Marsden

Internet Co-Regulation

Chris Marsden argues that co-regulation is the defining feature of the Internet in Europe. Co-regulation offers the state a route back into questions of legitimacy, governance and human rights, thereby opening up more interesting conversations than a static no-regulation versus state regulation binary choice. The basis for the argument is empirical investigation, based on a multi-year, European Commission-funded study and is further reinforced by the direction of travel in European and English law and policy, including the Digital Economy Act 2010. He places Internet regulation within the regulatory mainstream, as an advanced technocratic form of self- and co-regulation which requires governance reform to address a growing constitutional legitimacy gap. The literature review, case studies and analysis shed a welcome light on policymaking at the centre of Internet regulation in Brussels, London and Washington, revealing the extent to which states, firms and, increasingly, citizens are developing a new type of regulatory bargain.

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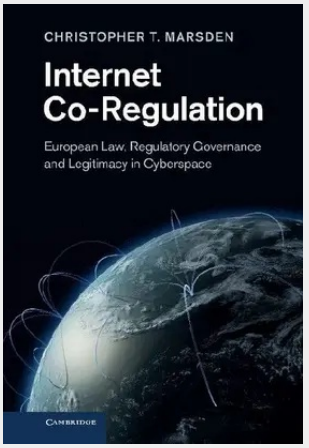

158,00 €
158,00 € (zzgl. MwSt.)

Lieferfrist: bis zu 10 Tage

Artikelnummer: 9781107003484
Medium: Buch
ISBN: 978-1-107-00348-4
Verlag: Cambridge University Press
Erscheinungstermin: 22.09.2014
Sprache(n): Englisch
Auflage: 1. Auflage 2014
Produktform: Gebunden
Gewicht: 602 g
Seiten: 310
Format (B x H): 157 x 235 mm

Kundenservice Verlag Dr. Otto Schmidt KG
Neumannstraße 10, 40235 Düsseldorf | kundenservice@otto-schmidt.de | 0221-93738-997 (Inland)