

2016-04-25 From the preparatory notes for Class 02 of the introductory course on political economy: ‘The evolution of property and how it rules the world’.

Note: A separate file containing the text extracts used in this class has been distributed.

“The aspects of things that are most important for us are hidden because of their simplicity and familiarity. (One is unable to notice something – because it is always before one’s eyes.) The real foundations of his enquiry do not strike a man at all. Unless that fact has at some time struck him.”

Wittgenstein, *Philosophical Investigations*, 1953, No. 125

In this course we’ll be training ourselves to notice systematically something that is always before our eyes:
the property relation
– so that, after that, we are always struck by its implications.

Recap of last week’s class by two members of the class.

Pick up on the discussion ...

Before modern anthropology which combines social observations with detailed archeological investigations, **European philosophers who became famous in the 17th and 18th centuries** imagined the earliest human beings as isolated individuals. They differed in their speculation about how human beings lived and acted in the ‘state of nature’, but they had no concept of a collective human social life. Against this background, they also speculated crudely about ‘human nature’ – drawing mainly on their own fears, hopes and experiences in their own times.

Listening to some of the arguments last week, one is reminded of the English political philosopher **Thomas Hobbes (1588-1679)**

His most famous work, *Leviathan*,¹ was published in 1651. In it he wrote that in the natural state of human beings:

¹ Extracts here are from the edition prepared for the McMaster University Archive of the History of Economic Thought, by Rod Hay.

‘there be no Propriety [property], no Dominion, no *Mine* and *Thine* distinct; but only that to be every man’s that he can get, and for so long, as he can keep it.’

He formed his views against the background of the English civil war, from which he had taken refuge in France. His idea of human beings was that they are intrinsically equal, but are engaged in relentless competition with one another. He had no conception of social co-operation, and developed a theory of the state (the ‘Commonwealth’) — indeed a theory of absolute state power (the ‘Leviathan’) — as a necessary means of suppressing the war of all against all.

It is surely not an accident that we are hearing a similar underlying argument from comrades who have experience of a situation in which society in fact has broken down; where hardly anyone has stable and reliable ownership of anything; where armed criminals run rampant, taking what they will; where policing is ineffective; and where a community often resorts in desperation to its own violent means of self-help.

Hobbes saw the state as arising from a necessary social contract in order to suppress the war of all against all, and he proceeded on this basis to extol and justify complete subordination of the individual to the ‘sovereignty’ of the state. His argument was a call for dictatorship by common consent.

Let’s read some key passages from Hobbes’s, *Leviathan*, Chapter 13 (‘Of the Natural Condition of Mankind...’):

[I]t is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man. For war consisteth not in battle only, or the act of fighting, but in a tract of time, wherein the will to contend by battle is sufficiently known ...

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man, the same consequent to the time wherein men live without other security than what their own strength and their own invention shall furnish them withal. In such condition there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short.

... To this war of every man against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where no law, no injustice. Force and fraud are in war the two cardinal virtues. Justice and injustice are none of the faculties neither of the body nor mind. ... It is consequent also to the same condition that there be no propriety, no dominion, no mine and thine distinct; but only that to be every man’s that he can get, and for so long as he can keep it. And thus much for the ill condition which man by mere nature is actually placed in; though with a possibility to come out of it, consisting partly in the passions, partly in his reason.

The passions that incline men to peace are: fear of death; desire of such things as are necessary to commodious living; and a hope by their industry to obtain them.

And reason suggesteth convenient articles of peace upon which men may be drawn to agreement.

[DISCUSS]

A view directly opposed to that of Hobbes was expounded a hundred years later by the French philosopher, **Jean-Jacques Rousseau (1712-1778)**. He shared with Hobbes the view that the earliest human beings were essentially solitary individuals, that society was non-existent, and that they banded together only for common tasks and mutual defence. He differed strongly with Hobbes, however, on whether humans were by nature violent or peaceful.

[I]n truth nothing is gentler than man in his primitive state where, placed by nature midway between the stupidity of brutes and the fatal enlightenment of civilized man and limited equally by reason and instinct to ward off the evils threatening him, his natural pity deters him from doing harm to anyone, even when he has encountered harm himself. For according to the wise Locke: “Where there is no property, there is no injury.”²

In an earlier passage in the same work — *Discourse on the Origin of Inequality* (1755) — Rousseau depicted the human being ‘as he must have emerged from the hands of nature’:

I see an animal less strong than some, less agile than others, but on the whole the most advantageously constituted of all. I see him eating his fill under an oak tree, quenching his thirst at the first stream, making his bed at the base of the same tree that supplied his meal, and, behold, his needs are met.³

There was no conflict between humans and other animals because the earth provided for all of them abundantly. Conflict among humans only arose, according to Rousseau, when property was invented, and with property came the state. This put an end to their originally harmonious life. Humanity’s problems ever since have been the result of individuals entering into society and of the rise of the state. For Rousseau, all progress beyond the primitive was progress in appearance only, and represented an enfeeblement of the human species.⁴

As long as men were content with their rustic huts, as long as they confined themselves to stitching their garments of hides with thorns or fishbones, and adorning themselves with feathers or shells, to painting their bodies with various colours, to improving or decorating their bows and arrows, and to carving fishing-boats or a few crude musical instruments; in short, so long as they applied themselves only to work that one person alone could accomplish and to arts that did not require the collaboration of several hands, they lived as free, healthy, good, and happy lives as their nature permitted and continued to enjoy among themselves the delights of independent activity. But from the moment one man needed help from another, and as soon as they found it useful for one man to have provisions enough for two, equality evaporated, property was introduced and work became mandatory; vast forests were transformed into sunny open country that had to be watered with the sweat of man, and where slavery and adversity were soon seen to

² Jean-Jacques Rousseau, *Discourse on the Origin of Inequality*, translated by Franklin Philip, Oxford University Press (1994) p 61. The reference to Locke is an improvisation by Rousseau. In fact Locke’s argument was that appropriation from nature is the basis of human life, but that no injury is caused to others by appropriating from nature no more than one needs. See Chapter V of Locke’s *Second Treatise of Government*.

³ *Id.*, p. 26.

⁴ *Id.*, p 62.

germinate and ripen with the crops.⁵

Therefore civilisation and enlightenment represented, for Rousseau, not human progress but rather the degradation of the naturally free, equal and noble human being created by God. There are strong elements in Rousseau of the myth of the Garden of Eden, with the downfall of Adam and Eve and their successors once they had eaten the forbidden fruit of ‘the tree of knowledge of good and evil’.

Although Rousseau died more than ten years before the great French Revolution, his attack on inequality and the state, as well as his demands for reform, had a big influence on the revolutionaries of that time — who used to read his writings aloud to crowds at street corners. Rousseau’s concept of an idyllic primitive existence has attracted a following again in recent times, at least among the naive.

[DISCUSS]

You will have noted Rousseau’s reference to the English liberal philosopher **John Locke (1632-1704)**. He quotes Locke as saying ‘Where there is no property, there is no injury’. Actually this is an invention by Rousseau. In fact Locke’s argument was that appropriation from nature is the basis of human life, but that no injury is caused to others by appropriating from nature no more than one needs.⁶

Locke, too, had speculated that the earliest human beings lived and produced their livelihood as individuals. He imagined that property emerged from individuals separately applying their labour to the earth, and argued that this made private property a natural right.⁷ Let’s read some of what he said. The following passage comes from Chapter V of his *Second Treatise of Government*:⁸

25. ... The earth and all that is therein is given to men for the support and comfort of their being. And though all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of Nature, and nobody has originally a private dominion exclusive of the rest of mankind in any of them, as they are thus in their natural state, yet being given for the use of men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial, to any particular men. The fruit or venison which nourishes the wild Indian, who knows no enclosure, and is still a tenant in common, must be his, and so his — i.e., a part of him, that another can no longer have any right to it before it can do him any good for the support of his life.

26. Though the earth and all inferior creatures be common to all men, yet every man has a ‘property’ in his own ‘person’. This nobody has any right to but himself. The ‘labour’ of his body and the ‘work’ of his hands, we may say, are properly his. Whatsoever, then, he removes out of the state that Nature hath provided and left it in, he hath mixed his labour with it, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state Nature placed it in, it hath by this labour something annexed to it that excludes the common right of other men. For this ‘labour’ being the

⁵ *Id.*

⁶ See Chapter V of Locke’s *Second Treatise of Government*.

⁷ *Id.*

⁸ Locke is now thought to have written his *Two Treatises of Government* in about 1679. The extract here is from *The Works of John Locke*, 1823 edition in ten volumes. Vol V. Text as prepared by Rod Hay for the McMaster University Archive of the History of Economic Thought.

unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good left in common for others.

27. He that is nourished by the acorns he picked up under an oak, or the apples he gathered from the trees in the wood, has certainly appropriated them to himself. Nobody can deny but the nourishment is his. I ask, then, when did they begin to be his? when he digested? or when he ate? or when he boiled? or when he brought them home? or when he picked them up? And it is plain, if the first gathering made them not his, nothing else could. That labour put a distinction between them and common. That added something to them more than Nature, the common mother of all, had done, and so they became his private right. And will any one say he had no right to those acorns or apples he thus appropriated because he had not the consent of all mankind to make them his? Was it a robbery thus to assume to himself what belonged to all in common? If such a consent as that was necessary, man had starved, notwithstanding the plenty God had given him. We see in commons, which remain so by compact, that it is the taking any part of what is common, and removing it out of the state Nature leaves it in, which begins the property, without which the common is of no use. And the taking of this or that part does not depend on the express consent of all the commoners. Thus, the grass my horse has bit, the turfs my servant has cut, and the ore I have digged in any place, where I have a right to them in common with others, become my property without the assignation or consent of anybody. The labour that was mine, removing them out of that common state they were in, hath fixed my property in them.

28. By making an explicit consent of every commoner necessary to any one's appropriating to himself any part of what is given in common. Children or servants could not cut the meat which their father or master had provided for them in common without assigning to every one his peculiar part. Though the water running in the fountain be every one's, yet who can doubt but that in the pitcher is his only who drew it out? His labour hath taken it out of the hands of Nature where it was common, and belonged equally to all her children, and hath thereby appropriated it to himself.

29. Thus this law of reason makes the deer that Indian's who hath killed it; it is allowed to be his goods who hath bestowed his labour upon it, though, before, it was the common right of every one. And amongst those who are counted the civilised part of mankind, who have made and multiplied positive laws to determine property, this original law of Nature for the beginning of property, in what was before common, still takes place, and by virtue thereof, what fish any one catches in the ocean, that great and still remaining common of mankind; or what ambergris any one takes up here is by the labour that removes it out of that common state Nature left it in, made his property who takes that pains about it. And even amongst us, the hare that any one is hunting is thought his who pursues her during the chase. For being a beast that is still looked upon as common, and no man's private possession, whoever has employed so much labour about any of that kind as to find and pursue her has thereby removed her from the state of Nature wherein she was common, and hath begun a property.

30. It will, perhaps, be objected to this, that if gathering the acorns or other fruits of the earth, etc., makes a right to them, then any one may engross as much as he will. To which I answer, Not so. The same law of Nature that does by this means give us property, does also bound that property too. "God has given us all things richly." Is the voice of reason confirmed by inspiration? But how far has He given it us—"to enjoy"? As much as any one can make use of to any advantage of life before it spoils, so much he may by his labour fix a property in. Whatever is beyond this is more than his share, and belongs to others. Nothing was made by God for man to spoil or destroy. And thus considering the plenty of natural provisions there was a long time in the world, and the few spenders, and to how small a part of that provision the industry of one man could extend itself and engross it to the prejudice of others, especially keeping within the bounds set by reason of what might serve for his use, there could be then little room for quarrels or contentions about property so established.

31. But the chief matter of property being now not the fruits of the earth and the beasts that subsist on it, but the earth itself, as that which takes in and carries with it all the rest, I think it is plain that property in that too is acquired as the former. As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. He by his labour does, as it were, enclose it from the common. Nor will it invalidate his right to say everybody else has an equal title to it, and therefore he cannot appropriate, he cannot enclose, without the consent of all his fellow-commoners, all mankind. God, when He gave the world in common to all mankind, commanded man also to labour, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth—i.e., improve it for the benefit of life and therein lay out something upon it that was his own, his labour. He that, in obedience to this command of God, subdued, tilled, and sowed any part of it, thereby annexed to it something that was his property, which another had no title to, nor could without injury take from him.

32. Nor was this appropriation of any parcel of land, by improving it, any prejudice to any other man, since there was still enough and as good left, and more than the yet unprovided could use. So that, in effect, there was never the less left for others because of his enclosure for himself. For he that leaves as much as another can make use of does as good as take nothing at all. Nobody could think himself injured by the drinking of another man, though he took a good draught, who had a whole river of the same water left him to quench his thirst. And the case of land and water, where there is enough of both, is perfectly the same.

[DISCUSS]

We have seen that Hobbes, Locke and Rousseau all conceived of early human beings as relating *individually* to the natural world about them. Modern archeological and anthropological investigations have shown that view — that *speculation* by the philosophers — to be entirely unrealistic. In fact even the earliest human beings produced their subsistence in *social groups*.

Francis Fukuyama (1952 –) has recently provided a useful summary of the modern consensus of anthropologists regarding the life of early human beings. The pattern he describes was, as far as we can tell, universal.

Let us remember that, as far as we know, anatomically modern human beings first emerged between 250,000 and 400,000 years ago. We evolved as hunter-gatherers, and we evolved from primate predecessors who themselves evolved as hunter-gatherers over a period of perhaps 85 million years. This mode of existence, this form of production of material life, was always carried on, not in individual isolation, but in social groups.

In *The Origins of Political Order: From Pre-human times to the French Revolution* (2011), Fukuyama writes:⁹

Many believe that the primordial form of human social organization was tribal. This view extends back to the nineteenth century, when early comparative anthropologists like Numa Denis Fustel de Coulanges and Sir Henry Maine argued that early social life had to be understood in terms of complex kinship groups. Tribal organization did not arise, however, until the emergence of settled societies and the development of agriculture around nine thousand years ago. The hunter-gatherer societies that preceded agricultural ones were organized for tens of thousands of years in a much simpler fashion, based on small groups of nomadic families comparable in scale to primate bands. Such societies still exist in marginal

⁹ Profile Books edition, pp 53-55. Footnotes omitted.

environmental niches, and they include the Eskimos, the Bushmen of the Kalahari Desert, and Australian Aborigines. (There are some exceptions to this, like the indigenous tribes of the U.S. Pacific Northwest, who were hunter-gatherers but lived in an area of extraordinary resource abundance that could support complex social organization.)

Rousseau pointed out that the origin of political inequality lay in the development of agriculture, and in this he was largely correct. Since band-level societies are preagricultural, there is no private property in any modern sense. Like chimp bands, hunter-gatherers inhabit a territorial range that they guard and occasionally fight over. But they have a lesser incentive than agriculturalists to mark out a piece of land and say “this is mine.” If their territory is invaded by another group, or if it is infiltrated by dangerous predators, band-level societies may have the option of simply moving somewhere else due to low population densities. They also tend to have fewer investments in cleared land, houses, and the like.

Within a band-level local group, there is nothing resembling modern economic exchange and, indeed, nothing resembling modern individualism. There was no state to tyrannize over people at this stage of political development; rather, human beings experienced what the social anthropologist Ernest Gellner has labeled the “tyranny of cousins.” That is, your social world was limited to the circles of relatives surrounding you, who determined what you did, whom you married, how you worshipped, and just about everything else in life. Both hunting and gathering are done on a group basis by families or groups of families. Hunting in particular leads to sharing, since there is no technology for storing meat, and hunted animals must be consumed immediately. There is considerable speculation on the part of evolutionary psychologists that the almost universal contemporary practice of meal sharing (Christmas, Thanksgiving, Passover) is derived from the millennia-long practice of sharing the proceeds of hunts. Many of the moral rules in this type of society are not directed at individuals who steal other people’s property but rather against those who refuse to share food and other necessities. Under conditions of perpetual scarcity, the failure to share can often affect the group’s prospects for survival.

Band-level societies are highly egalitarian. The major social distinctions are based on age and sex; in hunter-gatherer societies, the men hunt and the women gather, and there is a natural division of labor in reproductive matters. But within the band, there is relatively little differentiation between families, no permanent leadership, and no hierarchy. Leadership is vested in individuals based on qualities like strength, intelligence, and trustworthiness, but it tends to migrate from one individual to another.

Apart from parents and their children, opportunities for coercion are very limited. In the words of Fried,

It is difficult, in ethnographies of simple egalitarian societies, to find cases in which one individual tells one or more others, “Do this!” or some command equivalent. The literature is replete with examples of individuals saying the equivalent of “If this is done, it will be good,” possibly or possibly not followed by somebody else doing it ... Since the leader is unable to compel any of the others to carry out his wish, we speak of his role in terms of authority rather than power.

In this type of society, leaders emerge based on group consensus; they have no right to their office and cannot hand it down to their children. Since there is no centralized source of coercion, there can obviously be no law in the modern sense

of third-party enforcement of rules.

Band-level societies are built around nuclear families and are typically what anthropologists label exogamous and patrilocal. Women marry outside of their immediate social group and move to their husband's place of residence. This practice encourages movement and contact with other groups, increasing genetic diversity and setting up the conditions for the emergence of something like intergroup trade. Exogamy also plays a role in mitigating conflict: disputes over resources or territory between groups can be smoothed over through the exchange of women, just as European monarchs made strategic marriage alliances for political purposes. The composition of groups tends to be more fluid than in later tribal societies: "The food supply in any locality, whether it be a harvest of pinyon nuts or wild grass seeds among the Pauite, or the seal population at winter and spring hunting grounds, and the caribou herd migrating through an inland valley among the Central Eskimos, is so unpredictable or so widely scattered that the tendency for particular kinfolk in any generation to form coherent exclusive groups is frustrated by the opportunism enforced on the individual and the household by the ecological situation."

FROM BAND TO TRIBE

The transition from band-level societies to tribal societies was made possible by the development of agriculture. Agriculture was invented in widely separated parts of the world, including Mesopotamia, China, Oceania, and Mesoamerica nine to ten thousand years ago, often in fertile alluvial river basins. The domestication of wild grasses and seeds took place gradually and was accompanied by large increases in population. While it might seem logical that new food technologies drove higher population densities, Ester Boserup has argued that the causality went the other way around. Either way, the social impact was enormous. Depending on climatic conditions, hunter-gatherer societies have a population density from 0.1 to 1 person per square kilometer, while the invention of agriculture permits densities to rise to 40–60 per square kilometer. Human beings were now in contact with one another on a much broader scale, and this required a very different form of social organization.

In future classes, we shall be studying some extracts from a work by **Marx and Engels** written in the **mid-19th century**, nowadays called *The German Ideology*. It deals with the historical evolution of property. Despite the fact that it was written more than 170 years ago, it has important insights to offer. We intend to read it critically, and use it as an aid to critical analysis of the situation we face today. What we have learned so far provides a preparation for that — although we still have some more preparatory ground to cover next time.

Let's at this stage test and apply what we have learned so far by considering the argument of the 19th century English reformer **Jeremy Bentham (1748-1832)** about the relationship between *property* and *law*.

*[The discussion of Bentham's argument began during this class but could not be completed for lack of time. It was continued in the next class. The notes for **Class 03** contain the text and questions discussed.]*

At the end of the class:

SOME READING MATERIAL FOR FUTURE CLASSES distributed. The class is asked to read the extracts from *The German Ideology* up to the end of **para 15** (dealing with what

Marx and Engels take to be the 'first form' of property, i.e. tribal property).

In due course, we'll break into groups to read and discuss these passages in detail.