

# SINGAPORE SYMPOSIUM IN LEGAL THEORY

## CLT Roundtable “Prospectus for The Property Fetish”

BY Professor James Penner  
*National University of Singapore*

12 APRIL 2022, TUESDAY  
6.00PM – 8.00PM (SGT)  
(VIA ZOOM)

### ABSTRACT

This roundtable concerns a research project of mine, which I hope leads to a book, the provisional title of which is ‘The Property Fetish: How proprietary thinking distorts moral and political philosophy’. The central thesis of the proposed book is that much moral and political discourse is shaped by what might be called (to use a term borrowed from Wittgenstein) a ‘picture’ of our interpersonal moral norms. Under that picture, our interpersonal moral norms are conceived of as a matter of Hohfeldian right-duty and power-liability relations. These norms take as their central model property rights, duties, powers and liabilities, a model that gives shape to the idea of self-ownership, the idea that we ‘own’ our rights as against others. It also frames our personal obligations to others in the realm of voluntarily undertaken obligations, such as promises or contracts, whether or not such obligations concern rights that we would conventionally label as ‘property rights’. These voluntarily undertaken obligations are thought to arise on the basis that a promisor, for example, transfers an element of his agency to the promisee, so that the promisee now controls the promisor’s agency to the extent of the promise, as if it were, in a sense, the promisee’s own agency now.

### ABOUT THE SPEAKER



James Penner took an honours BSc in Genetics at the University of Western Ontario in 1985, an LLB at the University of Toronto in 1988 and completed his DPhil at University College, Oxford in 1992. His thesis formed the basis of *The Idea of Property in Law* (Oxford: Oxford University Press, 1997) which won the 1997 Society of Public Teachers of Law First Prize for Outstanding Scholarship by a Younger Scholar (now renamed the ‘SLS Peter Birks Prize’). Since 1992 he has taught law at Brunel University, the London School of Economics, King’s College London, and most recently from 2008 until 2013 as Professor of Property Law at the Faculty of Laws, University College London, serving from 2011 to 2013 as Head of Department. He has established himself as one of the world’s leading experts in the philosophy of property and the law of trusts, and writes more widely in the areas of private law and the philosophy of law. He has been a visiting professor in China, Canada, Belgium, and Australia.

### Participation is By Invitation Only.

Visit <https://bit.ly/37gwWk6> or scan the QR Code.

*Registration is required in order to be admitted to the seminar.*



For more information, please write to [clt@nus.edu.sg](mailto:clt@nus.edu.sg).