

# LW566C: ARTIFICIAL INTELLIGENCE AND ROBOTICS - LAW AND GOVERNANCE

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## Effective Term

Semester B 2025/26

## Part I Course Overview

### Course Title

Artificial Intelligence and Robotics - Law and Governance

### Subject Code

LW - Law

### Course Number

566C

### Academic Unit

School of Law (FL)

### College/School

School of Law (FL)

### Course Duration

One Semester

### Credit Units

1.5

### Level

P5, P6 - Postgraduate Degree

### Medium of Instruction

English

### Medium of Assessment

English

### Prerequisites

LW5602A Law of Contract I or equivalent. Some courses under this intensive seminar may have specific pre-requisite. Students should refer to the individual course information for details.

### Precursors

Nil

### Equivalent Courses

LW4662 \* Intensive Seminar

(\* This being an umbrella course, the course codes of seminars offered under this course will be labelled as LW4662A, LW4662B and so on.)

LW650E\* Intensive Seminar

(\* This being an umbrella course, the course codes of seminars offered under this course will be labelled as LW650AE, LW650AB and so on.)

**Exclusive Courses**

Nil

**Part II Course Details****Abstract**

Please refer to LW566 Intensive Seminar.

**Course Intended Learning Outcomes (CILOs)**

| CILOs |                                                                                                                     | Weighting (if DEC-A1<br>app.) |   | DEC-A2 | DEC-A3 |
|-------|---------------------------------------------------------------------------------------------------------------------|-------------------------------|---|--------|--------|
| 1     | Describe and explain the basic concepts and principles related to the given seminar                                 |                               |   | x      |        |
| 2     | Apply the concepts and principles to solve hypothetical or real situations                                          |                               |   | x      | x      |
| 3     | Communicate ideas, arguments or advice clearly and coherently both orally and in writing                            |                               | x | x      | x      |
| 4     | Critically analyse and evaluate concepts, principles and policy underpinning the area of law covered by the seminar |                               | x | x      | x      |

**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 real-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.

**Assessment Tasks / Activities (ATs)**

| ATs |                                                                    | CILO No.   | Weighting (%) | Remarks ("- for nil entry)                                                                                         | Allow Use of GenAI? |
|-----|--------------------------------------------------------------------|------------|---------------|--------------------------------------------------------------------------------------------------------------------|---------------------|
| 1   | Attendance and participation in tutorials;<br><br>Coursework Essay | 1, 2, 3, 4 | 100           | Good attendance (normally 75% plus)<br><br>One essay of 3,000 words to be submitted after completion of the course | No                  |

**Continuous Assessment (%)**

100

**Assessment Rubrics (AR)**

## Part III Other Information

### Keyword Syllabus

### Course Duration

7 sessions

### Course Description

This course explores key themes in the law and governance of artificial intelligence ( “AI” ) and robotics. This course will be conducted in the form of a group discussion.

The course will be split into 3 parts.

- **Part 1** will address the unique characteristics of AI, the principles that guide the governance of AI, and the approaches to regulation.
- **Part 2** will seek to illustrate the concepts from Part 1 through the exploration of different AI use cases, such as autonomous vehicles, law enforcement, and automated speech.
- **Part 3** will discuss the attribution of rights and liabilities for AI before ending with the debate on whether law can be computed by AI judges.

\*\* Required reading

### Part 1 - Principles

#### Day 1 – Introduction: The Challenges and Characteristics of AI

How should law govern a new technology that is rapidly unfolding? Regulating too early impedes development and regulating too late allows undesirable practices to become entrenched. Are there any special characteristics of AI and robotics? How would these characteristics impact how law approaches them?

- **\*\*Ryan Calo, ‘Robotics and the Lessons of Cyberlaw’ , (2015) 103 California Law Review 513**  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2402972](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2402972).
- Jack Balkin, ‘The Path of Robotics Law’ , (2015) 5 California Law Review 45  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2586570](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2586570).
- Rishi Bommasani et al, On the Opportunities and Risks of Foundation Models (Stanford Institute for Human-Centered Artificial Intelligence 2021)  
<https://arxiv.org/abs/2108.07258> (<https://arxiv.org/abs/2108.07258/>)
- Lara Christoforakos et al, ‘Can Robots Earn Our Trust the Same Way Humans Do? A Systematic Exploration of Competence, Warmth, and Anthropomorphism as Determinants of Trust Development in HRI’ (2021) 8 Frontiers in Robotics and AI  
<https://www.frontiersin.org/article/10.3389/frobt.2021.640444> (<https://www.frontiersin.org/article/10.3389/frobt.2021.640444/>)

#### Day 2 – The Alignment Problem and Law’ s Approaches to Emerging Technology

How do we make sure that AI actions remain aligned with human values and aims? It is possible to build AI in human normative environments? Misalignment is a general description of a wide variety of problems that go by different names in AI research. Students will be introduced to “the alignment problem” in AI governance.

- **\*\*Eliza Strickland, ‘OpenAI’ s Moonshot: Solving the AI Alignment Problem The ChatGPT maker imagines superintelligent AI without existential risks” , IEEE Spectrum (May 21, 2024)**  
<https://spectrum.ieee.org/the-alignment-problem-openai> (<https://spectrum.ieee.org/the-alignment-problem-openai/>)
- Richard Ngo, Lawrence Chan, and Soren Mindermann, ‘The Alignment Problem from a Deep Learning Perspective’ , arXiv:2209.00626 (March 3, 2025)  
<https://arxiv.org/abs/2209.00626> (<https://arxiv.org/abs/2209.00626/>)

Transformative technologies tend to have essential qualities that drive legal and policy conversations. Important works at the intersection of law and robotics have come from scholars who also research the internet. There are those who view new transformative new technologies as exceptional and requiring new laws. There are also those who view new technologies as unexceptional and capable of being governed by existing legal doctrines. Are existing legal principles (eg. horse law) sufficient for AI?

- Frank H Easterbrook, ‘Cyberspace and the Law of the Horse’ 1996 University of Chicago Legal Forum 207  
[https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2147&context=journal\\_articles](https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2147&context=journal_articles) ([https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2147&context=journal\\_articles](https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2147&context=journal_articles))

- Lawrence Lessig, 'The Law of the Horse: What Cyberlaw Might Teach' (1999) 113(2) Harvard Law Review 501 <https://cyber.harvard.edu/works/lessig/finalhls.pdf>

## Part 2 – Use Cases

### Day 3 – Autonomous Vehicles

Imagine sitting in the back of a fully autonomous vehicle, binge watching K-dramas while the vehicle brings you to your destination. Who is driving the vehicle? If the vehicle crashes, who should be responsible? Students will be introduced to the legal approaches to autonomous vehicles in a few jurisdictions and will discuss the benefits and limitations of these approaches.

- **\*\*National Highway Transportation Safety Administration (NHTSA), Letter to Google (Feb. 4, 2016)** <https://www.nhtsa.gov/interpretations/google-compiled-response-12-nov-15-interp-request-4-feb-16-final> (<https://www.nhtsa.gov/interpretations/google-compiled-response-12-nov-15-interp-request-4-feb-16-final/>)
- Kenneth Abraham and Robert Rabin, 'Automated Vehicles and Manufacturer Responsibility for Accidents: A New Legal Regime for a New Era' (2019) 105 Va. L. Rev. 127
- Ryan Calo, 'Commuting to Mars: A Response to Professors Abraham and Rabin', (2019) 105 Virginia Law Review Online 84 (2019) <https://www.virginialawreview.org/articles/commuting-mars-response-professors-abraham-and-rabin/>.
- James Goudkamp, 'Automated Vehicle Liability and AI' in Ernest Lim and Phillip Morgan (eds), The Cambridge Handbook of Private Law and Artificial Intelligence (Cambridge University Press 2024) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4509872](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4509872)

### Day 4 – AI Police

Governments have looked into using AI in the criminal justice system, including to assist surveillance, to predict potential criminals, and even to employ coercive force. What are the implications of robot police? Should the law permit robot police? Students will be introduced to and be asked critically assess existing ways in which AI has been used by law enforcement.

- **\*\*Elizabeth Joh, 'Policing Police Robots', (2016) 64 UCLA L. Rev. Discourse 516** <https://www.uclalawreview.org/policing-police-robots/>
- Julia Angwin et al., 'Machine Bias', ProPublica (May 23, 2016) <https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing> (<https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing/>)
- Rebecca Crootof, 'The Killer Robots are Here: Legal and Policy Implications', (2015) 36 Cardozo Law Review 1837 (2015) [https://heinonline-org.myaccess.library.utoronto.ca/HOL/Page?handle=hein.journals/cdozo36&div=50&g\\_sent=1&casa\\_token=&collection=journals](https://heinonline-org.myaccess.library.utoronto.ca/HOL/Page?handle=hein.journals/cdozo36&div=50&g_sent=1&casa_token=&collection=journals) ([https://heinonline-org.myaccess.library.utoronto.ca/HOL/Page?handle=hein.journals/cdozo36&div=50&g\\_sent=1&casa\\_token=&collection=journals](https://heinonline-org.myaccess.library.utoronto.ca/HOL/Page?handle=hein.journals/cdozo36&div=50&g_sent=1&casa_token=&collection=journals))

### Day 5 – AI Speech

Technological advancement has allowed AI to produce unprecedented amounts of speech, with increasing sophistication and human-like characteristics. Does the freedom of speech extend to AI speech? Should the law take measures to respond to the proliferation of bot speech? Students will be introduced to the debate on whether AI speech is protected by the freedom of expression and concerns about AI generated propaganda.

- **\*\*Tim Wu, 'Machine Speech', (2013) 161 University of Pennsylvania Law Review 1495** [http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1021&context=penn\\_law\\_review](http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1021&context=penn_law_review) ([http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1021&context=penn\\_law\\_review](http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1021&context=penn_law_review)).
- Samuel Woolley & Philip Howard, "Political Communication, Computational Propaganda, and Autonomous Agents - Introduction" (2016) 10 International Journal of Communication 4882 <https://ijoc.org/index.php/ijoc/article/view/6298/1809> (<https://ijoc.org/index.php/ijoc/article/view/6298/1809/>)
- Madeline Lamo & Ryan Calo, 'Regulating Bot Speech', (2009) 66 UCLA L. Rev. 988 <https://www.uclalawreview.org/regulating-bot-speech/>
- United States Federal Bot Disclosure and Accountability Bill 2019 <https://www.congress.gov/bill/116th-congress/senate-bill/2125/text/is> (<https://www.congress.gov/bill/116th-congress/senate-bill/2125/text/is/>)
- German Federal States Interstate Media Treaty (Medienstaatsvertrag), ss. 18, 93 - [https://www.die-medienanstalten.de/fileadmin/user\\_upload/Rechtsgrundlagen/Gesetze\\_Staatsvertraege/Interstate\\_Media\\_Treaty\\_en.pdf](https://www.die-medienanstalten.de/fileadmin/user_upload/Rechtsgrundlagen/Gesetze_Staatsvertraege/Interstate_Media_Treaty_en.pdf)

## Part 3 – Rights, Liabilities, and the Computation of Law

### Day 6 – Legal Rights, Liabilities, and Personhood

Is an AI a tool or something more? Can AI have rights or even personhood? As AI comes closer to passing the Turing test, should we ascribe rights to AI as we would persons? Should AI be treated as normal property? Should AI be able to own property? Or should AI be treated as animals or even as slaves? Students will be introduced to the discussion on whether AI should be endowed with legal rights.

- **\*\*Lawrence Solum, ‘Legal Personhood for Artificial Intelligences’**, (1992) 70 North Carolina Law Review 1231 <http://ssrn.com/abstract=1108671> (<http://ssrn.com/abstract=1108671/>)
- Abeba Birhan and Jelle Van Dijk, ‘Robot Rights? Let’s Talk about Human Welfare Instead’, AIES '20: Proceedings of the AAAI/ACM Conference on AI, Ethics, and Society (Feb. 2020) <https://dl.acm.org/doi/10.1145/3375627.3375855> (<https://dl.acm.org/doi/10.1145/3375627.3375855/>)

If something goes wrong, who should be liable for AI? Should the person who pays for an AI’s mistakes be the human user, the manufacturer, the insurers, or the AI itself? What standards of liability should be adopted? Students will be introduced to the theoretical debates on AI liability, the approach in the EU’s Product Liability Directive, and will discuss the questions of “who should pay?” and “when should they pay?”.

- **\*\*Miriam Buiten, ‘Product Liability for Defective AI’** (2024) 57 European Journal of Law and Economics 239 - <https://link.springer.com/article/10.1007/s10657-024-09794-z> (<https://link.springer.com/article/10.1007/s10657-024-09794-z/>)
- F. Patrick Hubbard, ‘Allocating the Risk of Physical Injury from “Sophisticated Robots” : Efficiency, Fairness, and Innovation’ in Ryan Calo, A. Michael Froomkin, and Ian Kerr (eds), Robot Law (Elgar 2016)
- Nelson Mills, ‘Will Self-Driving Cars Disrupt the Insurance Industry?’ (Forbes) - <https://www.forbes.com/sites/columbiabusinessschool/2021/03/25/will-self-driving-cars-disrupt-the-insurance-industry/>
- Benjamin Alarie, ‘Automated Tax Planning: Who's Liable When AI Gets It Wrong?’ (September 25, 2023) Tax Notes Federal [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4638063](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4638063)
- EU Directive 2024/2853 ( “Product Liability Directive” ), Chapter II [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L\\_202402853](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202402853)

### Day 7 – AI Judges and Computing Law

Leibniz once suggested in the 17<sup>th</sup> century that law can be calculated. Is law computable and can correct legal outcomes be calculated? If we taught law to an AI, could the AI become a legal scholar or even a judge? If AI is incorporated into the legal system, what could this look like? Students will examine whether law can be computed, whether AI should be used in the legal system, and what AI judges may look like.

- **\*\*Oscar Schwarz, ‘In the 17th Century, Leibniz Dreamed of a Machine That Could Calculate Ideas - The machine would use an “alphabet of human thoughts” and rules to combine them’** IEEE Spectrum (Nov 4, 2019) <https://spectrum.ieee.org/in-the-17th-century-leibniz-dreamed-of-a-machine-that-could-calculate-ideas> (<https://spectrum.ieee.org/in-the-17th-century-leibniz-dreamed-of-a-machine-that-could-calculate-ideas/>)
- Benjamin Alarie and Samuel Becher, ‘LexOptima: The Promise of AI-Enabled Legal Systems’ (2025) 75 University of Toronto Law Journal 73-121 <https://ssrn.com/abstract=4639168> (<https://ssrn.com/abstract=4639168/>)
- Stephen Wolfram, ‘Computational Law, Symbolic Discourse, and the AI Constitution’ in S. Matthew Liao (ed.), Ethics of Artificial Intelligence (Oxford University Press 2020) <https://writings.stephenwolfram.com/2016/10/computational-law-symbolic-discourse-and-the-ai-constitution/>
- Harry Surden, ‘Computable Law and AI’ in Ernest Lim and Phillip Morgan (eds), The Cambridge Handbook of Private Law and Artificial Intelligence (Cambridge University Press 2024)

### Grading Scheme

- Pass/fail
- Good attendance: 75%+
- One project/essay of 3,000 words

### Reading List