

Essentials of Public Health Research Methods

Types of property include real property (the combination of land and any improvements to or on the ground), personal property (physical possessions belonging to a person), private property (property owned by legal persons, business entities or individual natural persons), public property (State-owned or publicly owned and available possessions) and intellectual property (exclusive rights over artistic creations, inventions, etc.). However, the last is not always as widely recognized or enforced. [7] An article of property may have physical and incorporeal parts. A title, or a right of ownership, establishes the relation between the property and other persons, assuring the owner the right to dispose of the property as the owner sees fit. [citation needed] The unqualified term "property" is often used to refer specifically to real property.

In sociology and anthropology, property is often defined as a relationship between two or more individuals and an object, in which at least one of these individuals holds a bundle of rights over the object. The distinction between "collective property" and "private property" is regarded as confusion since different individuals often hold differing rights over a single object. [5] [6]

In economics and political economy, there are three broad forms of property: private property, public property, and collective property (also called cooperative property). [3] Property that jointly belongs to more than one party may be possessed or controlled thereby in very similar or very distinct ways, whether simply or complexly, whether equally or unequally. However, there is an expectation that each party's will (rather discretion) with regard to the property be clearly defined and unconditional, [citation needed] to distinguish ownership and easement from rent. The parties might expect their wills to be unanimous, or alternately every given one of them, when no opportunity for or possibility of a dispute with any other of them exists, may expect his, her, it's or their own will to be sufficient and absolute. The first Restatement defines property as anything, tangible or intangible, whereby a legal relationship between persons and the State enforces a possessory interest or legal title in that thing. This mediating relationship between individual, property, and State is called a property regime. [4]

Property is a system of rights that gives people legal control of valuable things, [1] and also refers to the valuable things themselves. Depending on the nature of the property, an owner of property may have the right to consume, alter, share, redefine, rent, mortgage, pawn, sell, exchange, transfer, give away or destroy it, or to exclude others from doing these things, [2] as well as to perhaps abandon it; whereas regardless of the nature of the property, the owner thereof has the right to properly use it under the granted property rights.

Treatment of intangible property is such that an article of property is, by law or otherwise by traditional conceptualization, subject to expiration even when inheritable, which is a key distinction from tangible property. Upon expiration, the property, if of the intellectual category, becomes a part of public domain, to be used by but not owned by anybody, and possibly used by

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more than one party simultaneously due to the inapplicability of scarcity to intellectual property. Whereas things such as communications channels and pairs of electromagnetic spectrum bands and signal transmission power can only be used by a single party at a time, or a single party in a divisible context, if owned or used. Thus far or usually, those are not considered property, or at least not private property, even though the party bearing right of exclusive use may transfer that right to another.

In common law , real property (immovable property) is the combination of interests in land and improvements thereto, and personal property is interest in movable property. Real property rights are rights relating to the land. These rights include ownership and usage. Owners can grant rights to persons and entities in the form of leases , licenses , and easements .

Both communism and some forms of socialism have also upheld the notion that private ownership of capital is inherently illegitimate. This argument centers on the idea that private ownership of capital always benefits one class over another, giving rise to domination through this privately owned capital. Communists do not oppose personal property that is "hard-won, self-acquired, self-earned" (as " The Communist Manifesto " puts it) by members of the proletariat . Both socialism and communism distinguish carefully between private ownership of capital (land, factories, resources, etc.) and private property (homes, material objects, and so forth).

In his text "The Common Law," Oliver Wendell Holmes describes property as having two fundamental aspects. The first, possession, can be defined as control over a resource based on the practical inability to contradict the ends of the possessor. The second title is the expectation that others will recognize rights to control resources, even when not in possession. He elaborates on the differences between these two concepts and proposes a history of how they came to be attached to persons, as opposed to families or entities such as the church.

According to Adam Smith , the expectation of profit from "improving one's stock of capital" rests on private property rights. [8] Capitalism has as a central assumption that property rights encourage their holders to develop the property, generate wealth , and efficiently allocate resources based on the operation of markets. From this has evolved the modern conception of property as a right enforced by positive law, in the expectation that this will produce more wealth and better standards of living. However, Smith also expressed a very critical view of the effects

of property laws on inequality:

Various scholarly disciplines (such as law , economics , anthropology or sociology) may treat the concept more systematically, but definitions vary, most particularly when involving contracts . Positive law defines such rights, and the judiciary can adjudicate and enforce property rights.

Property is often defined by the code of the local sovereignty and protected wholly or more usually partially by such entity, the owner being responsible for any remainder of protection. The standards of the proof concerning proofs of ownerships are also addressed by the code of the local sovereignty, and such entity plays a role accordingly, typically somewhat managerial . Some philosophers [who?] assert that property rights arise from social convention , while others find justifications for them in morality or in natural law .

That principle was carried to the United States. Under U.S. law, the principal limitations on whether and the extent to which the State may interfere with property rights are set by the Constitution. The Takings clause requires that the government (whether State or federalâ€”for the 14th Amendment's due process clause imposes the 5th Amendment's takings clause on state governments) may take private property only for a public purpose after exercising due process of law, and upon making "just compensation." If an interest is not deemed a "property" right or the conduct is merely an intentional tort, these limitations do not apply, and the doctrine of sovereign immunity precludes relief. [18] Moreover, if the interference does not almost completely make the property valueless, the interference will not be deemed a taking but instead a mere regulation of use. [19] On the other hand, some governmental regulations of property use have been deemed so severe that they have been considered " regulatory takings ." [20] Moreover, conduct is sometimes deemed only a nuisance, or another tort has been held a taking of property where the conduct was sufficiently persistent and severe. [21]

In 17th-century England, the legal directive that nobody may enter a home (which in the 17th century would typically have been male-owned) unless by the owner's invitation or consent, was established as common law in Sir Edward Coke 's " Institutes of the Lawes of England ." "For a man's house is his castle, et domus sua cuique est tutissimum refugium [and each man's home is his safest refuge]." It is the origin of the famous dictum, "an Englishman's home is his castle". [17] The ruling enshrined into law what several English writers had espoused in the 16th century. [17] Unlike the rest of Europe the British had a proclivity towards owning their own homes. [17] British Prime Minister William Pitt, 1st Earl of Chatham defined the meaning of castle in 1763, "The poorest man may in his cottage bid defiance to

all the forces of the crown. It may be frail " its roof may shake " the wind may blow through it " the storm may enter " the rain may enter " but the King of England cannot enter." [17]

In many countries women have limited access to property following restrictive inheritance and family laws, under which only men have actual or formal rights to own property.

Ownership laws may vary widely among countries depending on the nature of the property of interest (e.g., firearms, real property, personal property, animals). Persons can own property directly. In most societies legal entities , such as corporations , trusts and nations (or governments) own property.

Ownership of land can be held separately from the ownership of rights over that land, including sporting rights, [15] mineral rights , development rights, air rights , and such other rights as may be worth segregating from simple land ownership.

In many ancient legal systems (e.g., early Roman law), religious sites (e.g. temples) were considered property of the God or gods they were devoted to. However, religious pluralism makes it more convenient to have sacred sites owned by the spiritual body that runs them.

Questions regarding the nature of ownership of the body also come up in the issue of abortion , drugs , and euthanasia .

The nature of children under the age of majority is another contested issue here. In ancient societies, children were generally considered the property of their parents. However, children in most modern communities theoretically own their bodies but are not regarded as competent to exercise their rights. Their parents or guardians are given most of the fundamental rights of control over them.

Many things have existed that did not have an owner , sometimes called the commons . The term "commons," however, is also often used to mean something entirely different: "general collective ownership" "i.e. common ownership . Also, the same term is sometimes used by statist to mean government-owned property that the general public is allowed to access (public property). Law in all societies has tended to reduce the number of things not having clear owners. Supporters of property rights argue that this enables better protection of scarce resources due to the tragedy of the

commons . At the same time, critics say that it leads to the 'exploitation' of those resources for personal gain and that it hinders taking advantage of potential network effects . These arguments have differing validity for different types of "property"â€”things that are not scarce are, for instance, not subject to the tragedy of the commons . Some apparent critics advocate general collective ownership rather than ownerlessness.

From some anarchist points of view, the validity of property depends on whether the "property right" requires enforcement by the State. Different forms of "property" require different amounts of enforcement: intellectual property requires a great deal of state intervention to enforce, ownership of distant physical property requires quite a lot, ownership of carried objects requires very little. In contrast, requesting one's own body requires absolutely no state intervention. So some anarchists don't believe in property at all.

The two major justifications are given for the original property, or the homestead principle , are effort and scarcity. John Locke emphasized effort, "mixing your labor" [11] with an object, or clearing and cultivating virgin land. Benjamin Tucker preferred to look at the telos of property, i.e., what is the purpose of property? His answer: to solve the scarcity problem. Only when items are relatively scarce concerning people's desires, do they become property. [12] For example, hunter-gatherers did not consider land to be property, since there was no shortage of land. Agrarian societies later made arable land property, as it was scarce. For something to be economically scarce, it must necessarily have the "exclusivity property"â€”that use by one person excludes others from using it. These two justifications lead to different conclusions on what can be property. Intellectual property â€”incorporeal things like ideas, plans, orderings and arrangements (musical compositions, novels, computer programs)â€”are generally considered valid property to those who support an effort justification, but invalid to those who support a scarcity justification, since the things don't have the exclusivity property (however, those who support a scarcity justification may still support other "intellectual property" laws such as Copyright , as long as these are a subject of contract instead of government arbitration). Thus even ardent propertarians may disagree about IP. [13] By either standard, one's body is one's property.

Different societies may have other theories of property for differing types of ownership. For example, Pauline Peters argued that property systems are not isolable from the social fabric, and notions of property may not be stated as such but instead may be framed in negative terms: for example, the taboo system among Polynesian peoples.

In the world of Robinson Crusoe , property rights play no role. property rights are an instrument of society and

derive their significance from the fact that they help a man form those expectations which he can reasonably hold in his dealings with others. These expectations find expression in society's laws, customs, and more. An owner of property rights possesses the consent of fellowmen to allow him to act in particular ways. An owner expects the community to prevent others from interfering with his actions, provided that these actions are not prohibited in the specifications of his rights.

Corporate systems describe ownership as being attached to an identifiable group with an identifiable responsible individual. The Roman property law was based on such a corporate system. In a well-known paper that contributed to the creation of the field of law and economics in the late 1960s, the American scholar Harold Demsetz described how the concept of property rights makes social interactions easier:

Communal property systems describe ownership as belonging to the entire social and political unit. Common ownership in a hypothetical communist society is distinguished from primitive forms of common property that have existed throughout history, such as Communalism and primitive communism, in that communist common ownership is the outcome of social and technological developments leading to the elimination of material scarcity in society. [25]

Sec. 2. The lands of the Cherokee Nation shall remain common property. Still, the improvements made thereon, and in possession of the citizens respectively who made, or may rightfully own them: Provided, that the citizens of the Nation possessing the exclusive and indefeasible right to their improvements, as expressed in this article, shall possess no right or power to dispose of their improvements, in any manner whatever, to the United States, individual States, or individual citizens thereof; and that, whenever any citizen shall remove with his effects out of the limits of this Nation, and become a citizen of any other government, all his rights and privileges as a citizen of this Nation shall cease: Provided, nevertheless, That the National Council shall have power to re-admit, by law, to all the rights of citizenship, any such person or persons who may, at any time, desire to return to the Nation, on memorializing the National Council for such readmission.

In every culture studied, ownership and possession are the subjects of custom and regulation, and "law" is where the term can meaningfully be applied. Many tribal cultures balance individual rights with the laws of collective groups: tribes, families, associations, and nations. For example, the 1839 Cherokee Constitution frames the issue in these terms:

Anthropology studies the diverse ownership systems, rights of use and transfer, and possession [24] under the term "theories of property." As mentioned, western legal theory is based on the owner of property being a legal person. However, not all property systems are founded on this basis.

From the RERUM NOVARUM, Pope Leo XIII wrote, "It is surely undeniable that, when a man engages in remunerative labor, the impelling reason and motive of his work is to obtain property, and after that to hold it as his very own."

There exist many theories of property. One is the relatively rare first possession theory of property , where ownership of something is seen as justified simply by someone seizing something before someone else does. [22] Perhaps one of the most popular is the natural rights definition of property rights as advanced by John Locke . Locke advanced the theory that God granted dominion over nature to man through Adam in the book of Genesis. Therefore, he theorized that when one mixes one's labor with nature, one gains a relationship with that part of nature with which the labor is mixed, subject to the limitation that there should be "enough, and as good, left in common for others." (see Lockean proviso) [23]

In medieval and Renaissance Europe the term "property" essentially referred to land. After much rethinking, land has come to be regarded as only a special case of the property genus. This rethinking was inspired by at least three broad features of early modern Europe: the surge of commerce, the breakdown of efforts to prohibit interest (then called "usury"), and the development of centralized national monarchies.

Ancient philosophy Edit

Urukagina, the king of the Sumerian city-state Lagash, established the first laws that forbade compelling the sale of property.[27]

The Bible in Leviticus 19:11 and *ibid.* 19:13 states that the Israelites are not to steal.

Aristotle, in *Politics*, advocates "private property." [28] He argues that self-interest leads to neglect of the commons. "[T]hat which is common to the greatest number has the least care bestowed upon it. Everyone thinks chiefly of his own, hardly at all of the common interest, and only when he is himself concerned as an individual." [29]

In addition, he says that when property is common, there are natural problems that arise due to differences in labor: "If they do not share equally enjoyments and toils, those who labor much and get little will necessarily complain of those who labor little and receive or consume much. But indeed, there is always a difficulty in men living together and having all human relations in common, but especially in their having common property." (Politics, 1261b34)

Cicero held that there is no private property under natural law but only under human law.[30] Seneca viewed property as only becoming necessary when men become avaricious.[31] St. Ambrose later adopted this view and St. Augustine even derided heretics for complaining the Emperor could not confiscate property they had labored for.[32]

Medieval philosophy Edit

Thomas Aquinas (13th century) Edit

The canon law Decretum Gratiani maintained that mere human law creates property, repeating the phrases used by St. Augustine.[33] St. Thomas Aquinas agreed with regard to the private consumption of property but modified patristic theory in finding that the private possession of property is necessary.[34] Thomas Aquinas concludes that, given certain detailed provisions,[35]

it is natural for man to possess external things

it is lawful for a man to possess a thing as his own

The essence of theft consists in taking another's thing secretly

Theft and robbery are sins of different species, and robbery is a more grievous sin than theft

theft is a sin; it is also a mortal sin

it is, however, lawful to steal through stress of need:" in cases of need, all things are common property."

Modern philosophy Edit

Thomas Hobbes (17th century) Edit

The principal writings of Thomas Hobbes appeared between 1640 and 1651—during and immediately following the war between forces loyal to King Charles I and those loyal to Parliament. In his own words, Hobbes' reflection began with the idea of "giving to every man his own," a phrase he drew from the writings of Cicero. But he wondered: How can anybody call anything his own? He concluded: My own can only truly be mine if there is one unambiguously strongest power in the realm, and that power treats it as mine, protecting its status as such.[36]

James Harrington (17th century) Edit

A contemporary of Hobbes, James Harrington, reacted to the same tumult differently: he considered property natural but not inevitable. The author of "Oceana," he may have been the first political theorist to postulate that political power is a consequence, not the cause, of the distribution of property. He said that the worst possible situation is when the commoners have half a nation's property, with the crown and nobility holding the other half—a circumstance fraught with instability and violence. He suggested a much better situation (a stable republic) would exist once the commoners own most property.

In later years, the ranks of Harrington's admirers included American revolutionary and founder John Adams.

Robert Filmer (17th century) Edit

Another member of the Hobbes/Harrington generation, Sir Robert Filmer, reached conclusions much like Hobbes', but through Biblical exegesis. Filmer said that the institution of kingship is analogous to that of fatherhood, that subjects are still, children, whether obedient or unruly and that property rights are akin to the household goods that a father may dole out among his children—his to take back and dispose of according to his pleasure.

John Locke (17th century) Edit

In the following generation, John Locke sought to answer Filmer, creating a rationale for a balanced constitution in which the monarch had a part to play, but not an overwhelming part. Since Filmer's views essentially require that the Stuart family be uniquely descended from the patriarchs of the Bible, and even in the late 17th century, that was a

difficult view to uphold, Locke attacked Filmer's views in his First Treatise on Government, freeing him to set out his own views in the Second Treatise on Civil Government. Therein, Locke imagined a pre-social world each of the unhappy residents which are willing to create a social contract because otherwise, "the enjoyment of the property he has in this state is very unsafe, very insecure," and therefore, the "great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property." [37] They would, he allowed, create a monarchy, but its task would be to execute the will of an elected legislature. "To this end" (to achieve the previously specified goal), he wrote, "it is that men give up all their natural power to the society they enter into, and the community put the Legislative power into such hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty as it was in the state of nature." [38]

Even when it keeps to proper legislative form, Locke held that there are limits to what a government established by such a contract might rightly do.

"It cannot be supposed that [the hypothetical contractors] they should intend, had they a power so to do, to give anyone or more an absolute arbitrary power over their persons and estates, and put a force into the magistrate's hand to execute his unlimited will arbitrarily upon them; this were to put themselves into a worse condition than the State of nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man or many in combination. Whereas by supposing they have given themselves up to the absolute arbitrary power and will of a legislator, they have disarmed themselves, and armed him to make a prey of them when he pleases..." [39]

Both "persons" and "estates" are to be protected from the arbitrary power of any magistrate, including legislative power and will." In Lockean terms, depredations against an estate are just as plausible a justification for resistance and revolution as are those against persons. In neither case are subjects required to allow themselves to become prey.

To explain the ownership of property, Locke advanced a labor theory of property.

David Hume (18th century) Edit

In contrast to the figures discussed in this section thus far David Hume lived a relatively quiet life that had

settled down to a relatively stable social and political structure. He lived the life of a solitary writer until 1763 when, at 52 years of age, he went off to Paris to work at the British embassy.

In contrast, one might think to his polemical works on religion and his empiricism-driven skeptical epistemology, Hume's views on law and property were quite conservative.

He did not believe in hypothetical contracts or the love of humanity in general and sought to ground politics upon actual human beings as one knows them. "In general," he wrote, "it may be affirmed that there is no such passion in the human mind, as the love of mankind, merely as such, independent of personal qualities, or services, or of relation to ourselves." Existing customs should not lightly be disregarded because they have come to be what they are due to human nature. With this endorsement of custom comes an endorsement of existing governments because he conceived of the two as complementary: "A regard for liberty, though a laudable passion, ought commonly to be subordinate to a reverence for established government."

Therefore, Hume's view was that there are property rights because of and to the extent that the existing law, supported by social customs, secure them.[40] He offered some practical home-spun advice on the general subject, though, as when he referred to avarice as "the spur of industry," and expressed concern about excessive levels of taxation, which "destroy industry, by engendering despair."

Adam Smith Edit

"Civil government, so far as it is instituted for the security of property, is, in reality, instituted for the defense of the rich against the poor, or of those who have property against those who have none at all." Adam Smith, *The Wealth of Nations*, 1776[41]

"The property that every man has in his labour is the original foundation of all other property, so it is the most sacred and inviolable. The inheritance of a poor man lies in the strength and dexterity of his hands, and to hinder him from employing this strength and dexterity in what manner he thinks proper without injury to his neighbor, is a plain violation of this most sacred property. It is a manifest encroachment upon the just liberty of the workman and those who might be disposed to employ him. It hinders the one from working at what he thinks proper, so it hinders the others from employing whom they think proper. To judge whether he is fit to be employed may surely be trusted to the

discretion of the employers whose interest it so much concerns. The affected anxiety of the law-giver lest they should employ an improper person is as impertinent as it is oppressive." " (Source: Adam Smith, The Wealth of Nations, 1776, Book I, Chapter X, Part II.)

By the mid 19th century, the industrial revolution had transformed England and the United States and had begun in France. As a result, the conventional conception of what constitutes property expanded beyond land to encompass scarce goods. In France, the revolution of the 1790s had led to large-scale confiscation of land formerly owned by the church and king. The restoration of the monarchy led to claims by those dispossessed to have their former lands returned.

Karl Marx Edit

Section VIII, "Primitive Accumulation" of Capital involves a critique of Liberal Theories of property rights. Marx notes that under Feudal Law, peasants were legally entitled to their land as the aristocracy was to its manors. Marx cites several historical events in which large numbers of the peasantry were removed from their lands, then seized by the nobility. This seized land was then used for commercial ventures (sheep herding). Marx sees this "Primitive Accumulation" as integral to the creation of English Capitalism. This event created a sizeable un-landed class that had to work for wages to survive. Marx asserts that liberal theories of property are "idyllic" fairy tales that hide a violent historical process.

Charles Comte: legitimate origin of property Edit

Charles Comte, in "Traité de la propriété" (1834), attempted to justify the legitimacy of private property in response to the Bourbon Restoration. According to David Hart, Comte had three main points: "firstly, that interference by the state over the centuries in property ownership has had dire consequences for justice as well as for economic productivity; secondly, that property is legitimate when it emerges in such a way as not to harm anyone; and thirdly, that historically some, but by no means all, property which has evolved has done so legitimately, with the implication that the present distribution of property is a complex mixture of legitimately and illegitimately held titles." [42]

Comte, as Proudhon later did, rejected Roman legal tradition with its toleration of slavery. Instead, he posited a communal "national" property consisting of non-scarce goods, such as land in ancient hunter-gatherer societies. Since agriculture was so much more efficient than hunting and gathering, private property appropriated by someone for

farming left remaining hunter-gatherers with more land per person and hence did not harm them. Thus this type of land appropriation did not violate the Lockean proviso "there was still enough, and as good left." Later theorists would use Comte's analysis in response to the socialist critique of property.

Pierre-Joseph Proudhon: property is theft Edit

In his 1840 treatise *What is Property?*, Pierre Proudhon answers with "Property is theft!". In natural resources, he sees two types of property, *de jure* property (legal title) and *de facto* property (physical possession), and argues that the former is illegitimate. Proudhon's conclusion is that "property, to be just and possible, must necessarily have equality for its condition."

His analysis of the product of labor upon natural resources as property (*usufruct*) is more nuanced. He asserts that land itself cannot be property, yet it should be held by individual possessors as stewards of humanity, with the product of labor being the producer's property. Proudhon reasoned that any wealth gained without labor was stolen from those who labored to create that wealth. Even a voluntary contract to surrender the product of work to an employer was theft, according to Proudhon, since the controller of natural resources had no moral right to charge others for the use of that which he did not labor to create did not own.

Proudhon's theory of property greatly influenced the budding socialist movement, inspiring anarchist theorists such as Mikhail Bakunin who modified Proudhon's ideas, as well as antagonizing theorists like Karl Marx.

Frédéric Bastiat: property is value Edit

Frédéric Bastiat 's main treatise on property can be found in chapter 8 of his book *Economic Harmonies* (1850).[43] In a radical departure from traditional property theory, he defines property, not as a physical object, but rather as a relationship between people concerning a thing. Thus, saying one owns a glass of water is merely verbal shorthand for "I may justly gift or trade this water to another person." In essence, what one owns is not the object but the object's value. By "value," Bastiat means "market value"; he emphasizes this is quite different from utility. "In our relations with one another, we are not owners of the utility of things, but their value, and value is the appraisal made of reciprocal services."

Bastiat theorized that, as a result of technological progress and the division of labor, the stock of communal wealth increases over time; that the hours of work an unskilled laborer expends to buy e.g., 100 liters of wheat, decreases over time, thus amounting to "gratis" satisfaction.[44] Thus, private property continually destroys itself, becoming transformed into communal wealth. The increasing proportion of communal wealth to private property results in a tendency toward equality of humanity. "Since the human race began in greatest poverty, that is, when there were the most obstacles to overcome, all that has been achieved from one era to the next is due to the spirit of property."

This transformation of private property into the communal domain, Bastiat points out, does not imply that personal property will ever totally disappear. On the contrary, this is because man, as he progresses, continually invents new and more sophisticated needs and desires.

Andrew J. Galambos: a precise definition of property Edit

Andrew J. Galambos (1924â€"1997) was an astrophysicist and philosopher who innovated a social structure that sought to maximize human peace and freedom. Galambos' concept of property was essential to his philosophy. He defined property as a man's life and all non-procreative derivatives of his life. (Because the English language is deficient in omitting the feminine from "man" when referring to humankind, it is implicit and obligatory that the feminine is included in the term "man.")

Galambos taught that property is essential to a non-coercive social structure. He defined freedom as follows: "Freedom is the societal condition that exists when every individual has full (100%) control over his property." [45] Galambos defines property as having the following elements:

Primordial property, which is an individual's life

Primary property, which includes ideas, thoughts, and actions

Secondary property includes all tangible and intangible possessions that are derivatives of the individual's primary property.

Property includes all non-procreative derivatives of an individual's life; this means children are not the property of

their parents.[46] and "primary property" (a person's own ideas).[47]

Galambos repeatedly emphasized that actual government exists to protect property and that the State attacks property. For example, the State requires payment for its services in the form of taxes whether or not people desire such services. Since an individual's money is his property, the confiscation of money in the form of taxes is an attack on property. Military conscription is likewise an attack on a person's primordial property.

Contemporary views Edit

Contemporary political thinkers who believe that natural persons enjoy rights to own property and enter into contracts espouse two views about John Locke. On the one hand, some admire Locke, such as William H. Hutt (1956), who praised Locke for laying down the "quintessence of individualism." On the other hand, those such as Richard Pipes regard Locke's arguments as weak and think that undue reliance thereon has weakened the cause of individualism in recent times. Pipes has written that Locke's work "marked a regression because it rested on the concept of Natural Law" rather than upon Harrington's sociological framework.

Hernando de Soto has argued that an essential characteristic of the capitalist market economy is the functioning state protection of property rights in a formal property system which records ownership and transactions. These property rights and the whole legal system of property make possible:

Greater independence for individuals from local community arrangements to protect their assets

Clear, provable, and protectable ownership

The standardization and integration of property rules and property information in a country as a whole

Increased trust arising from a greater certainty of punishment for cheating in economic transactions

More formal and complex written statements of ownership that permit the more straightforward assumption of shared risk and ownership in companies, and insurance against the risk

Greater availability of loans for new projects since more things can serve as collateral for the loans

Easier access to and more reliable information regarding such things as credit history and the worth of assets

Increased fungibility, standardization, and transferability of statements documenting the ownership of property, which paves the way for structures such as national markets for companies and the easy transportation of property through complex networks of individuals and other entities

Greater protection of biodiversity due to minimizing of shifting agriculture practices

According to de Soto, all of the above enhance economic growth.[48] Academics have criticized the capitalist frame through which property is viewed pointing to the fact that commodifying property or land by assigning it monetary value takes away from the traditional cultural heritage, particularly from first nation inhabitants.[49][50] These academics point to the personal nature of property and its link to identity being irreconcilable with wealth creation that contemporary Western society subscribes to.[49]

Reference

[JA Herbs: 40 Jamaican Medicinal Herbs](#)

[Advances in Gerontology Research](#)