

Erving Goffman
Asylums: Essays on the Social Situation of Mental Patients and Other Inmates
Perspectives, p. 1

- Dispossession
- Physical Nakedness
- Coarse replacements
- Identify Kit
- Control
- Territory



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Asylums: Essays on the Social Situation of Mental Patients and Other Inmates Cont'd

- Extension of self
- Autonomy
- Repositories of self identification
- First Come, First Served
- Strongest Takes What He Wants



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Margaret Jane Radin *Property and Personhood*

Perspectives, p. 8

Personal or *Fungible* Property?

How much *pain* upon loss?

Wedding Ring
Money
Portrait
House
Makeup

Car
Heirloom
Land
Apartment
Body Parts



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Property and Personhood Cont'd

Personal Attachments

- Something **good** or something **bad** in being attached to external objects?
- Moral consensus about . . .
 - what's **good**?
 - what's **bad**?



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Property and Personhood Cont'd

More or Less Stringent Protection?

Dichotomies of Property

- ***Utilitarian*** – maximization of welfare, but property rules v. liability rules
- ***Personhood*** – continuum from fungible to personal
- ***Welfare Rights*** – entitlement to property necessary for personhood, can take others fungible property if it impinges upon another's personhood



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Property and Personhood Cont'd

Takings - Expectations

- If some object were close to the personal end of the continuum, there might be a prima facie case against taking it.
- Suggests an implied limitation on the power of eminent domain.
- But no such limitation has developed.



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Property and Personhood Cont'd

Three Propositions

- 1. At least some conventional property interests in society ought to be recognized and preserved as personal.**



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Property and Personhood Cont'd

Three Propositions Cont'd

- 2. Where we can ascertain that a given property right is personal, there is a prima facie case that that right should be protected to some extent against invasion by government and against cancellation by conflicting fungible property claims of other people.**



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Property and Personhood Cont'd

Three Propositions Cont'd

- 3. Where we can ascertain that a property right is fungible, there is a prima facie case that that right should yield to some extent in the face of conflicting recognized personhood interests.**



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