Rethinking Rights and Regulations: Institutional Responses to New Communications Technologies (Telecommunications Policy Research Conference)

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The contributors to this volume examine issues raised by the intersection of new communications technologies and public policy in this post-boom, post-bust era. Originally presented at the 30th Research Conference on Communication, Information, and Internet Policy (TPRC 2002)--traditionally a showcase for the best academic research on this topic--their work combines hard data and deep analysis to explore the dynamic interplay between technological development and society.The chapters in the first section consider the ways society conceptualizes new information technologies and their implications for law and policy, examining the common metaphor of "cyberspace as place," alternative definitions of the Internet, the concept of a namespace, and measures of diffusion. The chapters in the second section discuss how technological change may force the rethinking of legal rights; topics considered include spectrum rights, intellectual property, copyright and "paracopyright," and the abridgement of constitutional rights by commercial rights in ISP rules. Chapters in the third and final section examine the constant adjustment and reinterpretation of regulations in response to technological change, considering, among other subjects, liability regimes for common carriers and the 1996 detariffing rule, privacy and enhanced 911, and the residual effect of state ownership on privatized telecommunication carriers. The policy implications of Rethinking Rights and Regulations are clear: major institutional changes may be the necessary response to major advances in telecommunications technology.

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