LEARNING OBJECTIVES

• Understand and apply core principles of property law.
• Learn how to read, analyze, and present federal and state court decisions.
• Understand the factors leading to an expansion in the use and scope of eminent domain (government taking of private property) in the United States since WWII.
• Develop critical perspectives regarding the theories and bodies of evidence used to evaluate how changes in U.S. eminent domain laws have affected the security of property rights in the United States, redevelopment of urban areas, and the overall economy.
• Identify factors leading to the passage and repeal of Hawaii land reforms laws.
• Learn how to apply economic theory and to use critical thinking skills to analyze major issues in property law and property law cases.

LIST OF REQUIRED TEXTS

(1) Sumner La Croix, Political Economy, Property Rights, and the Transformation of Hawai‘i: New Perspectives on Hawai‘i’s Economic History, unpublished manuscript. The manuscript is available for purchase at Professional Image on S. King St near University Ave from Sept. 18. The manuscript is copyrighted and additional copying or any distribution beyond enrolled students in the Econ 476 class is strictly prohibited.

(2) All journal articles listed on the syllabus reading list. All are available from UH libraries and all are posted on the laulima.hawaii.edu class web site in the resources section for your personal use. They are not to be distributed beyond members of the class, as this would violate U.S. copyright laws.

(3) All legal cases listed on the syllabus reading list. All cases are posted on the class laulima class web site in the resources section.
(4) Short articles from newspapers, magazines, and web sites emailed by instructor to class during the semester.
The instructor reserves the right to change (add/delete/substitute) required readings and adjust the academic calendar as the semester progresses.

**ECON 476 AND THE LAW AND SOCIETY CERTIFICATE PROGRAM**
The UH-Mānoa College of Social Sciences offers an interdisciplinary certificate in the area of Law and Society to qualified undergraduate students who complete 15 hours of designated course work. Econ 476 can be applied to the certificate’s requirement of 12 elective credits. For more information about the certificate, please email Professor Jonathan Goldberg-Hiller, the certificate coordinator, at hiller@hawaii.edu.

**COURSE PREREQUISITES**
Students must have completed Econ 301 prior to the Fall 2013 semester to enroll in Econ 476. Students from the Law and Society Certificate Program may enroll if they have completed Econ 130 or Econ 131 prior to the Fall 2013 semester.

**LAW AND ECONOMICS TOPICS CALENDAR (subject to change)**

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<tr>
<th>Date</th>
<th>Topics</th>
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<tbody>
<tr>
<td>8/26</td>
<td>Introduction, overview</td>
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<tr>
<td>8/28</td>
<td>Property Rights</td>
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<tr>
<td>9/2</td>
<td><strong>Labor Day—No class</strong></td>
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<td>9/4</td>
<td>Property Rights</td>
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<td>11/6</td>
<td>Property Rights</td>
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<tr>
<td>11/11</td>
<td><strong>Veterans Day</strong></td>
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<td>11/13</td>
<td>Native American Property Rights</td>
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<td>11/18</td>
<td>Native Hawaiian Property Rights</td>
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<td>11/20</td>
<td>Takings</td>
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<td>11/25</td>
<td>Takings—Quiz 5</td>
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<td>11/27</td>
<td>Takings</td>
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<td>12/9</td>
<td>Property Rights</td>
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<tr>
<td>12/11</td>
<td><strong>What Did You Learn?</strong></td>
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**Final Exam:** Monday 16 December 2013 from 2:15-4:15 in usual classroom

**COURSE GRADE**
Your course grade is computed using the following weights:

- One Team/Individual Oral and Written Report: 20%
- Five Quizzes (10% each): 50%
- Current Event One-Slide Presentation: 5%
- Final Examination: 15%
- Classroom Participation & Attendance: 10%
ATTENDANCE REQUIREMENTS

It is expected that students will attend ALL classes; be familiar with assigned readings prior to class; participate in class discussions, and presentations; and reserve the scheduled class time to attend class, i.e., not double-book the time. Students who miss (unexcused for sickness or approved University events/travel) more than 3 classes will have their attendance/participation grade marked down by 1% for each additional class missed. Please see me to discuss any extended absences.

TEAM PRESENTATIONS

All students must make an oral presentation to the class during the course of the semester. I will divide the class into teams of 3-5 students (depending on the size of the class). The instructor will assign to each team a court decision or an article to present to the class.

The objective of the report on the court decision is to provide the class with a clear understanding of the property law issues raised by the case, to summarize the dispute and its resolution, and to analyze the case using economic theory.

Each team’s oral presentation should last a maximum of 10 minutes, with each student presenting for approximately equal time. Each team should base their presentation around slides shown to the class. The presentation should be a coordinated effort by the team rather than just 5 individual presentations. At the end of each team’s oral presentation, approximately 10 minutes will be devoted to questions from class members and discussion. Team members are responsible for stimulating the class to ask questions and to discuss the issues in the case.

A printed copy of the presentation slides must be submitted to the instructor on the day of the presentation. Each slide should be documented with references (when necessary); each slide should be supplemented with 1-2 paragraphs of additional explanation.

An individual’s grade will be based on the quality of that student’s oral presentation (10%) and the quality of the team’s slides and paragraphs of additional explanation (10%). I will also ask each member of the team to report to me the percentage of work done by each team member in preparing the team presentation. I reserve the right to use this information to adjust the overall grade on the presentation up or down.

FIVE QUIZZES AND FINAL EXAM

Quizzes cover the presentations and readings since the last quiz. Of course, understanding of material presented earlier in the course is necessary to understand the latest reading and to provide a good answer to the quiz question. Each quiz starts at 3 pm on the scheduled day and ends at 3:25 pm. If you cannot be at the classroom by 3 pm to start the class, you should not take this class. The final examination covers the material covered from the 20 November 2013 class to the 11 December 2013 class.

CURRENT EVENT PRESENTATION

At the start of every class, one or two students will make a 3-minute presentation on an important property law topic based on an article in The Economist, the New York Times,
the *Wall Street Journal, Science, Nature* or a similar publication. Students are allowed to use ONE AND ONLY ONE slide in their presentation. Two slides and you fail—0 points. There will be no presentations on quiz days. Presentations start with the September 4 class. I will circulate a sign-up sheet on August 28 and post it to laulima. On the day you are scheduled to present, you must have your slide set up on the classroom computer and ready to present at 3 pm.

**HOW TO FIND THE CLASS WEBSITE:**  [http://laulima.hawaii.edu](http://laulima.hawaii.edu)

Login with your UH username and password. Click on Econ 476 Fall 2013. Most class readings are in “Resources”. You can use the “mail tool” to send emails to other students in the class. The syllabus is posted at this site along with class announcements.

**STUDENTS WITH DISABILITIES**

Students with disabilities who may need disability-related classroom accommodations are encouraged to make an appointment or email as soon as possible so that we can make arrangements to accommodate you. Contact me ASAP!

**Selected Readings and Lecture Schedule**

Aug. 26  
No reading. Introduction to Open Access, Common Property, Private Property and their Many Variations.

Aug. 28  

Sept. 2  
Labor Day

Sept. 4  

Sept. 9  

Sept. 11  

Sept. 16  

Sept. 18  
More selections from Lueck and Miceli.

Sept. 23  
La Croix, *Hawaii*, Chs 1 and 2. (Property Rights in Hawai‘i Pre-History)

Sept. 25  
La Croix, *Hawaii*, Ch. 3 (Origins of the Kingdom).

Sept. 30  
La Croix, Hawaii, Ch. 4 (Great Mahale).

Oct. 2  
La Croix, *Hawaii*, Ch. 5 (Annexation).
Oct. 7  La Croix, *Hawaii*, Ch. 6 (Crown Lands and Territorial Political Economy).


Oct. 16  La Croix, *Hawai‘i*, Ch. 8 (Residential Land Leasing in Hawai‘i).

Oct. 21  La Croix, *Hawai‘i*, Ch. 9 (Land Reform in Hawai‘i).

        Oral Arguments and Questions before the U.S. Supreme Court.


Nov. 6  Video on Orange County and Hollywood cases with Drew Carey.
        La Croix, *Hawai‘i*, Ch. 10 (Backlash Against Land Reform).

Nov. 11  Veterans Day

Nov. 13  La Croix, *Hawai‘i*, Ch. 11 (Statehood and property rights).

Nov. 18  TBA Reading on Native American property rights.

Nov. 20  La Croix, *Hawai‘i*, Ch 7 (Hawaiian Home Lands Program)

Nov. 25  TBA reading on regulatory takings.


Dec. 2  Stop the Beach Renourishment v. Florida Dept. of Environmental Protection, 560 U.S. ___ (2010).

Dec. 4  La Croix, *Hawai‘i*, Ch. 13. (Land and housing prices)


Dec. 11  What have you learned? Anything? Is this knowledge your property?

**MĀLAMA ‘ĀINA!**