

Chapter 4: Justification for, and Challenges to, Property Rights

Introduction

“The adoration of money is an ever-present peril.”

—Henry Cabot Lodge

“Upon the sacredness of property civilization itself depends—the right of the laborer to his hundred dollars in the savings bank, and equally the right of the millionaire to his millions.”

—Andrew Carnegie

PROPERTY RIGHTS ARE THE basis for the entire USA system, and the basis for corporate globalism, a near *fait accompli*. Property rights allow the cordoning off of land, and water, staking a claim against even the hungry at the gates. Property rights justify one’s holding onto flexible income, rather than putting it toward food or programs that would address hunger, and not being subject to social shunning for such an action. Property rights allow those with more than they need to ignore the fact that a human being starves to death every 11 seconds. The historical Western conception of property rights was used to “justify” colonialists’ laying claim to land that had been occupied by Indigenous peoples for hundreds of years. Yet what is the basis for property rights?

Legal definitions of property, common property, private property, personalty, chattel, real estate, real property, and realty are helpful in understanding property rights.¹ *Property* has

two dimensions: the first is the object itself, and the second is the creation of a social and legal recognition of a particular relationship between person(s) and that object. The relationship transforms the object into something that is subject to ownership, has (market) value, and carries rights. *Common property* is property that belongs to the entire citizenry. *Private property* is that which an individual alone has the right to use, dispose of, and possess. *Personalty*, or *chattel*, is *personal property*—“things” both living (such as livestock) and inanimate, that the owner can “move”—as opposed to *real property*, or *realty*, which includes land and whatever is “fixed” to the land. *Real estate* covers all of the potential interests one can have in land. Property, then, is not merely the object in question; it is a social construct that describes a relationship to an object.

Property rights are considered a basic human right. The *United Nations Universal*

Declaration of Human Rights (see Chapter 2) addresses property rights in Article 17, which states, “1. Everyone has the right to own property alone as well as in association with others. 2. No one shall be arbitrarily deprived of his property.” Property rights are considered a basic human right for primarily two reasons. The first is tied to what humans need to live, such as food and shelter. When an individual, a family, or a community is deprived of property rights, survival is threatened. Article 3 of the *Declaration* states, “Everyone has the right to life, liberty and security of person.” One’s life, as well as one’s security of person, is in many basic ways dependent on food and shelter. It is precisely this aspect of property rights that grounds John Locke’s justification for private property (the first reading selection). The second reason that many consider property rights a basic human right is due to merit. What one earns with one’s labor is generally considered one’s property, and one thus merits that property. That is all too often as far as the consideration extends. However, a full ethical justification needs to address more than the labor invested to acquire the property. The conditions under which that labor occurred and under which the objects were produced and acquired, as well as the broader conditions in this assumed meritocracy, also need addressing.

First I will critically address meritocracy. In this critique, I focus on the definition of meritocracy and the myth of meritocratic conditions in the United States. A meritocracy is what results when the most intelligent, talented, and/or deserving members of a society populate its government, and all of the highest positions, from those in education, to those of any social status, throughout society. In a meritocracy, those who are the most intelligent and/or talented are those who merit, or deserve, the highest positions. A meritocracy was ideally supposed to supplant aristocracy and to establish a society where rewards came due to

ability, not by the chance of birth.² The history of the United States is inextricably tied to the notion of meritocracy—the American Dream, Horatio Alger, the land of opportunity—for here one’s social status is supposed to be earned and to show evidence of one’s ability. In society, social status and the highest positions carry rewards. These rewards are most often evident in the property the individual owns, either real or personal. A meritocracy, then, assumes a type of competition whereby the most intelligent and talented rise to those positions. The labor aspect of property rights assumes that one has earned that property, and property rights ensure the owner’s ability to possess, use, and dispose of that property.

Under this scenario, the acquisition of that property (which is held by those who are the most intelligent and talented) was via a competition. To claim that one was the *most* talented or intelligent, as is necessary under a meritocracy, assumes that there was a competition wherein the conditions were fair and equal in access and opportunity. If they were not fair, then neither are the results, and the claim of *most* talented or intelligent cannot stand.

A counter to the above conclusion can be raised, stating that meritocracy is not a result of equal opportunity; rather, it is a function of “Social Darwinism,” the “survival of the fittest” of those who struggle in the marketplace. Yet there are two clear problems with this counterclaim. First, “Social Darwinism” is not a concept from Charles Darwin (1809–82) at all, but rather from Herbert Spencer (1820–1903), an English philosopher who misappropriated and misrepresented Darwin’s theory. “Fitness” in Darwinian terms means that one has fertile offspring, and the “most fit” would be the one with the most numerous fertile offspring, not the one who raced ahead on the corporate ladder. Thus, the dismissal often heard—that we need not worry about those who are poor, à la Andrew Carnegie (1835–1919, another

Social Darwinist), for they are the unfit and “maintaining them rather drags down society and violates some law of survival”—is not a Darwinian notion at all. Hence, the misappropriation and misapplication of scientific theory to explain away inequality cannot draw its “justification” in science. The second clear problem with this approach is that it admits an underlying assumption that the conditions must be fair, after all. That is, how can one claim that the victor is the “most fit” (in the misused sense of fitness à la Social Darwinism) if all the potential victors were not allowed to compete? The following discussion addresses this issue in detail.

It is often claimed that in the United States everyone gets a chance, everyone has opportunity and access to the system. However, it cannot be claimed that the access and opportunities that do exist are equal. A myriad of empirical data confirms that educational, health, nutrition, environmental, and numerous other basic conditions are not equal.³ The United States Census Bureau counts children living in poverty who are also hungry (they do not have adequate caloric or nutritional intake) on a daily basis. The amount of money for education spent on each child in the United States is not equal; rather, it is often dependent on property taxes, further entrenching privilege. One of the most basic necessities for competing is an education. One of the most basic necessities for performing well in school is proper nutrition. We can thus do the math and see that millions of children in the United States do not receive, through no fault of their own, equal opportunity. Furthermore, wealth and property tend to be inherited. Inheritance, while logically flowing from one’s property right (to dispose of one’s property), is inconsistent not only with the labor assumption of earning property but with meritocratic notions as well, for inheritance is just another relative of aristocracy.

It is often argued, pointing to numerous

Horatio Alger examples, that we do have fair conditions. However, the mere existence of that Horatio Alger-type individual who achieved prominence admits the very existence of the problem. Otherwise, why would their personal circumstances have to be overcome? As stated earlier, empirical evidence shows that conditions and opportunity are not equal, and it is such evidence that the meritocrats appeal to in highlighting the individuals who *overcame* their conditions.⁴ Or else what would there have been to overcome? It is the same type of admission of the problem by those who claim affirmative action is *reverse discrimination*, for if there were not already discrimination, what would there be to reverse?

If one wants to claim that the results of the competition are earned, that those who win positions in the race *deserve* those positions and the benefits that flow from them, then the conditions of the race need to be fair. One cannot hold a competition—for example, a race—and fail to tell would-be competitors about the race, hide the start line, pollute some of the competitors’ communities with toxic waste that adversely affected competitors’ abilities to compete, provide some competitors with performance-enhancing drugs, or place weights on some competitors while those of equal body weight are not so burdened, and then claim that the results were “earned” by the “most fit.”

Frustrated, the former believer in merit might now claim that “life isn’t fair.” Note the abandonment of an attempt at meritocratic justification here, for merit is about fairness. Further, it is not *life* in question here, but the entire social, political, and economic system that humans created, follow, and maintain, largely based on property rights which are based on merit that is in question. We need to heed Hume’s admonition on the “is-ought” gap (discussed in the introduction to Chapter 1) and not commit the naturalistic fallacy.

Ethics is about fairness, justice, what *should be*, the right thing. If the conditions in acquiring private property are not fair, then the “ownership” is suspect and further investigation is needed. Furthermore, if the conditions are not fair, then the judgments of “winners” and “losers,” the “fit” or “unfit,” are unethical, and the best conclusion one can draw about the ownership of private property without fair conditions is that it simply exists, that’s just the way it is, not that it should be that way or that it is justified. This chapter’s reading selections address a wide range of property rights issues, including what, if anything, can justify a property right; the nature of labor under capitalism; colonial activity under capitalism; and duties to the poor.

In conclusion, what then, is an unjust action in claiming a property right? For some property rights advocates, unjust would mean something like deceit or force. For John Locke (in this chapter), an unjust action in claiming private property would be to not labor, to take more than one needs, or to not leave enough and as good for others. What about the rights of the poor and needy? For Locke,

they still have a duty to labor; however, there is a duty of each and every other person who has taken from the commons to take only what they need and to leave enough and as good for others. Peter Singer points out that Thomas Aquinas, in early Christian doctrine, said, “Whatever a man has in superabundance is owed, of natural right, to the poor for their sustenance.” While Locke wrote about an abstract state of nature with a commons, and while he wrote that money, “shiny pebbles,” changes things, one clear dilemma remains. The conflict here is really between two rights: the right to life and the right to private property. The right to private property is justified, in part, for its ability to sustain life. The right to life is intrinsic; each human has this by virtue of being human. Property rights are *instrumental* in maintaining life. In a clash between the property right of a person who has more than they need to live, and the right to life of a person who has less than they need to live, an instrumental right (property) is in false parity with the most fundamental right of all: the right to life.

Notes

1. This discussion is drawn from Steven H. Gifis, *Law Dictionary* (New York: Barron’s Educational Services, 1975); and Marcia H. Armstrong, *Understanding American Property Rights*, <http://chansen.tzo.com/publications/propertyrights>.
2. See Nicholas Lemann, *The Big Test: The Secret History of the American Meritocracy* (New York: Farrar, Straus, and Giroux, 1999).
3. See Sandra Blakeslee, “Poor and Black Patients Slighted, Study Says,” *New York Times*, April 20, 1994; “Twelve Million Children Underfed: New Report Details Hunger in the U.S.,” *St. Louis Post-Dispatch*, June 16, 1993; Robert Pear, “Wide Health Gap Linked to Income Is Found in U.S.,” *New York Times*, July 8, 1995; Sylvia Nasar, “Those Born Wealthy or Poor Usually Stay So, Studies Say,” *New York Times*, May 18, 1992; “Blacks’ Income Unchanged Since ’69,” from the *Knight-Ridder Tribune*, in *Arizona Republic*, February 23, 1995; Jonathan Kozol, *Savage Inequalities: Children in America’s Schools* (New York: Crown, 1991); John C. Livingston, *Fair Game?: Inequality and Affirmative Action* (New York: W.H. Freeman & Co., 1979); United States Bureau of the Census data, *Statistical Abstracts of the United States* (Washington, DC, 1990, 1995, 1998, and 2000).
4. See Daniel D. Challener, *Stories of Resilience in Childhood: The Narratives of Maya Angelou, Maxine Hong Kingston, Richard Rodriguez, John Edgar Wideman, and Tobias Wolff* (New York: Garland, 1997).

I. The Justification of Private Property¹

John Locke

JOHN LOCKE (1632–1704), OFTEN cited as the pre-eminent property rights philosopher, argued that ownership of private property is a natural (God-given) right. Locke writes in the Judeo-Christian tradition and begins with the assumption that the world was given, by God, to all humans in common so that humans can meet their needs to ensure their right to life. Locke further acknowledges the moderate scarcity of resources. That is, there is enough to meet all humans' needs for life (for God was not a practical joker by claiming that each person has the right to life but then not providing enough resources to meet the needs for all lives), but when resources are finite, there are not enough to waste or meet people's wants.

Locke provides three criteria that justify taking from the commons for private use. Labor alone does not convey this right; rather, there are two other criteria that ensure equal opportunity for all. If it was first come, first served/earned, then those who arrive later, including future generations also with an equal right to life, might not have equal access. As the earth is there to meet human needs, it follows that it is only justified to take what is needed to live. Needs are objective and can be empirically measured, as opposed to wants, which are subjective, can be insatiable, and are difficult to measure. Therefore, it is clear that one should take only what one needs to live because, under moderate scarcity, if one takes more than one's fair share, then one threatens to change moderate scarcity into severe scarcity and threatens others' right to life.

... GOD, WHO HATH GIVEN the world to men in common, hath also given them reason to make use of it to the best advantage of life and convenience. 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 at all beneficial to any particular man. 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 any good for the support of his life.

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 labor 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 labor with, 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 labor something annexed to it that excludes the common right of other men. For this labor being the unquestionable property of the laborer, no man but he can have a right to what this is once joined to, at least where there is enough, and as good left in common for others.

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 'tis plain if the first gathering made them not his, nothing else could. That labor 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 anyone 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 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 common which remains so by compact that 'tis 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 does not depend on the express consent of

all the commoners. Thus the grass my horse has bit, the turfs my servant has cut, the ore I have dug 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 labor that was mine removing them out of that common state they were in, hath fixed my property in them....

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 anyone 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" (1 Tim. 6.17), is the voice of reason confirmed by inspiration. But how far has He given it us? To enjoy. As much as anyone can make use of any advantage of life before it spoils, so much he may by his labor 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.

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 labor 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 labor, 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 labor. 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.

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.

God gave the world to men in common; but since He gave it them for their benefit, and the greatest conveniences of life they were capable to draw from it, it cannot be supposed He meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational (and labor was to be his title to it), not to the fancy or covetousness of the quarrelsome and contentious. He that had as good left for his improvement as was already taken up, needed not complain, ought not to meddle with what was already improved by another's labor; if he did, it is plain he desired the benefit of another's pains,

which he had no right to, and not the ground which God had given him in common with others to labor on, and whereof there was as good left as that already possessed, and more than he knew what to do with, or his industry could reach to.

It is true, in land that is common in England, or any other country where there is plenty of people under Government, who have money and commerce, no one can enclose or appropriate any part without the consent of all his fellow-commoners: because this is left common by compact, i.e., by the law of the land, which is not to be violated. And though it be common in respect of some men, it is not so to all mankind; but is the joint property of this country, or this parish. Besides, the remainder, after such enclosure, would not be as good to the rest of the commoners as the whole was, when they could all make use of the whole, whereas in the beginning and first peopling of the great common of the world it was quite otherwise. The law man was under was rather for appropriating. God commanded, and his wants forced him, to labor. That was his property, which could not be taken from him wherever he had fixed it. And hence subduing or cultivating the earth, and having dominion, we see are joined together. The one gave title to the other. So that God, by commanding to subdue, gave authority so far to appropriate. And the condition of human life, which requires labor and materials to work on, necessarily introduces private possessions.

The measure of property nature has well set by the extent of men's labor and the conveniency of life. No man's labor could subdue or appropriate all, nor could his enjoyment consume more than a small part; so that it was impossible for any man, this way, to entrench upon the right of another or acquire to himself a property to the prejudice of his neighbor, who would still have room for as

good and as large a possession (after the other had taken out his) as before it was appropriated. Which measure did confine every man's possession to a very moderate proportion, and such as he might appropriate to himself without injury to anybody in the first ages of the world, when men were more in danger to be lost, by wandering from their company, in the then vast wilderness of the earth than to be straitened for want of room to plant in....

And thus, without supposing any private dominion and property in Adam over all the world, exclusive of all other men, which can no way be proved, nor any one's property be made out from it, but supposing the world, given as it was to the children of men in common, we see how labor could make men distinct titles to several parcels of it for their private uses, wherein there could be no doubt of right, no room for quarrel.

Nor is it so strange, as perhaps before consideration it may appear, that the property of labor should be able to overbalance the community of land. For it is labor indeed that puts the difference of value on everything; and let anyone consider what the difference is between an acre of land planted with tobacco or sugar, sown with wheat or barley, and an acre of the same land lying in common without any husbandry upon it, and he will find that the improvement of labor makes the far greater part of the value. I think it will be but a very modest computation to say that of the products of the earth useful to the life of man nine-tenths are the effects of labor; nay, if we will rightly estimate things as they come to our use, and cast up the several expenses about them—what in them is purely owing to nature, and what to labor—we shall find that in most of them ninety-nine hundredths are wholly to be put on the account of labor....

From all which it is evident that, though the things of nature are given in common, yet man, by being master of himself and

proprietor of his own person and the actions or labor of it, had still in himself the great foundation of property; and that which made up the great part of what he applied to the support or comfort of his being, when invention and arts had improved the conveniences of life, was perfectly his own, and did not belong in common to others.

Thus labor, in the beginning, gave a right of property, wherever anyone was pleased to employ it upon what was common, which remained a long while the far greater part, and is yet more than mankind makes use of. Men at first, for the most part, contented themselves with what unassisted nature offered to their necessities; and though afterwards, in some parts of the world (where the increase of people and stock, with the use of money, had made land scarce, and so of some value), the several communities settled the bounds of their distinct territories, and by laws within themselves, regulated the properties of the private men of their society, and so, by compact and agreement, settled the property which labor and industry began—and the leagues that have been made between several states and kingdoms, either expressly or tacitly disowning all claim and right to the land in the other's possession, have, by common consent, given up their pretenses to their natural common right, which originally they had to those countries; and so have, by positive agreement, settled a property amongst themselves in distant parts of the world—yet there are still great tracts of ground to be found which, the inhabitants thereof not having joined with the rest of mankind in the consent of the use of their common money, lie waste, and more than the people who dwell on it do or can make use of, and so still lie in common; though this can scarce happen amongst that part of mankind that have consented to the use of money.

The greatest part of things really useful to the life of man, and such as the necessity of

subsisting made the first commoners of the world look after, as it doth the Americans now, are generally things of short duration, such as, if they are not consumed by use, will decay and perish of themselves: gold, silver, and diamonds are things that fancy or agreement have put the value on more than real use and the necessary support of life. Now of those good things which nature hath provided in common, everyone hath a right, as hath been said, to as much as he could use, and had a property in all he could effect with his labor—all that his industry could extend to, to alter from the state nature had put it in, was his. He that gathered a hundred bushels of acorns or apples had thereby a property in them; they were his goods as soon as gathered. He was only to look that he used them before they spoiled, else he took more than his share, and robbed others; and, indeed, it was a foolish thing, as well as dishonest, to hoard up more than he could make use of. If he gave away a part to anybody else, so that it perished not uselessly in his possession, these he also made use of; and if he also bartered away plums that would have rotted in a week, for nuts that would last good for his eating a whole year, he did no injury; he wasted not the common stock, destroyed no part of the portion of goods that belonged to others, so long as nothing perished uselessly in his hands. Again, if he would give his nuts for a piece of metal, pleased with its color, or exchange his sheep for shells, or wool for a sparkling pebble or a diamond, and keep those by him all his life, he invaded not the right of others; he might heap up as much as these durable things as he pleased, the exceeding of the bounds of his just property not lying in the largeness of his possessions, but the perishing of anything uselessly in it.

And thus came in the use of money—some lasting thing that men might keep without spoiling, and that, by mutual consent, men would take in exchange for the truly useful but perishable supports of life.

And as different degrees of industry were apt to give men possessions in different proportions, so this invention of money gave them the opportunity to continue and enlarge them; for supposing an island, separate from all possible commerce with the rest of the world, wherein there were but a hundred families—but there were sheep, horses, and cows, with other useful animals, wholesome fruits, and land enough for corn for a hundred thousand times as many, but nothing in the island, either because of its commonness or perishableness, fit to supply the place of money—what reason could anyone have there to enlarge his possessions beyond the use of his family and a plentiful supply to its consumption, either in what their own industry produced, or they could barter for like perishable useful commodities with others? Where there is not something both lasting and scarce, and so valuable to be hoarded up, there men will not be apt to enlarge their possessions of land, were it never so rich, never so free for them to take; for I ask, what would a man value ten thousand or a hundred thousand acres of excellent land, ready cultivated, and well stocked too with cattle, in the middle of the inland parts of America, where he had no hopes of commerce with other parts of the world, to draw money to him by the sale of the product? It would not be worth the enclosing, and we should see him give up again to the wild common of nature whatever was more than would supply the conveniences of life to be had there for him and his family.

Thus in the beginning all the world was America, and more so than that is now, for no such thing as money was anywhere known. Find out something that hath the use and value of money amongst his neighbors, you shall see the same man will begin presently to enlarge his possessions.

But since gold and silver, being little useful to the life of man in proportion to food,

raiment, and carriage, has its value only from the consent of men, whereof labor yet makes, in great part, the measure, it is plain that the consent of men have agreed to a disproportionate and unequal possession of the earth—I mean out of the bounds of society and compact; for in governments the laws regulate it; they having, by consent, found out and agreed in a way how a man may rightfully and without injury possess more than he himself can make use of by receiving gold and silver, which may continue long in a man's possession, without decaying for the overplus, and agreeing those metals should have a value.

And thus, I think, it is very easy to conceive without any difficulty how labor could

at first begin a title of property in the common things of nature, and how the spending it upon our uses bounded it; so that there could then be no reason of quarrelling about title, nor any doubt about the largeness of possession it gave. Right and conveniency went together; for as a man had a right to all he could employ his labor upon, so he had no temptation to labor for more than he could make use of. This left no room for controversy about the title, nor for encroachment on the right of others; what portion a man carved to himself was easily seen, and it was useless, as well as dishonest, to carve himself too much, or take more than he needed.

Questions

1. What are the three criteria that justify taking from the commons and claiming this as your own property? Why do you think these are rarely followed, in that people seek wants and are not satisfied with having needs met?
2. If someone violates any of the criteria, they are not justified in holding the property. Why? What should happen to that property?
3. Is inheritance consistent with Locke's criteria? Why or why not? What should happen to one's property upon death?

Note

1. From John Locke, *The Second Treatise of Government* (1764) [Edited].

2. Estranged Labor¹

Karl Marx

FOR KARL MARX (1818–83), the essence of human expression, one's life activity, is to labor, and this is consistent with a work ethic much like that of Locke. But for Locke, one had the autonomy to choose to labor to meet one's needs, one did not need permission, and the labor produced a property right, one that the laborer could enjoy exclusively. However, in the political economy of capitalism that Marx is responding to, labor is severed from the resulting product, and the laborers, or workers, are "propertyless," instead receiving a wage. Workers do not have the freedom to choose to labor to meet their needs for life; rather, they have to ask permission of owners for the job. And rather than a meaningful, freely chosen form of labor, workers toil on a product that does not belong to them; workers are alienated from the product, from the labor, and from themselves and their species.

WE HAVE PROCEEDED FROM the premises of political economy. We have accepted its language and its laws. We presupposed private property, the separation of labour, capital and land, and of wages, profit of capital and rent of land—likewise division of labour, competition, the concept of exchange-value, etc. On the basis of political economy itself, in its own words, we have shown that the worker sinks to the level of a commodity and becomes indeed the most wretched of commodities; that the wretchedness of the worker is in inverse proportion to the power and magnitude of his production; that the necessary result of competition is the accumulation of capital in a few hands, and thus the restoration of monopoly in a more terrible form; that finally the distinction between capitalist and land-rentier, like that between the tiller of the soil and the factory-worker, disappears and that the whole of society must fall apart into the two classes—the property-owners and the propertyless workers.

Political economy proceeds from the fact of private property, but it does not explain it to us. It expresses in general, abstract formulae the *material* process through which private property actually passes, and these formulae it then takes for *laws*. It does not *comprehend* these laws—i.e., it does not demonstrate how they arise from the very nature of private property. Political economy does not disclose the source of the division between labour and capital, and between capital and land. When, for example, it defines the relationship of wages to profit, it takes the interest of the capitalists to be the ultimate cause; i.e., it takes for granted what it is supposed to evolve. Similarly, competition comes in everywhere. It is explained from external circumstances. As to how far these external and apparently fortuitous circumstances are but the expression of a necessary course of development, political economy teaches us nothing. We have seen how, to it, exchange itself appears

to be a fortuitous fact. The only wheels which political economy sets in motion are *avarice* and the *war amongst the avaricious—competition*.

Precisely because political economy does not grasp the connections within the movement, it was possible to counterpose, for instance, the doctrine of competition to the doctrine of monopoly, the doctrine of craft-liberty to the doctrine of the corporation, the doctrine of the division of landed property to the doctrine of the big estate—for competition, craft-liberty and the division of landed property were explained and comprehended only as fortuitous, premeditated and violent consequences of monopoly, the corporation, and feudal property, not as their necessary, inevitable and natural consequences.

Now, therefore, we have to grasp the essential connection between private property, avarice, and the separation of labour, capital and landed property; between exchange and competition, value and the devaluation of men, monopoly and competition, etc.; the connection between this whole estrangement and the *money*-system.

Do not let us go back to a fictitious primordial condition as the political economist does, when he tries to explain. Such a primordial condition explains nothing. He merely pushes the question away into a grey nebulous distance. He assumes in the form of fact, of an event, what he is supposed to deduce—namely, the necessary relationship between two things—between, for example, division of labour and exchange. Theology in the same way explains the origin of evil by the fall of man: that is, it assumes as a fact, in historical form, what has to be explained.

We proceed from an *actual* economic fact.

The worker becomes all the poorer the more wealth he produces, the more his production increases in power and range. The worker becomes an ever cheaper commodity the more commodities he creates. With the

increasing value of the world of things proceeds in direct proportion the *devaluation* of the world of men. Labour produces not only commodities: it produces itself and the worker as a *commodity*—and does so in the proportion in which it produces commodities generally.

This fact expresses merely that the object which labour produces—labour's product—confronts it as *something alien*, as a *power independent* of the producer. The product of labour is labour which has been congealed in an object, which has become material: it is the *objectification* of labour. Labour's realization is its objectification. In the conditions dealt with by political economy this realization of labour appears as *loss of reality* for the workers; objectification as *loss of the object* and *object-bondage*; appropriation as *estrangement*, as *alienation*.

So much does labour's realization appear as loss of reality that the worker loses reality to the point of starving to death. So much does objectification appear as loss of the object that the worker is robbed of the objects most necessary not only for his life but for his work. Indeed, labour itself becomes an object which he can get hold of only with the greatest effort and with the most irregular interruptions. So much does that appropriation of the object appear as estrangement that the more objects the worker produces the fewer can he possess and the more he falls under the dominion of his product, capital.

All these consequences are contained in the definition that the worker is related to the *product of his labour* as to an *alien* object. For on this premise it is clear that the more the worker spends himself, the more powerful the alien objective world becomes which he creates over-against himself, the poorer he himself—his inner world—becomes, the less belongs to him as his own. It is the same in religion. The more man puts into God, the less he retains in himself. The worker puts his life into the object; but now his life no longer

belongs to him but to the object. Hence, the greater this activity, the greater is the worker's lack of objects. Whatever the product of his labour is, he is not. Therefore the greater this product, the less is he himself. The *alienation* of the worker in his product means not only that his labour becomes an object, an *external* existence, but that it exists *outside him*, independently, as something alien to him, and that it becomes a power on its own confronting him; it means that the life which he has conferred on the object confronts him as something hostile and alien.

Let us now look more closely at the *objectification*, at the production of the worker; and therein at the *estrangement*, the *loss* of the object, his product.

The worker can create nothing without *nature*, without the *sensuous external world*. It is the material on which his labour is manifested, in which it is active, from which and by means of which it produces.

But just as nature provides labour with the *means of life* in the sense that labour cannot *live* without objects on which to operate, on the other hand, it also provides the *means of life* in the more restricted sense—i.e., the means for the physical subsistence of the *worker* himself.

Thus the more the worker by his labour *appropriates* the external world, sensuous nature, the more he deprives himself of *means of life* in the double respect: first, that the sensuous external world more and more ceases to be an object belonging to his labour—to be his labour's *means of life*; and secondly, that it more and more ceases to be *means of life* in the immediate sense, means for the physical subsistence of the worker.

Thus in this double respect the worker becomes a slave of his object, first, in that he receives an *object of labour*, i.e., in that he receives *work*; and secondly, in that he receives *means of subsistence*. Therefore, it enables him to exist, first, as a *worker*; and, second, as a

physical subject. The extremity of this bondage is that it is only as a *worker* that he continues to maintain himself as a *physical subject*, and that it is only as a *physical subject* that he is a *worker*.

(The laws of political economy express the estrangement of the worker in his object thus: the more the worker produces, the less he has to consume; the more values he creates, the more valueless, the more unworthy he becomes; the better formed his product, the more deformed becomes the worker; the more civilized his object, the more barbarous becomes the worker; the mightier labour becomes, the more powerless becomes the worker; the more ingenious labour becomes, the duller becomes the worker and the more he becomes nature's bondsman.)

Political economy conceals the estrangement inherent in the nature of labour by not considering the direct relationship between the worker (labour) and production. It is true that labour produces for the rich wonderful things—but for the worker it produces privation. It produces palaces—but for the worker, hovels. It produces beauty—but for the worker, deformity. It replaces labour by machines—but some of the workers it throws back to a barbarous type of labour, and the other workers it turns into machines. It produces intelligence—but for the worker idiocy, cretinism.

The direct relationship of labour to its produce is the relationship of the worker to the objects of his production. The relationship of the man of means to the objects of production and to production itself is only a *consequence* of this first relationship—and confirms it. We shall consider this other aspect later.

When we ask, then, what is the essential relationship of labour we are asking about the relationship of the *worker* to production.

Till now we have been considering the estrangement, the alienation of the worker only in one of its aspects, i.e., the worker's *relationship to the products of his labour*. But the

estrangement is manifested not only in the result but in the *act of production*—within the *producing activity* itself. How would the worker come to face the product of his activity as a stranger, were it not that in the very act of production he was estranging himself from himself? The product is after all but the summary of the activity, of production. If then the product of labour is alienation, production itself must be active alienation, the alienation of activity, the activity of alienation. In the estrangement of the object of labour is merely summarized the estrangement, the alienation, in the activity of labour itself.

What, then, constitutes the alienation of labour?

First, the fact that labour is *external* to the worker, i.e., it does not belong to his essential being; that in his work, therefore, he does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energy but mortifies his body and ruins his mind. The worker therefore only feels himself outside his work, and in his work feels outside himself. He is at home when he is not working, and when he is working he is not at home. His labour is therefore not voluntary, but coerced; it is *forced labour*. It is therefore not the satisfaction of a need; it is merely a *means* to satisfy needs external to it. Its alien character emerges clearly in the fact that as soon as no physical or other compulsion exists, labour is shunned like the plague. External labour, labour in which man alienates himself, is a labour of self-sacrifice, of mortification. Lastly, the external character of labour for the worker appears in the fact that it is not his own, but someone else's, that it does not belong to him, that in it he belongs, not to himself, but to another. Just as in religion the spontaneous activity of the human imagination, of the human brain and the human heart, operates independently of the individual—that is, operates on him as an alien, divine or diabolical activity—in

the same way the worker's activity is not his spontaneous activity. It belongs to another; it is the loss of his self.

As a result, therefore, man (the worker) no longer feels himself to be freely active in any but his animal functions—eating, drinking, procreating, or at most in his dwelling and in dressing-up, etc.; and in his human functions he no longer feels himself to be anything but an animal. What is animal becomes human and what is human becomes animal.

Certainly eating, drinking, procreating, etc., are also genuinely human functions. But in the abstraction which separates them from the sphere of all other human activity and turns them into sole and ultimate ends, they are animal.

We have considered the act of estranging practical human activity, labour, in two of its aspects. (1) The relation of the worker to the *product of labour* as an alien object exercising power over him. This relation is at the same time the relation to the sensuous external world, to the objects of nature as an alien world antagonistically opposed to him. (2) The relation of labour to the *act of production* within the *labour* process. This relation is the relation of the worker to his own activity as an alien activity not belonging to him; it is activity as suffering, strength as weakness, begetting as emasculating, the worker's *own* physical and mental energy, his personal life or what is life other than activity—as an activity which is turned against him, neither depends on nor belongs to him. Here we have *self-estrangement*, as we had previously the estrangement of the *thing*.

We have yet a third aspect of *estranged labour* to deduce from the two already considered.

Man is a species being, not only because in practice and in theory he adopts the species as his object (his own as well as those of other things), but—and this is only another way of expressing it—but also because he treats himself

as the actual, living species; because he treats himself as a *universal* and therefore a free being.

The life of the species, both in man and in animals, consists physically in the fact that man (like the animal) lives on inorganic nature; and the more universal man is compared with an animal, the more universal is the sphere of inorganic nature on which he lives. Just as plants, animals, stones, the air, light, etc., constitute a part of human consciousness in the realm of theory, partly as objects of natural science, partly as objects of art—his spiritual inorganic nature, spiritual nourishment which he must first prepare to make it palatable and digestible—so too in the realm of practice they constitute a part of human life and human activity. Physically man lives only on these products of nature, whether they appear in the form of food, heating, clothes, a dwelling, or whatever it may be. The universality of man is in practice manifested precisely in the universality which makes all nature his *inorganic* body—both inasmuch as nature is (1) his direct means of life, and (2) the material, the object, and the instrument of his life-activity. Nature is man's *inorganic body*—nature, that is, in so far as it is not itself the human body. Man *lives* on nature—means that nature is his *body*, with which he must remain in continuous intercourse if he is not to die. That man's physical and spiritual life is linked to nature means simply that nature is linked to itself, for man is a part of nature.

In estranging from man (1) nature, and (2) himself, his own active functions, his life-activity, estranged labour estranges the *species* from man. It turns for him the *life of the species* into a means of individual life. First it estranges the life of the species and individual life, and secondly it makes individual life in its abstract form the purpose of the life of the species, likewise in its abstract and estranged form.

For in the first place labour, *life-activity*, *productive life* itself, appears to man merely

as a *means* of satisfying a need—the need to maintain the physical existence. Yet the productive life is the life of the species. It is life-engendering life. The whole character of a species—its species character—is contained in the character of its life-activity; and free, conscious activity is man's species character. Life itself appears only as a *means to life*.

The animal is immediately identical with its life-activity. It does not distinguish itself from it. It is *its life-activity*. Man makes his life-activity itself the object of his will and of his consciousness. He has conscious life-activity. It is not a determination with which he directly merges. Conscious life-activity directly distinguishes man from animal life-activity. It is just because of this that he is a species being. Or it is only because he is a species being that he is a Conscious Being, i.e., that his own life is an object for him. Only because of that is his activity free activity. Estranged labour reverses this relationship, so that it is just because man is a conscious being that he makes his life-activity, his *essential* being, a mere means to his *existence*.

In creating an *objective world* by his practical activity, in *working-up* inorganic nature, man proves himself a conscious species being, i.e., as a being that treats the species as its own essential being, or that treats itself as a species being. Admittedly animals also produce. They build themselves nests, dwellings, like the bees, beavers, ants, etc. But an animal only produces what it immediately needs for itself or its young. It produces one-sidedly, whilst man produces universally. It produces only under the dominion of immediate physical need, whilst man produces even when he is free from physical need and only truly produces in freedom therefrom. An animal produces only itself, whilst man reproduces the whole of nature. An animal's product belongs immediately to its physical body, whilst man freely confronts his product. An animal

forms things in accordance with the standard and the need of the species to which it belongs, whilst man knows how to produce in accordance with the standard of every species, and knows how to apply everywhere the inherent standard to the object. Man therefore also forms things in accordance with the laws of beauty.

It is just in the working-up of the objective world, therefore, that man first really proves himself to be a *species being*. This production is his active species life. Through and because of this production, nature appears as *his* work and his reality. The object of labour is, therefore, the *objectification of man's species life*: for he duplicates himself not only, as in consciousness, intellectually, but also actively, in reality, and therefore he contemplates himself in a world that he has created. In tearing away from man the object of his production, therefore, estranged labour tears from him his *species life*, his real species objectivity, and transforms his advantage over animals into the disadvantage that his inorganic body, nature, is taken from him.

Similarly, in degrading spontaneous activity, free activity, to a means, estranged labour

makes man's species life a means to his physical existence.

The consciousness which man has of his species is thus transformed by estrangement in such a way that the species life becomes for him a means.

Estranged labour turns thus:

(3) *Man's species being*, both nature and his spiritual species property, into a being *alien* to him, into a *means* to his *individual existence*. It estranges man's own body from him, as it does external nature and his spiritual essence, his *human* being.

(4) An immediate consequence of the fact that man is estranged from the product of his labour, from his life-activity, from his species being is the *estrangement of man* from *man*. If a man is confronted by himself, he is confronted by the *other* man. What applies to a man's relation to his work, to the product of his labour and to himself, also holds of a man's relation to the other man, and to the other man's labour and object of labour.

In fact, the proposition that man's species nature is estranged from him means that one man is estranged from the other, as each of them is from man's essential nature.

Questions

1. Many people associate communism with lazy, entitled citizens. How does this selection from Marx illustrate the opposite?
2. What are the three alienations that Marx illuminates? Do you feel this regarding jobs you have held, and why or why not?
3. How different would it be in a firm if it was worker-owned? Would the three alienations still hold? Why or why not?

Note

1. From Karl Marx, *Economic and Philosophic Manuscripts* (1844) [Edited].