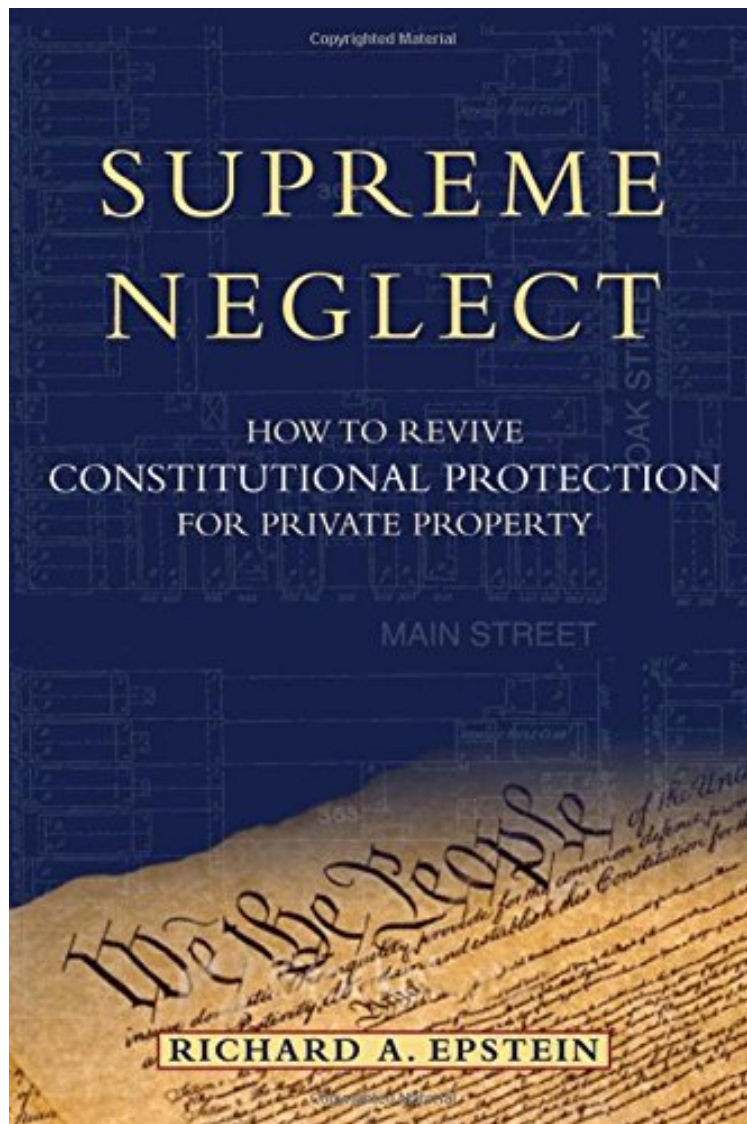


[Pdf free] Supreme Neglect: How to Revive Constitutional Protection For Private Property (Inalienable Rights)

Supreme Neglect: How to Revive Constitutional Protection For Private Property (Inalienable Rights)

Richard A. Epstein

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Richard A. Epstein : Supreme Neglect: How to Revive Constitutional Protection For Private Property (Inalienable Rights) before purchasing it in order to gauge whether or not it would be worth my time, and all praised Supreme Neglect: How to Revive Constitutional Protection For Private Property (Inalienable Rights):

10 of 11 people found the following review helpful. "Takings" redux By R. S. Radford Richard Epstein rocked the legal-

academic world in 1985 with his property-right manifesto, *Takings: Private Property and the Power of Eminent Domain*. *Supreme Neglect* is essentially a greatly condensed and somewhat updated version of that earlier work, minus footnotes. If you were enthusiastic about Epstein's original message concerning the vital importance of protecting property rights against state encroachment, you'll probably like *Supreme Neglect*. If you found Epstein unconvincing in 1985, you'll probably find him more so now. One topic covered in the new book that was not discussed 24 years ago is intellectual property. Unfortunately, Epstein does not give a convincing explanation of why, if the state can create and modify "property rights" in the form of patents and copyrights at will, it should not have the mirror-image power of constraining or eliminating traditional property rights like land ownership as it sees fit. Since his account of property rights rests upon their economic utility, rather than upon the nature of man or the requirements of natural law, Epstein's case for upholding these rights against state usurpation boils down to: abrogating property rights is bad for business. Some readers will find this to be a compelling argument, but I think stronger ones could be advanced.

2 of 5 people found the following review helpful. Constitutional rights sound good, but this book gives no help on how to claim them. By Lizardhavenbottom line, you have to be really rich and have lots of lawyers to get a court to pay attention to your claim, and even then they seem to be very good at finding ways to not let you have these rights. If you don't believe me I can show you the court order that tells me I may not use the fourth amendment as the basis of an argument to stop the county from coming onto my land where they can see things not visible from the public road, and seizing my automobiles, mobile home etc. based on residential property and mobile home park zoning law, when my property is W-2 managed wilderness where a different set of laws apply that I am completely in compliance with. If you have problems like this your best way to protect yourself is to keep bees, or let a beekeeper put his hives on your property and then you get to keep half the honey without having to buy a bee suit. Posting beehive signs work better than a bevy of armed security officers.

As far back as the Magna Carta in 1215, the right of private property was seen as a bulwark of the individual against the arbitrary power of the state. Indeed, common-law tradition holds that "property is the guardian of every other right." And yet, for most of the last seventy years, property rights had few staunch supporters in America. This latest addition to Oxford's *Inalienable Rights* series provides a succinct, pointed look at property rights in America--how they came to be, how they have evolved, and why they should once again be a mainstay of the law. Richard A. Epstein, the nation's preeminent authority on the subject, examines all aspects of private property--from real estate to air rights to intellectual property. He takes the reader from the strongly protective property rights advocated by the framers of the Constitution through to the weak property rights supported by Progressive and liberal politicians of the twentieth century and finally to our own time, which has seen a renewed appreciation of property rights in the aftermath of the Supreme Court's landmark *Kelo v. New London* decision in 2005. The author's own powerful defense of property rights threads through the narrative. Using both political theory and economic analysis, Epstein argues that above all that private property is a sound social institution, and not just an excuse for selfishness and greed. Only a system of private property lets people form and raise families, organize religious and other charitable organizations, and earn a living through honest labor. *Supreme Neglect* offers a compact, incisive look at this hotly contested constitutional right, championing property rights as an essential social institution.