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## ST. THOMAS AND PRIVATE PROPERTY

### I

An institution that has threatened and that may yet cause a general upheaval in the world is that of private property. When administered according to true and solid principles there is perhaps nothing so conducive to the temporal happiness and progress of men as this division of external goods, but when abuses prevail there is also nothing more destructive of all good feeling and co-operation. A continual need therefore manifests itself for preaching and meditating on the true doctrine of the rights and duties of private property. One of the greatest exponents of this true doctrine is St. Thomas Aquinas; indeed his teaching forms the basis for that of the Catholic Church. St. Thomas laid down the principles: principles which he drew from the very purpose for which God created external goods and men; principles which Pope Leo XIII and other great theologians developed and applied to conditions existing in their day.

Before entering into a discussion of the rights and duties of private property it is necessary to know what right man has over external goods in general and why? This, too, is the method of procedure of St. Thomas. His first question is, "whether it is natural for man to possess external goods?"<sup>1</sup> His answer is important for therein he lays the foundation of all that can be said on the rights of property, and enunciates the guiding principle determining all limits to that right.

In his answer St. Thomas says it is natural for man to possess external goods "as regards their use, but not as regards their nature which is not subject to the power of man but only to the power of God whose mere will all things obey." In order to understand this we must remember the Catholic teaching that God created the world, man included; that in virtue of that act of creation by which He brought all things out of nothing, all things are subject to Him as to their supreme Lord and Proprietor. Since God is the supreme Proprietor no other being,

<sup>1</sup> Summa Theologica IIa IIae Q. 66. Art. 1.

man included, has any right to possess the works of His almighty power except in so far as God gives him permission. The extent of this permission can be gathered not only from His positive law but from the very nature of creatures, their needs and capacities.

In creating the world God did not make all things alike but many different kinds of being, gradually increasing from non-living beings, the lowest, to man the highest in the scale of perfection.<sup>2</sup> He united all these beings still more closely by making the lower forms serve the higher and thereby making the higher dependent on the lower.<sup>3</sup> From the very nature of things, therefore, man has the right to use all the lower creatures as "made on his account." Indeed this right belongs to him in a more eminent degree because he is gifted with the faculties of intellect and will, powers which put him far above other creatures.

It is therefore natural for man to possess external goods, but only as a gift from God, not as if he had supreme dominion over them. He can use them for his own purposes but within certain limits. He must use them according to the laws governing their nature and his own; in a word he must use them not wantonly but according to the design which God in his Providence determined that they should be used. According to God's design external goods are ordained to help man to attain the perfection and happiness proper to his nature.

From the doctrine of this article,<sup>4</sup> one is forced to conclude that in themselves both community and private ownership of property are licit. I say, in themselves, for there can be and are conditions making the one necessary and the other as a result harmful to the general good. In general any form of ownership is lawful by which man can make the proper use of external goods in furthering the end for which he was created. There is nothing in the idea either of community or of private ownership obnoxious to such purposes.

As regards community ownership this is evident from the attitude of the Church towards it. The Church has not condemned it directly, but rather the attempt to force it upon those

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<sup>2</sup> Summa Theol. I Pars. Q. 96. Art. 1.

<sup>3</sup> Summa Theol. IIa IIae Q. 64. Art. 1.

<sup>4</sup> Summa Theol. IIa IIae Q. 66. Art. 1.

unwilling to accept it and the propaganda of those who combined it with really immoral and pernicious measures of social organization. Hence she has always strenuously opposed communism and socialism although she invites her children, as many as are able and willing, to accept community life and ownership in religious communities. Moreover, although all nations have adopted the regime of private property, should all the people of any one nation agree with their rulers to abolish private property and to establish community ownership their action would be licit and have the force of law.<sup>5</sup>

Some have argued that private ownership is against the law of nature because in the very beginning goods were not divided and because men lived for some time under a more or less complete form of community ownership. But neither argument proves the point. As St. Thomas says the law of nature neither condemns private property nor makes it obligatory.<sup>6</sup> The reason for this is that the law of nature says only that man can own property and must use it to attain the perfection proper to his nature. How property should be owned therefore depends on circumstances outside its boundaries. Nor is it difficult to find a reason why in the beginning there was not a strict division of property. At that time men were comparatively few and goods superabundant; men could move here and there without treading on the previously acquired rights of another. But Bible narrative shows that it was not long after the fall of Adam or after the Deluge when property began to be distinctly divided.

If both community and private ownership in themselves are lawful men could have chosen either, yet they actually preferred the latter. This choice was not purely arbitrary and without reason; it was due rather to the voice of reason itself, arguing from conditions in which man found himself. The same conditions exist today; hence the regime of private property cannot now be overthrown without grave injury to man and to the social order. While it is true that because of abuses the evils flowing from private ownership seem to nullify the benefits yet it is unwise to jump from the frying pan into the fire, to overthrow the present social order and to suffer the

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<sup>5</sup> Sylvius *Commentarium in Summa Theol.* III pp. 222, 2nd col.

<sup>6</sup> *Summa Theol.* IIa IIae Q. 66. Art. 2, ad I.

grievances which are bound to follow upon community ownership for the sake of avoiding existing evils. Because of original sin and the fallen nature of man there are bound to be abuses. But instead of flying to evils that we know not of, is it not far better to preserve the present order and by persuasion and corrective legislation to effect as far as possible a control and use of private property that is according to true and Catholic principles?

The reason which makes private preferable to community ownership is its superior ability to induce men to work for their living, to cooperate with each other and to keep the social peace. To induce men to work for their living; there is no need for much experience to prove that labor, especially continual daily labor is irksome and painful. Yet men must work; it is not only a positive precept of God but also a law of nature that men must eat their bread in the sweat of their brow. To keep them working there is need of some desirable end to be gained. Private property offers the prospect of acquiring something their very own. Can community ownership offer something as attractive? St. Thomas did not think so.<sup>7</sup> Small bodies of men inspired by the same ideals and purposes have worked zealously for the common good but neither history nor social psychology gives us valid reasons for supposing that men in general will strive to be efficient and self-improving workers without the spur of private remuneration.

To cooperate with each other; this is as necessary as work itself. Each man cannot provide all he needs or desires; there must be farmers and tradesmen, employers and employees, doctors and lawyers. Under present conditions each one is permitted to choose his life-work according to his likes and abilities, and the need of hustling for his living generally checks rash ambition and careless work. Under community ownership there would have to be some power directing the distribution of labor for the common good. If this were done with discretion and justice it would be the source of innumerable benefits, but experience shows that such powers are generally misused, consciously or unconsciously; indeed they have often resulted in political machines.

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<sup>7</sup> Summa Theol. IIa IIae Q. 66. Art. 2. C.

To keep the social peace: a frequent cause of quarrels today is the process of dividing and administering property, it is a source of much disturbance to the mutual good will necessary for the progress and welfare of mankind. If this is true when most things are rather permanently allotted what would it become when the community owns everything and there is need for an almost daily distribution of goods. The Rule of St. Augustine shows that there is apt to be real difficulty in carrying out perfectly community ownership among religious. How can one hope to establish and preserve a practical form of it among those who have neither the motives nor the helps of the religious life?

These reasons prove that men have a right to private property but not to an absolute and unlimited degree. The latter is a pagan and godless conception. Unhappily it is still general, and those men act upon it who strive to amass unlimited wealth even by immoral means, without any care for the just rights of their employees or charity for the poor about them. What these reasons prove is that there must be an organization of property according to which each man has a right to acquire, control and dispense something as his very own. Here we have a complete statement of what St. Thomas Aquinas taught regarding the extent of the right to private property.<sup>8</sup>

## II

Besides regarding it from the viewpoint of control and dispensation property may be also considered from that of "use." In this respect no man may look upon his goods as "his own but as common so that he is ready to communicate them to others in their need."<sup>9</sup> This is a point St. Thomas insists upon, a point which, if carefully followed out, would silence immediately the soap-box orator and make private property the blessing it should be. We must be careful to note exactly what St. Thomas means by this use in common of our property. Respecting it his teaching may be placed under the concept of the "duties of property." This duty of communicating to the needs of others becomes obligatory when justice, charity, or the law of the state demands such communication.

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<sup>8</sup> *ibid.*

<sup>9</sup> *ibid.*



In determining when justice and charity bid us come to the help of others St. Thomas evidently harks back to a principle he had enunciated earlier in this question.<sup>10</sup> "According to the natural order established by Divine Providence," he says, "inferior things are ordained for succoring men's needs." Since the arrangements made by human law cannot overturn the natural or divine law, the fact that things have already been divided and appropriated does not supersede the natural and divine law that external things are to be used for the support of all men. "Hence whatever certain people have in superabundance is due by the natural law, to the purpose of succoring the poor." So strict is this duty of justice that should a man be in "extreme and urgent need of something to preserve his life" he can take it from any one not in similar need without violating the law of justice or committing the sin of theft. Another could do the same for one so needy provided he had no means of his own capable of supplying that need.<sup>11</sup> Moreover should the owner of the goods about to be taken in such circumstances try to prevent it he would be sinning against justice.

There are other cases when one who has private property is bound in justice to give readily to the poor. For instance, an employer is bound to give not any wage he can force his workman to accept but a living wage. This is due to the fact that by the natural law every man has a right to external goods. Though he may have none actually, yet since things have been divided and appropriated he has an actual concrete right to get property by reasonable means. Since a living wage is his only reasonable means the employer is bound in justice to give him such a wage, even before he has any right to declare dividends on the capital invested.<sup>12</sup>

Besides being bound in justice those who possess property are also bound in charity to give readily of their goods for the support of the poor. Because it is a precept of charity we must not be led to believe that we are free to observe it or not. This duty of charity is just as grave as that of justice; practically the only difference is that when bound in justice we must give to certain people, but when bound only in charity we can choose

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<sup>10</sup> Summa Theol. IIa IIae Q. 66. Art. 1.

<sup>11</sup> Summa Theol. IIa IIae Q. 66. Art. 7. C. and ad 3.

<sup>12</sup> Dr. Ryan "A Living Wage," Chaps. VI, etc.

the recipients of our favors. The reason why in this case the dispensation of our goods is left to our judgment is due to the fact that there are so many suffering need that all cannot be helped with the goods of one man alone.<sup>13</sup> In his treatise on almsgiving St. Thomas says there are two cases when we are bound under pain of mortal sin to give alms.<sup>14</sup> First, when we have superfluities, and secondly when we meet one in extreme necessity. We cannot go into the discussion of what are superfluities, but the world would be all the happier and men's salvation more easily obtained if all paid more attention to the beautiful words of St. Basil as quoted by St. Thomas: "Why are you rich while another is poor, unless it be that you may have the merit of a good stewardship, and he the reward of patience?"<sup>15</sup>

The state is the third agency directing us how to hold the use of our goods as common. Because it has been instituted to care for the common good the state has the right to take even coercive measures to promote the welfare of the greater number of its citizens. "Private good is ordained to the general good as an end." Hence when the rights of the few or of many become destructive of the common good the state may ignore or limit those rights. The state is bound to promote peace and to protect the rights of its citizens;<sup>16</sup> it has therefore a right and a duty to check the encroachments of the strong on the weak and to prevent the rich from exploiting the poor. Directly or arbitrarily, however, to limit the right of private property is not within the jurisdiction of the state for these rights are older than the state and have been sanctioned by reason itself.

Such in outline is the teaching of the Angelic Doctor and of the Catholic Church on the question of private property. Here we find no denial of the Omnipotence and Providence of God, no trampling on the rights of the rich or of the poor, no fanciful theories about a mankind that does not exist on this earth. In his calm and careful way St. Thomas builds upon first principles and actual conditions a profound and admirable system of rights and duties that is consistent with facts, symmetrical in its order, and just to all concerned. As long as men exist on this earth problems will arise over the division of prop-

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<sup>13</sup> Summa Theol. IIa IIae Q. 66. Art. 7.

<sup>14</sup> Summa Theol. IIa IIae Q. 32. Art. 5 and 6.

<sup>15</sup> Summa Theol. IIa IIae Q. 66. Art. 2 ad 2.

<sup>16</sup> Summa Theol. Ia IIae QQ. 95 and 96. Art. 1.

erty but in the light of St. Thomas' doctrine they are less difficult to solve. Until the end of time the poor and the rich, the miserable and the prosperous will live side by side but if the principles laid down by St. Thomas and the Church were conscientiously obeyed poverty would not be a disgrace, wealth would lose its cold haughtiness, peace and mutual good will would reign in all hearts. —Bro. Norbert Georges, O. P.

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### A SONG OF AUTUMN

Lo, Autumn in a mist  
Of trailing amethyst,  
Enthroned her daily court doth hold,  
Where gay the woodbine clings  
In circling amber rings  
Around the trees of ruddy gold!

Inviting you and me,  
Now sweet her minstrelsy  
Breaks forth into a drowsy song  
Gold bees that softly hum  
Beneath the mellow sun,  
And rills that tinkling trip along!

"Behold our palace fair  
Crowned by the azure air,  
And filled with rose-enamored light;  
Our damask, golden trees,  
Our carpet, fragrant leaves,  
Aglow with mottled weavings bright!"

"O come with us and live,  
For we shall gladly give  
Thee of our sylvan treasure store;  
And happy thou shalt be  
In our sweet company,  
Nor know life's grievings any more!"

—Bro. Gregory Herold, O. P.