

The Economic Consequences of the Reflexivisation of the Concept of Intellectual Property – A Theoretical Approach

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Abstract. *Intellectual property is, from the perspective of economic theory, quite a stand-out. It retains the meritocratic particularities of material property – and, as such, advocating for its validity seems justified to many on the grounds that it helps the economic agent appropriate the benefits of his (in this case, intellectual) labour, while also being, in and of itself, immune to the scarcity which is inherent to “standard”, material property and, therefore, to the so-called “natural laws” governing most laissez-faire moral convictions, seeming to be a rather positive construction instead. Such a peculiar set of attributes is bound to make this concept sensitive to both intellectual differences among its “scientific undertakers” and applicative disturbances. If the praxeological approach of some Austrian School economists, like Stephan Kinsella, renders intellectual property a monopolistic obstacle in the way of proper free market development, other advocates of laissez-faire economics, such as Ayn Rand, fully embrace the notion and even consider it the only valid form of private property in existence (material property being nothing more than one of its sub-categories). This paper features an exclusively theoretical, non-empirical methodological approach, its aim being to analyse the way in which three key psychoanalytical issues of “reflexivisation”, present (also) in the field of economics, affect the concept of intellectual property. These issues are as follows: 1. How the economic agents who directly relate their (intellectual) activity to this concept risk altering some / all of the significance of its interpretative functions; 2. How the “grey area” specific to most “human rights” prevents the proper use of intellectual property rights and fuels the rhetoric used by its opponents; and 3. How some of the theoretical approaches advocating for / being against this concept are unknowingly driven by what psychoanalysis refers to as either neurosis (in the case of its advocates) or psychosis (mostly in the case of its opponents). The aimed result of this research is to provide a proper economic interpretation of the way in which the theoretical conceptual evolution of intellectual property may be affected by its very own “reflexivisation”.*

Keywords: intellectual property, economics, reflexivisation, rights, psychoanalysis.

Introduction

Social sciences, given their nature of studying individuals – possessors of consciousness, free will and the capacity for introspection –, have occasionally fallen victim to the act of *reflexivisation*, by which we mean the process of being knowledgeable enough about the theory which explains the phenomena governing one’s actions such that an inversion process occurs which leads to the theory and phenomena themselves’ (and, therefore, implicitly the actions to which they lead) being the ones governed by said knowledge.

Take, for instance, the cases of psychology, psychiatry and, last but not least, psychoanalysis. According to the theory which explains how reflexivisation works (Žižek, 1999), when the subjects (patients and clients) in these fields end up informing themselves on the

psychological / psychiatric / psychoanalytical theories behind their actions, they no longer display symptoms explained through those theories. Instead, the knowledge about those theories itself becomes the “fuel” which enables present and future symptoms. Imagine a mental patient who attempts to understand his violent behaviour through introspection. His becoming aware that the *causa proxima* of his outbursts is being brought up in a violent household not only sheds some light on his situation in a purely informative sense, but sadly also “forces” this behaviour to resurface more often than it naturally would have been (*naturally* meaning in the absence of reflexivisation). To use Žižek’s own words:

“[...] so we have not only Annafreudian, Jungian, Kleinian, Lacanian interpretations of the symptoms, but symptoms which are themselves Annafreudian, Jungian, Kleinian, Lacanian – they don’t exist without reference to some psychoanalytic theory.”

According to Žižek, this process renders the subject immune to the power of interpretation (1999, 2016), since now there is no further knowledge which could be bestowed upon him by an official figure of authority (the *Big Other*, to use a Lacanian term) – all / most of the information which the doctor could use to cure him (revealing the cause of disorder in his mind and verbalising its effects), he already knows. As such, the official title, uniform or office of these authority / formality figures no longer helps maintain their symbolical potency – it is irreparably lost forever.

Judging by how reflexivisation leaves its mark on the aforementioned fields, a further understanding of it in relation to other social sciences – for the purpose of this paper, primarily *economics*, proves to be a crucial scientific endeavour. Seeing how a practical application of any scientific finding in relation to this concept becomes improbable without the reaching of its own form of reflexivisation – thus defeating its very purpose – keeping a non-empirical approach is mandatory.

The hypotheses which must precede the actual research are simple, but it is necessary never to lose them from sight: 1. The act of reflexivisation is not only possible, but also actively practised by individuals in many social sciences, including economics and very much so in the case of *intellectual property* – from here on IP; 2. Its application oftentimes has an (undesired) inversion effect on the relation between theory and practice; and 3. Despite this, the validity of the theory itself upon which reflexivisation takes place is not lost, as is the case with all theory – it is not subject to in-/validation based on individual experience and circumstances (Mises, 1963).

With the research questions being the ones mentioned in the paper’s Abstract and the hypotheses stated above, the subject at hand appears to show considerable potential and usefulness, a reason which warrants proper scientific research on the matter.

Literature review

Up until this moment, the greatest contributor to the theoretical development around the process of reflexivisation and its impact on social sciences, as well as everyday life, has been, by far, the rather eccentric Slovenian philosopher, cultural theorist and intellectual Slavoj Žižek. His work on this topic spans across multiple academic writings, but the most notable ones of which we will make use throughout this essay are his scholarly article called “You May!” published in 1999 in the *London Review of Books* (Vol. 21, No. 6), his book *The Fragile Absolute: Or, Why Is the Christian Legacy Worth Fighting For?*, published a year later and also another scientific paper called “Can One Exit from the Capitalist Discourse without Becoming a Saint?”, published in the academic journal *Crisis and Critique* in 2016.

His first paper serves as a thorough introduction to the concept of reflexivisation, by explaining what it means, how it evolved in modern society and illustrating its impact in various cases which were popular at the time of its writing. His second paper focuses the research on the impact of reflexivisation on the field of economics, while still keeping the approach somewhat interdisciplinary by referencing some psychoanalytical processes behind the economic choices of agents, albeit in a visibly Leftist-oriented manner. The book has a rather marginal contact with the subject overall, although one worth mentioning, since the occasional apropos made to it significantly expand on the theoretical thoroughness of the concept.

In relation to the first research question in particular, Stephan Kinsella's article published in the proceedings of the sixth *Austrian Scholars Conference* (2000), "Is intellectual property legitimate?", is quite a promising start. Also, the *examples* section towards the end of the paper may serve as useful material in tackling the first research question.

As for the auxiliary language, information and terminology present in this paper, it is based mostly on formerly acquired knowledge in economics and philosophy – though in the latter case on a more or less novice level. We shall be referencing basic economic concepts, such as David Ricardo's *comparative advantage theory* (1821), in order to illustrate how reflexivisation functions and how it alters the application of theory into practice. As such, there is a considerable amount of scholarly literature being mentioned which serves as support for the approaches and conclusions being developed in the essay. However, considering the fact that the topic at hand has been rather insufficiently explored thus far, most of the work which plays a substantial role in forming the basis upon which we will construct our arguments and the premises on which we will draw our conclusions remains that of Zizek and Kinsella – Zizek's focus of research being reflexivisation and Kinsella's being IP.

Zizek's contribution – Reflexivisation

To Zizek, the modern Capitalist society is filled with instances of economic agents (primarily individual humans) acting in a reflexive way in relation to their economic behaviour. This mostly applies to the way we perceive economic freedom and consumerist enjoyment. The Kantian principle of "*ought implies can*" (1998, p. 540) suffers a psychoanalytical inversion, turning into "*can implies ought*". Therefore, if one can enjoy himself, one has the moral obligation to do so. Under a totalitarian dictatorship and / or during periods of economic hardship, the moments of pleasure and relaxation constituted a well-deserved respite from the stress of a difficult life devoid of proper freedom and abundance. Under a liberal capitalist democracy with freedom abound and economic prosperity for most, the endless possibilities of enjoyment become, through an act of reflexivisation, not a temporary escape from the burden of duty, but duty itself.

Economic theory is not incompatible with this idea. With increased opportunities, there come increased opportunity costs. With so many options, one feels like he must always choose and consume, lest he is missing out. According to Zizek (1999, 2000), this reflexive *super-egotistical* injunction to enjoy ends up spoiling pleasure, replacing relaxation with pressure and regular materialistic enjoyment with *surplus enjoyment* (which is derived not from the act of consumption per se, but from the knowledge that consumption took place, like a Star Wars fan who watches the bad films also, not because he enjoys them, but for the satisfaction of knowing he stood loyal to his favourite franchise). This paradox might make people either retreat into behaviours which simulate the scarcity and limitations specific to the past, like for example the so-called "*Rule Girls* phenomenon" of the late 1900's, or attempt to neutralise the excess of surplus enjoyment by attributing a symbolically rational purpose to the (otherwise still

pleasurable) act of consumption – fizzy drinks, but without sugar (thus, their consumption becomes healthy); beer, but without alcohol (its drinking therefore no longer symbolising the indulgence of a vice); fast-food, but without real meat (thus appealing to the moral sensibilities of vegans and vegetarians) etc. As shown above, reflexivisation can take up an infinite number of layers, feeding upon itself in a never-ending loop.

Kinsella's contribution – Intellectual property

The connection between IP and reflexivisation is apparently a direct one. The Lockean appropriation method of material objects ensures that each item of property ends up belonging to the person who deserves it the most – that person being the first one to productively interact with it (Jora, 2013; Jora, 2016). This meritocratic element has been, in a reflexive manner, transferred to the non-scarce results of intellectual labour and put into law, thus creating IP rights. While an idea, once conceived, exists in an infinite amount, the resources invested in its creation (time, energy etc.) certainly do not and, therefore, their appropriation seems valid on a Meta level.

Kinsella (2000), however, rejects this reasoning. In his aforementioned work, he explains how and why the concept of IP is incompatible with the Libertarian way of thinking, to which he personally subscribes.

On short, IP rights are not morally legitimate since ideas are not scarce. Furthermore, if one individual tries to prohibit another from replicating his ideas (even if the second individual uses his own material support for it, such as writing some else's story in his own blank book) using force, that is a direct violation of the second person's individual rights, for his access to his own property is now restricted / regulated. Kinsella also argues that IP rights are merely a form of state-granted monopoly and, as such, lead to artificially created scarcity. This, in his view, goes against the very purpose of the existence of property rights – because those are meant to help people deal with the scarcity of resources, not create it.

There are also various arguments from those in favour of IP rights which Kinsella addresses in his article. He disagrees with Ayn Rand (1967, p. 130) on her view that property rights in general come as a form of “reward” for an individual's labour. First, because it is a Utilitarian argument, not a Libertarian one. Second, because the Lockean *homesteading principle* refers to occupation (admittedly, in Kinsella's own interpretation), even if the word “labour” is the one officially used (in Kinsella, 2000, p. 12). Third, because the concept of rights appeared as a way to automatically solve the conflicts which arise between individuals over scarce means, not in order to entitle, as Rand put it, “a mind to that which it has brought into existence”.

Kinsella proceeds to also argue against Rothbard's view stated in his book – *The Ethics of Liberty* (1998, p. 123), on the ability to fully remove the right to replicate a good from the bundle of rights which fall under the umbrella of *property* for those other than the good's present / future proprietors. Basically, if you sell, say, a book to someone under the condition that he should not replicate its contents and he agrees, this contract remains valid only between the two of you. If a third party somehow manages to find what the book is about (without breaking the law) and reproduces it, he has not violated your rights, since he was not part of the tacit contract which automatically emerged between the seller and buyers of the book.

Another aspect denied by Kinsella is the proper distinction between *discovery* – which, according to most Libertarians, cannot be defended by IP rights, since it would be ridiculous to demand of people to deliberately pursue falsehoods on the grounds that they do not have the discoverer's consent to use his ideas – and *creation*. To him, any line drawn between the two is

arbitrary, because creation is in itself a form of discovery. Simply put, to create something merely means to discover a way in which to rearrange physical matter in order to turn it into said thing.

Regarding forms of IP other than *copyrights* and *patents* (about which we have spoken thus far), Kinsella agrees that *trade secrets* should generally be protected by law, but is opposed to the validity of *trademarks* as a form of property. At best, if an individual uses another's trademark in order to boost his own sales, that could be considered a form of fraud against the consumers themselves, rather than a violation of the rights of the trademark's creator.

With the issues of both of reflexivisation and IP being (hopefully properly) clarified, we shall proceed to make use of the theories related to them in trying to answer the three research questions mentioned in the beginning of the paper.

Methodology

The research process depicted in this essay features an exclusively non-empirical approach, but some empirical examples shall be used in order to illustrate, rather than validate, the theoretical findings. There will be two main methods used for the purpose of answering the research questions:

— *The first method* is the Misesian so-called *a priori synthesis* – praxeology. As a scientific method, this is as logically sound a tool as one can expect for non-empirical research. As Mises himself (1963, p. 32) put it – “*It [praxeology] aims at knowledge valid for all instances in which the conditions exactly correspond to those implied in its assumptions and inferences*”.

— *The second method* is systematic literature review. The necessity of making full use of this method is quite self-evident. Inferring to the theory presented in the aforementioned scholarly writings in order to form a “bridge” between it and our own conclusions (derived from said theory) is an imperative in the context of all research in general and non-empirical research in particular.

The research process has been a straight-forward, linear one, with praxeological conclusions being deduced from the amount of information compiled from the review of the scientific literature on the matter, via induction. We consider the results to be valid on an *a priori* level, though one should not find it too difficult to imagine the occurrence of real-life instances where they may apply.

Results and discussions

The systematic literature review, followed by an exercise in praxeology led to the following answers to the three research questions:

● ***The first research question – How do the economic agents who directly relate their (intellectual) activity to this concept risk altering some / all of the significance of its interpretative functions?***

As mentioned before, the reflexivisation of any piece of theoretical content related to social sciences inverts the theory-practice relation, such that it is no longer the theory being a reflection of practice but instead it is the practice which “forces” its own conformity to the theory.

Let us take a look at one of the first things studied by economics students – the *Ricardian law of association* (Ricardo, 1821). The ultimate conclusion of the theory of comparative advantage is that, in a free market economy, any individual ought to specialise himself in the field where his relative superiority to everybody else is the highest or at the very least where his

relative inferiority is the lowest, such that even the most incompetent economic agent can find a way to thrive in said hypothetical society.

But, of course, the way this theory is presented to students doesn't start with this conclusion. In fact, it is narrated as if it were arrived at in a completely innocent way by individuals totally unfamiliar with economic theory. The narrative goes somewhat along the following lines – Persons A and B make both coats and shoes. A is better at making coats than at making shoes, while for B it is the other way around. Still, A is better at both than B and his relative superiority is the highest when it comes to coat-making (e.g.: on a scale of one to ten, A's coats are a ten and his shoes are an eight, while B's coats are a six and his shoes are a seven). A and B notice this about each other and then their flawless intuition kicks in, leading them to start an association under the following arrangement – A specialises in making coats and gives up the shoes while B only makes shoes. This leads to the maximisation of production in both coats and shoes and then A and B can trade with each other based on their needs.

In today's reflexive society, things tend to happen a little bit differently in spite of this theory's economic correctness. For instance, many young people, being already somewhat aware of how the labour market works, are going to prepare for it in advance and jump straight to the specialisation bit. They are going to take up studies in a field where they both are good at and expect to be well remunerated in the future. Then, upon entering the labour market, they look for a job suited for someone with their background. To go back to the academic example above, it is as if a young A only ever bothered to learn making coats, expecting a future B (who himself is only a shoemaker) to enter his life as a predestined business partner. Then, of course, given the never-ending dance between supply and demand, most working people occasionally get upset when the market shifts against their interests and, for example, handymen end up making more money than individuals with a superior education.

Of course, there are many, more popular examples of how reflexivisation affects economics. Speculation is perhaps a common one – the speculators, rather than anticipating future prices, may very well end up influencing them. Another one could be price ceilings – the prices are allowed to be freely formed on the market until it becomes clear what the average price "ought" to be and then any great deviation from that average market price becomes prohibited by law. Of course, taking this logic to its extreme means that only the first ever supplier of a good should be able to freely set his price, since any future entry in the market with a different one risks altering the average set by the first agent. Even oddities like Communism can become reflexive – how can the working men *naturally* develop class consciousness, when they already know that it is supposed to happen from Marx's writings (1998)? Etc.

In the case of IP, how reflexivisation functions, apart from the way already stated by ourselves in the *literature review* section, is partially hinted at by Kinsella himself (2000, p. 2) in the beginning of his article. Many economic agents and IP law attorneys use IP legislation in a defensive way. We are quoting the source itself:

"[...] a profession such as mine [IP lawyer], [...] may be viewed as defensive in nature. Many patents, for example, are acquired by companies as a shield to be used against charges of patent infringement which may be hurled at them by others. Given the existence of patent law and the threat that patents pose to businessmen, it is neither irrational nor immoral to arm oneself with suitable weaponry."

All of this is not to say that things cannot be taken a tad too far by some. In 2020, the company Ubisoft had to change the official name of their videogame *Gods and Monsters* into *Immortals Fenyx Rising* after having received a trademark opposition from Monster Energy, the

producers of the popular energy drink (Robinson). Back in 2016, the creators of a YouTube channel called *The Fine Brothers* tried to monopolise (appropriate) the concept of making internet *reaction videos* under IP law (the severe backlash led to the brothers' cancelling their initiative) (Green). In Kinsella's article (2000, pp. 33-34), we see a patent for a watering system shaped like Santa Claus and another one for a software program replacing the requirement for a double-click with a simple single-click.

It is clear how all of these questionable examples are the results of a reflexive attitude – while IP rights exist to defend the financial interests of original creators from freeloaders who might “steal” their work and shamelessly profit off of it (the consequence of publicly-made ideas' essentially being public goods), there visibly are some people who try to abuse the system in their favour. Rather than trying to use IP law to protect an idea or permutation of ideas complex enough that its reproduction by someone else can't reasonably be considered accidental, some use it to try and appropriate basic and commonly-used concepts such as Santa Claus, mouse clicking, reaction videos and the word “monster/s”.

There are also those who truly believe in the sanctity of IP rights, taking the concept to lengths greater than common sense would warrant. According to Kinsella (2000, p. 10):

“[Andrew] Galambos [a radical for IP rights] reportedly took his own ideas to absurd lengths, claiming a property right in his own ideas and requiring his students not to repeat them (Friedman 1998, n. 52); dropping a nickel in a fund box every time he used the word liberty, as a royalty to the descendants of Thomas Paine, the alleged inventor of the word liberty (Tuccille 1971, p. 70); and changing his original name from Joseph Andrew Galambos (Jr., presumably) to Andrew Joseph Galambos, to avoid infringing his identically-named father's rights to the name.”

With enough successful attempts, as Wisniewski (2020, p. 37) put it, *“[this behaviour] would paralyse all human action, destroying humankind almost on the spot by making everyone unsure of whether engaging in perfectly mundane activities violates someone else's intellectual property rights”*.

The reflexivisation of the concepts of IP and IP rights clearly leads to certain issues – people who don't believe in them still using IP law as a means of defence and people who do taking things too far and trying to appropriate the most basic ideas. With the first research question answered, we shall move on to the second one.

● ***The second research question – How does the “grey area” specific to most “human rights” prevent the proper use of IP rights and fuels the rhetoric used by its opponents?***

All the examples stated above about people abusing the IP notion in order to advance their questionable interests certainly help make stances like that of Kinsella's perfectly understandable. Who could support rights which are so easy to manipulate in the most outlandish ways?

Well, one of the results of our research indicates that there is nothing inherently wrong with IP rights. Any issue or potential for abuse found about them can be easily spotted in the case of other liberties, too – including the ones advocated for by Libertarians such as Kinsella. In order to properly understand this phenomenon, let us dial things back to Zizek (1999) a little. In his first scholarly article on the matter of reflexivisation, he wrote:

“[...] human rights can be seen as expressing the right to violate the Ten Commandments. [...] The right to pursue happiness and to possess private property is, in effect, the right to steal (to exploit others). Freedom of the press and of expression – the right to lie. The right of free citizens to possess weapons – the right to kill. [...] [Human rights] preserve a marginal ‘grey zone’ which is out of the reach of religious or secular power. In this shady zone, I can violate the

Commandments and if the Power catches me with my pants down and tries to prevent my violation, I can cry: ‘Assault on my basic human rights!’ It is impossible for the Power to prevent a ‘misuse’ of human rights without at the same time impinging on their proper application.”

Things are now starting to clear up. The mere fact that one can give a hypothetical (or even real) example of a misuse of a right does not automatically remove that right’s validity as a moral principle. Just confront any Libertarian with the “argument” that property rights are non-sense on the grounds that some could potentially abuse them (via reflexivisation) to commit hoarding, overpricing etc. Of course, most Libertarians would see these attempts as immoral, but definitely not as valid arguments against the institution of private property.

The same reasoning can be followed *mutatis mutandis* in the case of IP rights. Kinsella has a lot more arguments in his writings against IP rights, but the simple fact that reflexivisation might impact people’s use of this concept in serious ways (such as appropriating common, everyday words, essentially privatising the English language) is too insufficient an argument in favour of doing away with them.

● ***The third research question – How do some of the theoretical approaches advocating for / being against this concept are unknowingly driven by what psychoanalysis refers to as either “neurosis” (in the case of its advocates) or “psychosis” (mostly in the case of its opponents)?***

In psychoanalysis, “psychosis” refers, in very simple terms, to an instance where a subject (person) cannot get over a *paradox* in his reasoning – a *gap* between two opposing ideas he considers true, so he tries to remove the gap through *foreclosure* – to deny its existence. Alternatively, “neurosis” occurs when the subject accepts the existence of the gap and allows his own subjectivity to fill it as a bridge between the two aforementioned truths via *universalisation* (Medeiros, 2022).

When presented with the information that a right can be “misused” in such a way that it goes against the purpose of its existence (e.g.: freedom of speech might be used to insult or harass; freedom of movement to stalk, freedom of association to unfairly discriminate etc.), one might respond in an either psychotic or neurotic way. A psychotic might reject these problems as real, claiming that these rights are absolute and there is no justification for violating them. In essence, one does not have the *right* not to be defamed, stalked, discriminated against etc. Alternatively, a neurotic might accept this paradox (that rights are good but can, at the same time, be misused) and, on top of trying not to enjoy his abusively, advocate for the existence of anti-defamation laws, restriction orders, anti-discriminatory civil rights etc. – thus creating a *universal/-ised* solution to this problem.

In the context of IP, the same narrative applies. In the “psychosis” camp, we have two extreme takes. On the one hand, we have the opinions of Kinsella, Hoppe and other Austrians who believe that IP rights are illegitimate. If you write a book, you are not entitled to its content’s not being blatantly stolen by an intellectual *parasite* (to use a word much enjoyed by Objectivists) willing to use it for his own gain against your consent. On the other hand, another psychotic way of approaching the issue might be the one used by Galambos (in Kinsella, 2000, p. 10), who claims that IP rights must exist because ideas, being preconditions of human action (liberty) and of the goods produced through such actions (material property) are the most important form of property, apart from life itself.

Alternatively, we have the “neurotic” camp of people who believe that IP rights exist but must be tempered within reason so as not to make one able to appropriate every single idea in existence. Here, we have Rand, who is a clear advocate of IP rights, with obvious reservations (the impossibility of appropriating discoveries or of passing IP rights on via inheritance etc.),

though one could argue that her belief (1967, p. 130) in the fact that all property is intellectual property borders psychosis. Also, we have the example of yet another Libertarian economist, David Friedman (in Kinsella, 2000, p. 6), who agrees that IP rights should exist for *consequentialist* purposes.

The advocacy for either the existence of IP rights or for their complete abolishing is likely to be only one in many examples of how economic thought can be explained through psychoanalysis, but it was certainly interesting to tackle it as a research question.

Conclusion

The present paper has shown our research process and findings on the subject of the reflexivisation of the concept of IP. The *introduction* served to familiarise the readers with what reflexivisation means as well as to illustrate how it affects those who coordinate their behaviour in accordance with the theories put forward by social sciences. In the *literature review* section, we presented what we believed to be the main academic contributions of Zizek and Kinsella, strictly in relation to our research purposes. We then proceeded to present the two methods we used – *praxeology* and *systematic literature review* –, justifying this combination on the grounds that a theoretical observation and / or narration of reflexivisation is, given its nature, more suitable than any form of empirical research (empiricism being better-suited as an illustrative tool for such an endeavour).

Answering the research questions is naturally meant to be the most useful auctorial contribution in this paper. Using the theories surrounding reflexivisation and IP, we hopefully managed to deduce and reveal in a genuine, academically correct manner the way in which these two apparently unrelated concepts intertwine and how this phenomenon might leave its mark, small as it may be, on both *economic theory* and *moral philosophy* (the *psychoanalytical* aspect already being clarified on this matter).

This research is limited by the obvious fact that it is likely to be one of the first on a broader subject (the impact of reflexivisation on economics), albeit one which shows great potential for further study, as well as because, even though non-empirical research which uses *a priori synthesis* is good at telling facts about reality in a general sense, it doesn't account for the many particularities of specific scenarios – not that this makes it any less valid of a scientific method. If we were to suggest a potential continuation of the current research, we would go for either a more empirical sort, focusing on which form/s of IP rights legislation leads to the lowest amount of blatant abuses that might occur via reflexive behaviour (e.g.: trying to appropriate basic ideas and concepts), or a further exercise in praxeology / narration which attempts to thoroughly verbalise the way an economic system (Capitalism, Socialism etc.) might evolve / devolve the more reflexive a society becomes.

In conclusion, we hope to have successfully proven that IP and IP rights are concepts which have not been spared by the relatively recent phenomenon of reflexivisation, as well as to have shown specifically how they were affected by it. With time, there may very well be more and more knowledge that will “fall victim” to it. That being said, there is one point which we wish is clear by now – reflexivisation might hinder the proper application of theory into practice, but it does not, in any way, neutralise the former's validity.

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