

Libertarians and conservatives often believe in natural property rights—property rights that are completely independent of societal conventions.

This matters because they often want to claim that taxation and/or redistribution is theft. But this becomes much more difficult to maintain once you admit that property depends, at least partially, on our conventions. After all, clearly our conventions allow for taxation and forms of redistribution.

I'm going to present an argument against natural property rights, but first, consider this list of questions:

- (Q1) Exactly how much labor has to be mixed with how much land to generate a property right?
- (Q2) How far do property rights extend vertically?
- (Q3) If I shine a spotlight on my neighbor's house, exactly how many Watts can I put out before I've violated her property rights?

Now, here's the argument:

- (N1) If property rights are natural, then there are answers to questions like Q1-Q3 built into nature.
- (N2) But there aren't answers to questions like Q1-Q3 built into nature.
- (N3) So, property rights aren't natural.

In other words, without our conventions to help determine the answers to these questions, they would need to be settled purely by nature itself. But that's just implausible.

Now, this doesn't mean that property rights are *entirely* determined by conventions. For instance, past conventions held that people were property, and yet clearly that was unjust.

But the point is, the most plausible view of property rights involves some combination of societal conventions with independent moral constraints.

## References

- Michael Huemer – “Is Taxation a Rights Violation”
- David Friedman – *Machinery of Freedom* (I think?)