1. **Aims and learning objectives**

This course aims at providing an overview of the different possible interpretations of private property in the liberal tradition of political thought, and of the echo those differences may have in the contestations about property rights in contemporary liberal societies. The approach will be both historical (trying to assess what the first liberal thinkers’ views really were on the foundations of private property) and analytical (trying to assess the consistency of contemporary conceptions and asking whether or not they are the true heirs of the liberal tradition they claim to be).

2. **Prerequisites**

No specific prerequisite, but students should be interested in the history of political ideas, and willing to read and discuss texts dealing with conceptual and normative questions.

3. **Texts**

I’ll email all the texts to students, except for a few of them for which I’ll indicate where they can be found online. I also shall email, at the end of each session, the paper to be presented the following week.

4. **Class format and grading**

Each session will be divided in two parts. The first will consist in a presentation of the theme and ideas to be dealt with in the session, and the second in a presentation by a student of the content and arguments of a paper related to the main theme and aiming either at contesting the views introduced before or at getting a more detailed view of them.

Class participation: 20%
Oral presentation: 30%
Term Paper (7 000 to 9 000 words): 50%
5. **McGill Statement on Academic Integrity**: McGill University values academic integrity. Therefore all students must understand the meaning and consequences of cheating, plagiarism and other academic offences under the Code of Student Conduct and Disciplinary Procedures (see [https://www.mcgill.ca/deanofstudents/plagiarism](https://www.mcgill.ca/deanofstudents/plagiarism) for more information).

L’université McGill attache une haute importance à l’honnêteté académique. Il incombe par conséquent à tous les étudiants de comprendre ce que l’on entend par tricherie, plagiat et autres infractions académiques, ainsi que les conséquences que peuvent avoir de telles actions, selon le Code de conduite de l’étudiant et des procédures disciplinaires (pour de plus amples renseignements, veuillez consulter le site [https://www.mcgill.ca/deanofstudents/plagiarism](https://www.mcgill.ca/deanofstudents/plagiarism)).

6. **In accord with McGill University’s Charter of Students’ Rights, students in this course have the right to submit in English or in French any written work that is to be graded.**

Conformément à la Charte des droits de l’étudiant de l’Université McGill, chaque étudiant a le droit de soumettre en français ou en anglais tout travail écrit devant être noté (sauf dans le cas des cours dont l’un des objets est la maîtrise d’une langue).

7. **In the event of extraordinary circumstances beyond the University’s control, the content and/or evaluation scheme in this course is subject to change.**

8. **Academic freedom**

Academic freedom in a university differs from freedom of speech in the wider society; it is not the right to say just anything. It guarantees scholars—whether faculty or students—protection for their scholarly inquiry regardless of the conclusions that it reaches, while demanding respect for scholarly methods. One aspect of that is that scholars will not be sanctioned within the classroom for what happens outside of it. The other aspect is that scholars will be evaluated on the basis of their use of scholarly methods, not on the basis of the conclusions that they reach. What this means in a class like this is: your grade will not be affected by your speech in nonacademic settings, and it will not be affected by such things as whether the conclusion you argue for is popular, or is shared by the professor. We are studying controversial and complicated questions, and you will be evaluated on the basis of considerations such as quality of argument, quality of writing, and the careful use of sources, not on the basis of the political orientation of your conclusions.
1) Wednesday Jan. 8.  Introduction

2) Wednesday Jan. 15 Grotius on private property: inclusive right
   - Grotius *The law of war and peace*, Book II, chapters 1, 2, and 3

3) Wednesday Jan. 22 Locke on private property

4) Wednesday Jan. 29 Samuel von Pufendorf, a failed attempt to establish the right of property as an absolute right to exclude
   *De jure naturae et gentium*  Book II, chapter 6, §§ 5, 6 et 7, Book  IV chapters 3 and 4
   Pufendorf's text (in English: *The law of nature and nations*) is available on Archive.org: [https://archive.org/details/oflawofnaturenat00pufu/page/n6](https://archive.org/details/oflawofnaturenat00pufu/page/n6)
   Or on Gallica: [https://gallica.bnf.fr/ark:/12148/bpt6k95829z.image](https://gallica.bnf.fr/ark:/12148/bpt6k95829z.image)

5) Wednesday Febr. 5 Hume on property and justice
   - Hume, *Inquiry concerning the principles of morals*, section 3 (Of Justice)

6) Wednesday Febr. 12 Adam Smith on property and justice
   - Adam Smith *The theory of moral sentiments* (Liberty classics edition), pp. 78-91 and 179-187
   - Adam Smith *Wealth of nations* (Part 5, I, b Of the expence of justice)
7) Wednesday - Febr. 19 Agrarianism

- Thomas Skidmore, *The right of man to property* (New York 1829)  
  [http://www.ditext.com/skidmore/1.html](http://www.ditext.com/skidmore/1.html)
- Herbert Spencer, *Justice, being Part IV of the Principles of Ethics* (London, 1891), chapters 5-16 (pp. 25-136)  
- Henry George  *A perplexed Philosopher. Being an examination of Mr Herbert Spencer’s various utterances on the land question. With some incidental reference to his synthetic philosophy* (1892) pp. 179-299 (Chapters 6-10)  

8) Wednesday Febr. 26 Libertarianism right and left

- Several possible introductions to libertarianism and its problems:
  - Jan Narveson, *The libertarian idea*, chapters 6 to 8 (Broadview press, 2001)

9) Wednesday March 11 Libertarianism right and left (continued)

- on left libertarianism


10) Wednesday March 18 Robert Lee Hale: property as power

- Economic Liberty and the State, *Political Science Quarterly* vol. 66 n°3 (sept. 1951), p. 400-410
  [https://tannerlectures.utah.edu/Anderson%20manuscript.pdf](https://tannerlectures.utah.edu/Anderson%20manuscript.pdf)
11) Wednesday March 25
Laura Underkuffler and Joseph W. Singer. Progressive property I


12) Wednesday April 1st
Margaret Radin Progressive property II

- Margaret Radin, *Reinterpreting property*, (The University of Chicago press 1993)

13) Wednesday April 8

Topic of this last session left open. Possibly Jeremy Waldron’s Hamlyn lectures *The rule of law and the measure of property* (2012)

-----------------------------