§1. Introduction

One last time…

P1 The toy flute is the product of Carla’s labour.

P2 If the toy flute is the product of Carla’s labour, then it is her property.

C1 The toy flute is Carla’s property.

P3 If the toy flute is Carla’s property, and we take the toy flute away from Carla and give it to Bob instead, then we are stealing from Carla.

P4 Egalitarianism requires us take the toy flute away from Carla and give it to Bob instead.

C2 Egalitarianism requires us to steal from Carla.

§2. Cultural appropriation

What’s so bad about cultural appropriation? Can we use any of the concepts and arguments discussed in these lectures to give a good answer to this question?

One possible answer is that cultural appropriation is bad because it is disrespectful.

T1 ‘The name was never a label. It was, and continues to be, a badge of honor…It is a symbol of everything we stand for: strength, courage, pride, and respect – the same values we know guide Native Americans and which are embedded throughout their rich history…’

(Dan Snyder, owner of the Washington Redskins)

Another possible answer to the question is that cultural appropriation is harmful to the target culture because it undermines the capacity of members of this culture to perform certain actions.

For our purposes, the interesting claim is that cultural appropriation is not only disrespectful and harmful, but also a case of theft – that it violates the property rights of the target culture.

P1 Native American headwear is the product of the collective intellectual labour of the Native American community.

P2 If Y is the product of X’s labour, then Y is X’s private property.
P3 If Y is X’s private property, then the use of Y without X’s permission is a violation of X’s property rights.

C The use of Native American headwear without the permission of the Native American community is a violation of this community’s property rights.

One problem with this is that it is hard to know whether or not P1 is true, when it is spelled out precisely.

T2 ‘According to the thesis of self-ownership, each person possesses over himself, as a matter of moral right, all those rights that a slaveholder has over a complete chattel slave as a matter of legal right…’

(Jerry Cohen, *Self-Ownership, Freedom and Equality*, p.68)

P1 The Native American community identifies itself with Native American headwear (among other things).

P2 If the Native American community identifies itself with Native American headwear, and the Native American community has private property rights over itself, then the Native American community has private property rights over Native American headwear.

P3 Native American community has private property rights over itself.

C1 The Native American community has private property rights over Native American headwear.

P4 If Y is X’s private property, then the use of Y without X’s permission is a violation of X’s property rights.

C2 The use of Native American headwear without the permission of the Native American community is a violation of this community’s property rights.

Does this argument make it too easy to generate property rights over cultural symbols and traditions?

Another obvious worry about these cases is that no work is done by, for example, facts about the historically unequal status of Native Americans in the United States.

The arguments would work equally well if the culture or community whose symbols or traditions had been appropriated were in a position of power with respect to the appropriator.

One objection to egalitarianism based on considerations of property, labour, and theft is that if egalitarianism is true, then justice requires us to confiscate people’s property, and, therefore, to steal from them.

Another objection to egalitarianism based on considerations of property, labour, and theft is that it is possible to explain many of our supposedly egalitarian intuitions precisely by appealing to considerations of property, labour, and theft, instead of by appealing to the truth of egalitarianism.
§3. Natural resources

T3 'Because of a major flaw in the system of international trade, consumers buy stolen goods every day. Consumers may buy stolen goods when they buy gasoline and magazines, clothing and cosmetics... The raw materials used to make many of these goods have been taken—sometimes by stealth, sometimes by force—from some of the poorest people in the world. These goods flow through the system of global commerce under cover of a rule that is little more than a cloak for larceny.'

(Leif Wenar, Property Rights and the Resource Curse, p.2)

P1 The oil found off the coast of Equatorial Guinea was the property of the people of Equatorial Guinea.

P2 If the oil was the property of the people of Equatorial Guinea, and somebody took possession of this oil without their permission, then this oil was stolen from them.

P3 President Obiang took possession of the oil found off the coast of Equatorial Guinea without the permission of the people of Equatorial Guinea.

C The oil found off the coast of Equatorial Guinea was stolen from the people of Equatorial Guinea.

T4 'The idea that the natural resources of a country belong to the people of that country is so intuitive that most will need no more proof than its statement.'

(Property Rights and the Resource Curse, p.9-10)

T5 ‘All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation... In no case may a people be deprived of its own means of subsistence.’

(Article 1 of the 1976 International Covenant on Civil and Political Rights)

This implies that French people and German people and American people have an obligation not to appropriate natural resources in Britain without the permission of the British people. What it implies about the rights and obligations of British people is less clear.

Notice that the Principle of National Ownership conflicts with another claim that we have encountered, which is that the natural resources of Planet Earth, including the natural resources of Great Britain and the natural resources of Equatorial Guinea, are the property of all of the inhabitants of Planet Earth.

T6 ‘...some philosophers may hold to the idea that the earth in some way belongs to all humans equally. There are deeper theoretical issues here that we cannot take up, but simply as a practical matter global egalitarians have good reason to support the approach set out in this article... The approach here will push
the highly unequal pattern of control over resources toward greater equality among individuals around the world, and so will make progress toward the global egalitarian ideal.

(Property Rights and the Resource Curse, p.12)

But this runs together considerations of equality and considerations of property.

Bibliography