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How Information Systems are Affecting the Sources of Control in a Global Economy

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Abstract: Whilst the issue of jurisdiction – the question of how far control extends – has always been controversial, the introduction of information and communications technologies only exacerbates the problem. The first generation of scholars to consider this question tended to see technology creating a separate space – cyberspace – with its own legal boundaries. A second generation of scholars, however, has argued that there is nothing new with cyberspace and that conflicts over boundaries have always existed in the law; as a result, they argue that technology is not as remarkable a factor as the first generation believe. By considering the case of copyright and peer-to-peer technologies together with the regulatory environments surrounding their development, use and control, this paper proposes a further refinement in the dialectics of control through technology that refines our notions of jurisdiction in an era of globalisation enabled by new technologies.

Keywords: Jurisdiction, regulation, peer-to-peer.

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