



EUROPA-UNIVERSITÄT
VIADRINA
FRANKFURT (ODER)



UNIVERSITÀ DEGLI STUDI DI NAPOLI
"L'Orientale"

International and
interdisciplinary research group

“Property Rights, Globalisation and the Social Function of Property”

Program of the Procida Symposion
17-21 May 2017

“Towards a Re-Conceptualisation of Property Rights”

INTERPROCENTAR

C o n t a c t

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Cover Photo

View from the conference centre “Terra Murata” on the gulf of Naples
(S. Hanisch)

I n t r o d u c t i o n

At the Symposium “Towards a Re-Conceptualisation of Property Rights” on Procida, Italy from 17-21 May 2017, the interdisciplinary research group will meet for the first time.

The challenge ...

From a legal point of view our main thesis is that an *obligation of sustainability* can be introduced into property law as an extension of the social function of property. This proposal assumes that pursuant to the power of the legislator to determine the content and limits of property rights, a distinction must be made between different forms of property. Towards this end we are introducing the *property of corporations* into the functional context of property rights as a hybrid category distinct from private and public property; we are also introducing the Commons/Environment as a fourth category to the existing.

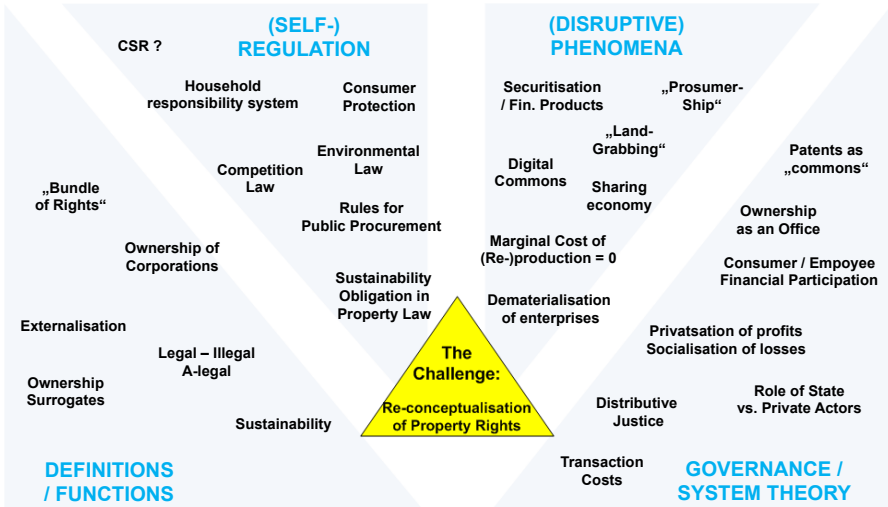
In order to balance the conflicting interests of the parties involved, the legislator must take into account both the constitutionally guaranteed legal rights of the owner and the mandate regarding a socially just property system in accord with constitutional principles (e.g., Art. 14 Par. 2 of the German Basic Law). Based on the case law of the German Federal Constitutional Court (especially its landmark „co-determination“ decision), we further, argue on behalf of a general principle asserting that

- the legislative power to define contents and restrictions of property rights increases apace with the social relevance of the property owned,
- while the intensity of conflict decreases as the relationship between the owner and the object owned becomes more depersonalized and abstract.

From an economic perspective private property and autonomy of decision are cornerstones of the market system and its innovative energy. While some schools of thought – like the resource-based view – emphasize the characteristics of resources and their aptitude to create value and competitive advantage, others concentrate on the way property is or should be allocated and used. In this respect institutional economics – original and new institutional economics – plays a key role in economic debate. However, taking a look at the world, it seems that the research that is conducted is either not sufficiently targeted or largely ignored by decision makers. Otherwise the extent to which negative external effects restrict the opportunities of future generations would be hard to understand. Therefore it seems necessary to critically reconsider the role of property in our societies and to derive guidelines for its responsible usage.

... and its significance for the world of the XXI century

Against this background property ownership, the different functions of property in society as well as the position of the owner versus the non-owner are important cornerstones. However the implications that property has in post-industrial economies are reaching much further:



Each participant of the Procida-Symposium is expected to contribute a short working paper or a collection of theses (5-7 pages) positioning his or her work to the topic, “Re-Conceptualising Property Rights” in the context of globalisation and the social function of property. In this booklet we present the members of the research group and their work as it relates to the overall topic of the Symposium.

Jens Lowitzsch / Albrecht Söllner Spring 2017

V e n u e

The conference centre “Terra Murata” of the University L’Orientale in Naples is located on the beautiful island of Procida in the gulf of Naples within reach of a 40 minute ferry transfer.



Program

Wednesday, May 17th: Day of Arrival

20h Welcome and Dinner at “Ristorante La Medusa”

Thursday, May 18th

10:00 – 13:00 Morning Plenary Sessions

- Introduction to the Symposium theme / of the Research Groups members
- Presentation of previous projects to build on
- Discussion of working papers & Definition of working groups

14:00 – 17:00 Afternoon Working Groups

- Property, a historical category and a multifunctional legal institution in flux*
- Forms of property in relation to the sub-functions of property*
- Including the commons in the system of property rights*

Dinner at “Ristorante Da Girone”

Friday, May 19th

10:00 – 13:00 Morning plenary sessions – “Mission of the Group”

- Sustainability and the self-conserving function of property*
- Ownership and control of productive property / Corporate property*
- Design Thinking: Introduction & Mission of the Research Group

14:00 – 17:00 Afternoon work groups

- Presentation of the results of the “Design Thinking“ exercise
- Property ownership as a human right / Unconditional basic income*
- Ownership as an office / Corporate governance*

Dinner at “Ristorante La Lampara”

Saturday, May 20th

10:00 – 13:00 Morning work groups

- Digital commons / Intellectual property rights, patents*
- The 4th industrial revolution / New property forms & Disruptive Innovation*
- System-inherent causes threatening ownership-based systems*

14:00 – 17:00 Afternoon plenary sessions

- Discussion of the results of the working groups
- Methods: qual./quant, conceptual, scientific storytelling - journalism
- Next Steps: Agenda Setting / Calls for proposals / Future meetings

Wine tasting and farewell dinner at “Ristorante La Vivara”

Sunday, May 21th: Day of departure

* Tentative topics to be finally settled in the opening session

INTERCONTINENTAL

- ★ MEMBER INSTITUTIONS
- COOPERATING RESEARCHERS



- Paris** **Université Paris Panthéon-Sorbonne**
- Vienna **Forschungszentrum Menschenrechte der Universität Wien**
- Moscow** **Russian Presidential Academy of National Economy and Public Administration**
- Lisbon** **Sindicato das Indústrias Metalúrgicas e Afins**
- Dublin **Combat Poverty Agency**
- Split** **University of Split**
- Staffordshire** **Staffordshire University**
- COPENHAGEN** **Copenhagen Business School**
- Bristol **University of Bristol**
- Budapest **National Employment Office**
- BERLIN** **Freie Universität**
- Leuven **Katholieke Universiteit Leuven**
- Warsaw** **CENTER FOR SOCIAL & ECONOMIC RESEARCH**
- Bratislava **Central European Labour Studies Institute**
- Sofia** **BULGARIAN ACADEMY OF SCIENCE**
- Riga **Centre for European & Transition Studies**
- Frankfurt (Oder)** **Europa-Universität Viadrina**
- The Hague **Nederlands Participatie Instituut**
- Napoli **University of Naples "L'Orientale"**
- Belgrade **University of Belgrade**
- Sarajevo** **Univerzitet u Sarajevu**
- Helsinki **Helsinki University**
- Bucharest **Romanian Academy of Sciences**
- Athens** **University of Athens**
- Vilnius** **Vytautas Magnus University**
- Lund **University of Lund**
- Mondragón **Mondragon University**
- Prague **Charles University**
- Toronto **University of Toronto**
- Ljubljana** **University of Ljubljana**
- Tartu **University of Tartu**
- St Petersburg** **St Petersburg State University**
- SAN FRANCISCO** **The Kelso Institute**