Towards a Political Ontology of Intellectual Goods

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Context

• Major structural changes since 1970
• Expanse of intellectual property (IP)
• Rise of alternatives to IP

Question:
What is the best basis of differentiation between intellectual goods?
Political Ontology

- Resurgent framework
- Reciprocity between political and ontological
- Some significant limitations
Political Ontology and the Contractarians

- Hobbes, Locke and Rousseau’s political ontologies
- Why use these three?
- Focus on behavioural motivations and ideas on property
Hobbes

• “That such things as cannot be divided, be enjoyed in Common, if it can be, and if the quantity permit, without Stint;” (*Leviathan*, Chpt. 15)

• “Men are continually in competition for Honour and Dignity” (*Leviathan*, Chpt. 17)
Locke

• “…every man has Property in his own Person” (Two Treaties of Government, II s.27)

• “Whatsoever then he removes out of the State of Nature hath provided, and left it in, he hath mixed his Labour with, and joyned to it something that is his own, and thereby makes his property… that excludes the common right of other men” (Two Treaties of Government, II s.27)
Rousseau

• “If we follow the progress of inequality in these various revolutions, we shall find that the establishment of laws and of the right of property was its first term” (*Discourse on Inequality*, pt. II)

• “… the general will is always rightful and always tends to the public good.” (*The Social Contract*, II, Chpt. 3)
Preliminary Analysis

• Most IP is Lockean and most alternatives are Rosseanuian

• However, some IP mechanisms (geographical indicators), and some alternatives (prizes) are Hobbesian (focus on reputation)

• Ontological categories reflect incentive structures
Final Question

• Is there any social use/applicability to such a framework/analysis?