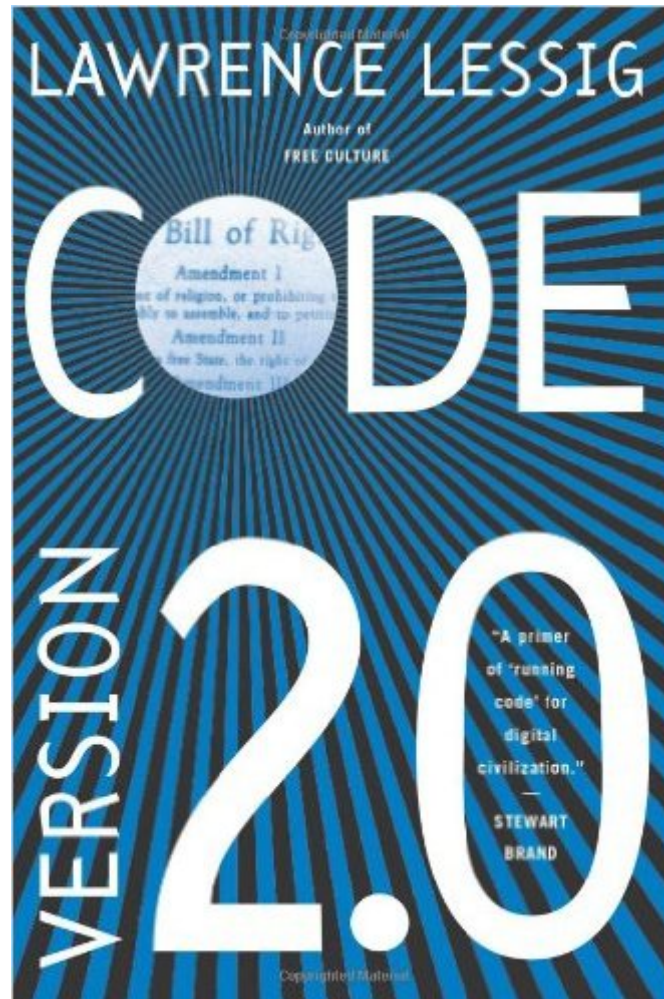


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Code: And Other Laws Of Cyberspace, Version 2.0



Synopsis

There's a common belief that cyberspace cannot be regulated—that it is, in its very essence, immune from the government's (or anyone else's) control. Code, first published in 2000, argues that this belief is wrong. It is not in the nature of cyberspace to be unregulable; cyberspace has no "nature." It only has code—the software and hardware that make cyberspace what it is. That code can create a place of freedom—as the original architecture of the Net did—or a place of oppressive control. Under the influence of commerce, cyberspace is becoming a highly regulable space, where behavior is much more tightly controlled than in real space. But that's not inevitable either. We can—we must—choose what kind of cyberspace we want and what freedoms we will guarantee. These choices are all about architecture: about what kind of code will govern cyberspace, and who will control it. In this realm, code is the most significant form of law, and it is up to lawyers, policymakers, and especially citizens to decide what values that code embodies. Since its original publication, this seminal book has earned the status of a minor classic. This second edition, or Version 2.0, has been prepared through the author's wiki, a web site that allows readers to edit the text, making this the first reader-edited revision of a popular book.

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Customer Reviews

If you take Web 2.0 at all seriously then, whatever your political or philosophical persuasion, Larry Lessig's Code: Version 2.0 is a compulsory read. My own political and philosophical persuasion is considerably different from Lessig's and consequently I don't entirely agree with either his

conclusions or the weight he attaches to some of his concerns, but I still take my hat off to his methodological and philosophical achievement: *Code: Version 2.0* presents a novel and undoubtedly striking re-evaluation of some fundamental social, legal and ethical conceptions and makes an entirely persuasive case that our traditional, deeply-held, and politically entrenched ways of looking at the world simply aren't fit for purpose any more. Intellectually, this is therefore an extraordinary, eye-opening, paradigm shifting, challenging, exhilarating read. (I note some previous comments that this is a book for lawyers: I'm a lawyer, so perhaps that explains my enthusiasm, but this is no ordinary legal text, and should be of interest to anyone with a political, philosophical or scientific bone in their body.) Lawrence Lessig charts, with a fair bit of technical specificity, the technical and epistemological grounds for thinking that the internet revolution (and specifically the "Web 2.0" revolution) is as significant as any societal shift in human history. Generally, this is not news for people in the IT industry - who deal with its implications day to day - but for our legal brethren, who tend to be of a conservative (if not technophobic) stripe, this ought to be as revelatory (and revolutionary) as Wat Tyler's march on London. Now we have a hyperlinked, editable digital commons, the assumptions with which we have constructed our society need to be rethought.

Code 2.0 Summary The Internet is a medium through which the individual is provided with both extreme freedom and complete control. As Lessig suggests in *Code 2.0*, this dichotomy presents a delicate balance towards the abilities and uses of the hardware and software of the digital age. By comparing the inner workings of the regulation of cyberspace to the Constitution, Lessig establishes a dialogue that addresses the idea that a new form of regulation is to be created in order to maintain control over cyberspace. He defines code as the basic governing structure upon which the Internet is founded and ascertains that "code is a regulator in cyberspace because it defines the terms upon which cyberspace is offered" (6). Lessig uses this definition throughout his argument to support the idea that, in its ability to do and create anything within the virtual space, it is able to establish complete control over the Internet. He presents the potential for the regulation of this code and, furthermore, the regulation of cyberspace as a whole. Through stories and examples of this paradox in action, he shows the many ways in which code can be used to control situations that initially break the possibilities in the real world. He poses the question, "We will see that cyberspace does not guarantee its own freedom but instead carries an extraordinary potential for control. And then we will ask: How should we respond?" (5). He establishes that cyberspace can be regulated through four underlying factors: architecture, norms, law, and market. These broad categories encompass that framework that Lessig suggests is the infrastructure that allows the

possibility of bring order and regulation to a tool that can make virtually anything possible.

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