

Intellectual Property Makes Everyone a Criminal

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An object is not a resource unless humanity has found some use for it. A resource is scarce unless there is enough of it to satisfy everyone's preferences. Due to the conflicting nature of everyone's varied preferences, scarce resources must be allocated in such a way as to reduce conflict over their use. The only way to effectively allocate scarce resources for the purpose of minimizing conflict is by assigning people an exclusive right of control on the basis of original appropriation. This exclusive right of control is called ownership, and its subject is property.

It would be contrary to the purpose of property ownership to assign people an exclusive right of control over something that is neither an object, nor scarce. An idea is a thing that is neither an object, nor scarce. Ideas are infinitely reproducible and may satisfy everyone's preferences simultaneously. Ideas are a type of information, and are not limited to a medium in the material world.

Because ideas are not a scarce resource, making them subject to the same type of ownership necessarily interferes with everyone's exclusive rights of control over their material property. Owning an idea would mean that others may not implement that idea into a medium made from their property. An owner's right of control over their property is no longer exclusive to themselves. A share of their ownership is necessarily given to another on the basis of having an exclusive right of control over an idea. If we are to assign property rights to non-scarce non-objects, then this assignment necessarily trumps, or is superior to, property rights assigned to scarce resources.

Because no idea is without its influences, every new idea is the result of mixing, borrowing from, and changing old ideas. If ideas are subject to ownership, then each new idea owner must account for having obtained permission to use older ideas from their owners. For a complete respect of property rights in ideas, everyone must account for the ideas they use everyday. It does not seem possible or even practical for users of ideas to account for permission of their use.

Unlike with non-scarce non-objects, the users of material property can account for permission of their use. If they cannot, then they are likely thieves who have stolen material property from its owner. Because we all use ideas without accounted for permission everyday, we are all thieves. If a system of ownership allocation makes everyone out to be thieves necessarily, then it is a poor system of ownership allocation. Property rights should not be assigned to non-scarce non-objects, such as ideas. Doing so

necessarily increases conflict over their use, causing all of us to become criminals.