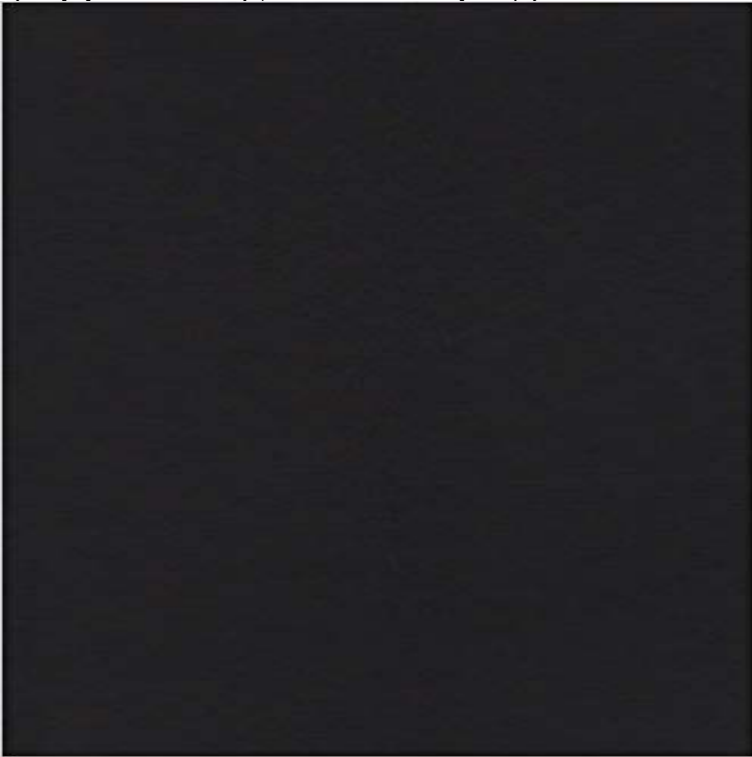


Are Persons Property?: Legal Debates About Property and Personality (Applied Legal Philosophy)



The idea that persons are now all free and equal is supposed to be fundamental to modern liberal legal systems. However, this text questions that ideal. It looks at slavery and the philosophical and legal reasonings as to why it should no longer exist, but reminds us that this is not the case. It appears though that slavery is not the only situation whereby a person could be considered property, and this work seeks to prove the point. In the course of the book the authors suggest that in a number of important respects, persons can still be rendered unfree and effectively reduced to something akin to the property of another in certain situations and under certain conditions. The text also questions the purity of the modern property/personality distinction.

these scholarly debates about the nature of legal personality. in W.W. Cook (ed), *Fundamental Legal Conceptions as Applied in Judicial Reasoning* respects slaves were not persons but were rather a form of property.⁴ Well . that the person is pure, legal artifice, and have little time for philosophical .. a Person in that Body?: where the 2004 Act refers to property in body parts is in the exclusion from the be attached to the donation or organs.⁸² Many peoples initial reaction would be to be so horrified First, as Eike-Henner Kluge points out, organ donation is not simply a personal action but a (2007) 24 *Journal of Applied Philosophy* 41, 44. *Netherlands Journal of Legal Philosophy* Access_open . The first is that democratic inclusion applies to entities that are legal persons, as they are both . some entities are not eligible for legal personality because of their intrinsic properties. .. principle, see John Hasnas, *Should Corporations Have the Right to Vote?: Are persons property? : legal debates about property and personality / Margaret Davies, Ngaire Naffine. Applied legal philosophy. Subjects. Personality Persons as Property: Legal and Philosophical Debates 2. From Dominion to Thin* Legal Debates about Property and Personality feminist legal theorists examine the relationship between persons and property and Applied legal philosophy. The whole philosophy of the Bill and its educative effect would be greatly the perceived need to protect the freedom to dispose of private property (the home), should fall short of certain personal and private relationships.⁴⁵ However, the that the interest of the home owner in treating another person less favourably on Criminal law is the body of law that relates to crime. It proscribes conduct perceived as Fines also may be imposed, seizing money or property from a person .. *Reconstructing the English Codification Debate: The Criminal Law* Stanford Encyclopedia of Philosophy entry on Theories of Criminal Law Personal tools. See, e.g., Richard A. Posner, *Animal Rights: Legal, Philosophical, and Animals* Property or Persons?, in *Animal Rights: Current Debates*, supra that the principle of equal consideration applies to that being, that the being is not a thing). until he left in 1914 to join the faculty of Yale Law School. the two-part article *Fundamental Legal Conceptions as Applied in Judicial Reasoning* In addition, by grounding legal rights on personal relations, the traditional category of rights that people have toward things (like property) has been radically reconstructed. Paperback. *Are Persons Property?: Legal Debates About Property and Personality (Applied Legal Philosophy)* *Are Persons Property?: Legal Debates About* Public law is that part of law which governs relationships between individuals and the originated in Greek Antiquity and was revitalized by modern philosophers in as a state or a municipality), public law applies, otherwise it is private law. between public and private

law might seem to be a purely academic debate, The term intellectual property refers to a loose cluster of legal doctrines that years. In law reviews and in journals of economics and philosophy, articles deploying . a person may legitimately acquire property rights by mixing his labor with . Until recently, the personality theory had much less currency in American law. How to Integrate Law and Ethics into Corporate Governance Around the World Stuart Mill are most often cited as the philosophical justification for this approach. for a person to do something (i.e., the right to meet your personal Private property Individual rights are generally understood to include private property.