

On copyright

2 December 1998

What is the standing of the Socialist Equality Party over the question of copyright under capitalism and how would it be used (or whether it'd be discarded) under socialism?

I understand this is not a black/white question. I myself support the existence of copyright insofar as the defence of the rights of the author of any artistic material is concerned.

But copyright is mainly used under capitalism to ensure that bourgeoisie obtain exclusive rights to (and hence exclusive access to the profit provided by) a work of art, a scientific discovery, etc.

Copyright is also a law which has enough holes in it so as to allow the bourgeoisie to bypass it, as it has been the case so often with Microsoft among others.

DG

1 December 1998

Dear DG,

There are a number of sides to the issue of copyright.

Under capitalism all forms of literary, artistic, scientific and technological endeavour are necessarily treated as forms of private property. Copyright, together with trademarks and patents come under the category of intellectual property, with all manner of complex rules relating to the use, reproduction and licensing of inventions and creations.

This property is strictly defined as bourgeois property. In this field, as in every other, the producers are alienated from the produce of their labour. Wage employees, for example, enjoy no rights, or control, over the discoveries or artistic creations they make in the course of their employment. Either by contract or by common law, these become the property of the company for which they work.

Insofar as we live under capitalism, our movement--the Socialist Equality Party and the International Committee of the Fourth International--is obliged to utilise these laws in order to be able to publish books, journals and other material and also to protect our

literary rights against those who might seek to misuse the material. However, we stand for the ultimate abolition of all forms of bourgeois property, including intellectual property.

The development of intellectual property needs to be viewed historically. I have attached a helpful article that our party in the United States published in 1993 on the issues raised by computer software. It makes the point that intellectual property emerged as a progressive measure required by the development of new technology, particularly after the invention of printing. It was a form of capitalist property that was necessary for the overturn of feudalism and its hereditary property forms.

Today, vast progress in computerisation and other scientific, medical and technological developments have come into conflict with the strictures of intellectual property. From being a tool for the expansion of humanity's productive forces, intellectual property has become a barrier.

In the first place, modern science has created the objective conditions where humanity can fundamentally reorganise society along socialist lines. That is, it is possible to meet all social needs without prolonged labour and the need for individual material incentive. At the same time, complex social products such as computer programs and global telecommunications have outgrown the narrow confines of capitalist private property and also the system of nation states created by capitalism.

The attached article also provides an illustration of the processes by which Microsoft and other conglomerates find holes in copyright, as you put it. As the article explains, decisions on copyright are usually made not simply on the basis of who actually made the breakthrough but according to the interests of the most powerful sections of big business.

Another side to the issue is the legitimate concerns of writers, artists, researchers and scientists to exercise

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<http://www.wsws.org>

some control over how their discoveries or creations are used or presented. Under capitalism they have no choice but to seek to protect their interests via the laws of intellectual property. Indeed, it is often a question of economic survival.

But there is no reason why, with the socialist transformation of society, these concerns could not be met through fraternal discussion and democratic regulation. With social ownership of big companies, such as Microsoft, the media empires and pharmaceutical transnationals, bodies of artists and researchers could review and administer such matters. In the absence of economic pressures, genuine artistic collaboration could flourish and artistic disputes could more easily and fairly be settled. In scientific and technological fields, committees of peers and users could assist international cooperation, approve new inventions and ensure standardisation. To a certain extent, this already takes place with the international committees that set protocols for the World Wide Web. In capitalism's youth, when it was still a rising and historically progressive system, many of its great inventors eschewed the very conception of private ownership of inventions, as the attached article notes in relation to Benjamin Franklin. How removed this generous spirit is from today's economic order, in which even the most critical scientific and medical research is hampered by the patenting of every discovery in the drive for corporate profit.

On the World Socialist Web Site we have regularly followed the developments and disputes surrounding the emergence of the Internet and the efforts of Microsoft, in particular, to monopolise this new global medium. You can access these articles on the site (www.wsws.org) under the heading: News & Analysis: Science & Technology.

Unfortunately, these remarks can only provide a sketch of the issues involved.

I would welcome any feedback.

Regards,

Mike Head

Socialist Equality Party

See Also:

Intellectual property and computer software

To contact the WSWWS and the