

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 Rosseauian
- 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?