

Pierre-Joseph Proudhon

PROPERTY IS THEFT!

A PIERRE-JOSEPH PROUDHON ANTHOLOGY

*Edited by
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Workers, labourers, men of the people,
whoever you may be, the initiative of
reform is yours. It is you who will accom-
plish that synthesis of social composition
which will be the masterpiece of creation,
and you alone can accomplish it.

—Pierre-Joseph Proudhon
What Is Property? Third Memoir

1840

Translation by Benjamin R. Tucker

WHAT IS PROPERTY?

OR, AN INQUIRY INTO THE PRINCIPLE OF RIGHT AND OF GOVERNMENT

CHAPTER I

METHOD PURSUED IN THIS WORK—THE IDEA OF A REVOLUTION

IF I WERE ASKED TO ANSWER THE FOLLOWING QUESTION: *What is slavery?* and I should answer in one word, *It is murder*, my meaning would be understood at once. No extended argument would be required to show that the power to take from a man his thought, his will, his personality, is a power of life and death; and that to enslave a man is to kill him. Why, then, to this other question: *What is property?* may I not likewise answer, *It is theft*, without the certainty of being misunderstood; the second proposition being no other than a transformation of the first?

I undertake to discuss the vital principle of our government and our institutions, property: I am in my right. I may be mistaken in the conclusion which shall result from my investigations: I am in my right. I think best to place the last thought of my book first: still am I in my right.

Such an author teaches that property is a civil right, born of occupation and sanctioned by law; another maintains that it is a natural right, originating in labour,—and both of these doctrines, totally opposed as they may seem, are encouraged and applauded. I contend that neither labour, nor occupation, nor law, can create property; that it is an effect without a cause: am I censurable?

But murmurs arise!

Property is theft! That is the war-cry of '93! That is the signal of revolutions!

Reader, calm yourself: I am no agent of discord, no firebrand of sedition. I anticipate history by a few days; I disclose a truth whose development we may try in vain to arrest; I write the preamble of our future constitution. This proposition which seems to you blasphemous—*Property is theft*—would, if our prejudices allowed us to consider it, be recognised as the lightning-rod to shield us from the coming thunderbolt; but too many interests stand in the way!... Alas! philosophy will not change the course of events: destiny will fulfil itself regardless of prophecy. Besides, must not justice be done and our education be finished?

[...]

We must ascertain whether the ideas of *despotism*, *civil inequality* and *property*, are in harmony with the primitive notion of justice, and necessarily follow from it,—assuming various forms according to the condition, position, and relation of persons; or whether they are not rather the illegitimate result of a confusion of different things, a fatal association of ideas. And since justice deals especially with the questions of government, the condition of persons, and the possession of things, we must ascertain under what conditions, judging by universal opinion and the progress of the human mind, government is just, the condition of citizens is just, and the possession of things is just; then, striking out every thing which fails to meet these conditions, the result will at once tell us what legitimate government is, what the legitimate condition of citizens is, and what the legitimate possession of things is; and finally, as the last result of the analysis, what *justice* is.

Is the authority of man over man just?

Everybody answers, "No; the authority of man is only the authority of the law, which ought to be justice and truth." The private will counts for nothing in government, which consists, first, in discovering truth and justice in order to make the law; and, second, in superintending the execution of this law. I do not now inquire whether our constitutional form of government satisfies these conditions; whether, for example, the will of the ministry never influences the declaration and interpretation of the law; or whether our deputies, in their debates, are more intent on conquering by argument than by force of numbers: it is enough for me that my definition of a good government is allowed to be correct. This idea is exact. Yet we see that nothing seems more just to the Oriental nations than the despotism of their sovereigns; that, with the ancients and in the opinion of the philosophers themselves, slavery was just; that in the middle ages the nobles, the priests, and the bishops felt justified in holding slaves; that Louis XIV thought that he was right when he said, "The State! I am the State"; and that Napoléon deemed it a crime for the State to oppose his will. The idea of justice, then, applied to sovereignty and government, has not always been what it is today; it has gone on developing and shaping itself by degrees, until it has arrived at its present state. But has it reached its last phase? I think not: only, as the last obstacle to be overcome arises from the institution of property which we

have kept intact, in order to finish the reform in government and consummate the revolution, this very institution we must attack.

Is political and civil inequality just?

Some say yes; others no. To the first I would reply that, when the people abolished all privileges of birth and caste, they did it, in all probability, because it was for their advantage; why then do they favour the privileges of fortune more than those of rank and race? Because, say they, political inequality is a result of property and without property society is impossible: thus the question just raised becomes a question of property. To the second I content myself with this remark: If you wish to enjoy political equality, abolish property; otherwise, why do you complain?

Is property just?

Everybody answers without hesitation, "Yes, property is just." I say everybody, for up to the present time no one who thoroughly understood the meaning of his words has answered no. For it is no easy thing to reply understandingly to such a question; only time and experience can furnish an answer. Now, this answer is given; it is for us to understand it. I undertake to prove it.

We are to proceed with the demonstration in the following order:

I. We dispute not at all, we refute nobody, we deny nothing; we accept as sound all the arguments alleged in favour of property, and confine ourselves to a search for its principle, in order that we may then ascertain whether this principle is faithfully expressed by property. In fact, property being defensible on no ground save that of justice, the idea, or at least the intention, of justice must of necessity underlie all the arguments that have been made in defence of property; and, as on the other hand the right of property is only exercised over those things which can be appreciated by the senses, justice, secretly objectifying itself, so to speak, must take the shape of an algebraic formula.

By this method of investigation, we soon see that every argument which has been invented in behalf of property, *whatever it may be*, always and of necessity leads to equality; that is, to the negation of property.

The first part covers two chapters: one treating of occupation, the foundation of our right; the other, of labour and talent, considered as causes of property and social inequality.

The first of these chapters will prove that the right of occupation *obstructs* property; the second that the right of labour *destroys* it.

II. Property, then, being of necessity conceived as existing only in connection with equality, it remains to find out why, in spite of this necessity of logic, equality does not exist. This new investigation also covers two chapters: in the first, considering the fact of property in itself, we inquire whether this fact is real, whether it exists, whether it is possible; for it would imply a contradiction, were these two opposite forms of society, equality and inequality, both possible. Then we discover, singularly enough, that property

may indeed manifest itself accidentally; but that, as an institution and principle, it is mathematically impossible. So that the axiom of the school—*ab actu ad posse valet consecutio*: from the actual to the possible the inference is good—is given the lie as far as property is concerned.

Finally, in the last chapter, calling psychology to our aid, and probing man's nature to the bottom, we shall disclose the principle of *justice*—its formula and character; we shall state with precision the organic law of society; we shall explain the origin of property, the causes of its establishment, its long life, and its approaching death; we shall definitively establish its identity with theft. And, after having shown that these three prejudices—the *sovereignty of man, the inequality of conditions, and property*—are one and the same; that they may be taken for each other, and are reciprocally convertible,—we shall have no trouble in inferring therefrom, by the principle of contradiction, the basis of government and right. There our investigations will end, reserving the right to continue them in future works.

[...]

CHAPTER II

PROPERTY CONSIDERED AS A NATURAL RIGHT. OCCUPATION AND CIVIL LAW AS EFFICIENT BASES OF PROPERTY

DEFINITIONS

THE ROMAN LAW defined property as the right to use and abuse one's own within the limits of the law—*jus utendi et abutendi re sua, quatenus juris ratio patitur*. A justification of the word *abuse* has been attempted, on the ground that it signifies, not senseless and immoral abuse, but only absolute domain. Vain distinction! invented as an excuse for property, and powerless against the frenzy of possession, which it neither prevents nor represses. The proprietor may, if he chooses, allow his crops to rot under foot, sow his field with salt, milk his cows on the sand, change his vineyard into a desert, and use his vegetable-garden as a park: do these things constitute abuse, or not? In the matter of property, use and abuse are necessarily indistinguishable.

According to the Declaration of Rights, published as a preface to the Constitution of '93, property is "the right to enjoy and dispose at will of one's goods, one's income, and the fruit of one's labour and industry."

Code Napoléon, article 544: "Property is the right to enjoy and dispose of things in the most absolute manner, provided we do not overstep the limits prescribed by the laws and regulations."

These two definitions do not differ from that of the Roman law: all give the proprietor an absolute right over a thing; and as for the restriction imposed by the code—*provided we do not overstep the limits prescribed by the laws and regulations*—its object is not to limit property, but to prevent the

domain of one proprietor from interfering with that of another. That is a confirmation of the principle, not a limitation of it.

There are different kinds of property: 1. Property pure and simple, the dominant and seigniorial power over a thing; or, as they term it, *naked property*. 2. *Possession*. "Possession," says Duranton, "is a matter of fact, not of right." Toullier: "Property is a right, a legal power; possession is a fact." The tenant, the farmer, the *commandité*, the usufructuary, are possessors; the owner who lets and lends for use, the heir who is to come into possession on the death of a usufructuary, are proprietors. If I may venture the comparison: a lover is a possessor, a husband is a proprietor.¹

This double definition of property—domain and possession—is of the highest importance; and it must be clearly understood, in order to comprehend what is to follow.

From the distinction between possession and property arise two sorts of rights: the *jus in re*, the right *in* a thing, the right by which I may reclaim the property which I have acquired, in whatever hands I find it; and the *jus ad rem*, the right *to* a thing, which gives me a claim to become a proprietor. Thus the right of the partners to a marriage over each other's person is the *jus in re*; that of two who are betrothed is only the *jus ad rem*. In the first, possession and property are united; the second includes only naked property. With me who, as a worker, have a right to the possession of the products of Nature and my own industry,—and who, as a proletarian, enjoy none of them,—it is by virtue of the *jus ad rem* that I demand admittance to the *jus in re*.

This distinction between the *jus in re* and the *jus ad rem* is the basis of the famous distinction between *possessione* and *pétitoire*,—actual categories of jurisprudence, the whole of which is included within their vast boundaries. *Pétitoire* refers to every thing relating to property; *possessione* to that relating to possession. In writing this memoir against property, I bring against universal society an *action pétitoire*: I prove that those who do not possess today are proprietors by the same title as those who do possess; but, instead of inferring therefrom that property should be shared by all, I demand, in the name of general security, its entire abolition. If I fail to win my case, there is nothing left for us (the proletarian class and myself) but to cut our throats: we can ask nothing more from the justice of nations; for, as the code of procedure (art. 26) tells us in its energetic style, *the plaintiff who has been non-suited in an action pétitoire, is debarred thereby from bringing an action possessione*. If, on the contrary, I gain the case, we must then commence an *action possessione*, that we may be reinstated in the enjoyment of the wealth of which we are deprived by property. I hope that we shall not be forced to that extremity; but these two actions cannot be prosecuted at once, such a course being prohibited by the same code of procedure.

¹ An arresting observation in light of Proudhon's patriarchal conceptions of marriage and family. (Editor)

Before going to the heart of the question, it will not be useless to offer a few preliminary remarks.

§1 PROPERTY AS A NATURAL RIGHT

The Declaration of Rights has placed property in its list of the natural and inalienable rights of man, four in all: *liberty, equality, property, security*. What rule did the legislators of '93 follow in compiling this list? None. They laid down principles, just as they discussed sovereignty and the laws; from a general point of view, and according to their own opinion. They did every thing in their own blind way.

If we can believe Toullier: "The absolute rights can be reduced to three: *security, liberty, property*." Equality is eliminated by the Rennes professor; why? Is it because *liberty* implies it, or because property prohibits it? On this point the author of *Droit Civil Expliqué* is silent: it has not even occurred to him that the matter is under discussion.

Nevertheless, if we compare these three or four rights with each other, we find that property bears no resemblance whatever to the others; that for the majority of citizens it exists only potentially, and as a dormant faculty without exercise; that for the others, who do enjoy it, it is susceptible of certain transactions and modifications which do not harmonise with the idea of a natural right; that, in practice, governments, tribunals, and laws do not respect it; and finally that everybody, spontaneously and with one voice, regards it as chimerical.

Liberty is inviolable. I can neither sell nor alienate my liberty; every contract, every condition of a contract, which has in view the alienation or suspension of liberty, is null: the slave, when he plants his foot upon the soil of liberty, at that moment becomes a free man. When society seizes a malefactor and deprives him of his liberty, it is a case of legitimate defence: whoever violates the social compact by the commission of a crime declares himself a public enemy; in attacking the liberty of others, he compels them to take away his own. Liberty is the original condition of man; to renounce liberty is to renounce the nature of man: after that, how could we perform the acts of man?

[...]

To sum up: liberty is an absolute right, because it is to man what impenetrability is to matter,—a *sine qua non* of existence; equality is an absolute right, because without equality there is no society; security is an absolute right, because in the eyes of every man his own liberty and life are as precious as another's. These three rights are absolute; that is, susceptible of neither increase nor diminution; because in society each associate receives as much as he gives,—liberty for liberty, equality for equality, security for security, body for body, soul for soul, in life and in death.

But property, in its derivative sense, and by the definitions of law, is a right outside of society; for it is clear that, if the wealth of each was social

wealth, the conditions would be equal for all, and it would be a contradiction to say: *property is a man's right to dispose at will of social property*. Then if we are associated for the sake of liberty, equality, and security, we are not associated for the sake of property; then if property is a *natural* right, this natural right is not *social*, but *anti-social*. Property and society are utterly irreconcilable institutions. It is as impossible to associate two proprietors as to join two magnets by their opposite poles. Either society must perish, or it must destroy property.

If property is a natural, absolute, imprescriptible, and inalienable right, why, in all ages, has there been so much speculation as to its origin?—for this is one of its distinguishing characteristics. The origin of a natural right! Good God! who ever inquired into the origin of the rights of liberty, security, or equality? They exist by the same right that we exist; they are born with us, they live and die with us. With property it is very different, indeed. By law, property can exist without a proprietor, like a quality without a subject. It exists for the human being who as yet is not, and for the octogenarian who is no more. And yet, in spite of these wonderful prerogatives which savour of the eternal and the infinite, they have never found the origin of property; the doctors still disagree. On one point only are they in harmony: namely, that the validity of the right of property depends upon the authenticity of its origin. But this harmony is their condemnation. Why have they acknowledged the right before settling the question of origin?

[...]

§2 OCCUPATION AS THE TITLE TO PROPERTY

[...]

The right of *occupation*, or of the *first occupant*, is that which results from the actual, physical, real possession of a thing. I occupy a piece of land; the presumption is, that I am the proprietor, until the contrary is proved. We know that originally such a right cannot be legitimate unless it is reciprocal: the jurists say as much.

Cicero compares the earth to a vast theatre: *Quemadmodum theatrum cum commune sit, recte tamen dici potest ejus esse eum locum quem quisque occupavit.*

This passage is all that ancient philosophy has to say about the origin of property.

The theatre, says Cicero, is common to all; nevertheless, the place that each one occupies is called *his own*; that is, it is a place *possessed*, not a place *appropriated*. This comparison annihilates property; moreover, it implies equality. Can I, in a theatre, occupy at the same time one place in the pit, another in the boxes, and a third in the gallery? Not unless I have three bodies, like Geryon, or can exist in different places at the same time, as is related of the magician Apollonius.

According to Cicero, no one has a right to more than he needs: such is the true interpretation of his famous axiom—*sum quidque cujusque sit*, to

each one that which belongs to him—an axiom that has been strangely applied. That which belongs to each is not that which each *may* possess, but that which each *has a right* to possess. Now, what have we a right to possess? That which is required for our labour and consumption; Cicero's comparison of the earth to a theatre proves it. According to that, each one may take what place he will, may beautify and adorn it, if he can; it is allowable: but he must never allow himself to overstep the limit which separates him from another. The doctrine of Cicero leads directly to equality; for, occupation being pure toleration, if the toleration is mutual (and it cannot be otherwise) the possessions are equal.

[...]

Reid writes as follows:

"The right of property is not innate, but acquired. It is not grounded upon the constitution of man, but upon his actions. Writers on jurisprudence have explained its origin in a manner that may satisfy every man of common understanding.

"The earth is given to men in common for the purposes of life, by the bounty of Heaven. But to divide it, and appropriate one part of its produce to one, another part to another, must be the work of men who have power and understanding given them, by which every man may accommodate himself, *without hurt to any other*.

"This common right of every man to what the earth produces, before it be occupied and appropriated by others, was, by ancient moralists, very properly compared to the right which every citizen had to the public theatre, where every man that came might occupy an empty seat, and thereby acquire a right to it while the entertainment lasted; but no man had a right to dispossess another.

"The earth is a great theatre, furnished by the Almighty, with perfect wisdom and goodness, for the entertainment and employment of all mankind. Here every man has a right to accommodate himself as a spectator, and to perform his part as an actor; but without hurt to others."

Consequences of Reid's doctrine.

1. That the portion which each one appropriates may wrong no one, it must be equal to the quotient of the total amount of property to be shared, divided by the number of those who are to share it;
2. The number of places being of necessity equal at all times to that of the spectators, no spectator can occupy two places, nor can any actor play several parts;
3. Whenever a spectator comes in or goes out, the places of all contract or enlarge correspondingly: for, says Reid, "*the right of property is not innate, but acquired*;" consequently, it is not absolute; consequently, the occupancy on which it is based, being a conditional fact, cannot endow this right with a stability which it does not possess itself. This seems to have been the thought of the Edinburgh professor when he added:

"A right to life implies a right to the necessary means of life; and that justice, which forbids the taking away the life of an innocent man, forbids no less the taking from him the necessary means of life. He has the same right to defend the one as the other. To hinder another man's innocent labour, or to deprive him of the fruit of it, is an injustice of the same kind, and has the same effect as to put him in fetters or in prison, and is equally a just object of resentment."

Thus the chief of the Scotch school, without considering at all the inequality of skill or labour, posits a priori the equality of the means of labour, abandoning thereafter to each worker the care of his own person, after the eternal axiom: *whoso does well, shall fare well*.

The philosopher Reid is lacking, not in knowledge of the principle, but in courage to pursue it to its ultimate. If the right of life is equal, the right of labour is equal, and so is the right of occupancy. Would it not be criminal, were some islanders to repulse, in the name of property, the unfortunate victims of a shipwreck struggling to reach the shore? The very idea of such cruelty sickens the imagination. The proprietor, like Robinson Crusoe on his island, wards off with pike and musket the proletarian washed overboard by the wave of civilisation, and seeking to gain a foothold upon the rocks of property. "Give me work!" cries he with all his might to the proprietor: "don't drive me away, I will work for you at any price." "I do not need your services," replies the proprietor, showing the end of his pike or the barrel of his gun. "Lower my rent at least." "I need my income to live upon." "How can I pay you, when I can get no work?" "That is your business." Then the unfortunate proletarian abandons himself to the waves; or, if he attempts to land upon the shore of property, the proprietor takes aim, and kills him.

[...]

Shameful equivocation, not justified by the necessity for generalisation! The word *property* has two meanings: 1. It designates the quality which makes a thing what it is; the attribute which is peculiar to it, and especially distinguishes it. We use it in this sense when we say *the properties of the triangle or of numbers; the property of the magnet*, etc. 2. It expresses the right of absolute control over a thing by a free and intelligent being. It is used in this sense by writers on jurisprudence. Thus, in the phrase, *iron acquires the property of a magnet*, the word *property* does not convey the same idea that it does in this one: *I have acquired this magnet as my property*. To tell a poor man that he *has* property because he *has* arms and legs,—that the hunger from which he suffers, and his power to sleep in the open air are his property,—is to play upon words, and to add insult to injury.

[...]

In fact, to become a proprietor, in M. Cousin's opinion, one must take possession by occupation and labour. I maintain that the element of time must be considered also; for if the first occupants have occupied every thing, what are the new comers to do? What will become of them, having an

instrument with which to work, but no material to work upon? Must they devour each other? A terrible extremity, unforeseen by philosophical prudence; for the reason that great geniuses neglect little things.

Notice also that M. Cousin says that neither occupation nor labour, taken separately, can legitimate the right of property; and that it is born only from the union of the two. This is one of M. Cousin's eclectic turns, which he, more than any one else, should take pains to avoid. Instead of proceeding by the method of analysis, comparison, elimination, and reduction (the only means of discovering the truth amid the various forms of thought and whimsical opinions), he jumbles all systems together, and then, declaring each both right and wrong, exclaims: "There you have the truth."

But, adhering to my promise, I will not refute him. I will only prove, by all the arguments with which he justifies the right of property, the principle of equality which kills it. As I have already said, my sole intent is this: to show at the bottom of all these positions that inevitable major, *equality*; hoping hereafter to show that the principle of property vitiates the very elements of economical, moral, and governmental science, thus leading it in the wrong direction.

Well, is it not true, from M. Cousin's point of view, that, if the liberty of man is sacred, it is equally sacred in all individuals; that, if it needs property for its objective action, that is, for its life, the appropriation of material is equally necessary for all; that, if I wish to be respected in my right of appropriation, I must respect others in theirs; and, consequently, that though, in the sphere of the infinite, a person's power of appropriation is limited only by himself, in the sphere of the finite this same power is limited by the mathematical relation between the number of persons and the space which they occupy? Does it not follow that if one individual cannot prevent another—his fellow-man—from appropriating an amount of material equal to his own, no more can he prevent individuals yet to come; because, while individuality passes away, universality persists, and eternal laws cannot be determined by a partial view of their manifestations? Must we not conclude, therefore, that whenever a person is born, the others must crowd closer together; and, by reciprocity of obligation, that if the new comer is afterwards to become an heir, the right of succession does not give him the right of accumulation, but only the right of choice?

I have followed M. Cousin so far as to imitate his style, and I am ashamed of it. Do we need such high-sounding terms, such sonorous phrases, to say such simple things? Man needs to labour in order to live; consequently, he needs tools to work with and materials to work upon. His need to produce constitutes his right to produce. Now, this right is guaranteed him by his fellows, with whom he makes an agreement to that effect. One hundred thousand men settle in a large country like France with no inhabitants: each man has a right to 1/100,000 of the land. If the number of possessors increases, each one's portion diminishes in consequence; so that, if the number

of inhabitants rises to thirty-four million, each one will have a right only to 1/34,000,000. Now, so regulate the police system and the government, labour, exchange, inheritance, etc., that the means of labour shall be shared by all equally, and that each individual shall be free; and then society will be perfect.

[...]

§3 CIVIL LAW AS THE FOUNDATION AND SANCTION OF PROPERTY

Pothier seems to think that property, like royalty, exists by divine right. He traces back its origin to God himself—*ab Jove principium*. He begins in this way:

"God is the absolute ruler of the universe and all that it contains: *Domini est terra et plenitudo ejus, orbis et universi qui habitant in eo*. For the human race he has created the earth and all its creatures, and has given it a control over them subordinate only to his own. 'Thou madest him to have dominion over the works of thy hands; thou hast put all things under his feet,' says the Psalmist. God accompanied this gift with these words, addressed to our first parents after the creation: 'Be fruitful, and multiply and replenish the earth,' etc."

After this magnificent introduction, who would refuse to believe the human race to be an immense family living in brotherly union, and under the protection of a venerable father? But, heavens! are brothers enemies? Are fathers unnatural, and children prodigal?

God gave the earth to the human race: why then have I received none? *He has put all things under my feet*,—and I have nowhere to lay my head! *Multiply*, he tells us through his interpreter, Pothier. Ah, learned Pothier! that is as easy to do as to say; but you must give moss to the bird for its nest.

"The human race having multiplied, men divided among themselves the earth and most of the things upon it; that which fell to each, from that time exclusively belonged to him. That was the origin of the right of property."

Say, rather, the right of possession. Men lived in a state of communism; whether positive or negative it matters little. Then there was no property, not even private possession. The genesis and growth of possession gradually forcing people to labour for their support, they agreed either formally or tacitly,—it makes no difference which,—that the worker should be sole proprietor of the fruit of his labour; that is, they simply declared the fact that thereafter none could live without working. It necessarily followed that, to obtain equality of products, there must be equality of labour; and that, to obtain equality of labour, there must be equality of facilities for labour. Whoever without labour got possession, by force or by strategy, of another's means of subsistence, destroyed equality, and placed himself above or outside of the law. Whoever monopolised the means of production on the ground of greater industry, also destroyed equality. Equality being then the expression of right, whoever violated it was *unjust*.

Thus, labour gives birth to private possession; the right in a thing—*jus in re*. But in what thing? Evidently *in the product*, not *in the soil*. So the Arabs have always understood it; and so, according to Caesar and Tacitus, the Germans formerly held. "The Arabs," says M. de Sismondi, "who admit a man's property in the flocks which he has raised, do not refuse the crop to him who planted the seed; but they do not see why another, his equal, should not have a right to plant in his turn. The inequality which results from the pretended right of the first occupant seems to them to be based on no principle of justice; and when all the land falls into the hands of a certain number of inhabitants, there results a monopoly in their favour against the rest of the nation, to which they do not wish to submit."

Well, they have shared the land. I admit that therefrom results a more powerful organisation of labour; and that this method of distribution, fixed and durable, is advantageous to production: but how could this division give to each a transferable right of property in a thing to which all had an inalienable right of possession? In the terms of jurisprudence, this metamorphosis from possessor to proprietor is legally impossible; it implies in the jurisdiction of the courts the union of *possessione* and *pétitoire*; and the mutual concessions of those who share the land are nothing less than traffic in natural rights. The original cultivators of the land, who were also the original makers of the law, were not as learned as our legislators, I admit; and had they been, they could not have done worse: they did not foresee the consequences of the transformation of the right of private possession into the right of absolute property. But why have not those, who in later times have established the distinction between *jus in re* and *jus ad rem*, applied it to the principle of property itself?

Let me call the attention of the writers on jurisprudence to their own maxims.

The right of property, provided it can have a cause, can have but one—*Dominium non potest nisi ex una causa contingere*. I can possess by several titles; I can become proprietor by only one—*Non ut ex pluribus causis idem nobis deberi potest, ita ex pluribus causis idem potest nostrum esse*.² The field which I have cleared, which I cultivate, on which I have built my house, which supports myself, my family, and my livestock, I can possess: 1st As the original occupant; 2nd As a worker; 3rd By virtue of the social contract which assigns it to me as my share. But none of these titles confer upon me the right of property. For, if I attempt to base it upon occupancy, society can reply, "I am the original occupant." If I appeal to my labour, it will say, "It is only on that condition that you possess." If I speak of agreements, it will respond, "These agreements establish only your right of use." Such, however, are the only titles which proprietors advance. They never have been able to discover any others. Indeed, every right—it is Pothier who says it—supposes

a producing cause in the person who enjoys it; but in man who lives and dies, in this son of earth who passes away like a shadow, there exists, with respect to external things, only titles of possession, not one title of property. Why, then, has society recognised a right injurious to itself, where there is no producing cause? Why, in according possession, has it also conceded property? Why has the law sanctioned this abuse of power?

[...]

To satisfy the husbandman, it was sufficient to guarantee him possession of his crop; admit even that he should have been protected in his right of occupation of land, as long as he remained its cultivator. That was all that he had a right to expect; that was all that the advance of civilisation demanded. But property, property! the right of escheat [*droit d'aubaine*] over lands which one neither occupies nor cultivates,—who had authority to grant it? who pretended to have it?

[...]

The authority of the human race is of no effect as evidence in favour of the right of property, because this right, resting of necessity upon equality, contradicts its principle; the decision of the religions which have sanctioned it is of no effect, because in all ages the priest has submitted to the prince, and the gods have always spoken as the politicians desired; the social advantages, attributed to property, cannot be cited in its behalf, because they all spring from the principle of equality of possession.

What means, then, this dithyramb upon property?

"The right of property is the most important of human institutions."...

Yes; as monarchy is the most glorious.

"The original cause of man's prosperity upon earth."

Because justice was supposed to be its principle.

"Property became the legitimate end of his ambition, the hope of his existence, the shelter of his family; in a word, the corner-stone of the domestic dwelling, of communities, and of the political State."

Possession alone produced all that.

"Eternal principle—"

Property is eternal, like every negation,—

"Of all social and civil institutions."

For that reason, every institution and every law based on property will perish.

"It is a boon as precious as liberty."

For the rich proprietor.

"In fact, the cause of the cultivation of the habitable earth."

If the cultivator ceased to be a tenant, would the land be worse cared for?

"The guarantee and the morality of labour."

Under the regime of property, labour is not a condition, but a privilege.

"The application of justice."

What is justice without equality of fortunes? A balance with false weights.

2 Quoting from the collection of Roman legal writings, *Digest of Justinian*. (Editor)

"All morality,—"

A famished stomach knows no morality,—

"All public order,—"

Certainly, the preservation of property,—

"Rest on the right of property."³

Corner-stone of all which is, stumbling-block of all which ought to be,—
such is property.

To sum up and conclude:

Not only does occupation lead to equality, it *prevents* property. For, since every man, from the fact of his existence, has the right of occupation, and, in order to live, must have material for cultivation on which he may labour; and since, on the other hand, the number of occupants varies continually with the births and deaths,—it follows that the quantity of material which each worker may claim varies with the number of occupants; consequently, that occupation is always subordinate to population. Finally, that, inasmuch as possession, in right, can never remain fixed, it is impossible, in fact, that it can ever become property.

Every occupant is, then, necessarily a possessor or usufructuary,—a function which excludes proprietorship. Now, this is the right of the usufructuary: he is responsible for the thing entrusted to him; he must use it in conformity with general utility, with a view to its preservation and development; he has no power to transform it, to diminish it, or to change its nature; he cannot so divide the usufruct that another shall perform the labour while he receives the product. In a word, the usufructuary is under the supervision of society, submitted to the condition of labour and the law of equality.

Thus is annihilated the Roman definition of property—the *right of use and abuse*—an immorality born of violence, the most monstrous pretension that the civil laws ever sanctioned. Man receives his usufruct from the hands of society, which alone is the permanent possessor. The individual passes away, society is deathless.

What a profound disgust fills my soul while discussing such simple truths! Do we doubt these things today? Will it be necessary to again take arms for their triumph? And can force, in default of reason, alone introduce them into our laws?

All have an equal right of occupancy.

The amount occupied being measured, not by the will, but by the variable conditions of space and number, property cannot exist.

This no code has ever expressed; this no constitution can admit! These are axioms which the civil law and the law of nations deny!...

But I hear the exclamations of the partisans of another system: "Labour, labour! that is the basis of property!"

Reader, do not be deceived. This new basis of property is worse than the first, and I shall soon have to ask your pardon for having demonstrated things clearer, and refuted pretensions more unjust, than any which we have yet considered.

CHAPTER III

LABOUR AS THE EFFICIENT CAUSE OF THE DOMAIN OF PROPERTY

NEARLY ALL THE modern writers on jurisprudence, taking their cue from the economists, have abandoned the theory of first occupancy as a too dangerous one, and have adopted that which regards property as born of labour. In this they are deluded; they reason in a circle. To labour it is necessary to occupy, says M. Cousin.

[...]

I have asserted that the system which bases property upon labour implies, no less than that which bases it upon occupation, the equality of fortunes; and the reader must be impatient to learn how I propose to deduce this law of equality from the inequality of skill and faculties: directly his curiosity shall be satisfied. But it is proper that I should call his attention for a moment to this remarkable feature of the process; to wit, the substitution of labour for occupation as the principle of property; and that I should pass rapidly in review some of the prejudices to which proprietors are accustomed to appeal, which legislation has sanctioned, and which the system of labour completely overthrows.

Reader, were you ever present at the examination of a criminal? Have you watched his tricks, his turns, his evasions, his distinctions, his equivocations? Beaten, all his assertions overthrown, pursued like a fallow deer by the inexorable judge, tracked from hypothesis to hypothesis,—he makes a statement, he corrects it, retracts it, contradicts it, he exhausts all the tricks of dialectics, more subtle, more ingenious a thousand times than he who invented the seventy-two forms of the syllogism. So acts the proprietor when called upon to defend his right. At first he refuses to reply, he exclaims, he threatens, he defies; then, forced to accept the discussion, he arms himself with chicanery, he surrounds himself with formidable artillery,—crossing his fire, opposing one by one and all together occupation, possession, limitation, covenants, immemorial custom, and universal consent. Conquered on this ground, the proprietor, like a wounded boar, turns on his pursuers. "I have done more than occupy," he cries with terrible emotion; "I have laboured, produced, improved, transformed, *created*. This house, these fields, these trees are the work of my hands; I changed these brambles into a vineyard, and this bush into a fig-tree; and today I reap the harvest of my labours. I have enriched the soil with my sweat; I have paid those men who, had they not had the work

³ Giraud, *Investigations into the Right of Property among the Romans*.

which I gave them, would have died of hunger. No one shared with me the trouble and expense; no one shall share with me the benefits."

You have laboured, proprietor! why then do you speak of original occupancy? What, were you not sure of your right, or did you hope to deceive men, and make justice an illusion? Make haste, then, to acquaint us with your mode of defence, for the judgement will be final; and you know it to be a question of restitution.

You have laboured! but what is there in common between the labour which duty compels you to perform, and the appropriation of things in which there is a common interest? Do you not know that domain over the soil, like that over air and light, cannot be lost by prescription?

You have laboured! have you never made others labour? Why, then, have they lost in labouring for you what you have gained in not labouring for them?

You have laboured! very well; but let us see the results of your labour. We will count, weigh, and measure them. It will be the judgement of Balthazar; for I swear by balance, level, and square, that if you have appropriated another's labour in any way whatsoever, you shall restore it every stroke.

Thus, the principle of occupation is abandoned; no longer is it said, "The land belongs to him who first gets possession of it." Property, forced into its first entrenchment, repudiates its old adage; justice, ashamed, retracts her maxims, and sorrow lowers her bandage over her blushing cheeks. And it was but yesterday that this progress in social philosophy began: fifty centuries required for the extirpation of a lie! During this lamentable period, how many usurpations have been sanctioned, how many invasions glorified, how many conquests celebrated! The absent dispossessed, the poor banished, the hungry excluded by wealth, which is so ready and bold in action! Jealousies and wars, incendiarism and bloodshed, among the nations! But henceforth, thanks to the age and its spirit, it is to be admitted that the earth is not a prize to be won in a race; in the absence of any other obstacle, there is a place for everybody under the sun. Each one may harness his goat to the barn, drive his cattle to pasture, sow a corner of a field, and bake his bread by his own fireside.

But, no; each one cannot do these things. I hear it proclaimed on all sides, "Glory to labour and industry! to each according to his capacity; to each capacity according to its results!" And I see three-fourths of the human race again despoiled, the labour of a few being a scourge to the labour of the rest.

"The problem is solved," exclaims M. Hennequin. "Property, the daughter of labour, can be enjoyed at present and in the future only under the protection of the laws. It has its origin in natural law; it derives its power from civil law; and from the union of these two ideas, *labour* and *protection*, positive legislation results."...

Ah! *The problem is solved! Property is the daughter of labour!* What, then, is the right of accession, and the right of succession, and the right of donation,

etc., if not the right to become a proprietor by simple occupancy? What are your laws concerning the age of majority, emancipation, guardianship, and interdiction, if not the various conditions by which he who is already a worker gains or loses the right of occupancy; that is, property?

Being unable, at this time, to enter upon a detailed discussion of the Code, I shall content myself with examining the three arguments oftenest resorted to in support of property. 1. *Appropriation*, or the formation of property by possession; 2. *The consent of mankind*; 3. *Prescription*. I shall then inquire into the effects of labour upon the relative condition of the workers and upon property.

§1 THE LAND CANNOT BE APPROPRIATED

"It would seem that lands capable of cultivation ought to be regarded as natural wealth, since they are not of human creation, but Nature's gratuitous gift to man; but inasmuch as this wealth is not fugitive, like the air and water,—inasmuch as a field is a fixed and limited space which certain men have been able to appropriate, to the exclusion of all others who in their turn have consented to this appropriation,—the land, which was a natural and gratuitous gift, has become social wealth, for the use of which we ought to pay."—Say: *Political Economy*.

Was I wrong in saying, at the beginning of this chapter, that the economists are the very worst authorities in matters of legislation and philosophy? It is the *father* of this class of men who clearly states the question, How can the supplies of Nature, the wealth created by Providence, become private property? and who replies by so gross an equivocation that we scarcely know which the author lacks, sense or honesty. What, I ask, has the fixed and solid nature of the earth to do with the right of appropriation? I can understand that a thing *limited* and *stationary*, like the land, offers greater chances for appropriation than the water or the sunshine; that it is easier to exercise the right of domain over the soil than over the atmosphere: but we are not dealing with the difficulty of the thing, and Say confounds the right with the possibility. We do not ask why the earth has been appropriated to a greater extent than the sea and the air; we want to know by what right man has appropriated wealth *which he did not create, and which nature gave to him gratuitously*.

Say, then, did not solve the question which he asked. But if he had solved it, if the explanation which he has given us were as satisfactory as it is illogical, we should know no better than before who has a right to exact payment for the use of the soil, of this wealth which is not man's handiwork. Who is entitled to the rent of the land? The producer of the land, without doubt. Who made the land? God. Then, proprietor, retire!

But the creator of the land does not sell it: he gives it; and, in giving it, he is no respecter of persons. Why, then, are some of his children regarded as legitimate, while others are treated as bastards? If the equality of shares was an original right, why is the inequality of conditions a posthumous right?

Say gives us to understand that if the air and the water were not of a FUGITIVE nature, they would have been appropriated. Let me observe in passing that this is more than an hypothesis; it is a reality. Men have appropriated the air and the water. I will not say as often as they could, but as often as they have been allowed to.

The Portuguese, having discovered the route to India by the Cape of Good Hope, pretended to have the sole right to that route; and Grotius, consulted in regard to this matter by the Dutch who refused to recognise this right, wrote expressly for this occasion his treatise on the "Freedom of the Seas," to prove that the sea is not liable to appropriation.

The right to hunt and fish used always to be confined to lords and proprietors; today it is leased by the government and communes to whoever can pay the license-fee and the rent. To regulate hunting and fishing is an excellent idea, but to make it a subject of sale is to create a monopoly of air and water.

What is a passport? A universal recommendation of the traveller's person; a certificate of security for himself and his property. The treasury, whose nature it is to spoil the best things, has made the passport a means of espionage and a tax. Is not this a sale of the right to travel?

Finally, it is permissible neither to draw water from a spring situated in another's grounds without the permission of the proprietor, because by the right of accession the spring belongs to the possessor of the soil, if there is no other claim; nor to pass a day on his premises without paying a tax; nor to look at a court, a garden, or an orchard, without the consent of the proprietor; nor to stroll in a park or an enclosure against the owner's will: every one is allowed to shut himself up and to fence himself in. All these prohibitions are so many positive interdictions, not only of the land, but of the air and water. We who belong to the proletarian class: property excommunicates us! *Terra, et aqua, et aere, et igne interdicti sumus.*

Men could not appropriate the most fixed of all the elements without appropriating the three others; since, by French and Roman law, property in the surface carries with it property from zenith to nadir—*Cujus est solum, ejus est usque ad caelum*. Now, if the use of water, air, and fire excludes property, so does the use of the soil. This chain of reasoning seems to have been presented by M. Ch. Comte, in his *Treatise on Property*, chap. 5.

"If a man should be deprived of air for a few moments only, he would cease to exist, and a partial deprivation would cause him severe suffering; a partial or complete deprivation of food would produce like effects upon him though less suddenly; it would be the same, at least in certain climates! were he deprived of all clothing and shelter... To sustain life, then, man needs continually to appropriate many different things. But these things do not exist in like proportions. Some, such as the light of the stars, the atmosphere of the earth, the water composing the seas and oceans, exist in such large quantities that men cannot perceive any sensible increase or diminution; each one can

appropriate as much as his needs require without detracting from the enjoyment of others, without causing them the least harm. Things of this sort are, so to speak, the common property of the human race; the only duty imposed upon each individual in this regard is that of infringing not at all upon the rights of others."

Let us complete the argument of M. Ch. Comte. A man who should be prohibited from walking in the highways, from resting in the fields, from taking shelter in caves, from lighting fires, from picking berries, from gathering herbs and boiling them in a bit of baked clay,—such a man could not live. Consequently the earth—like water, air, and light—is a primary object of necessity which each has a right to use freely, without infringing another's right. Why, then, is the earth appropriated? M. Ch. Comte's reply is a curious one. Say pretends that it is because it is not *fugitive*; M. Ch. Comte assures us that it is because it is not *infinite*. The land is limited in amount. Then, according to M. Ch. Comte, it ought to be appropriated. It would seem, on the contrary, that he ought to say, Then it ought not to be appropriated. For, no matter how large a quantity of air or light anyone appropriates, no one is damaged thereby; there always remains enough for all. With the soil, it is very different. Lay hold who will, or who can, of the sun's rays, the passing breeze, or the sea's billows; he has my consent, and my pardon for his bad intentions. But let any living man dare to change his right of territorial possession into the right of property, and I will declare war upon him, and wage it to the death!

M. Ch. Comte's argument disproves his position. "Among the things necessary to the preservation of life," he says, "there are some which exist in such large quantities that they are inexhaustible; others which exist in lesser quantities, and can satisfy the wants of only a certain number of persons. The former are called *common*, the latter *private*."

This reasoning is not strictly logical. Water, air, and light are *common* things, not because they are *inexhaustible*, but because they are *indispensable*; and so indispensable that for that very reason Nature has created them in quantities almost infinite, in order that their plentifulness might prevent their appropriation. Likewise the land is indispensable to our existence,—consequently a common thing, consequently unsusceptible of appropriation; but land is much scarcer than the other elements, therefore its use must be regulated, not for the profit of a few, but in the interest and for the security of all.

In a word, equality of rights is proved by equality of needs. Now, equality of rights, in the case of a commodity which is limited in amount, can be realised only by equality of possession. An agrarian law underlies M. Ch. Comte's arguments.

From whatever point we view this question of property—provided we go to the bottom of it—we reach equality. I will not insist farther on the distinction between things which can, and things which cannot, be

appropriated. On this point, economists and legists talk worse than nonsense. The Civil Code, after having defined property, says nothing about susceptibility of appropriation; and if it speaks of things *which are in the market*, it always does so without enumerating or describing them. However, light is not wanting. There are some few maxims such as these: *Ad reges potestas omnium pertinet, ad singulos proprietas; Omnia rex imperio possidet, singula dominio*. Social sovereignty opposed to private property!—might not that be called a prophecy of equality, a republican oracle? Examples crowd upon us: once the possessions of the church, the estates of the crown, the fiefs of the nobility were inalienable and imprescriptible. If, instead of abolishing this privilege, the Constituent had extended it to every individual; if it had declared that the right of labour, like liberty, can never be forfeited,—at that moment the revolution would have been consummated, and we could now devote ourselves to improvement in other directions.

§2 UNIVERSAL CONSENT NO JUSTIFICATION OF PROPERTY

In the extract from Say, quoted above, it is not clear whether the author means to base the right of property on the stationary character of the soil, or on the consent which he thinks all men have granted to this appropriation. His language is such that it may mean either of these things, or both at once; which entitles us to assume that the author intended to say, "The right of property resulting originally from the exercise of the will, the stability of the soil permitted it to be applied to the land, and universal consent has since sanctioned this application."

However that may be, can men legitimate property by mutual consent? I say, no. Such a contract, though drafted by Grotius, Montesquieu, and J.-J. Rousseau, though signed by the whole human race, would be null in the eyes of justice, and an act to enforce it would be illegal. Man can no more give up labour than liberty. Now, to recognise the right of territorial property is to give up labour, since it is to relinquish the means of labour; it is to traffic in a natural right, and divest ourselves of manhood.

But I wish that this consent, of which so much is made, had been given, either tacitly or formally. What would have been the result? Evidently, the surrenders would have been reciprocal; no right would have been abandoned without the receipt of an equivalent in exchange. We thus come back to equality again,—the *sine qua non* of appropriation; so that, after having justified property by universal consent, that is, by equality, we are obliged to justify the inequality of conditions by property. Never shall we extricate ourselves from this dilemma. Indeed, if, in the terms of the social compact, property has equality for its condition, at the moment when equality ceases to exist, the compact is broken and all property becomes usurpation. We gain nothing, then, by this pretended consent of mankind.

§3 PRESCRIPTION GIVES NO TITLE TO PROPERTY

The right of property was the origin of evil on the earth, the first link in the long chain of crimes and misfortunes which the human race has endured since its birth. The delusion of prescription is the fatal charm thrown over the intellect, the death sentence breathed into the conscience, to arrest man's progress towards truth, and bolster up the worship of error.

The Code defines prescription thus: "The process of gaining and losing through the lapse of time." In applying this definition to ideas and beliefs, we may use the word *prescription* to denote the everlasting prejudice in favour of old superstitions, whatever be their object; the opposition, often furious and bloody, with which new light has always been received, and which makes the sage a martyr. Not a principle, not a discovery, not a generous thought but has met, at its entrance into the world, with a formidable barrier of preconceived opinions, seeming like a conspiracy of all old prejudices. Prescriptions against reason, prescriptions against facts, prescriptions against every truth hitherto unknown,—that is the sum and substance of the *statu quo* philosophy, the watchword of conservatives throughout the centuries.

When the evangelical reform was broached to the world, there was prescription in favour of violence, debauchery, and selfishness; when Galileo, Descartes, Pascal, and their disciples reconstructed philosophy and the sciences, there was prescription in favour of the Aristotelian philosophy; when our fathers of '89 demanded liberty and equality, there was prescription in favour of tyranny and privilege. "There always have been proprietors and there always will be": it is with this profound utterance, the final effort of selfishness dying in its last ditch, that the friends of social inequality hope to repel the attacks of their adversaries; thinking undoubtedly that ideas, like property, can be lost by prescription.

[...]

In order to confine myself to the civil prescription of which the Code speaks, I shall refrain from beginning a discussion upon this worn-out objection brought forward by proprietors; it would be too tiresome and declamatory. Everybody knows that there are rights which cannot be prescribed; and, as for those things which can be gained through the lapse of time, no one is ignorant of the fact that prescription requires certain conditions, the omission of one of which renders it null. If it is true, for example, that the proprietor's possession has been *civil, public, peaceable, and uninterrupted*, it is none the less true that it is not based on a just title; since the only titles which it can show—occupation and labour—prove as much for the proletarian who demands, as for the proprietor who defends. Further, this possession is *dishonest*, since it is founded on a violation of right, which prevents prescription, according to the saying of St. Paul—*Nunquam in usucapionibus juris error possessori prodest*. The violation of right lies either in the fact that the holder possesses as proprietor, while he should possess only as usufructuary; or in the fact that he has purchased a thing which no one had a right to transfer or sell.

Another reason why prescription cannot be adduced in favour of property (a reason borrowed from jurisprudence) is that the right to possess real estate is a part of a universal right which has never been totally destroyed even at the most critical periods; and the proletarian, in order to regain the power to exercise it fully, has only to prove that he has always exercised it in part.

He, for example, who has the universal right to possess, give, exchange, loan, let, sell, transform, or destroy a thing, preserves the integrity of this right by the sole act of loaning, though he has never shown his authority in any other manner. Likewise we shall see that *equality of possessions, equality of rights, liberty, will, personality*, are so many identical expressions of one and the same idea,—the *right of preservation and development*; in a word, the right of life, against which there can be no prescription until the human race has vanished from the face of the earth.

Finally, as to the time required for prescription, it would be superfluous to show that the right of property in general cannot be acquired by simple possession for ten, twenty, a hundred, a thousand, or one hundred thousand years; and that, so long as there exists a human head capable of understanding and combating the right of property, this right will never be prescribed. For principles of jurisprudence and axioms of reason are different from accidental and contingent facts. One man's possession can prescribe against another man's possession; but just as the possessor cannot prescribe against himself, so reason has always the faculty of change and reformation. Past error is not binding on the future. Reason is always the same eternal force. The institution of property, the work of ignorant reason, may be abrogated by a more enlightened reason. Consequently, property cannot be established by prescription. This is so certain and so true, that on it rests the maxim that in the matter of prescription a violation of right goes for nothing.

[...]

I ask, then, in the first place, how possession can become property by the lapse of time? Continue possession as long as you wish, continue it for years and for centuries, you never can give duration—which of itself creates nothing, changes nothing, modifies nothing—the power to change the usufructuary into a proprietor. Let the civil law secure against chance-comers the honest possessor who has held his position for many years,—that only confirms a right already respected; and prescription, applied in this way, simply means that possession which has continued for twenty, thirty, or a hundred years shall be retained by the occupant. But when the law declares that the lapse of time changes possessor into proprietor, it supposes that a right can be created without a producing cause; it unwarrantably alters the character of the subject; it legislates on a matter not open to legislation; it exceeds its own powers. Public order and private security ask only that possession shall be protected. Why has the law created property? Prescription was simply security for the future; why has the law made it a matter of privilege?

[...]

"Where is the man," [Grotius] says, "with so unchristian a soul that, for a trifle, he would perpetuate the trespass of a possessor, which would inevitably be the result if he did not consent to abandon his right?" By the Eternal! I am that man. Though a million proprietors should burn for it in hell, I lay the blame on them for depriving me of my portion of this world's goods. To this powerful consideration Grotius rejoins, that it is better to abandon a disputed right than to go to law, disturb the peace of nations, and stir up the flames of civil war. I accept, if you wish it, this argument, provided you indemnify me. But if this indemnity is refused me, what do I, a proletarian, care for the tranquillity and security of the rich? I care as little for *public order* as for the proprietor's safety. I ask to live a worker; otherwise I will die a warrior.

Whichever way we turn, we shall come to the conclusion that prescription is a contradiction of property; or rather that prescription and property are two forms of the same principle, but two forms which serve to correct each other; and ancient and modern jurisprudence did not make the least of its blunders in pretending to reconcile them. Indeed, if we see in the institution of property only a desire to secure to each individual his share of the soil and his right to labour; in the distinction between naked property and possession only an asylum for absentees, orphans, and all who do not know, or cannot maintain, their rights; in prescription only a means, either of defence against unjust pretensions and encroachments, or of settlement of the differences caused by the removal of possessors,—we shall recognise in these various forms of human justice the spontaneous efforts of the mind to come to the aid of the social instinct; we shall see in this protection of all rights the sentiment of equality, a constant levelling tendency. And, looking deeper, we shall find in the very exaggeration of these principles the confirmation of our doctrine; because, if equality of conditions and universal association are not soon realised, it will be owing to the obstacle thrown for the time in the way of the common sense of the people by the stupidity of legislators and judges; and also to the fact that, while society in its original state was illuminated with a flash of truth, the early speculations of its leaders could bring forth nothing but darkness.

[...]

§4 LABOUR—THAT LABOUR HAS NO INHERENT POWER TO APPROPRIATE NATURAL WEALTH

We shall show by the maxims of political economy and law, that is, by the authorities recognised by property,—

1. That labour has no inherent power to appropriate natural wealth.
2. That, if we admit that labour has this power, we are led directly to equality of property,—whatever the kind of labour, however scarce the product, or unequal the ability of the workers.
3. That, in the order of justice, labour *destroys* property.

Following the example of our opponents, and that we may leave no obstacles in the path, let us examine the question in the strongest possible light.

M. Ch. Comte says, in his *Treatise on Property*:—

"France, considered as a nation, has a territory which is her own."

France, as an individuality, possesses a territory which she cultivates; it is not her property. Nations are related to each other as individuals are: they are commoners and workers; it is an abuse of language to call them proprietors. The right of use and abuse belongs no more to nations than to men; and the time will come when a war waged for the purpose of checking a nation in its abuse of the soil will be regarded as a holy war.

Thus, M. Ch. Comte—who undertakes to explain how property comes into existence, and who starts with the supposition that a nation is a proprietor—falls into that error known as *begging the question*; a mistake which vitiates his whole argument.

If the reader thinks it is pushing logic too far to question a nation's right of property in the territory which it possesses, I will simply remind him of the fact that at all ages the results of the fictitious right of national property have been pretensions to suzerainty, tributes, monarchical privileges, statute-labour, quotas of men and money, supplies of merchandise, etc.; ending finally in refusals to pay taxes, insurrections, wars, and depopulations.

"Scattered through this territory are extended tracts of land, which have not been converted into individual property. These lands, which consist mainly of forests, belong to the whole population, and the government, which receives the revenues, uses or ought to use them in the interest of all."

Ought to use is well said: a lie is avoided thereby.

"Let them be offered for sale...."

Why offered for sale? Who has a right to sell them? Even were the nation proprietor, can the generation of today dispossess the generation of tomorrow? The nation, in its function of usufructuary, possesses them; the government rules, superintends, and protects them. If it also granted lands, it could grant only their use; it has no right to sell them or transfer them in any way whatever. Not being a proprietor, how can it transmit property?

"Suppose some industrious man buys a portion, a large swamp for example. This would be no usurpation, since the public would receive the exact value through the hands of the government, and would be as rich after the sale as before."

How ridiculous! What! Because a prodigal, imprudent, incompetent official sells the State's possessions, while I, a ward of the State,—I who have neither an advisory nor a deliberative voice in the State councils,—while I am allowed to make no opposition to the sale, this sale is right and legal! The guardians of the nation waste its substance, and it has no redress! I have received, you tell me, through the hands of the government my share of the proceeds of the sale: but, in the first place, I did not wish to sell; and, had I wished to, I could not have sold. I had not the right. And then I do not see

that I am benefited by the sale. My guardians have dressed up some soldiers, repaired an old fortress, erected in their pride some costly but worthless monument,—then they have exploded some fireworks and set up a greased pole! What does all that amount to in comparison with my loss?

The purchaser draws boundaries, fences himself in, and says, "This is mine; each one by himself, each one for himself." Here, then, is a piece of land upon which, henceforth, no one has a right to step, save the proprietor and his friends; which can benefit nobody, save the proprietor and his servants. Let these sales multiply, and soon the people—who have been neither able nor willing to sell, and who have received none of the proceeds of the sale—will have nowhere to rest, no place of shelter, no ground to till. They will die of hunger at the proprietor's door, on the edge of that property which was their birthright; and the proprietor, watching them die, will exclaim, "So perish idlers and vagrants!"

To reconcile us to the proprietor's usurpation, M. Ch. Comte assumes the lands to be of little value at the time of sale.

"The importance of these usurpations should not be exaggerated: they should be measured by the number of men which the occupied land would support, and by the means which it would furnish them.

"It is evident, for instance, that if a piece of land which is worth today one thousand francs was worth only five centimes when it was usurped, we really lose only the value of five centimes. A square league of earth would be hardly sufficient to support a savage in distress; today it supplies one thousand persons with the means of existence. Nine hundred and ninety-nine parts of this land is the legitimate property of the possessors; only one-thousandth of the value has been usurped."

A peasant admitted one day, at confession, that he had destroyed a document which declared him a debtor to the amount of three hundred francs. Said the father confessor,—"You must return these three hundred francs." "No," replied the peasant, "I will return a penny to pay for the paper."

M. Ch. Comte's logic resembles this peasant's honesty. The soil has not only an integrant and actual value, it has also a potential value,—a value of the future,—which depends on our ability to make it valuable, and to employ it in our work. Destroy a bill of exchange, a promissory note, an annuity deed,—as a paper you destroy almost no value at all; but with this paper you destroy your title, and, in losing your title, you deprive yourself of your goods. Destroy the land, or, what is the same thing, sell it,—you not only transfer one, two, or several crops, but you annihilate all the products that you could derive from it; you and your children and your children's children.

When M. Ch. Comte, the apostle of property and the eulogist of labour, supposes an alienation of the soil on the part of the government, we must not think that he does so without reason and for no purpose; it is a necessary part of his position. As he rejected the theory of occupancy, and as he knew, moreover, that labour could not constitute the right in the absence of

a previous permission to occupy, he was obliged to connect this permission with the authority of the government, which means that property is based upon the sovereignty of the people; in other words, upon universal consent. This theory we have already considered.

To say that property is the daughter of labour, and then to give labour material on which to exercise itself, is, if I am not mistaken, to reason in a circle. Contradictions will result from it.

"A piece of land of a certain size produces food enough to supply a man for one day. If the possessor, through his labour, discovers some method of making it produce enough for two days, he doubles its value. This new value is his work, his creation: it is taken from nobody; it is his property."

I maintain that the possessor is paid for his trouble and industry in his doubled crop, but that he acquires no right to the land.—"Let the worker have the fruits of his labour."—Very good; but I do not understand that property in products carries with it property in raw material. Does the skill of the fisherman, who on the same coast can catch more fish than his fellows, make him proprietor of the fishing-grounds? Can the expertness of a hunter ever be regarded as a property-title to a game-forest? The analogy is perfect,—the industrious cultivator finds the reward of his industry in the abundance and superiority of his crop. If he has made improvements in the soil, he has the possessor's right of preference. Never, under any circumstances, can he be allowed to claim a property-title to the soil which he cultivates, on the ground of his skill as a cultivator.

[...]

"If men succeed in fertilising land hitherto unproductive, or even death-producing, like certain swamps, they create thereby property in all its completeness."

What good does it do to magnify an expression, and play with equivocations, as if we expected to change the reality thereby? *They create property in all its completeness.* You mean that they create a productive capacity which formerly did not exist; but this capacity cannot be created without material to support it. The substance of the soil remains the same; only its qualities and modifications are changed. Man has created every thing—every thing save the material itself. Now, I maintain that this material he can only possess and use, on condition of permanent labour,—granting, for the time being, his right of property in things which he has produced.

This, then, is the first point settled: property in product, if we grant so much, does not carry with it property in the means of production; that seems to me to need no further demonstration. There is no difference between the soldier who possesses his arms, the mason who possesses the materials committed to his care, the fisherman who possesses the water, the hunter who possesses the fields and forests, and the cultivator who possesses the lands: all, if you say so, are proprietors of their products—not one is proprietor of the means of production. The right to product is exclusive—*jus in re*; the right to means is common—*jus ad rem*.

§5 THAT LABOUR LEADS TO EQUALITY OF PROPERTY

[Let us] Admit, however, that labour gives a right of property in material.

Why is not this principle universal? Why is the benefit of this pretended law confined to a few and denied to the mass of workers? A philosopher, arguing that all animals sprang up formerly out of the earth warmed by the rays of the sun, almost like mushrooms, on being asked why the earth no longer yielded crops of that nature, replied: "Because it is old, and has lost its fertility." Has labour, once so fecund, likewise become sterile? Why does the tenant no longer acquire through his labour the land which was formerly acquired by the labour of the proprietor?

"Because," they say, "it is already appropriated." That is no answer. A farm yields fifty bushels per hectare; the skill and labour of the tenant double this product: the increase is created by the tenant. Suppose the owner, in a spirit of moderation rarely met with, does not go to the extent of absorbing this product by raising the rent, but allows the cultivator to enjoy the results of his labour; even then justice is not satisfied. The tenant, by improving the land, has imparted a new value to the property; he, therefore, has a right to a part of the property. If the farm was originally worth one hundred thousand francs, and if by the labour of the tenant its value has risen to one hundred and fifty thousand francs, the tenant, who produced this extra value, is the legitimate proprietor of one-third of the farm. M. Ch. Comte could not have pronounced this doctrine false, for it was he who said:

"Men who increase the fertility of the earth are no less useful to their fellow-men, than if they should create new land."

Why, then, is not this rule applicable to the man who improves the land, as well as to him who clears it? The labour of the former makes the land worth one; that of the latter makes it worth two: both create equal values. Why not accord to both equal property? I defy anyone to refute this argument, without again falling back on the right of first occupancy.

"But," it will be said, "even if your wish should be granted, property would not be distributed much more evenly than now. Land does not go on increasing in value for ever; after two or three seasons it attains its maximum fertility. That which is added by the agricultural art results rather from the progress of science and the diffusion of knowledge, than from the skill of the cultivator. Consequently, the addition of a few workers to the mass of proprietors would be no argument against property."

This discussion would, indeed, prove a well-nigh useless one, if our labours culminated in simply extending land-privilege and industrial monopoly; in emancipating only a few hundred workers out of the millions of proletarians. But this also is a misconception of our real thought, and does but prove the general lack of intelligence and logic.

If the worker, who adds to the value of a thing, has a right of property in it, he who maintains this value acquires the same right. For what is maintenance? It is incessant addition,—continuous creation. What is it to cultivate?

It is to give the soil its value every year; it is, by annually renewed creation, to prevent the diminution or destruction of the value of a piece of land. Admitting, then, that property is rational and legitimate,—admitting that rent is equitable and just,—I say that he who cultivates acquires property by as good a title as he who clears, or he who improves; and that every time a tenant pays his rent, he obtains a fraction of property in the land entrusted to his care, the denominator of which is equal to the proportion of rent paid. Unless you admit this, you fall into absolutism and tyranny; you recognise class privileges; you sanction slavery.

Whoever labours becomes a proprietor—this is an inevitable deduction from the acknowledged principles of political economy and jurisprudence. And when I say proprietor, I do not mean simply (as do our hypocritical economists) proprietor of his allowance, his salary, his wages,—I mean proprietor of the value which he creates, and by which the master alone profits.

As all this relates to the theory of wages and of the distribution of products,—and as this matter never has been even partially cleared up,—I ask permission to insist on it: this discussion will not be useless to the work in hand. Many persons talk of admitting working-people to a share in the products and profits; but in their minds this participation is pure benevolence: they have never shown—perhaps never suspected—that it was a natural, necessary right, inherent in labour, and inseparable from the function of producer, even in the lowest forms of his work.

This is my proposition: *the worker retains, even after he has received his wages, a natural right of property in the thing which he has produced.*

I again quote M. Ch. Comte:

"Some workers are employed in draining marshes, in cutting down trees and brushwood,—in a word, in cleaning up the soil. They increase the value, they make the amount of property larger; they are paid for the value which they add in the form of food and daily wages: it then becomes the property of the capitalist."

The price is not sufficient: the labour of the workers has created a value; now this value is their property. But they have neither sold nor exchanged it; and you, capitalist, you have not earned it. That you should have a partial right to the whole, in return for the materials that you have furnished and the provisions that you have supplied, is perfectly just. You contributed to the production, you ought to share in the enjoyment. But your right does not annihilate that of the workers, who, in spite of you, have been your colleagues in the work of production. Why do you talk of wages? The money with which you pay the wages of the workers remunerates them for only a few years of the perpetual possession which they have abandoned to you. Wages is the cost of the daily maintenance and refreshment of the worker. You are wrong in calling it the price of a sale. The worker has sold nothing; he knows neither his right, nor the extent of the concession which he has made to you, nor the meaning of the contract which you pretend to have

made with him. On his side, utter ignorance; on yours, error and surprise, not to say deceit and fraud.

Let us make this clearer by another and more striking example.

No one is ignorant of the difficulties that are met with in the conversion of untilled land into arable and productive land. These difficulties are so great, that usually an isolated man would perish before he could put the soil in a condition to yield him even the most meagre living. To that end are needed the united and combined efforts of society, and all the resources of industry. M. Ch. Comte quotes on this subject numerous and well-authenticated facts, little thinking that he is amassing testimony against his own system.

Let us suppose that a colony of twenty or thirty families establishes itself in a wild district, covered with underbrush and forests; and from which, by agreement, the natives consent to withdraw. Each one of these families possesses a moderate but sufficient amount of capital, of such a nature as a colonist would be apt to choose,—animals, seeds, tools, and a little money and food. The land having been divided, each one settles himself as comfortably as possible, and begins to clear away the portion allotted to him. But after a few weeks of fatigue, such as they never before have known, of inconceivable suffering, of ruinous and almost useless labour, our colonists begin to complain of their trade; their condition seems hard to them; they curse their sad existence.

Suddenly, one of the shrewdest among them kills a pig, cures a part of the meat; and, resolved to sacrifice the rest of his provisions, goes to find his companions in misery. "Friends," he begins in a very benevolent tone, "how much trouble it costs you to do a little work and live uncomfortably! A fortnight of labour has reduced you to your last extremity!... Let us make an arrangement by which you shall all profit. I offer you provisions and wine: you shall get so much every day; we will work together, and, zounds! my friends, we will be happy and contented!"

Would it be possible for empty stomachs to resist such an invitation? The hungriest of them follow the treacherous tempter. They go to work; the charm of society, emulation, joy, and mutual assistance double their strength; the work can be seen to advance. Singing and laughing, they subdue Nature. In a short time, the soil is thoroughly changed; the mellowed earth waits only for the seed. That done, the proprietor pays his workers, who, on going away, return him their thanks, and grieve that the happy days which they have spent with him are over.

Others follow this example, always with the same success. Then, these installed, the rest disperse,—each one returns to his grubbing. But, while grubbing, it is necessary to live. While they have been clearing away for their neighbour, they have done no clearing for themselves. One year's seed-time and harvest is already gone. They had calculated that in lending their labour they could not but gain, since they would save their own provisions; and,

while living better, would get still more money. False calculation! they have created for another the means wherewith to produce, and have created nothing for themselves. The difficulties of clearing remain the same; their clothing wears out, their provisions give out; soon their purse becomes empty for the profit of the individual for whom they have worked, and who alone can furnish the provisions which they need, since he alone is in a position to produce them. Then, when the poor grubber has exhausted his resources, the man with the provisions (like the wolf in the fable, who scents his victim from afar) again comes forward. One he offers to employ again by the day; from another he offers to buy at a favourable price a piece of his bad land, which is not, and never can be, of any use to him: that is, he uses the labour of one man to cultivate the field of another for his own benefit. So that at the end of twenty years, of thirty individuals originally equal in point of wealth, five or six have become proprietors of the whole district, while the rest have been philanthropically dispossessed!

In this century of bourgeoisie morality, in which I have had the honour to be born, the moral sense is so debased that I should not be at all surprised if I were asked, by many a worthy proprietor, what I see in this that is unjust and illegitimate? Debased creature! galvanised corpse! how can I expect to convince you, if you cannot tell theft when I show it to you? A man, by soft and insinuating words, discovers the secret of taxing others that he may establish himself; then, once enriched by their united efforts, he refuses, on the very conditions which he himself dictated, to advance the well-being of those who made his fortune for him: and you ask how such conduct is fraudulent! Under the pretext that he has paid his workers, that he owes them nothing more, that he has nothing to gain by putting himself at the service of others, while his own occupations claim his attention,—he refuses, I say, to aid others in getting a foothold, as he was aided in getting his own; and when, in the impotence of their isolation, these poor workers are compelled to sell their birthright, he—this ungrateful proprietor, this knavish upstart—stands ready to put the finishing touch to their deprivation and their ruin. And you think that just? Take care!

I read in your startled countenance the reproach of a guilty conscience, much more clearly than the innocent astonishment of involuntary ignorance.

"The capitalist," they say, "has paid the workers their *daily wages*." To be accurate, it must be said that the capitalist has paid as many times one day's wage as he has employed workers each day,—which is not at all the same thing. For he has paid nothing for that immense power which results from the union and harmony of workers, and the convergence and simultaneousness of their efforts. Two hundred grenadiers stood the obelisk of Luxor upon its base in a few hours; do you suppose that one man could have accomplished the same task in two hundred days? Nevertheless, on the books of the capitalist, the amount of wages paid would have been the same. Well, a desert to prepare for cultivation, a house to build, a factory to run,—all

these are obelisks to erect, mountains to move. The smallest fortune, the most insignificant establishment, the setting in motion of the lowest industry, demand the concurrence of so many different kinds of labour and skill, that one man could not possibly execute the whole of them. It is astonishing that the economists never have called attention to this fact. Strike a balance, then, between the capitalist's receipts and his payments.

[...]

Consequently, when M. Ch. Comte—following out his hypothesis—shows us his capitalist acquiring one after another the products of his employees' labour, he sinks deeper and deeper into the mire; and, as his argument does not change, our reply of course remains the same.

"Other workers are employed in building: some quarry the stone, others transport it, others cut it, and still others put it in place. Each of them adds a certain value to the material which passes through his hands; and this value, the product of his labour, is his property. He sells it, as fast as he creates it, to the proprietor of the building, who pays him for it in food and wages."

Divide et impera—divide, and you shall command; divide, and you shall grow rich; divide, and you shall deceive men, you shall daze their minds, you shall mock at justice! Separate workers from each other, perhaps each one's daily wage exceeds the value of each individual's product; but that is not the question under consideration. A force of one thousand men working twenty days has been paid the same wages that one would be paid for working fifty-five years; but this force of one thousand has done in twenty days what a single man could not have accomplished, though he had laboured for a million centuries. Is the exchange an equitable one? Once more, no; when you have paid all the individual forces, the collective force still remains to be paid.

Consequently, there remains always a right of collective property which you have not acquired, and which you enjoy unjustly.

Admit that twenty days' wages suffice to feed, lodge, and clothe this multitude for twenty days: thrown out of employment at the end of that time, what will become of them, if, as fast as they create, they abandon their creations to the proprietors who will soon discharge them? While the proprietor, firm in his position (thanks to the aid of all the workers), dwells in security, and fears no lack of labour or bread, the worker's only dependence is upon the benevolence of this same proprietor, to whom he has sold and surrendered his liberty. If, then, the proprietor, shielding himself behind his comfort and his rights, refuses to employ the worker, how can the worker live? He has ploughed an excellent field, and cannot sow it; he has built an elegant and commodious house, and cannot live in it; he has produced all, and can enjoy nothing.

Labour leads us to equality. Every step that we take brings us nearer to it; and if workers had equal strength, diligence, and industry, clearly their fortunes would be equal also. Indeed, if, as is pretended,—and as we have admitted,—the worker is proprietor of the value which he creates, it follows:

1. That the worker should acquire at the expense of the idle proprietor;
2. That all production being necessarily collective, the worker is entitled to a share of the products and profits commensurate with his labour;
3. That all accumulated capital being social property, no one can be its exclusive proprietor.

These inferences are unavoidable; these alone would suffice to revolutionise our whole economic system, and change our institutions and our laws. Why do the very persons, who laid down this principle, now refuse to be guided by it? Why do the Sais, the Comtes, the Hennequins, and others—after having said that property is born of labour—seek to fix it by occupation and prescription?

But let us leave these sophists to their contradictions and blindness. The good sense of the people will do justice to their equivocations. Let us make haste to enlighten it, and show it the true path. Equality approaches; already between it and us but a short distance intervenes: tomorrow even this distance will have been traversed.

§6 THAT IN SOCIETY ALL WAGES ARE EQUAL

When the St. Simonians, the Fourierists, and, in general, all who in our day are connected with social economy and reform, inscribe upon their banner,—

“To each according to his capacity, to each capacity according to its results” (St. Simon);

“To each according to his capital, his labour, and his skill” (Fourier),—they mean—although they do not say so in so many words—that the products of Nature procured by labour and industry are a reward, a palm, a crown offered to all kinds of pre-eminence and superiority. They regard the land as an immense arena in which prizes are contended for,—no longer, it is true, with lances and swords, by force and by treachery; but by acquired wealth, by knowledge, talent, and by virtue itself. In a word, they mean—and everybody agrees with them—that the greatest capacity is entitled to the greatest reward; and, to use the mercantile phraseology,—which has, at least, the merit of being straightforward,—that salaries must be governed by capacity and its results.

[...]

This proposition, taken, as they say, *in sensu obvio*—in the sense usually attributed to it—is false, absurd, unjust, contradictory, hostile to liberty, friendly to tyranny, anti-social, and was unluckily framed under the express influence of the property idea.

And, first, *capital* must be crossed off the list of elements which are entitled to a reward. The Fourierists—as far as I have been able to learn from a few of their pamphlets—deny the right of occupancy, and recognise no basis of property save labour. Starting with a like premise, they would have seen—had they reasoned upon the matter—that capital is a source of production to

its proprietor only by virtue of the right of occupancy, and that this production is therefore illegitimate. Indeed, if labour is the sole basis of property, I cease to be proprietor of my field as soon as I receive rent for it from another. This we have shown beyond all cavil. It is the same with all capital: so that to put capital in an enterprise, is, by the law's decision, to exchange it for an equivalent sum in products. [...]

Thus, capital can be exchanged, but cannot be a source of income.

[...]

In labour, two things must be noticed and distinguished: *association* and *available material*.

In so far as workers are associated, they are equal; and it involves a contradiction to say that one should be paid more than another. [...]

[...]

But every industry needs—they will add—leaders, instructors, superintendents, etc. Will these be engaged in the general task? No; since their task is to lead, instruct, and superintend. But they must be chosen from the workers by the workers themselves, and must fulfil the conditions of eligibility. It is the same with all public functions, whether of administration or instruction.

Then, article first of the universal constitution will be:

“The limited quantity of available material proves the necessity of dividing the labour among the whole number of workers. The capacity, given to all, of accomplishing a social task,—that is, an equal task,—and the impossibility of paying one worker save in the products of another, justify the equality of wages.”

[...]

CHAPTER IV THAT PROPERTY IS IMPOSSIBLE

THE LAST RESORT of proprietors,—the overwhelming argument whose invincible potency reassures them,—is that, in their opinion, equality of conditions is impossible. “Equality of conditions is a chimera,” they cry with a knowing air; “distribute wealth equally today—tomorrow this equality will have vanished.”

To this hackneyed objection, which they repeat everywhere with the most marvellous assurance, they never fail to add the following comment, as a sort of *Glory be to the Father*. “If all men were equal, nobody would work.” This anthem is sung with variations.

“If all were masters, nobody would obey.”

“If nobody were rich, who would employ the poor?”

And, “If nobody were poor, who would labour for the rich?”

But let us have done with invective—we have better arguments at our command.

If I show that property itself is impossible—that it is property which is a contradiction, a chimera, a utopia; and if I show it no longer by metaphysics and jurisprudence, but by figures, equations, and calculations,—imagine the fright of the astounded proprietor! And you, reader; what do you think of the retort?

[...]

AXIOM: *Property is the Right of Increase [droit d'aubaine] claimed by the Proprietor over any thing which he has stamped as his own.*

[...]

Observations: Increase [*aubaine*] receives different names according to the thing by which it is yielded: if by land, *farm-rent*; if by houses and furniture, *rent*; if by life-investments, *revenue*; if by money, *interest*; if by exchange, *advantage gain*, *profit* (three things which must not be confounded with the wages or legitimate price of labour).

[...]

Property is impossible, because it demands Something for Nothing.

The discussion of this proposition covers the same ground as that of the origin of farm-rent, which is so much debated by the economists. When I read the writings of the greater part of these men, I cannot avoid a feeling of contempt mingled with anger, in view of this mass of nonsense, in which the detestable vies with the absurd. It would be a repetition of the story of the elephant in the moon, were it not for the atrocity of the consequences. To seek a rational and legitimate origin of that which is, and ever must be, only theft, extortion, and plunder—that must be the height of the proprietor's folly; the last degree of bedevilment into which minds, otherwise judicious, can be thrown by the perversity of selfishness.

"A farmer," says Say, "is a wheat manufacturer who, among other tools which serve him in modifying the material from which he makes the wheat, employs one large tool, which we call a field. If he is not the proprietor of the field, if he is only a tenant, he pays the proprietor for the productive service of this tool. The tenant is reimbursed by the purchaser, the latter by another, until the product reaches the consumer; who redeems the first payment, *plus* all the others, by means of which the product has at last come into his hands."

Let us lay aside the subsequent payments by which the product reaches the consumer, and, for the present, pay attention only to the first one of all,—the rent paid to the proprietor by the tenant. On what ground, we ask, is the proprietor entitled to this rent?

[...]

Buchanan—a commentator on Smith—regarded farm-rent as the result of a monopoly, and maintained that labour alone is productive. Consequently, he thought that, without this monopoly, products would rise in price; and he found no basis for farm-rent save in the civil law. This opinion is a

corollary of that which makes the civil law the basis of property. But why has the civil law—which ought to be the written expression of justice—authorised this monopoly? Whoever says monopoly, necessarily excludes justice. Now, to say that farm-rent is a monopoly sanctioned by the law, is to say that injustice is based on justice,—a contradiction in terms.

Say answers Buchanan, that the proprietor is not a monopolist, because a monopolist "is one who does not increase the utility of the merchandise which passes through his hands."

How much does the proprietor increase the utility of his tenant's products? Has he ploughed, sowed, reaped, mowed, winnowed, weeded? These are the processes by which the tenant and his employees increase the utility of the material which they consume for the purpose of reproduction.

"The landed proprietor increases the utility of products by means of his implement, the land. This implement receives in one state, and returns in another the materials of which wheat is composed. The action of the land is a chemical process, which so modifies the material that it multiplies it by destroying it. The soil is then a producer of utility; and when it asks its pay in the form of profit, or farm rent, for its proprietor, it at the same time gives something to the consumer in exchange for the amount which the consumer pays it. It gives him a produced utility; and it is the production of this utility which warrants us in calling land productive, as well as labour."

Let us clear up this matter.

The blacksmith who manufactures for the farmer implements of husbandry, the wheelwright who makes him a cart, the mason who builds his barn, the carpenter, the basket-maker, etc.,—all of whom contribute to agricultural production by the tools which they provide,—are producers of utility; consequently, they are entitled to a part of the products.

"Undoubtedly," says Say; "but the land also is an implement whose service must be paid for, then..."

I admit that the land is an implement; but who made it? Did the proprietor? Did he—by the efficacious virtue of the right of property, by this *moral quality* infused into the soil—endow it with vigour and fertility? Exactly there lies the monopoly of the proprietor; in the fact that, though he did not make the implement, he asks pay for its use. When the Creator shall present himself and claim farm-rent, we will consider the matter with him; or even when the proprietor—his pretended representative—shall exhibit his power-of-attorney.

"The proprietor's service," adds Say, "is easy, I admit."

It is a frank confession.

"But we cannot disregard it. Without property, one farmer would contend with another for the possession of a field without a proprietor, and the field would remain uncultivated..."

Then the proprietor's business is to reconcile farmers by robbing them. O logic! O justice! O the marvellous wisdom of economists! The proprietor, if

they are right, is like Perrin-Dandin⁴ who, when summoned by two travellers to settle a dispute about an oyster, opened it, gobbled it, and said to them:

"The Court awards you each a shell."

Could anything worse be said of property?

Will Say tell us why the same farmers, who, if there were no proprietors, would contend with each other for possession of the soil, do not contend today with the proprietors for this possession? Obviously, because they think them legitimate possessors, and because their respect for even an imaginary right exceeds their avarice. I proved, in Chapter II, that possession is sufficient, without property, to maintain social order. Would it be more difficult, then, to reconcile possessors without masters than tenants controlled by proprietors? Would labouring men, who respect—much to their own detriment—the pretended rights of the idler, violate the natural rights of the producer and the manufacturer? What! if the husbandman forfeited his right to the land as soon as he ceased to occupy it, would he become more covetous? And would the impossibility of demanding increase [*aubaine*], of taxing another's labour, be a source of quarrels and law-suits? The economists use singular logic. But we are not yet through. Admit that the proprietor is the legitimate master of the land.

"The land is an instrument of production," they say. That is true. But when, changing the noun into an adjective, they alter the phrase, thus, "The land is a productive instrument," they make a wicked blunder.

According to Quesnay and the early economists, all production comes from the land. Smith, Ricardo, and de Tracy, on the contrary, say that labour is the sole agent of production. Say, and most of his successors, teach that BOTH land AND labour AND capital are productive. The latter constitute the eclectic school of political economy. The truth is, that NEITHER land NOR labour NOR capital is productive. Production results from the co-operation of these three equally necessary elements, which, taken separately, are equally sterile.

Political economy, indeed, treats of the production, distribution, and consumption of wealth or values. But of what values? Of the values produced by human industry; that is, of the changes made in matter by man, that he may appropriate it to his own use, and not at all of Nature's spontaneous productions. Man's labour consists in a simple laying on of hands. When he has taken that trouble, he has produced a value. Until then, the salt of the sea, the water of the springs, the grass of the fields, and the trees of the forests are to him as if they were not. The sea, without the fisherman and his line, supplies no fish. The forest, without the wood-cutter and his axe, furnishes neither fuel nor timber. The meadow, without the mower, yields neither hay nor aftermath. Nature is a vast mass of material to be cultivated and converted into products; but Nature produces nothing for

herself: in the economical sense, her products, in their relation to man, are not yet products.

Capital, tools, and machinery are likewise unproductive. The hammer and the anvil, without the blacksmith and the iron, do not forge. The mill, without the miller and the grain, does not grind, etc. Bring tools and raw material together; place a plough and some seed on fertile soil; enter a smithy, light the fire, and shut up the shop,—you will produce nothing. The following remark was made by an economist who possessed more good sense than most of his fellows: "Say credits capital with an active part unwarranted by its nature; left to itself, it is an idle tool" (J. Droz: *Political Economy*).

Finally, labour and capital together, when unfortunately combined, produce nothing. Plough a sandy desert, beat the water of the rivers, pass type through a sieve,—you will get neither wheat, nor fish, nor books. Your trouble will be as fruitless as was the immense labour of the army of Xerxes; who, as Herodotus says, with his three million soldiers, scourged the Hellespont for twenty-four hours, as a punishment for having broken and scattered the pontoon bridge which the great king had thrown across it.

Tools and capital, land and labour, considered individually and abstractly, are not, literally speaking, productive. The proprietor who asks to be rewarded for the use of a tool, or the productive power of his land, takes for granted, then, that which is radically false; namely, that capital produces by its own effort,—and, in taking pay for this imaginary product, he literally receives something for nothing.

Objection—But if the blacksmith, the wheelwright, all manufacturers in short, have a right to the products in return for the implements which they furnish; and if land is an implement of production,—why does not this implement entitle its proprietor, be his claim real or imaginary, to a portion of the products; as in the case of the manufacturers of ploughs and wagons?

Reply—Here we touch the heart of the question, the mystery of property, which we must clear up, if we would understand anything of the strange effects of the right of increase [*droit d'aubaine*].

He who manufactures or repairs the farmer's tools receives the price *once*, either at the time of delivery, or in several payments; and when this price is once paid to the manufacturer, the tools which he has delivered belong to him no more. Never does he claim double payment for the same tool, or the same job of repairs. If he annually shares in the products of the farmer, it is owing to the fact that he annually makes something for the farmer.

The proprietor, on the contrary, does not yield his implement; eternally he is paid for it, eternally he keeps it.

In fact, the rent received by the proprietor is not intended to defray the expense of maintaining and repairing the implement; this expense is charged to the borrower, and does not concern the proprietor except as he is interested in the preservation of the article. If he takes it upon himself to attend to the repairs, he takes care that the money which he expends for this purpose is repaid.

⁴ Perrin Dandin, a character in François Rabelais's *Third Book*. (Editor)

This rent does not represent the product of the implement, since of itself the implement produces nothing; we have just proved this, and we shall prove it more clearly still by its consequences.

Finally, this rent does not represent the participation of the proprietor in the production; since this participation could consist, like that of the blacksmith and the wheelwright, only in the surrender of the whole or a part of his implement, in which case he would cease to be its proprietor, which would involve a contradiction of the idea of property.

Then, between the proprietor and his tenant there is no exchange either of values or services; then, as our axiom says, farm-rent is real increase,—an extortion based solely upon fraud and violence on the one hand, and weakness and ignorance upon the other. *Products*, say the economists, *are bought only by products*. This maxim is property's condemnation. The proprietor, producing neither by his own labour nor by his implement, and receiving products in exchange for nothing, is either a parasite or a thief. Then, if property can exist only as a right, property is impossible.

Corollaries—1. The republican constitution of 1793, which defined property as "the right to enjoy the fruit of one's labour," was grossly mistaken. It should have said, "Property is the right to enjoy and dispose at will of another's goods,—the fruit of another's industry and labour."

2. Every possessor of lands, houses, furniture, machinery, tools, money, etc., who lends a thing for a price exceeding the cost of repairs (the repairs being charged to the lender, and representing products which he exchanges for other products), is guilty of swindling and extortion. In short, all rent received (nominally as damages, but really as payment for a loan) is an act of property,—of theft.

Historical comment—The tax which a victorious nation levies upon a conquered nation is genuine farm-rent. The seigniorial rights abolished by the Revolution of 1789,—tithes, mortmain, statute-labour, etc.,—were different forms of the rights of property; and they who under the titles of nobles, seigneurs, prebendaries, etc. enjoyed these rights, were neither more nor less than proprietors. To defend property today is to condemn the Revolution.

[...]

When the ass is too heavily loaded, he lies down; man always moves on. Upon this indomitable courage, the proprietor—well knowing that it exists—bases his hopes of speculation. The free worker produces ten; for me, thinks the proprietor, he will produce twelve.

Indeed,—before consenting to the confiscation of his fields, before bidding farewell to the paternal roof,—the peasant, whose story we have just told, makes a desperate effort; he leases new land; he will sow one-third more; and, taking half of this new product for himself, he will harvest an additional sixth, and thereby pay his rent. What an evil! To add one-sixth to his production, the farmer must add, not one-sixth, but two-sixths to his labour. At such a price, he pays a farm-rent which in God's eyes he does not owe.

The landlord's example is followed by the industrialist. The former tills more land, and dispossesses his neighbours; the latter lowers the price of his merchandise, and endeavours to monopolise its manufacture and sale, and to crush out his competitors. To satisfy property, the worker must first produce beyond his needs. Then, he must produce beyond his strength [...].

[...]

If the worker receives for his labour an average of three francs per day, his employer (in order to gain anything beyond his own salary, if only interest on his capital) must sell the day's labour of his employee, in the form of merchandise, for more than three francs. The worker cannot, then, repurchase that which he has produced for his master. It is thus with all trades whatsoever. The tailor, the hatter, the cabinet-maker, the blacksmith, the tanner, the mason, the jeweller, the printer, the clerk, etc., even to the farmer and wine-grower, cannot repurchase their products; since, producing for a master who in one form or another makes a profit, they are obliged to pay more for their own labour than they get for it.

The labouring people can buy neither the cloth which they weave, nor the furniture which they manufacture, nor the metal which they forge, nor the jewels which they cut, nor the prints which they engrave. They can procure neither the wheat which they plant, nor the wine which they grow, nor the flesh of the animals which they raise. They are allowed neither to dwell in the houses which they build, nor to attend the plays which their labour supports, nor to enjoy the rest which their body requires. And why? Because the right of increase [*droit d'aubaine*] does not permit these things to be sold at the cost-price, which is all that workers can afford to pay. On the signs of those magnificent warehouses which he in his poverty admires, the worker reads in large letters: "This is thy work, and thou shalt not have it." *Sic vos non vobis!*

[...]

If the factory stops running, the manufacturer has to pay interest on his capital the same as before. He naturally tries, then, to continue production by lessening expenses. Then comes the lowering of wages; the introduction of machinery; the employment of women and children to do the work of men; bad workmen, and wretched work. They still produce, because the decreased cost creates a larger market; but they do not produce long, because, the cheapness being due to the quantity and rapidity of production, the productive power tends more than ever to outstrip consumption. It is when workers, whose wages are scarcely sufficient to support them from one day to another, are thrown out of work, that the consequences of the principle of property become most frightful. They have not been able to economise, they have made no savings, they have accumulated no capital whatever to support them even one day more. Today the factory is closed. To-morrow the people starve in the streets. Day after tomorrow they will either die in the hospital, or eat in the jail.

And still new misfortunes come to complicate this terrible situation. In consequence of the cessation of business, and the extreme cheapness of merchandise, the manufacturer finds it impossible to pay the interest on his borrowed capital; whereupon his frightened creditors hasten to withdraw their funds. Production is suspended, and labour comes to a standstill. Then people are astonished to see capital desert commerce, and throw itself upon the Stock Exchange; and I once heard M. Blanqui bitterly lamenting the blind ignorance of capitalists. The cause of this movement of capital is very simple; but for that very reason an economist could not understand it, or rather must not explain it. The cause lies solely in *competition*.

I mean by competition, not only the rivalry between two parties engaged in the same business, but the general and simultaneous effort of all kinds of business to get ahead of each other. This effort is today so strong, that the price of merchandise scarcely covers the cost of production and distribution; so that, the wages of all workers being lessened, nothing remains, not even interest for the capitalists.

The primary cause of commercial and industrial stagnations is, then, interest on capital,—that interest which the ancients with one accord branded with the name of usury, whenever it was paid for the use of money, but which they did not dare to condemn in the forms of house-rent, farm-rent, or profit: as if the nature of the thing lent could ever warrant a charge for the lending; that is, theft.

In proportion to the increase received by the capitalist will be the frequency and intensity of commercial crises,—the first being given, we always can determine the two others; and vice versa. Do you wish to know the regulator of a society? Ascertain the amount of active capital; that is, the capital bearing interest, and the legal rate of this interest. The course of events will be a series of overturns, whose number and violence will be proportional to the activity of capital.

[...]

Property is impossible, because it is powerless against Property.

I. By the third corollary of our axiom, interest tells against the proprietor as well as the stranger. This economic principle is universally admitted. Nothing simpler at first blush; yet, nothing more absurd, more contradictory in terms, or more absolutely impossible.

The manufacturer, it is said, pays himself the rent on his house and capital. *He pays himself*; that is, he gets paid by the public who buy his products. For, suppose the manufacturer, who seems to make this profit on his property, wishes also to make it on his merchandise, can he then pay himself one franc for that which cost him ninety centimes, and make money by the operation? No: such a transaction would transfer the merchant's money from his right hand to his left, but without any profit whatever.

Now, that which is true of a single individual trading with himself is true also of the whole business world. Form a chain of ten, fifteen, twenty

producers; as many as you wish. If the producer A makes a profit out of the producer B, B's loss must, according to economic principles, be made up by C, C's by D; and so on through to Z.

But by whom will Z be paid for the loss caused him by the profit charged by A in the beginning? *By the consumer*, replies Say. Contemptible equivocation! Is this consumer any other, then, than A, B, C, D, etc., or Z? By whom will Z be paid? If he is paid by A, no one makes a profit; consequently, there is no property. If, on the contrary, Z bears the burden himself, he ceases to be a member of society; since it refuses him the right of property and profit, which it grants to the other associates.

Since, then, a nation, like universal humanity, is a vast industrial association which cannot act outside of itself, it is clear that no man can enrich himself without impoverishing another. For, in order that the right of property, the right of increase [*droit d'aubaine*], may be respected in the case of A, it must be denied to Z; thus we see how equality of rights, separated from equality of conditions, may be a truth. The iniquity of political economy in this respect is flagrant. "When I, a manufacturer, purchase the labour of a worker, I do not include his wages in the net product of my business; on the contrary, I deduct them. But the worker includes them in his net product..." (Say: *Political Economy*).

That means that all which the worker gains is *net product*; but that only that part of the manufacturer's gains is *net product*, which remains after deducting his wages. But why is the right of profit confined to the manufacturer? Why is this right, which is at bottom the right of property itself, denied to the worker? In the terms of economic science, the worker is capital. Now, all capital, beyond the cost of its maintenance and repair, must bear interest. This the proprietor takes care to get, both for his capital and for himself. Why is the worker prohibited from charging a like interest for his capital, which is himself?

Property, then, is inequality of rights; for, if it were not inequality of rights, it would be equality of goods,—in other words, it would not exist. Now, the charter guarantees to all equality of rights. Then, by the charter, property is impossible.

II. Is A, the proprietor of an estate, entitled by the fact of his proprietorship to take possession of the field belonging to B, his neighbour? "No," reply the proprietors; "but what has that to do with the right of property?" That I shall show you by a series of similar propositions.

Has C, a hatter, the right to force D, his neighbour and also a hatter, to close his shop, and cease his business? Not the least in the world.

But C wishes to make a profit of one franc on every hat, while D is content with fifty centimes. It is evident that D's moderation is injurious to C's extravagant claims. Has the latter a right to prevent D from selling? Certainly not.

Since D is at liberty to sell his hats fifty centimes cheaper than C if he chooses, C in his turn is free to reduce his price one franc. Now, D is poor,

while C is rich; so that at the end of two or three years D is ruined by this intolerable competition, and C has complete control of the market. Can the proprietor D get any redress from the proprietor C? Can he bring a suit against him to recover his business and property? No; for D could have done the same thing, had he been the richer of the two.

On the same ground, the large proprietor A may say to the small proprietor B: "Sell me your field, otherwise you shall not sell your wheat,"—and that without doing him the least wrong, or giving him ground for complaint. So that A can devour B if he likes, for the very reason that A is stronger than B. Consequently, it is not the right of property which enables A and C to rob B and D, but the right of might. By the right of property, neither the two neighbours A and B, nor the two merchants C and D, could harm each other. They could neither dispossess nor destroy one another, nor gain at one another's expense. The power of invasion lies in superior strength.

But it is superior strength also which enables the manufacturer to reduce the wages of his employees, and the rich merchant and well-stocked proprietor to sell their products for what they please. The manufacturer says to the worker, "You are as free to go elsewhere with your services as I am to receive them. I offer you so much." The merchant says to the customer, "Take it or leave it; you are master of your money, as I am of my goods. I want so much." Who will yield? The weaker.

Therefore, without force, property is powerless against property, since without force it has no power to increase [*s'accroître par aubaine*]; therefore, without force, property is null and void.

[...]

CHAPTER V

PSYCHOLOGICAL EXPOSITION OF THE IDEA OF JUSTICE, AND A DETERMINATION OF THE PRINCIPLE OF GOVERNMENT AND OF RIGHT

PROPERTY IS IMPOSSIBLE; equality does not exist. We hate the former, and yet wish to possess it; the latter rules all our thoughts, yet we know not how to reach it. Who will explain this profound antagonism between our conscience and our will? Who will point out the causes of this pernicious error, which has become the most sacred principle of justice and society?

I am bold enough to undertake the task, and I hope to succeed.

[...]

When two or more individuals have regularly organised a society,—when the contracts have been agreed upon, drafted, and signed,—there is no difficulty about the future. Everybody knows that when two men associate—for instance—in order to fish, if one of them catches no fish, he is none the less

entitled to those caught by his associate. If two merchants form a partnership, while the partnership lasts, the profits and losses are divided between them; since each produces, not for himself, but for the society: when the time of distribution arrives, it is not the producer who is considered, but the associate. That is why the slave, to whom the planter gives straw and rice; and the civilised worker, to whom the capitalist pays a salary which is always too small,—not being associated with their employers, although producing with them,—are disregarded when the product is divided. Thus, the horse who draws our coaches, and the ox who draws our carts produce with us, but are not associated with us; we take their product, but do not share it with them. The animals and workers whom we employ hold the same relation to us. Whatever we do for them, we do, not from a sense of justice, but out of pure benevolence.⁵

But is it possible that we are not all associated? Let us call to mind what was said in the last two chapters. That even though we do not want to be associated, the force of things, the necessity of consumption, the laws of production, and the mathematical principle of exchange combine to associate us. There is but a single exception to this rule,—that of the proprietor, who, producing by his right of increase [*droit d'aubaine*], is not associated with any one, and consequently is not obliged to share his product with any one; just as no one else is bound to share with him. With the exception of the proprietor, we labour for each other; we can do nothing by ourselves unaided by others, and we continually exchange products and services with each other. If these are not social acts, what are they?

Now, neither a commercial, nor an industrial, nor an agricultural association can be conceived of in the absence of equality; equality is its *sine qua non*. So that, in all matters which concern this association, to violate society is to violate justice and equality. Apply this principle to humanity at large.

After what has been said, I assume that the reader has sufficient insight to enable him to dispense with any aid of mine.

By this principle, the man who takes possession of a field, and says, "This field is mine," will not be unjust so long as every one else has an equal right of possession; nor will he be unjust, if, wishing to change his location, he exchanges this field for an equivalent. But if, putting another in his place, he says to him, "Work for me while I rest," he then becomes unjust, unassociated, *unequal*. He is a proprietor.

Reciprocally, the sluggard, or the rake, who, without performing any social task, enjoys like others—and often more than others—the products of

⁵ To perform an act of benevolence towards one's neighbour is called, in Hebrew, to do justice; in Greek, to take compassion or pity (*ἐλεημοσύνη*), from which is derived the French *aumône*; in Latin, to perform an act of love or charity; in French, give alms. We can trace the degradation of this principle through these various expressions: the first signifies duty; the second only sympathy; the third, affection, a matter of choice, not an obligation; the fourth, caprice.

society, should be proceeded against as a thief and a parasite. We owe it to ourselves to give him nothing; but, since he must live, to put him under supervision, and compel him to labour.

Sociability is the attraction felt by sentient beings for each other. Justice is this same attraction, accompanied by thought and knowledge. But under what general concept, in what category of the understanding, is justice placed? In the category of equal quantities. Hence, the ancient definition of justice—*Justum aequale est, injustum inaequale*. What is it, then, to practise justice? It is to give equal wealth to each, on condition of equal labour. It is to act socially. Our selfishness may complain; there is no escape from evidence and necessity.

What is the right of occupancy? It is a natural method of dividing the earth, by reducing each worker's share as fast as new workers present themselves. This right disappears if the public interest requires it; which, being the social interest, is also that of the occupant.

What is the right of labour? It is the right to obtain one's share of wealth by fulfilling the required conditions. It is the right of society, the right of equality.

Justice, which is the product of the combination of an idea and an instinct, manifests itself in man as soon as he is capable of feeling, and of forming ideas. Consequently, it has been regarded as an innate and original sentiment; but this opinion is logically and chronologically false. But justice, by its composition hybrid—if I may use the term,—justice, born of emotion and intellect combined, seems to me one of the strongest proofs of the unity and simplicity of the ego; the organism being no more capable of producing such a mixture by itself, than are the combined senses of hearing and sight of forming a binary sense, half auditory and half visual.

[...]

When property is abolished, what will be the form of society? Will it be communism?

[...]

Communism—the first expression of the social nature—is the first term of social development,—the *thesis*; property, the reverse of communism, is the second term,—the *antithesis*. When we have discovered the third term, the *synthesis*, we shall have the required solution. Now, this synthesis necessarily results from the correction of the thesis by the antithesis. Therefore it is necessary, by a final examination of their characteristics, to eliminate those features which are hostile to sociability. The union of the two remainders will give us the true form of human association.

[...]

I. I ought not to conceal the fact that property and communism have been considered always the only possible forms of society. This deplorable error has been the life of property. The disadvantages of communism are so obvious that its critics never have needed to employ much eloquence to

thoroughly disgust men with it. The irreparability of the injustice which it causes, the violence which it does to attractions and repulsions, the yoke of iron which it fastens upon the will, the moral torture to which it subjects the conscience, the debilitating effect which it has upon society; and, to sum it all up, the pious and stupid uniformity which it enforces upon the free, active, reasoning, unsubmissive personality of man, have shocked common sense, and condemned communism by an irrevocable decree.

The authorities and examples cited in its favour disprove it. The communistic republic of Plato involved slavery; that of Lycurgus employed Helots, whose duty it was to produce for their masters, thus enabling the latter to devote themselves exclusively to athletic sports and to war. Even J. J. Rousseau—confounding communism and equality—has said somewhere that, without slavery, he did not think equality of conditions possible. The communities of the early Church did not last the first century out, and soon degenerated into monasteries. In those of the Jesuits of Paraguay, the condition of the blacks is said by all travellers to be as miserable as that of slaves; and it is a fact that the good Fathers were obliged to surround themselves with ditches and walls to prevent their new converts from escaping. The followers of Babeuf—guided by a lofty horror of property rather than by any definite belief—were ruined by exaggeration of their principles; the St. Simonians, lumping communism and inequality, passed away like a masquerade. The greatest danger to which society is exposed today is that of another shipwreck on this rock.

Singularly enough, systematic communism [*communaute*]—the deliberate negation of property—is conceived under the direct influence of the proprietary prejudice; and property is the basis of all communistic theories.

The members of a community, it is true, have no private property; but the community is proprietor, and proprietor not only of the goods, but of the persons and wills. In consequence of this principle of absolute property, labour, which should be only a condition imposed upon man by Nature, becomes in all communities a human commandment, and therefore odious. Passive obedience, irreconcilable with a reflecting will, is strictly enforced. Fidelity to regulations, which are always defective, however wise they may be thought, allows of no complaint. Life, talent, and all the human faculties are the property of the State, which has the right to use them as it pleases for the common good. Private associations are sternly prohibited, in spite of the likes and dislikes of different natures, because to tolerate them would be to introduce small communities within the large one, and consequently private property; the strong work for the weak, although this ought to be left to benevolence, and not enforced, advised, or enjoined; the industrious work for the lazy, although this is unjust; the clever work for the foolish, although this is absurd; and, finally, man—casting aside his personality, his spontaneity, his genius, and his affections—humbly annihilates himself at the feet of the majestic and inflexible Commune!

Communism is inequality, but not as property is. Property is the exploitation of the weak by the strong. Communism is the exploitation of the strong by the weak. In property, inequality of conditions is the result of force, under whatever name it be disguised: physical and mental force; force of events, chance, *fortune*; force of accumulated property, etc. In communism, inequality springs from placing mediocrity on a level with excellence. This damaging equation is repellent to the conscience, and causes merit to complain; for, although it may be the duty of the strong to aid the weak, they prefer to do it out of generosity,—they never will endure a comparison. Give them equal opportunities of labour, and equal wages, but never allow their jealousy to be awakened by mutual suspicion of unfaithfulness in the performance of the common task.

Communism is oppression and slavery. Man is very willing to obey the law of duty, serve his country, and oblige his friends; but he wishes to labour when he pleases, where he pleases, and as much as he pleases. He wishes to dispose of his own time, to be governed only by necessity, to choose his friendships, his recreation, and his discipline; to act from judgement, not by command; to sacrifice himself through selfishness, not through servile obligation. Communism is essentially opposed to the free exercise of our faculties, to our noblest desires, to our deepest feelings. Any plan which could be devised for reconciling it with the demands of the individual reason and will would end only in changing the thing while preserving the name. Now, if we are honest truth-seekers, we shall avoid disputes about words.

Thus, communism violates the sovereignty of the conscience, and equality: the first, by restricting spontaneity of mind and heart, and freedom of thought and action; the second, by placing labour and laziness, skill and stupidity, and even vice and virtue on an equality in point of comfort. For the rest, if property is impossible on account of the desire to accumulate, communism would soon become so through the desire to shirk.

II. Property, in its turn, violates equality by the rights of exclusion and increase, and freedom by despotism. The former effect of property having been sufficiently developed in the last three chapters, I will content myself here with establishing by a final comparison, its perfect identity with theft.

[...]

In those forms of theft which are prohibited by law, force and artifice are employed alone and undisguised; in the authorised forms, they conceal themselves within a useful product, which they use as a tool to plunder their victim.

The direct use of violence and stratagem was early and universally condemned; but no nation has yet got rid of that kind of theft which acts through talent, labour, and possession, and which is the source of all the dilemmas of casuistry and the innumerable contradictions of jurisprudence.

[...]

The second effect of property is despotism. Now, since despotism is inseparably connected with the idea of legitimate authority, in explaining the natural causes of the first, the principle of the second will appear.

What is to be the form of government in the future? I hear some of my younger readers reply: "Why, how can you ask such a question? You are a republican." "A republican! Yes; but that word specifies nothing. *Res publica*; that is, the public thing. Now, whoever is interested in public affairs—no matter under what form of government—may call himself a republican. Even kings are republicans."—

"Well! you are a democrat?"—"No."—"What! you would have a monarchy?"—"No."—"A constitutionalist?"—"God forbid!"—"You are then an aristocrat?"—"Not at all."—"You want a mixed government?"—"Still less."—"What are you, then?"—"I am an anarchist."

"Oh! I understand you; you speak satirically. This is a hit at the government."—"By no means. I have just given you my serious and well-considered profession of faith. Although a firm friend of order, I am (in the full force of the term) an anarchist. Listen to me."

[...]

By means of self-instruction and the acquisition of ideas, man finally acquires the idea of *science*,—that is, of a system of knowledge in harmony with the reality of things, and inferred from observation. He searches for the science, or the system, of inanimate bodies,—the system of organic bodies, the system of the human mind, and the system of the universe: why should he not also search for the system of society? But, having reached this height, he comprehends that political truth, or the science of politics, exists quite independently of the will of sovereigns, the opinion of majorities, and popular beliefs,—that kings, ministers, magistrates, and nations, as wills, have no connection with the science, and are worthy of no consideration. He comprehends, at the same time, that, if man is born a sociable being, the authority of his father over him ceases on the day when, his mind being formed and his education finished, he becomes the associate of his father; that his true chief and his king is the demonstrated truth; that politics is a science, not a stratagem; and that the function of the legislator is reduced, in the last analysis, to the methodical search for truth.

Thus, in a given society, the authority of man over man is inversely proportional to the stage of intellectual development which that society has reached; and the probable duration of that authority can be calculated from the more or less general desire for a true government,—that is, for a scientific government. And just as the right of force and the right of artifice retreat before the steady advance of justice, and must finally be extinguished in equality, so the sovereignty of the will yields to the sovereignty of the reason, and must at last be lost in scientific socialism. Property and royalty have been crumbling to pieces ever since the world began. As man seeks justice in equality, so society seeks order in anarchy.

Anarchy,—the absence of a master, of a sovereign,⁶—such is the form of government to which we are every day approximating, and which our accustomed habit of taking man for our rule, and his will for law, leads us to regard as the height of disorder and the expression of chaos. The story is told, that a citizen of Paris in the seventeenth century having heard it said that in Venice there was no king, the good man could not recover from his astonishment, and nearly died from laughter at the mere mention of so ridiculous a thing. So strong is our prejudice. As long as we live, we want a chief or chiefs; and at this very moment I hold in my hand a *brochure*, whose author—a zealous communist—dreams, like a second Marat, of the dictatorship. The most advanced among us are those who wish the greatest possible number of sovereigns,—their most ardent wish is for the royalty of the National Guard. Soon, undoubtedly, some one, jealous of the citizen militia, will say, "Everybody is king." But, when he has spoken, I will say, in my turn, "Nobody is king; we are, whether we will or no, associated." Every question of domestic politics must be decided by departmental statistics; every question of foreign politics is an affair of international statistics. The science of government rightly belongs to one of the sections of the Academy of Sciences, whose permanent secretary is necessarily prime minister; and, since every citizen may address a memoir to the Academy, every citizen is a legislator. But, as the opinion of no one is of any value until its truth has been proven, no one can substitute his will for reason,—nobody is king.

All questions of legislation and politics are matters of science, not of opinion. The legislative power belongs only to the reason, methodically recognised and demonstrated. To attribute to any power whatever the right of veto or of sanction, is the last degree of tyranny. Justice and legality are two things as independent of our approval as is mathematical truth. To compel, they need only to be known; to be known, they need only to be considered and studied. What, then, is the nation, if it is not the sovereign,—if it is not the source of the legislative power?

The nation is the guardian of the law—the nation is the *executive power*. Every citizen may assert: "This is true; that is just;" but his opinion controls no one but himself. That the truth which he proclaims may become a law, it must be recognised. Now, what is it to recognise a law? It is to verify a mathematical or a metaphysical calculation; it is to repeat an experiment, to observe a phenomenon, to establish a fact. Only the nation has the right to say, "Be it known and decreed."

I confess that this is an overturning of received ideas, and that I seem to be attempting to revolutionise our political system; but I beg the reader to consider that, having begun with a paradox, I must, if I reason correctly, meet with paradoxes at every step, and must end with paradoxes. For the

⁶ The meaning ordinarily attached to the word "anarchy" is absence of principle, absence of rule; consequently, it has been regarded as synonymous with "disorder."

rest, I do not see how the liberty of citizens would be endangered by entrusting to their hands, instead of the pen of the legislator, the sword of the law. The executive power, belonging properly to the will, cannot be confided to too many proxies. That is the true sovereignty of the nation.⁷

The proprietor, the robber, the hero, the sovereign—for all these titles are synonymous—imposes his will as law, and suffers neither contradiction nor control; that is, he pretends to be the legislative and the executive power at once. Accordingly, the substitution of the scientific and true law for the royal will is accomplished only by a terrible struggle; and this constant substitution is, after property, the most potent element in history, the most prolific source of political disturbances. Examples are too numerous and too striking to require enumeration.

Now, property necessarily engenders despotism,—the government of caprice, the reign of libidinous pleasure. That is so clearly the essence of property that, to be convinced of it, one need but remember what it is, and observe what happens around him. Property is the right to *use* and *abuse*. If, then, government is economy,—if its object is production and consumption, and the distribution of labour and products,—how is government possible while property exists? And if goods are property, why should not the proprietors be kings, and despotic kings—kings in proportion to their *facultés bonitaires*? And if each proprietor is sovereign lord within the sphere of his property, absolute king throughout his own domain, how could a government of proprietors be anything but chaos and confusion?

[...]

Then, no government, no public economy, no administration, is possible, which is based upon property.

Communism seeks *equality* and *law*. Property, born of the sovereignty of the reason, and the sense of personal merit, wishes above all things *independence* and *proportionality*.

⁷ If such ideas are ever forced into the minds of the people, it will be by representative government and the tyranny of talkers. Once science, thought, and speech were characterised by the same expression [in Greek, *logos*]. To designate a thoughtful and a learned man, they said, "a man quick to speak and powerful in discourse." For a long time, speech has been abstractly distinguished from science and reason. Gradually, this abstraction is becoming realised, as the logicians say, in society; so that we have today savants of many kinds who talk but little, and *talkers* who are not even savants in the science of speech. Thus a philosopher is no longer a savant: he is a talker. Legislators and poets were once profound and sublime characters: now they are talkers. A talker is a sonorous bell, whom the least shock suffices to set in perpetual motion. With the talker, the flow of speech is always directly proportional to the poverty of thought. Talkers govern the world; they stun us, they bore us, they worry us, they suck our blood, and [they] laugh at us. As for the savants, they keep silence: if they wish to say a word, they are cut short. Let them write.

But communism, mistaking uniformity for law, and levelism for equality, becomes tyrannical and unjust. Property, by its despotism and encroachments, soon proves itself oppressive and anti-social.

The objects of communism and property are good—their results are bad. And why? Because both are exclusive, and each disregards two elements of society. Communism rejects independence and proportionality; property does not satisfy equality and law.

Now, if we imagine a society based upon these four principles,—equality, law, independence, and proportionality,—we find:

1. That *equality*, consisting only in *equality of conditions*, that is, of means, and not in *equality of comfort*,—which it is the business of the workers to achieve for themselves, when provided with equal means,—in no way violates justice and equity.

2. That *law*, resulting from the knowledge of facts, and consequently based upon necessity itself, never clashes with independence.

3. That individual *independence*, or the autonomy of the private reason, originating in the difference in talents and capacities, can exist without danger within the limits of the law.

4. That *proportionality*, being admitted only in the sphere of intelligence and sentiment, and not as regards material objects, may be observed without violating justice or social equality.

This third form of society, the synthesis of communism and property, we will call *liberty*.⁸

In determining the nature of liberty, we do not unite communism and property indiscriminately; such a process would be absurd eclecticism. We search by analysis for those elements in each which are true, and in harmony with the laws of Nature and society, disregarding the rest altogether; and the result gives us an adequate expression of the natural form of human society,—in one word, liberty.

Liberty is equality, because liberty exists only in society; and in the absence of equality there is no society.

Liberty is anarchy, because it does not admit the government of the will, but only the authority of the law; that is, of necessity.

Liberty is infinite variety, because it respects all wills within the limits of the law.

Liberty is proportionality, because it allows the utmost latitude to the ambition for merit, and the emulation of glory.

[...]

I have accomplished my task; property is conquered, never again to arise. Wherever this work is read and discussed, there will be deposited the germ

⁸ *libertas, librare, libratio, libra*,—liberty, to liberate, libration, balance (pound [in French, *livre*]),—words which have a common derivation. Liberty is the balance of rights and duties. To make a man free is to balance him with others,—that is, to put him on their level.

of death to property; there, sooner or later, privilege and servitude will disappear, and the despotism of will will give place to the reign of reason. What sophisms, indeed, what prejudices (however obstinate) can stand before the simplicity of the following propositions:

I. Individual *possession*⁹ is the condition of social life; five thousand years of property demonstrate it. *Property* is the suicide of society. Possession is a right; property is against right. Suppress property while maintaining possession, and, by this simple modification of the principle, you will revolutionise law, government, economy, and institutions; you will drive evil from the face of the earth.

II. All having an equal right of occupancy, possession varies with the number of possessors; property cannot establish itself.

III. The effect of labour being the same for all, property is lost in the common prosperity.

IV. All human labour being the result of collective force, all property becomes, by the same reason, collective and undivided. To speak more exactly, labour destroys property.

V. Every capacity for labour being, like every instrument of labour, an accumulated capital, and a collective property, inequality of wages and fortunes (on the ground of inequality of capacities) is, therefore, injustice and theft.

VI. The necessary conditions of commerce are the liberty of the contracting parties and the equivalence of the products exchanged. Now, value being expressed by the amount of time and outlay which each product costs, and liberty being inviolable, the wages of workers (like their rights and duties) should be equal.

VII. Products are bought only by products. Now, the condition of all exchange being equivalence of products, profit is impossible and unjust. Observe this elementary principle of economy, and pauperism, luxury, oppression, vice, crime, and hunger will disappear from our midst.

VIII. Men are associated by the physical and mathematical law of production, before they are voluntarily associated by choice. Therefore, equality of conditions is demanded by justice; that is, by strict social law: esteem, friendship, gratitude, admiration, all fall within the domain of *equitable* or *proportional* law only.

IX. Free association, liberty—whose sole function is to maintain equality in the means of production and equivalence in exchanges—is the only possible, the only just, the only true form of society.

⁹ Individual possession is no obstacle to extensive cultivation and unity of exploitation. If I have not spoken of the drawbacks arising from small estates, it is because I thought it useless to repeat what so many others have said, and what by this time all the world must know. But I am surprised that the economists, who have so clearly shown the disadvantages of spade-husbandry, have failed to see that it is caused entirely by property; above all, that they have not perceived that their plan for mobilising the soil is a first step towards the abolition of property.

X. Politics is the science of liberty. The government of man by man (under whatever name it be disguised) is oppression. Society finds its highest perfection in the union of order with anarchy.

The old civilisation has run its race; a new sun is rising, and will soon renew the face of the earth. Let the present generation perish, let the old prevaricators die in the desert! the holy earth shall not cover their bones. Young man, exasperated by the corruption of the age, and absorbed in your zeal for justice!—if your country is dear to you, and if you have the interests of humanity at heart, have the courage to espouse the cause of liberty! Cast off your old selfishness, and plunge into the rising flood of popular equality! There your regenerate soul will acquire new life and vigour; your enervated genius will recover unconquerable energy; and your heart, perhaps already withered, will be rejuvenated! Every thing will wear a different look to your illuminated vision; new sentiments will engender new ideas within you; religion, morality, poetry, art, language will appear before you in nobler and fairer forms; and thenceforth, sure of your faith, and thoughtfully enthusiastic, you will hail the dawn of universal regeneration!

And you, sad victims of an odious law!—you, whom a jesting world despoils and outrages!—you, whose labour has always been fruitless, and whose rest has been without hope,—take courage! your tears are numbered! The fathers have sown in affliction, the children shall reap in rejoicings!

O God of liberty! God of equality! Thou who didst place in my heart the sentiment of justice, before my reason could comprehend it, hear my ardent prayer! Thou hast dictated all that I have written; Thou hast shaped my thought; Thou hast directed my studies; Thou hast weaned my mind from curiosity and my heart from attachment, that I might publish Thy truth to the master and the slave. I have spoken with what force and talent Thou hast given me: it is Thine to finish the work. Thou knowest whether I seek my welfare or Thy glory, O God of liberty! Ah! perish my memory, and let humanity be free! Let me see from my obscurity the people at last instructed; let noble teachers enlighten them; let generous spirits guide them! Abridge, if possible, the time of our trial; stifle pride and avarice in equality; annihilate this love of glory which enslaves us; teach these poor children that in the bosom of liberty there are neither heroes nor great men! Inspire the powerful man, the rich man, him whose name my lips shall never pronounce in Thy presence, with a horror of his crimes; let him be the first to apply for admission to the redeemed society; let the promptness of his repentance be the ground of his forgiveness! Then, great and small, wise and foolish, rich and poor, will unite in an ineffable fraternity; and, singing in unison a new hymn, will rebuild Thy altar, O God of liberty and equality!

Paris, April 1st, 1841

Translation by Benjamin R. Tucker

LETTER TO M. BLANQUI ON PROPERTY WHAT IS PROPERTY? SECOND MEMOIR

Monsieur,

[...]

IN ORDER TO LIVE AS A PROPRIETOR, OR TO CONSUME WITHOUT PRODUCING, IT is necessary, then, to live upon the labour of another; in other words, it is necessary to kill the worker. It is upon this principle that proprietors of those varieties of capital which are of primary necessity increase their farm-rents as fast as industry develops, much more careful of their privileges in that respect, than those economists who, in order to strengthen property, advocate a reduction of interest. But the crime is unavailing: labour and production increase; soon the proprietor will be forced to labour, and then property is lost.

The proprietor is a man who, having absolute control of an instrument of production, claims the right to enjoy the product of the instrument without using it himself. To this end he lends it; and we have just seen that from this loan the worker derives a power of exchange, which sooner or later will destroy the right of increase [*droit d'aubaine*]. In the first place, the proprietor is obliged to allow the worker a portion of the product, for without it the worker could not live. Soon the latter, through the development of his industry, finds a means of regaining the greater portion of that which he gives to the proprietor; so that at last, the objects of enjoyment increasing continually, while the income of the idler remains the same, the proprietor, having exhausted his resources, begins to think of going to work himself. Then the victory of the producer is certain. Labour commences to tip the balance towards its own side, and commerce leads to equilibrium.