

THAT ALL MAY HAVE SOME

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NE DAY in the not so long ago, a traveller chanced to pass by a camp operated by the Communist Party of America. To pass by a Communist camp, or even a Capitalist camp, is a trivial thing; to go in would excite wonderment. But the wayfarer did pass by, save for the brief moment in which he paused to read a placard with this bold phrase, "Private Property." His latent penchant for the paradoxical bubbled to the surface, and he laughed. So boisterous was his laughter that had he not passed on, he might have, because of the physiological violence involved, passed out.

No doubt our friend is entitled to his little joke, but one wonders if the big joke is not on him. Apparently he did not know what the "Private Property" sign meant. He did not understand that the Communist placard was a plea not so much for private ownership as for private use, or privacy. It is only because bourgeois custom has identified private property with private use that such a sign was necessary to insure privacy. And a Communist, because he is a man, is entitled to privacy.

There is a shroud of mystery surrounding private property today which makes it seem enigmatic. It is discussed and discussed, friends and foes alike write it in capital letters, and strangely enough, when it is most talked about, it least exists. Among the welter of opinions on its nature, three theories stand out particularly. They may be distinguished by the use or non-use they make of the distinction between ownership of property and its use. On the one extreme is Individualism maintaining ownership and use should both be private. On the other end of the social pendulum is Communism, holding most tenaciously that both ownership and use should be common. In the middle, subject to all the vicissitudes incident upon steering a middle course, is the Christian theory of property—private ownership with common use.

The principle of private property is very simple. That is precisely the difficulty; in a complex age such as ours, simplicity is not so simple as it seems. Simple folk of other ages could understand property perfectly. They not only understood it; they possessed it,

which, after all, is the best way to understand it. Today the situation is quite different. A great majority has little or no private property to comprehend; a "great" minority has too much of it, too much to understand it at all. Yet the principle remains simple. A pagan of uncommonly common sense, named Aristotle, put it this way: "It is evident, then, that it is best to have property private, but to make the use of it common."¹ and to those who might think Aristotle had neither Communists nor Individualists to answer in his day, it should be remarked that his teacher, Plato, was a better Communist than the Marxists, while Alexander the Great, the Stagirite's pupil, was *the* individualist of the times.

Although he left hearth and home to avoid possessing the wealth of his parental estate, St. Thomas was the one who baptized this Aristotelian doctrine and made it Christian. In the *Summa Theologica*, a few paragraphs epitomize the theory admirably. Brevity, so it seems, soul of wisdom as well as of wit.

Two things are competent to man in respect of exterior things. One is the power to procure and dispense them, and in this regard it is lawful for man to possess property. Moreover this is necessary to human life for three reasons. First because every man is more careful to procure what is for himself alone than that which is common to many or to all: since each one would shirk the labour and leave to another that which concerns the community, as happens where there is a great number of servants. Secondly, because human affairs are conducted in more orderly fashion if each man is charged with taking care of some particular thing himself, whereas there would be confusion if everyone had to look after any one thing indeterminately. Thirdly, because a more peaceful state is ensured to man if each one is contented with his own. Hence it is to be observed that quarrels arise more frequently where there is no division of the things possessed.

The second thing that is competent to man with regard to external things is their use. In this respect man ought to possess external things, not as his own, but as common, so that, to wit, he is ready to communicate them to others in their need. . . .²

There is one thing that is most important in the reasoning of the friar of Aquino; he bases his argument for private property on philosophical and economic rock-bottom — ordinary, everyday experience. He takes men as they are, and not, as do Rousseau, Marx and others, as one might wish them to be. Experience shows, the Saint observes, that a system of private property results (1) in a more diligent care of goods, (2) in orderly economic arrangement, and (3) in peaceful social harmony. Property is a *means* to attain these ends which may be summed up in one word *common good*. Aristotle styles property "an instrument to living."³ Like any other

¹ *Politics*, Bk. II, c. 5, pp. 33-34. Everyman Edition (New York, 1931).

² *Ila Ilae*, q. 66, a. 2.

³ *Op. cit.*, Bk. I, c. 4, p. 6.

instrument, however, it can be misused. A shiny new axe is superbly fitted for preparing firewood, but should a woodsman choose to decapitate an innocent man with the same axe, it would obviously be misused. So it is with private property. While the use of it conduces to the common weal, its abuse has much the same effect on society as does the axe on the innocent man. Metaphorically, at least, society loses its head in revolution.

"What we need," says G. K. Chesterton, "is the ideal of Property, not merely of Progress—especially progress over other people's property."⁴ Now the ideal of property requires that it serve its end, that it preserve its proper limitations. In the days when barter was the method of exchange, Nature provided for restraints on the acquisition of property, since surplus goods could not be long held by one individual for the sake of profit. In such times, surplus produce soon rotted and became a dead loss to the owner, so that it might just as well have been distributed to the needy. But now that Nature has been "conquered" and money has displaced barter as the medium of exchange, the former check on property has been lost. We have had to devise new checks, not a few of which have turned out to be bad checks.

There is, however, one very effective way to determine the limitation of private property as understood in the Christian theory. It is a way which will provide at least the principles by which one may see why the Church declares for private property and yet scores Individualism, why she requires common use and still condemns Communism. Duties are correlative with rights. If St. Thomas deduces the right of private property from the necessity of more diligent care of goods, economic order and social peace, it follows that it is the duty of the owners of property to see to it these ends are attained. If they do not, and the common good suffers as a result, then the exercise of the right must be limited. Mankind is so prone to maintain its rights and forget its duties.

Diligent Care of External Goods

To follow the reasoning of St. Thomas, private property is first necessary for more diligent care of external goods. But suppose, as was the case in Post-Reformation England of the sixteenth and seventeenth centuries, that land privately owned does not result in more diligent care, but rather in enervating apathy? Is that justifiable? After Henry VIII broke away from the Church, the great landowners exploited the "Reformation" by the confiscation of re-

⁴ *The Outline of Sanity*, (New York, 1927), p. 220.

ligious property. The land thus appropriated became either the hunting-grounds of a rather ignoble nobility, or else rent-lands whose produce was directed to foreign trade while the proletarian peasantry wanted for food. The situation was aggravated still further in the next century by one of the provisions of the "Statute of Frauds," which specified that no title to land should be valid unless there were written proof of the same.⁵ The great majority of English yeomen, without such documents, but nevertheless true owners by tenure and heredity, had their lands confiscated by pharisaical village landlords more interested in fortunes than food for the peasants. The consequent destruction of property, through lack of proper cultivation, the orgies of the "reformers" and the peasants' revolts, did not at all conduce to "a more diligent care of external goods." If such private property contributed to the common good, it was with emphasis on the "common" and not on the "good." Men were reduced to the common level of land-slaves and the priceless good of liberty went with their lands. The ruined monasteries that dot the English countryside today, the sight of a large Empire hopelessly dependent on imports for its very sustenance, its citizens fearfully donning gas-masks to repel the attack of a jealous foreign invader, mutely testify to the social sin of earlier centuries. One thinks of Goldsmith's lines:

Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay:
Princes or lords may flourish, or may fade,
A breath can make them, as a breath has made;
But a bold peasantry, their country's pride,
When once destroyed, can never be supplied.

Economic Order

Secondly, private property is necessary for economic order. It must so be regulated that it will not become a source of injury, direct or indirect, to producer's or consumer's goods. As will be seen from the examples adduced, such limitation is not altogether unfamiliar. The social philosophy of government in America of recent times has been responsible for new strides in this field.

Producers' goods, such as industrial lands, factories and machines, are the subject of restrictions in the interests of the common weal. Legislation has been framed for industrial areas, factories are required to conform to governmental regulations, navigation laws control the engines of industry upon the sea. These limitations and others, while they bridle the owner's freedom to do as he pleases,

⁵ Belloc, Hilaire, *The Restoration of Property*, (New York, 1936), p. 41.

find their justification in that they promote the common good. If sweatshops and hazardous occupational centers still foster discontent and riot in society, it is because the owners of these are remiss in their proprietary duties.

Indirect injuries to producers' goods, through cut-throat competition and the concentration of wealth in the hands of a few, must also be guarded against. America is still experiencing the economic debacle consequent upon the zeal of its "business is business" forebears. Cutting throats has never been an over-successful means of progress, and in the realm of economics it has been less so. The anti-trust laws, the provisions of the Interstate Commerce Commission, determined railroad rates, the Federal Reserve rediscount percentage, are but a few preventatives against the evils of unbridled competition.

Restrictions must also be designed to avoid the concentration of wealth in the hands of a few. The monopolistic tendency is nothing new in economics. Centuries ago Aristotle related of ancient "big business:"

There was a certain person in Sicily who laid out a sum of money which was deposited in his hand in buying up all the iron from the iron merchants; so that when the dealers came from the markets to purchase, there was no one had any to sell but himself; and though he put no great advance upon it, yet by laying out fifty talents he made a hundred.⁶

The modern student of economics can draw many comparisons for himself from these words. It is sufficient to observe that the same cornering is done today and with more irony, because it is possible to corner more and more with less and less. Federal and state income taxes, inheritance taxes, regulated returns on capital investments and public utilities legislation try to restrict the undue concentration of capital. Accident and unemployment insurance are also, from the mercantile viewpoint, checks on profits.

A short digression on taxation as a means of limiting property might not be inappropriate. It is highly questionable whether the splurge of tax-laws from our legislatures will, in the long run, accomplish all that is claimed for them. Sometimes the remedy is worse than the disease. The popular pastime of "soaking the rich" often results in stagnation of private enterprise, and eventually ends in ruining the poor. As there are limits to property, so are there limits to taxation. Heavy taxation discourages industry, and the government has to step into business. Taxes become heavier still,

⁶ *Op. cit.*, Bk. I, c. 11, p. 21.

government more bureaucratic; and whatever may be said for bureaucracy, it does not profit the poor man. Hilaire Belloc, in his essay *The Restoration of Property*⁷ proposes a system of "differential taxation" which, while regulating big business, will not ruin small business. Briefly, there are three forms of differential taxation: (1) against chain shops; (2) against multiple shops (department stores); (3) against large retail turnover. The money raised by differential taxation would be used to protect the small enterprise through extension of corporate credit.

The following words of William Baron Von Ketteler, Bishop of Mainz, written in 1864, are apropos:

There are two systems of taxation. The one is used by the State, the other by Christianity. The State levies taxes by force—it makes revenue-laws, draws up tax-rolls, sends out tax-collectors; Christianity levies taxes by the law of charity; its assessors and collectors are free-will and conscience. The States of Europe are staggering under the huge burdens of public debt in spite of their compulsory system of taxation, and their financial embarrassments have given birth to that mystery of iniquity—gambling on the stock-exchange with all its attendant moral corruption. Christianity, on the contrary, with its system of taxes, has always found abundant means for all its glorious enterprises. Look at our churches and monasteries, our charitable institutions for the relief of every human ailment and distress, our parishes and bishoprics spread over the face of the globe; think of all the money that has been gathered for the poor, for our schools, our colleges and ancient universities; and remember that all this with scarcely an exception is the result of personal sacrifice, and you will have some idea of the life-giving power of Christianity.⁸

A few examples will suffice to show that not only producers' goods but also consumers' goods (food, clothing and shelter) may have restricted uses. Nature, by her laws of corruption and change, controls the uses of food. Clothing, similarly, has its limits. There are civic regulations, for instance, which forbid the use of wearing apparel, such as would offend the citizens' sense of decency, in public places, even though one may own the article of clothing with a perfect title. Shelter is also subject to certain prohibitions. There are restricted districts, electric insulation requirements, fire laws, etc., which, like the statutes regarding food and clothing, are all necessary for the common good.

Money as the medium of exchange for the necessities of life indirectly affects the acquisition of food, clothing and shelter, and so is liable to limitations. Its function is to act as a *medium*, not as a barrier to exchange. "It is one thing to have a right to the possession of money, and another to have a right to use money as one

⁷ pp. 68-73.

⁸ Quoted by Metlake, George, *Christian Social Reform*, (Phila., 1912), p. 132.

pleases."⁹ The economic upheaval of a decade ago was largely due to lack of intelligent curbing of money functions. Sane regulation of the rates of interest and rediscount, and the thorough control of coinage by public authority should serve to counteract the tyranny of money which the Holy Father describes as "particularly irresistible when exercised by those who, because they hold and control money, are able also to govern credit and determine its allotment, for that reason supplying, so to speak, the life-blood to the entire economic body, and grasping, as it were, in their hands the very soul of production, so that no one dare breathe against their will."¹⁰

Social Peace

The third reason for which St. Thomas justifies private property is that it promotes social peace. Social peace cannot be had if men are at odds with one another over their possessions. The maxim "What's yours is mine, and what's mine is my own" is anarchic. The Individualist philosophy which grants private property to a few and denies it to the many is no less productive of economic war. Again and again it must be said, private property is a means to attain the common good, which must be *common*—and *good*.

Goodness, even if it be common goodness, is not merely a matter of economics; it is also a matter of sanctity. The anomaly of modern times is that the two have been opposed. Economics is the science of living in security, but sanctity may be said to be the science of dying in security. Perfect happiness requires both, for man has not learned how to live if he has not learned how to die. And perhaps, one might interpose, we would have more real economy if there were fewer economists and more saints.

Society, if it would be peaceful, should provide its citizens with opportunities to know and love God and to practice the virtues. Its captains of industry cannot, in the name of oppressive private ownership which enslaves human beings in the name of efficiency, prevent men and women from attaining the knowledge of God by prohibitive hours of labour and by putting children to work at the sacrifice of proper education. Nor can society rightfully hinder the love and worship of God by eliminating or secularizing days of rest which are intended primarily for the exercise of religious duties.

With regard to the practice of virtue, private property plays a significant role. "We have insisted that, since it is the end of Society to make men better, the chief good that Society can be possessed of

⁹ Leo XIII, Encyclical *Rerum Novarum*, (Paulist Press, 1931), p. 13.

¹⁰ Pius XI, Encyclical *Quadragesimo Anno*, (Paulist Press, 1931), pp. 32-3.

is virtue. Nevertheless, in all well-constituted States it is a by no means unimportant matter to provide those bodily and external commodities, 'the use of which is necessary to virtuous action.'"¹¹ As has been shown, the bodily and external commodities can best be supplied in a social order which maintains an equitable distribution of property. A top-heavy property system breeds crime.

The false doctrine of the rigid right of ownership is a continual sin against nature, because it sees no injustice in using for the gratification of the most insatiable avarice and the most extragant sensuality what God intended to be food and clothing for all men. . . . The notorious dictum, "property is robbery," is something more than a mere lie; besides a great lie, it contains a terrible truth. Scorn and derision will not dispose of it. We must destroy the truth that is in it, in order that it may become all lie again.¹²

Paradoxically enough, the whole solution of the problem about limitations of the use of property lies in the extension of it. Restrictions such as have been mentioned do not destroy the right of private property; rather they protect it. Only when property is possessed by the many instead of the few will the common good best be attained. "The sacredness of private property" should not be a shibboleth to cover economic vices. Property is a public trust, not a Trust. Steps are now being taken to restore a more equitable distribution of property, for it has been found that limitation on the one hand means distributism on the other. Cooperativism, homestead aid and land grants are steps in the right direction. Renovation, not revolution, is the cry—renovation in the sense of making new the old truth of private property and common use. What G. K. Chesterton wrote over a decade ago is still timely:

Capitalism is breaking up; and in one sense we do not pretend to be sorry it is breaking up. Indeed, we might put our own point pretty correctly by saying that we would help it to break up; but we do not want it merely to break down. But the first fact to realize is precisely that; that it is a choice between its breaking up and its breaking down. It is a choice between its being voluntarily resolved into its real component parts, each taking back its own, and its merely collapsing on our heads in a crash or confusion of all its component parts, which some call communism and some call chaos. The former is the one thing all sensible people should try to procure. The latter is the one thing that all sensible people should try to prevent. That is why they are often classed together.¹³

¹¹ Leo XIII, *op. cit.*, p. 19.

¹² Von Ketteler, *op. cit.*, p. 38.

¹³ *Op. cit.*, pp. 87-8.