

Book Group Questions for *Mine!*

Introduction

Do you think there should be a right to recline or a right to defend your knees? Or do you think you should ask first? What is your practice on airlines? Are you offended when someone fully reclines into your space?

Drivers in rush-hour traffic face a similar dilemma to the one airline passengers face over a shared armrest. Think about your own driving habits. How often do you let someone in to “your” lane? How do you decide when to be generous with the space in front of you, and when to guard it? Does your answer depend on your perception of the car or driver who wants in? Do you think is similar to your behavior when sharing an armrest in an airplane seat?

Have you used other people’s passwords to access Netflix or HBO? Have you streamed movies or TV shows on a sketchy website? Watched illegal streams of live sporting events? Did it bother you and, if not, why not?

A recurring theme throughout this book is that some conflicts increase in intensity as the resource in scarcity. As space between seats has shrunk and tray tables become more valuable as work spaces, conflicts over reclining have increased. Can you think of other examples of valued things that have become scarcer and more contested in recent years?

If you were the judge, how would you resolve the dispute over the rocking chair? Do you think there is clearly a best solution?

Chapter 1:

How do you feel about paid line-standing? If you were making rules, would you ban it? Does your answer change depending on whether it is for a public activity (Supreme Court or Congress) or private (Broadway show or iPhone launch)?

What’s the longest you’ve ever waited in line for? Was it worth it? How would you have felt if you had know paid line-standers were in front of you?

What examples can you think of where access is not based on first come, first served? Why do you think the owners are doing this? What value are they trying to maximize – profits, brand loyalty, excitement?

Do you think food trucks should be barred from parking close to brick-and-mortar restaurants? Does it seem unfair competition? Can you think of other ways to solve this conflict?

Who do you think should have been front of the line for the covid vaccine? Everyone seems to agree that front line health workers should be first, but who after that? Would you favor the elderly, pre-existing conditions, service workers at supermarkets, a lottery, those who will pay the most? You can't move everyone to the front, so how would you decide who gets it next?

Chapter 2:

Are there any unique customs to signify ownership, like "dibs" in Chicago or "savesies" in Philadelphia, from your town?

We learn the rules of ownership from a young age. What is the first time you remember someone fighting over something you thought was yours?

Did your parents take a "tax" out of your Halloween candy? Did they make you share it with your siblings? Did a classmate repeat your joke more loudly and get all the laughs?

Were you shocked upon receipt of your first paycheck to discover that the government took a big chunk of "your" money? Did this make you feel that something was being taken from you?

Have you taken things that are not yours? Pens and notepads from work? Something more? Why did you take what wasn't yours? Do you feel bad about it?

Do you agree with the book's description of the internal discussion when deciding what to do about saving seats or some other symbolic possession on page 58 (Identification, Evaluation, Action)? Did you ever ignore a saved seat and take it for yourself, or the reverse?

Assume you arrive early at a crowded high school graduation ceremony and need to save seats for your family. There are 15 seats in the row. How many do you feel comfortable saving?

If you were the judge, how would you have resolved the Barry Bonds baseball conflict? Would you give it to the original possessor (Popov), the current possessor (Hayashi), sell the ball and split the proceeds, or some other solution?

Chapter 3:

The Walt Disney Company still has exclusive copyright to the Mickey Mouse character, long after Walt Disney died. When do you think the creator should lose the copyright to his and her creations? Should it end when they die?

Were you surprised to learn that fashion designers cannot legally protect their creations? Or that Rolex and other luxury goods can actually benefit from the sale of knock-offs? Does this suggest

to you that we should pull back many of the protections we currently grant to creators and designers?

In reading through this chapter, do you think intellectual property laws create a good balance between protecting ownership rights and promoting drug discovery or artistic creativity? Do creators get too much protection, too little, or just right?

Have you ever sent your genetic information off to a company like 23AndMe or Ancestry.com? Did you realize that you were enabling those companies to profit off of your private data? That you were subjecting your relatives to genetic evaluation on the basis of your own genes? Do the other ownership stories – attachment, self-ownership – help suggest who should own your DNA?

How is the claim of DNA ownership by 23AndMe similar to ownership claims of our clickstream by Facebook and Amazon?

Chapter 4:

What do you think you own when you acquire a parcel of land? Does the principle of "whoever's is the soil, it is theirs all the way to Heaven and all the way to Hell" make sense to you? Or is it better to separate below ground (mineral) and above ground (air) rights from *land* ownership? Is there perhaps a sensible middle ground between these two principles?

Which rule of finder's keepers (i.e., deciding that something by default belongs to the owner of the land where it was created/found, or that it belongs to the person who labored to acquire it) strikes you as fairer? Does it depend on whether the property you're thinking of is necessary to sustain basic human life (like water rights) or is a luxury item (like gold coins)?

Chapter 5:

Should you be able to sell one of your kidneys? Is there a minimum price where you would consider the offer? If you needed organ transplant surgery, would you approve being able to buy a kidney? What about for one of your parents, siblings, or children?

How do you feel about gestational surrogacy services only being available to those with sufficient means to pay, leaving poorer infertile couples with fewer options to have children? Should this be covered by insurance, similar to infertility treatment?

To what extent do non-compete clauses make sense for businesses? For workers? Should Uber be able to stop one of its talented and highly-paid engineers from departing for Lyft? Should Jimmy John's be able to stop one of its talented and minimum wage-paid sandwich makers from departing for Subway?

Chapter 6:

Complex public debates are often shaped by “spin doctors.” They try to identify a position in people’s minds with a terrible-sounding phrase. Consider your feelings about the estate tax versus the “death tax.” Are you more sympathetic to people who have to pay the “death tax?” What are some other policy issues that depend heavily on framing? Consider, for example, the different emotions evoked by “global warming” versus “climate change” or “climate crisis,” or by “the war on drugs” versus “drug control” versus “drug addiction treatment.”

Given that very few Americans actually benefit from raising the levels for paying estate taxes, why do you think this is such a popular issue among lower and middle class voters?

Trusts can extend so-called “dead hand control” of property – limits placed by the donor on how land or money can be used long after the donor’s death. For example, a certain parcel of land may only be allowed to be used as a dog park, even as the surrounding area changes a great deal. Does allowing for dead hand control strike you as appropriate?

Did you know that South Dakota crushes the Cayman Islands as a place for the super-rich to shield their assets? Should states be able to compete with one another to provide tax havens or should the federal government step in and set uniform rules?

Do you have a will (or, for those so fortunate, a trust)? Why, or why not? What are your values when considering how your property should be treated after your death?

How do you think spouses who sacrificed their own career advancement to support their spouse’s education or high-paying careers should be compensated upon divorce? Do you support their being entitled to a share of their spouse’s increased earning capacity.

Chapter 7:

Did you know that your ownership rights in *digital* copies of books, movies, albums, and video games are much more limited than your rights in *physical* copies of those same books, movies, albums, and video games? Will this knowledge change any of your purchasing habits?

To what extent do you participate in the sharing economy? Do you still buy hardcover/paperback books or prefer Kindle and Audible books? Do you have a different sense of engaging with the material by reading on a screen than on a printed page? Are physical books going the way of dinosaurs? What do you think the reading public will be doing a decade from now?

A key message of the book is that ownership conflicts are all around us, and that ownership is always up for grabs – not just on the playground but where we live, where we drive, how we travel, etc. Are there any examples of this you now recognize as a result of reading the book?

Did your book group have great discussion questions you would like us to share with other readers? If so, please let us know!

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