



Original Articles

The development of territory-based inferences of ownership[☆]Brandon W. Goulding, Ori Friedman^{*}

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ABSTRACT

Legal systems often rule that people own objects in their territory. We propose that an early-developing ability to make territory-based inferences of ownership helps children address informational demands presented by ownership. Across 6 experiments (N = 504), we show that these inferences develop between ages 3 and 5 and stem from two aspects of the psychology of ownership. First, we find that a basic ability to infer that people own objects in their territory is already present at age 3 (Experiment 1). Children even make these inferences when the territory owner unintentionally acquired the objects and was unaware of them (Experiments 2 and 3). Second, we find that between ages 3 and 5, children come to consider past events in these judgments. They move from solely considering the current location of an object in territory-based inferences, to also considering and possibly inferring where it originated (Experiments 4 to 6). Together, these findings suggest that territory-based inferences of ownership are unlikely to be constructions of the law. Instead, they may reflect basic intuitions about ownership that operate from early in development.

1. Introduction

Before interacting with any object it is essential to have a sense of who owns it. This is a universal human concern (Brown, 1991), and one we address from a young age (Brownell, Iesue, Nichols, & Svetlova, 2013; Fasig, 2000; Ross, 1996; Ross, Tesla, Kenyon, & Lollis, 1990). However, knowing who owns the objects around us presents two informational demands. First, we encounter innumerable objects in our daily lives, so individually learning object-owner pairings would be time-consuming and cognitively taxing. Second, objects are often unattended, making it difficult to ascertain who owns them. Territory helps us solve both demands. Once we know who owns a territory, we can infer this person owns the objects within it. As such, territory allows us to address the informational demands posed by ownership, and allows owners to leave their possessions unattended while still clearly signaling their ownership.

We propose that territory-based inferences of ownership stem from two aspects of the psychology of ownership. First, they may stem from relatively direct judgments that people own objects on their territory. Such judgments could result from adherence to rules holding that the owner of a territory owns, or is entitled to own, objects in it. These judgments could also result from reasoning about part-whole relations,

as we may view objects in a territory as its parts and infer the parts belong to the owner of the whole (Claeys, 2013; also see Merrill, 2009). Either way, such judgments could lead to the conclusion that people own objects in their territory, even when they did not intentionally acquire or know about them. Such inferences are reflected in ancient law. For example, the Laws of Manu and the Institutes of Justinian both hold that the owner of a field owns plants that grow in it, even if the seeds belonged to someone else (Du Plessis, 2015; Olivelle, 2005). Likewise, early Roman law held that when a person discovered treasure on someone else's land, it belonged to the land-owner rather than the finder (Du Plessis, 2015; see Abramovitch for related discussion of ancient Jewish law).¹ When lay people consider cases where a person discovers valued objects in someone else's territory, they also typically side with the owner of the territory (DeScioli & Karpoff, 2015; DeScioli, Karpoff, & De Freitas, 2017). The chief exception is when the territory is a public space like a shop.

Second, territory-based inferences of ownership may also result from a tendency to understand ownership by considering and inferring history and past events. For example, when we see a shovel in someone's yard, we may assume the landowner placed it there, and acquired it at some earlier time. Such historical inferences are also evident in the law. A person can be arrested for having an illegal item in their home or

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¹ Ancient law has also advocated other solutions to these disputes (e.g., Du Plessis, 2015; Ominsky, 2002). We suspect that disputes between land-owners and finders have been of recurring interest because they involve a conflict between competing principles for determining who owns what (Merrill, 2009), and given competing principles we should not expect legal systems to consistently come to the same solution.

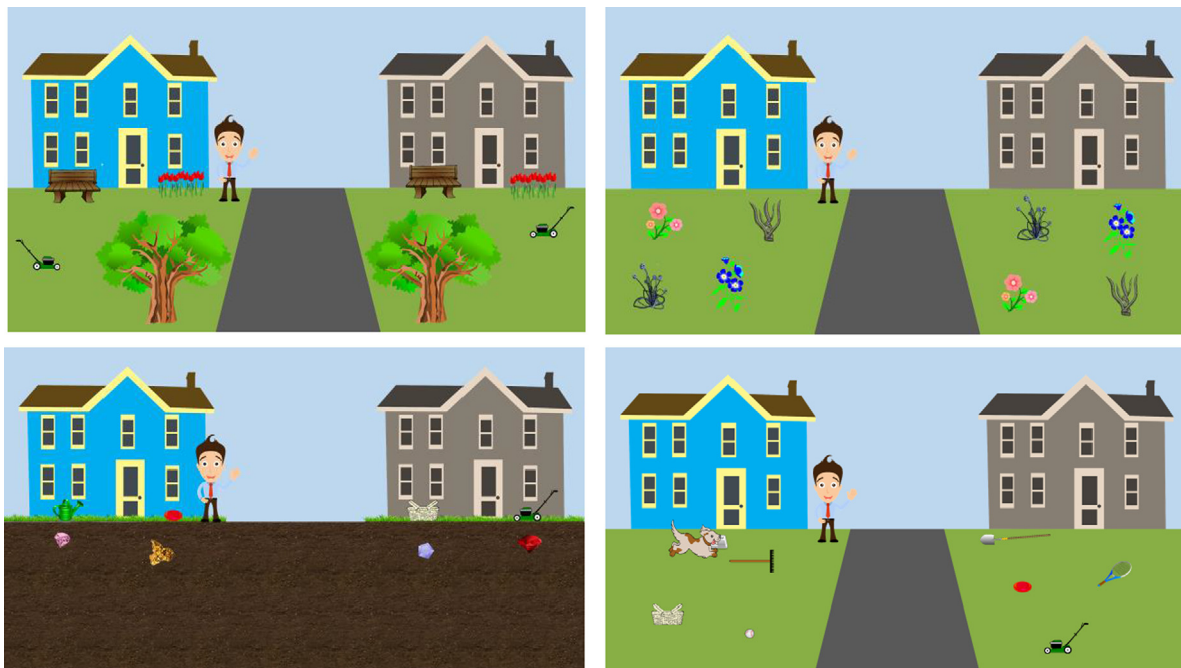


Fig. 1. Sample slides from Experiments 1 (top left), 2 (top right), 3 (bottom left), & 4 (bottom right).

car, because the item's location suggests past contact with it (Whitebread & Stevens, 1972). Importantly, historical inferences can also lead us to deny an object belongs to the owner of the territory in which it is found. We may change our mind about who owns the shovel if we hear that it was borrowed from a neighbor. It is plausible that historical inferences underlie lay people's territory-based judgments of ownership, as even young children consider object history when thinking about ownership (Friedman, Van de Vondervoort, Defeyter, & Neary, 2013; Gelman, Manczak, & Noles, 2012; Gelman, Manczak, Was, & Noles, 2016; Nancekivell & Friedman, 2014). For example, 3-year-olds look for historical traces left on their possessions to differentiate them from other identical objects (Gelman et al., 2016), and 4-year-olds explain ownership by inferring how an object came to be in the owner's possession (e.g., "He bought it"; Nancekivell & Friedman, 2014).

In the present paper, we examine whether young children judge that people own the objects in their territory, and whether these two mechanisms contribute to these judgments. Previous studies show that young children base inferences of ownership on people's interactions with objects. For example, they infer a person owns an object if that person is the first individual known to have physically handled it (Blake & Harris, 2009; Friedman & Neary, 2008), the person has "control of permission" and decides whether others may use it (Neary, Friedman, & Burnstein, 2009; Shaw, Li, & Olson, 2012), or the person created or creatively labored on the object (Kanngiesser, Gjerse, & Hood, 2010). However, such cues do not help children with the informational demands of ownership discussed above. For instance, inferring ownership from control of permission does not save children from having to learn and remember numerous object-owner pairings, and this cue is useless when children have no information about who previously interacted with an object. An object's location within a territory may therefore serve as a potent ownership cue in the absence of other information. Young children understand that land can be owned (Zebian & Rochat, 2012), but it is unknown whether they use this knowledge to make territory-based inferences of ownership and overcome the informational demands posed by ownership.

2. Experiment 1

We first examined whether children make territory-based inferences

of ownership, and infer that people own objects in their territory, but not those in another person's territory.

2.1. Method

2.1.1. Participants

We initially tested 28 3-year-olds ($M = 3;4$ [years; months], range = 3;0–3;11, 11 girls). We then conducted a follow-up version of the task on a further sample of 28 3-year-olds ($M = 3;6$, range = 3;1–3;11, 15 girls). In all experiments, we tested 28 children per age per between-subjects condition. Children were recruited and individually tested at childcare centers and elementary schools.

2.1.2. Materials and procedure

Children were told about a scenario, with accompanying slides displayed on a laptop computer. In the scenario, two houses were shown with a road running between their front lawns (see Fig. 1). Each house had four objects on its lawn: two artifacts (chair, lawnmower) and two natural kinds (tree, flowers). A man was standing next to one of the houses, and children were told, "Look, this is Ben, and he's standing in front of his house. And look, across the street is his neighbor's house." Children were asked comprehension questions asking which house belonged to Ben and which belonged to his neighbor. If children responded incorrectly, the information and question were repeated; if they failed a second time, the information was repeated once more, and testing continued. All subsequent experiments used similar materials, began with a similar introductory procedure, and followed the same procedure when children had difficulty with comprehension questions; see the [Supplementary Materials](#) for sample slides and testing scripts from all experiments.

Children then completed eight test trials. In each trial, the experimenter indicated a different object in the scene, and asked if it belonged to the man (e.g., "Look at this chair. Is it Ben's chair?"). We used this yes/no question instead of the forced choice questions used in many previous studies (e.g., "Whose chair is it?") for two reasons. First, this yes/no format allowed us to avoid having to introduce multiple agents. Second, and more importantly, this question format allowed us to avoid implying that each object is owned; this was especially important in the subsequent experiments. See the [Supplementary Materials](#) for sample

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