

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

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## 1: The TRUTH About Pit Bulls: Vintage Pit Bull Photos Prove What?

*Contents: Preface, Michael Diamond; The public nature of property rights and the property nature of public law, J. Peter Byrne; Explaining the persistent myth of property absolutism, David Fagundes; Shared equity housing: cultural understanding and the meaning of ownership, Michael Diamond; Crisis and the public-private divide in property.*

I hope readers will provide some feedback on these musings, as I am engaged in ongoing, more substantial writing about this population as a critical race project, exploring what is at the particular intersection of white skin privilege with socioeconomic disadvantage and distress. A Memoir of a Family and Culture in Crisis HarperCollins , a book that has been widely reviewed—and nearly as universally praised—since its publication early last summer. Further, what I find interesting about the book is less its content than the elite, coastal reaction to it. Let me preface my comments by outing myself as a class migrant and a hillbilly. You get the idea: This latter distinction may be quite significant in any number of regards, and I hope to return to that point in a subsequent post. While I have reflected on my own class migration in some law review articles here and here , I did not reach for the brass ring of a popular press book contract. Let me begin, though, by telling you what I liked about Hillbilly Elegy. First and foremost, before I started reading it, I loved the fact that someone had written a book about this milieu—my people, too, I assumed—and that the media outlets I consume mostly liberal, all elite were paying attention to it. I sent lots of affirming Tweets, cheering on the new book. Second, once I finally started reading the book, I found that the memoir parts as opposed to the social science blurbs and policy suggestions of the book rang authentic, so much so that I found myself both laughing and crying at the tales of Mamaw and Papaw. I, too, grew up in a family of straight-talking folks who often expressed themselves in colorful language, delivered at high volume, sometimes with guns. Many of the vignettes resonated strongly with me based on my own hillbilly upbringing. Ah, yes, meritocracy, shmeritocracy. My read is that Vance is opining that the disaffection of the white working class is not so much about race as the mainstream media seem to have concluded. I also give Vance credit for calling our attention to white working class distrust of the mainstream media—even before the election made it an undeniable force. I have two theories. First, reviewers may be surprised that anyone who grew up with so much childhood and adolescent trauma—in Appalachia no less—is capable of writing a solid sentence, let alone a solid paragraph. Alternatively, reviewers may give any graduate of Yale Law School a free pass—that is, Vance may enjoy a presumption that he is a good writer because he earned a law degree at Yale. Sometimes these are accompanied by social science or other evidence to bolster a point, or to explain the psychology of a phenomenon he has experienced by virtue of his traumatic upbringing.

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

## 2: C. S. Lewis on Mere Liberty and the Evils of Statism: Independent Institute

*The public nature of property rights and the property nature of public law / J. Peter Byrne --Explaining the persistent myth of property absolutism / David Fagundes --Shared equity housing: cultural understanding and the meaning of ownership / Michael Diamond --Crisis and the public-private divide in property / Nestor M. Davidson and Rashmi.*

Explanation[ edit ] When one seeks to explain an event, the understanding often depends on the frame referred to. If a friend rapidly closes and opens an eye, we will respond very differently depending on whether we attribute this to a purely "physical" frame they blinked or to a social frame they winked. Though the former might result from a speck of dust resulting in an involuntary and not particularly meaningful reaction, the latter would imply a voluntary and meaningful action to convey humor to an accomplice, for example. Observers will read events seen as purely physical or within a frame of "nature" differently from those seen as occurring with social frames. But we do not look at an event and then "apply" a frame to it. Rather, individuals constantly project into the world around them the interpretive frames that allow them to make sense of it; we only shift frames or realize that we have habitually applied a frame when incongruity calls for a frame-shift. In other words, we only become aware of the frames that we always already use when something forces us to replace one frame with another. According to Susan T. Fiske and Shelley E. Taylor, human beings are by nature "cognitive misers", meaning they prefer to do as little thinking as possible. Hence, people will use the previously mentioned mental filters a series of which is called a schema to make sense of incoming messages. This gives the sender and framer of the information enormous power to use these schemas to influence how the receivers will interpret the message. According to an article written by Donald H. Weaver, framing selects certain aspects of an issue and makes them more prominent in order to elicit certain interpretations and evaluations of the issue, whereas agenda setting introduces the issue topic to increase its salience and accessibility. Today, many volumes of the major communication journals contain papers on media frames and framing effects. Frame building[ edit ] Frame building is related to at least three areas: It assumes that several media frames compete to set one frame regarding an issue, and one frame finally gains influence because it resonates with popular culture, fits with media practices, or is heavily sponsored by elites. First, in terms of practices of news production, there are at least five aspects of news work that may influence how journalists frame a certain issue: The second potential influence on frame building comes from elites, including interest groups, government bureaucracies, and other political or corporate actors. Empirical studies show that these influences of elites seem to be strongest for issues in which journalists and various players in the policy arena can find shared narratives. Finally, cultural contexts of a society are also able to establish frame. Erving Goffman [3] assumes that the meaning of a frame has implicit cultural roots. This is called the applicability effect. That is, when new frames invite people to apply their existing schema to an issue, the implication of that application depends, in part, on what is in that schema. Therefore, generally, the more the audiences know about issues, the more effective are frames. There are a number of levels and types of framing effects that have been examined. For example, scholars have focused on attitudinal and behavioral changes, the degrees of perceived importance of the issue, voting decisions, and opinion formations. Others are interested in psychological processes other than applicability. In mass communication research[ edit ] News media frame all news items by emphasizing specific values, facts, and other considerations, and endowing them with greater apparent applicability for making related judgments. News media promotes particular definitions, interpretations, evaluations and recommendations. A frame, Bateson wrote, is "a spatial and temporal bounding of a set of interactive messages. Sociological framing focuses on "the words, images, phrases, and presentation styles" that communicators use when relaying information to recipients. Frames, Gitlin wrote, are "persistent patterns of cognition, interpretations, and presentation, of selection [and] emphasis Entman called framing "a scattered conceptualization" and "a fractured paradigm" that "is often defined casually, with much left to an assumed tacit understanding of the reader. Wyer and Srull [20] explain the construct of accessibility

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

thus: People store related pieces of information in "referent bins" in their long-term memory. Because people rely heavily on news media for public affairs information, the most accessible information about public affairs often comes from the public affairs news they consume. The argument supporting accessibility as the psychological process underlying framing has also been cited as support in the debate over whether framing should be subsumed by agenda-setting theory as part of the second level of agenda setting. McCombs and other agenda-setting scholars generally agree that framing should be incorporated, along with priming, under the umbrella of agenda setting as a complex model of media effects linking media production, content, and audience effects. For example, Nelson, Clawson, and Oxley empirically demonstrated that applicability, rather than their salience, is key. Participants overwhelmingly chose Response A, which they perceived as the less risky option. Kahneman and Tversky asked other participants to choose between two equivalent "loss-framed" policy responses to the same disease outbreak. In this condition, Response A would kill people while Response B had a one-third probability of killing no one but a two-thirds probability of killing everyone. Although these options are mathematically identical to those given in the "gain-framed" condition, participants overwhelmingly chose Response B, the risky option. Kahneman and Tversky, then, demonstrated that when phrased in terms of potential gains, people tend to choose what they perceive as the less risky option. Conversely, when faced with a potential loss, people tend to choose the riskier option. Framing effect psychology Amos Tversky and Daniel Kahneman have shown that framing can affect the outcome. Experimental demonstration[ edit ] Tversky and Kahneman demonstrated systematic reversals of preference when the same problem is presented in different ways, for example in the Asian disease problem. Participants were asked to "imagine that the U.S. Two alternative programs to combat the disease have been proposed. Assume the exact scientific estimate of the consequences of the programs are as follows. In a group of people, Program A: The second group of participants was presented with the choice between the following: In a group of people, Program C: Programs A and C are identical, as are programs B and D. The change in the decision frame between the two groups of participants produced a preference reversal: Extrinsic control over the cognitive distinctions between risk tolerance and reward anticipation adopted by decision makers can occur through altering the presentation of relative risks and absolute benefits. People generally prefer the absolute certainty inherent in a positive framing-effect, which offers an assurance of gains. When decision-options appear framed as a likely gain, risk-averse choices predominate. A shift toward risk-seeking behavior occurs when a decision-maker frames decisions in negative terms, or adopts a negative framing effect. Frame-manipulation research[ edit ] Researchers have found that framing decision-problems in a positive light generally results in less-risky choices; with negative framing of problems, riskier choices tend to result. Further questioning of the patients suggested that, because the subjects ignored the underlying risk of disease, they perceived benefits as greater when expressed in relative terms. This model, which dovetails elements of cognitive and motivational theories, postulates that calculating the value of a sure gain takes much less cognitive effort than that required to select a risky gain. Neuroimaging[ edit ] Cognitive neuroscientists have linked the framing-effect to neural activity in the amygdala, and have identified another brain-region, the orbital and medial prefrontal cortex OMPFC, that appears to moderate the role of emotion on decisions. Using functional magnetic resonance imaging fMRI to monitor brain-activity during a financial decision-making task, they observed greater activity in the OMPFC of those research subjects less susceptible to the framing-effect. According to some sociologists, the "social construction of collective action frames" involves "public discourse, that is, the interface of media discourse and interpersonal interaction; persuasive communication during mobilization campaigns by movement organizations, their opponents and countermovement organizations; and consciousness raising during episodes of collective action. But most commentators attribute the concept of framing to the work of Erving Goffman on frame analysis and point especially to his book, Frame analysis: An essay on the organization of experience. Goffman used the idea of frames to label "schemata of interpretation" that allow individuals or groups "to locate, perceive, identify, and label" events and occurrences, thus rendering meaning, organizing experiences, and guiding actions.

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

Sociologists deem the mobilization of mass-movements "successful" when the frames projected align with the frames of participants to produce resonance between the two parties. Researchers of framing speak of this process as frame re-alignment. Frame-alignment[ edit ] Snow and Benford regard frame-alignment as an important element in social mobilization or movement. They argue that when individual frames become linked in congruency and complementariness, "frame alignment" occurs, [37] producing "frame resonance", a catalyst in the process of a group making the transition from one frame to another although not all framing efforts prove successful. The conditions that affect or constrain framing efforts include the following: Snow and Benford identify three core framing-tasks, and state that the degree to which framers attend to these tasks will determine participant mobilization. They characterize the three tasks as the following: Its range and interrelatedness, if the framer links the frame to only one core belief or value that, in itself, has a limited range within the larger belief system, the frame has a high degree of being discounted. Relevance of the frame to the realities of the participants; a frame must seem relevant to participants and must also inform them. Empirical credibility or testability can constrain relevancy: Cycles of protest Tarrow a; b ; the point at which the frame emerges on the timeline of the current era and existing preoccupations with social change. Previous frames may affect efforts to impose a new frame. Snow and Benford propose that once someone has constructed proper frames as described above, large-scale changes in society such as those necessary for social movement can be achieved through frame-alignment. Types[ edit ] Frame-alignment comes in four forms: Frame bridging involves the "linkage of two or more ideologically congruent but structurally unconnected frames regarding a particular issue or problem" Snow et al. It involves the linkage of a movement to "unmobilized [ sic ] sentiment pools or public opinion preference clusters" p. Frame amplification refers to "the clarification and invigoration of an interpretive frame that bears on a particular issue, problem, or set of events" Snow et al. This interpretive frame usually involves the invigorating of values or beliefs. Frame transformation becomes necessary when the proposed frames "may not resonate with, and on occasion may even appear antithetical to, conventional lifestyles or rituals and extant interpretive frames" Snow et al. When this happens, the securing of participants and support requires new values, new meanings and understandings. Two types of frame transformation exist: Domain-specific transformations, such as the attempt to alter the status of groups of people, and Global interpretive frame-transformation, where the scope of change seems quite radical"as in a change of world-views , total conversions of thought, or uprooting of everything familiar for example: Frame analysis as rhetorical criticism[ edit ] Although the idea of language-framing had been explored earlier by Kenneth Burke terministic screens , political communication researcher Jim A. Kuypers first published work advancing frame analysis framing analysis as a rhetorical perspective in His approach begins inductively by looking for themes that persist across time in a text for Kuypers, primarily news narratives on an issue or event and then determining how those themes are framed. They operate by making some information more salient than other information Perspectives in Action [39] and his essay "Framing Analysis as a Rhetorical Process", [40] Kuypers offers a detailed conception for doing framing analysis from a rhetorical perspective. According to Kuypers, "Framing is a process whereby communicators, consciously or unconsciously, act to construct a point of view that encourages the facts of a given situation to be interpreted by others in a particular manner. Frames operate in four key ways: Frames are often found within a narrative account of an issue or event, and are generally the central organizing idea.

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

## 3: On Donald Trump, J.D. Vance, and the white working class

*Explaining the Persistent Myth of Property Absolutism* – Faculty Presentation, Southwestern Law School, Los Angeles, April 20, – Junior Property Scholars Works-in-Progress Panel, AALS Annual Meeting, New.

Woo, Stanford Law School Both domestically and internationally, for both well-known businesses and anonymous consumers, world events lately have thrust issues of debt, creditor rights, and debtor protection into the spotlight. The field of debtor-creditor scholarship has perhaps never been as fertile as it is today. Its future will ultimately become the responsibility of those having entered the academy during this most robust period. Three work-in-progress presentations of minutes will be followed by minutes of questions and comments from the audience. Business Meeting at Program Conclusion. University and Nonprofit Art Moderator: Steinman, University of Cincinnati College of Law Since the Federal Rules of Civil Procedure were adopted in , discovery has played a central role in the American litigation system. Indeed, for many years, pleading was considered of little importance compared to discovery. But as courts and commentators have focused on the costs of discovery, there have been multiple efforts – with varying degrees of success – to rein in discovery. One recent example has been the apparent tightening of pleading standards in *Twombly*, a tightening which the Court justified in part by noting the high cost of discovery in complex antitrust actions. In light of *Twombly* and other developments, the time is right for a renewed focus on the relationship between discovery and other aspects of the litigation system, including pleading and summary judgment. The need for further consideration of the role of discovery in the litigation process as a whole led to our call for papers. The papers selected will be the foundation of our program. We will begin with a defense of the Langdellian method which centers on teaching classic cases, and then look at a number of alternative approaches minted in recent years. The goal is to give even those wedded to traditional teaching, new approaches that they might begin slowly to introduce in the classroom. The motivation for the panel is, in part, changes in the structure of practice that provide less time for mentoring and learning, and will require new lawyers to hit the ground running. It also aims to help professors respond to a new generation of students who are wired and thus synthesizing material and acquiring skills in new ways. Invited presentations will defend the Socratic method using canonical cases, and present alternatives including problem methods, drafting, negotiation, and interactive case books. In addition, a call for papers will produce two presentations of other innovations in teaching contracts. As a whole, the panel strives to provide models for experienced contracts professors to de-laminate their notes, and newer professors to move beyond their own professors in developing new ways to convey the beauty, complexity, and occasional imperfections of contract law. Business Meeting at Program Conclusion This panel will explore the potential, as well as the pitfalls, of using cognitive neuroscience to shed light on criminal justice theory and practice. Topics include, among others, implicit bias in decision-making, the dynamics of tunnel vision, brain imaging to assess prior knowledge or veracity, group-level emotion and jury dynamics, the effects of emotionally-charged evidence on reasoning, and the effects of brain injury on criminal responsibility. Forced to rebuild – indeed, reimagine – the New Orleans school system, the state instituted dramatic reforms, including school choice, greater accountability, and the creation of charter schools for the majority of students. Five years later, what have we learned? Is the New Orleans school system working, and working better? Is the role of the state appropriate, versus local control? Are these reforms best for all students, or just those in primary or secondary schools? Have these reforms fully accommodated students with special needs and disabilities? And have these reforms created a model for the rest of the country? This ideal, attractive as it may be, often defies reality. It remains the case that individuals are not all equally free. What is the appropriate role for law regarding inequalities manifest in family life? With a focus on wealth disparities, this program will explore various interactions between money, intimacy and law and the degree to which law serves the goal of equality across gender, sexual orientation, race and class. Because the topic is potentially so broad, the panelists will highlight a few instances where these issues

## EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

converge. Discussion will include the legal regulation of economic activity in committed adult intimate relationships, and in parent-child relationships. Gerding, University of New Mexico School of Law, Commentator As the international community struggles to manage the current global financial and economic crisis, policymakers around the globe have proclaimed their commitment to domestic and international regulatory reform. There is widespread agreement that the current framework for financial regulation is ill-suited for promoting efficient financial markets or for preventing crises. In April of , the G countries expressly committed to strengthening their domestic financial regulatory regimes. Commentators, policymakers, and scholars have also proposed that the U. This program will evaluate the reform agendas articulated by the official sector in the U. It will examine the merits of various proposals now on the table as well as the practical challenges for successfully implementing these proposals. Pharmaceutical Regulation and Commercial Speech Moderator: Richards, Washington University School of Law In the past few years, the drug and device industry have used constitutional litigation, sometimes with spectacular effectiveness, to overturn statutes and challenge regulations. Examples include *Wyeth v. Medtronic*; and *Abigail Alliance*. Even more remarkable has been the commercial speech litigation. *NH 1st Cir*; first amendment claims against a data privacy statute aimed to curb marketing abuses. *Western States Medical Center, U*. Clearly, something is afoot, with powerful constitutional arguments deployed to challenge democratically-enacted statutes. How do we mesh theories of the constitution with these cases? The focus of the panel will be commercial speech litigation in the drug industry. The cases mentioned above will be discussed, with significant discussion of the broader constitutional issues and impact on theory. Shepherd, Esquire, Venable LL. They will address the history and negotiating dynamics that led to the FATF Lawyer Guidance and explain how it is being implemented in the U. The second part of the session will consist of reflections and reactions from leading academics from various disciplines, including legal ethics, white collar crime, and international commercial and comparative law. Ribstein, University of Illinois College of Law Tort claims raise both theoretical and practical questions when an individual tortfeasor is associated with an unincorporated firm. And when and to what extent is the firm itself—or its owners—subject to liability? The circumstances under which any firm—whether or not incorporated—should be subject to vicarious liability are highly contested, most recently in the *Exxon Valdez* litigation before the United States Supreme Court. More generally, should the law differentiate between unincorporated and incorporated firms and their owners in resolving such questions? These issues are anticipated to lend themselves to multiple methodologies and approaches and will generate lively discussion. Baumgartner, University of Akron C. Authors of accepted papers are presenting. Rhode, Stanford Law School W. Bradley Wendel, Cornell Law School Cyber-harassment has made its way to the legal academy, in part by way of the Auto-Admit debacle, implicating several law students, and in part by way of other similar situations. The resulting dialogue has raised legal issues related to ethics, gender equality, freedom of speech, and Internet regulation and liability. Some legal scholars say that on-line attacks by law students, prospective law students, or lawyers, while noxious, constitute protected speech that should not be penalized. Others say that on-line attacks can raise sexual harassment or civil rights concerns given that the conduct often targets women. Still others say that outrageous on-line conduct by law students, prospective law students, or lawyers raises character and fitness concerns, particularly when the conduct is overtly racist or gendered. Discussion about these issues is complicated by Internet anonymity and evolving Internet-related case law, and more questions are raised than are answered. Is it a problem when gender- or race-specific comments are made by law students, prospective law students, jurists, or lawyers on the Internet? How, if at all, should law schools, bar examiners, or state disciplinary counsel respond to this sort of conduct? More generally and not specific to law students or lawyers, should cyber-harassment be addressed by legislation, litigation, regulation, or prosecution? Boyd School of Law Speakers: Reynolds, University of Maryland School of Law, Selected from a Call for Papers The Principles of the Law of Software Contracts seek to weave the currently divergent threads of law governing software contracts including the threshold questions of whether they are contracts or licenses and whether software is a good, a tangible non-good, or an intangible

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

into a coherent whole that will guide parties in drafting, performing, and enforcing software contracts and courts and other arbiters in resolving disputes involving software contracts. Other speakers, chosen from among those who responded to a call for papers, will offer their perspectives on the Principles, the economic, historical, policy, and political forces that motivated and shaped them, and their likely impact on the law and practice of software transactions. Constitutional theorists have discussed the interpretation-construction distinction in diverse ways. Some scholars have proposed that originalist constitutional interpretation can be reconciled with a living-constitutionalist approach to constitutional construction. Others have suggested that judicial review should be limited to the activity of constitutional interpretation, while the political branches should bear primary responsibility for construction. Some originalists criticize the distinction on the ground that it opens the door to judicial construction that is unconstrained by original meaning. In an earlier era, legal realists critiqued the distinction on the ground that interpretation of linguistic meaning and construction of legal doctrine cannot be separated in practice. This program will evaluate, explore, and challenge “ from a variety of perspectives and angles “ the interpretation-construction distinction, its justifications, and its implications. The AAA expands the definition of disability but does not cover all individuals with functional impairments, address many barriers to employment, or speak to the need for material resources such as health care and transportation. Speakers will discuss difficulties with the implementation of the AAA as well as disability discrimination that is not addressed by the Act. Aronovsky, Southwestern Law School Speakers: Thomas, University of Illinois College of Law Over the past forty years, summary judgment has played an increasingly prominent role in federal and state civil litigation. Some hail the expanded availability of summary judgment as promoting efficiency, preserving judicial resources and relieving pressure on overcrowded dockets. Others criticize the current state of summary judgment practice as promoting needless pre-trial transaction costs, undermining the role of jury trials, and disadvantaging employment discrimination, civil rights and other plaintiffs. Recent proposed amendments to Rule 56 have further fueled the debate about the proper role for summary judgment. In addition, some think the U. Iqbal will impact the future role of summary judgment and accelerate pre-trial dispositive motion practice by increasing the number of cases dismissed at the pre-answer motion stage of litigation. Speakers will address a range of issues relating to the future of summary judgment, such as the evolution of federal summary judgment law and practice since the s, whether the trans-substantive model for summary judgment remains effective or normatively preferable, the proposed changes to Rule 56, and whether the Iqbal decision will affect the role of summary judgment. Change is in the Air Moderator: The panel seeks to address the fundamental question of how to respond to the current crisis by asking: Where have we been? Where are we now? And, finally, where are we going? Without a doubt, financial products and financial markets have played a pivotal role in contributing to the recent downturn in economic activity and thus raise a host of important and pressing questions regarding securities regulation. To what extent did gaps in the financial regulatory system generally, and securities regulation in particular, contribute to the recent financial turmoil?

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

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## 4: The Public Nature of Private Property : Michael Diamond :

*The public nature of property rights and the property nature of public law / J. Peter Byrne --Explaining the persistent myth of property absolutism / David Fagundes --Shared equity housing: cultural understanding and the meaning of ownership / Michael diamond --Crisis and the public-private divide in property / Nestor M. Davidson & Rashmi Dyal.*

The work chronicles his life from his birth to death. He was born Caius Octavian Thurinus of a fairly well off but relatively unknown aristocratic family from an Italian city outside of Rome. His great grandfather had become an important politician in the area, and the subsequent generations were important politicians, ba Augustus: His great grandfather had become an important politician in the area, and the subsequent generations were important politicians, bankers etc. As a boy in a patrician family, Octavian grew up attending Senatorial meetings, studying Greek, philosophy, history and the arts of war. When adopted by Julius Caesar, he was given elevated status, and important introductory functions to build his political acumen. He petitioned to have money Julius Caesar had promised to the people of Rome paid out by the Senate, and became an interesting political tool by competitors for power, including Mark Antony, the "Liberators" Brutus, Casseus etc. These political squabbles allowed Octavian Caesar an opportunity to explore power himself, and he utilized his given name Caesar and the death of his adopted father, as well as political machinations and public appeal, to eventually gain status. Once the Republicans were dealt with, Octavian here on called Caesar gained immense power and influence, was voted titles by a cowed Senate, and fell out with his fellow rulers, eventually defeating Antony in open combat at Actium. This marked the beginning of Caesar as "Augustus. He frequently rejected politically voted honours in his name, as a sign of humility, and of course as a way of maintaining his appearance to the public. He also avoided the mistakes of his adopted father, avoiding the title "dictator" and abhorring any mention of monarchy. He worked to expand the borders of Rome, campaigning often through subordinates in Cantabria in Spain, across the Rhine into Germany, in modern Switzerland and in Africa and Asia. He built many public works, repaired important buildings, and frequently gave gifts of games, cash, grain and holidays to the people or Rome. He was also careful to ensure a political outlet for young and ambitious aristocratic men, frequently promoting people to positions of power, forgiving those who questioned his rule although not to the extent of his adopted father and building a base of talented subordinates among his family and close comrades. Many of his potential heirs and closest comrades, from Agrippa, to Lucius Caesar, to Drusus, died before their patron. He survived all of his grandchildren, and his only daughter, Julia, was estranged due to her public extravagance and flaunting of her marriage with his close associate and eventual successor, Tiberius. However, as the list of family members grew thin, due to scandal, disease or death in battle, Augustus again turned to Tiberius. Augustus died of illness, aged 75 an extremely old age at this time. Goldsworthy has done a fabulous job chronicling the life and times of Augustus Caesar, the first Emperor of Rome. Although Julius Caesar is sometimes given the credit, the dictator did not survive to pass on his lineage, and Augustus was the one who built the legislative and political framework of the early Roman Empire. As a character, Augustus is fascinating. He was a sickly child, and suffered from fits of illness throughout his long life, with death scares multiple times. He was also a fairly mediocre general, losing a handful of the battles he fought, and later delegating campaigns to his subordinates namely Agrippa and Tiberius, as well as his grandsons. He balanced his quick temper with a thoughtful and wise knowledge of Roman politics, and was often able to achieve public relations coups from many of his mistakes and attacks from political opponents. Goldsworthy also does a good job highlighting his flaws. He was no legendary general, and often delegated military matters to subordinates. He was sickly, and succumbed to the pressures of this period of time a few times, often falling into depression that he needed to recover from. He engaged in massacres, executing thousands of opponents in the Triumvirate period, and dealt harshly with insurrection in the provinces. He took sole power of a large empire in turmoil, and eliminated his opponents ruthlessly through political, diplomatic and often violent means. He was quick to temper, and saw his own daughter

## EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

DAVID FAGUNDES pdf

exiled and shunned from public life. Goldsworthy does an admirable job in this biography. It is highly readable, well sourced, and organized along temporal lines, with sections listed by the name Augustus would have been referred to during that time period. He does fall into a trap that much ancient historical narratives falls into. His work is opinionated in some ways, as he discounts other works of scholarship or other historical theories on slight pretexts or based on his own thought process. This is not a direct criticism, as ancient history is full of gaps, missing records, altered monuments and biased primary sources. One must fill in the gaps to have a complete narrative. Goldsworthy tries to do this. He utilizes multiple source types, from monuments, to archeological evidence, to primary sources, historical records and even biblical sources. Even so, there are many missing pieces to the interesting puzzle of Augustus Caesar. There is also controversy over the reasons why he did what he did, and to how accurate some of the later historical works used as primary sources some written a century or more after events, some under political pressure from Augustus himself, some with an axe to grind in the contemporary political landscape etc. These issues may never be resolved satisfactorily. Even so, Goldsworthy has written an engaging, entertaining and enlightening biography on one of Western histories most important historical figures. Augustus helped build Rome into an Empire that would last another 14 centuries, right up to the fall of Constantinople in Its trappings continue to this day in our political institutions and even our language. It is immediately recognizable, and yet totally alien all at once. The original is still the greatest! Sep 25, Steven Peterson rated it it was amazing I am not an expert in Roman history, so I cannot speak to the accuracy of this work. However, I am, in the end, impressed by the work. First, the author has an extensive background in Roman history, having written an excellent biography of Julius Caesar, as well as works on battles and military matters. Second, he does not seem to me to go beyond the evidence. At any number of points, he notes that we cannot know what happened, although he sometimes makes an informed guess some biographers have I am not an expert in Roman history, so I cannot speak to the accuracy of this work. At any number of points, he notes that we cannot know what happened, although he sometimes makes an informed guess some biographers have gone way too far with these "guesses"; Goldsworthy seems to be more discreet. Third, there are a number of maps, some rather indifferent and others useful. I wonder if there could not have been somewhat more and somewhat better. Fourth, the political structure of Rome is described quite nicely, including a confusing array of posts that could be held by leaders. The unlikely story of Caius Octavius who became Augustus is well told. Goldsworthy begins with what we can gather about his youth--and the extraordinary good luck of having been adopted by his great-uncle Julius Caesar. The background of the first triumvirate--Pompey, Crassus, and Caesar--is discussed and the end of their alliance at the top of the dominance hierarchy of Rome. How Octavius became Augustus and survived the aftermath is, again, a well told tale. A second triumvirate developed--Marc Antony, Lepidus, and Octavius. There was much tension among them, and a falling out seems to have been inevitable. The process by which Augustus emerged as Roman leader is told in considerable detail. Then, the long career of Augustus as Princeps is related. This is, again, done nicely. There was much pain in his life, as so many close to him died early. We learned of key figures, such as Agrippa, who helped his leadership and accomplishments. His personal life, as much as can be ascertained, adds a human element to this biography. This is a fine biography. I am impressed that so many years later, one could assemble as detailed a story as emerges here.

# EXPLAINING THE PERSISTENT MYTH OF PROPERTY ABSOLUTISM

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5: Vincent Arbizo - Visalia, Ca Real Estate Agent - [www.enganchecubano.com](http://www.enganchecubano.com)®

*Explaining the persistent myth of property absolutism / David Fagundes Shared equity housing: cultural understanding and the meaning of ownership / Michael Diamond Crisis and the public-private divide in property / Nestor M. Davidson and Rashmi Dyal-Chand.*

Get the latest updates straight to your inbox. August 11, , Front Porch Republic on Tue. December 11, , and LewRockwell. September 4, This article has also been adapted for publication in three parts: Part 1 , Part 2 , Part 3. Lewis did not suffer such delusions, despite the gigantic and deeply disturbing advances and conflicts of total war, the total state, and genocides that developed during his lifetime. Lewis was unquestionably and profoundly interested in the ideas and institutions that were the basis for free and virtuous individuals and communities, but he was not at all interested in partisanship or campaign politics. He instead focused on first principles, and public-policy matters were of interest only as they pertained to questions of enduring value. His books continue to sell at an astounding rate, and although Lewis is best known for his fiction , he also wrote superb books in philosophy and theology , literary history and criticism , poetry , and autobiography , as well as at last count more than fifty thousand letters to individuals worldwide. Individual Liberty Throughout his work, Lewis infused an interconnected worldview that championed objective truth, moral ethics, natural law, literary excellence, reason, science, individual liberty, personal responsibility and virtue, and Christian theism. In so doing, he critiqued naturalism, reductionism, nihilism, positivism, scientism, historicism, collectivism, atheism, statism, coercive egalitarianism, militarism, welfarism, and dehumanization and tyranny of all forms. I believe in God, but I detest theocracy. It may be better to live under robber barons than under omnipotent moral busybodies. They may be more likely to go to Heaven yet at the same time likelier to make a Hell of earth. This very kindness stings with intolerable insult. For economic independence allows an education not controlled by Government; and in adult life it is the man who needs, and asks, nothing of Government who can criticize its acts and snap his fingers at its ideology. This bold advance in thinking arose in part from the revolutionary insight of methodological individualism in the study of human behavior, wherein the individual is considered primary. To explain social institutions and social change is to show how they arise as the result of the actions and interaction of individuals. This view, often referred to as methodological individualism, is in my view trivially true. It comes into existence by ideas that move individuals to behave as members of a definite group and goes out of existence when the persuasive power of these ideas subsides. Therefore the rational creature participates in the divine providence not only in being governed but also in governing. Such morality exists on its own independent of subjective choices or experiences, just as one may grasp the inherent truism of mathematics or natural physical laws such as gravity. Lewis drew on the natural-law insights of such thinkers as the apostle Paul, Augustine, Magnus, Aquinas, Cicero, Grotius, Blackstone, Acton, and Locke, and he considered modernist dismissals of such work to be fundamentally erroneous. From the Babylonian Hymn to Samos, from the Laws of Manu, the Book of the Dead, the Analects [of Confucius], the Stoics, the Plantonists, from Australian aborigines and Redskins, he will collect the same triumphantly monotonous denunciations of oppression, murder, treachery and falsehood, the same injunctions of kindness to the aged, the young, and the weak, of almsgiving and impartiality and honesty. He may be a little surprised I certainly was to find that precepts of mercy are more frequent than precepts of justice; but he will no longer doubt that there is such a thing as the law of nature. No emotion is, in itself, a judgement; in that sense all emotions and sentiments are illogical. But they can be reasonable or unreasonable as they conform to Reason or fail to conform. The heart never takes the place of the head: He noted that if only Christians were able to be moral or to understand morality, then there would exist an unworkable dilemma in which no one would be persuaded of being or ever be able to become moral who was not already a Christian, and hence no one would ever become Christian. Though I am myself a Christian, and even a dogmatic Christian untinged with Modernist reservations and committed to supernaturalism in its full

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rigour, I find myself quite unable to take my place beside the upholders of [this] view. It is far from my intention to deny that we find in Christian ethics a deepening, an internalization, a few changes of emphasis in the moral code. But only serious ignorance of Jewish and Pagan culture would lead anyone to the conclusion that it is a radically new thing. The Hebrew word which St. Lewis claimed that the precepts of moral ethics cannot just be innovated or improvised as we go along. Picking and choosing among the code of the Tao is inherently foolish and harmful. He noted, for example, that attempts to define moral ethics as the product of a physicalism of survival and instinct create a profound dilemma. But on what basis is this valuation made if the only standard that exists is instinct? Lewis shows that all such valuations necessarily must use an objective standard of the Tao to do so, even if only partially. As he stated, *The Innovator*. He cannot get any valid claim for posterity out of instinct or in the modern sense reason. He is really deriving our duty to posterity from the Tao; our duty to do good to all men is an axiom of Practical Reason, and our duty to do good to our descendants is a clear deduction from it. But then, in every form of the Tao which has come down to us, side by side with the duty to children and descendants lies the duty to parents and ancestors. By what right do we reject one and accept the other? To get people fed and clothed is the great end, and in pursuit of it, scruples about justice and good faith may be set aside. The Tao of course agrees with him about the importance of getting the people fed and clothed. Unless the Innovator were himself using the Tao he could never have learned of such a duty of justice and good faith which he is ready to debunk. What is his warrant? He may be a jingoist, a racist, an extreme nationalist, who maintains that the advancement of his own people is the object to which all else ought to yield. But no kind of factual observation and no appeal to instinct will give him a ground for this opinion. Once more, he is in fact deriving it from the Tao: But side by side with it in the Tao, and limiting it, lie the inflexible demands of justice, and the rule that, in the long run, all men are our brothers. This thing which I have called for convenience the Tao, and which others may call Natural Law or Traditional Morality or the First Principles of Practical Reason or the First Platitudes, is not one among a series of possible systems of value. It is the sole source of all value judgements. If it is rejected, all values are rejected. If any value is retained, it is retained. The effort to refute it and raise a new system of value in its place is self-contradictory. There has never been, and never will be, a radically new judgement of value in the history of the world. Arbitrarily wrenched from their context in the whole and then swollen to madness in their isolation, yet still owing to the Tao and to it alone such validity as they possess. If my duty to my parents is a superstition, then so is my duty to posterity. If justice is a superstition, then so is my duty to my country or my race. If the pursuit of scientific knowledge is a real value, then so is conjugal fidelity. That we are bound down for ever to an unchanging code given once and for all? If we lump together, as I have done, the traditional moralities of East and West, the Christian, the Pagan, and the Jew, shall we not find many contradictions and some absurdities? Some criticism, some removal of contradictions, even some real developments, is required. But the Nietzschean ethic can be accepted only if we are ready to scrap traditional morals as a mere error and then to put ourselves in a position where we can find no ground for any value judgements at all. From within the Tao itself comes the only authority to modify the Tao. He further understood that egalitarianism is too often a cloak for envy the sin of coveting and that such appeals for regimentation are tyrannical: The demand for equality has two sources; one of them is among the noblest, the other is the basest of human emotions. The noble source is the desire for fair play. But the other source is the hatred of superiority. Equality outside mathematics is a purely social conception. It applies to man as a political and economic animal. It has no place in the world of the mind. Beauty is not democratic; she reveals herself more to the few than to the many, more to the persistent and disciplined seekers than to the many, more to the persistent and disciplined seekers than to the careless. Virtue is not democratic; she is achieved by those who pursue her more hotly than most men. Truth is not democratic; she demands special talents and special industry in those to whom she gives her favours. Political democracy is doomed if it tries to extend its demand for equality into these higher spheres. Ethical, intellectual, or aesthetic democracy is death. If there is equality, it is in His love, not in us. In this way then, the Christian life defends the single personality from the collective, not by isolating him but by giving

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him the status of an organ in the mystical Body. But if individuals act out of necessity, they are not moral agents. The first of these tendencies is the growing exaltation of the collective and the growing indifference to persons. Nothing but a Thou can love and a Thou can exist only for an I. And therefore when we really get going. What distinguishes this from the political parties of the nineteenth century is the belief of its members that they are not merely trying to carry out a programme, but are obeying an important force: This tends to be accompanied by two beliefs. In this state of mind men can become devil-worshippers in the sense that they can now honour, as well as obey, their own vices. All men at times obey their vices: But that whole tradition is tied up with ideas of free-will, responsibility, rights, and the rule of nature. For if I am not deceived, we are all at this moment helping to decide whether humanity shall retain all that has hitherto made humanity worth preserving, or whether we must slide down into sub-humanity imagined by Mr. Willing Slaves of the Welfare State. Let us make no mistake about the sting. For example, in the third volume of his Space Trilogy , *That Hideous Strength* , he describes a disturbing world in which a scientific elite creates a totalitarian system in order to coercively engineer a new mankind via the National Institute of Coordinated Experiments, or N. The bureaucrats and planners of N. The thing to do is to get a man at first to value social justice as a thing which the Enemy [God] demands, and then work him on to the stage at which he values Christianity because it may produce social justice. For the Enemy will not be used as a convenience. Lewis did not dispute that science is an immensely important tool to understand the natural world, but his larger point is that science cannot tell us anything that is ultimately important regarding what choices we should make. Scientists on their own are not able to address moral ethics, and all social and political questions are exclusively questions of morality. Lewis furthermore viewed as non-science, or scientism, all those disciplines that attempt to replicate the scientific method to analyze man:

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6: Not asking for advice, but can someone explain how this is legal? : legaladvice

*The Public Nature of Private Property by Michael Diamond, , available at Book Depository with free delivery worldwide.*

Types of war War must entail some degree of confrontation using weapons and other military technology and equipment by armed forces employing military tactics and operational art within a broad military strategy subject to military logistics. Studies of war by military theorists throughout military history have sought to identify the philosophy of war , and to reduce it to a military science. Modern military science considers several factors before a national defence policy is created to allow a war to commence: Biological warfare , or germ warfare, is the use of weaponized biological toxins or infectious agents such as bacteria, viruses, and fungi. Chemical warfare involves the use of weaponized chemicals in combat. Poison gas as a chemical weapon was principally used during World War I , and resulted in over a million estimated casualties, including more than , civilians. Civil war is a war between forces belonging to the same nation or political entity. Conventional warfare is declared war between states in which nuclear , biological , or chemical weapons are not used or see limited deployment. Insurgency is a rebellion against authority, when those taking part in the rebellion are not recognized as belligerents lawful combatants. Information warfare is the application of destructive force on a large scale against information assets and systems, against the computers and networks that support the four critical infrastructures the power grid, communications, financial, and transportation. Total war is warfare by any means possible, disregarding the laws of war , placing no limits on legitimate military targets , using weapons and tactics resulting in significant civilian casualties , or demanding a war effort requiring significant sacrifices by the friendly civilian population. Unconventional warfare , the opposite of conventional warfare, is an attempt to achieve military victory through acquiescence, capitulation, or clandestine support for one side of an existing conflict. War of aggression is a war for conquest or gain rather than self-defense; this can be the basis of war crimes under customary international law. War of liberation , Wars of national liberation or national liberation revolutions are conflicts fought by nations to gain independence. The term is used in conjunction with wars against foreign powers or at least those perceived as foreign to establish separate sovereign states for the rebelling nationality. From a different point of view, these wars are called insurgencies, rebellions, or wars of independence. Military history The percentages of men killed in war in eight tribal societies, and Europe and the U. Keeley, archeologist The earliest recorded evidence of war belongs to the Mesolithic cemetery Site , which has been determined to be approximately 14, years old. About forty-five percent of the skeletons there displayed signs of violent death. The advent of gunpowder and the acceleration of technological advances led to modern warfare. According to Conway W. Henderson, "One source claims that 14, wars have taken place between BC and the late 20th century, costing 3. For comparison, an estimated 1,, people died from infectious diseases in the 20th century. All of these forms of warfare were used by primitive societies, a finding supported by other researchers. Scarcity of resources meant defensive works were not a cost-effective way to protect the society against enemy raids. At the end of each of the last two World Wars, concerted and popular efforts were made to come to a greater understanding of the underlying dynamics of war and to thereby hopefully reduce or even eliminate it altogether. These efforts materialized in the forms of the League of Nations , and its successor, the United Nations. According to the U. Bureau of the Census , the Indian Wars of the 19th century cost the lives of about 50,

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## 7: Augustus: First Emperor of Rome by Adrian Goldsworthy

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Quinney College of Law. It symbolizes how Airbnb allows regular, local people to earn extra income by renting out space in their homes. Yet, this symbolism fails to represent what the company has become—a unicorn receiving much of its revenue from professionals with full-time listings. The poorly folded wad of plastic exemplifies the Myth of the Sharing Economy, which has been consistently used to subvert regulation. The Myth convinces people that the sharing economy is comprised of self-regulating Platforms, which allow microentrepreneurs to utilize their excess capacity in an altruistic manner. However, the sharing economy is actually comprised of companies driven as much by market forces and failures as any taxicab company or hotel chain. The Myth possesses an appeal that is simple and seductive. It takes the familiar idea of sharing to make the claim that Platforms are unique and should be subject to new and different regulation or no regulation at all. This Myth not only harms Platform users, the environment, and the culture and diversity of communities, but it has enabled sharing economy Platforms to become powerful influencers in Silicon Valley, state legislatures, and beyond. While much has been written regarding the benefits of the sharing economy and how to regulate it, and disruptive innovations more broadly, this Article is the first to critique the sharing economy by exploring the intersection between narrative and regulation. It also distills lessons for regulating future innovations and demonstrates the importance of questioning the difference between rhetoric and reality to achieve public policy goals.

Introduction If you walk through the sun-drenched spaces of the world headquarters of Airbnb, the online accommodation Platform, you will notice that there are no private offices, not even for the CEO. Instead, collaboration spaces fill the 72,000-square-foot building, many of which are literal translations of Airbnb listings around the world. If you look closely, you will stumble upon an unremarkable space: Against the Sharing Economy 37 It was there that the two blew up air mattresses for the first time and allowed people to pay a small fee to sleep on their floor. A deflated air mattress rests in the corner of the facsimile birthplace. Airbnb provides a platform that enables a cadre of new hoteliers to access customers. This lack of regulation not only puts consumers at risk, damages the make-up of neighborhoods, and disrupts the existing accommodation industry, but it has helped Airbnb become a powerful influencer in Silicon Valley, city councils, state legislatures, and beyond. It should be noted, however, that in previous scholarship, the author of this Article has defined Sharing Economy companies as companies with four key characteristics: Abbey Stemler, *Betwixt and Between: Regulating the Shared Economy*, 43 *Fordham Urb.* However, as we now can see, most successful Sharing Economy companies do not contain all four of these components particularly excess capacity and microbusinesses. For a complete discussion of the definition, see *id.* As argued in Part II, this subversion produces numerous market failures and gives the dominant players in each modality the space they need to grow strong and powerful via network effects. Once successful, these Platforms are armed with more than the cash necessary to influence regulators and courts via lobbyists and attorneys. They are fortified with formidable legions of users. These users are encouraged, largely through Platform interfaces, to advocate on behalf of the Platforms and drive regulatory agendas. As a result, Part III demonstrates how most Sharing Economy regulations simply codify existing business practices, leaving concerns about consumer privacy, worker protections, anticompetitive behavior, and discrimination among other issues unaddressed. How Platforms have accomplished this type of regulatory avoidance is worth understanding, particularly as regulators prepare to tackle the market failures of future network technologies. Brescia, *Regulating the Sharing Economy: Dialogue* , arguing how Platforms can self-regulate and address market failures ; Rashmi Dyal-Chand, *Regulating Sharing: Regulating Innovation in the Sharing Economy*, 16 *Minn.* Cristiano Codagnone et al. Similarly, Chris Martin describes the discourse and frames used within the Sharing Economy but does not focus specifically on their relation to regulation. Martin, *The Sharing*

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Economy: In particular, it shines a light on how start-ups that defy existing legal norms and classifications achieve and maintain power. While excellent articles have been written about the strategy used by innovative firms to avoid regulations, this Article breaks down the rhetorical devices used by firms to avoid legal rules and obligations. From the Model T to Airbnb, 70 Vand. Barry, Regulatory Entrepreneurship, 90 S. The Article concludes by distilling key lessons for regulating future innovations and demonstrates the importance of questioning the difference between rhetoric and reality to achieve the desired ends of regulation. It then exposes the elements that make up its Myth. By clearly understanding the Myth, we can begin to see how it has contributed to the under-regulation of the Sharing Economy. Many thought, and some still do, that the Sharing Economy signaled a revolution that would empower ordinary people to utilize their personal excess capacity in a variety of ways. Others believed it could present a new form of the American Dream. The Sharing Economy excited people, governments, and entrepreneurs around the world because it appeared to provide economic opportunities for a broad cross-section of society. Many believed it allowed people to bridge the gap between permanent job opportunities and to pursue entrepreneurial endeavors and the creative arts. And with some Platforms, that may be the case. However, as described in the subsections below, there is more to the story because supply-side users either lack needed worker protections or are full-fledged businesses subverting regulations. Consumer Intelligence Series 9 , <http://> Presumably the Sharing Economy can reduce the need for capital-intensive infrastructure such as hotels and durable goods such as cars since the excess capacity in these spaces and goods is exploited. Michael Munger on the Sharing Economy, Libr. And, because people often have a personal interaction with the owner of assets in the Sharing Economy, they tend to be more considerate when using those assets. Phase 1 Report However, we are only seeing part of the story because many of the environmental benefits of the Sharing Economy have yet to fully materialize. While the benefits of the Sharing Economy were and are many, the honeymoon phase of the Sharing Economy revolution is certainly over. The Dark Side of the Sharing Economy. What Challenges for Competition Law? While these kinds of market failures are not uncommon among burgeoning industries, what is troubling is the role rhetoric has played in convincing people that the Sharing Economy need not be regulated. For a full discussion of this definition, see Anthony T. Kronman, Rhetoric, 67 U. This Article employs a similarly expansive definition of rhetoric and includes all speech used with the intent to persuade. This broad definition is necessary because rhetoric, as applied to public opinion formation, is a topic of study for a variety of disciplines political science, psychology, communication, sociology, economics, etc. This Article draws upon several of these disciplines, but most heavily relies on contributions from the field of political science. The Power of Political Rhetoric, 13 Eur. The use of rhetoric in the sphere of public discourse to influence public policy runs parallel to the birth of public policy itself. As historian James Burns explains, the more democratic societies become, the more important rhetoric is to convince individuals of what they should believe and whom they should follow. Effective rhetoricians convince their audiences by using particular terms that cause visceral reactions in listeners and by framing arguments in precise ways. If we look backward in time although we need not go too far , we can see how disruptive and ambitious Platforms grew using the most positive and inspiring characteristics of the Sharing Economy to distort perceptions and avoid regulation. As demonstrated in the subsections below, framing and precise wording confused and overemphasized the positive aspects of the Sharing Economy and compelled the public and lawmakers to support this nascent and fast-moving industry. These two elements of rhetoric, frames and word choice, make up the Myth of the Sharing Economy. Druckman, Framing Theory, 10 Ann. Word Choice Word choice influences how people perceive issues and in turn how they feel about those issues. This is why policymakers carefully leverage the power of words, and politicians often conduct research studies to determine the precise language capable of creating a wanted public reaction and often conduct research studies to determine the precise language capable of creating a wanted public reaction. For example, in , pollster Frank Luntz advised the Republican Party: Invoking rhetorical tropes makes arguments accessible and colors them with shades of morality. May 20, , <http://> Indeed, many of these participants thought of sharing literally, with individuals sharing resources in a charitable

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manner. When euphemistically associated with such positive and altruistic images, it is no wonder that Platforms can mobilize their millions of users to advocate on their behalf, and politicians become hesitant to appear hostile to the sacrosanct concept of sharing. Sundararajan, *supra* note 3, at See also *infra* Part III. As described in further detail below, dominant companies within the Sharing Economy Uber, Lyft, Airbnb, etc. Instead, cash, as opposed to altruism, motivates supply-side user behavior. Sharing Economy firms carefully select other terms to elicit specific responses. May 4, , 4: City bureaucrats want to make it harder for regular San Franciscans to share their homes while contributing to the community. Uber is also careful with its word choice. This strategic parsing of words ensures that drivers are viewed as independent contractors and not employees. Platforms are skilled at using words that help them obfuscate their true characteristics and present them in a favorable light. Entman, *Projections of Power: Framing News, Public Opinion, and U. Foreign Policy* 5 emphasis omitted. Speakers who succeed in defining the boundaries of an issue can shape public opinion and ultimately influence policy decisions. Examples of how advocates and policymakers use framing are plentiful. Frames are especially powerful in emerging technology situations because there is ambiguity about the right course of action and people often are looking for ways to easily understand the situation and form opinions. Framing issues is a common, useful, and effective rhetorical tool. However, policymakers and constituents should question frames that are manipulative in the sense that they prompt people to form opinions that go against their values and self-interests, or prompt people to form opinions that differ from what their opinions would be with complete information. In the sections below, this Article identifies five frames commonly used by Sharing Economy Platforms. These frames have helped Platforms mobilize proponents, demobilize opponents, and avoid burdensome regulations.

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8: Vanessa Villanueva - Bronx, NY Real Estate Agent - [www.enganchecubano.com](http://www.enganchecubano.com)®

*AALS Section Programs' Call for Papers. Listed below are sections that issued a call for papers for one or more panelists for their program. The Section appointed a review committee and announced the call for papers to its members.*

It follows below the jump. The article has three parts: Part I seeks to scale Erie back on its own terms. Erie held that federal courts should generally apply state substantive law. Part II explores the illegitimacy of Erie as an independent limit on federal judicial power in contexts outside diversity jurisdiction, the Rules of Decision Act, federalism, and other matters relevant to Erie and its progeny. The Court has already made one recent error applying Erie. Two others might be on the horizon. Alvarez-Machain concerned the Alien Tort Statute of Every commentator since *Sosa* has accepted that premise. There are important fights about the ATS, concerning critical values of domestic and international law. Hamdan argues that the President lacks authority to try detainees in military commissions without clearer congressional authorization. It has no statutory existence, though it is [implicitly] recognized by statute law. It should also be irrelevant to whether courts can apply common-law procedural limits to military commission proceedings, e. Hamdan argues that federal courts should, even absent statutory authorizing legislation, apply certain Geneva Convention requirements to military commissions. Such arguments may succeed or fail on their merits. Bush issued the following signing statement: The ATS case, *Sosa* “ which also concerned a purely jurisdictional statute ” will likely be debated. The persistent and now potentially rail-jumping myth of Erie illustrates the allure of, and perhaps need for, a general architecture for Congress-Court relations. If not Erie, what should we use? That opinion, which dealt with presidential power, laid out three logical options. For a particular presidential action, Congress may have i authorized that action, ii forbidden that action, or iii remained effectively silent. Applying that approach to courts may prove surprisingly apt. I tend to think that, with respect to military commissions and habeas-stripping, relevant contextual factors tend to legitimate judicial activity. Now is the time to stop that mutation, which may oversimplify hard questions with potentially serious results.

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## 9: Nazism - Wikipedia

*You could come to my colleague Craig Green's presentation on "Repressing Erie's Myth." I think it is a fascinating project, and I asked for his permission to share the abstract with our readers. It follows below the jump. The doctrinal influence of Erie â€” one the most "iconic" cases in.*

Alfas Ch Brick Rom 5xw 1xl Click at your own risk to see some extremely disturbing photos that demonstrate the above photographs lie if presented as proof of safety and good judgment. The following photos look like the many vintage family photos on pit bull apologist websites purporting to show pit bulls as simply family pets. There is provenance and a written record of these photos, however. They are from the family scrapbooks of Gary Wilkes, an acclaimed animal behaviorist, trainer and author with over 30 years experience studying and training dogs. His grandfather was a dogfighter and the dogs seen above with the family fought in the pit. One of them attacked a man and caused the man to lose his leg. After that, the family got rid of the dogs. He wrote an insightful and instructive article about about pit bulls and why regulation is necessary. All three children look somewhat worried and afraid. Could the children be afraid of taking a picture? Is there anything to indicate more than a dog that is sitting on command next to a child that does not look comfortable or relaxed for a very short period of time? Supposing anything more would just be guessing and spinning tales. These photos show the dogs front and center literally and figuratively. Can we know the the motives and priorities that prompted these portraits? Fourth Point Capturing that one moment in time proves that a pit bull is safe. A few portraits really do seem to convey affection between a child and a pit bull. This boy really seems to like his pit bull. This boy really seems to like his pit bulls, too. And these photos seem to show a boy with his well-loved and cared for pits, as well. No one can know how many pet pit bulls later "turned on" and attacked after their portrait was taken. These old photographs prove exactly nothing. And often when we know the story that surrounds the photos, we find the photo, if used as proof of a cherished, loyal, safe family dog, is an outright lie. The mother judged this pit bull as an individual and believed this individual pit bull was a nurturer: These young men are showing us a photo of one of their pit bulls with one of their babies. The photo was taken before their dogs killed a woman. In fact, we felt confident that it was a protector of our children. November, Photo of Lexi Branson hugging her pet dog that was later to kill her. Family friends said Ms Hudson had been told the dog was safe around children. The animal apparently attacked Lexi without provocation.

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