Cyber- space, law and diplomacy

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International law and cyberspace

- NZ Ministry of Foreign Affairs and Trade statement
- "The Application of International Law to State Activity in Cyberspace"
- Applicable international laws (e.g., UN Charter, customary international law)
- Relevant international legal principles (e.g., principle of sovereignty, use of force)

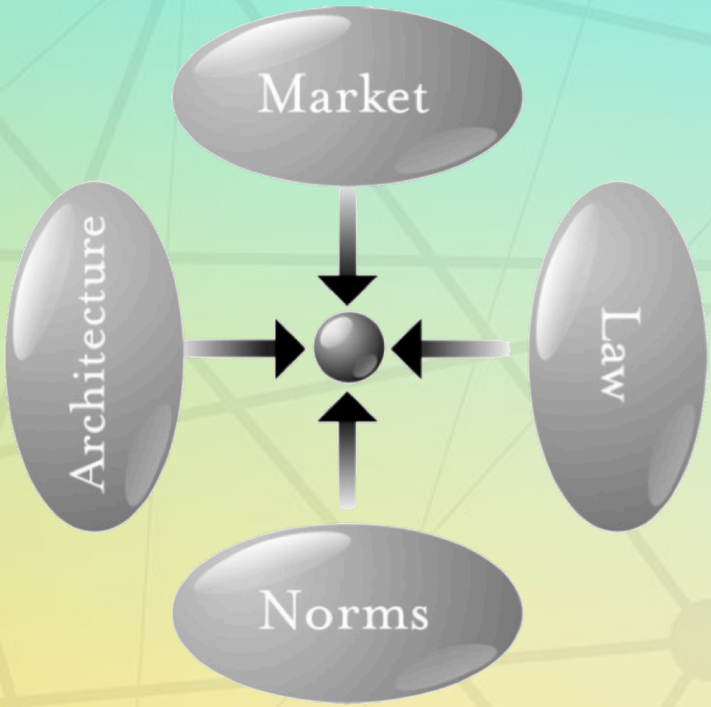
Limitations of current approaches

- Focus solely on international law and state actors
- Does not consider **other normative orders and rules**
- Neglects essential role of **non-state actors** (e.g., Internet Society, IETF)

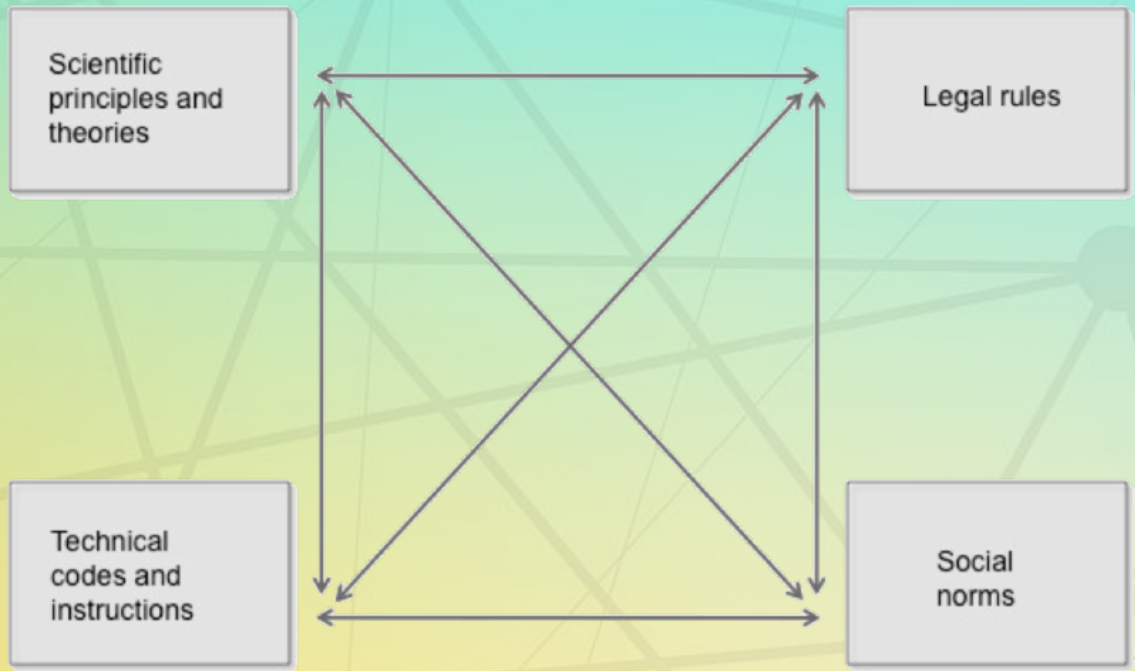
Legal pluralism

- "that state of affairs, for any social field, in which behavior pursuant to more than one legal order occurs"
- Critique of legal centralism – belief that "law is and should be the law of the state, uniform for all persons, exclusive of all other law, and administered by a single set of state institutions"
- There are other legal and normative orders

Lessig's code and other laws of cyberspace



Rules of a networked society



Multidisciplinary and pluralist conception

- Computer science (technological and scientific)
- Political science (social and scientific)
- Law (legal and social)
- Behavioural science (social and scientific)