

 Published Edit**This is a graded discussion: 10 points possible**

due Feb 4, 2018

Discussion: Is this parking spot taken?

20

Now that you have some idea about the theory behind property ownership (after having read Locke), take a look at this short video summarizing Locke's theory of labor. Using Locke's theory and what you now know about property, do you think the parking spot belongs to the person who adds labor?

Take a side and argue why you think it should or should not belong to the shoveler. Please comment on your colleagues's responses.... also, *would you take the spot?* No judgment. I swear!

Link [_ \(https://youtu.be/GfVzi4SBwtw\)](https://youtu.be/GfVzi4SBwtw)



[\(https://youtu.be/GfVzi4SBwtw\)](https://youtu.be/GfVzi4SBwtw)

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[https://](https://uk.instructure.com/courses/1911677/users/6901806)**Allyson Ayers**[\(https://uk.instructure.com/courses/1911677/users/6901806\)](https://uk.instructure.com/courses/1911677/users/6901806)

Jan 30, 2018



While I can sympathize with the person who dug out the parking spot only to lose it later, I feel as if in this example the parking spot belongs to whoever gets there first. Yes, the person who took the parking spot was unquestionably selfish, however it is their right to the parking spot especially if it

is not labeled as another persons, by number or otherwise. It is public parking on a street, that gives the public the right to use it no matter who dug the spot. If Locke's theory of labor was applied to a different example, such as a community garden for an apartment complex or something similar, then I could definitely agree that the person who put the time and labor into growing things in the garden deserves the spoils, not someone else. I say this because you can clearly define the space that is your in a garden, or a similar example, by sign, rope, etc.

I am aware that these examples are extremely similar, because people will claim their spots with cones and lawn chairs signifying that those spots are taken, just like signs or rope would signify that a garden patch was an individuals. However, in my example of the garden, you would be paying for that community garden through the rent to the landlord or company who owns the building in order to garden there. Perhaps it is optional and would be an extra expense added onto your monthly payments, so essentially it would be exclusive to those who pay for this amenity. If someone comes and snatches up those hard won vegetables, then I would apply Locke's theory of labor and property. I would probably not take the spot (unless I was being incredibly malicious and evil that day), and would instead carry a shovel in the trunk of my car to clear a space that is not taken.

It's so much easier to take the open spot though...

↳ Reply



[Katarina Litva](#)

<https://uk.instructure.com/courses/1911677/users/6901672>

Feb 2, 2018

I like the idea of carrying a shovel in the trunk so you could clear your own spot, but where do you park while doing that? This is why I want to live in the Caribbean - no snow there and no shoveling to deal with.

I like your argument about the community garden and can see how you are relating it to Locke, but I can imagine that is an even easier example of people stealing the spoils of other's labour - if those tomatoes or peppers look really good somebody walking by might snatch them up.

↳ Reply

[Brittany Sams](#)<https://uk.instructure.com/courses/1911677/users/6901678>

Feb 1, 2018



The narrator of the video linked to this discussion states that Locke proposed that "private property arose when people mixed their labor with something not yet owned by anyone else." Imperative to an argument either way is the delineation of the phrase, "not yet owned by anyone else." What does Locke mean by ownership? Temporarily? Forever?

But as it is, the question of whether or not a city resident can lay claim to a shoveled-out parking space seems to lack direct application to Locke's proposal--"not yet owned by anyone else" does not equal "already owned by everyone else." I'm assuming that this parking space is paid for by taxes. Thus, like Ally already pointed out, although it would be perhaps unethical to take a space you know someone has spent hours shoveling out and is planning on returning to, you do have the right to take it. Likewise, if you shovel out a parking space, you have the right to be angry at the person who takes it, but you do not have the right to the parking spot itself.

I would like to analyze the situation from the "parking-space-usurper's" position and see if there is not unfairness or ambiguity from their point of view as well. For example, if you need a place to park, and you see a freshly shoveled spot, how are you to know that the person who shoveled it out is not leaving town for the weekend? If it is 8:00 a.m., how do you know that they have not left for work for the day?

This leads to further ambiguity--if someone has a much-needed parking spot (let's say he/or she is in a fairly commercial area or close to one), shovels it out, and leaves for the day, does he/she have the right to leave a lawn chair in it? No, because the next person in need of a parking spot is paying for the spot via taxes as well. If the shoveler leaves the spot for four hours, does he/she have the right to leave a lawn chair in it? What about for half an hour if he/she is simply running to the store or getting gas? I would argue that the area becomes more grey with the decreasing of the time frame, but the again, how is the next person needing a parking space supposed to know when the shoveler plans to return?

Also, before making a full argument, I would like to know if this the only available parking spot. The specification could change the argument significantly.

Edited by [Brittany Sams](#) (<https://uk.instructure.com/courses/1911677/users/6901678>) on Feb 1, 2018 at 6:35pm

← [Reply](#)

[Katarina Litva](#)<https://uk.instructure.com/courses/1911677/users/6901672>

Feb 2, 2018

Really good points Brittany, and really good questions. Lots to think about that we really don't know the answer to as we only have part of the situation before us.

I agree with you on the fact that you can't lay claim to a spot as its public property, I made the same argument. I guess I would argue that the person who cleared the spot and left a marker also pays taxes, as does the person who wants to take the cleared spot, so perhaps they (the parking spot clearer) feel that because they pay taxes and added their labour that they feel they can lay claim to the spot. I do like the point you're making about how long they're going to be gone. While in reality it doesn't make a difference, it does make a good point, should the spot stay empty all day while the spot clearer is at work? I would have to say that's being pretty selfish.

← Reply

○



[https://](https://uk.instructure.com/courses/1911677/users/6901672) **Katarina Litva**

(<https://uk.instructure.com/courses/1911677/users/6901672>)

Feb 2, 2018



My first reaction when I read the discussion point, prior to reading Locke's Second Treatise of Government, was, although really unfortunate for the person who added the labour to clear the spot, 'no' the spot doesn't belong to them.

After Locke's reading I thought twice about it and could see the argument and fully agreed with it, the argument that when labour is added it can become 'yours'. The problem with Locke's treatise is that it pertains to natural, uncultivated land, therefore adding the labour to clear it, cultivate it, and then reap the benefits makes it yours as there is plenty of other natural land for someone else to claim for themselves. The clearing of the parking spot in Boston, although similar, is not the same. The land which the parking spot sits on is already owned by the City of Boston, and therefore cannot be claimed by anyone else. It is city property available for public use, you cannot make a claim on something that is already owned by someone else. So, I'm back to my first thought in that, unfortunately, the person who cleared the spot does not have a legal claim on it as it is public property and by sheer definition of public property cannot be owned by one person. From a moral or ethical standpoint though, I feel differently. I can understand why someone would want to leave a marker in the cleared spot so that it remains available for them upon their return. I personally would not take the spot, although many people would – which is obviously why the marker would be put there in the first place.

I have never been to Boston nor have I ever experienced this so I'm not sure what the City of Boston does, do they allow these markers remain or do they remove them? If the city does nothing then I think many people might abide by this unwritten rule of leaving the spot for the person who cleared it, although I'm sure there are people who would get out their car, move the marker and then park and deal with the consequences of parking there – perhaps a nasty note on their windshield or worse yet, damage (depending on how upset the person who cleared the spot was).

My suggestion, as the friendly Canadian, would be to gather my neighbours and all go out and clear all the spots on the street whilst drinking some Peppermint Snapps hot chocolate - then everybody would have a cleared spot to come home too. The problem would be keeping people from other neighbourhoods away, which I would then suggest putting up a sign stating that the parking is for residents only (parking permit required). Then everyone lives happily ever after – in my bubble anyway.

↩ Reply



[Christine Huck](#)

<https://uk.instructure.com/courses/1911677/users/6901807>

Feb 4, 2018



It appears we were thinking along the same lines! Even if we ignore societal norms and practices for rationality, we recognize them when we see them; and, it's very difficult to parse the two when it might involve introducing conflict into our lives. Also, if you go to Boston, don't be the person who moves the cones or chairs... they mean business up there!

Also, getting everyone together to go clear the parking spots sounds lovely, but it becomes complicated as well. If one neighbor isn't home on a regular basis or doesn't contribute on what the group feels like is a regular basis, then does that neighbor forfeit being able to park in those spots? It's a common good issue that pops up a lot. If you don't have kids in the public school system (or at all), should you pay taxes that support the local school system? Should you be required to pay for paving (or repaving) of a road that you never drive down or you believe to be in acceptable condition? I'm not saying these are my opinions, but they are arguments that are brought up regularly (in real life and undergrad poli sci classes)!

↩ Reply



[Katarina Litva](#)

<https://uk.instructure.com/courses/1911677/users/6901672>

Feb 4, 2018



Yes, I've never been to Boston, but in my mind, taking a parking spot from someone, or anyone for that matter, my perception, especially in the US, is that it would be trouble. And I agree it is hard to coordinate with all your neighbours, but its been done, someone shovels for the elderly couple wooing a couple of spots so it can work, although if it snows all the time I'm sure it would get weary. But, if it could be done and coordinated it would be a great thing - everyone working together for a common good. :)

← Reply



[Christina Rieth](#)

<https://uk.instructure.com/courses/1911677/users/6901105>

Feb 4, 2018

Very interesting points, Katarina! While I agree that "it is city property available for public use", I feel in the case of Boston parking spots (which I have a strong opinion on, from my 4 years of living there), it may be perhaps a watered-down version of Locke's theories. While it is public property, there is evidence that labor has been put into it to improve it, even momentarily. We see street signs encouraging us to improve public property every day, such as those to please pick up trash or report suspicious activity (such as vandalism). Do I think we set up a tent in a park and claim to only pick up the dog poop within an acre of it? No, but we should be recognized for the labors we put into public lands. I agree that "the person who cleared the spot does not have a legal claim on it", but I think there should be lee-way on Locke's theory, in that we should understand that someone e/se put labor into the parking spot, therefore it is *not* ours to revel in.

← Reply



[Christine Huck](#)

<https://uk.instructure.com/courses/1911677/users/6901807>

Feb 4, 2018

The answer is more difficult than it might initially seem. Parking spots, unless specifically designated, are common use areas. However, the person digging out the snow is modifying the area by adding his/her labor in the removal of the snow. If someone spends an hour or so excavating their car, it's very easy to understand how they feel that spot is theirs. Conversely, it could also be argued that the car owner is removing the snow to merely gain access to their

personal property – in this case, the car. So, does the act of “taking” someone’s parking spot become a violation of public etiquette or decorum instead of a violation of private property?

Locke begins Section 26 with the premise that while the earth and the beasts are, “...given to men for the support and comfort of their being.” He follows that by proclaiming that, “...no body has originally a private dominion, exclusive of the rest of mankind....” He points out in Section 28, “We see in commons, and removing it out of the state nature leave it in, which begins the property; without which the common is no use. And the taking of this or that part, does not depend on the express consent of all the commoners.” He continues in Section 32 that, “he by his labour does, as it were, inclose it from the common.... and therefore, he cannot appropriate, he cannot inclose, without the consent of all his fellow commoners, all mankind.” He goes on to say, as Emily stated, that we can take what we need, not what we want.

It’s arguable that the newly cleared parking space is yours immediately after use – say twenty-four hours? Because, again, parking spots are part of common use, unless marked otherwise. Your labor in modifying the space (by removing the snow) grants you that access. It does not grant you access in perpetuity. The owner did not develop that land, pave the parking spot, etc. to make the argument towards permanent (or even 3-day access) ownership. As Locke says in Section 33, “Nor was this appropriation of any parcel of land, by improving it, any prejudice to any other man, since there was still enough, and as good left; and more than the yet unprovided could use.” Essentially, parking is usually at a premium, especially during bad weather. There *isn’t still enough* left for everyone to use without some kind of injury – perceived or otherwise.

So, does it belong to the laborer/car owner? For a limited time only (think 12-24 hours). Of course, that changes completely if it actually is your spot and is clearly marked as such, but I assume given the video that it isn’t. Otherwise, all’s fair when trying to reclaim your spot. Am I going to take someone’s spot if it’s open? Only if it’s the only spot around for miles or it’s a quick stop. I don’t fancy the idea of someone going crazy because they think I stole their spot!

↩ Reply



[Christine Huck](#)

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[Katarina Litva](#)<https://uk.instructure.com/courses/1911677/users/6901672>

Feb 4, 2018

I think its interesting that you commented about a time limit of sort. In an ideal world I think that would be really nice, but how do you enforce that? For example if you pull out of your spot at 7:30 am to go to work or perhaps at 10:00 am to go meet someone for coffee how would I know, say showing up at 11:00 am, that you have only been gone a few hours. There are some many unknowns that these are really hard to answer but I think its really interesting to see the various responses people have. I think we end up generating more questions for these individual responses than answers, and maybe thats the point.

[← Reply](#)[Christine Huck](#)<https://uk.instructure.com/courses/1911677/users/6901807>

Feb 4, 2018

Oh, it's totally not enforceable! I know that. One of the biggest questions is how do we acknowledge the labor/effort put into that area? To some degree, we tend to take some of that for granted these days because there are systems in place to clear out roads, parking lots, and sidewalks in modern times. But, I imagine the 12-24 hour time limit being the amount of time that someone might get really angry about having their spot taken after the initial work was done.

[← Reply](#)[Katarina Litva](#)<https://uk.instructure.com/courses/1911677/users/6901672>

Feb 4, 2018

I totally agree with you, in an ideal world people would just respect the fact that someone else spent the time and shoveled out the spot.

[← Reply](#)[Christina Rieth](#)<https://uk.instructure.com/courses/1911677/users/6901105>

Feb 4, 2018

Man, these points are so good! I could definitely see myself screaming that in Back Bay: "Not only did I shovel to get my cah out of the spot; I had to shovel just to get to my friggin cah!" Unfortunately, I don't see it as a violation of private property because the labor occurred on public land. Sigh.

I totally forgot that Locke mentioned, when it comes to land, to only take what you need as personal property. Although I've stood strong on this argument, I agree with you, and I would humbly grant an exception to my argument, in that the parking space would be out of dire necessity.

↩ Reply

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[Christina Rieth](#)

<https://uk.instructure.com/courses/1911677/users/6901105>

Feb 4, 2018



Based on this video and the readings on Locke, I think it's acceptable to put parking cones or lawn chairs on a shoveled parking spot. From my experience in Boston, this applies to residential streets not usually subject to heavy traffic, meaning the same people park there year round. There is an implied mutual consensus that people who live on the street park in, for the most part, the same spots. But there is no need to "claim territory" in the summer because of that, and there is no tangible evidence that one has put "labor" into the parking spot. As Locke mentions in Section 28, "That labour put a *distinction* between them and common."

The roads are owned and operated by the City of Boston for the public, meaning the public is allowed to do with the roads as they see fit. Unlike, for example, someone who finds an artifact at a national park, the labor that the shovelers put into their parking space doesn't harm the road. If anything, it improves the road.

An example from 2015 shows that the city rewards people for shoveling out roads. While not necessarily their personal space, it implies that the city acknowledged and rewarded those who put their labor into parking spaces. <http://m.mlb.com/cutfour/2015/02/18/109587368/red-sox-giving-tickets-to-people-who-shovel-snow-off-bostons-fire-hydrants>
(<http://m.mlb.com/cutfour/2015/02/18/109587368/red-sox-giving-tickets-to-people-who-shovel-snow-off-bostons-fire-hydrants>)

The solution to this is, of course, dismantling the automobile industrial complex and reverting back to walkable cities with solid public transportation. No need for a car, no need for fights over parking

spots.

Edited by [Christina Rieth \(https://uk.instructure.com/courses/1911677/users/6901105\)](https://uk.instructure.com/courses/1911677/users/6901105) on Feb 4, 2018 at 11:58am

← Reply



[Katarina Litva](https://uk.instructure.com/courses/1911677/users/6901672)

<https://uk.instructure.com/courses/1911677/users/6901672>

Feb 4, 2018

I couldn't access the link, but I'm sure it was interesting. Not having been to Boston myself and never having lived there I'll go with your more intimate knowledge of people parking in the same spot, even if its on a public street. People probably get quite possessive and would feel more ownership in that case. Having lived in downtown Vancouver where street parking is a premium and parking on your block is just luck if you can get it. There was never an opportunity to lay claim to a spot since someone else pulled in as soon as you left, most often waiting while you pulled out. In all my years living in Vancouver I had never parked in the same space twice so the concept is more foreign although in a smaller place where parking isn't as much of a premium I did feel like parking in front of my apartment or house was my right and did get my nose out of joint if there was someone else there, but those are all personal feelings and have no legal standing. I think in the end that's the difference, what is the legal standing versus the moral/ ethical one, and in this case I think they are different.

← Reply



[Allyson Ayers](https://uk.instructure.com/courses/1911677/users/6901806)

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Feb 4, 2018

I agree with some of your previous posts Katarina and Christina, that the City of Boston is the owner and operator of these public roads, and no matter the work that you put into them you will never own the parking spot. Christine, pointing out in one of her previous comments that these spots can't be claimed for an extended period of time if it was marked as such, was what I was also thinking of when writing my response. You cannot claim something that wasn't yours to begin with, and public roads and parking spots fit into that category. While it's unfair that one would lose their parking spot after hours of labor put into clearing it, it is a free for all when it comes to public parking spots.

← Reply

**Christina Rieth**<https://uk.instructure.com/courses/1911677/users/6901105>

Feb 4, 2018



I edited the post so I think the hyperlink should work now!

← Reply

**Christine Huck**<https://uk.instructure.com/courses/1911677/users/6901807>

Feb 4, 2018



The public is allowed to do with the roads as they see fit? I'll have to move to Boston then!

And I'm wondering about the city's motivation in rewarding those who shovel out streets and access points to public safety installations. The citizens are saving the city time and money (through saving them labor) because, eventually, the city would be responsible for clearing some of those areas anyway. But, parking spots are considered something different to street snow removal, right? I could be wrong and don't know enough about this area admittedly. So, I'm wondering how the city would view the parking spots? I'm just musing out loud... or print, as it were.

Having lived there, your point of view is unique and valuable here though! How do accepted civil and social practices impact usage and perceived ownership? It's a fun gray area to explore.

Edited by **Christine Huck** (<https://uk.instructure.com/courses/1911677/users/6901807>) on Feb 4, 2018 at 11:51am

← Reply

**Brittany Sams**<https://uk.instructure.com/courses/1911677/users/6901678>

Feb 4, 2018



The point that I made about the person taking the shoveled out space not knowing when the original shoveler is going to return is definitely less applicable to residential areas. Your point, then, clarifies the need to differentiate between residential and commercial parking spaces. Do improvement and harm (which you mentioned when making a comparison to a national park) really make a difference in the original argument, however? I love your final suggestion about getting rid of the cars altogether. There should be a lot for five or six neighborhood cars that people sign out when they need to visit family, go on vacation, or go anywhere that public

transportation can't get them.

 Reply