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PROPERTY AND PRACTICAL REASON

Property and Practical Reason makes a moral argument for common law property institutions and norms. It challenges the prevailing dichotomy between individual rights and state interests and the related assumption that owners' reasons for action and the good of communities must conflict.

One can understand competing intuitions about private property rights by considering how private property enables owners and their collaborators to exercise practical reason, thereby becoming practically reasonable agents of deliberation and choice who promote various aspects of the common good. The plural and mediated domains of property ownership, though imperfect, have moral benefits for all members of the community. They enable communities and institutions of private ordering to pursue plural and incommensurable good ends while specifying the boundaries of property rights consistent with basic moral requirements.

ADAM J. MACLEOD is an associate professor at the Thomas Goode Jones School of Law, Faulkner University, USA. He wrote this book while a visiting fellow at Princeton University in the James Madison Program in American Ideals and Institutions. His work has been published in the United States, United Kingdom, and Australia. He served as law clerk to justices of the Massachusetts Appeals Court and a judge of the United States District Court, practiced law in Boston, and has held an appointment as a Deputy Attorney General of Alabama.

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To Katie, who has shared my many plans
of action with grace and love

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