

Why do we prize ownership?

Our possessive instinct goes all the way back to the Garden of Eden.

by [Peter W. Marty](#) in the [May 19, 2021](#) issue



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I remember a pastor once telling me of his congregation receiving permission to park in the bank parking lot next to the church. It was a standing agreement for all but one Sunday a year. On that random Sunday, a rope blocked the two entrances to the bank lot. When I asked the reason for 51 Sundays of permission instead of 52, the pastor told me that a bank officer said to him, "It's only so the church remembers that the lot belongs to the bank and not to the congregation."

I've thought of that parking lot arrangement many times over the years as I've seen how people develop a physical connection to things we occupy or possess. Some of our deepest values get encoded in our intimate attachment to material things. Large pieces of our identity end up being shaped by a possessive instinct. We prize ownership.

In the fascinating new book *Mine! How the Hidden Rules of Ownership Control Our Lives*, law professors Michael Heller and James Salzman explore ways in which complicated rules of ownership shape our world. They demonstrate clearly that a possession instinct extends far beyond conventional categories like "my car" or "my land" or "my money." In fact, numerous ownership battles regularly intrude on everyday life.

If you own a brick-and-mortar restaurant with all kinds of overhead costs and a mobile food truck pulls up to do business outside your bistro's front door, who has occupancy rights to that valuable space? If the water supply for your house is dependent on a well you've dug, do you own that subterranean water or does your neighbor? It may not be an urgent question until the neighboring farm or production plant contaminates the underground aquifer.

How about the wedge of reclining space on an airplane? Do your knees have first rights to that space or does the passenger reclining in front of you? If a physician discovers a valuable protein in cells extracted from your body during surgery and makes millions from developing a new cell line, who owns those cells?

Heller and Salzman describe the open floor plan of an Apple store, where customers are encouraged to develop a physical connection with devices, to make a yet-to-be purchased iPad feel like my iPad. Reading this, a line in

C. S. Lewis's *Screwtape Letters* comes to mind. The demon Screwtape admonishes his protégé Wormwood on how to lead souls to hell. "The sense of ownership is always to be encouraged. . . and all the time the joke is that the word 'mine' in its fully possessive sense cannot be uttered by a human being about anything."

As I read *Mine*, it occurred to me that we ought to pay closer attention to the Jewish theological concept of a clear distinction between possession and ownership. God, as the creator of the world, ultimately owns all things. God's people are to be guardians or trustees of property, not owners (see, for instance, Lev. 25:23).

Yet an ownership claim takes center stage in even the earliest story. God says to Adam and Eve, *Welcome to the garden. Make yourself at home. Everything is yours around here except that one tree in the middle. That's mine!* The couple's mistaken claim of ownership is what sends them packing. And we haven't learned yet. We still think the tree is ours.

A version of this article appears in the print edition under the title "Mine, mine, mine."