

Property and Ownership

“If history could teach us anything, it would be that private property is inextricably linked with civilization.” – Ludwig von Mises

Who owns you?

It may seem like a silly question at first, but it's an important matter to settle. Your consciousness possesses and controls your body. This self-evident truth is a condition of human life.

To claim ownership of your body implies independent agency and liberty. It also implies that you have a right to exclude others from possessing, using, or controlling your body. In other words, your body is your property.

Your body requires maintenance to remain intact and in your possession. If you do not provide for it or defend it, it can be destroyed, taken from you, or used against your will. Part of providing for it requires acquiring and consuming food (property). Food requires effort to produce. That effort is an investment of your time and energy (which are extensions of your consciousness and body).

People invest their time and energy based on their values. Investments in farming result in increased food supply. Investments in body maintenance result in increased health and physical capacity. Investments in understanding are rewarded with increased intellectual health and capacity. Investments in tools result in increased future productivity. Investments in relationships result in stronger relationships. Investments in recreation result in personal satisfaction. Etcetera.

Dispute Resolution and Physical Security

The results of your investments are rightly yours, but that doesn't mean that others will not dispute your claims or initiate violence to take them from you. What this means is that dispute resolution and physical security are imperative.

Many people assume that a state is required to resolve disputes and provide security. This is certainly not the case, but is outside the scope of the current topic, so I will save it for a separate post. For now, I'll just mention that they take various forms, from enclosure and records to insurance policies and defensive force.

In any case, how property claims are established and recorded is a matter of convention. In

other words, it is a matter of people agreeing with each other on how to best recognize and apply ownership claims. Some things (like individual common items) are typically not worth formally recording as property, while others (like rare, costly items, or large collections of items) are. Certainly, land and accompanying improvements/structures fall into the latter category.

“Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place.” – Frederic Bastiat

Food for Thought

1. Can a group of people share ownership of property?
2. Can groups of people coordinate investment efforts?
3. Who owns “public” property? (Hint: who makes decisions regarding its possession/occupancy, use, and disposal?)
4. If you do not own yourself or the product of your labor, you are by definition a slave. What if someone else claims ownership of a portion of the product of your labor? How much can they claim without treating you as a slave?
5. If you own your body, can you sell access to it or what it produces? (think: hair, blood, organs...) Can you choose how to dress it or what to put into it?
6. What about non-rivalrous, anti-rivalrous, or abstract things like feelings and ideas? Can they be owned? What about so-called “intellectual property”, or perhaps, “emotional property”?
7. Is privacy a restriction on access to property? What forms does privacy take? Who is responsible for providing privacy?
8. Who owns your body (or other property) once you can no longer control or possess them? Is the answer a matter of convention?
9. In the absence of a system with shared conventions, are claims of ownership irrelevant?
10. How many rights violations are some form of property violation?
11. Is the tragedy of the commons a result of unclear property rights?