

# Law, Technology, and Society: In a State of Delicate Tension

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*Abstract:* Drawing on the main themes of *Law Technology and Society: Re-imagining the Regulatory Environment* (Routledge, 2019), this article responds to the prospect of technological measures being widely deployed (alongside or in place of rules) for regulatory purposes and thereby introducing a new and complex set of tensions to the legal enterprise. Given this prospect of disruption and tension, a five-point action programme is proposed. First, lawyers should reboot their thinking, re-imagining law as a part of a much broader regulatory environment, one that features not only rule-based normative signals but also measures of non-normative technological management. Secondly, a grounded and hierarchically ordered scheme of regulatory legitimacy (and, concomitantly, a triple licence for technological application) needs to be recognised and elaborated. Thirdly, technological measures need to be subjected to the discipline of a reconceived idea of the Rule of Law. Fourthly, the ideal of legal coherence needs to be renewed so that it focuses on the benchmarks of regulatory legitimacy. Finally, the institutional arrangements (nationally and internationally) for engaging with and regulating emerging technologies need to be reviewed.

*Keywords:* Law and technology, Legal disruption, Regulatory environment, Regulatory legitimacy, Rule of Law, Legal coherence, Institutional arrangements.

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