

Pirates!



The Sociology of Property and Power

Course Description

(NOTE: Not all topics listed here may be covered.)

This class will investigate the nature of property—what it is as well as the ideological and structural relations of force that support it—then use "Golden Age" pirates and other case studies of property outlaws to explore ideas about ownership vs. moral right and the sociology of law, economics, class, and the social contract.

As an honours course, this will be a small seminar that fosters intensive discussion among students and between students and the instructor. In this way, the course is structured similarly to many graduate-level courses and thereby provides students with important experience.

Course Logistics

Instructor: Bill Kirkpatrick, billkirkp@gmail.com (preferred) or b.kirkpatrick@uwinnipeg.ca.
I would prefer that you do not use Nexus to email me.

Student Drop-In Hours: Tuesdays, 11:00-12:00, and Wednesdays, 2:00-3:30, or by appointment

Schedule: The class meets Tue./Thu. 02:30-03:45. The first class is Jan. 7, 2021; the last is Apr. 6.

Format: The class will meet synchronously online. Per UW guidelines, students must be available during the posted lecture times for live streaming and/or group interactions. High speed internet is mandatory.

Learning Goals

By the end of this course, you should:

- Have a solid understanding of a range of influential philosophical and sociological theories and approaches to property and ownership, including the differences between physical and intellectual property.
- Be able to analyze the sociology of property, including how property functions as a mode of social, political, legal, cultural, and economic power.
- Be able to think in sophisticated ways about "property outlaws," such as pirates, squatters, land defenders, and political vandals, with particular attention to what they reveal about laws, norms, rights, and sociological alternatives to "legal" societies.
- Be able to think critically and ethically about how you participate--as a scholar, a citizen, a creator, an activist—in relations of property and intellectual property.
- Improve your ability to conduct original sociological research, including your ability to produce effective expository writing.

Required Materials

1. Marcus Rediker: *Villains of All Nations: Atlantic Pirates in the Golden Age* (Beacon)
2. Eduardo M. Penalver and Sonia Katyal: *Property Outlaws: How Squatters, Pirates, and Protesters Improve the Law of Ownership* (Yale)

Assignments

All assignments must be completed in order to pass the course. Late assignments will be penalized ½-grade per day (e.g. B+ to B).

Reading Summaries (rolling due dates)	15%	Elevator Pitch (Mar. 18)	01%
Sources Assignment (Feb. 2)	05%	Peer Review (Mar. 25)	04%
Paper: first draft (Feb. 22)	15%	Paper Presentation (Apr. 6)	10%
Blog Post (Mar. 5)	10%	Paper: Final Version (Apr. 19)	25%
Abstract (Mar. 12)	05%	Participation and Engagement	10%

Policies and Expectations

Our Online World: Changes in mode of delivery may require adjustments to important aspects of course outlines, like class schedule and the number, nature, and weighting of assignments and/or exams. We will all need to be flexible and communicate promptly and clearly. You can find [answers to frequently asked questions related to remote learning here](#).

My Promise to You: Online learning is new and weird and maybe uncomfortable and certainly more challenging than the face-to-face classes we're all used to. My goal is that we'll not just "get through it," but together we'll find the upsides, the unexpected advantages, the new opportunities. I promise to do everything I can to make this an awesome course, including responding to your ideas and concerns, leaving my comfort zone, trying new things, and doing whatever I can think of to facilitate your learning.

Your Attendance: Attendance is highly encouraged and will greatly enhance your own and others' class experience; it is also a major component of your "class engagement" grade.

My Attendance: When it is necessary for me to cancel a class due to exceptional circumstances, I will make every effort to inform students via Nexus and email as soon as possible.

Participation/Engagement: The main responsibilities of creating a productive and enjoyable class rest with you, and that is why class engagement is part of your final course grade (10%). Your active contributions affect not only what you get out of the course but also what your classmates get out of the course.

Assessment Criteria For Participation: Merely showing up class and taking notes is not enough for your success in this class: I'll be looking for evidence of preparedness (e.g. referencing the readings), ability to make connections to other readings/discussions, effort to listen to and build on your classmates' comments, and willingness to engage in critical thinking and dialog. You can also demonstrate class engagement in ways other than speaking in class (e.g. sending me your thoughts via email; coming to office hours to talk about ideas, not just exam prep; sending me relevant links and items of interest; etc.). I will provide you periodic feedback on your participation grade as we progress through the course so that you can make adjustments as necessary.

Preparation: Always have the day's readings ready to consult during class. The course outline will always state clearly what you should read prior to each class, which assignments you should hand in, and what else you must do or bring for a given day. Late assignments will be penalized by a half-grade for each 24 hours of lateness (e.g. from B+ to B). If you know that you will have difficulty completing an assignment on time, let me know before the deadline and I will work with you to the extent possible.

Written Work: Unless otherwise specified, all written work must be typed in twelve-point font, with one-inch margins on all sides, and double-spaced. Your name and the date of completion must be given at the top.

Grades: All written assignments must be completed in order to receive a passing grade. The calculation of your grade will be based on a 1,000-point scale, and the weight of each assignment is listed above. If you are concerned about your grade, please come talk to me as early as possible. I will use the following scale

A+	90-100%	EXCEPTIONAL. Exceptional knowledge of concepts and/or techniques and exceptional skill and/or great originality in their use in satisfying the requirements of an assignment or course.
A	85-89%	EXCELLENT. Thorough knowledge of concepts and/or techniques together with a high degree of skill and/or originality in their use.
A-	80-84%	VERY GOOD-EXCELLENT. Very high level of knowledge of concepts and/or techniques with very high degree of skill and/or some elements of originality.
B+	75-79%	VERY GOOD. High level of knowledge of concepts and/or techniques together with considerable skill in using them.
B	70-74%	GOOD. Acceptable level of knowledge of concepts and/or techniques together with reasonable skill in using them.
C+	65-69%	COMPETENT. Acceptable level of knowledge of concepts and/or techniques together with a fair degree of skill in using them.
C	60-64%	FAIRLY COMPETENT. Acceptable level of knowledge of concepts and/or techniques together with some ability in using them.
D	50-59%	PASSING. Minimal knowledge of required concepts and/or techniques together with minimal ability in using them.
F	0-49%	FAILING. No knowledge of the required concepts and/or techniques nor ability to use them.

Communication Policy: I will regularly use email and/or Nexus to send out announcements, changes in the schedule, reminders about due dates, etc. It is your responsibility to check your email regularly to keep up-to-date with these announcements. Except in rare cases of personal or family emergency, I promise to answer all email from students within 24 hours (36 hours on weekends) and will hold you responsible for any

announcements made via email within 24 hours of the announced change (36 hours on weekends). Please keep in mind that more involved questions should be asked in office hours, not over email.

Accessibility and Special Accommodations: I am striving to make the class and my teaching materials as accessible as possible. Access needs will be addressed pre-emptively through the following strategies:

- Captions for in-class videos, and transcripts of audio material, will be provided whenever possible.
- Class discussions may be recorded with advanced notice given to the instructor and the consent of the other students.
- Flexible deadlines are possible with advance notice.
- Participation will be evaluated through a variety of modalities: in-class discussion, contributing to Nexus, coming to office hours, etc.

It is important that the course be accessible to all students. Students with documented disabilities, temporary or chronic medical conditions, requiring academic accommodations for tests/exams (e.g., private space) or during lectures/laboratories (e.g., note-takers) are encouraged to contact Accessibility Services (AS) at 204-786-9771 or accessibilityservices@uwinnipeg.ca to discuss appropriate options. All information about a student's disability or medical condition remains confidential <http://www.uwinnipeg.ca/accessibility>. If you need any alternative accommodations in the curriculum, instruction, or evaluation procedures in order for you to be able to participate fully in the course, or if there are any external issues that may affect your work in this course, please contact me privately as soon as possible.

Academic Honesty and Non-Academic Misconduct: Students are encouraged to familiarize themselves with the regulations and policies found in the University of Winnipeg's Academic Calendar [here](#). Particular attention should be given to subsections 8 (Student Discipline), 9 (Senate Appeals), and 10 (Grade Appeals). Please note, in particular, the subsection of Student Discipline pertaining to plagiarism and other forms of cheating. Detailed information can be found at the following:

Academic Misconduct Policy and Procedures: <https://www.uwinnipeg.ca/institutional-analysis/docs/policies/academic-misconduct-policy.pdf> and <https://www.uwinnipeg.ca/institutional-analysis/docs/policies/academic-misconduct-procedures.pdf>

Non-Academic Misconduct Policy and Procedures: <https://www.uwinnipeg.ca/institutional-analysis/docs/student-non-academic-misconduct-policy.pdf> and <https://www.uwinnipeg.ca/institutional-analysis/docs/student-non-academic-misconduct-procedures.pdf>

I also encourage you to view the University of Winnipeg library video tutorial "[Avoiding Plagiarism.](#)"

Misuse of Filesharing Sites: Uploading essays and other assignments to essay vendor or trader sites (filesharing sites that are known providers of essays for use by others who submit them to instructors as their own work) is highly problematic, and students who do this can be charged with Academic Misconduct. I'm happy to have a conversation with you about the ethics of participating on such sites.

Respectful Learning Environment: Students are expected to conduct themselves in a respectful manner on campus and in the learning environment irrespective of platform being used. Behaviour, communication, or acts that are inconsistent with a number of UW policies (e.g. [Respectful Working and Learning Environment Policy](#), [Acceptable Use of Information Technology Policy](#)) could be considered "non-academic" misconduct. More detailed information can be found [here](#) and [here](#).

Research Ethics: Students conducting research interviews, focus groups, surveys, or any other method of collecting data from any person, including a family member, must obtain research ethics approval before commencing data collection. Exceptions are research activities done in class as a learning exercise. For submission requirements and deadlines, see [here](#).

Privacy: You have rights in relation to the collecting of your personal data by the University; see [here](#). Of special interest for this course is [the University's privacy notice for when Zoom is used for remote teaching](#). We will not have in-class testing/proctoring in this course, but you should also be aware of [policies in that regard](#).

Copyright: The University of Winnipeg requires me to including the following:

"Course materials are the property of the instructor who developed them. Examples of such materials are course outlines, assignment descriptions, lecture notes, test questions, and presentation slides—irrespective of format. Students who upload these materials to filesharing sites, or in any other way share these materials with others outside the class without prior permission of the instructor/presenter, are in violation of copyright law and University policy. Students must also seek prior permission of the instructor/presenter before, for example, photographing, recording, or taking screenshots of slides, presentations, lectures, and notes on the board. Students found to be in violation of an instructor's intellectual property rights could face serious consequences pursuant to the Academic Misconduct or Non-Academic Misconduct Policy; such consequences could possibly involve legal sanction under the Copyright Policy (https://copyright.uwinnipeg.ca/docs/copyright_policy_2017.pdf)."

For a course concerned with property, it is especially ironic that I am required to lie to you about the extent of my own intellectual property rights. For example, in claiming that prior permission must *always* be sought before sharing materials, the above statement fails to acknowledge "fair dealing" exceptions when no prior permission is required (see Copyright Act, R.S.C., 1985, c. C-42, §29, affirmed by the Canadian Supreme Court in *CCH Canadian Ltd. v. Law Society of Upper Canada*, [2004] 1 SCR 339). I wish that the University's statement would emphasize fair dealing as passionately as it misinforms students about the supposed extent and sanctity of copyright. In any case, in keeping with the University's mission as an educational institution, I encourage you to freely and broadly share my course materials, your class notes, etc. to your heart's content.



18th-century engraving of Anne Bonny and Mary Read, two of the most famous female pirates of the Golden Age.

Daily Schedule

Readings/screenings should be completed by that day's class, and you should come prepared to discuss them.

Please don't work too far ahead: obviously you need to manage your workload effectively, but we should expect more changes than usual to the schedule this year, and you are responsible for all changes to the readings announced 72 hours in advance.

Jan. 7 Course Introduction

Jan. 12 The Myth of the Pirate Read: *Policante, "The Romance of Piracy" (ARES)

UNIT 1: THEORIES OF PROPERTY

Jan. 14 Theories of Property I Read: Plato, excerpt from *The Republic* (Nexus)
Aristotle, excerpt from *Politics* (Nexus)
Hobbes, excerpts from *Leviathan* (Nexus)
Locke, "Of Property" (Nexus)

Jan. 19 Theories of Property II Read: Hume, excerpt from *A Treatise of Human Nature* (Nexus)
Marx, Chs. 31-33 of *Capital*, vol. I (Nexus)
Marx, "Debate on the Law of the Thefts of Wood" (no. 298) (Nexus)

Jan. 21 Theories of Property III Read: *Ford, "Max Weber on Property," parts I-III (ARES)

Jan. 26 Theories of Property IV Read: Ford, "Max Weber on Property," parts IV-V (ARES)
*Carruthers and Ariovich, "The Sociology of Property Rights" (ARES)

Jan. 28 Theories of Property V Read: *Heins, "The Place of Property in the Politics of Recognition" (ARES)

UNIT 2: PIRATE SOCIOLOGY

Feb. 2 Pirate Sociology I: Political Systems Read: Kuhn, *Life Under the Jolly Roger*, pp. 7-18 (ARES)
*Rediker, Ch. 2
Turn In: Sources Assignment

Feb. 4 Pirate Sociology II: Social Forms Read: *Rediker, Ch. 4

Feb. 9 Pirate Sociology III: Systems of Justice Read: *Rediker, Ch. 5

Feb. 11 Pirate Sociology IV: Economic Systems Read: *Policante, pp. 50-81 ("Zones of Plunder" and the first half of "Enemies of All Nations")
NOTE: Paper first draft due by 5:00 pm on Monday, Feb. 22

— READING PERIOD: FEB. 14-20 —

UNIT 3: THEORIES OF INTELLECTUAL PROPERTY

Feb. 23	Theories of Intellectual Property I	<u>Read:</u>	Hughes, "Intellectual Property under Hegel" (Nexus)
Feb. 25	Individual Meetings on your papers		
Mar. 2	Theories of Intellectual Property II	<u>Read:</u>	*Peñalver & Katyal, Ch. 1 & 2 Copibec, "Copyright Act Overview" (Nexus)

UNIT 4: THE SOCIOLOGY OF PROPERTY OUTLAWS

Mar. 4	Digital Piracy I	<u>Watch:</u>	REQUIRED: <i>Steal This Film, Parts I & II</i> (Nexus) RECOMMENDED: <i>Everything Is a Remix</i> (Nexus)
Mar. 9	Digital Piracy II	<u>Read:</u>	*Coleman, "Weapons of the Geek" (ARES) Koebler, "Why Repair Techs Are Hacking Ventilators" (Nexus)
		<u>Turn In:</u>	Blog Post by 5:00 p.m. on Wed., Mar. 10
Mar. 11	Outlaw Politics I	<u>Read:</u>	*Bey, excerpts from <i>Temporary Autonomous Zones</i> (Nexus) Front de libération du Québec, "Manifesto" (Nexus)
		<u>Watch:</u>	<i>Les Rose</i> (Nexus)
Mar. 16	Outlaw Politics II: (Un)Civil Disobedience	<u>Read:</u>	*Peñalver & Katyal, Ch. 4 Delmas, "In Defense of Uncivil Disobedience" (Nexus) RECOMMENDED: Peñalver & Katyal, Ch. 10
		<u>NOTE:</u>	Final date to withdraw without academic penalty from Winter courses.
Mar. 18	Property Outlaws I: Squatters I	<u>Read:</u>	*Peñalver & Katyal, Ch. 9
		<u>Turn In:</u>	Abstract by 5:00 p.m. on Friday, Mar. 19
Mar. 23	Property Outlaws II: Squatters II	<u>Read:</u>	*Vasudevan, "Mudflats Living and the Makeshift City (Vancouver)" (ARES)
Mar. 25	Peer Review	<u>Bring:</u>	1000 words from your final paper
Mar. 30	Property Outlaws III: Geopolitics	<u>Read:</u>	*Policante, "Terrorists and Pirates" (Nexus)
Apr. 1	Alternative Sociologies	<u>Read:</u>	Linebaugh, "Some Principles of the Commons" (Nexus) Dawson, "A Brief History of Sociological Alternatives" (Nexus)
		<u>Prepare:</u>	Paper Presentation
Apr. 6	Summary and Paper Presentations	<u>Prepare:</u>	Paper Presentation

Apr. 19: Final paper due by 5:00 p.m. on Monday, Apr. 19

Bibliographic Information for Class Readings

- Aristotle. *Politics*. Trans. H. Rackham. Perseus Digital Library: <http://www.perseus.tufts.edu/>
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- Hume, David. *A Treatise of Human Nature*. Project Gutenberg: <https://www.gutenberg.org/files/4705/4705-h/4705-h.htm>.
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- Peñalver, Eduardo M. and Sonia K. Katyal. *Property Outlaws*. Yale University Press, 2010.
- Plato. *The Republic*. Trans. B. Jowett. Project Gutenberg: <https://www.gutenberg.org/files/1497/1497-h/1497-h.htm>.
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