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The Property-State Antinomy & the Failures of Anti-State Reductionism

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The state is not the only socio-political institution that has created the “subsidy of history”¹ that is to blame for the current economic structure of society, as many left-libertarians argue. Private property is an institution that has as much dirt on its name as the state since conventional property norms promote “privatization” over social realms as opposed to what is falsely conveyed by politicians, corporate media, capitalist proprietors, and managers as individual ownership involving purely individual concerns and responsibilities. Private property has historically and existentially dictated the movement has created an inproportionat amount of exclusive control over material, principles, rights, and general institutions and consequently is what defines and reinforces the state since the state defines the institution of property (or that’s what they would prefer us to have us think) in the form of legal right (even though moral right is something different). The relation

¹ <http://www.thefreemanonline.org/features/the-subsidy-of-history/>

between state and private property implies deviation and a degree of independence among them. This means institutional analysis should focus on them both in relation and isolation. I will focus on the relation and implied deviation between these institutions.

Due to the fact that state and private property are two territorial monopolies on force that overlap in principle there exists a contradiction and inherent antagonism in practice that can only be resolved if those who control the institutions (via the hierarchies within the organizations that the institutions have formed) concede each other a given amount of autonomy over what their classes control thereby legitimizing their roles in society. This way the relative but conflicting functions of private property and state don't contradict each other in a mutually detrimental way since there exists the potential that politicians, managers and proprietors of the ruling class work against each other at times. However, their net cooperation as a class will exceed their net conflict if said structures manage to effectively synchronize, otherwise the ruling class wouldn't be coherent enough to justify their own institutions and they definitely don't want that. Hopefully the current lack of structural synchronicity is what destabilizes the ruling class in this process of globalization, but our efforts to consciously approximate reciprocity within and beyond the system that exists definitely wouldn't hurt, in fact it would insure a way forward for those engaged at least if not insure a true end to this oppressive system on increasing scales or dimensions at best. Either way their cooperation as a coherent ruling class essentially externalizes their antagonistic social forces onto the public by means of only letting each other share their exclusive domain in the name of preserving their institutions and its failures which are associated benefits for them.

Even though these institutions manage to deviate they are currently necessary for each others existence. Private property contributes to the definition of a state in the sense

norms among ourselves can dissolve private property and the existing state, giving us a chance to educate against any state from ever re-emerging.

In terms of strategy we ought not focus our energy entirely on the state in a direct manner, but that which defines the state, ie private property, even if we oppose both equally. Directly confronting the state will just get you hurt, and the most ethical and strategic manner to get rid of your masters is to cut the leash, not bite the hand. If you detach yourself from private property as a social institution, that which defines the state, by means of constructing our own reciprocal property norms, that leash that permits the accumulation of private property (in material, intellect, organization) which is essentially extracted from the social realms that reinforces your *own* private life will disappear, and so will the state as it no longer has that leash to rely on. However this can only occur by the approximate process of *learning how* and *proving we can* care for ourselves through means of prefigurative politics guided by sound ethics and principles, then a successful dual-power can form.

that what the state has a territorial monopoly over is constituted by many things including what the institution of property happens to maintain control over. Private property operates somewhat independently from the state, but usually in benefit thereof because the manifested centralization of private property, by means of capitalist appropriation and the resulting yields from unequal exchange that reinforces *future* capitalist appropriation, makes private property more legible for the state to control. The state also functions to benefit the proprietors of the ruling class. Every time the state constructs a law, regulation, tax, or subsidy it is essentially drawing lines on where and how state property in its various forms is “justly” distributed among “us”, or more realistically the elite. Furthermore any manifestation of property in the hands of a given class over a given industry has more say in the operation and decision making of the state than any non-proprietor, making the state as much a proprietary entity as proprietary entities are mini-states. This is not to say that we ought to seek the power of the state, since its principle invalid and its aims unethical, but that’s how it currently works.

This property-state antinomy needs to be confronted, but blaming the state for everything that existing private property has also contributed to is disingenuous and is not a way to confront it. Realizing what the state has done is one thing but reducing every social problem to the state is something completely different and ends up aiding the problem. While the state has often historically defined the institution of property within its legal constructs, property theoretically can and historically has formed as a counter-institution in negation to the state in practice, not only as simple deviation deviation but as social revolution. Therefore the solution to the property-state antinomy is to construct reciprocal property norms that negates private property and the state.

The legally absolute imposition of private norms in social realms has produced the negation of social life and the di-

rect empowerment of nominally private powers over social forms and therefore the indirect empowerment of nominally private powers over actual private life. I think non-Proviso Lockeanism if implemented would recreate a similar form of authoritarianism in the realm of property, and I'll explain why in my next paper. On the other hand I'm afraid the libertarian communist solution of negating property and its absolutism is no answer either because social norms could logically be imposed in actual private life that isn't nominally private by legalistic or capitalistic norms. As Jules Leroux once said,

"And property necessarily finds itself defined in these terms: The possession and use of an object to satisfy a need. Suppress the word possession, and property disappears. Suppress the word use, and property becomes an immoral, anti-human thing: it is monopoly; it is theft."

The suppression of use as justification of a moral right amounts to the property we have today, and it surely is monopoly and theft. The suppression of possession would cause property to disappear, as Jules Leroux claims, but in my mind amounts to nearly as anti-human a thing as we have today because without possession (that control and law of organization extended by our personality) use becomes negated for the worst. The answer appears to approximate a property form established by an ethic that embraces possession on a basis of occupancy and use in contexts appropriately correspondent to individualism (private life) and socialism (social contexts), ie reciprocity. This way property as it "necessarily finds itself defined" can be realized.

We must realize that the state is playing an increasingly expansive and important role in the survival of capitalism (which is probably why this tendency of anti-state reductionism has emerged, ie blind reaction to a police state, surveillance state, etc) because it is suffering from constant crises and increasing risk of collapse that's been inherent to the internal logic of private property from the beginning (legitimization crises,

input crises, fiscal crises, over-accumulation/over-production/over-population crises). Furthermore in the last one-hundred years or so, with the development of corporate and global corporate capitalism from the initial mercantile and industrial capitalist interests, the state as a political institution has served to both increasingly rationalize and preserve these economic contradictions to the extent that the system doesn't collapse or that the people revolt, which is a sign that capitalism in general is running out of time, space and energy because the state is a principle of persistence in a reality of constant change² (state stems from the word "stare" or to persist). This is why the state as a principle is invalid, and why the state is serving to stall the decay of capitalism when we obviously should just move on.

Property as a legal right and moral right contradict. The conscious realization of property as a fact, or as a complex matrix of "ownness", and the justification of property as a socially or individually exclusive moral right in correspondance to reciprocity (as the principle that describes this matrix of "ownness" and prescribes respect for "ownness" where groups and individuals identify and justify their "own" in this matrix) should approximately establish us on a road towards alternative actions and institutions that will practically dissolve private property relations in social contexts, establish personal property that's not unjustly appropriated, and the promote the active emergence of social property in social contexts. This revolution in property ought to promote the very resolution of the economic contradictions (since a counter-economy will coalesce around these alternative/counter-institutions) that helped promote the false necessity for a state to "reconcile" such contradictions by its principled illusion of persistence and in turn its actual forces of taxation, regulation, subsidization, and legalization. This will eventually form a "counter-weight", just as Proudhon said, to the state itself. In essence, constructing a reciprocal property

² <http://libertarian-labyrinth.org/booklets/NPL-20.1nb.pdf>