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Might Doesn't Determine Right...

...but It Did Determine Our Regime of Property

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"You fools! If you took might, freedom would come of itself."- Max Stirner, The Ego and Its Own

On December 12th, 2023 the AFL-CIO Facebook page posted a meme that stated "Elon Musk doesn't create cars, Jeff Bezos doesn't deliver Amazon packages, Howard Shultz doesn't make Starbucks drinks. The rich don't create value. The workers do." Of course there were the usual defenders of capitalism flooding the comments section with their typical anti-labor pronouncements. One such comment read "Imagine going into an economics class and saying that entrepreneurship doesn't create value." Meanwhile, another commenter asked, "If the rich didn't start the company, then what?" Finally, the centrist appeared and declared that "Both create value. How can you have one without the other?" The former two comments are indicative of the bog standard neo-liberal belief that workers are some sort of superfluous appendage, and that all of the wealth in society comes from the grandiose

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entrepreneur god-men. It is the rich who have descended from their lofty palaces in the clouds, capital in hand, to bestow upon us the glorious jobs we have been blessed with. Nevermind where the initial capital came from, it always existed, *ex nihilo*. The latter is a sad, but well meaning attempt to reconcile the irreconcilable. But, as it says in the IWW preamble:

The working class and employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of the working people and the few, who make up the employing class, have all the good things of life.

Naturally, as a militant advocate of labor, my response was to leap to the AFL-CIO's defense by posting the following comment: "For the goons confused about how you can't have labor without capital, read up. Capital COMES from labor." I then dropped a link to Thomas Hodgskin's *Labor Defended Against Capital*, as any self described mutualist might. Unfortunately my OCD-addled brain wouldn't let this one rest. I began to over-think the subject as I am prone to do. I set about attempting to define a clear boundary between wealth and value. My instinct has always been to view debates surrounding value theories as important, but not central. They are secondary concerns when it comes to the defense of labor. After all, why does it matter how value is derived if the workers do the work either way? Value could be proven once and for all to be entirely subjective, and in my view, and in the views of many, it would not alter the moral claim of labor over the fruits of its toil one bit.

This is because workers, unsurprisingly, do all the work. Without workers nothing outside of what nature produces on its own would exist, valuable or not. Meanwhile, without capitalists, everything would continue as usual because the only function of a capitalist is, unsurprisingly, to hold and allocate capital. So, what

community of elites will develop, and along with it the monopoly of violence and the economy of extraction which inevitably ends in statism. And this is all well in advance of smaller concerns such as theories of value. While value theories are certainly important when one begins to contemplate things like rates of pay, pricing mechanisms, and the distribution of goods, they are ultimately not the fulcrum of the social question that people make them out to be. At best, they are a secondary concern, at worst they can act as a red herring that distracts from the fundamentally unjust regime of property right in front of our faces. Might may not determine what is right or wrong, but it is certainly useful in determining the initial system which dictates who owns land, the means of production, and all of the conclusions that flow from that foundation. If the fundamental way our society arrived at the current order was through a violent conquest of one class or group by another, then laser focusing on the debate between LTV and STV is a bit like fixating on a stolen car while a murderer is on the loose. While you're out chasing the thief, the bodies in the morgue keep piling up.

We must then ask ourselves, would a well informed group of freely associating individuals consent to the initial property regime that has led to our current predicament? I can't imagine anyone would, I certainly know I wouldn't. It's highly likely that if people could start over, tabula rasa, that they would resort to communal forms of land distribution, occupation and use norms, or perhaps less likely, a regime involving a consistent application of the Lockean-proviso. No one who is aware of the long term consequences of a system that allows for one class to monopolize property at the expense of another would consent to it if given a better alternative to begin with. Even if the current property regime was not established through a long and violent process of enclosure, it's unlikely that people would adopt such a regime if they knew from the outset that the end result would be a situation in which half of the population aren't able to rent a one bedroom apartment.

It is also reasonable to assume that if people have chosen to adopt communal or occupation and use property norms then those norms would very likely apply to the means of production as well, and as a result the means of production would de facto belong to those who use them. If that is the case, then the products produced using the means of production would also naturally belong to those who use them. In this scenario, value theory would only be relevant to discussions among equals, not between employers and employees. The workers who now own the means of production would certainly have to determine how to fairly distribute their products in situations that require a division of labor, such as an assembly line, or any other factory setting. However, they would not be having discussions about whether or not the fruits of labor belong to capitalists or laborers, because there would be no capitalists within such an anarchic order. There would only be free and equal people.

The fact is, order is the prerequisite to even get to the question of who owns what. But, to avoid the trap of the state, logic would dictate that everyone has to be a property owner in some way, shape, or form. There can't be haves and have nots, otherwise the

is capital? Capital is nothing more than some type of resource. It's a fancy word for stuff that has utility. People are perfectly capable of allocating resources without capitalists via libertarian structures such as workers councils or mutual banks. A lone capitalist on the other hand can't produce a single product or service without workers. In short, capitalists inherently need workers, and while workers inherently need capital, they don't inherently need capitalists since capitalists are merely people who own capital. Obviously then, if workers own the capital, they don't need capitalists anymore. Once this epiphany has been reached it is easy enough to conclude that the value of a product or service could be based on labor time, or the subjective preference of the consumer and it would not change this *fact* in the slightest. To put it simply, a pencil is made in a factory by workers and there is no intellectual theory that can alter that physical fact any more than any theory can alter the physical existence of oxygen. The system by which people assign a price to that spoon is secondary to its actual construction. And finally there's the elephant in the room; state violence. The only reason capitalists are able to own as much capital as they do is because there's a legion of state sanctioned killers ready to defend their claims.

Finally I asked myself, are we even debating the right subject? Are value theories really what we need to focus on? Perhaps instead we should be asking ourselves how society even got to a point where these discussions seem so important in the first place? And that's when I realized that before we can even talk about any of this we need to establish how order is arrived at. Without order there can be no society of any kind and the entire question is irrelevant. Without society there is no property of any kind; neither public, private, cooperative, or communal. Without property there can be no exchange, and finally without exchange there is no value.

On the subject of order I conclude that force is the primary cause of order, because force is necessary to ensure security. No society can exist if it is unable to defend itself against external threats.

This is true for all societies, statist or stateless, it doesn't matter. At first one might be tempted to reach for an authoritarian conclusion if positioned upon this premise. But force as a concept is perfectly compatible with anti authoritarianism if it's not being employed for the purpose of domination, but is instead being employed to defend against domination. It's the difference between using force to initiate an assault, and using force to stop an assault in progress. As I stated in a previous essay of mine, all property is maintained through force. This applies to community property just as much as private or state property. The question revolves not around the presence or absence of force, but around who is using force against who, and to what end?

If a community is only using force against those who initiate violence for the purpose of extraction, dispossession, or domination then it's not a state and is not acting in an authoritarian manner. If force is used by an elite class against an underclass, there is a state. In this scenario the first "who" in question is an elite society apart from the working class, the group they are using violence against is the working class, they are the second "who." The end goal is to establish a relationship of extraction, dispossession, and domination. In a scenario where there is no state, the first "who" becomes the community of equals, either directly via their own power or via a third party they have contracted with, and the second "who" becomes only those seeking to exploit, dispossess, or dominate. The end goal is the maintenance of a stateless, or horizontal society of equals. This is what I mean by who is using force against who, and to what end.

In Proudhon's famous 1840 work, *What is Property?*, he says that "[s]ociety finds its highest perfection in the union of order with anarchy." If we accept that anarchy in this context refers to an absence of rulers, and not chaos, then we can accept that a federated network of autonomous communities might collectively defend one another from would-be aggressors. In this scenario the people as a whole have taken might, as Stirner says. They have

banded together as freely contracting individuals to mutually guarantee one another's freedom from aggressors and exploiters. Here, there exists no monopoly on violence, no special defensive apparatus, but instead there exists a dispersed array of collective force. Now let's drop all of these people and communities onto a desert island where no one owns any property as of yet. How do they decide who owns what? For this exercise I find it useful to borrow a concept from the medical community: informed consent. According to the National Library of Medicine, informed consent is defined in the following manner:

Informed consent is the process in which a health care provider educates a patient about the risks, benefits, and alternatives of a given procedure or intervention. The patient must be competent to make a voluntary decision about whether to undergo the procedure or intervention.

Lets tweak that slightly to make it useful to our situation by replacing a few words. After the alterations have been made it might read in the following manner:

Informed consent is the process by which a community of freely associating individuals discusses the risks, benefits, and alternatives of a given regime of property. All individuals in the community must be competent to make a voluntary decision about whether or not to adopt a proposed regime of property.

Now, back to the main point: I find the question of consent to be of great importance, as any anarchist or reasonable person in general should. If people do not consent to the basic foundations of the society which they have found themselves in, then the word voluntary is nothing but coercion dressed in the garb of liberty.