public Trust in Data, 110 Georgetown L.J. 333 (2021).

2.2 **Recommended Readings**
   (Additional references for students to learn to expand their knowledge about the subject.)

   Additional readings will be provided to the students through CANVAS before the first week.