

Private Property or Possession

A Synthesis

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Ownership, according to Immanuel Kant, is “the mode of having something external to myself as my own.” As such, it is problematic, since ownership in effect means that someone has the exclusive right to control a part of the physical world. Or, in other words, someone has the right to exclude others from that part of the world. How does that fit with the ideas of the anarchism tradition?

One answer is simply that it doesn’t. Both collectivist and individualist anarchists usually agree on the importance of abolishing the privilege of private “bourgeois” property. But in general they also identify the impossibility of a society where no one has the exclusive right to anything. It would be a worldwide “tragedy of the commons,” where the natural resources soon would be exhausted simply because some people are too greedy. But still, anarchists cannot advocate regulations to stop some from using “too much” of the scarce resources. (Who would enforce such regulations?)

One solution might be a version of anarcho-communism, where everything is put under the “rule” of the communal collective. But that won’t do as a universal solution, unless one takes for granted that all people will voluntarily join a communal collective. Or that everyone would be forced to.

Anarchism and Possession

Instead, the anarchism tradition advocates possession rather than property. There is no consensus as to what possession really is, but the main difference between possession and property is usually that possession does not come with a never-ending right (as is the case with property). Possession is simply the right to control a piece of nature which is already in your control, i.e. an object you currently use. As soon as you let go of the object, your right to it is automatically abandoned.

These concepts might seem rather extreme versions of two opposing views on ownership. It is true that the meaning of both property and possession might vary some depending on the discussion. But in essence, the possession concept is a volatile ownership whereas property is a rather permanent, durable, and constant state of control.

The problem for anarchism is that not all anarchists agree on possession being justified, while some argue for the justification of private property. Most anarchists find themselves somewhere between these “extremes,” however with varying definitions of what is just ownership. Ownership, it must be concluded, is one of the reasons factions of anarchism seem unable to cooperate.

Common Ground

It should be noted that virtually all anarchists, when arguing for or against possession or property, share the same fundamental value as starting point: that the individual alone has the right to his self and that the laborer has the natural right to enjoy the full benefit of his labor. The difference in opinion regarding possession and property must consequently arise in the reasoning following this mutual anarchist standpoint. We have an equal right to ourselves and our labor. Alternatively, other and differing values (perhaps community, redistribution, egalitarianism...), considered of equal or superior importance, are taken into account when discussing the issue of ownership.

Anti-possession anarchists are likely to argue that property and possession alike necessarily exclude others, meaning it causes inequalities that are not given in nature. What is important here is that all people have equal right to the full physical world. From this, it is claimed, it does not necessarily follow that the world is used justly if part of it is being used by one person. It might very well be that there are other uses for that specific part, so that the benefit to the collective or people worse off is improved by taking it away from whomever is using it (i.e. redistribution). (Redistribution by whom?)

Pro-possession anarchists might argue that man's right to his labor is severely violated if the unowned and unclaimed piece of nature he currently uses is taken away from him. He has the right to occupy and use this certain part of the world in producing something of value to him. Others will simply have to use another spot or wait until he is finished.

Pro-property anarchists claim that the value created through labor is not separable from the physical object, and thus the first undisputed claim provides the claimant with a natural right to the object as well as the value. When an object is used to achieve a value it is changed, meaning the person must have the right to the outcome of his labor *and* the unclaimed piece of nature.

There are other views as well, but most anarchists would probably agree with (at least) one of these three.

A Synthesis: Bringing the Views Together

The question is: how can one try to find common ground for anarchists when the tradition encompasses so completely different views? The obvious solution is to keep the discussion going, to respectfully consider each other's arguments, to question the validity of one's own and other's values, to welcome and embrace new perspectives and solutions. This is, however, not always the path chosen by anarchists. Instead, they tend to be rather dogmatic in their views, more than willing to impose them on others.

This essay proposes a solution to the conflicting views in anarchism through a merger: by extracting the strong arguments and supported positions from each of the views and putting them together in a new theory. The result should be a theory that could be adopted by most or all anarchists and that is harder to refute by critics.

The basis of this merger must be the common point of departure in the three views above, i.e. that each individual has the full right to his own labor and the results thereof. Also, it should incorporate the equal right to nature and the resources therein put forward by anti-possessionists as well as the right to unobstructed use of that nature as proposed by pro-possessionists and the exclusive right to the fruit of one's labor as championed by pro-property anarchists.

Nature of Values

Starting from the axiom that each individual has the full right to self and to lead his life as he sees fit, the right to labor and the values created is easily inferred. After all, man acts in order to achieve certain values. If it were not for the purpose of those values, he would act differently (or not act at all). We can therefore state that the individual voluntarily chooses to act a certain way in order to achieve a value.

The value is thus the incentive behind the decision-making and the action. It is subjective by nature, since it is formulated by and for the individual, but the physical outcome of his labor might nevertheless be of value to others. One might argue that there is an objective use-value of the outcome, but such a statement of value necessarily depends on what kind of use one chooses to analyze. Also, it needs to take into account the situation in which the individual is, i.e. his *need*. The appreciated value, i.e. the assessment, is thus subjective.

Even though a value is subjective in *how it is valued*, it objectively exists. In other words, even though the use-value is subjective, there is an objective reality in which values exist. For example, eating an apple provides energy which supports life, so an apple has value as a source of sustenance. It is also of value for everybody to eat. But ask yourself, how much is eating that apple worth? Try to establish an objective assessment. It is not possible. The values guiding ones actions are not ever the same for any two individuals, and even if they were we could not find out.

This means that values cannot be compared, which is also an argument for equality. Nobody can claim their value of a certain act is greater than someone else's. John might be prepared to die if he cannot use that apple in his work of art, whereas Jim will die if he can't eat it. Here the theory faces the ultimate test: either John or Jim dies. Who should use the apple, or more correctly: whose right is superior?

Anyone claiming John or Jim should have it because his need or value is greater or of greater importance is in trouble. How can you tell? Who decided what value should be greater? In small communities one might be able to get together and make an official value hierarchy for all situations, to which everybody agrees. But to use this method on a larger scale requires the use of force, and the reason for this is that such rulings are artificial.

Solution to Conflicting Claims

The only reasonable explanation is "first come, first served." When John finds the apple there is no one else around, it is unclaimed, so he claims it and starts pursuing his value. At a later point in time Jim, hungry as hell and with almost no energy left, walks by and sees the same apple. One might argue that Jim should be able to take it and that John can use another apple. But isn't the opposite also true? Or perhaps one considers Jim's need greater than John's, or vice versa. But we have already established that it isn't possible to compare values, and who are you to say that John is not allowed to use the apple for art?

There is only one way of settling this unless John and Jim can agree on something. (After all, it is possible that John feels sorry for Jim and therefore gives him the apple. Or that Jim feels he might be able to find something else to eat nearby.) When John sees the apple, it is of *no* value to anyone, it is unclaimed, but when Jim comes by it is already claimed. It should be fairly obvious that John has the right to use it, and that Jim can only use it if John agrees.

Use-Right Theory

So John has the right to the use of the apple, but does he own it? According to this theory, the answer would be both yes and no. Yes, since he has the right to use it to achieve the value for which he claimed it. And no, since he cannot receive the full, permanent right to the apple—he

can only claim it as the means to achieve that specific value. That is, in any case, the reason he claimed it. Also, to gain the full property right to the apple means in effect “stealing” it from the rest of mankind, since anyone could have claimed it.

This theory does not allow for an object to be someone’s full property; multiple people can have use rights to the same object or, e.g., a piece of land. In the case of the apple, John has claimed the right to use it in his work of art, which means anybody else has the right to claim other uses for it—as long as it does not affect the way John is using it.

The same rule applies equally to everybody—claims made prior to my claim have to be respected, but as long as they are not affected I can claim the right to use the object in any way I wish. Thus, Phil can claim an unclaimed mountainside for mining, but Paul can still claim it for hiking as long as his hiking does not impose any restrictions on Phil’s mining. And at a later time Pam can claim the very same mountainside for mountain biking, and Paula for sun-bathing. As long as no subsequent claim causes restrictions on any prior claims the mountainside can be claimed and used by hundreds of people.

When Phil, at a later time, is done mining he automatically abandons this claim thereby making it possible for more people to claim the same mountainside. Also, a use right is never exclusive—others may claim the same mountainside for hiking alongside Paul as long as their use do not restrict Paul’s previously made claim.

What this all means is that one claims temporarily the right to a certain use of an object. It is fundamentally different from private property, since it is limited in both time and space. It is also very different from possession, since one cannot gain the right to any use of an object simply through possession and that the right is not automatically abandoned when one leaves. And, finally, it allows a certain kind of ownership right without withholding a piece of nature from others. At the same time as it is fundamentally different from these three theories, it combines the strengths of all three.

A use-right theory might be the most equal and efficient way of using natural resources, *with* rights but *without* property.

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