

## Research Statement

Bodily rights are functionally identical to property rights. These rights are held exclusively against all others, and include various powers of alienation. You could sell your hair or donate your blood, if you wanted to. On the other hand, there are important moral points of difference between one's body and other objects that we risk obscuring if we think of the body straightforwardly as property. If I were to cut some hair from your head or harmlessly draw some blood without your consent, that would be assault, not merely theft. My doctoral work developed an institutional account of property and self-ownership that resolves this tension. It explains why some aspects of ourselves are inalienable, others are *potentially* alienable, and others again are straightforwardly alienable. It does so by reference to reasons that are internal to a general justification for a full scheme of property rights.

Libertarian self-ownership gives a deceptively simple answer: Property rights are fundamental, so persons straightforwardly own themselves and their bodies. Full self-ownership comes with full rights to alienate any part of oneself on the market. This approach is committed to the implausible view that interference with your body is the very same wrong as theft or trespass on your property.

An alternative is to insist on a sharp moral distinction between persons and property, as Kantians do. On this view, the categories 'subject' and 'object' are mutually exclusive. I can own external objects, but I cannot own, nor alienate, any part of me. This ignores the significance of the fact that we are embodied beings, and that there are many legitimate reasons to treat body parts as alienable things. A Kantian approach doesn't give you the exclusive right to sell or donate *any* part of your body.

We lack a principled reason to draw a firm distinction between those objects which can permissibly be treated as property, and those which cannot. My research plugs this gap by examining the reasons we have for valuing self-ownership or property rights in the first place, and what these reasons support when it comes to shaping institutional frameworks of property and contract.

According to my institutional account, self-ownership rights are justified on the basis of protecting each person's normative power of control over herself. Property rights are justified on the basis of our interest in expanding this normative power of control over other objects in the world. The form of our bodily rights is thus identical to the form of property rights. In both domains, rights consist of a cluster of Hohfeldian powers, claims, privileges, and immunities over the thing in question. The extent of the specific 'sticks in the bundle' of any given cluster is limited by reference to the importance of protecting an individual's basic normative power to exert such Hohfeldian control rights in the first place.

This allows us to see where the very reasons that give rise to property rights in the first place may speak in favour of limiting the scope of ownership powers over various objects. To the extent that certain forms of alienation threaten a person's basic normative power, the weaker the case will be for permitting markets in such trades. By the same token, we can justify taking bodily interferences which deeply threaten a person's capacity to exert this basic normative power more seriously than interferences with object-property, which have no such direct impact.

A significant advantage of my approach is that it takes account of sociological facts in the normative analysis of the justifications we can give for various institutional arrangements. This is because the way in which society imposes differential expectations on individuals based on their physical characteristics has bearing on the extent to which the institutional systems for regulating bodily interactions adversely constrain people's capacity to exert their normative powers.

Accordingly, I can point to background structural features that count against treating some parts of ourselves as alienable property in various contexts. This structural aspect has been overlooked in debates

about self-ownership. What I offer is a closer analysis of the ways in which sociological facts bear on the normative justifications we can give for various institutional arrangements.

A great advantage of my approach is that it provides a more nuanced way of tackling applied questions about state regulation of markets involving uses of the body. My postdoctoral research has extended the scope of this normative analysis to address the structure of the right to bodily integrity, the normative significance of consent, and applied questions about the limits of markets in sex work.

My future research strategy consists of four strands of investigation to pursue over the next 5-7 years:

1: Work on applied questions about how to regulate activities which blur the boundaries between personal interactions and property transactions, including commercial sex work or surrogacy contracts. This involves engaging with feminist critiques of objectification and commodification to clarify the structural nature of objectifying forces, and how they modulate a person's relation to, and sense of control over, their gendered body.

2: Further work interrogating the moral status of our bodily boundaries and the normative significance of consent. Much work on consent proceeds from a boundary model of bodily integrity. On this view, physical contact to a person's body is by default impermissible, unless and until that person consents to it. It is assumed that the relevant moral boundary is identical to the contours of the physical body. This makes it tricky to explain the permissibility of seemingly innocuous actions, like tapping a friend on the shoulder to get her attention. My approach allows us to challenge this assumption, suggesting instead that facts about social or relational context play a role in determining where the relevant moral boundary is set.

3: Work on difficult exegetical questions surrounding the basis of the Lockean idea of property in the person. Locke's account has largely influenced libertarian theories of self-ownership. There is a puzzle, however, in how Locke's account moves from the principle of property in the person to justifying a full scheme of individual property rights, rather than collective ownership with provision for individual use. I suggest that the wider theological underpinnings of Locke's account are able to explain away this gap. However, this poses problems for any libertarian account which would wish to justify individual property rights without leaning on normative claims based on theology.

4: A larger project investigating the philosophical foundations of various forms of intellectual property. Recent debate around how we relate to data stored in our mobile devices or made accessible through social media has raised important questions around ownership and control of our personal information and creative output. This debate intersects in interesting ways with work on the value of privacy, as well as contemporary engagement with the extended mind thesis. For example, is the right to be forgotten, recently enshrined in EU law, best explained through privacy or property rights? The fact that it relies on a notion of reclaiming, rather than protecting, personal data might point towards thinking in terms of a certain inalienable form of property rights over personal data. This project involves a substantive extension of my research framework. Intellectual property is an area that has received relatively little philosophical attention, and one where the law is facing new and interesting challenges posed by the rapid development of emerging technologies.