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Book Review

Ryan Calo (2025) *Law and Technology: A Methodical Approach*. Oxford University Press

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Ryan Calo's *Law and Technology: A Methodical Approach* is a true gem for those who study, teach, or simply wish to understand law and technology. At the heart of the book lie two ambitions: (1) to establish law and technology as a field in its own right and (2) to develop a coherent, shared methodology for studying it. To this end, Calo proposes a four-step methodical approach: Definition, Envisioning, Analysis, and Intervention. This framework is intended to guide researchers, academics, and policymakers through projects of varying scope and purpose.

However, it is important to note that, while US scholars have paid relatively little attention to the methodology of law and technology, European scholars have addressed this question. For example, Olia Kanevskaia and Przemysław Pałka, in their *Research Handbook on Law and Technology*, not only recognise law and technology as a field but also discuss its methodological framework. They point to the diversity of methods and normative approaches within the field.[1] Similarly, Roger Brownsword and Morag Goodwin distinguish between technology as a regulatory target and tool, providing a conceptual framework for analysing the relationship between law and technology.[2] Nevertheless, Calo's book makes an important contribution. Despite the growing importance of law and technology and the diversity of existing approaches, scholars still lack a shared methodology for studying this field.

The introduction lays the foundations by exploring what constitutes technology in the first place. Can ancient Roman artefacts, or even an ant using its body as a bridge, be considered technology? Given the persistent ambiguity surrounding this concept, Calo offers a working definition in Chapter 1: 'Technology consists of any physical or digital artifact or system designed to alter affordances or to extend capabilities, irrespective of whether the artifact or system manages to do so.'[3] His primary concern is how law interacts with technological artefacts and systems rather than techniques or ways of doing things. This chapter also addresses the persistent problem of law keeping pace with technological development. Calo argues that 'even if law as an institution could keep pace with technology, it shouldn't. Because the rules will seldom be wise.'[4]

In Chapter 2, Calo immerses readers in the rich literature of science and technology studies, examining both its contributions and its limitations. He identifies two particular strengths of legal scholarship in comparison with science and technology. First, law is considerably more comfortable with normativity. Second, legal scholarship is inherently pragmatic, particularly in its

[1] Brożek, Research Handbook on Law and Technology, 3.
[2] Brownsword, Law and the Technologies of the Twenty-First Century.
[3] Calo, Law and Technology, 23.
[4] Calo, Law and Technology, 42.

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ability to identify and navigate the levers of institutional power. Calo thus emphasises that law and technology, as a field, is fundamentally oriented towards a normative agenda: using one powerful social force, law, to shape another, technology.
Chapter 3 introduces a shared methodology: a step-by-step framework for analysing technological developments from a legal perspective. The four stages involve (1) selecting and defining the technology, (2) envisioning its social and societal impacts, (3) selecting and conducting an appropriate form of legal analysis against an expressly stated normative baseline, and (4) choosing a suitable intervention from the available solutions. The fact that the US has spent decades without a comprehensive plan for nuclear waste disposal or comprehensive federal privacy legislation should not be taken to suggest that these areas do not require legal intervention. Rather, such examples invite us to reflect on the consequences of regulatory choices, including the choice not to act. Calo challenges the libertarian position that the best course of action is not to act at all. He emphasises the importance of choosing and justifying an appropriate regulatory response. This debate is particularly relevant in the US, where a comparatively permissive approach to technological innovation has often prevailed. As Anu Bradford observes, 'the US model is now becoming a victim of its early success. The outsized influence of the US tech companies and their harmful practices are creating a backlash across jurisdictions.'[5] Moreover, governments that choose non-intervention may ultimately find themselves confronting private technological actors whose economic power and global influence rival those of sovereign states. Although I agree with Calo that technology is often shaped by people and society, I would question whether different members of society have an equal influence over technological development. In practice, big technology companies and governments exercise disproportionate control over technological design, infrastructure, and governance. To what extent, then, can we genuinely describe technology as being shaped by society rather than by a relatively small number of powerful actors?

Chapter 4 demonstrates how this methodology works in practice through three case studies: augmented reality and tort law, 'hacking' machine learning, and cochlear implants and health law. These examples illustrate the flexibility of the proposed framework and its applicability to different technological and legal projects.

Readers will discover much more than a history of law and technology as an academic field. The book is particularly valuable for early-career scholars and researchers, as Calo offers several insights into how to approach research in this field. First, he encourages scholars to question the need for legal intervention. Legal scholars are often inclined towards prescriptive conclusions, but every proposed intervention should be accompanied by a clear explanation of why it is necessary, what problem it seeks to address, and whether it is preferable to the available alternatives. He also reminds us of the importance of being selective. We live in a world characterised by a dizzying array of emerging technologies, while our time and resources are limited. We must therefore carefully choose the technologies we study, the questions we ask, and the interventions we propose. Another important lesson is to be experimental and think creatively about technological design and its potential consequences. One particularly engaging example is an exercise called 'designing for evil,' developed by information scientist Alexis Hiniker and used by Calo in his teaching. Students are divided into teams and asked to design malicious smart homes from the perspective of an unscrupulous corporation or government. Such exercises help reveal technological vulnerabilities, competing incentives, and potential abuses of power that conventional legal analysis might overlook. Finally, Calo emphasises the importance of finding an interdisciplinary voice. Research combining law, engineering, computer science, and the social sciences can produce more nuanced and technically informed scholarship. Interdisciplinary collaborations addressing algorithmic accountability, intellectual property, and artificial intelligence are particularly valuable because they reduce the risk of misunderstanding the technologies under examination. Although such collaborations remain relatively uncommon, they offer considerable potential for the development of the field.

As someone working in law and technology, I will return to this book many times. It deepens our understanding of the field and offers valuable insights into its development. Another welcome feature is the suggested reading list at the end of each chapter, which provides an excellent starting point for further exploration. The book gives us a framework for asking better questions, identifying competing interests, and evaluating possible interventions. Calo has made an important contribution to the development of a rigorous, coherent, and shared methodology for law and technology. How will we?

[5] Bradford, Digital Empires, 257.

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