

1. The Negative Principle of Appropriation

NP Person P has the power to unilaterally appropriate some natural resource E by ϕ -ing just in case, for any non-appropriator Q , such appropriation does not leave Q worse off.

Various ways of Specifying NP:

- What is the currency of comparison?
- What must not leave Q worse off? (ownership vs. appropriative act)
- What is the domain of appropriators that Q ranges over? (existing vs. future people)
- What is the comparison baseline? (E goes unappropriated vs. appropriated by Q)
- How persistent must Q 's worsening be? (time window, choice sensitivity)

2. The Non-Subjection Specification

Typically welfare is the currency of comparison. But this is vulnerable to objections.

- Can welfare considerations ground moral requirements?
- Makes ownership conditional on improvement.

Bas van der Vossen's (2020) alternative: P has the power to appropriate E by ϕ -ing just in case that appropriation leaves Q as *non-subjected* as she would be absent appropriation.

Subjected with respect to some right to the extent that one's ability to exercise that right depends on the choices of others.

Three components: having a moral permission to do something, having an immunity from the loss of that permission, and having the *de facto* opportunity to do that thing

The Zipping-Back Argument

1. P and R independently refuse to hire Q .
2. P refuses to hire Q and R offers to hire Q (or vice versa).
 - 2'. P refuses to hire Q and R offers to hire Q but Q is left with enough unappropriated resources such that she does not depend on R 's offer to acquire property.
3. P and R independently offer to hire Q .
 - 3'. P and R independently offer to hire Q but Q is also left with enough unappropriated resources such that she does not depend on either's offer to acquire property.

3. The Systemic Specification

P has the power to unilaterally appropriate some natural resource E by ϕ -ing just in case, for any non-appropriator Q , *the entire set of entitlements* does not leave Q worse off.

Attas’ Objection: it is particular appropriations that have to be justified, not the whole system.

The Mereological Argument: if some action or state of affairs is justified, then any part of that action or state of affairs is justified.

Surgeon case.

Objection: a sub-state of affairs is a part of a justified state of affairs only if it is a cause of the latter’s *justificans*.

4. The Compensation Specification

NP is satisfied iff Q is left no worse off—or, typically, better off—when one considers the net causal effect of appropriation on her well-being

Problem: appropriation is a normative change and normative changes don’t have causal effects. Causes must be events, which are either spatio-temporal or mental.

Reply: *counterfactual account* of causation: a fact of any kind F causes some other fact E to obtain iff (i) F and E are sufficiently distinct (e.g., they are non-identical and, insofar as facts have parts, neither is a part of the other) and (ii) if F had not obtained then E would not have obtained.

Counter: responsiveness of minds to normative facts is inelastic at best.

Revision: initial appropriation occurs just in case P ’s act of ϕ -ing leaves Q better off.

Problem: Most posited acts of ϕ -ing don’t leave Q better off.

Problem: It’s the appropriation that has to be justified, not the ϕ -ing.

Second Revision: counterfactual comparison is between the world where the act of appropriation does not occur and the world where appropriation occurs *and* there is full compliance with the rights generated by the act of appropriation.

Problem: Need to specify notion of full compliance.

Problem: Huemer’s objection. (drug war example)

Problem: full compliance benefits don’t ground obligations. (diabetes case)