

Philosophy 660b

The Right to Private Property

Spring 2002

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Office Hour Wed 3.30-4.30
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Monday 7-9

Questions of ownership are central to much of political philosophy. This seminar explores one philosophically particularly interesting and presently widely debated set of questions that arise with regard to ownership, namely, questions pertaining to the justification of private property and its possible compatibility with egalitarian ideas of ownership of external resources that arise within the context of contemporary libertarianism. There are right-libertarians and left-libertarians. Both share a commitment to an idea of self-ownership and derive a right to private property from there. Left-libertarians hold in addition that external resources are owned in some egalitarian manner, whereas right-libertarians do not acknowledge any such claim. This rough sketch of the two libertarian camps sets the agenda for this seminar. After two introductory sessions on justifications of property in general, we will discuss John Locke's classical account of property that has become a cornerstone of philosophical and legal thinking about property in English-speaking world. We will then discuss Nozick's theory of property acquisition that descends from Locke's, but is also critical of and importantly different from Locke's theory. Nozick's libertarianism has been severely criticized by Marxist writers, in particular by G. A. Cohen. The reason for the Marxists' particular interest in Nozickian libertarianism is that at least some strands of Marxism would like to endorse a strong notion of self-ownership without, however, being willing to accept the strongly anti-egalitarian conclusions that Nozick tries to derive with the assistance of the notion of self-ownership. The final part of this seminar will be devoted to exploring left-libertarian and right-libertarian positions.

Requirements

Prior exposure to philosophy is highly recommended. Students are expected to attend the seminar meetings regularly and to give one short presentation on an article or a book chapter. For this presentation, students should post a four-page paper with thoughts on some of the assigned readings on the class-web-page by Sunday evening, 6 pm. The subject of the paper must have been discussed with me by the preceding Friday. Those short papers will then be discussed in class. By the end of the terms students are also expected to have written a term paper (20 pages) related to the material discussed in this class. Alternatively, undergraduate students may write two shorter (10 pages) papers. Class participation (including the short paper) will count for 15% of the final grade, and the paper(s) for 85%. The seminar is cross-listed with the EPE-program,

and contrary to the information provided in the Blue Book, it does satisfy the requirement in Group IV (Advanced Topics in Ethics and Human Sciences).

Required Readings

The following books are available for purchase at Book Haven:

John Locke, *Two Treatises of Government*
Robert Nozick, *Anarchy, State, and Utopia*
G. A. Cohen, *Self-Ownership, Freedom, and Equality*

In addition, a reader is available for purchase at Tyco.

Schedule

R = *Restatement*; TJ = *Theory of Justice*; all Rawls papers are from *Collected Papers*, all other papers are in the reader, unless they are marked as “TBD” (“to be distributed”)

(a) = required readings

(b) = additional recommended readings (which may, however, be used in class discussion)

Introduction: The Justification of Private Property

Mon, Jan 14 Minogue, “The Concept of Property and its Contemporary Significance”; Donahue, “The Future of Property Predicated from Its Past”; Grey, “The Disintegration of Property”, all in Reader

Mon, Jan 21 Macpherson, “The Meaning of Property”; Honore, “Ownership”, both in Reader; Waldron, excerpts from “The Right of Private Property” (to be distributed)

Locke’s Account of Private Property

Mon Jan 28 Locke, *Second Treatise of Government*, in particular chapter V; Rose, “Property as Story-Telling: Perspectives from Game Theory, Narrative Theory, Feminist Theory”, both in Reader

Mon, Feb 4 Waldron, “Locke’s Discussion of Property”, in reader

Mon, Feb 11 Sreenivasan, “Limitations of Lockean Property”, in reader

Nozick's Statement of Libertarianism

Mon, Feb 18 excerpts from Nozick

Mon, Feb 25 more excerpts from Nozick

The Debate Between Marxists and Libertarians about Self-Ownership

Mon, Mar 4 Cohen, chapters 1-3

Mon, Mar 25 Cohen, chapter 4-7

Mon, Apr 1 Cohen, chapter 8-11

Left-Libertarianism and Right-Libertarianism

Mon, Apr 8 Gibbard, "Natural Property Rights"; Brody, "Redistribution without Egalitarianism"; Grunebaum, "Autonomous Ownership", all in Reader

Mon, Apr 15 Steiner, "Original Rights and Just Redistribution", van Parijs, "Real-libertarianism"; Otsuka, "Self-Ownership and Equality: A Lockean Reconciliation", all in Reader

Mon, Apr 22 Kirzner, "Entrepreneurship, Entitlement, and Economic Justice"; Rothbard, "Property and Exchange", both in Reader