



Accepted Papers

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Studying and understanding present-day media and IT laws
MacSithigh D, Newcastle University

First, I argue that distinctions between mediums are more culturally and economically significant than often understood. I explain the work of the Canadian scholars Harold Innis and Marshall McLuhan (with emphasis on the neglected former) on the attributes of different mediums and how technological change is related to social and political change. I contend that although the engagement of Innis, McLuhan and the 'Toronto School' with legal questions is incomplete, Innis's approach to the medium contains valuable lessons for the study of the law. Then, I propose is that differential regulation based on distinctions between different forms of communications is long established, across a range of fields. I base this argument on examples including approaches to non-verbal communication (e.g. ranging from religion to protest), the expansion of copyright law to emerging technologies in the early 20th century, and the application of broadcasting and telecommunications law to cable and satellite in the late 20th century. What these examples have in common, despite dealing with different doctrines and legal systems, is a recognition that different platforms provoke different types of regulatory response. Finally, I summarise how this approach can be utilised in studying and understanding present-day media and IT laws.