

Property in its Historical Context 2008-09

Prof. Reynolds (Section A)

Class times: Fall Term

Tuesday: 9:00 - 10:30, Room 104

Friday: 9:00 - 10:30, Room 305

Required texts:

Casebook: Girard & Reynolds, *Property in its Historical Context, 2008-09* (2 vols.)

Compulsory text: Bruce Ziff, *Principles of Property Law*, 4th ed. (Toronto: Thomson/Carswell, 2006)

Course description:

Property law is about the allocation of resources in society. Each society recognizes various sets of rights or claims in differing types of resources, and establishes both macro-level and micro-level rules about how these rights are allocated. An example of a macro-level rule would be the prohibition on polluting watercourses, found in both common law and various pieces of environmental legislation. The goal of this rule is to ensure that water quality is maintained at a certain standard for the public at large. An example of a micro-level rule would be the one determining who, as between the finder of a lost object and the owner of the land where it was found, should have better title to the object.

Much of this course is taken up with micro-level matters: what different sets of property rights exist in what kinds of assets, and how these can be created, transferred, and in some cases extinguished. But we begin with a wide-ranging study of the nature of property rights in general, and of the justifications for one form of property: private property.

Evaluation:

There will be a December exam worth 30%, which is 'fail-safe': i.e., it is not counted if you do better on the final. If you do better in December than in April, the final is counted at 70%. Both exams are closed-book, though you will be given a copy of the table of contents of the casebook and of any legislative provisions covered during the term. There may be occasional quizzes during the term that do not count towards your final mark.

My office hours are 12:00-1:30 on Tuesdays, but I am available at other times by appointment. Email queries are welcome; if you pose a question that I think might be of general interest I will reply to the whole class list after anonymizing your question.

PROPERTY SYLLABUS – FALL 2008 (Section A – Reynolds)

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494-1034

office hours: Tues., 12–1:30

Date	Topic	Readings
Tues. Sept. 9	Introduction	CB 1-12; Ziff 1-8
Fri. Sept. 12	Private property: justifications and alternatives	CB 12-34; Ziff 9-42
Tues. Sept. 16	Classifications of property	CB 35-47; Ziff 68-72
Fri. Sept. 19	Classifications of property	CB 48-80; Ziff 42-51
Fri. Sept 19 Rm 105 (1:30-3)	Information and ideas (joint*)	CB 81-98
Fri. Sept. 26	Literary and artistic property	CB 98-132
Tues. Sept. 30	Literary and artistic property	CB 132-156
Fri. Oct. 3	Class cancelled	
Tues. Oct. 7	Personality as property	CB 157-172
Fri. Oct. 10	Personality as property	CB 172-182
Fri. Oct. 10 Rm 105 (1:30-3)	Property Claims: Procedural Context (joint*)	CB 183-202
Fri. Oct. 17	Possession	CB 202-233; Ziff 117-121
Tues. Oct. 21	Finders	CB 234-244; Ziff 133-140
Fri. Oct. 24	Finders	CB 244-265
Fri. Oct. 24 Rm 305 (11:30-1)	Bailment	CB 265-274; Ziff 296-310
Tues. Oct. 28	Bailment	CB 275-284; Ziff 296-310
Fri. Oct. 31	Transfer of personal property	CB 285-292 and 313-314
Tues. Nov. 4	Transfer of personal property	CB 292-300
Fri. Nov. 7	Transfer of personal property	CB 300-301
Tues. Nov. 11	Class cancelled	
Fri. Nov. 14	Gifts	CB 302-314; Ziff 140-147
Tues. Nov. 18	Gifts	CB 315-320; Ziff 148-150
Fri. Nov. 21	Fixtures	CB 321-323; Ziff 102-107
Tues. Nov. 25	Review/Discussion of Exam	
Fri. Nov. 28	Review /Discussion of Exam	
Fri. Dec. 12	Exam	

* Joint classes will be held in room 105