

Locke: Property as Natural Right

Choice, Commerce, and Conflict
Ryan Doody

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Review: Hobbes vs Hume on Property

Hobbes

No property rights in the State of Nature.
Property rights only exist when there is some political authority who can enforce them.



Hume

Property rights are *conventional*.
In some circumstances (moderate scarcity), it's in each person's best interest to recognize property rights provided that everyone else does as well.



Review: Hobbes vs Hume on Property

Hobbes

Player 1 / Player 2	Take	Leave
Take	3rd / 3rd	1st / 4th
Leave	4th / 1st	2nd / 2nd



Hume

Player 1 / Player 2	Take	Leave
Take	2nd / 2nd	2nd / 3rd
Leave	3rd / 2nd	1st / 1st



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Player 1 / Player 2	Take	Leave
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Leave	3rd / 2nd	1st / 1st

Review: Hobbes vs Hume on Property

Hume's Analogy: The Row Boat



Two men, who pull the oars of a boat, do it by an agreement or convention, tho' they have never given promises to each other.

Review: Hobbes vs Hume on Property

Hume's Analogy: The Row Boat



Is Hume Right?

Two men, who pull the oars of a boat, do it by an agreement or convention, tho' they have never given promises to each other.

Review: Hobbes vs Hume on Property

Rowboat

Player 1 / Player 2	Sit	Row
Sit	2nd / 2nd	2nd / 3rd
Row	3rd / 2nd	1st / 1st

Property

Player 1 / Player 2	Take	Leave
Take	2nd / 2nd	2nd / 3rd
Leave	3rd / 2nd	1st / 1st



Discussion
Question:

Is this a good
analogy?

Review: Hobbes vs Hume on Property

Rowboat

Player 1 / Player 2	Sit	Row
Sit	2nd / 2nd	2nd / 3rd
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Player 1 / Player 2	Take	Leave
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Player 1 / Player 2	Take	Leave
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Player 1 / Player 2	Take	Leave
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Player 1 / Player 2	Sit	Row
Sit	2nd / 2nd	2nd / 3rd
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Property

Player 1 / Player 2	Take	Leave
Take	2nd / 2nd	??? / 3rd
Leave	3rd / ???	1st / 1st



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Player 1 / Player 2	Sit	Row
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Player 1 / Player 2	Sit	Row
	2nd / 2nd	2nd / 3rd
	3rd / 2nd	1st / 1st
	Take	Leave
	2nd / 2nd	??? / 3rd
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Player 1 / Player 2	Sit	Row
	2nd / 2nd	2nd / 3rd
	3rd /	
	Take	
	2nd /	
	3rd /	




Review: Hobbes vs Hume on Property

Row



3rd /

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Hobbes

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The Circumstances of Justice

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	Extreme Scarcity	Moderate Scarcity	Abundance
Complete Generosity	No utility	No utility	No utility
Moderate Generosity	No utility	Very Useful	No utility
Complete Selfishness	No utility	No utility	No utility

Hume on Property

Extreme Scarcity

Player 1 / Player 2	Take	Leave
Take	2nd / 2nd	1st / 3rd
Leave	3rd / 1st	3rd / 3rd

Abundance

Player 1 / Player 2	Take	Leave
Take	1st / 1st	1st / 1st
Leave	1st / 1st	1st / 1st



Hobbes vs Hume on Property

Hume agrees with Hobbes that there are no *natural* property rights.

Property rights are human creations.

But Hume disagrees with Hobbes because he thinks they can exist absent some political authority to enforce them.

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But Hume disagrees with Hobbes because he thinks they can exist absent some political authority to enforce them.

How so?

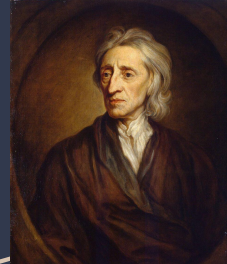
Locke on Property

John Locke
(1632 - 1704)

British Philosopher

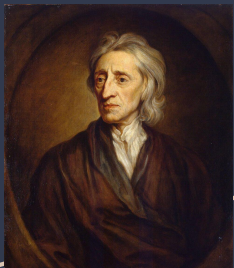


Top 5 Locke Facts!



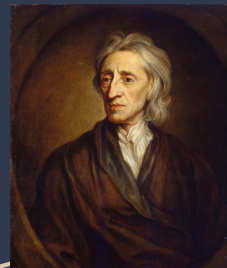
- 1.
- 2.
- 3.
- 4.
- 5.

Top 5 Locke Facts!



- 1.
- 2.
- 3.
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5. Studied at Christ Church College, Oxford.

Top 5 Locke Facts!



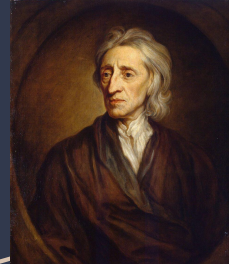
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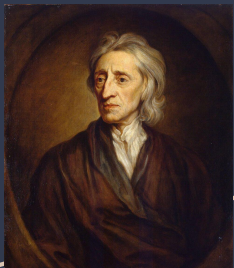
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Top 5 Locke Facts!



- 1.
2. Wrote *A Letter Concerning Toleration* (but didn't like Catholics).
3. Exiled in Holland (because of treason).
4. Worked as a physician; performed a remarkable liver operation.
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Top 5 Locke Facts!



1. Involved in the drafting of the *Constitution of the Carolinas*; influential on founding of USA.
2. Wrote *A Letter Concerning Toleration* (but didn't like Catholics).
3. Exiled in Holland (because of treason).
4. Worked as a physician; performed a remarkable liver operation.
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Activity:
What is Property?

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1. Think of two things that you own.
2. Think of two things that you *don't* own.
3. In your group, generate a hypothesis about what, in general, makes the difference. What *is it* to own something?

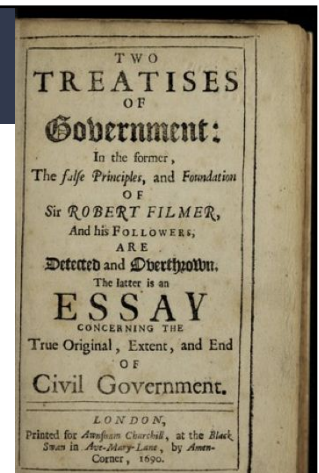
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1. Think of two things that you own.
2. Think of two things that you *don't* own.
3. In your group, generate a hypothesis about what, in general, makes the difference. What *is it* to own something?
4. What *justifies* you in owning something?

Locke on *Natural Rights*

Natural Rights

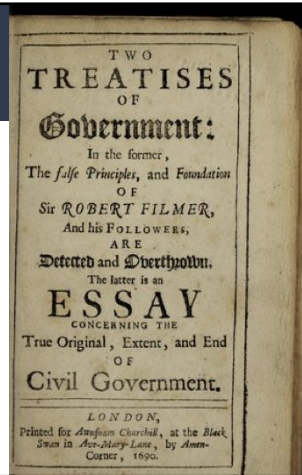
- According to Locke, we are all born with certain *natural rights*: life, liberty, property
- The government is needed to *enforce* these rights (e.g., punish those who transgress), but it does not *create* them.
- **Property**: claim rights to material goods. How do these rights work?



Natural Rights

Three Sources of Property Rights:

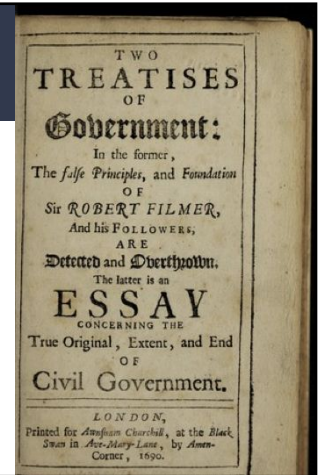
1. Labor ("the product" of "honest industry")
2. Inheritance (the "fair acquisitions of his ancestors descended on him")
3. Charity ("a title to so much out of another's plenty, as will keep him from extreme want, where he has no means to subsist otherwise")



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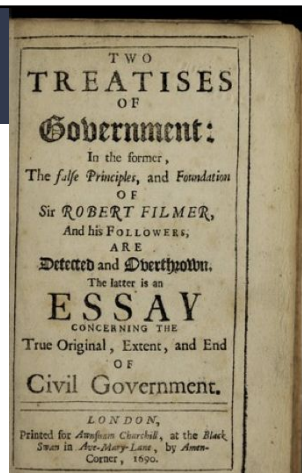


Natural Rights

Three Sources of Property Rights:

1. Labor ("the product" of "honest industry")

How can we make the transition from common ownership of property to private property?



Locke's Problem:
How Does Common Property Become Private Property?

Common Ownership

26. God, who has given the world to men in common, has also given them reason to make use of it to the best advantage of life and convenience. The earth and everything in it is given to men for the support and comfort of their existence. All the fruits it naturally produces and animals that it feeds, as produced by the spontaneous hand of nature, belong to mankind in common; nobody has a basic right—a private right that excludes the rest of mankind—over any of them as they are in their natural state. But they were given for the use of men; and before they can be useful or beneficial to any particular man there must be *some* way for a particular man to appropriate them [= 'come to own them'].

Common Ownership

What about getting the consent of all the other owners?

He had no right to the acorns or apples that he thus appropriated, because he didn't have the consent of all mankind to make them his. It was robbery on his part to take for himself something that belonged to all men in common.

If such a consent as *that* was necessary, men in general would have starved, notwithstanding the plenty God had provided them with. We see the thesis I am defending at

Locke's Solution: Labor Theory of Property

Labor Mixing Argument

27. Though •men as a whole own the earth and all inferior creatures, every •individual• man has a property in his own person [= 'owns himself']; this is something that nobody else has any right to. The labour of his body and the work of his hands, we may say, are strictly *his*. So when he takes something from the state that nature has provided and left it in, he mixes his labour with it, thus joining to it something that is his own; and in that way **he makes it his property**.

Labor Mixing Argument

P1 You come to own something unowned by mixing something you own with it.

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C Working on something unowned is a way to come own it.

Labor Mixing Argument

- P1** You come to own something unowned by mixing something you own with it.
 - P2** Everyone owns their labor power.
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-

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Is this a good argument? Are the premises true?

The Lockean Proviso

The Lockean Proviso

Locke thinks there are some qualifications.

33. This appropriation of a plot of land by improving it wasn't done at the expense of any other man, because there was still enough (and as good) left for others—*more* than enough for the use of the people who weren't yet provided for. In effect, the man who by his labour 'fenced off' some land didn't reduce the amount of land that was left for everyone else: someone who leaves as much as anyone else can make use of does as good as *take nothing at all*. Nobody could think he had been harmed by someone else's taking a long drink of water, if there was the whole river of the same water left for him to quench his thirst; and the ownership issues concerning land and water, where there is enough of both, are exactly the same.

The Lockean Proviso

Locke thinks there are some qualifications.

Proviso: One person's acquisition of the thing will leave "enough and as good" for others.

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Example: The only water source



The Lockean Proviso (and No Waste!)

Locke thinks there are some qualifications.

No Waste: The things acquired will not spoil or go to waste.

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Locke thinks there are some qualifications.

Proviso: One person's acquisition of the thing will leave "enough and as good" for others.

No Waste: The things acquired will not spoil or go to waste.

Questions?

If there's time... A Closer Look at Locke's Labor Mixing Argument

Labor Mixing Argument

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Is this a good argument? **Is this premise true?**

Labor Mixing Argument

- P1 You come to own something unowned by mixing something you own with it.

Can you think of a counterexample?

(That is: can you think of an example where (1) you mix something you own with something unowned, but (2) you don't come to own that thing?)

Labor Mixing Argument

P1 You come to own something unowned by mixing something you own with it.

Example: Mix a cup-full of your water into the Pacific Ocean. Do you now own the Pacific Ocean?

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Can We fix Locke's Argument?

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Example: Mix a cup-full of your water into the Pacific Ocean. Do you now own the Pacific Ocean?

Can We fix Locke's Argument?

Consider some other points Locke makes...

Labor Mixing Argument

40. It isn't as strange as it may seem at first glance that the •property of •labour should be able to outweigh the •community of •land. For labour affects the value of every-thing. Think of how an acre of land planted with tobacco or sugar, sown with wheat or barley, differs from an acre of the same land lying in common without being cultivated; you will see the improvement brought about by labour creates most of the •extra• value •of the former•. It would be a

Labor (typically) *improves* things.
It *adds value*.

Labor Mixing Argument

at one to a thousand. He continues:] It is labour, then, that puts the greatest part of value upon land, without which it would scarcely be worth anything. We owe to labour the greatest part of all the land's useful products; it is labour that makes the straw, bran, and bread of an acre of wheat

P1 You come to own something unowned *if* by mixing something you own with it *you make it more valuable*.

Labor (typically) *improves* things.
It *adds value*.

Labor Mixing Argument

P1 You come to own something unowned *if* by mixing something you own with it *you make it more valuable*.

P2 Everyone owns their labor power.

P3 Working on something involves mixing one's labor power with that thing *so as to make it more valuable*.

C Working on something unowned is a way to come own it.

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Did this fix the argument?

Labor Mixing Argument

P1 You come to own something unowned *if* by mixing something you own with it *you make it more valuable*.

P2 Everyone owns their labor power.

P3 Working on something involves mixing one's labor power with that thing *so as to make it more valuable*.

C Working on something unowned is a way to come own it.

Labor: Everyone already owns theirs & it is a major source of *value*.

The Lockean Proviso

Locke thinks there are some qualifications.



Proviso: One person's acquisition of the thing will leave "enough and as good" for others.



No Waste: The things acquired will not spoil or go to waste.
(*Note:* the invention of money allows people to legitimately amass wealth because money will not spoil.)

