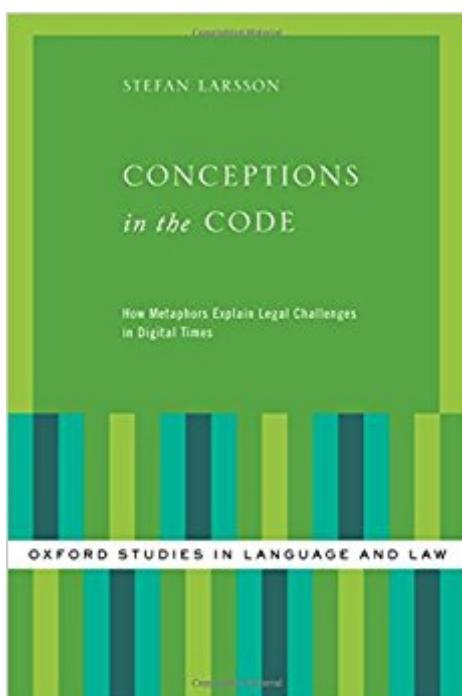The book was found

Conceptions In The Code: How Metaphors Explain Legal Challenges In Digital Times (Oxford Studies In Language And Law)

Synopsis

Stefan Larsson's Conceptions in the Code makes a significant contribution to sociolegal analysis, representing a valuable contribution to conceptual metaphor theory. By utilising the case of copyright in a digital context it explains the role that metaphor plays when the law is dealing with technological change, displaying both conceptual path-dependence as well as what is called non-legislative developments in the law. The overall analysis draws from conceptual studies of "property" in intellectual property. By using Karl Renner's account of property, Larsson demonstrates how the property regime of copyright is the projection of an older regime of control onto a new set of digital social relations. Further, through an analysis of the concept of "copy" in copyright as well as the metaphorical battle of defining the BitTorrent site "The Pirate Bay" in the Swedish court case with its founders, Larsson shows the historical and embodied dependence of digital phenomena in law, and thereby how normative aspects of the source concept also stains the target domain. The book also draws from empirical studies on file sharing and historical expressions of the conceptualisation of law, revealing both the cultural bias of both file sharing and law. Also law is thereby shown to be largely depending on metaphors and embodiment to be reified and understood. The contribution is relevant for the conceptual and regulatory struggles of a multitude of contemporary socio-digital phenomena in addition to copyright and file sharing, including big data and the oft-praised "openness" of digital innovation.

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