

Deborah Amos speaks with Professor Adrian Johns, Chairman of the Committee on Conceptual and Historical Studies of Science at the University of Chicago, on piracy. He is also the author of Piracy: The Intellectual Property Wars from Gutenberg to Gates.

DEBORAH AMOS (DA): What exactly is piracy and does it encompass copyrights, patents, intellectual property theft, or all the above?

ADRIAN JOHNS (AJ): It encompasses all of the various branches of intellectual property. Piracy is essentially the theft of intellectual property however that's defined. Nowadays, we live in an information economy where more or less anything has some information component to it. The scope of piracy is extending across the whole economy. You can find pirated toys, pirated aircraft parts. Anything that has an economic value can be pirated today.

DA: What's the best argument for protecting intellectual property and why do we need these laws?

AJ: There are several different kinds of arguments that can be made for intellectual property. One is the moral argument that it's just right to reward intellectual creators. Then there's the argument that there has to be an economy for creative work. People simply won't make the investment in developing new works of music or new books if there weren't some way of making it a good bet that they would get a return on the investment. Then there is an argument about incentivizing creativity with respect to the public good – it's good for all of us and that we have creative artists out there doing their bit creating new works on an ongoing basis.

So there's three kinds of arguments: there's a moral argument; a kind of economic argument; and a kind of moral economic argument to deal with the public good. While all of these arguments are powerful and they win people over, none of them is all-powerful and none of them is ever been universally effective. In each case it can be argued that the intellectual property system as it now stands is not actually a good manifestation of that argument and we therefore need a radical re-writing in intellectual property systems in order for them to represent that argument which the very defenders think, is so valuable.

DA: Why are modern economies so keen on combating piracy?

AJ: Different nations and different cultures are keen on combating piracy to different extents. The United States, for example, is largely the world's policeman about intellectual property. If you're trying to catch up to the developed world, it's not quite as clear that there is something to be said for pirating partly because most of intellectual properties are owned by the developed world.

If you're in the developing world or if you're an up-and-coming power, you can argue perhaps that the powers that are now upholding intellectual property as a global good built themselves to positions of economic supremacy by systematically ignoring that good. The United States in the first generations of its existence pretty much systematically helped itself to technologies, ideas, and sciences from Western Europe. That was partly what explained the rise of the United States as an industrial power.

DA: But let me ask you, it's not that the public is demanding new laws. In fact, most people don't really care. They'd be quite willing to download free audio files or a movie if they just knew how to do it. It's not a burning issue with the public.

AJ: I think your right. I think it's not a burning issue at least to the extent that the public is not clamoring for new laws about it. I think though that if you scratch the surface and bring home some of the implications which might involve the drastic under-funding of certain expensive forms of cultural production, like Opera Houses or something like that, then people will stop and see that the importance of paying for creative works is not just moral, it's practical too. If you want creative works to go on being made in the future, then there has to be at least some kind of economy of this.