

<iLaw>

Rio,
March 24, 2003

“unregulable”

“The rise of an electronic medium that disregards geographical boundaries throws the law into disarray by creating entirely new phenomena that need to become the subject of clear legal rules but that cannot be governed, satisfactorily, by any current territorially based sovereign.”

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“The rise of an electronic medium that disregards geographical boundaries throws the **law into disarray** by creating entirely new phenomena that need to become the subject of clear legal rules but that **cannot be governed,** satisfactorily, by any current territorially based sovereign.”

“Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather.”

“Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. **On behalf of the future,** I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather.”

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if can't regulate

if can't regulate
no need to worry about

(1)

what
things
regulate





Law



Law



“70 mph”

ex ante rule

ex ante rule
ex post punishment (state)

ex ante =
before the fact

ex post =
after the fact

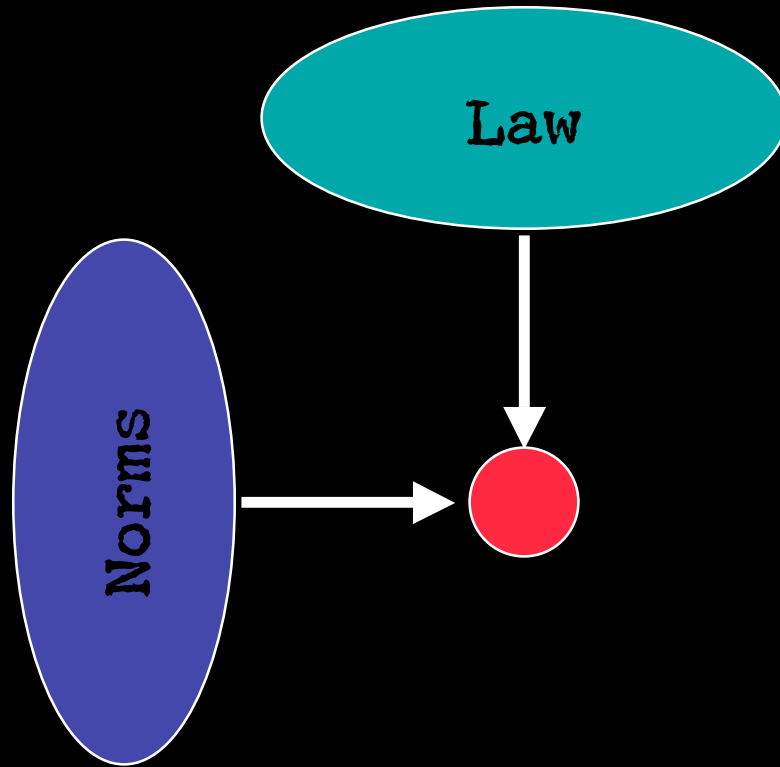
ex ante rule

ex ante rule
ex post punishment (state)

Norms

Law

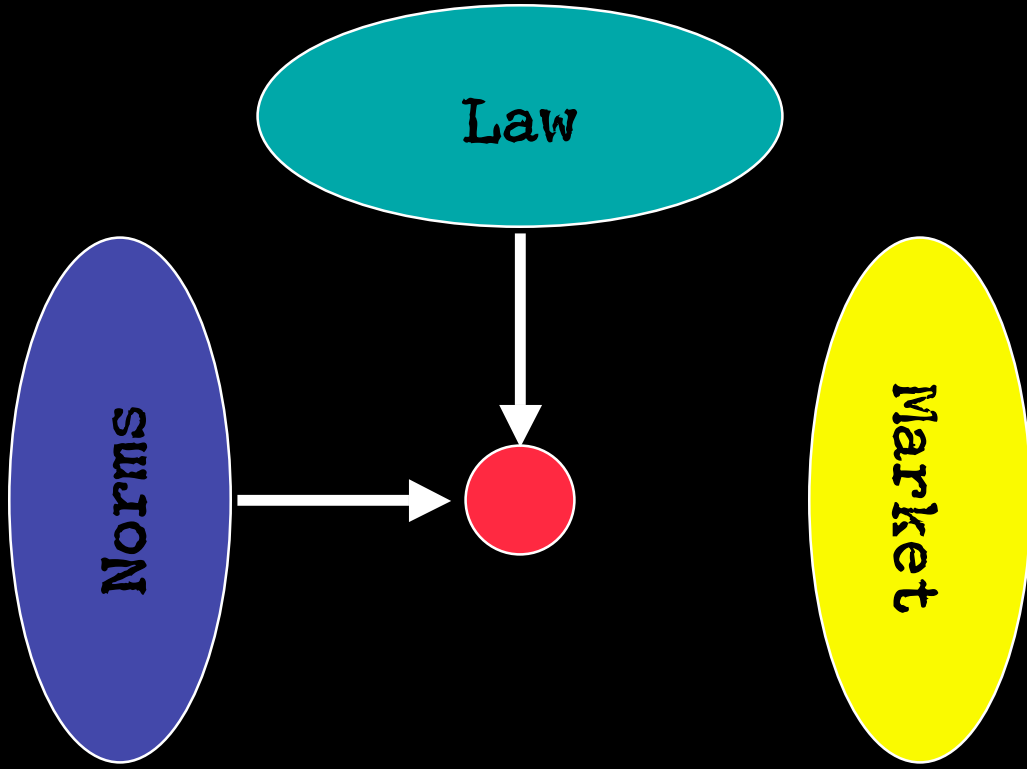


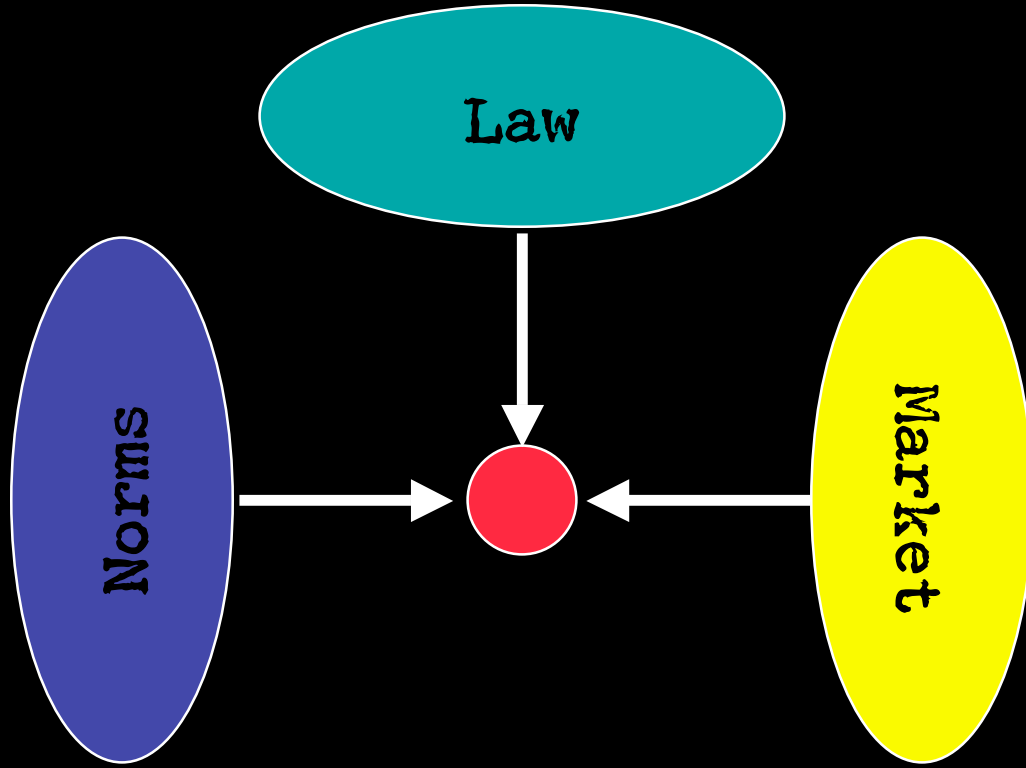


“pull to the side”

ex ante rule

ex ante rule
ex post punishment
(neighbors)

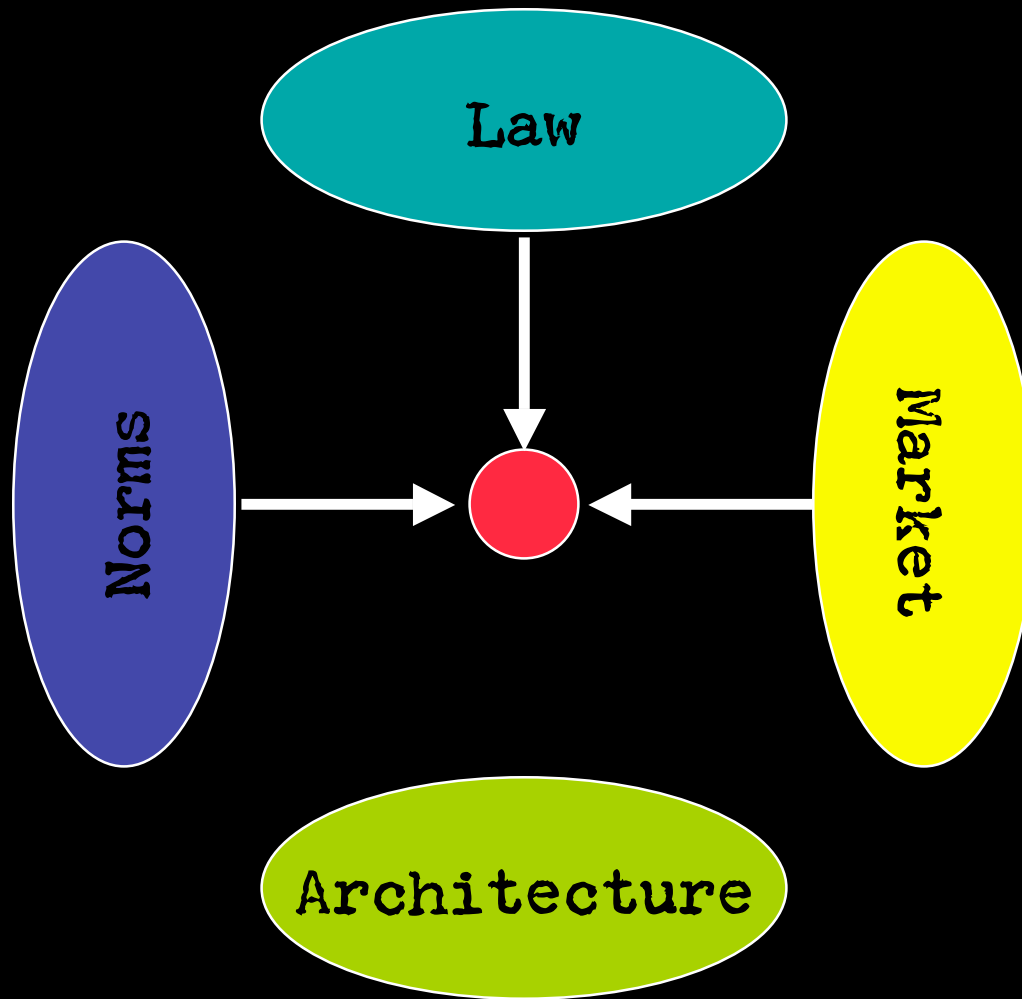


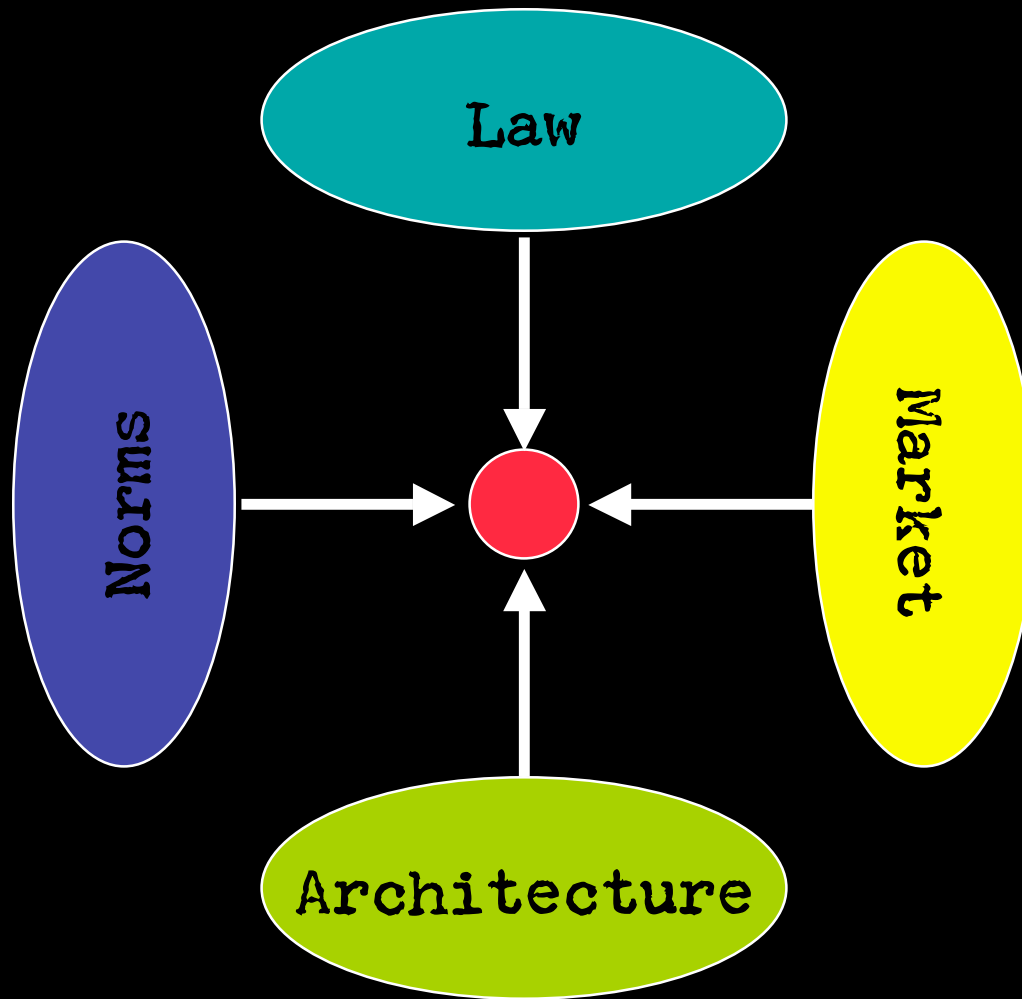


\$2.50/g

simultaneous condition

simultaneous condition
enforced people





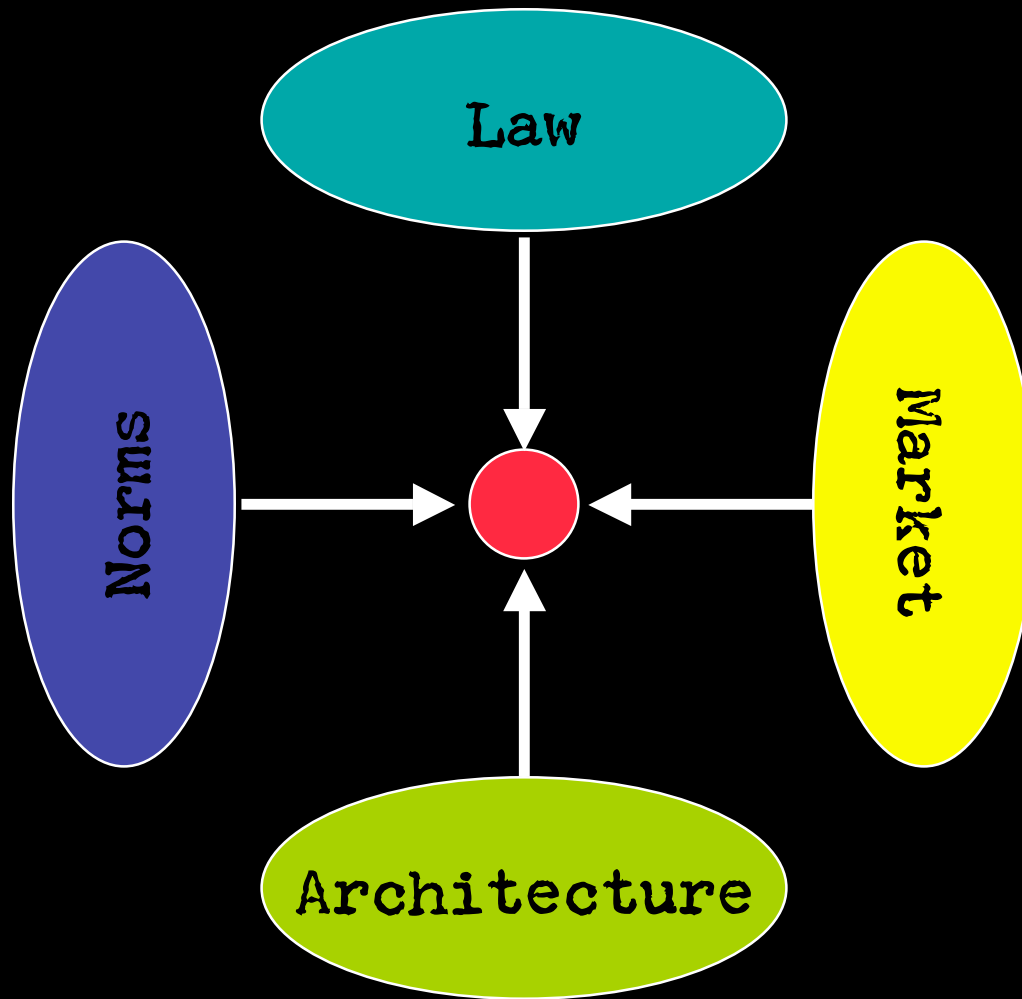
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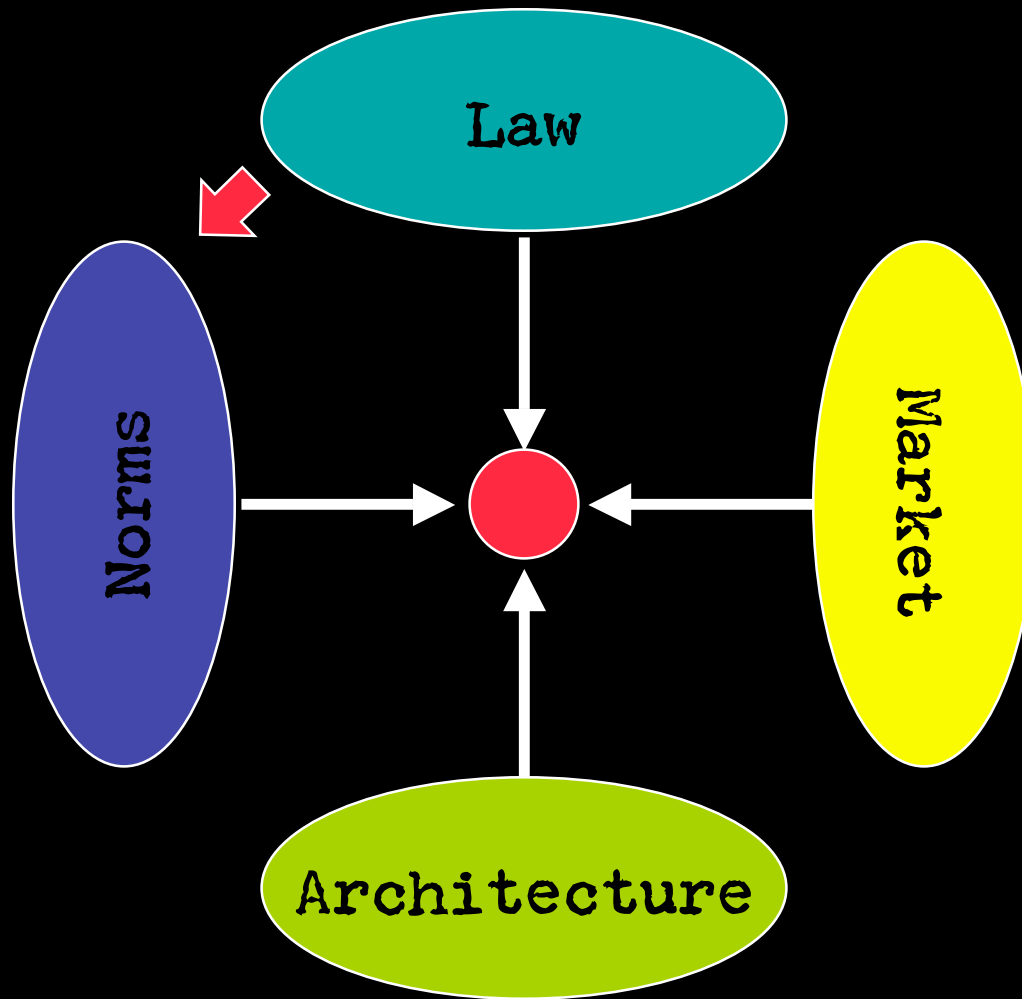
simultaneous condition

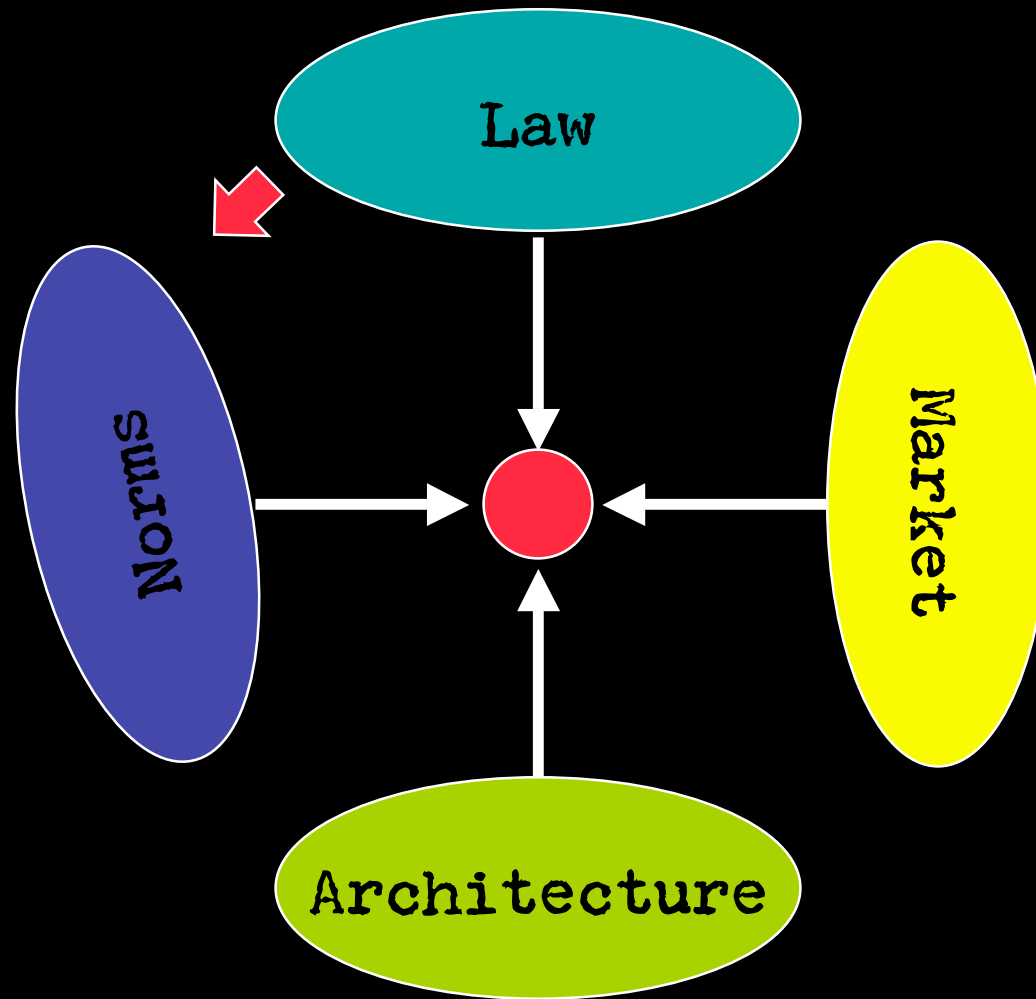
simultaneous condition
enforced by God

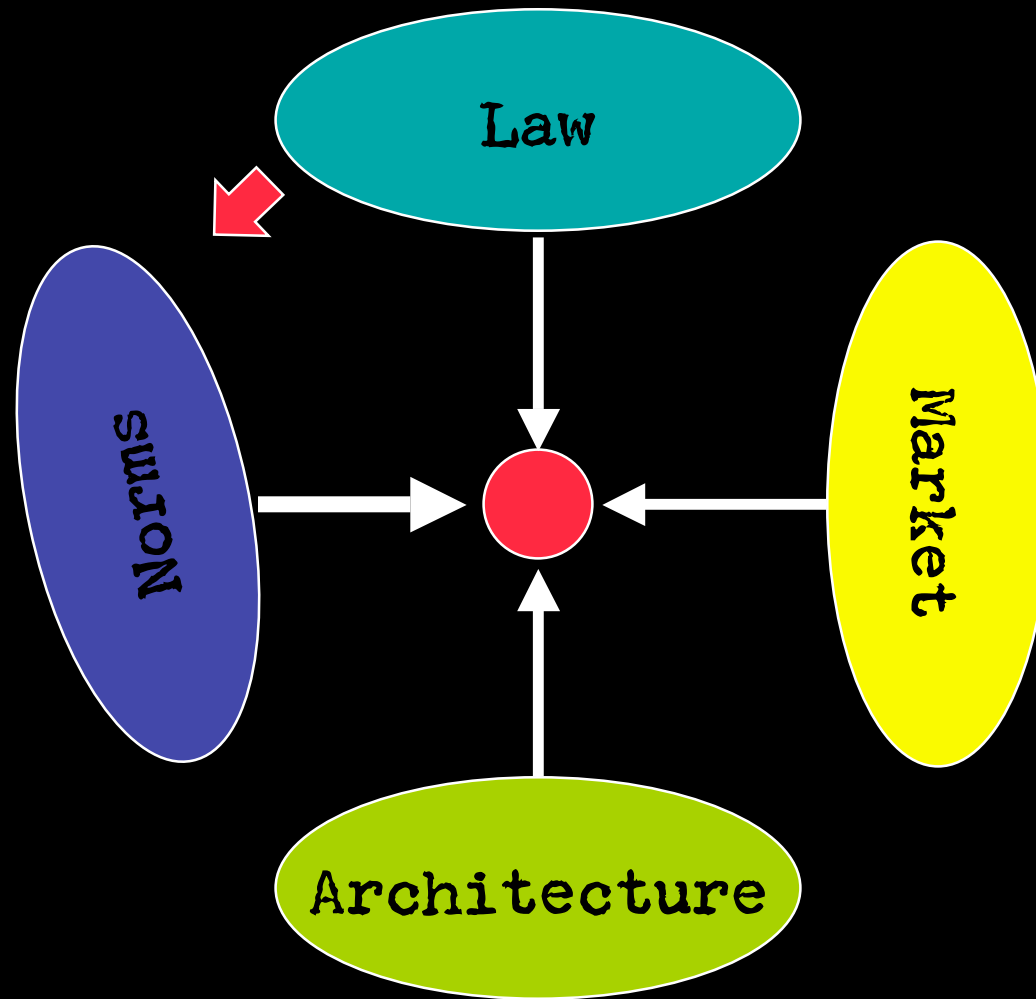
(2)

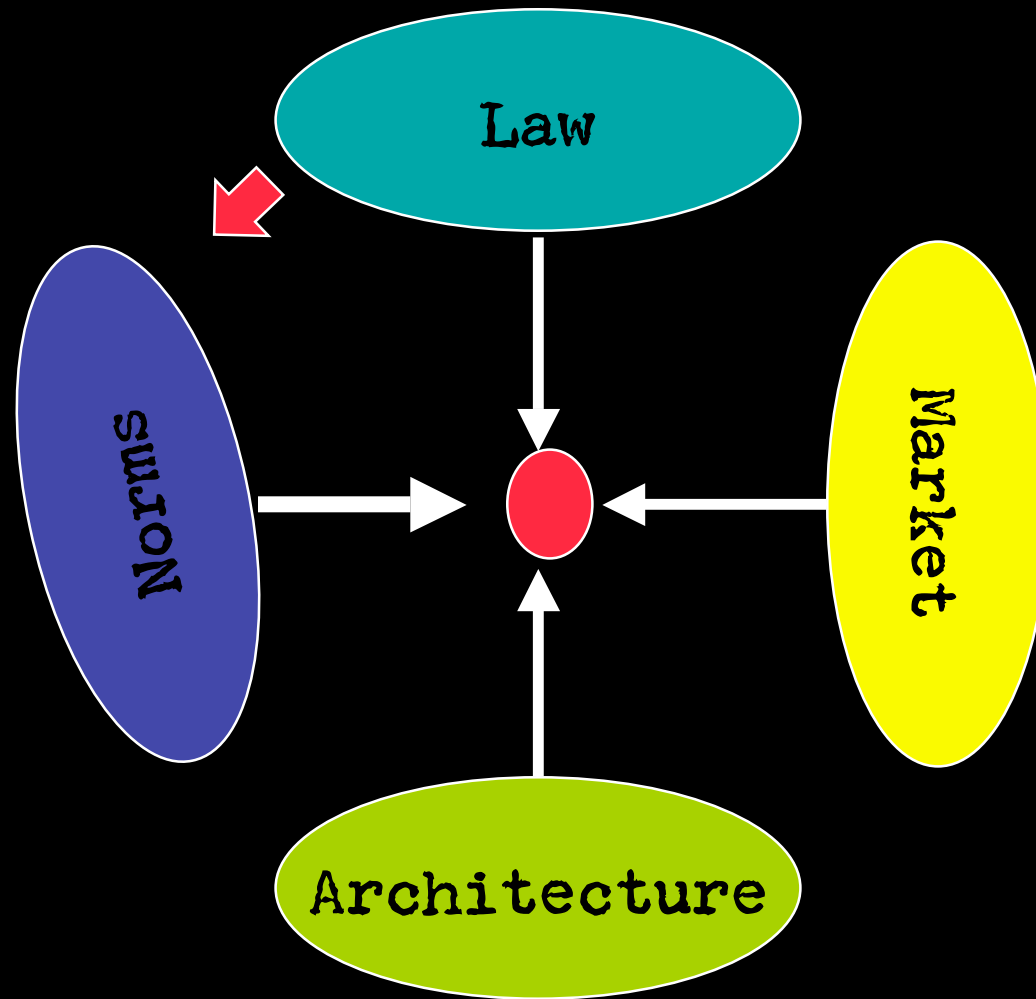
laws
affect
things
that
regulate

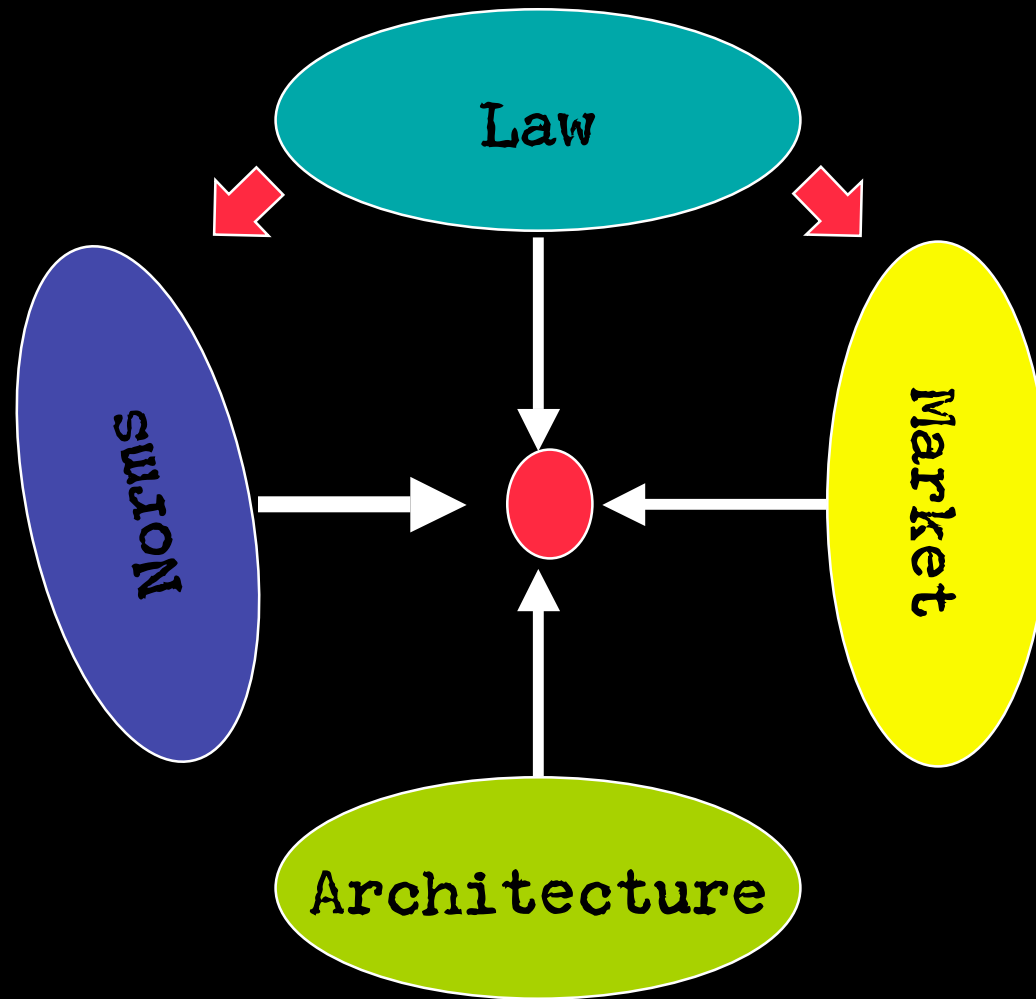


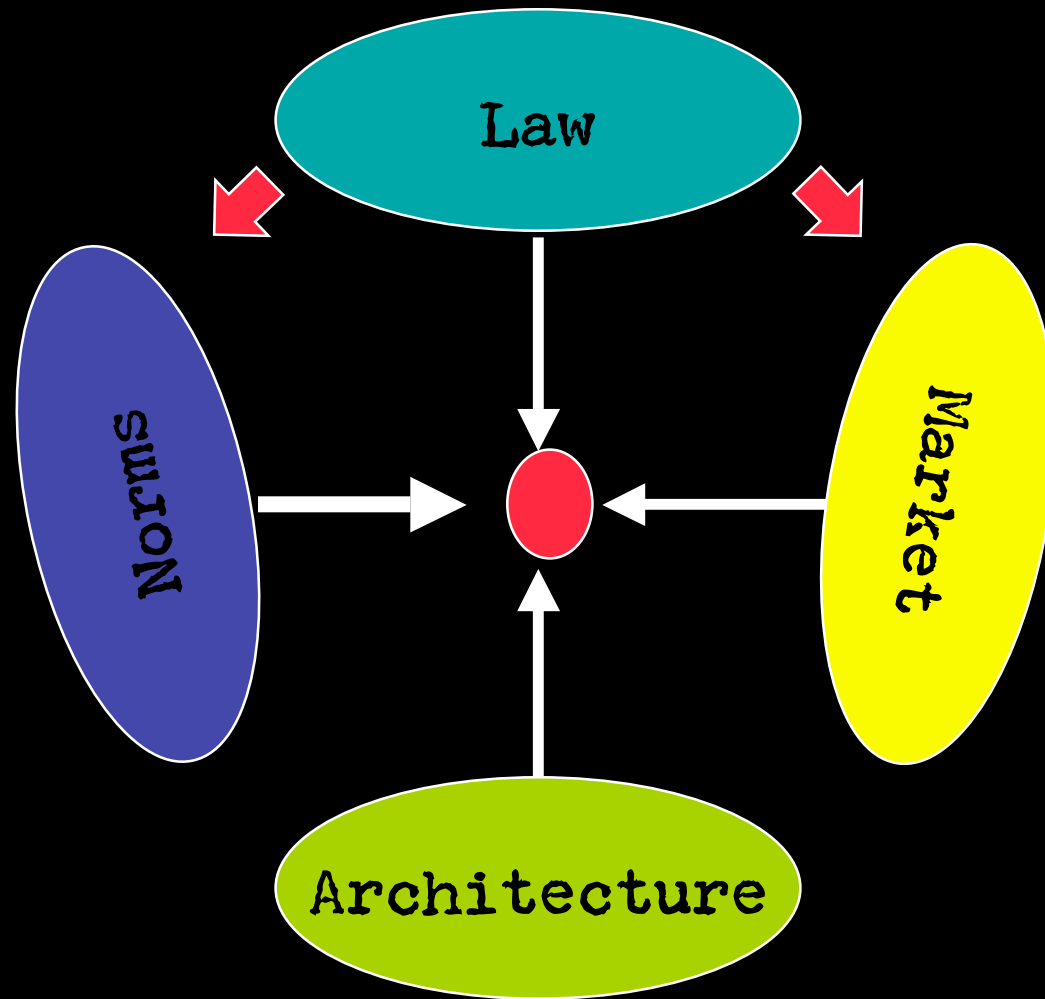


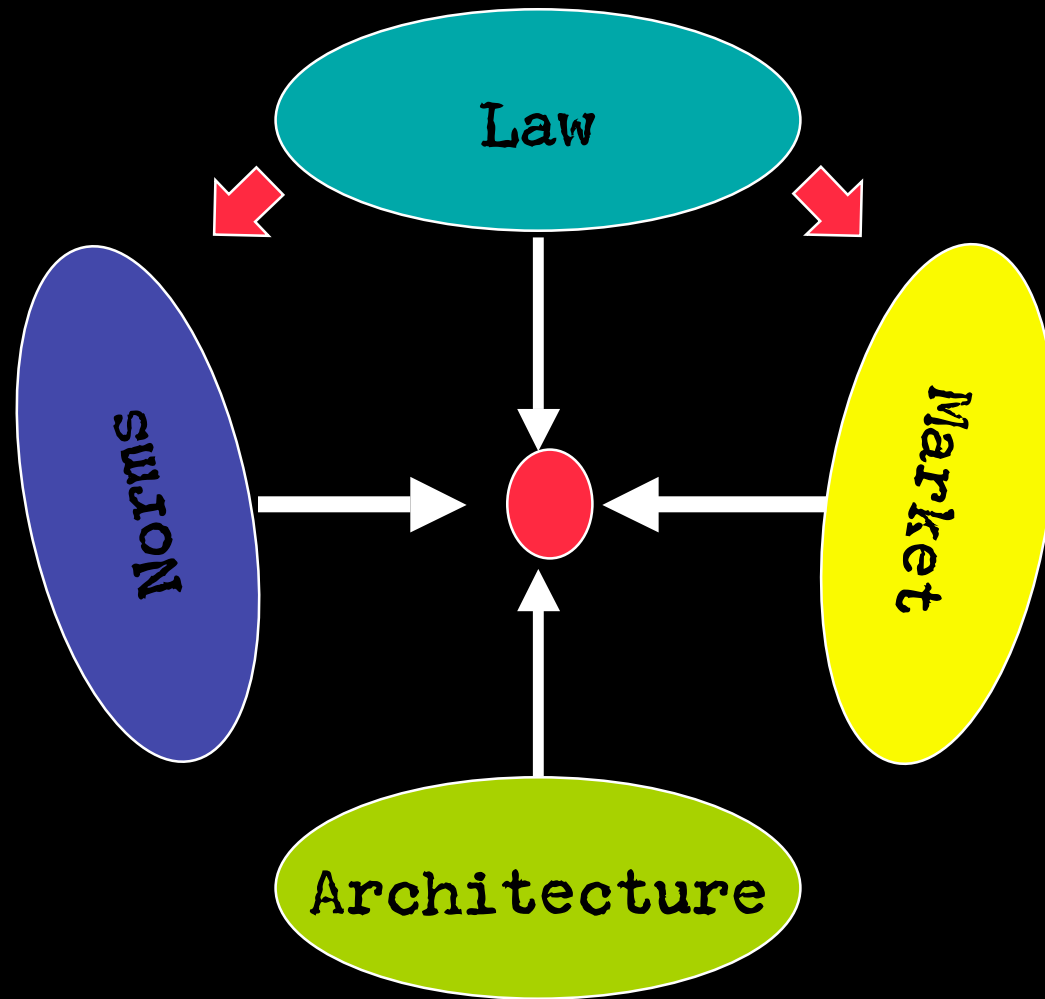


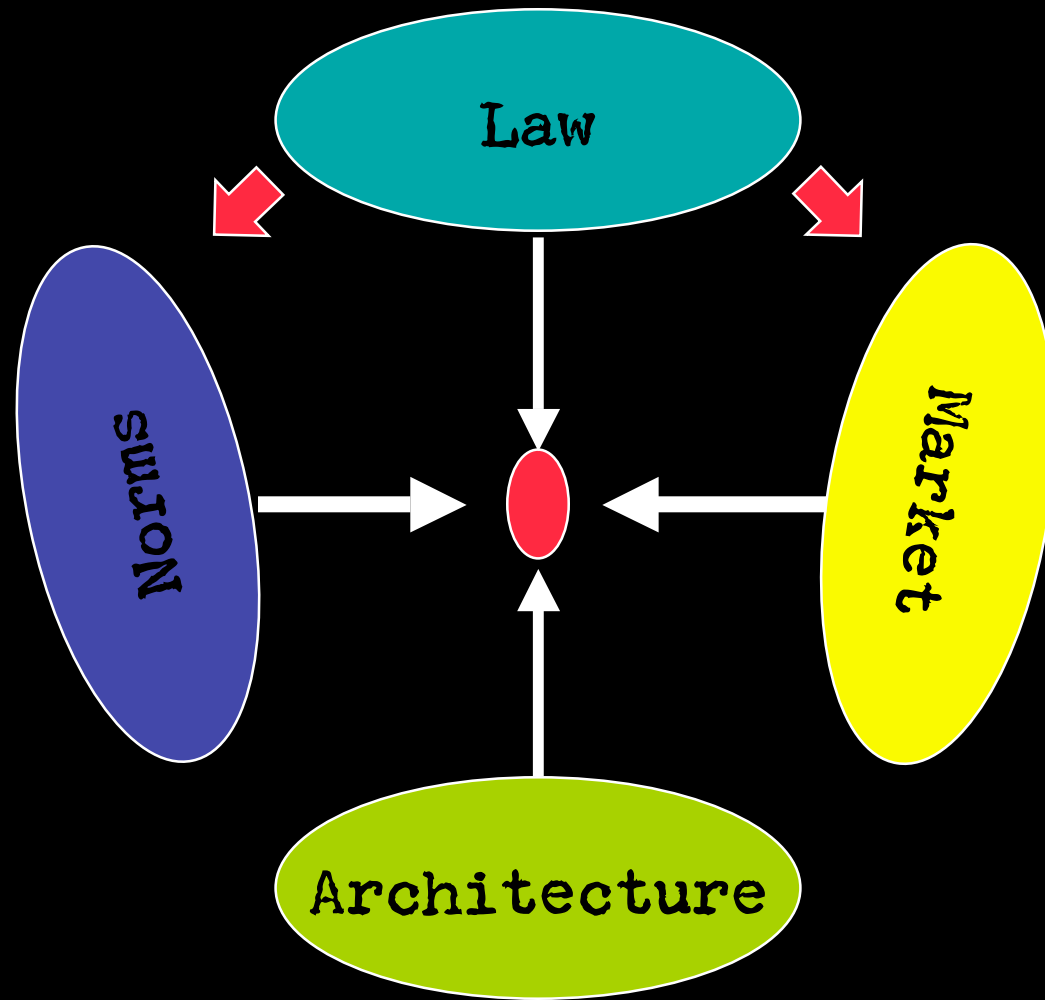


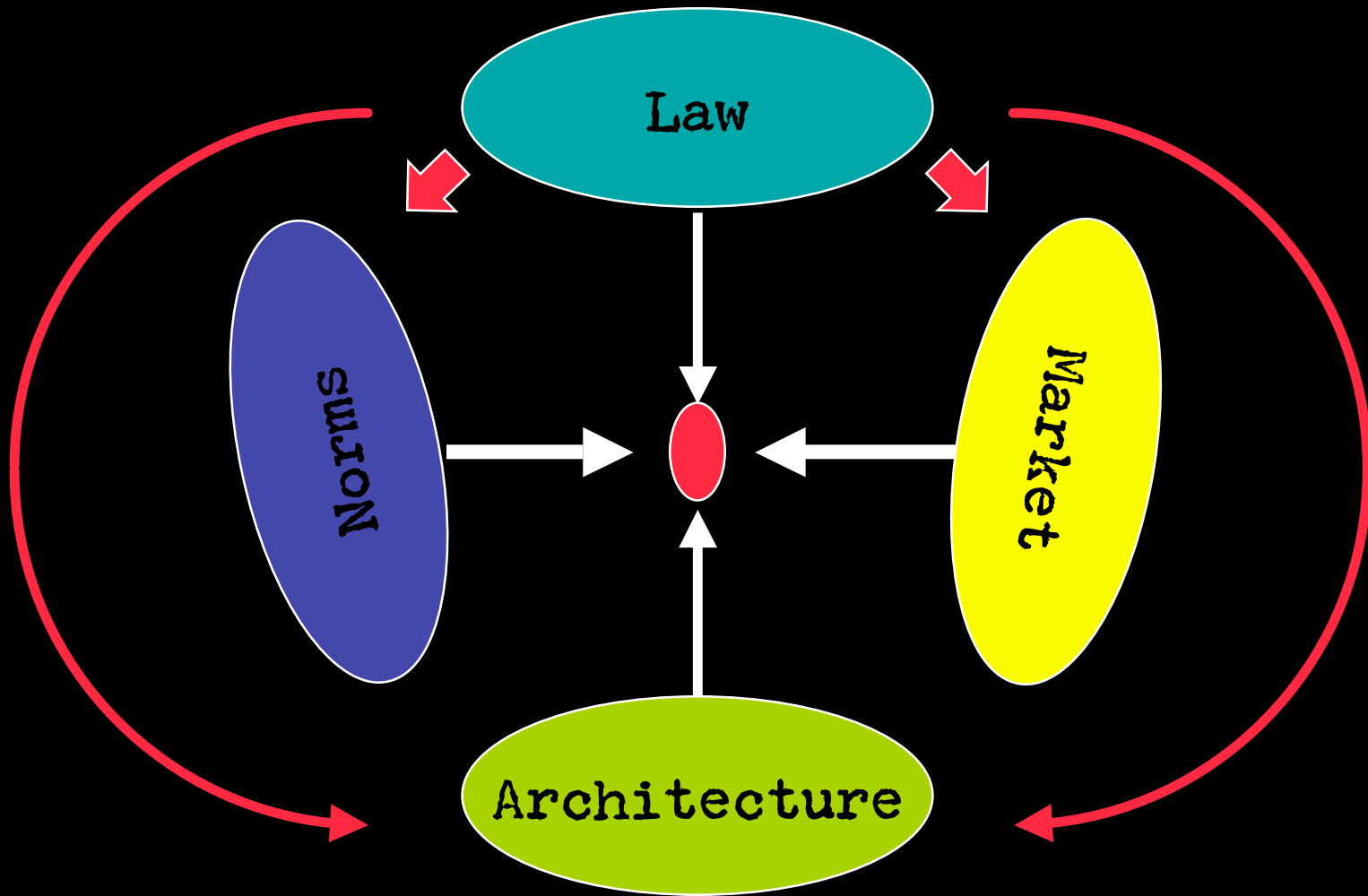


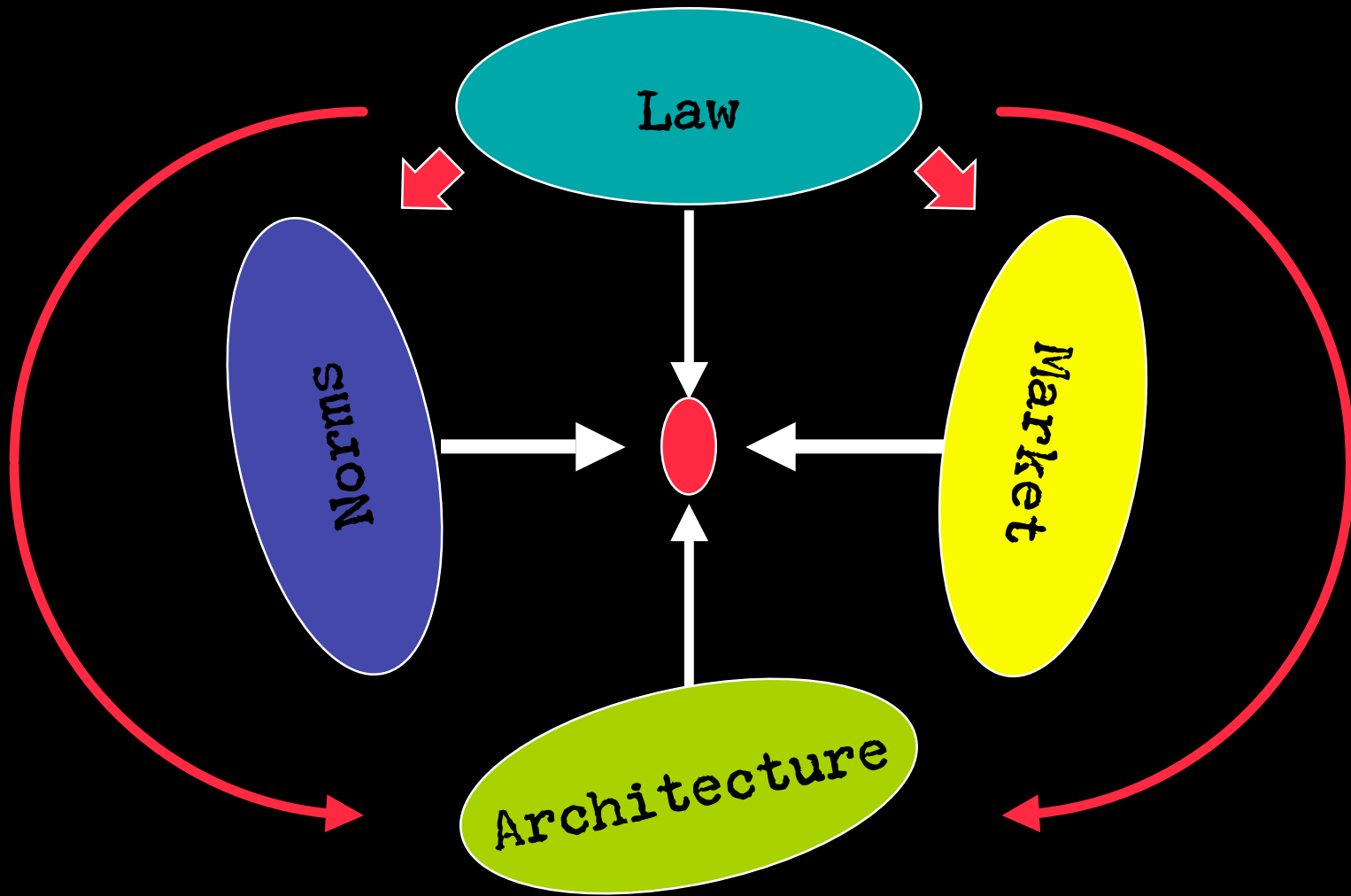


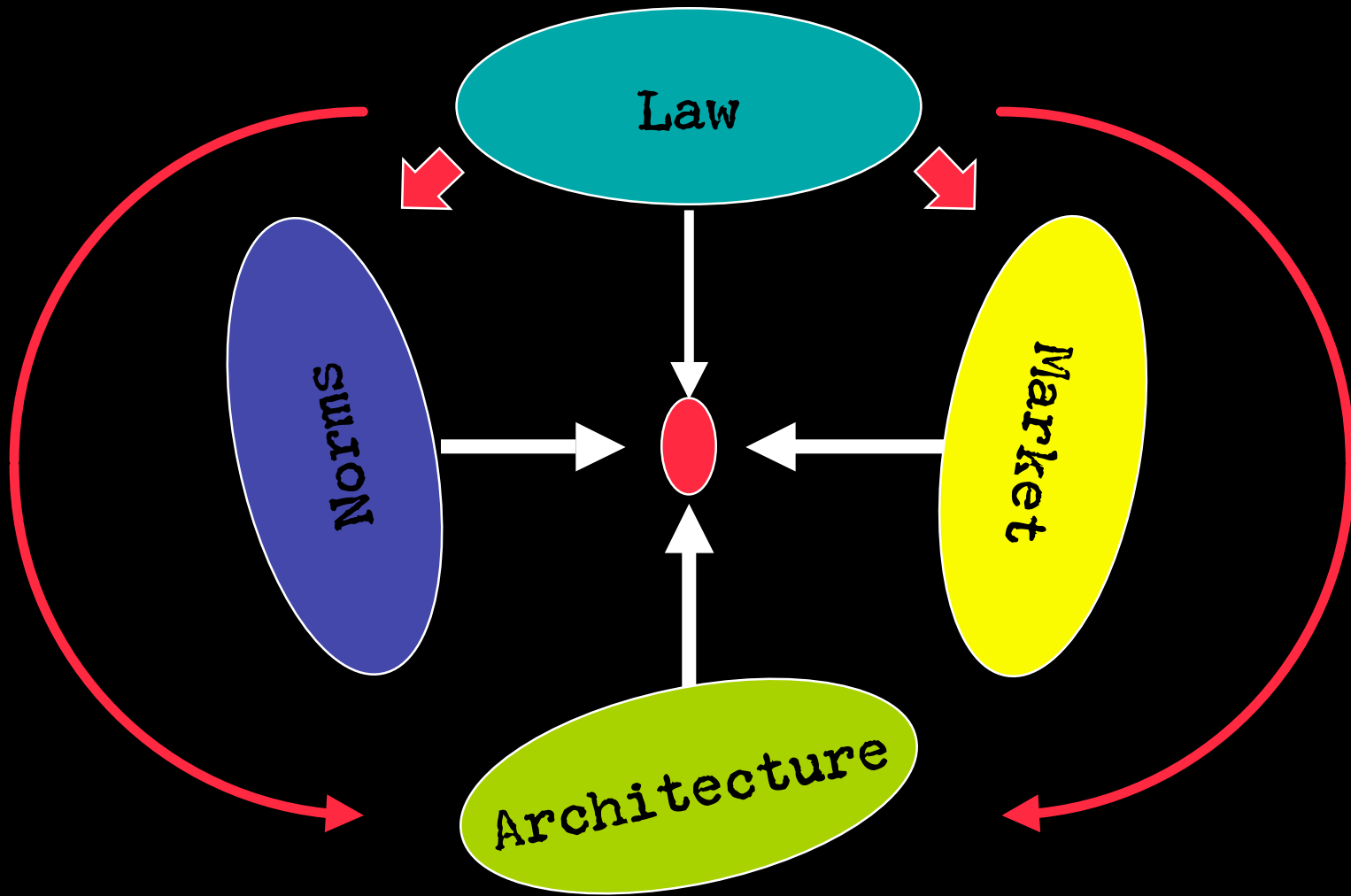


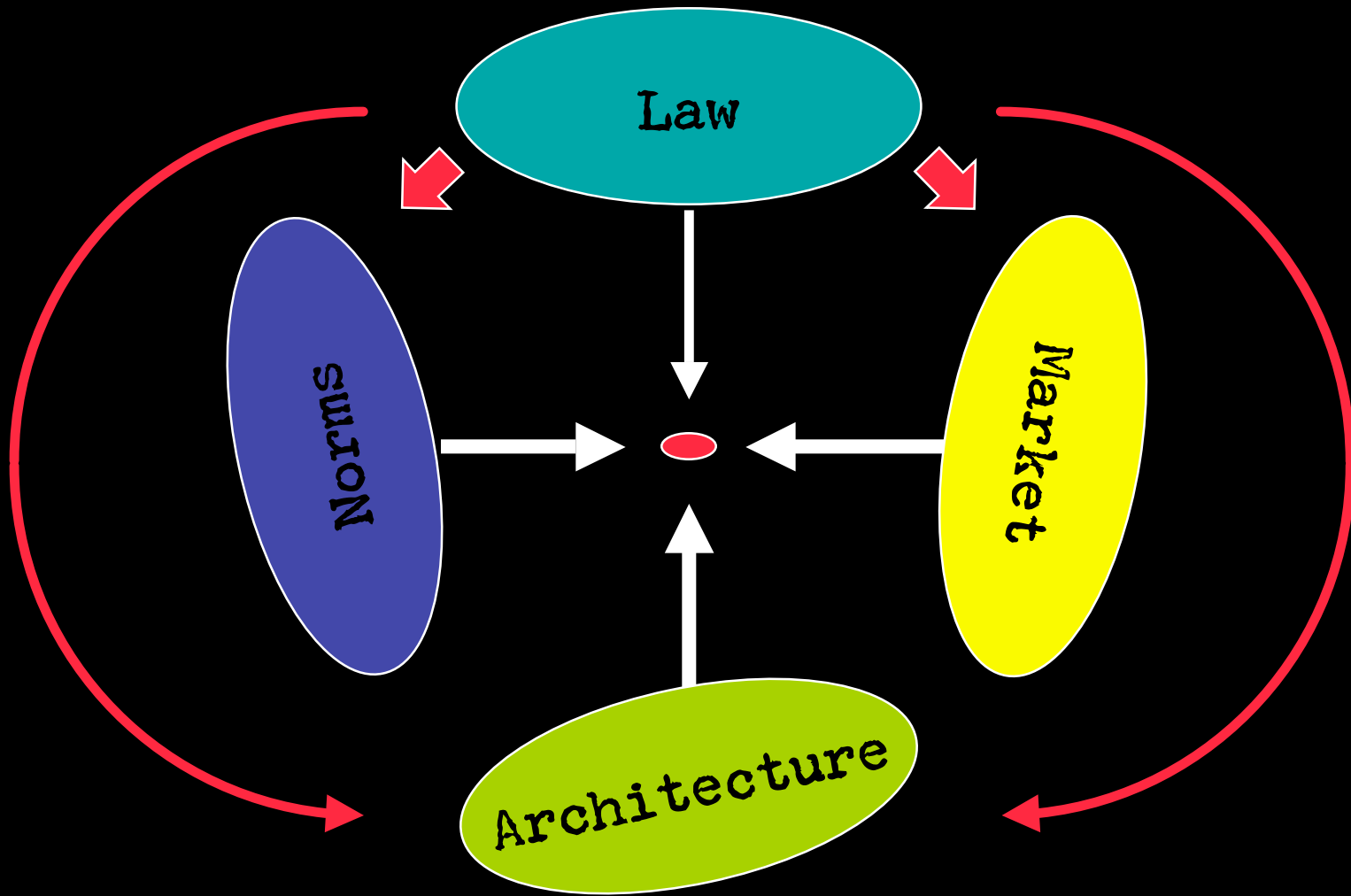












smoking

> 18

>18

“smoking kills”

>18

“smoking kills”
taxes

>18

“smoking kills”

taxes

nicotine

architecture
as
regulator

Napoleon III

Robert Moses

Americans
Disability
Act

(4)

cyberspace

is

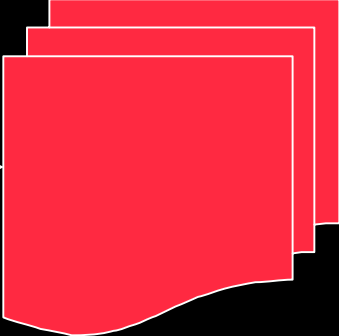
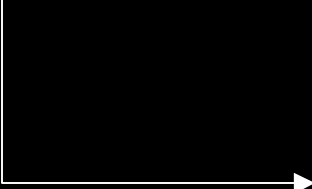
architecture

tcp/ip

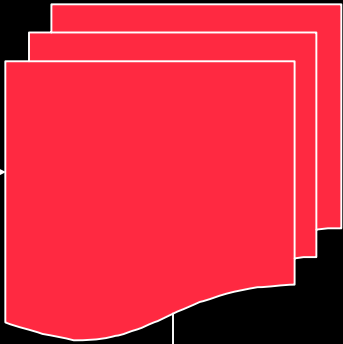
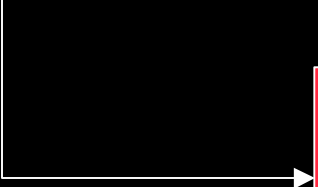
data shipping protocol

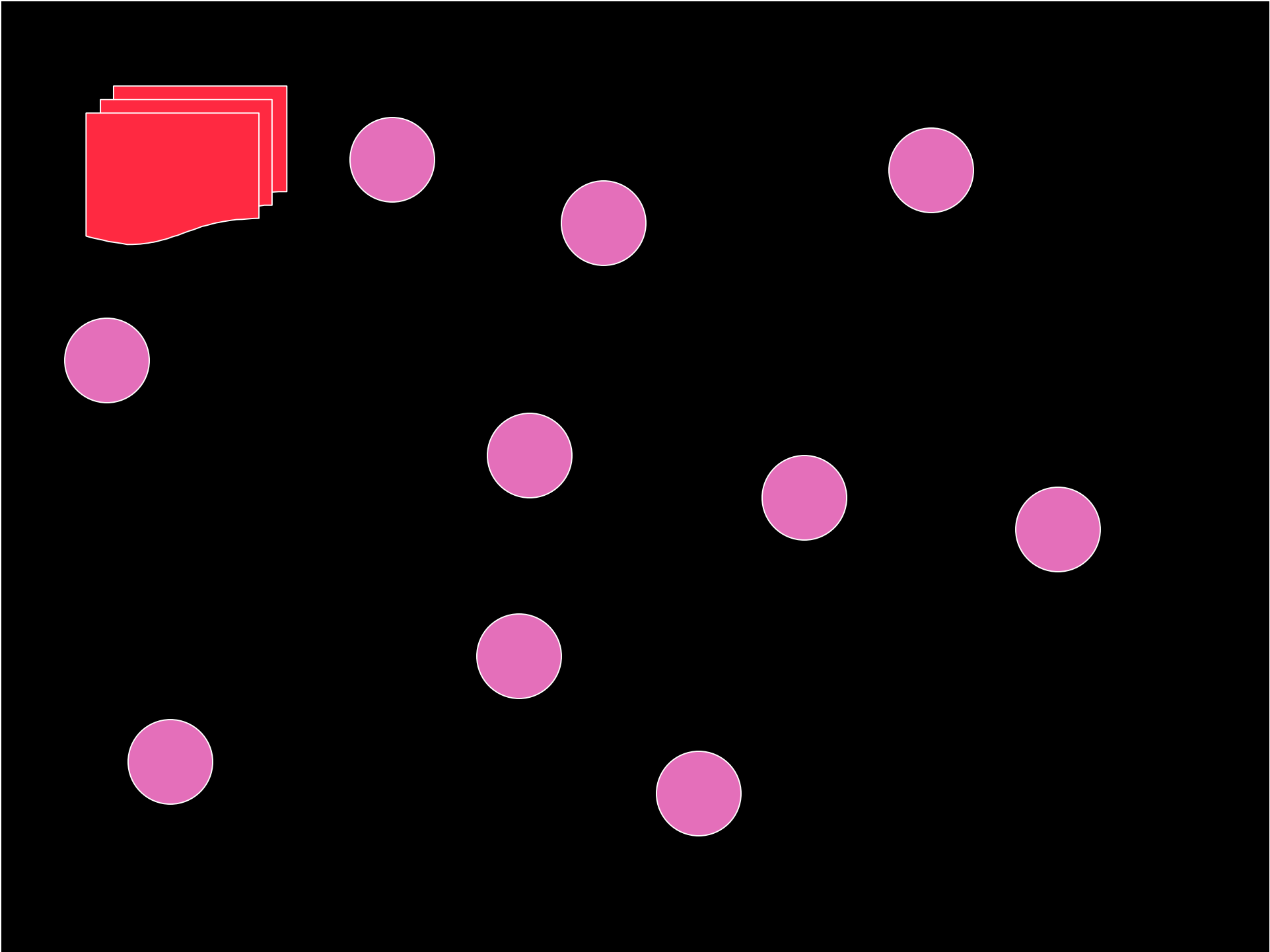
eMail

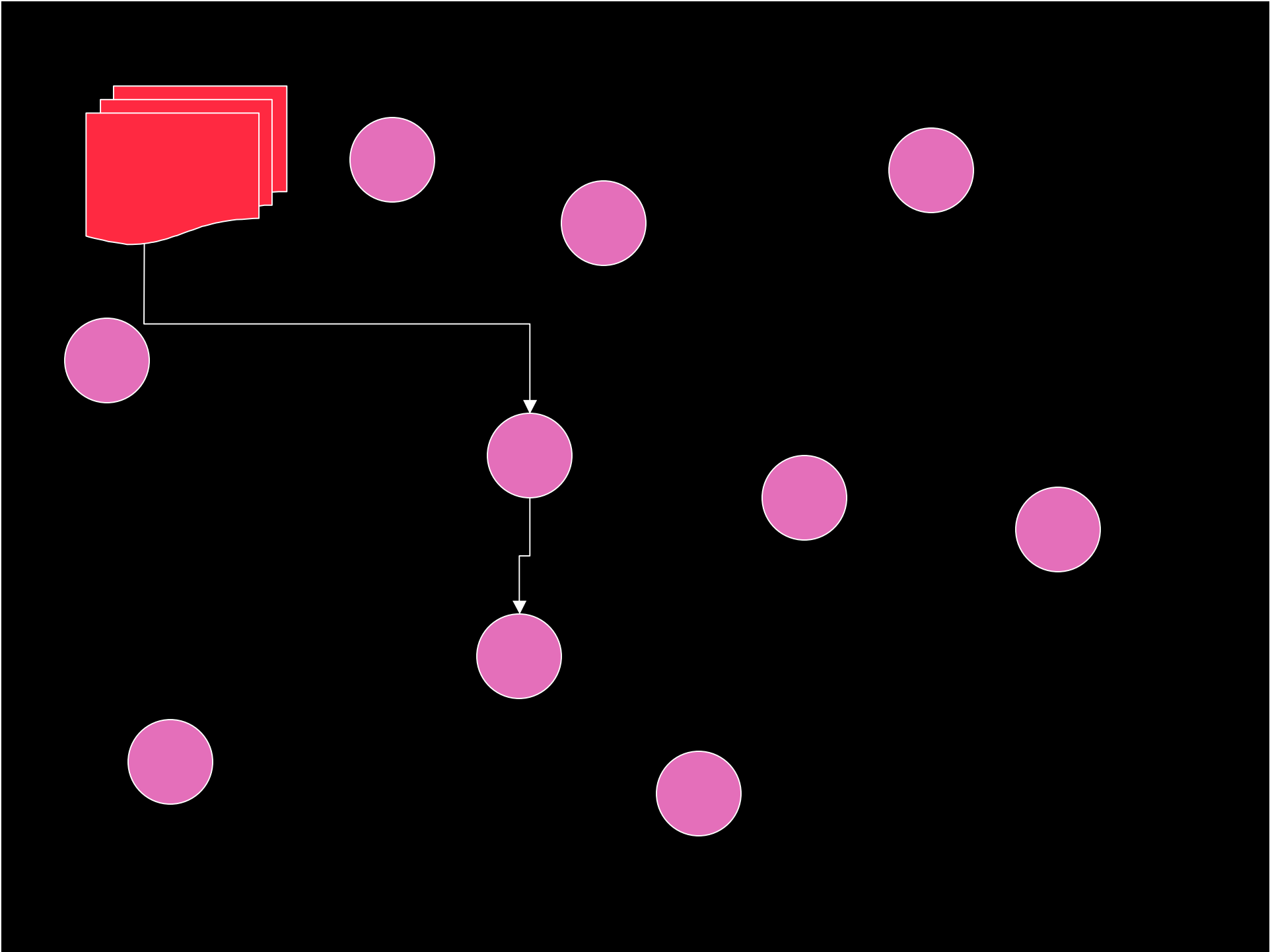
eMail

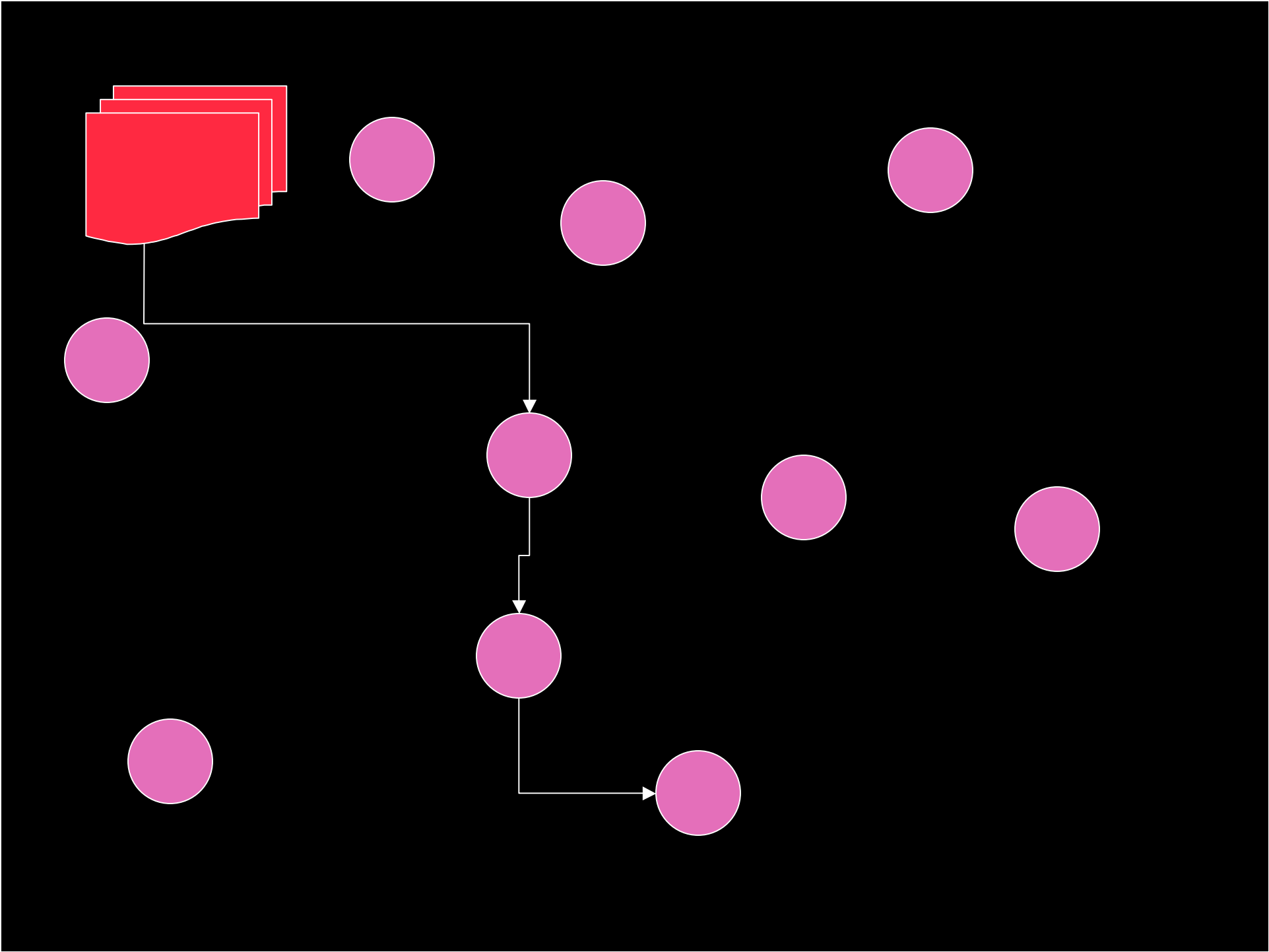


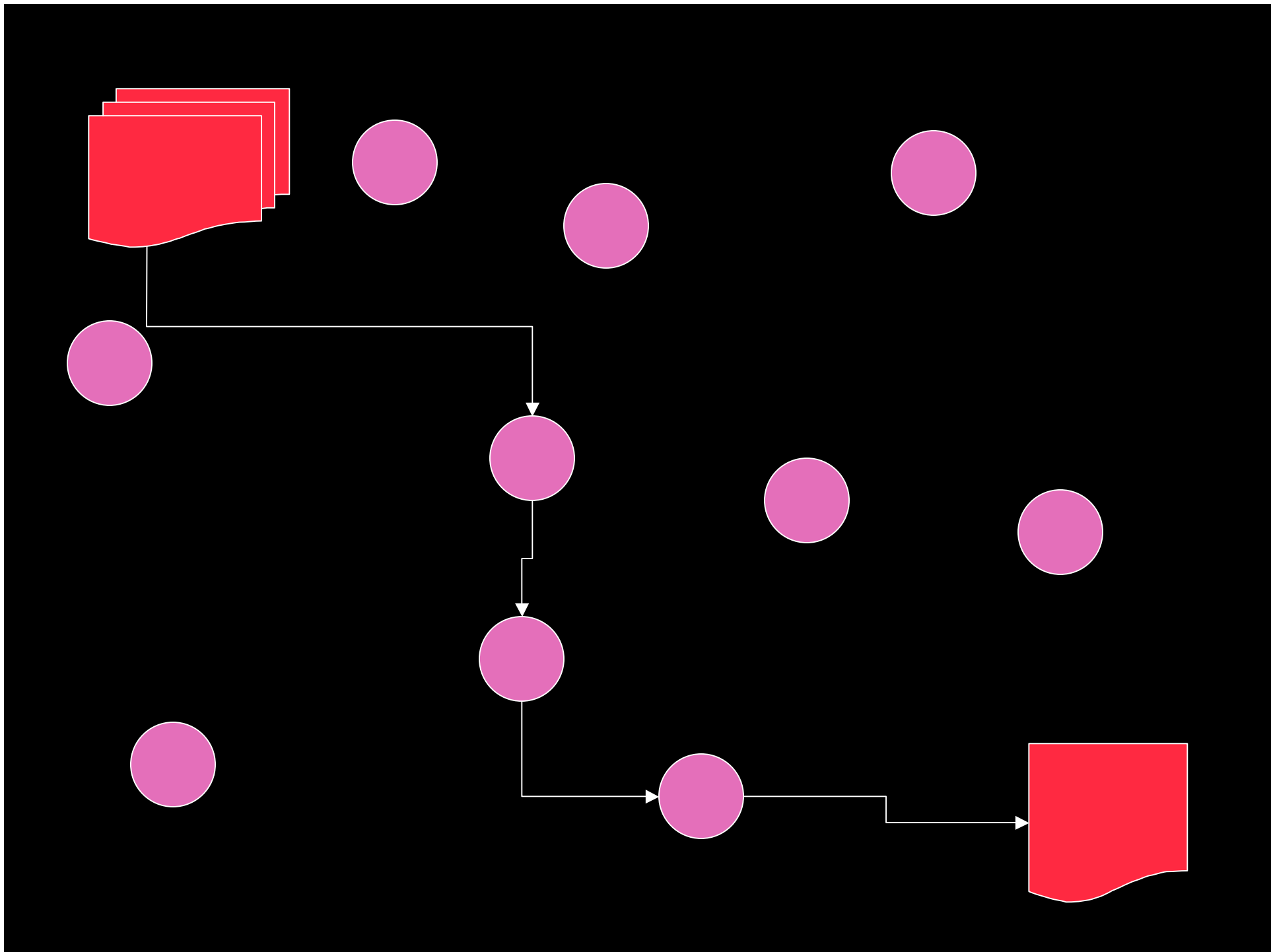
eMail

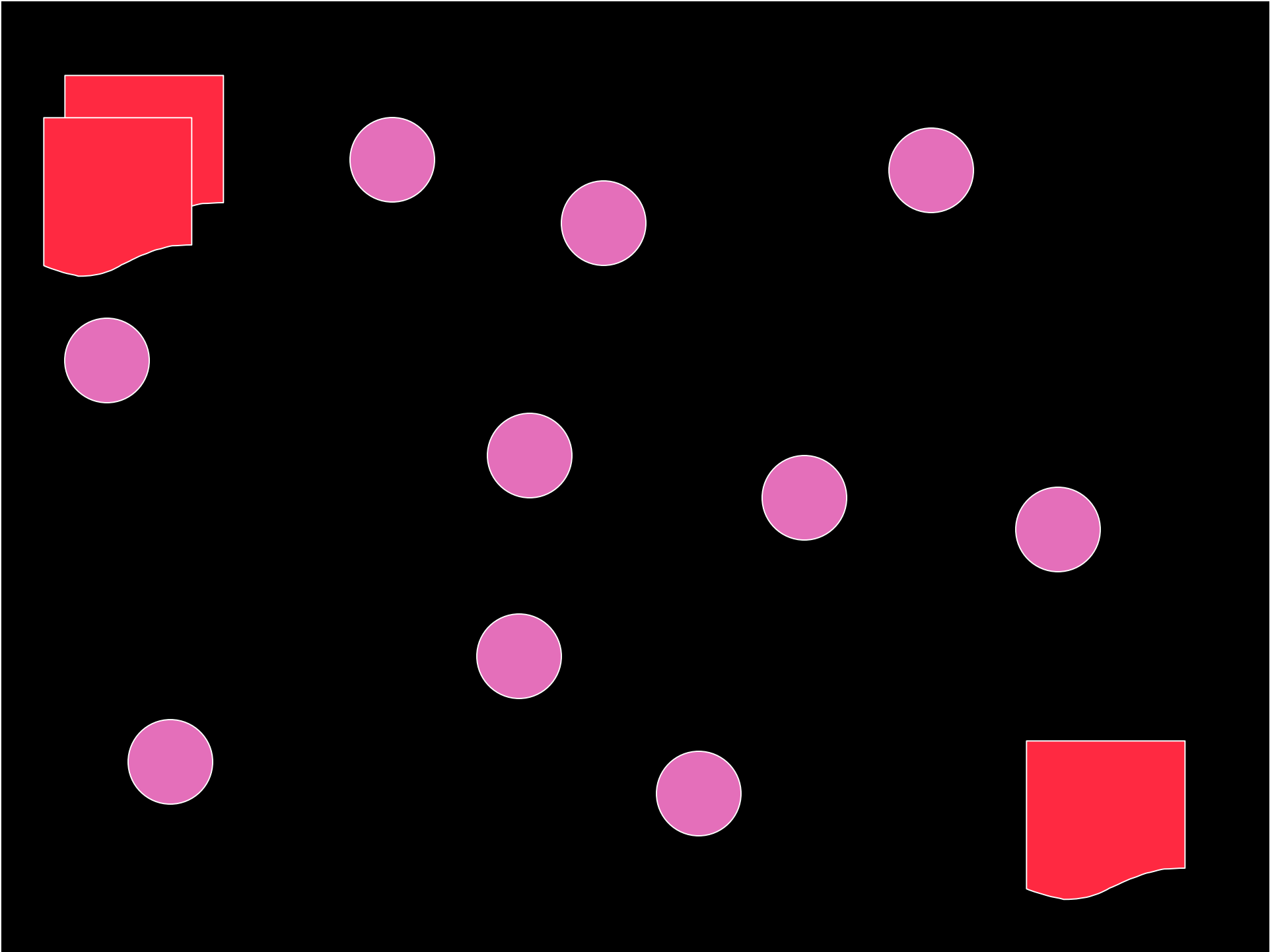


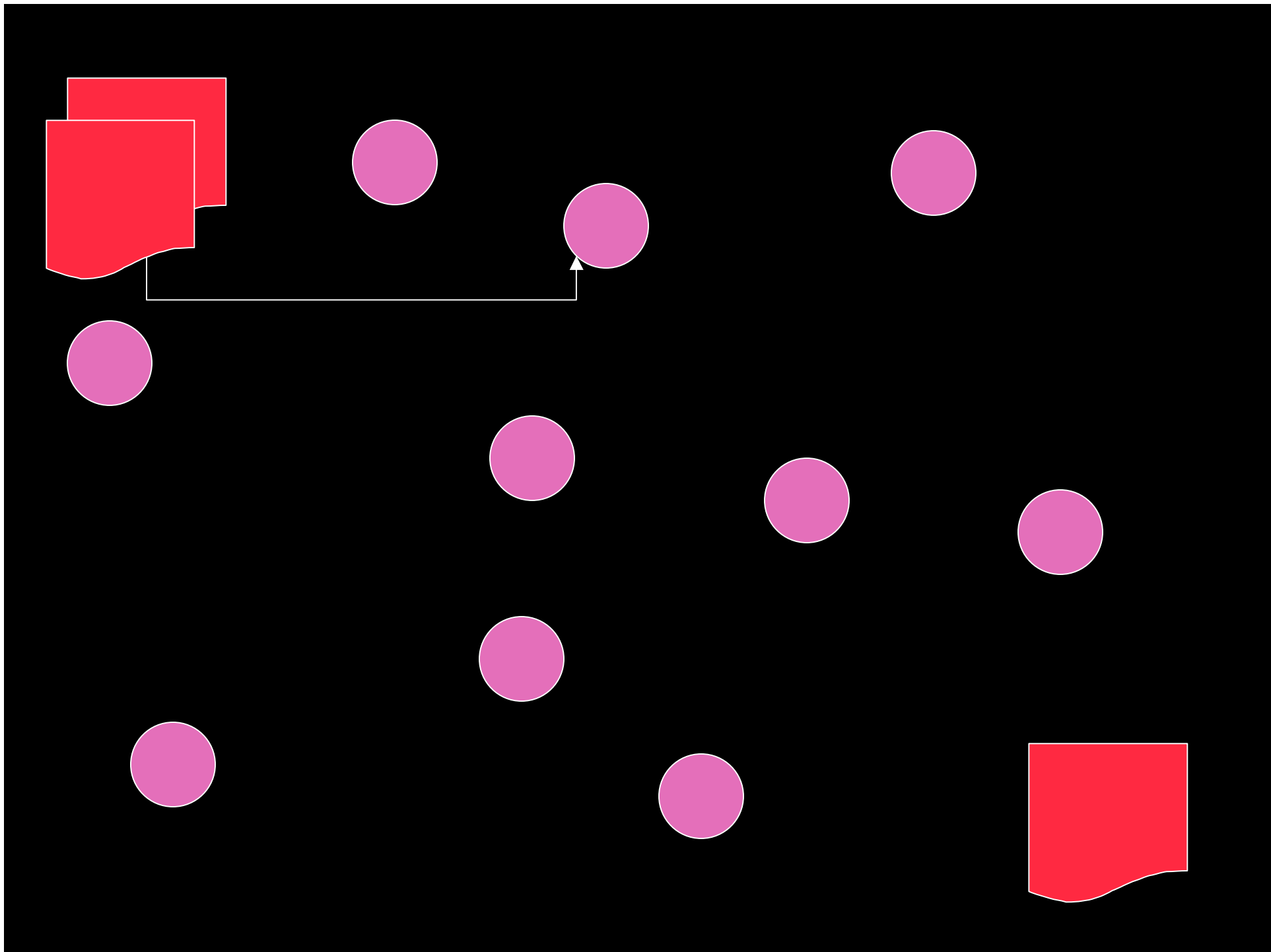


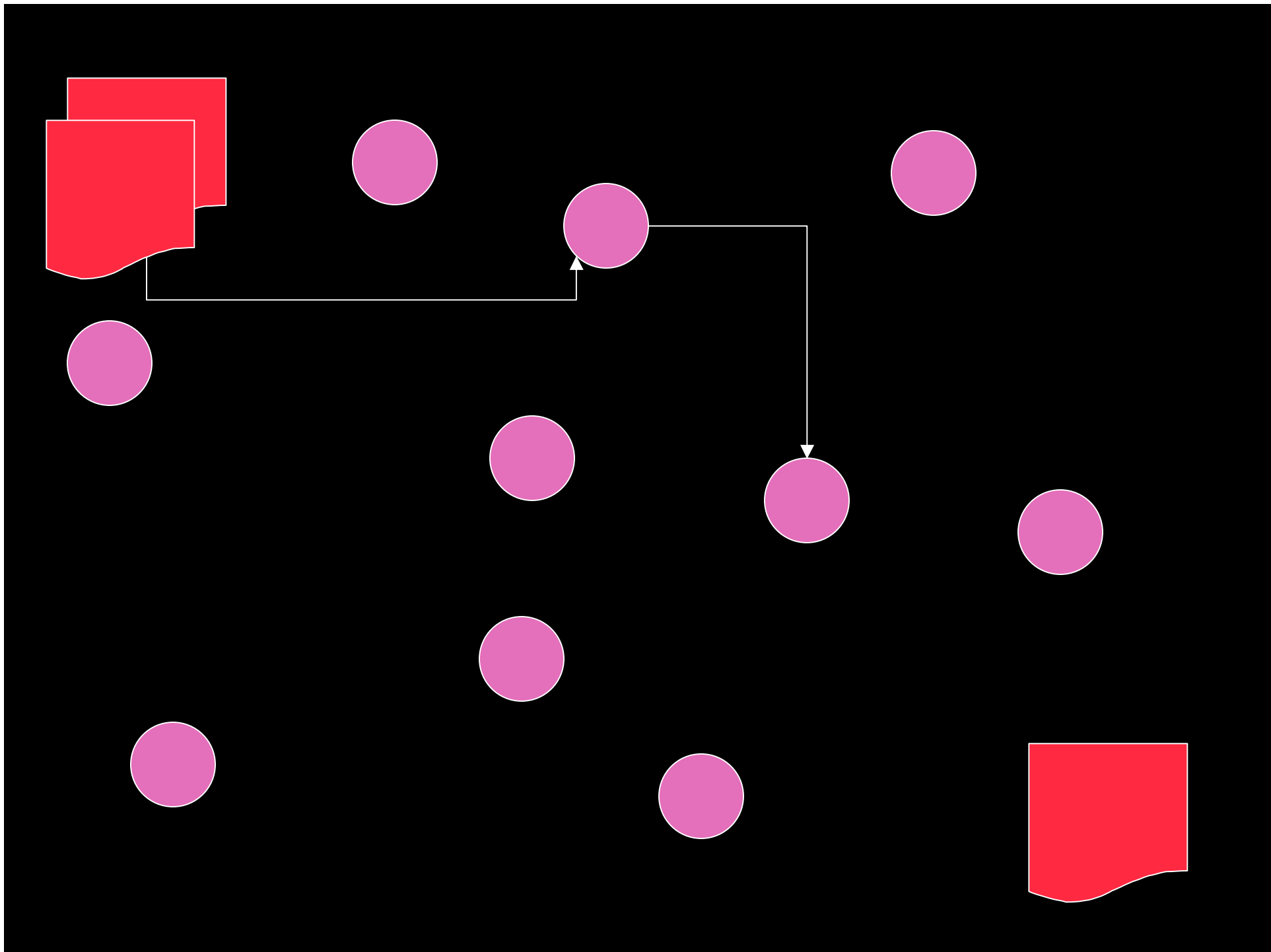


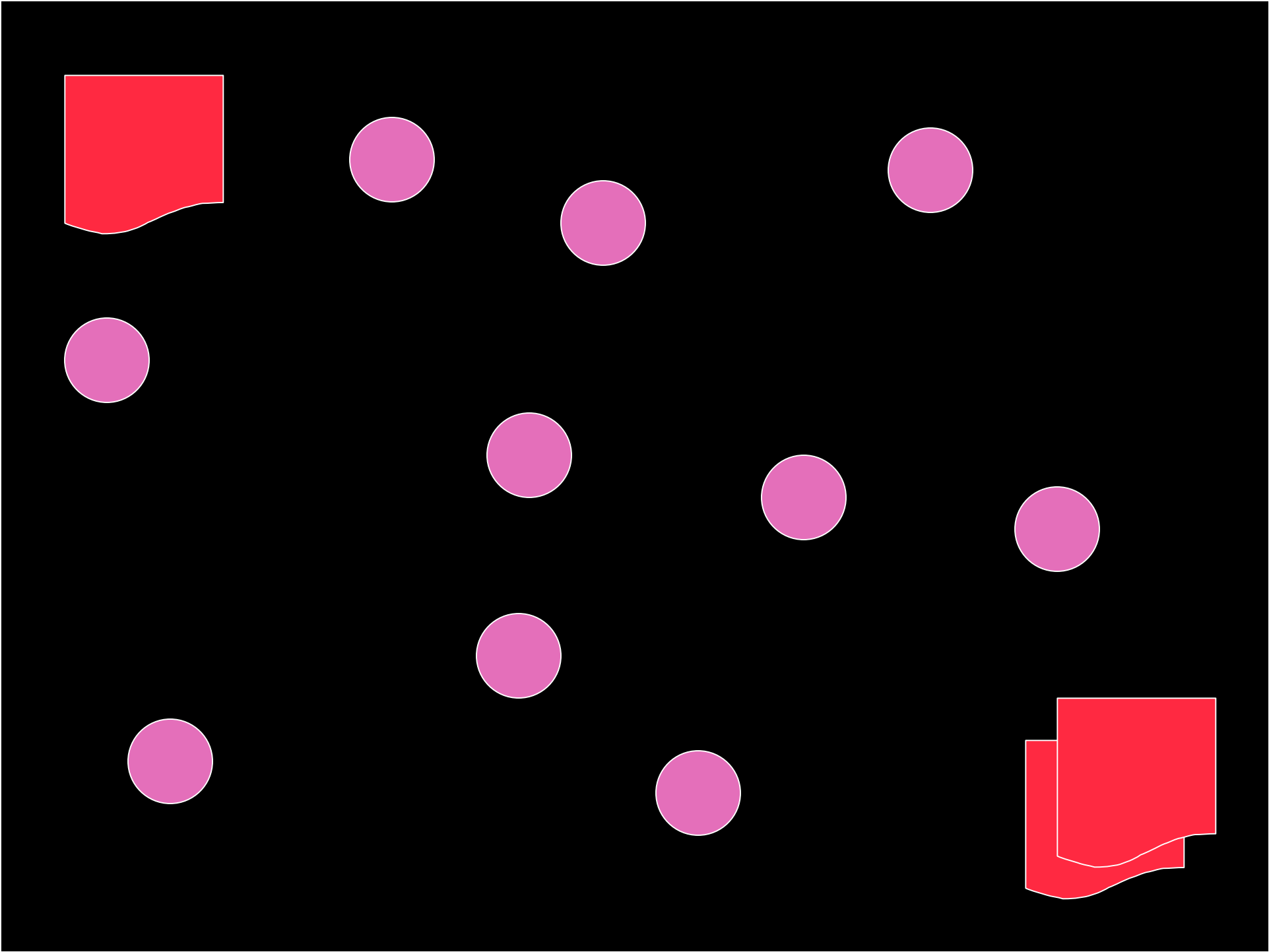


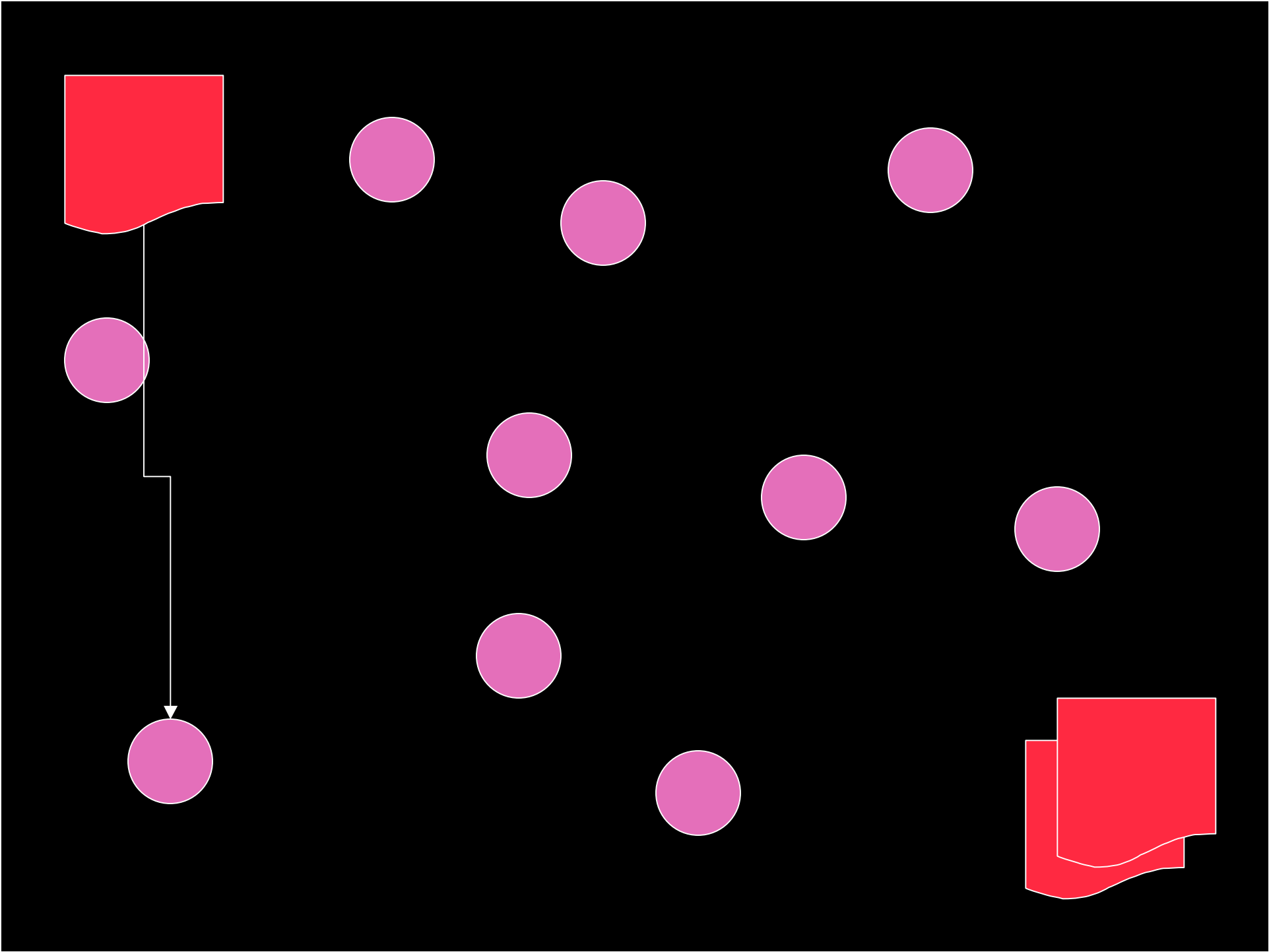


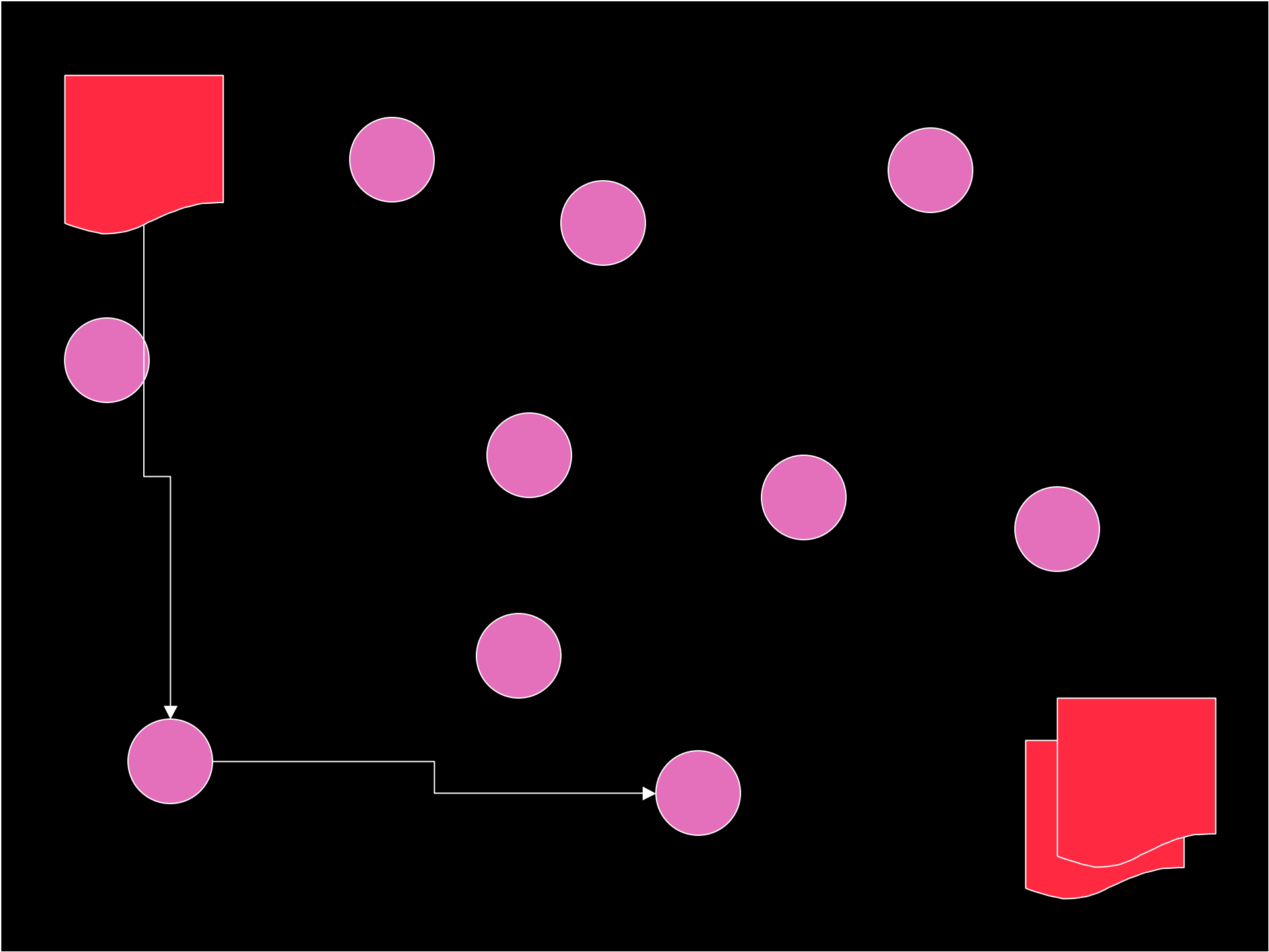


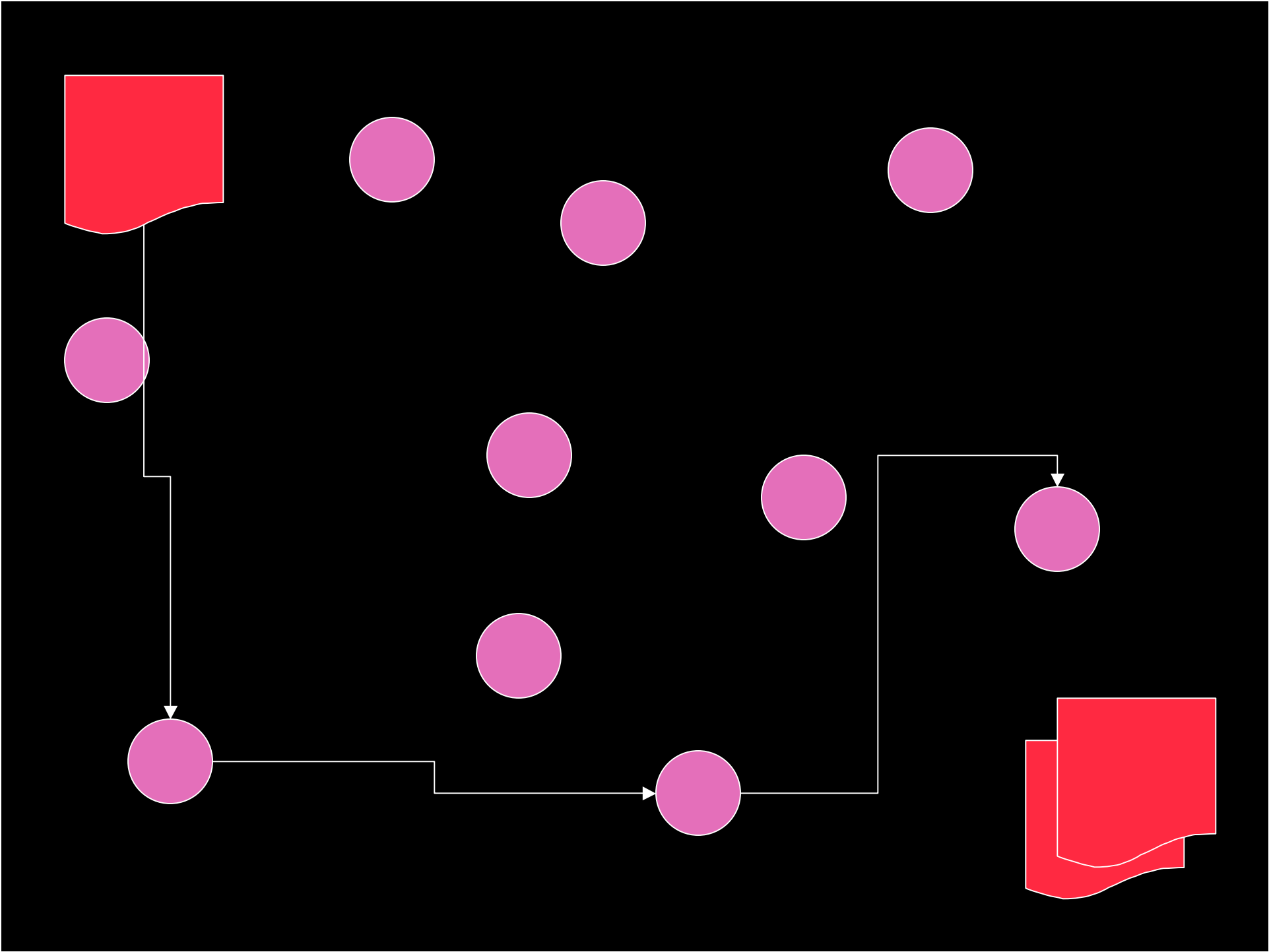


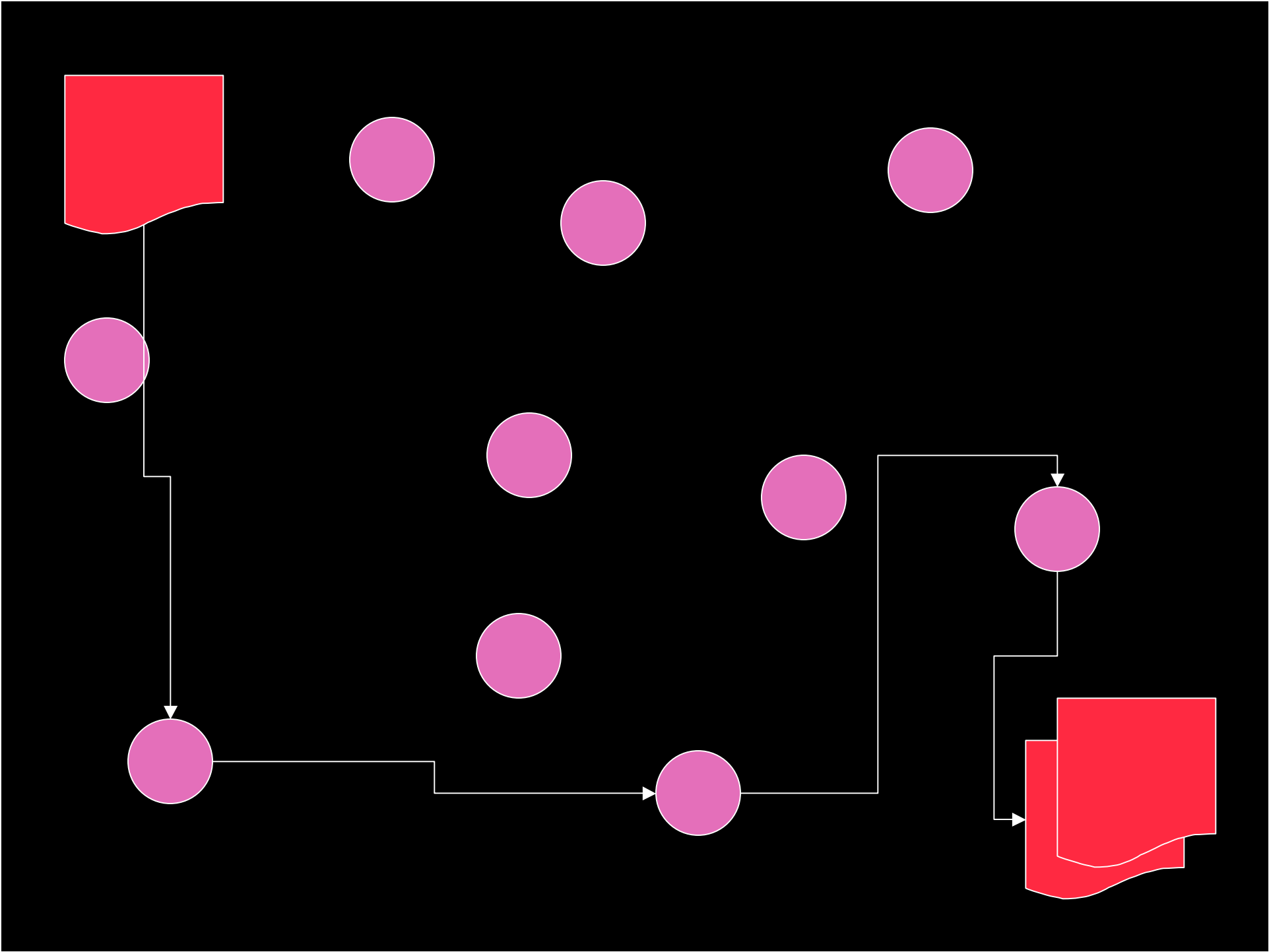


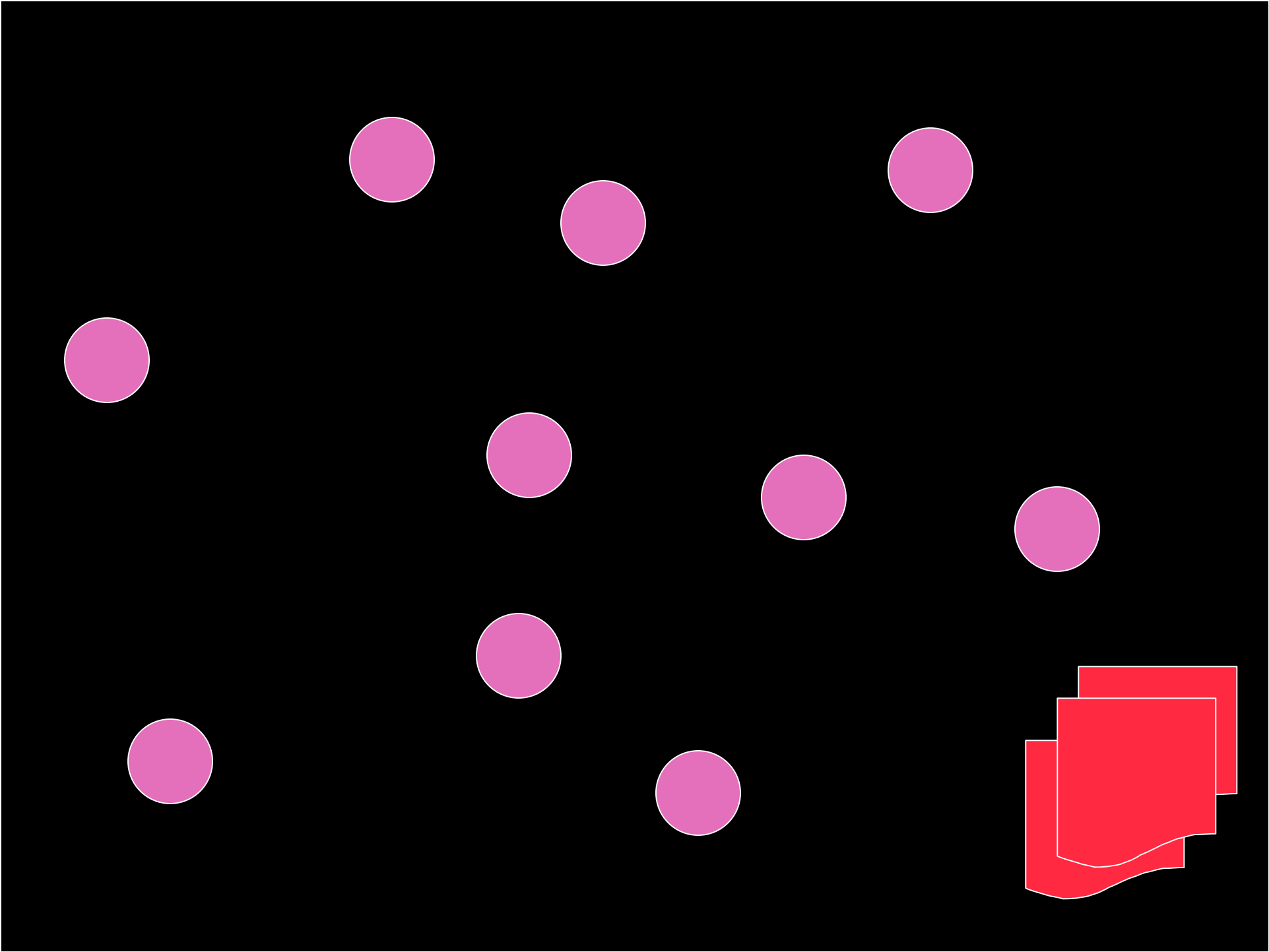


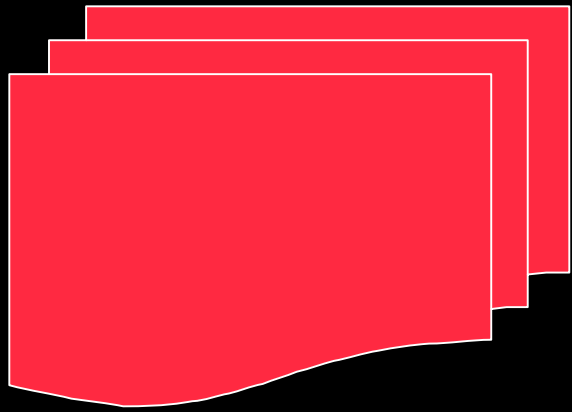


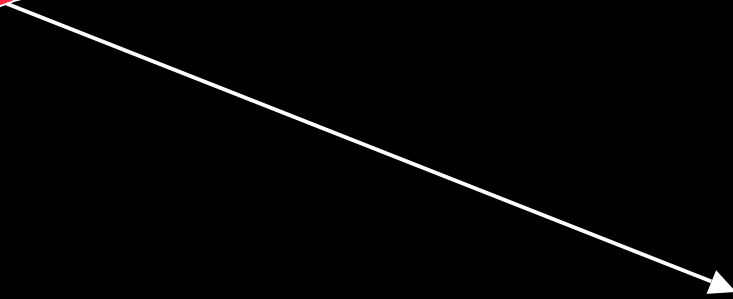
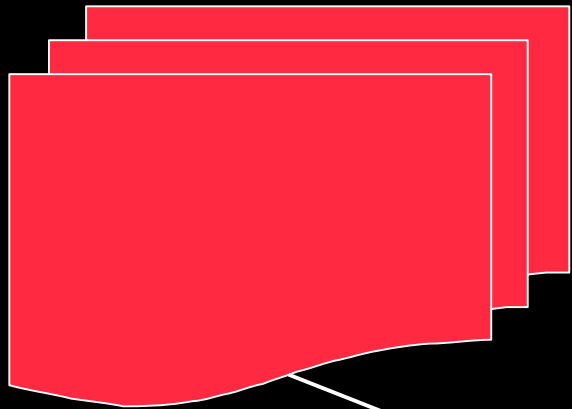












eMail

follows from the
architecture:

can't know:

can't know:
who

can't know:

who

what

can't know:

who

what

where

“relative anonymity”

can't regulate

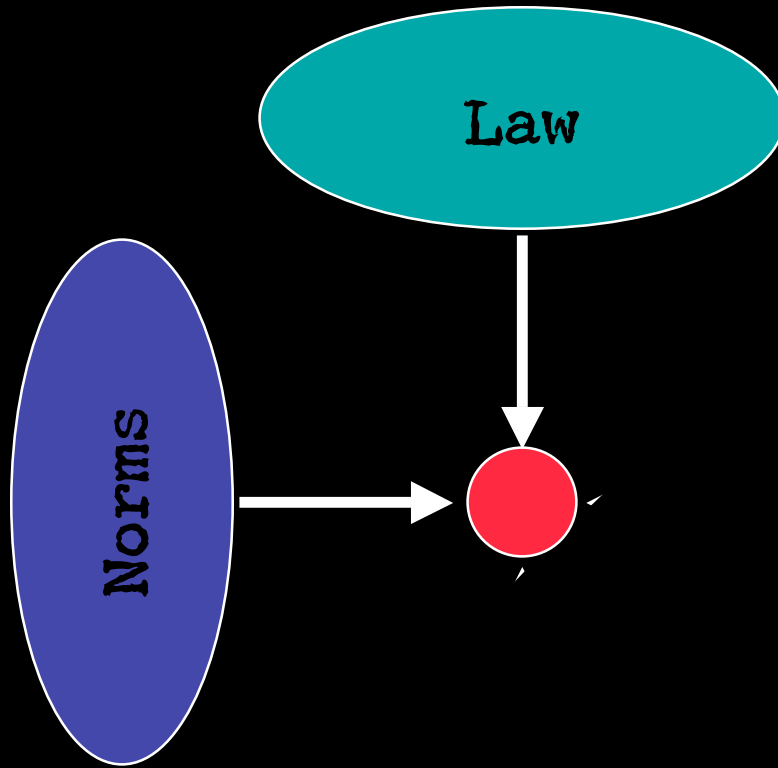
e. g. ,
no porn to kids

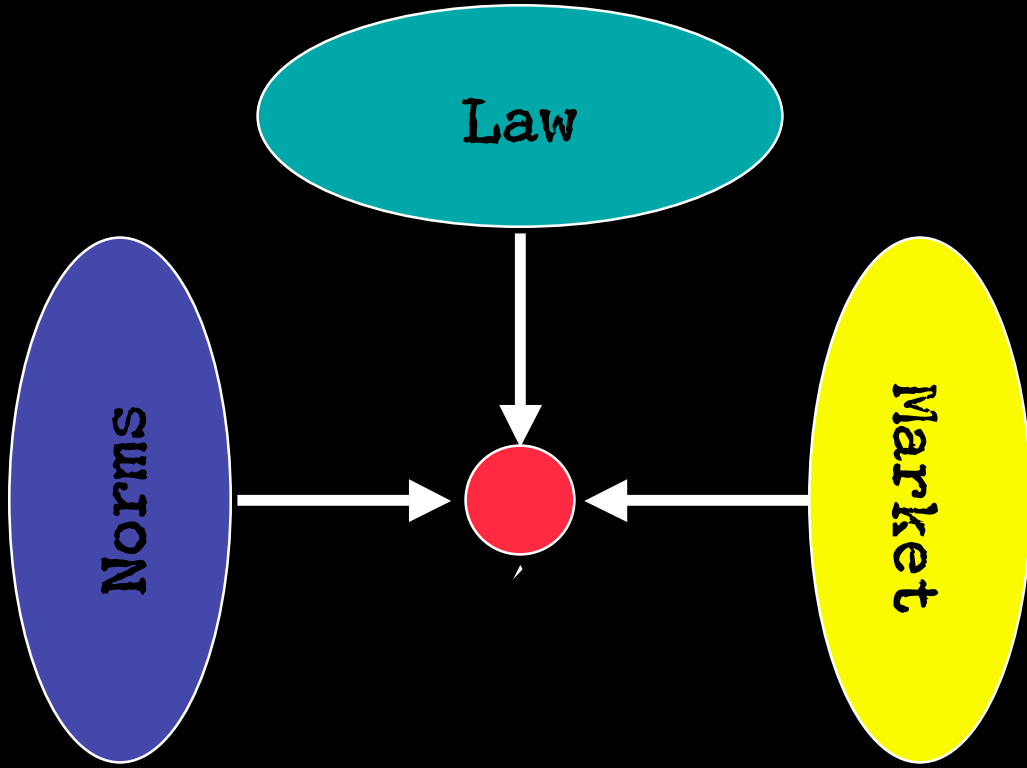
(1) real space

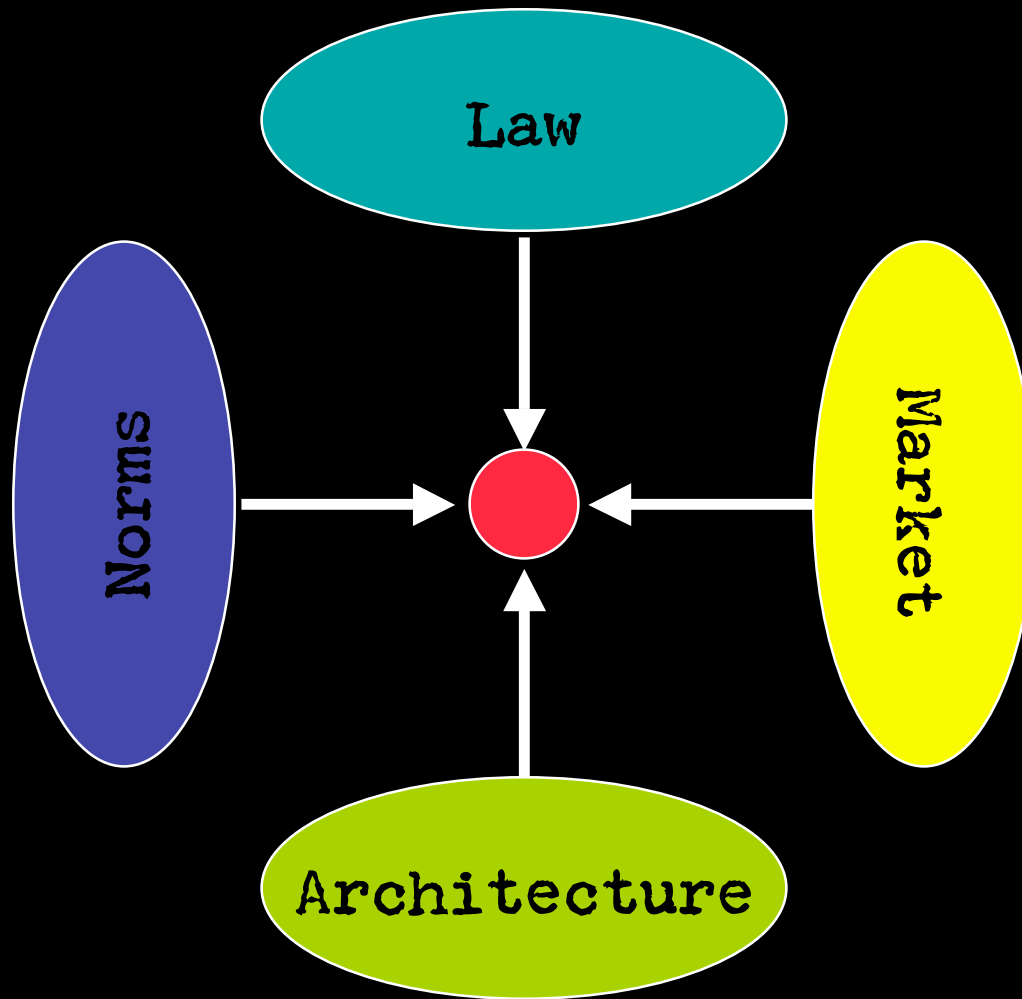


Law



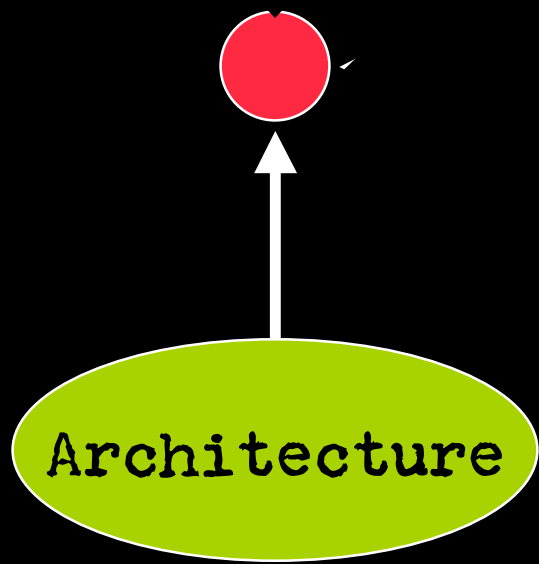






(2) cyberspace

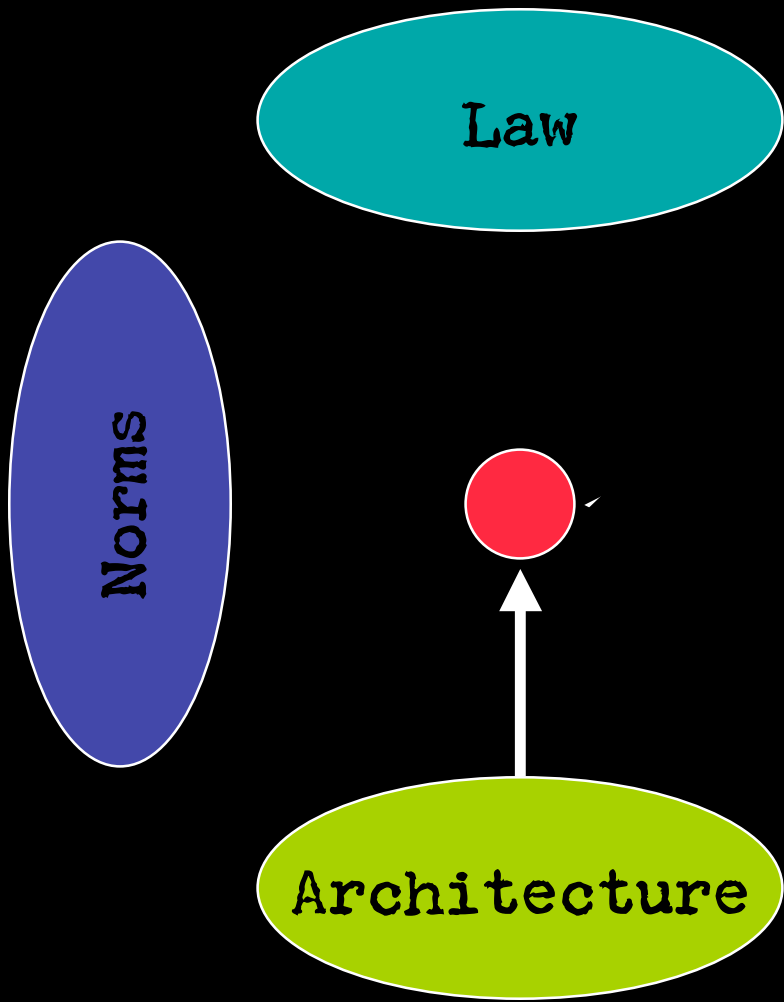


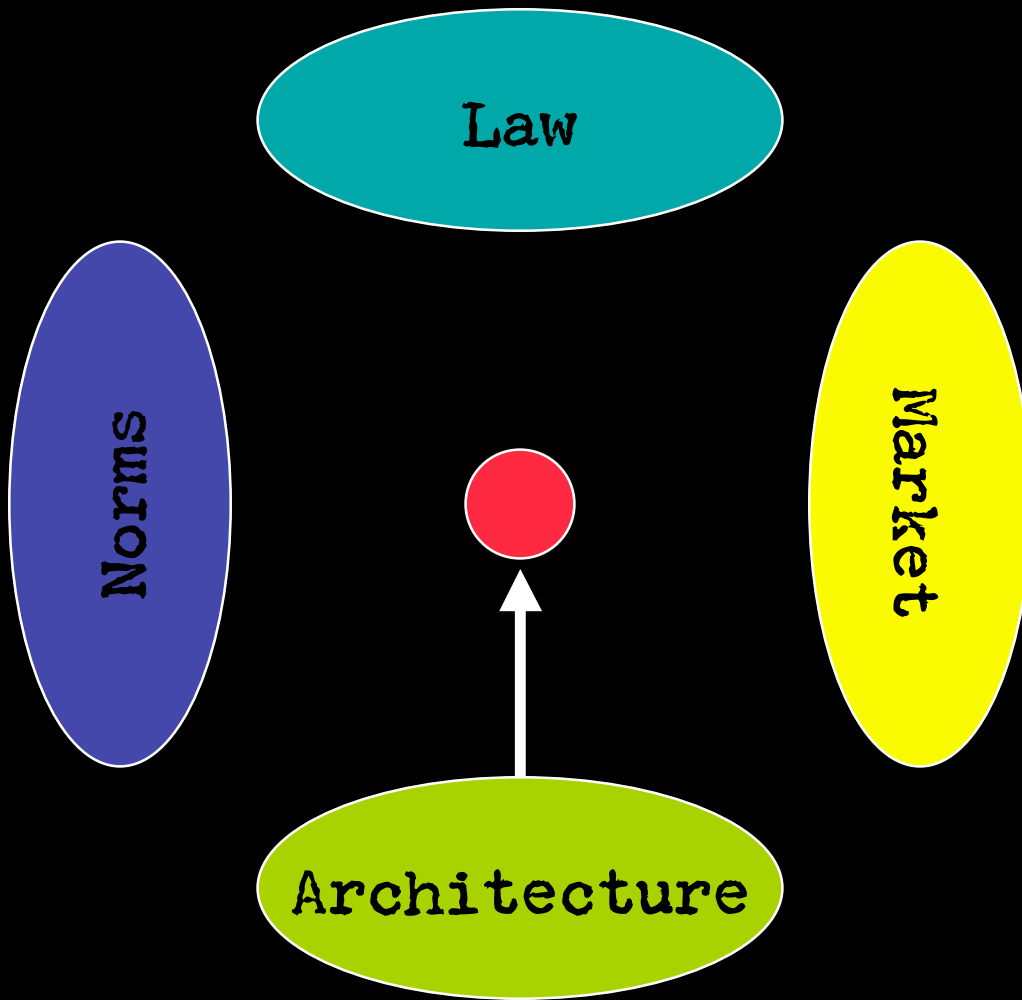


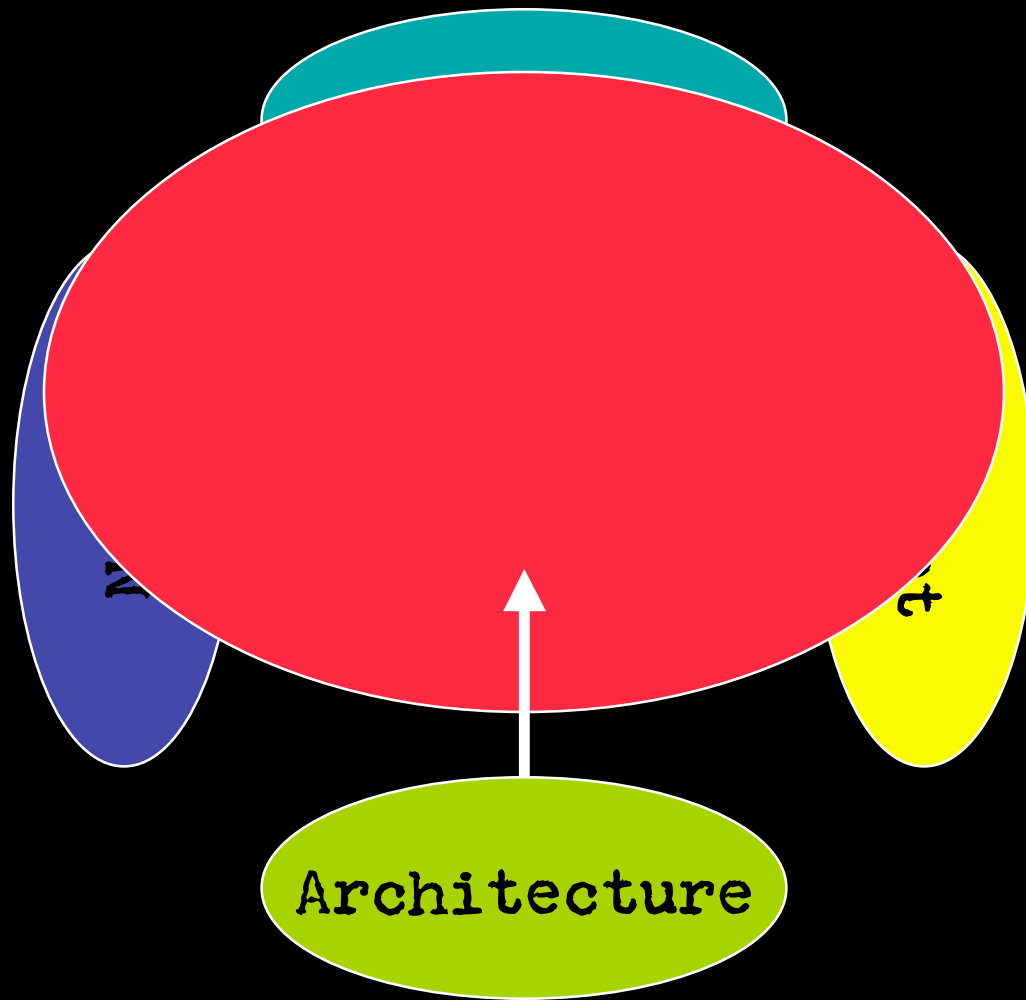
Law



Architecture







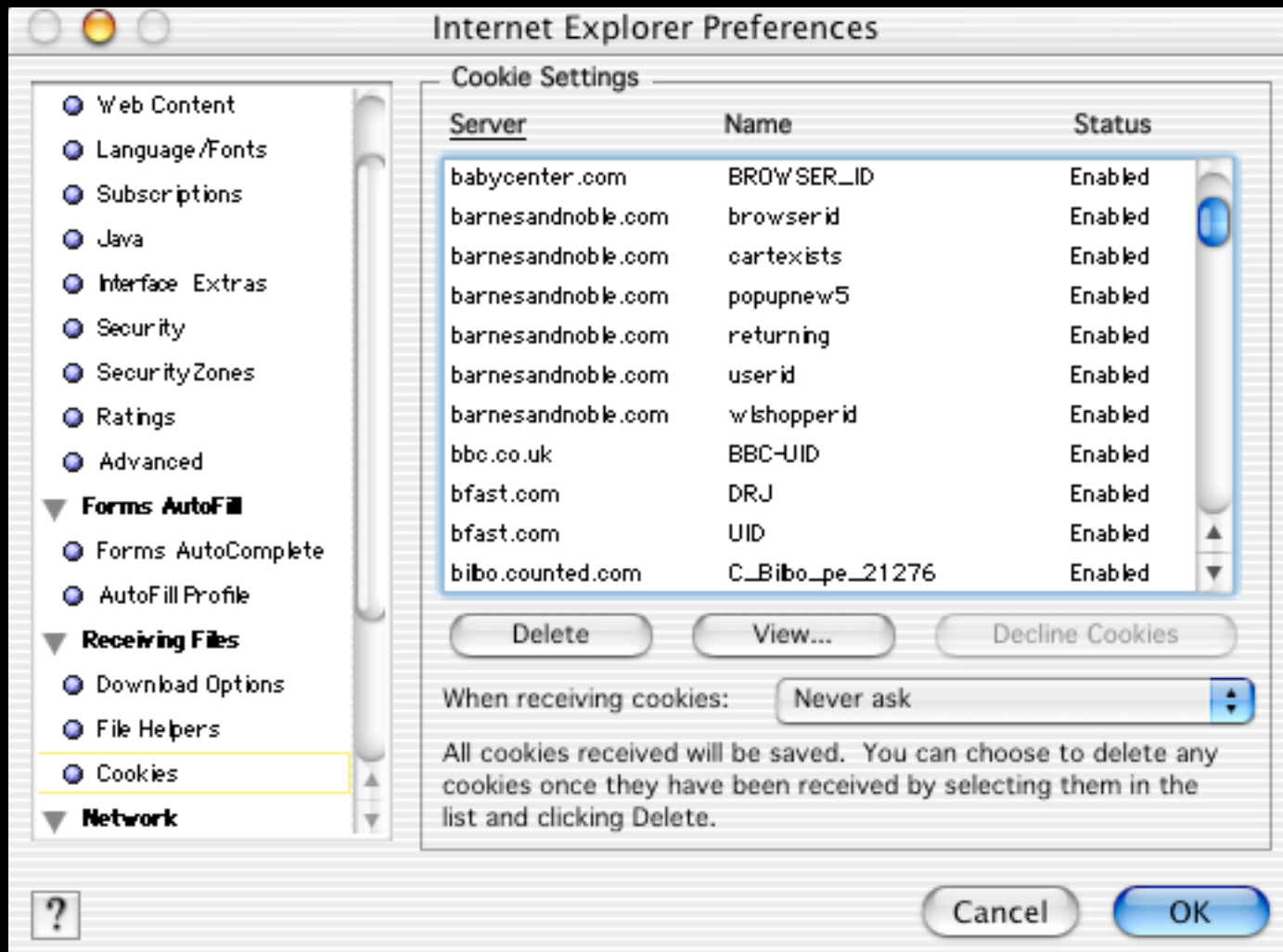
can't market-ulate

Laws and Market

Laws and Market
change

Laws and Market
change
relative anonymity



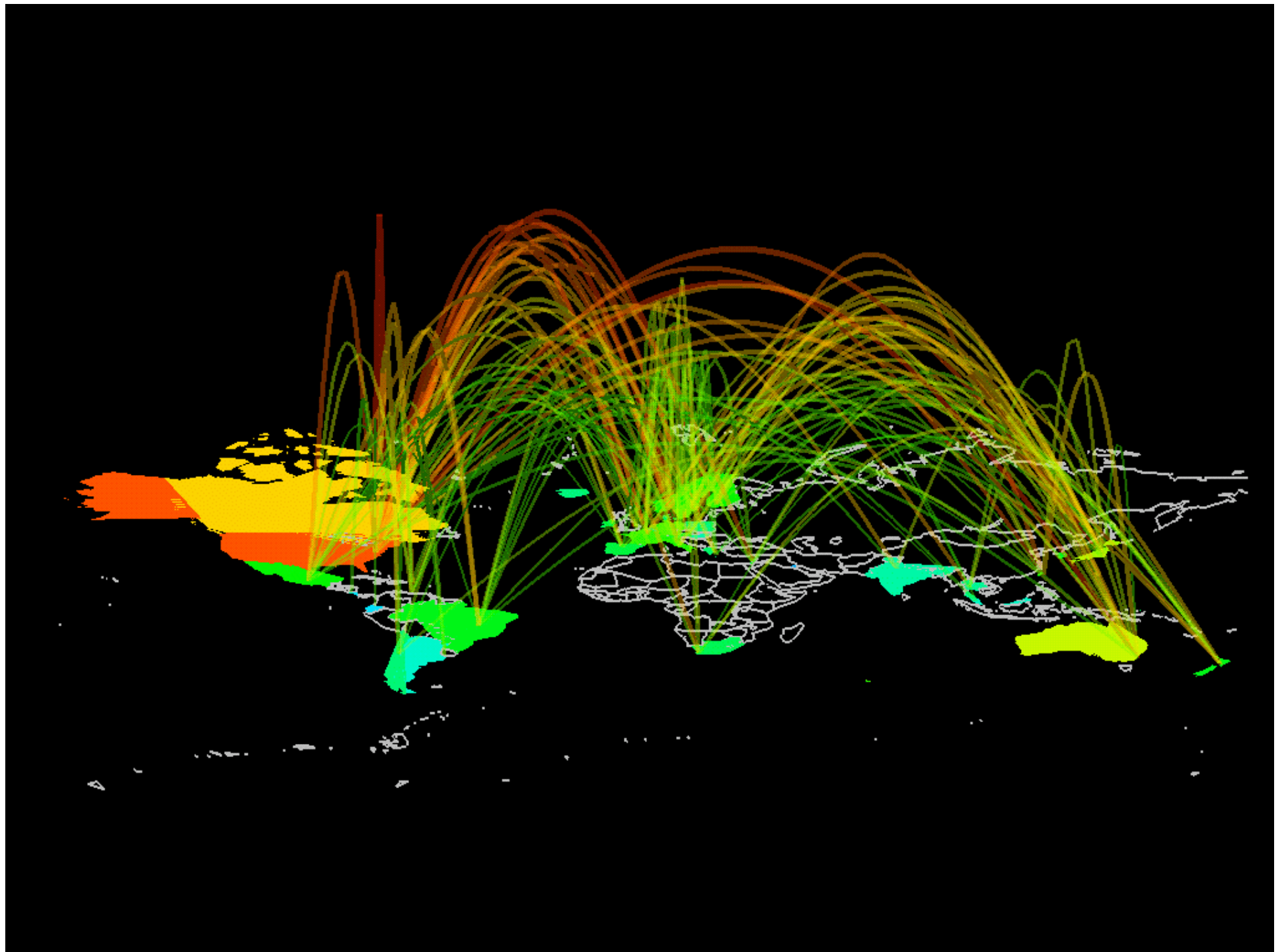


cookies

&

maps







IP mapping

IP mapping

162.46.23.1 = NYC

packet sniffing

packet sniffing
“this packet is mp3”

can know:

can know:
who

can know:

who

what

can know:

who

what

where

“relatively anonymous”

“relatively identified”

“unregulable”

“regulable”

e. g. ,
kids & porn

“must block”

Law



“relatively identified”

can know:

can know:
who

can know:

who

what

can know:

who

what

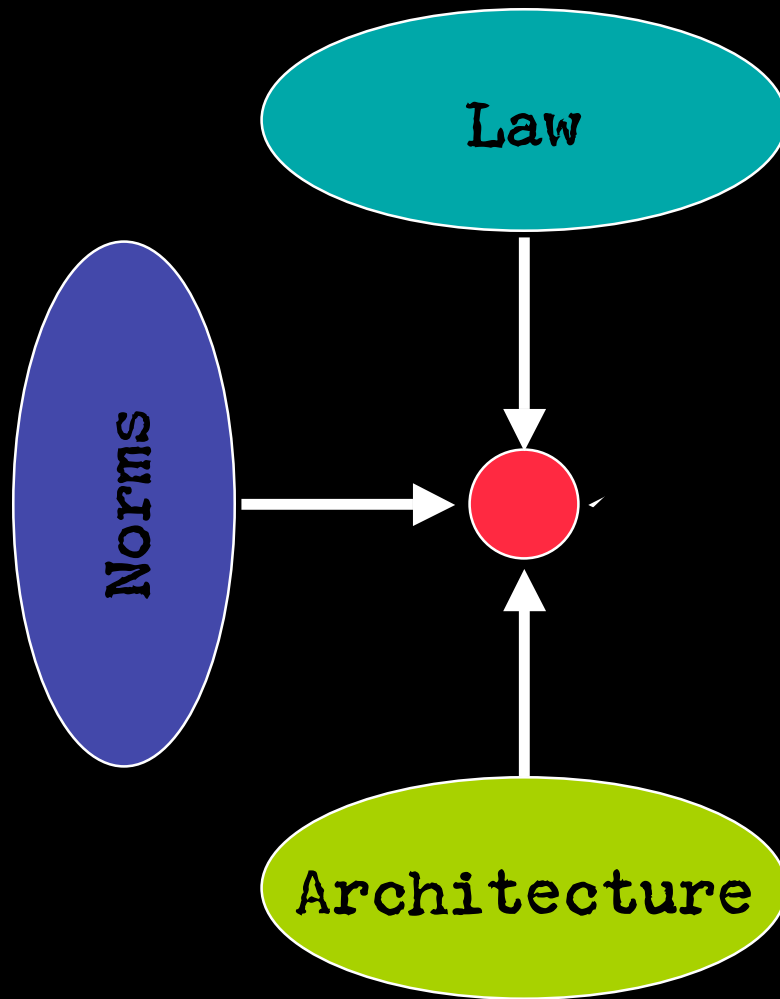
where

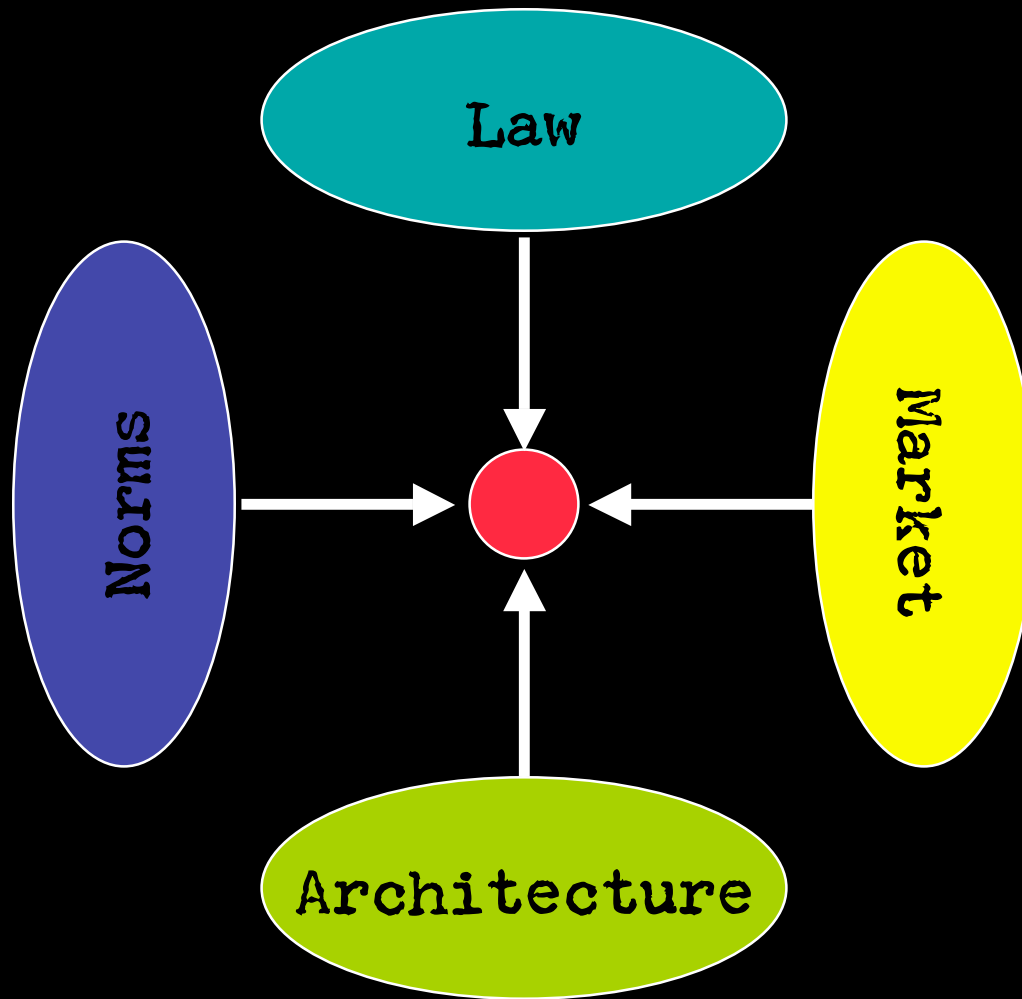
Law



Architecture







changes:

changes:

(1) more commerce

changes:

- (1) more commerce
- (2) more control

[commerce & control]