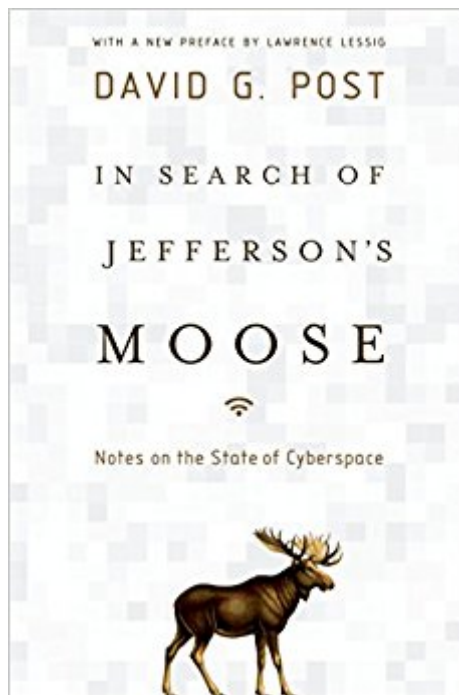




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In Search Of Jefferson's Moose: Notes On The State Of Cyberspace (Law And Current Events Masters)



Synopsis

In 1787, Thomas Jefferson, then the American Minister to France, had the "complete skeleton, skin & horns" of an American moose shipped to him in Paris and mounted in the lobby of his residence as a symbol of the vast possibilities contained in the strange and largely unexplored New World. Taking a cue from Jefferson's efforts, David Post, one of the nation's leading Internet scholars, here presents a pithy, colorful exploration of the still mostly undiscovered territory of cyberspace--what it is, how it works, and how it should be governed. What law should the Internet have, and who should make it? What are we to do, and how are we to think, about online filesharing and copyright law, about Internet pornography and free speech, about controlling spam, and online gambling, and cyberterrorism, and the use of anonymous remailers, or the practice of telemedicine, or the online collection and dissemination of personal information? How can they be controlled? Should they be controlled? And by whom? Post presents the Jeffersonian ideal--small self-governing units, loosely linked together as peers in groups of larger and larger size--as a model for the Internet and for cyberspace community self-governance. Deftly drawing on Jefferson's writings on the New World in Notes on the State of Virginia, Post draws out the many similarities (and differences) between the two terrains, vividly describing how the Internet actually functions from a technological, legal, and social perspective as he uniquely applies Jefferson's views on natural history, law, and governance in the New World to illuminate the complexities of cyberspace. In Search of Jefferson's Moose is a lively, accessible, and remarkably original overview of the Internet and what it holds for the future.

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Customer Reviews

David G. Post, in his book "In Search of Jefferson's Moose: Notes on the State of Cyberspace", develops an exceptional framework to talk about cyberspace around the unusual personality and characteristics of Thomas Jefferson. In fact, the name of the book refers to Jefferson's book "Notes on the State of Virginia". These two might seem totally different and/or incompatible at first sight; however, as the reader delves into the book, he quickly discovers why the author chose to put Jefferson in the center of the book and how a discussion about regulating cyberspace would benefit from referring to Jefferson. There is no doubt that Jefferson was a truly extraordinary character in his lifetime; however, what makes him such an essential personality for a discussion on cyberspace is the fact that he witnessed and also contributed to the formation of the independent United States while asking extraordinary questions that no one else would ask. One of the main arguments presented in this book is that it is time for ordinary Internet users to start asking extraordinary questions about the rules and regulations different countries are proposing to adopt to govern the cyberspace. Post argues that an exploration of cyberspace shares parallelism with an exploration of the State of Virginia, which Jefferson depicted in detail in response to a query he received from a French officer. Accordingly, Post starts his exploration by defining cyberspace and its characteristics. In order to help those readers who are not familiar with Jefferson, his writings and ideas, Post provides many exhaustive footnotes, which are quite easy to follow. Post, just like Jefferson, starts his book by describing the boundaries and geography of cyberspace.

I recommend the book, but I suggest skimming the parts on Thomas Jefferson. Yes, the man was interesting. Yes, there are some similarities between his views of beginning America and the birth and growth of the internet. But not many. The meat of the book is fantastic, especially as a historical and detailed explanation of the Internet. Furthermore, the discussion of how and, especially, why the Internet works is inspired. This is the particular piece where, even I will admit, some of the Jeffersonian comparison is justified. Yes, the Internet (specifically TCP/IP) works well from a decentralized structure. Yes, it has grown geometrically, much like population, lending it to the power law. However, it does not "just as Jefferson predicted with the growth of America" follow

Montesquieu's prediction that republican governing does not work in large states. Here, however, I do disagree to a point. I disagree that we can even begin to compare the growth of the internet with that of the growth of the republic we now know as the United States of America. First, America grew at the expense of the first-comers, where TCP/IP had the first advantage to begin with. Second, the geography of America acted as part of the architecture of population growth, where the Internet has grown somewhat organically, programmers creating every border and constructing every wall. I would go further to say that the Internet is not governed democratically, as Post suggests, but instead is ruled much in the way of a corporation, or even meritocratically. The very landmarks of a democracy – free and fair elections, active input from the people, having rule of law – are absent. Even the general assumptions of democracy – protection of human rights, civil liberties, etc – are absent in practice.

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