



U.S. Property Rights Are Under International Assault

The ITSSD Identifies How U.S. Internationalists Are Assisting Activist Groups and Foreign Governments to Weaken U.S. Private Property Rights Via Regulation and Compulsory Licensing

Princeton, NJ – October 31, 2006 - In a speech recently delivered at the Tenth Annual National Conference on Property Rights of the Property Rights Foundation of America, and in an accompanying article, international trade and regulatory law expert Lawrence Kogan of the ITSSD discusses how misguided American internationalists are actually helping foreign governments and environmental and health extremists to weaken the U.S. Constitution and the exclusive private property rights guaranteed by the U.S. Constitution's Bill of Rights. These politicians are promoting the adoption of strict regulatory laws and flexible compulsory licensing mechanisms used in other countries within Europe and Latin America that are "known for their socialist solutions to 'deemed' market failures, populist wealth re-distribution policies, significantly higher regulatory burdens, ideological aversion to scientific and economic protocols and the deployment of novel technologies, and slower economic growth rates."

According to Mr. Kogan, these mechanisms are being used to "indirectly take private property for an ostensible public use which also benefits new private owners. They constitute a new genre of takings based on the 'public trust doctrine' that are specially designed to dispense with the need to pay 'just compensation', and thus, to circumvent the Fifth Amendment to the U.S. Constitution's Bill of Rights...And, such rules are being systematically imported into and/or reactivated within the U.S. under our very noses."

"Perhaps the simplest way to appreciate the enormity of the problem before us", says Kogan, "is to conceive of the new genre of private property 'takings' theories now being promoted both here and abroad using the letter 'C'... The 7 'C's stand for **C**onvergence of regulatory systems, **C**entralized and state planned economies, **C**ommunal property, **C**ontrol by government, **C**ircumvention of the Fifth Amendment of the Bill of Rights, **C**ompulsory licensing of intellectual property which is the eminent domain of real property, and **C**ompetition, as in the need for disguised protectionism to level the global economic playing field."

The speech, entitled *U.S. Private Property Rights Under International Assault*, is accessible online at: (<http://www.itssd.org/pdf/LAK-PrivatePropertyRightsUnderInternationalAssault.pdf>). The accompanying article entitled, *Invasion of the Property Snatchers*, is accessible online at: (<http://itssd.org/Publications/Invasion.pdf>).

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