

“IT IS THE CLASH OF IDEAS THAT CASTS THE LIGHT!”

The  **MUTUALIST**
A Journal for Free Absolutes.

**The
Gift Economy
of Property**

AND

*other occasional essays
on property and liberty*

LEFTLIBERTY SPECIAL

“The Multiplication of Free Forces is the True Contr’un.”

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This special issue of THE MUTUALIST consists of essays from the two issues of LEFTLIBERTY, together with additional material from my blog, TWO-GUN MUTUALISM AND THE GOLDEN RULE. These essays form the immediate background for the argument I am presenting in THE MUTUALIST.

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MUTUALISM:

THE ANARCHISM OF APPROXIMATIONS

Inheriting Mutualism

“Well,” [Joseph Warden] said, the smile still lingering in the corners of his mouth, “we are in one sense, my friend, a poverty-stricken people. We haven’t any institutions to speak of. All we can boast are certain outgrowths of our needs, which, for the most part, have taken care of themselves. We have, perhaps, an unwritten law, or general understanding, though no one to my knowledge has tried to state it. We all seem to know it when we meet it, and, as yet, have had no dispute about it. It may be said in a general way, however, as a matter of observation, that we are believers in liberty, in justice, in equality, in fraternity, in peace, progress, and in a state of happiness here on earth for one and all. What we mean by all this defines itself as we go along. It is a practical, working belief, we have. When we find an idea won’t work, we don’t decide against it; we let it rest; perhaps, later on, it will work all right. I don’t know as there is much more to say.”

The man was evidently disappointed. Warden’s talk all seemed trivial to him. It gave him the impression, he said, that the people had not taken hold of the great problem of life in a serious and scientific manner.

Warden replied that, if the gentleman would define what he meant by the terms serious and scientific, they would be better able to determine the matter. If he meant by serious anything sorrowful or agonizing, they would plead guilty; in that sense, they were not serious. If their life was declared not scientific in the sense that it was not cut and dried, planned, laid out in iron grooves, put into constitutions, established in set forms and ceremonies, he was right. They had neither seriousness nor science after those patterns. “But we have,” he said, “a stability of purpose born of our mutual attractions and necessities, and a scientific adjustment, we think, of all our difficulties as well as of our varied enterprises. Always respecting each other’s individuality, we apply common sense to every situation, so far as we are able.”¹

What is Mutualism? It is a question that even self-proclaimed mutualists may hesitate to answer. Since 1826, when the term *mutualist* first appeared in print, there have, in fact, been only a handful of attempts to present mutualism in systematic form. The most important of these, Pierre-Joseph Proudhon’s *De la*

¹ H [Sidney H. Morse]. “Liberty and Wealth, V.” *Liberty*, 2, 21 (July 26, 1884), 5. Morse’s story was serialized in eight parts in *Liberty*, between May 31 and September 6, 1884.

capacité politique des classes ouvrières (1865), has yet to be translated into English. The most accessible, Clarence L. Swartz' *What Is Mutualism?* (1927), dates from a period when mutualism had, by most accounts, waned almost to insignificance as a political force.

Proudhon's mutualism is still enshrined in the histories as "the original anarchism," though Proudhon, and other key figures commonly associated with the tradition (or traditions)—John Gray, Josiah Warren, the Mutualist of 1826, William Batchelder Greene, Joshua King Ingalls, Stephen Pearl Andrews, Benjamin R. Tucker, Alfred B. Westrup, Dyer Lum, Edward H. Fulton, Clarence L. Swartz, etc.—remain virtually unread.² The majority of Proudhon's work remains untranslated and, until recently, when the creation of digital archives of various sorts changed the equation, nearly all the major works have been unavailable to most readers.

Still, there *are* mutualists, and lately there seem to be a lot more of us. Mutualism has persisted as "the other anarchism," drawing those unsatisfied with conventional divisions within anarchism. While nearly all anarchists, whatever their label of choice, have embraced some mixture of individualism with social solidarity and reciprocity, compromise in the economic realm has been tougher sledding. Particularly since the emergence of Rothbardian "anarcho-capitalism," struggles over the place of market economics in anarchism have been fierce, and polarizing. This has created an increased interest in the historical figures associated with mutualism, but it has not necessarily made it any more acceptable to espouse their ideas. When confronted with, for example, with Proudhon's lengthy and complex engagement with the notion of "property," social anarchists tend to emphasize the claim that "Property is theft!" Anarcho-capitalists point to the later association of property with liberty—and, as often as not, treat it as a progressive move, claiming that Proudhon "got over" his initial analysis of property (and the rest of us ought to as well.) Mutualists have tried to work within the space created by the two, apparently contradictory statements. (This attempt, as much as anything, is probably what defines mutualism within the broader realm of anarchism.) Recent formulations, such as the "free-market anti-capitalism" of Kevin Carson, foreground the apparent contradictions, trying to signal that there is really something to be clarified there.

The current interest in mutualism has largely been driven by concerns that were not initially mutualist, and the mutualist and neo-mutualist positions that have emerged have been grounded very loosely in most instances in the historical tradition. While mutualism has never entirely died off as a tendency, there has been very little continuing structure by which specific mutualist doctrines could be passed along. That means that among those who currently

² The question of whether all of these figures should be considered part of the mutualist tradition, or whether there have been, in fact, multiple traditions, is one we must face.

call themselves mutualists, there is very little orthodoxy, and more than a bit of inconsistency.

That's probably entirely consistent with the mutualist tradition as a whole—and, ultimately, I think we can talk about “the tradition” as something like a coherent “whole.” Mutualists have tended to reject systemization, and to value experiment. In “Liberty and Wealth,” one of the true “lost classics” of the broad mutualist tradition, Sidney H. Morse engaged in a bit of alternate history, telling how the Owenite colony at New Harmony, Indiana was saved, after an initial failure, by hard work and common sense. Joseph Warden was obviously meant to invoke Josiah Warren, but the philosophy expressed was probably meant in large part as a counter to the various factions who, in the 1880s, questioned whether something more programmatic or specific than a commitment to liberty and reciprocity was necessary for radicals. It may, in fact, have been aimed in part at Benjamin R. Tucker, with whom Morse engaged in a series of friendly arguments. Tucker is perhaps better known for his *not-so-friendly* controversies, for the odd mix of generosity and intolerance with which he interacted with other radicals, and for the “plumb-line,” which led him, despite himself and his own best counsels, at times, towards inflexibility.

Now, everything we could say in this regard about Tucker could, with equal justice, be said of Proudhon, or Greene, or Warren. Whatever our reputation as “neither fish nor flesh,” as the school of compromise within anarchism, controversy has been our heritage nearly as often as conciliation. Morse's New Harmonists capture one aspect of mutualism, the experimental, “tactical” approach which contemporary critics fail to recognize in “classical” anarchisms. But we should hope that mutualists will continue to send “fine hard shafts among friend and foe” alike. The question remains, though, what is our particular heritage?

Attempting to summarize over one hundred and eighty years of rather disparate history is unquestionably a daunting task. There is no present advantage to downplaying the diversity of the movement. Contemporary mutualists consider themselves such because they found some portion of our rather obscure tradition compelling, whether through direct contact with the original texts, through the earlier historical work done by James J. Martin, Enid Schuster, Joe Peacott and others, through Kevin Carson's recent work, the commentary in *An Anarchist FAQ*, or historical spadework such as my own. Anarchist mutualists of the present day hardly need the sanction of an earlier tradition to engage in present-day activism, to carry on our own controversies and make our own alliances. Still, to the extent that we can claim to be part of a modern mutualist movement, or current, much of what has brought mutualists together has been a shared concern with recovering mutualist history.

It's in this particular, and presentist, context that I offer a series of examinations of the mutualist tradition, summaries and syntheses that I hope do some justice to both past diversities and present needs. Because, like most present-day anarchists, we are inheritors of a tradition which we really know

only in part, there are likely to be surprises—not all of them necessarily welcome—in what follows. I have attempted to be very open to such surprises, as I've struggled through Proudhon and Pierre Leroux in French, or through the metaphysical concerns of Greene. I've tried not to force-fit any of these earlier writers to any present-day model. That doesn't mean I haven't been looking for connections to my own concerns, to those of my comrades in the Alliance of the Libertarian Left, or to those of my friends in other anarchist currents. Fortunately, very little fudging of the historical facts, as far as I can ascertain them, has been necessary. It seems that mutualism has always had a basic core of values, and that those values may serve contemporary anarchism well.

Philosophical Observations

Consider the following set of statements—and consider them as tentative and overlapping, subject to elaboration, expansion, etc.

Mutualism is approximate. It rejects absolutism, fundamentalism, and the promotion of supposedly foolproof blueprints for society. What it seeks to *approximate*, however, is the fullest sort of human freedom.

Mutualism values justice, in the form of reciprocity, perhaps even over liberty.

Mutualism is dialectical. (Or “trialectical.” Or serial.)

Mutualism is individualism—and it is socialism—or it is neither.

Mutualism recognizes positive power, and looks for liberty in the counterpoise of powers, not in power's abolition.

Mutualism is progressive and conservative, in Proudhon's sense.

Mutualism's notion of progress is not an acceptance of any fatality or inevitability.

Mutualism is—in the broadest sense of the term—market anarchism.

Taken as a bundle, which may be a strong dose for many, these statements should give a fairly good indication of the kind of dialectical, *antinomian* dynamic which is at work at the heart of mutualism. But it may not be immediately clear that that heart, the very core of mutualist thought and practice is *reciprocity*—relations of justice between individuals. In any event, all of this seems rather uncertain. Vague concerns like “justice” don't exactly separate you from the political pack.

Perhaps, however, a return to that general dynamic of mutualism may help us out of this other morass. Our problem is that notions like “reciprocity” and “justice” don't just mean one thing, which is clear to everyone. “No,” says the mutualist dialectician, “they don't. They mean multiple, often contradictory things. Sometimes competing meanings are diametrically opposed. You have to grasp the bundle, and try to untangle it a bit.” The dialectician lives in a messy world, where every untangling reveals another snarl. But, honestly, isn't that

pretty much how our world works anyway? Discourse, all language use, from the most scholarly and specialized to the loosest and most general, is part of a gigantic commerce in meaning. We know how value fluctuates in other markets, how dependent it is on factors extrinsic to the nature of the thing exchanged or external to the normal operations of the market. Changes in markets effectually change the “meaning” of goods—think of corn before and after the ethanol explosion. There’s no point in pushing the analogy at this point, but consider the sort of “heavy trading” that a notion like “liberty” or “justice” undergoes, and ask whether perhaps we ask a lot when we expect these notions to function—specifically in the realms of the social, the economic and the political—as if they were safely ensconced in the realm of the forms.

OK. Concepts turn on themselves, splinter, mutate, disseminate themselves, go to war, form strange alliances—in short, behave much like the human organizations they inspire. These days we might call this *deconstruction*. Proudhon called it contradiction—*antinomy*—by which he meant not simply logical inconsistency, but a productive, pressurized dynamic. The antinomy is interesting because none of its individual expressions are entirely satisfactory. They may, in fact, be individually rather odious. But the whole package offers more. Simple contradiction involves a situation where both A and B cannot be simultaneously true, and our logical next step, after recognizing that, is to separate the true statement from the false. In the antinomy, A and B together look pretty good, despite the fact that neither of them alone seem to offer much. The difference is important, in part because it forces to focus on a rather different conceptual horizon than we might otherwise. It is not nearly sufficient, from this philosophical perspective, to try to discover truth by gallivanting about slaying falsehoods. At a minimum, we have to be willing to poke around in the entrails of the dragons we bring down. More than likely, though, we’re going to need some of those suckers alive, at least for awhile.

MUTUALISM IS APPROXIMATE. IT REJECTS ABSOLUTISM, FUNDAMENTALISM, AND THE PROMOTION OF SUPPOSEDLY FOOLPROOF BLUEPRINTS FOR SOCIETY. WHAT IT SEEKS TO APPROXIMATE, HOWEVER, IS THE FULLEST SORT OF HUMAN FREEDOM.

In *The Theory of Property*, Proudhon claimed that “humanity proceeds by approximation,” and proceeded to list seven “approximations” that he considered key:

- 1st. The approximation of the equality of faculties through education, the division of labor, and the development of aptitudes;
- 2nd. The approximation of the equality of fortunes through industrial and commercial freedom.
- 3rd. The approximation of the equality of taxes;
- 4th. The approximation of the equality of property;

- 5th. The approximation of *an-archy*;
- 6th. The approximation of *non-religion*, or non-mysticism;
- 7th. Indefinite progress in the science, law, liberty, honor, justice.

This “indefinite” progress “is proof,” he said:

...that FATE does not govern society; that geometry and arithmetic proportions do not regulate its movements, as in mineralogy or chemistry; that there is a life, a soul, a liberty which escapes from the precise, fixed measures governing matter. *Materialism*, in that which touches society, is absurd.

Thus, on this great question, our critique remains at base the same, and our conclusions are always the same: we want equality, more and more fully approximated, of conditions and fortunes, as we want, more and more, the equalization of responsibilities.

Here is the first of mutualism’s basic principles.

I imagine I can hear the murmurs already. This sounds like “settling for less,” and perhaps *less than anarchism*. It’s too uncertain for much of the natural rights crowd, and probably comes off as downright defeatist to the revolutionaries. But Proudhon was, of course, a partisan of “the Revolution,” as he understood it, every bit as much as he was engaged in the project of grounding *right* in a scientific understanding of the individual and society. And he was the inheritor of notions that were both *anti-utopian* and *perfectionist*. While he rejected the “patent office” schemes of the Fourierist phalanx and of Leroux’s “ternary order,” he embraced the portions of Fourier’s passional analysis and Leroux’s “doctrine of Humanity” which emphasized a constant, restless, progressive movement—the work, as he put it, of “a life, a soul, a liberty which escapes...” So Proudhon declared that he wanted “equality,” but also—and this is at least as important—that he wanted “more and more.”

Following that lead—or, if you prefer, following the “blazing star” of William B. Greene—mutualism is unafraid of the very *active* pursuit of *practical* approximates. It is experimental. If it has at times made excessive claims for its particular schemes—and it certainly has—it can at least be held accountable for that failing. Meanwhile, arguments that “true anarchy,” “property,” or the conditions under which an individual could safely say “I am just,” are “impossible” (in some absolute sense) shouldn’t leave the mutualist sobbing in the corner. If we can’t reach perfection at a leap, even if we can’t ultimately reach it at all we can always at least try to take another step forward—and then *another* step forward, *always*—and this is the point at which people begin to work things out, as best they can under the circumstances, with the understanding that that current “best” is a step towards the next best, and so on, “indefinitely.”

The acknowledgment that progress is a matter of approximation—or the corollary acknowledgment that “there are degrees in everything,” including justice and right—does not lend itself to an “ah well, anything goes” sort of attitude. Indeed, the best-developed aspect of mutualist philosophy has probably

been its analysis of how progress is, in general, not made. In that same passage from *The Theory of Property*, Proudhon continued:

We reject, along with governmentalism, communism in all its forms; we want the definition of official functions and individual functions; of public services and of free services.

Notice that in this case “communism” is not—or rather is not solely—an approach to property. Like Josiah Warren, Proudhon seems to have intended by the term a subordination of individual concerns to the collective, but the thing that seems most objectionable about “communism” in this context is that it leaves important things undefined. Proudhon wanted “definition.” And it’s a thing that any good experimentalist should want—and mutualism is nothing if not essentially experimental. To move on—and on—we need to know what we’ve got going, what we are involved with and connected to, and we need to know all of that in fairly fine detail, and then we need to rearrange things according to our best understanding of the context and the tools at hand. We need to put our understanding of our condition and our options to the test. And then we need to do it again, because we have inevitably left something—more likely someone—out of our calculations. I know... “Calculation” is one of those words likely to press some buttons. But the social problem posed by “calculation” is really most serious where the calculators and experimenters fail to carry the costs of their own experiments. Indeed, developing an *ethic* for mutualist experiment is undoubtedly one of those experimental processes that we will have to take very seriously—and it is there that the *history* of mutualist experiment may really serve us best.

I don’t know if a Warrenite, or Andrusian, labor-dollar is going to be of particular use to contemporary mutualism. And I suspect that mutualists pursued the mutual bank much longer than that pursuit made much sense. But I suspect that the *story* of Josiah Warren’s various experiments—of their successes and failures, and of the specific ways that their pursuit developed according to the circumstances—is probably still a gold mine. Similarly, I think the *history* of land-banks, mutual banks, banks of the people, etc., and of the propaganda in support of them, still has practical secrets to offer up to our continued exploration.

Our best tools will probably be a grasp of these specific experimental histories, and a general concern with avoiding what Proudhon called *simplism*. Indeed, that second concern may be the real heart of mutualist method. *Approximation* is incompleteness in the sense of being “not there yet, but on the road,” but *simplism* is incompleteness as a failure to even get a proper start. Proudhon seems to have borrowed the term from Fourier, and a Fourierist, Hippolyte Renaud, defined it in these terms:

One of the inherent characteristics of Civilization is *simplism*. Simplism is the fault of viewing a complex question from only one side, of advancing on one side by retreating on the other, so that the real progress is null or negative.

It should come as no surprise that mutualism, a political philosophy rooted in reciprocity and balance, would find one-sidedness to be a problem. And all of Proudhon's various philosophical stages—from the early emphasis on synthesis, to the final emphasis on antinomies that “do not resolve”—involved a concern that social problems be addressed from multiple perspectives. For example, Proudhon changed his mind about the precise problem with the various existing understandings of “property,” but he seems to have consistently consider simplism a part of the problem. In *The Theory of Property*—in the passage immediately following the one on “definition”—he wrote:

There is only one thing new for us in our thesis: it is that that same *property*, the contradictory and abusive principle of which has raised our disapproval, we today accept entirely, along with its equally contradictory qualification: *Dominium est just utendi et abutendi re suâ, quatenus juris ratio patur*. We have understood finally that the opposition of two absolutes—one of which, alone, would be unpardonably reprehensive, and both of which, together, would be rejected, if they worked separately—is the very cornerstone of social economy and public right: but it falls to us to govern it and to make it act according to the laws of logic.

Let's be clear about Proudhon's final approach to “property:” alone it was “unpardonably reprehensible,” and it would be the same if it operated alongside some alternative or alternatives. It appears as a tool for justice and right only when it enters into a dynamic relation with other principles which would be equally objectionable if alone or acting in parallel. In terms of methodology, the dynamic relation only appears when Proudhon begins to complicate his analysis of property—adding an analysis of “aims” to his analysis of philosophical justifications, and in that adding an analysis of the workings of “collective reason” to his individual analyses.

Proudhon barely began that expanded analysis. “Property” itself never really appears as anything but a simplist, or one-sided, concept. Its incorporation in a non-simplist property-state antinomy is some sort of advance—perhaps a necessary step towards something more useful—but inevitably one which tends to focus us on one part of a complex problem, to the exclusion of other parts. If we take that approach, then we have the option of attempting to focus on some higher-order concept, such as social justice or mutuality, which incorporates property as one of its aspects, or of attempting to rethink property in some other way. Proudhon attempted the first approach, with somewhat mixed results, but he explicitly suggested the possibility of the second. In the “New Approximation” which begins in this issue, I'm pursuing the other course, starting to address individual property in its “collective” aspects,

in order to avoid some confusions that seem “built in” with Proudhon’s approach.

In this way, breaking with the founders is an act of fidelity to the tradition. We don’t encounter the originators of the mutualist tradition as masters, but as fellows, and the task put to us is to do the next thing, and advance the tradition in ways which respond at once to the general spirit of the thing we have inherited and to the specific conditions we face. What part or parts of the current mutualist movement will contribute most significantly to increasing liberty and clarifying the task for those who undertake the next set of approximations, is something that we can’t know until we put them to the test.

[to be continued in a future issue of THE MUTUALIST...]

a NEW APPROXIMATION:

MUTUALIST MUSINGS ON PROPERTY

What is Property?

The problem of property is, after that of human destiny, the greatest that could suggest itself to our reason, the last that we will succeed in resolving. Indeed, the theological problem, the enigma of religion, is explained, the problem of philosophy, which has for its object the value and the legitimacy of knowledge, is resolved: there remains the social problem, . . . of which the solution, as everyone knows, is essentially that of property.

Pierre-Joseph Proudhon, *THE SYSTEM OF ECONOMIC CONTRADICTIONS*.

I celebrate myself, and sing myself,
And what I assume you shall assume,
For every atom belonging to me as good belongs to you.

. . .
Do I contradict myself?
Very well then I contradict myself,
(I am large, I contain multitudes.)

Walt Whitman, *SON OF MYSELF*.

In 1846, six years after publishing *What is Property?*, Pierre-Joseph Proudhon presented the “problem of property” as still unresolved. Since publishing that work, and establishing with some authority a number of ways in which that problem *had not been solved*, he had continued to work away a solution.

Proudhon never solved the problem of property, although he spent his entire career wrestling with the issues raised in his earliest works. In February, 1842, in court to defend his third memoir on property, the “Warning to Proprietors,” he said, “I have written in my life only one thing, gentlemen jurors, and that thing, I will say at once, in order that there be no question. Property is theft.” Arguably, of course, he had also written *a couple of other things* of some importance, and had even suggested the connections between property and liberty. So it was less of a surprise when his court testimony continued:—

“And do you know what I have concluded from that? It is that in order to abolish that species of robbery it is necessary to universalize it. I am, you see, gentlemen jurors, as conservative as you; and whoever says the opposite, proves only that he understands nothing of my books, even more, nothing of the things of this world.”

In *The System of Economic Contradictions*, he began to expand his analysis of property to incorporate its contradictory tendencies, and his conclusion was that:

Property is, in fact and in right, essentially contradictory and it is for this very reason that it is anything at all. In fact,

Property is the right of occupancy; and at the same time the right of exclusion.

Property is labor's reward; and the denial of labor.

Property is society's spontaneous work; and society's dissolution.

Property is an institution of justice; and property is theft.

From all this it results that one day *property transformed* will be a positive idea, complete, social and true; a property that will abolish the older one and will become for all equally effective and beneficent. And what proves this is once again the fact that property is a contradiction.

From this moment property started being recognized, its intimate nature was unveiled, its future predicted. And yet, it could be said that the critic had not realized even half of its task, because, to definitely constitute property, to take away its exclusion characteristics and grant its synthetic form, it was not sufficient to have analyzed it in itself, it was also necessary to find the order of the things, of which property was not more than a particular moment, the series that ended it, outside of which it would be impossible either to comprehend or to initiate property.

... From thinking of property as one term of a synthesis, to thinking of property itself as essentially contradictory, to suggesting the existence of a collective reason for which property might have a different character—Proudhon's theoretical ambitions seem to pull in a somewhat different direction than his practical proposals, which ended by engaging property precisely in its exclusive and absolutist forms. The possibility of property "transformed" and "positive," which he affirmed at various points in his career, remained unfulfilled.

The "New Approximation" that I'm attempting in these pages takes its cues from those portions of Proudhon's theory where he was more successful in that business of positive transformation. And it is likely that he was most successful in his discussions of freedom and free will. The first of the blog posts included here addresses that element of Proudhon's thought, and is included here as a first introduction to his approach.

One of the concepts that first-time readers will encounter in the material on positive freedom is the definition of an "individual" as already a "group," a collection of elements organized according to a particular law of development. One of the ways in which I'll be departing from Proudhon's own analysis of property is by taking very seriously this approach to the individual, by drawing out some of its similarities to ideas found in the writings of Pierre Leroux, William B. Greene and Walt Whitman, and by exploring the methodological implications of a kind of "collective individualism." In order to differentiate that approach from any sort of "collectivism," I intend to pursue the line of thought opened by Proudhon when he distinguished human actors as "free absolutes."

Hopefully, the brief discussion of Proudhon's positive "freedom" will prove a sufficient introduction to the remaining three pieces. I am reprinting those posts—"The Gift Economy of Property," "What Could Justify Property?" and "Unexpected Dangers of the Free Market?"—as a record of my own first approximation in this new project, but also as a potentially more accessible introduction to what may seem like fairly deep waters to those whose knowledge of Proudhon doesn't reach much beyond the early works.

Indeed, the notion of a "gift economy of property" is the sort of potentially paradoxical construction that Proudhon loved, and it was a formulation that rose directly from my close studies of *What is Property?* The "third form of society" that Proudhon proposed in the last section of his first memoir, a synthesis of communism and property, presumably ought to be of some interest to those anarchists who base their position on property on that work. But I don't find much treatment of it, beyond a fairly offhand suggestion in *An Anarchist FAQ* that the synthesis is "possession." I'm not entirely opposed to that reading, but, unfortunately, I remain unable to tell precisely what Proudhon means by "possession" in 1840.

The last three posts reprinted here are a different kind of response to the possibility of a "third form of society"—and to Proudhon's repeated suggestion that that there might be a "communist" route to mutuality and liberty, as well as one through the encounter with "property." In them, Proudhon's treatment of property as a "free gift" provides an opening to discussions of both the origins of property and the possibility of a "gift economy." They are imperfect, and perhaps too entangled with various contexts, but I think they make a useful first foray into the territory of the "New Approximation."

Proudhon on Freedom and Free Will

I'm working away at the translation of Proudhon's chapter (in *Justice in the Revolution and in the Church*) on "The Nature and Function of Liberty." It's a key piece in his overall work, and includes an explanation of the nature and function of "free will," along with some suggestions about how that explanation would scale up to the realm of social or political liberty. Remember that Proudhon was, from the earliest of his works, concerned with the "collective force" which arises from associated production and exceeds the productive power of the individuals involved outside of association. His early assaults on property rested largely on the fact that much of the "fruits of labor," over and above subsistence, were in fact the product of this collective force of a collective being, rather than the product of individuals, so that private property should be understood as private domain over essentially "public" productions. As was frequently the case, Proudhon's early intuition remained part of his mature system, but he came to understand its consequences differently. Starting from a substantially retooled version of Leibniz' monadology, Proudhon came to think

of all beings (very broadly defined) as being *individual* only by virtue of being first a *group*, organized or associated according to a law of being (or perhaps of becoming). Within the group, each element would tend to act according to a particular necessity, but these necessities would not necessarily act in concert. Indeed, the contrary seemed to Proudhon to be something of a law of nature: his antinomies were the constant manifestation of counter-principles and counter-necessities, manifestations even of a species of that “immanent justice” which became one of Proudhon’s guiding principles (along with individual sovereignty and federalism.) The conflict of forces and necessities was the source of the collective force of the group-as-individual, and the quantity of that force translated into a *quantity of liberty*. Liberty and necessity coexist, and feed one another in various ways. The play of necessities, when forceful and complex, opens spaces of freedom at one level, which manifest themselves as strong forces, driven by a necessity or absolutism of a higher order, which may in turn contribute to a higher-order liberty, and so on. . .

The connection of collective force and its products to liberty obviously changes, and even raises the stakes with regard to issues like property. Proudhon came to defend property for human beings—free absolutes, capable of self-reflection, and thus of self-improvement and progress, by approximation, towards greater and greater justice—because it seemed to provide the space necessary for them to exercise their powers as ethical beings. There are lots of pieces to this puzzle, spread across Proudhon’s writings, but here are a few summary paragraphs to help us get our feet wet in this stuff.

Let us summarize this theory:

1. The principle of necessity is not sufficient to explain the universe: it implies contradiction.

2. The concept of the Absolute absolute, which serves as the ground for the spinozist theory, is inadmissible: it reaches conclusions beyond those that the phenomena admit, and can be considered all the more as a metaphysical given awaiting the confirmation of experience, but which must be abandoned for fear that experience is contrary to it, which is precisely the case.

3. The pantheistic conception of the universe, or of a *best possible* world serving as the expression (*natura naturata*) of the Absolute absolute (*natura naturans*), is equally illegitimate: it comes to conclusions contrary to the observed relations, which, as a whole and especially in their details, show us the systems of things under an entirely different aspect.

These three fundamental negations call for a complementary principle, and open the field to a new theory, of which it is now only a question of discovering the terms.

4. Liberty, or free will, is a conception of the mind, formed in opposition to necessity, to the Absolute absolute, and to the notion of a pre-established harmony or best world, with the aim of making sense of facts not explained by the principle of necessity, assisted by the two others, and to render possible the science of nature and of humanity.

5. Now, like all the conceptions of the mind, like necessity itself, this new principle is countered [*frappé*: struck, afflicted] by antinomy, which means that alone it is no

longer sufficient for the explanation of man and nature: it is necessary, according the law of the mind, which is the very law of creation, that this principle be balanced against its opposite, necessity, with which it forms the first antinomy, the polarity of the universe.

Thus necessity and liberty, antithetically united, are given *a priori*, by metaphysics and experience, as the essential condition of all existence, all movement, of every end, starting from every body of knowledge and every morality.

6. What then is liberty or free will? The power of collectivity of the individual. By it, man, who is at once matter, life and mind, frees himself from all fatality, whether physical, emotional or intellectual, subordinates things to himself, raises himself, by the sublime and the beautiful, outside the limits of reality and of thought, makes an instrument of the laws of reason as well as those of nature, sets as the aim of his activity the transformation of the world according to his ideal, and devotes himself to his own glory as an end.

7. According to that definition of liberty, one can say, reasoning by analogy, that in every organized or simply collective being, the resultant force is the liberty of the being; in such a way the more that being—crystal, plant or animal—approaches the human type, the greater the liberty in it will be, the greater the scope of its free will. Among men themselves free will shows itself more energetic as the elements which give rise to it are themselves more developed in power: philosophy, science, industry, economy, law. This is why history, reducible to a system by its fatal side, shows itself progressive, idealistic, and superior to theory, on the side of free will, the philosophy of art and of history having in common that the reason of things which serves as their criterion is nevertheless powerless to explain all of their content.

The Gift Economy of Property

I think most anarchists and libertarians share a faith that it is possible for needs to be met, goods to be distributed and some level of general prosperity achieved, in a way that is voluntary and at least approximately just. But we couldn't differ more, it seems, when we start to ask how to get the work done. Probably most of us aim, in the long run, for a society where there is sufficient prosperity that we could be much less concerned about such things, where generosity would be a logical response to plenty. But we live in the midst of a society and economic system which is very far from that ideal, and dream our dreams of the future and freedom while we deal with a very unfree present. On a day when we've just witnessed the largest US bank failure in history, in the context of a government-brokered market-move by JPMorgan, who also benefited from the Bear Stearns maneuver, talk about "genuinely free markets" seems a bit pipe-dreamy. But if it's going to be a long struggle to whatever freedom we manage to wrest from the corrupt bastards who are currently monkeying with our lives, we can probably take the time to get on something like the same page.

Recently, I've been presenting some of Proudhon's ideas about individuality and free will, as well as reviewing his work on property. I have begun to suggest

some of the ways in which the early critique of property as a despotic, absolutist principle, became the basis for Proudhon's later reluctant proprietarianism, which he based on his analysis of the human self, the *moi*, which he found was itself naturally absolutist, and despotic when given a chance.

Like Fourier, Proudhon could do away with any notion of original sin, in part because, like Fourier, he associated present errors with a progressive process that led ultimately to closer and closer approximations to justice (the "pact of liberty"), through the equilibration of forces, faculties, projects, parties, federations, etc. Having had done with the divine Absolute, he could only depend on human ethical actors themselves to accomplish the march towards justice, the justification of their institutions, the perfection of their concepts, etc. But it was obvious to him that they would never do it *alone*. Absolutism and despotism, if allowed entirely free play, are unlikely to lead to any pact, let alone a just one. No social atomist, however, and a thinker prone to expect every force to evoke a counterforce, he wasn't content to turn that absolutist character into a secular version of innate depravity. What he did do is a bit peculiar, involving a hijacking of Leibniz in directions that anticipate folks like Gilles Deleuze. The psychological and social physics that is at the center of his mature work on liberty and justice reads like poststructuralism in places, and I will have some recourse to the vocabulary of more contemporary continental philosophy as I talk about it.

If the self is not innately depraved, neither is it simple, centered, clean and "proper." Any body or being, Proudhon says, possesses a quantity of collective force, derived from the organization of its component parts. Though these component parts may be subject to rigid determination, the resultant force exceeds the power of the parts and, to the extent that the collective force is great and the organization that it rises from is complex, it escapes any particular constituent destiny to that degree. The collective force is the "quantity of liberty" possessed by the being. Freedom is thus a product of necessity, and expresses itself, at the next level, as a new sort of necessity. And perhaps at most levels of Proudhon's analysis (and we can move up and down the scale of "beings" from the simplest levels of organization up to complex societal groupings and perhaps to organization on even larger scales) the quantity of liberty introduced wouldn't look much like the "individual freedom" that we value. But the human "free absolute," distinguished by the ability to say "I, me, *moi*" and to reflect on her position in this scheme, has her absolutism tempered by encounters with her fellows, also "free absolutes," also pursuing a line drawn by the play of liberty and necessity. Out of their encounters, out of mutual recognition, the "pact of liberty" arises (or fails to arise, where lack of recognition or misrecognition take place), and a "collective reason," possessed (embodied in social organs and institutions, in "common sense," etc) by a higher-order being, which is to say a higher-order (but latent, rather than free, because it lacks that ability to say "*moi*") absolute.

In the system that emerges around these notions, individual human beings hold a very special place, as the chief architects and artisans of justice. Again, like Fourier, Proudhon makes a point of not stigmatizing the impulses of individuals, and, far more than Fourier, he actually makes a virtue of individual egoism and absolutism, as long as we are not so self-absorbed that we can't recognize our fellow egoists and absolutists as fellows. Even the "higher wisdom" that is possessed by the higher-order collective beings, like "society" and "the state" (which takes on a very different meaning than anarchists generally give it in his later works), is really in large part in the hands of human individuals.

Necessity gives rise to liberty, which tends to a kind of necessity. "Individualism", even "complete insolidarity," tends (as we have seen elsewhere in Proudhon's work) to centralization, to the dangerous "socialism" that Leroux warned against in 1834, but also, if equilibrium can be maintained, to an expanded space of social freedom ("the liberty of the social being") for the individual. It's all a little dizzying; and in the middle of it, star of the show, sits the individual self, the *moi*, which, while off the hook for original sin, still has to deal with something we might think of as "original impropriety."

What can the man who never backed down about property being robbery say about this self which is, whatever else it is, a kind of by-product of the forces of necessity, that tends, according to him, to see itself as an absolute? What can that self say about its own position? Proudhon suggests that we put off a certain amount of soul-searching by projecting our own absolutism outwards, onto gods and onto governments, but that has kept us from dealing with some important stuff—and we're not fooling ourselves much anymore. If progress, as Proudhon believed, is "the justification of humanity by itself," one of the spurs for that progress has to be, for us "free absolutes," an internal tension, maybe even a suspicion that the absolutism of the individual is not so different from that of the proprietor, and for many of the same reasons. Property might be as "impossible" in the psychological realm as Proudhon believed it was in the economic.

We're talking about a "decentered" subject that claims more "identity" than might be precisely justified. (I have often joked that Derrida's claims about identity might be reduced to "property is theft.") But we're not talking about "lack." Instead, we're talking about the self as a kind of excess, a force or pressure. (It would be very easy to move here from Proudhon to, say, Georges Bataille, and certainly easy to compare either or both to the anarchistic ethics of Guyau.) We are not committing ourselves to some social organism theory; Proudhon is explicit about this. (And, again, we might reach without much straining for points of contact with the thoughts of Deleuze on *organ-ization*, etc.)

If we switch to the language of libertarianism, we're likely to find that Proudhon's vision of overlapping beings, and of human "free absolutes" as the foam at the top of the boiling pot of necessity, at least complicates the question

of “self-ownership.” Some of my friends and ALLies will naturally object to this claim, and I’m sympathetic to the basic assumptions associated with a presumed right of self-ownership—indeed, as Proudhon said, “My principle, which will appear astonishing to you, citizens, my principle is yours; it is property itself”—but it does seem to me that if the self is characterized by a radical, unresolvable antinomy, then “property” cannot, by itself, express the “natural right” implied by the nature of the individual.

Like Proudhon, I suspect that “property is theft,” and following his thread, I suspect that “self-ownership” is an expression of our absolutism. Still, like Proudhon, in the end, I am for property, or at least the right to it. Which leaves the questions *How?* and *Why?* Aren’t there alternatives?

It seems to me that the search for alternatives to property, the right to control the fruits of one’s labor, is, like the general resistance to the notion of markets in anarchism, based in our quite natural frustration and disgust with so much of what passes for commerce under current conditions. We’re in the middle of far too fine an example of how despotic property can be, when married to governmental power and shielded from any countervailing force, to have many illusions about the risks involved in embracing it. Mutualists, in particular, never quite get off this hook; our “greatest hit,” Proudhon’s *What is Property?* (or its most famous slogan, anyway,) is a constant reminder. It is a commonplace in social anarchist circles, and mutualists are not immune, to want to distance ourselves from the details of “getting and spending” as much as possible, and we have constructed a variety of means of putting off the hard discussions of property relations that will eventually, inevitably come.

One of those means, it seems to me, has been reference to the notion of “gift economies.” Like the proponents of “the right of self-ownership,” the advocates of gift economies have meant quite a variety of things by the term. In general, gift economies are differentiated from exchange economies precisely by the lack of exchanges, expectation of any remuneration or *quid pro quo*. Some institutionalized forms of gift exchange, like the “really, really free markets,” even forbid barter. While it’s clear enough to me what present desires are addressed by this alternative to capitalist commerce, this seems to be one of those practices that could always only operate on the edges of another, more organized and efficient kind of economy. That economy might well be freer in some senses than the enforced “gift economy,” and it is not entirely clear to me that what is involved in that economy is “gifting” anyway.

In order to give, it is necessary to be free to give. One needs to be, in some sense at least, an owner of the gift, and the recipient cannot have an equal claim to appropriating the item. Collective property cannot be gifted within the collective, at least without changing rather substantially the meaning of “giving.” Philosophical and anthropological accounts of the gift set all sorts of other conditions. The recipient of a gift may be required by custom, or by the “spirit of the gift,” to some giving of his own. Gifts are notorious for the “poison” elements that they often contain. Some of the “gift economies” we know from

anthropology did indeed operate without recompense in goods, but transformed material capital into prestige or cultural capital, sometimes in an extremely competitive manner. The philosophical accounts of the gift suggest that the “pure gift” is almost impossibly tied up in conflicting requirements; if one acknowledges a gift, accepts thanks in exchange for a gift, perhaps even if one knows one is giving and feels some internal compensation, then the pure gift is impossible. Gifts seem, in any event, to matter. Something other than indifference is required from us, and gaining “punk points” may not be it. Disposing of our excess stuff may just not reach the bar.

The gift economy seems to presuppose individual property, as much as it would like to subvert its absolutism, its covetous, tit-for-tat mentality. Is the gift, perhaps, related to the other half of our human antinomy?

What if it was? What, much too quickly (as I’ve gone on much too long), if the gift was indeed the mark of our other half. As our absolutism is necessity expressing itself in us, gratuity might well be the expression of liberty, of freedom. Perhaps “property,” understood, as Proudhon understood it, as a bulwark around the individual, in the face of centralizing, collectivizing forces (which, lest we forget, have their role to play in the march to justice and the expansion of liberty), starting with “self-ownership,” is the right implied by our basic human predicament, our in-progress nature, our need for space in which to experiment, err, advance.

Would such a property be compatible with a gift economy? Or does Proudhon finally leave us in a place where neither property, strictly speaking, nor the gift, *ditto*, can arise?

My intuition, based in part on some language various places in Proudhon’s work and in part on the connections I’ve been making to other continental thought, is that a “gift economy,” in the sense of a system in which something, which can be rightfully given, is given, with no specific expectations of return, could only arise in fairly limited circumstances, and perhaps can only have one application within Proudhon’s thought—but that one application may be a bit of a doozy. We know that there is, for Proudhon, some opening for society to emerge as a “pact of liberty” leading towards approximations of equality and finally of justice. We know that freedom rises from the interplay of necessity and liberty, and that property too has its internal contradictions. Proudhon’s *moi* has very little that he can rightfully give, if even his own “property” is theft. But he can, perhaps, give property to the other, through recognition, which steals nothing, robs no one, is perfectly gratuitous, even if,—and this is the character of the gift economy,—he cannot be sure of reciprocation. To the extent, however, that commerce is based in equal recognition, if not necessarily any other sort of equality, then this particular gift economy might be strangely (given all we have said, and some of the names we have invoked) foundational.

My social anarchist friends may object to this yoking of absolutism and gratuity in, of all things, property. My libertarian friends will doubtless wince a bit at the notion that self-ownership is a gift (as opposed to a given.) But I think

there is at least food for thought here, and that there will be more as I'm able to provide the Proudhon translations and some additional commentary.

What Could Justify Property?

The shift in Proudhon's work, from critique of property to arguments in favor of it (despite the critiques), is hard to work through, perhaps because Proudhon was himself a little uncomfortable with the whole affair. We know that, to some extent, the defense of property ran counter to his personal desires. *The Theory of Property*, which seems to turn his earlier work on its head, ends with this passage:

A small, rented house, a garden to use, largely suffices for me: my profession not being the cultivation of the soil, the vine, or the meadow, I have no need to make a park, or a vast inheritance. And when I would be a laborer or vintner, Slavic possession will suffice for me: the share falling due to each head of household in each commune. I cannot abide the insolence of the man who, his feet on ground he holds only by a free concession, forbids you passage, prevents you from picking a bluet in his field or from passing along the path.

When I see all these fences around Paris, which block the view of the country and the enjoyment of the soil by the poor pedestrian, I feel a violent irritation. I ask myself whether the property which surrounds in this way each house is not instead expropriation, expulsion from the land. Private Property! I sometimes meet that phrase written in large letters at the entrance of an open passage, like a sentinel forbidding me to pass. I swear that my dignity as a man bristles with disgust. Oh! In this I remain of the religion of Christ, which recommends detachment, preaches modesty, simplicity of spirit and poverty of heart. Away with the old patrician, merciless and greedy; away with the insolent baron, the avaricious bourgeois, and the hardened peasant, durus arator. That world is odious to me. I cannot love it nor look at it. If I ever find myself a proprietor, may God and men, the poor especially, forgive me for it!

Notice that property is described as a "free concession," a "*concession gratuite*." The use of "concession" here may imply something granted as a privilege, but it is a consistent and important aspect of Proudhon's thoughts about property that its materials come to us as something gratuitous. In his debates with Bastiat, and again in *The Theory of Property*, the relation between land that comes as a "free gift" and the rent that is extracted from its possessors by proprietors is an issue. Interestingly, one of the other places where Proudhon talks consistently about "free gifts" is in his discussions of voluntary "taxation," in part because he links voluntary taxes and economic rent in a number of places.

We are, in some ways at least, not far from the Georgist theory of obligation, or from the "gift economy" proposed by some anarchist opponents of private property. If we understand materials as a sort of gift, then perhaps we should feel that strange, disseminative obligation associated with the gift-

economy as well. To merely appropriate a gift would be, under those circumstance, bad form, and potentially worse, as gifts (anthropologically speaking) are renowned for the poisons they carry within themselves, the prices they impose on those who fail to respond to their basic “logic.” This is one way to reframe the relationship between Geogist land economics and those of the various anarchist schools, though I don’t expect it is one LVT enthusiasts will rush to embrace. It might also help in rethinking the material on property and the gift economy I posted here awhile back. Just hold that thought. . .

The question I started with today was: What could justify property for Proudhon? One answer is simple: Progress, which Proudhon describes as “the justification of Humanity by itself.” Which makes the next answer easy: Humanity, that is, us, learning, through experimental trial and error, to balance our interests in institutions embodying (hopefully) steadily higher and richer “approximations” of Justice. Remember that Proudhon actually described the origin of property in these terms.³ In Theory of Property, he describes the general process of property’s justification:

³ “Let us consider what occurs in the human multitude, placed under the empire of absolutist reason, so long as the struggle of interests and the controversy of opinions does not bring out the social reason.

“In his capacity as absolute and free absolute, man does not only imagine the absolute in things and name it, which first creates for him, in the exactitude of his thoughts, grave embarrassment. He does more: by the usurpation of things that he believes he has a right to make, that objective absolute becomes internalized; he assimilates it, becomes interdependent (*solidaire*) with it, and pretends to respect it as himself in the use that he makes of it and in the interpretations that it pleases him to make of it. Each, *in petto*, reasoning the same, it results, in the first moment, that the public reason, formed from the sum of particular reasons, differs from those in nothing, neither in basis nor in form; so that the world of nature and of society is nothing more than a deduction of the individual self (*moi*), a belonging of his absolutism.

“All the constitutions and beliefs of humanity are formed thus; at the very hour that I write, the collective reason hardly exists except in potential, and the absolute holds the high ground.

“Thus, by virtue of his absolute *moi*, secretly posed as center and universal principle, man affirms his domain over things; all the members of the State making the same affirmation, the principle of societary absolutism becomes, by unanimity, the law of the State, and all the theories of the jurists on the possession, acquisition, transmission, and exploitation of goods, are deduced from it. In vain logic demonstrates that this doctrine is incompatible with the data of the social order; in vain, in its turn, experience proves that it is a cause of extermination for persons and ruin for States: nothing knows how to change a practice established on the similarity of egoisms. The concept remains; it is in all minds: all intelligence, every interest, conspire to defend it. The collective reason is dismissed, Justice vanquished, and economic science declared impossible.” (*Justice*, Tome III, pp 99-100)

All things considered, it is a question of knowing if the French nation is capable today of supplying true proprietors. What is certain is that property is to be regenerated among us. The element of that regeneration is, along with the moral regeneration of which we have just spoken, equilibration.

Every institution of property supposes either: 1) an equal distribution of land between the holders; or 2) an equivalent in favor of those who possess none of the soil. But this is a pure assumption: the equality of property is not at all an initial fact; it is in the aims of the institution, not in its origins. We have remarked first of all that property, because it is abusive, absolutist, and based in egoism, must inevitably tend to restrict itself, to compete with itself, and, as a consequence, to balance. Its tendency is to equality of conditions and fortunes. Exactly because it is absolute, it dismisses any idea of absorption. Let us weigh this well.

Property is not measured by merit, as it is neither wages, nor reward, nor decoration, nor honorific title; it is not measured by the power of the individual, since labor, production, credit and exchange do not require it at all. It is a free gift, accorded to man, with a view to protecting him against the attacks of poverty and the incursions of his fellows. It is the breastplate of his personality and equality, independent of differences in talent, genius, strength, industry, etc.

Here is property as a “free gift,” “accorded to man,” though it is not clear who could make this gift. And this is, ultimately, the weakness of many of the economic approaches that begin with a natural “gift;” they seem to mix up a pre-economic “free” access (itself perhaps a bit confused, for reasons we’ll have to come back to) with an an- or anti-economic “gift beyond exchange.” Generosity and prodigal indifference get balled up together with magic and protestant guilt about unearned wealth. In Georgism, we seem to have an example of the application of a practical anthropological practice, useful for levelling the economic playing field, to more modern circumstances, but without exercising all the spirits. And the “obligation” requires a kind of conversion, “seeing the cat,” as they say.

Anti-propertarian gift-economy communism probably makes most sense if it is simply stripped of the anthropological trappings. Looked at from the “objective” side, and discounting our “subjective” sense of ourselves as enjoying simple property in our persons and personalities, and as being capable of being proprietors, it’s all a matter of givens, of flows, and it’s hard to justify a basic right to obstruct the flows. But, honestly, I don’t think even the primitivists really look at things that way. Instead, sharing resources is posited as post-economic activity and as a social good. Such sharing seems to try to mix the qualities associated with giving something you own into a relation where the initial ownership never happens, or is never allowed to be acknowledged.

I’ve argued elsewhere, and I still believe, that “gifts” presuppose property. We can only give what is ours to give. Anything else is a confusion or a sham. Does that mean that Proudhon, the notorious skeptic about property, is simply wrapped up in a confusion? There are certainly those who have suggested it. To be fair, though, my definitions of “gift” here are not his, and I am imposing them

for presentist purposes. At the same time, I think the imposition raises interesting questions.

Who can give the “gift of property,” not a gift of a particular property, but the gift of a right or an institution, a shield granted “with a view to protecting him against the attacks of poverty and the incursions of his fellows”? The obvious Proudhonian answer seems to be: Humanity, his fellows. But how? What is it that “humanity,” or the individual human beings that compose it, possesses and can give? And in what spirit and under what terms to give?

In *What is Property?*, Proudhon wrote, regarding the participation of each in the “daily social task:

Shall the laborer who is capable of finishing his task in six hours have the right, on the ground of superior strength and activity, to usurp the task of the less skilful laborer, and thus rob him of his labor and bread? Who dares maintain such a proposition? ... If the strong come to the aid of the weak, their kindness deserves praise and love; but their aid must be accepted as a free gift,—not imposed by force, nor offered at a price.”

But if we are going to talk about property, rather than the equal wage of 1840, resulting from such labor, how is “humanity” to come to its own aid, if not by granting, through the mediation of its strongest members, concession, privilege, charity, etc? If there a way to think of a reciprocal gifting as a matter for relative equals? Then again, we have still not answered the most troubling question: What, prior to the gift of property, do we have to give to one another?

In “*The Gift Economy of Property*,” I suggested one possibility. Let me suggest it again, in a different context and a slightly different way. It appears that what we have, in a relationship much like, and also troubling to, anything like “self-ownership,” is each other, the collective being Humanity. Despite their other disagreements, Proudhon and Pierre Leroux (and William B. Greene, who attempted to synthesize their views) seem to have agreed on this. Leroux wrote:

The life of man then, and of every man, by the will of his Creator, is dependent upon an incessant communication with his fellow beings, and with the universe. That which we call his life, does not appertain entirely to him, and does not reside in him alone; it is at once within him and out of him; it resides partially, and jointly, so to speak, in his fellows and the surrounding world. In a certain point of view therefore it may be said, that his fellow beings and the world appertain also to him. For, as his life resides in them, that portion of it which he controls, and which he calls Me, has virtually a right to that other portion, which he cannot so sovereignly dispose of, and which he calls Not Me.

This is, among other things, a discussion of property. Individual human beings have at least two “sides,” Proudhon’s particular and collective, Leroux’s objective and subjective. Both sides are incomplete, absolutist. But the particular is where we live, subjectively, though, objectively, we may live in, or on, one another, in a way that makes Leroux suspect that we belong, in some sense, to one another. Those who try to pursue theories of property as the extent of our projects, the reach of our labors, frequently run up against some sense of this,

which is why some sort of sovereign self-ownership sometimes has to be simply assumed. It is, at least, in line with one-half of our experience of life. And, perhaps more importantly, it is in line with our sense that individuals are responsible for themselves, for their actions.

Proudhon never talks explicitly about a gift of property in these terms, but what he does say about the gift of a shield, of a space to err and to learn seems to me consistent with the move to found individual property in a generalized “gift” of self-ownership. We may be bound together in various ways, in various collective entities (and I do not want to discount the importance of that element of Proudhon’s thinking, which, odd as it may at first seem, only emphasizes the importance of individual liberty), we may even be “proper one to another” in a descriptive sense; but our sense of our separateness opens up the possibility of a kind of quasi-gift, a relinquishing of our stake in others in the realm (which we thereby create) of property, without thereby denying our connections.

I say we can do this, though, in a sense, it is perhaps what we already do. But it is not, I think, the way we think about “self-ownership” and the basis of property. It’s not necessarily nice for anti-propertarians to think of gifts as dependent on property, or for propertarians to consider an “original gift” as the foundation of self-ownership. But it might be useful, particularly in bringing various schools and discourses into dialogue. I suppose we’ll see...

(For longtime readers and friends, yes, this is the beginnings of the promised “Walt Whitman Theory of Political Economy”...)

Unexpected Dangers of the Free Market?

We know the standard anti-market concern, that even the truly free relations which mutualists and other market anarchists propose (free-market anti-capitalism, equitable commerce, etc...), will lead inevitably (through a fatal flaw in contract theory, or a fatal flaw in human nature, etc...) to (bad) “capitalism,” rule by the possessors of capital, and the state. Answers to the problem (if it is such) generally involve rejections of “contract” and/or “commerce” *tout court*, along with, of course, “property” conceived on any model that includes exclusive, individual ownership. There seem to be problems with these answers, whether it is the dependence of a “gift economy” on the notion of individual property (though maybe also vice-versa), objections to broad construals of “commerce” and “markets” that seem to be largely aesthetic in character, or vague proposals for how distribution will actually be accomplished (and what sort of participation will be expected) in a non-market society. And one of the things at stake in the debate is validity of the story by which collectivist and communist anarchisms claim to be not only the more popular forms of anarchism, but the true philosophical standard-bearers of the tradition.

We won’t settle the debate easily, and certainly not today. There’s a lot to clarify before we can move forward much. If you’re reading this you probably

have a pretty good sense of the importance I place on bringing figures like Proudhon, Fourier, Bellegarrigue, Dejacque, Warren, Greene, Ingalls, Kimball, Molinari, Bastiat, Colins, Emerson, Whitman (etc...) fully into our shared history, so we agree or disagree with them in an informed and intelligent manner. It should also be obvious that I consider the revolutionary period around 1848 to have a particular importance, if only as fertile ground from which to gather ideas of a sort that no longer seem to flourish among us. But even if you don't agree with me on these general points, perhaps you can see the advantages of looking at familiar ideas in a setting which makes them strange for us.

Consider the mutualist critique of the free market: It's one of those well-known, but barely-understood facts of anarchist history that Proudhon, the "property is theft" guy, came around to embrace property, in part because it would serve as a necessary counter-balance to "the State." In "1848 origins of agro-industrial federation," I pointed to a couple of apparent oddities in Proudhon's "Revolutionary Program:" 1) his embrace of property and "laissez faire," and his proposal of "absolute insolidarity" as a principle of organization; and, 2) his assertion that this absolutely egoistic approach would lead naturally to "a centralization analogous with that of the State, but in which no one obeys, no one is dependent, and everyone is free and sovereign."

Cool. The free market works. Someone like Bellegarrigue could, at roughly the same time, describe "the Revolution" as "purely and simply a matter of business," and describe (in the second issue of *Anarchy: Journal of Order* (translation forthcoming)) the scene after the deposing of Louis-Philippe as if someone had pushed that infamous Libertarian Button that makes government go away in a flash. With the king gone, everyone just had to get on with it, and let the "flux of interests" do its work. But there are some complications, at least from the mutualist point of view, not the least of which is that Proudhon never stopped being the "property is theft" guy. He never stopped thinking of exclusive, individual property as being based in individual "absolutism," as despotic in tendency, and as involving a "right to abuse" potentially more self-refuting with regard to "property" than anything his critics have poked at in his claims. But he also believed, consistently, that "community [of goods] is theft," just another form of absolutism. And by "Theory of Property" he had some hard things to say about possession, which is the half-way form that anarchists have frequently claimed was his choice:

"It is a fact of universal history that land has been no more unequally divided than in places where the system of possession alone has predominated, or where fief has supplanted allodial property; similarly, the states where the most liberty and equality is found are those where property reigns." [p. 142]

Hmmm. Proudhon's antinomies complicate things considerably, if what we're after is a system, of property or of no-property, which simply works, and reduces or eliminates conflict. In a lot of the discussions I'm in these days, as

interest in mutualism increases, the concern seems to be to find what sorts of arrangements mutualists would think are justified. But if Proudhon is our guide, justification is our permanent revolution, William B. Greene's "blazing star," which retreats every time we make an advance.

What if we had a "free market," equitable "commerce" in the broadest sense, and a truly just system for dealing with the "mine and thine"? To my knowledge, Proudhon never posed the question in this way. For him, the absolutist character of every one-sided element or approach only became more and more prominent, and necessary. In the conclusion of *Theory of Property*, he writes: "The principle of property is ultra-legal, extra-legal, absolutist, and egoist by nature, to the point of iniquity: it must be this way. It has for counter-weight the reason of the State, which is absolutist, ultra-legal, illiberal, and governmental, to the point of oppression: it must be this way." Add one more wrinkle here: We are not talking about "the State" as we know it, the governmentalist State. Instead, this is an essentially anarchist State, a collective being which does not rule, which has no standing above the individual, but which, if we are to take seriously Proudhon's descriptions, nevertheless marks a real peril, the loss of all individuality, precisely because it marks the extent to which the "flux of interests" has, through egoistic commerce, resulting in unity of interests, in the elimination of conflict.

It appears, in a strange turn, that the danger inherent in a free market, built on systems which reduce conflict, might well be "communism"—not the communism of goods-in-common, not the systems of Marx or Kropotkin (except to the extent that they fail in non-economic ways), but the "community of interests" that Proudhon and Josiah Warren both warned against. Dejacque suggested anarchist-communism as a logical product of individual egoisms. Indeed, most of the attempts to downplay the individualist element in communist anarchism are ignorant smears. So the suggestion is not so far from ones made by "communists" of one sort or another. But there's a tough knot to be unraveled here, one that tangles up communism and free markets, pits despotism against anarchism, in the interest, ultimately, of the latter.

If Proudhon could answer back to the criticisms of his successors in the anarchist tradition, I suspect they might have looked a bit like Nietzsche's attacks on the anarchists and socialists of his own day. In particular, to the tradition of Kropotkin (and to some degree many of us, myself included, get our anarchism in large part from Mutual Aid), I think he might feel the need today to say: Mutual aid, yes, as well as the struggle for life. In Kropotkin's own ethics, or at least that part drawn from Guyau, there is an understanding that it is neither optimism nor pessimism that drives the anarchist towards better approximations of justice, but elements in play, the pressure of life.

The Proudhonian question to economic communists seems to be: how, in a human society, in human "commerce," is that absolutist element that appears to be part of our nature, that may indeed be the hungry thing that (however reluctantly at times) pushes on after the blazing star, how is that kept in play?

How does it render aid, and express its ethical fecundity, if it has nothing of its own to give? And how does community-of-property avoid being the narrow, then narrower-still, community of interests that seems to be the death or coma-state of society, or at least of its collective intelligence?

For the market anarchist, perhaps the question is still: What is property? What is its relation to a free market? Is the freedom we are seeking only a lack of impediments to the flux of interests, or is there perhaps something else, supplemental to or even opposed in some sense to that first market freedom, which we require for a free society? If we were able to complete our justification of property, would that get us what we ultimately want? We know how counter-economics works within the given context, in part because the anarchist entrepreneur has more than a whiff of brimstone about them, but what happens if and when we win?

NOTE A.

ON THE PROGRESSIVE SERIES OR, SERIES OF INDUSTRIAL GROUPS

(From Charles Fourier, *The Theory of Four Movements*.)

I must anticipate one objection that will no doubt be addressed to me on the subject of that new domestic Order that I call the progressive series. It will be said that the invention of such an order was a child's reckoning, and that its arrangements seem mere amusements. Little matter, provided we reach the goal, which is to produce *industrial attraction*, and lead one another by the lure of pleasure to agricultural work, which is today a torment for the well-born. Its duties, such as plowing, rightly inspire in us a distaste bordering on horror, and the educated man is reduced to suicide, when the plow is his only resort. That disgust will be completely surmounted by the powerful industrial attraction that will be produced by the progressive Series of which I am going to speak.

If the arrangements of that Order rest only on some child's reckonings, it is a remarkable blessing of Providence which has desired that the science most important to our happiness was the easiest to acquire. Consequently, in criticizing the theory of the progressives series for its extreme simplicity, we commit two absurdities: to criticize Providence for the ease that it has attached to the calculation of our Destinies, and to criticize the Civilized for the forgetfulness that causes them to miss the simplest and most useful of calculations. If it is a child's study, our savants are below the children for not having invented that which required such feeble illumination; and such is the fault common to the Civilized who, all puffed up with scientific pretensions, dash ten times beyond their aim, and become, by an excess of science, incapable of grasping the simple processes of Nature.

We have never seen more striking evidence of it than that of the stirrup, an invention so simple that any child could make it; however, it took 5000 years before the stirrup was invented. The cavaliers, in Antiquity, tired prodigiously, and were subject to serious maladies for lack of a stirrup, and along the routes posts were placed to aid in mounting horses. At this tale, everyone is dumbfounded by the thoughtlessness of the ancients, a thoughtlessness that lasted 50 centuries, though the smallest child could have prevented it. We will soon see that the human race has committed, on the subject of the "passional series", the same thoughtlessness, and that the least of our learned men would have been sufficient to discover that little calculation. Since it is finally grasped, every criticism of its simplicity will be, I repeat, a ridicule that the jokers will cast on themselves and on 25 scholarly centuries which have lacked it.

Let us come to the account I have promised; I will explain here only the material order of the series, without speaking in any way of their relations.

A "passional series" [considered as a group] is composed of persons unequal in all senses, in ages, fortunes, characters, insights, etc. The sectaries must be chose in a manner to form a contrast and a gradation of inequalities, from rich to poor, from learned to ignorant, [from young to old,] etc. The more the inequalities are graduated and contrasted, the more the series will lead to labor, produce profits, and offer social harmony.

[When a large mass of series is well-ordered, each of them] divide in various groups, whose order is the same as that of an army. To give the picture of it, I am going to suppose a mass of around 600 persons, half men and half women, all passionate about the same branch of industry, such as the cultivation of flowers or fruit. Take, for example, the series of the cultivation of pear trees: we will subdivide these 600 persons into groups which devote themselves to cultivating one or two species of pear; thus we will see a group of sectaries of butter-pears, one of sectaries of the bergamot, one of sectaries of the russet, etc. And when everyone will be enrolled in groups of their favorite pear (one can be a member of several), we will find about thirty groups which will be distinguished by their banners and ornaments, and will form themselves in three, or five, or seven divisions, for example :

SERIES OF THE CULTIVATION OF PEARS,
Composed of 32 groups.

<i>Divisions.</i>	Numeric Progression	<i>Types of culture.</i>
1° Forward outpost.	2 <i>groups.</i>	Quince and hard hybrids.
2° Ascending wing-tip	4 <i>groups.</i>	Hard cooking pears.
3° Ascending wing.	6 <i>groups.</i>	Crisp pears.
4° Center of Series.	8 <i>groups.</i>	Soft pears.
5° Descending wing.	6 <i>groups.</i>	Compact pears.
6° Descending wing-tip.	4 <i>groups.</i>	Floury pears.
7° Rear outpost.	2 <i>groups.</i>	Medlars and soft hybrids.

It does not matter if the series be composed of men or women, or children, or some mixture; the arrangement is always the same.

The series will take *more or less* that distribution, either of the number of groups, or the division of labor. The more it approaches that regularity in gradation and degradation, the better is will be harmonized and encourage labor. The canton which gains the most and gives the best product under equal conditions, is the one which has its series best graduated and contrasted.

If the series is formed regularly, like the one I just mentioned, we will see alliances between the corresponding divisions. Thus the ascending and descending wings will unite against the center of the series, and agree to make their productions prevail at the cost of those of the center; the two wingtips will

be allies and unite with the center to combat the two wings. It will result from this mechanism that each of the groups will produce magnificent fruits over and over again.

The same rivalries and alliances are reproduced among the various groups of a division. If one wing is composed of six groups, three of men and three of women, there will be industrial rivalry between the men and the women, then rivalry within each sex between group 2, which is central, and the end groups, 1 and 3, which are united against it; then an of No. 2 groups, male and female, against the pretensions of groups 1 and 3, of both sexes; finally all the groups of the wing will rally against the pretensions of the groups of the wingtips and center, so that the series for the culture of pears will alone have more federal and rival intrigues than there are in the political cabinets of Europe.

Next come the intrigues of series against series and canton against canton, which will be organized in the same manner. We see that the series of pear-growers will be a strong rival of the series of apple-growers, but will ally with the series of cherry-growers, these two species of fruit trees offering no connection which could excite jealousy among heir respective cultivators.

The more we know how to excite the fire of the passions, struggles and alliances between the groups and series of a canton, the more we will see them ardently vie to labor and to raise to a high degree of perfection the branch industry about which they are passionate. From this results the general perfection of every industry, for there are means to form series in every branch of industry. If it is a question of a hybrid [ambiguous] plant, like the quince, which is neither pear nor apple, we place its group between two series for which it serves as link; this group of quinces is the advanced post of the series of pears and rear post of the apple series. It is a group mixed from two types, a transition from one to another, and it is incorporated into the two series. We find in the passions some hybrid and bizarre tastes, as we find mixed productions which are not of any one species. The Societary Order draws on all these quirks and makes use of every imaginable passions, God having created nothing that is useless.

I have said that the series cannot always be classified as regularly as I have just indicated; but we approach as closely as we can this method, which is the natural order, and which is the most effective for exalting the passions, counterbalancing them and bringing about labor. Industry becomes a diversion as soon as the industrious are formed in progressive series. They labor then less because of the lure of profit than as an effect of emulation and of other vehicles inherent in the spirit of the series [and at the blossoming of the Cabalist or tenth passion.]

From here arises a result that is very surprising, like all those of the Societary Order: the less that we concern ourselves with profit, the more we gain. In fact, the Series most strongly stimulated by intrigues, the one which would make the most pecuniary sacrifices to satisfy its self-esteem, will be the one that will give the most perfection and value to the product, and which, as a

consequence, will have gained the most by forgetting to concern itself with interest and only thinking of passion; but if it has few rivalries, intrigues and alliances, little self-esteem and excitement, it will work [coldly,] by interest more than by special passion, and its products and profits alike will be much inferior to those of a series with many intrigues. Therefore, its gains will be less, to the degree that it has been stimulated by the love of gain. [We must then *plot* a grouped series, organize intrigue, as regularly as we would a dramatic piece, and, in order to achieve this, the principal rule to follow is the gradation of inequalities.]

I have said, that in order to properly organize intrigues in the series and raise to the highest perfection the products of each of their groups, we must coordinate as much as possible the ascending and descending; I will give a second example to better etch that arrangement in the mind of the readers. I choose the parade series.

The Lesson of the Pear Growers' Series (Commentary)

Given the reputation of “classical” anarchists these days, it might be too much to ask anarchists to consider the lessons of those “utopian” socialists who came before. But I want to do just that. It is generally acknowledged that Pierre-Joseph Proudhon was influenced by Charles Fourier, whose *Le Nouveau Monde Industriel et Sociétaire* Proudhon helped to print in 1829. Fourier's Theory of Four Movements found an echo in the theory of “four movements” which ends Proudhon's *De la création de l'ordre dans l'humanité*, and less specialized versions of Fourier's analysis of series remained an important aspect of Proudhon's work throughout his career. I think it is likely, as well, that Proudhon absorbed some of Fourier's relentlessly positive understanding of social forces. Reformers, Fourier complained, always try to locate the source of social problems in human passions, and move to restrain or suppress those passions they determine are antisocial or destructive. This is impractical, irreligious, illogical, simplistic, etc., Fourier said. We find ourselves in the position of attempting to adapt human beings to some ideal model, derived from something other than demonstrable human passions. We should instead look at who people actually seem to want, and to enjoy, and try to imagine the society in which not produce the “subversive” manifestations that they do in our own, clearly imperfect societies. This is pretty much the same move Proudhon makes when he distinguishes between the existing relations of “property” and state-based “governmentalism,” and the “aims” which seem to drive them. Individual do not value property primarily, he reasons, because it allows them to be unjust. They value it as a tool of justice, though it is, he argues, a very flawed one. Proudhon's antinomies are essentially the conflicts between the progressive and subversive manifestations of given social situations. Fourier takes it for granted that there will be such conflicts until the dawning of the Era of Harmony. Proudhon, jettisoning the specific timeline, still sees such conflicts as a natural part of the progress towards justice, reciprocity and equality.

As a result, there is very little that is black and white in Proudhon. The “manichaeian” approach so often attributed to “classical anarchism” is largely absent there. Instead, there is a much more nuanced understanding of the interaction of social forces, of the play of individual intentions within complex social fields. This leads Proudhon to his theory of “approximations,” experimental steps and temporary summings-up, each an attempt to advance from the last, and each setting the terms for the next stage. This is the process that William B. Greene described in his essay on “The Blazing Star,” a road that always beckons, once we start down it. Proudhon's *Philosophie du progrès*, which lays out some of the key principles here, is a really fascinating work, which deserves a full translation. I'll try to post some sections of it soon. Let it suffice to say, for now, that Proudhon, who was always summing up “the whole

of his thought” in one way or another, there summed it up in a very proto-postmodern opposition to The Absolute.

Anyway, it's Fourier that I want to talk about right now, but it's worth mentioning again (and again and again) that Proudhon was not exactly what modern commentators tend to reduce him to. If he was not the sort to predict lemonade seas, or wax eloquent about the virtues of the quagga, he still holds some surprises for us. And Fourier is not simply reducible to his wilder rapsodies.

“Note A,” in *The Theory of Four Movements* (available online in French, and in English in the Cambridge University Press edition) discusses the “series” of workers growing pears in Fourier's phalanstery. The serial method of analysis really involves little more than a separation or spreading out of like elements, according to their differences. Thus, pear-growers are united by a passion for pears, but separate into sub-groups according to their pear-preferences, and those subgroups can be arranged (in “ascending and descending wings,” around a “pivot,” in Fourier's scheme) according to their relation to closely related elements (apple-growing, in this example, which places the quince-growers at a transitional “wing-tip” between series.)

There are plenty of discussions of the structure of the series, but what is interesting about “Note A” is that it focuses on the practical question of how the series will influence the production of pears (and apples, etc.) What Fourier suggests is that encouraging individuals to focus on pursuing their passions—their desire for pears of their favorite sort, in this example—instead of focusing on either individual profit or common goods in some abstract sense, will produce a lot of pears, probably more than a more calculating approach, in proportions pretty well suited to demand. Reading this stuff in the context of internal anarchist debate, I'm both charmed by the simple elegance of the approach and depressed at how far anarchists of any stripe seem to be from this “follow your bliss” model of business—a model that seems to me in some ways quite compelling. Fourier, of course, thinks the model will work because people are naturally competitive, that, given a little organizational incentive, they'll plow labor into pear-growing for the sake of the honor of their favorite fruit, with an ardor we generally save for college football or sectarian debate. That faith in competition is going to be a problem for some of the comrades who are, at least in theory, opposed to any such thing. Of course, those opponents of competition are often among the quickest to pile on to “squash the opposition,” when, say, market anarchist heresy rears its ugly head. Maybe the de facto competition of the anti-competitive might be sufficient, if we turned our task from growing pears to growing anarchism. In any event, what Fourier really believed would make the series work was a combination of factors, of “distributive passions,” including the competitive, analytic “cabalist,” the synthetic “composite,” and the restless “papillon” or “butterfly passion.” Compete when we feel competitive, make up when we feel the urge, conspire or create schism, change our strategies when we grow bored.

So. What if we thought in Fourierist terms about the question of expanding the anarchist movement? If anything at all seems clear, it is that those who are committed to particular schools, are not likely to be moved by the sort of sectarian squabbling that currently goes on. Mutualists aren't likely to decide communism is their favorite fruit, no matter how many times you call them petit bourgeois. Communists are unlikely to change their minds about markets. Or, perhaps, we'll all change our minds a bit as the questions become more practical, the possibilities more real to us—down the road a piece. It's like we're all standing around arguing about what pear tastes best, when what is wanted is pears, preferably some variety, as long as they fill the bill.

What is wanted, it seems to me, is anarchism, of some variety, please, as long as it fills that bill. Is it possible to focus on that, rather than on details that may be, in the end, just details?

Happy 200th, P–J Proudhon!

I've been celebrating the 200th anniversary of the birth of Pierre-Joseph Proudhon by tidying up my files of material relating to him, archiving some of my scattered translations at Collective Reason, and taking some time to gather my thoughts on Proudhon's importance for the anarchist movements of the present and the future.

I came to grapple with Proudhon's work rather reluctantly, which seems to be the norm, among those of us who come to grapple with it at all. I deeply regret that reluctance, as there has probably never been another figure in the anarchist tradition who has pursued as far, and as doggedly, the answers to some of the movement's most basic questions: What is freedom? How are order and liberty related? What are society and the state? What is property? What is the self, and what are its objects? What, if it exists, is progress? These are not just anarchist questions. They are the sort of questions which must be answered by anyone, or any society, which hopes to establish itself in a lasting fashion, and to provide justice for its members.

Curiously, notoriously, the world, and the anarchist movement itself, remembers Proudhon primarily for that provocative *bon mot*, "Property, it is theft." There is no denying the importance of What is Property? Nor is there any denying that that work of 1840 was not Proudhon's last word on any of the subjects he tackled in it. From an emphasis on simple syntheses of existing ideas, Proudhon gradually developed his theory of the antinomies, basic conflicts in the realm of ideas, surrounding all the questions and concepts worth pursuing, which ultimately were characterized as much by their perpetually unresolved and unresolvable character as by more specific or local characteristics. Proudhon has been accused of retreating from his early anarchism, but such a charge is hard to justify. There was at first, after all, only a vague, synthetic notion of liberty as the reconciliation of "property" and "communism," a "third form of society" which, frankly, hasn't panned out, and which, if it did, would hardly satisfy, with its synthetic character, a large number, perhaps the majority, of those who consider themselves the partisans of anarchism now.

Proudhon's mutualism started as an "oil and water" anarchism, and gradually came to embrace what it had been from the start. The result was a resolutely anti-utopian approach, which, if it denied the possibility of a stable, self-sustaining, finally fully-realized free society, also denied the legitimacy of any patent-office panacea that anyone might be tempted to impose, because the best of all presently possible arrangements in the only world we have would only be a stepping stone to something else. He hoped to dethrone religion as a passive adoration of the absolute, but the vacuum left by God was, for him, only one more thing to draw human beings up and onward. Taking his cues from the gradual internalization of moral justification accomplished by successive

manifestations of Christianity, he sought to completely secularize and de-"pneumatize" judgment and responsibility. In the process, of course, he placed the heavy weight of self-justification squarely on the shoulders of "Humanity."

A highly individualistic thinker, insisting at times on the complete individualization of interests, "complete insolidarity," he was not afraid to pursue his individualist course when it confronted him with something other than a social atomism. Without ever reducing the role he assigned to individual humans as responsible actors, he recognized the high levels of interdependence which characterize so much of human reality. So he was not averse to references to Humanity, or to society as a collective being, even to the State as a collective entity with a role to play even in an anarchist society. His theory of collective force drove his theory of property, from the beginning of his career through the end of his life. As much as the idea of "collective persons" may shock our delicate anarchist or libertarian sensibilities, the social science he was pursuing remains a compelling and useful approach, providing rather direct suggestions for solutions, particularly in the realm of property theory. Far more than his peers, Pierre Leroux and William B. Greene, Proudhon was able to grasp both the philosophical niceties and the practical consequences of the "doctrine of life" of revolutionary neo-christianity, and his appropriation of Fourier's serial method, and appreciation of the positivity of the passions, was, if somewhat less colorful and enthusiastic in his hands, arguably more profound than anything produced by Fourier's direct disciples. Proudhon, at first a rather relentless competitor in the struggles over socialism and the direction of the revolution after 1848, quietly became a rather brilliant synthesizer of others' ideas, though ultimately always capable of making them his own.

We know Proudhon's faults: His ideas about gender and the role of the family blinded him to the importance of the movement for women's political equality. He considered himself a defender of women's rights, and was never, as is charged, a misogynist, but the best we can say about his "Catechism of Marriage" is that it is a clever argument from extremely bad data. The anti-Semitic comments in his notebooks are undoubtedly of the much the same character. The inability to distinguish "Jew" from "banker" plagued lots of people, and not a few anarchists, for a long time after Proudhon's death. The importance assumed by those faults among anarchists suggests a couple of things: 1) that, as a movement, we have not got to know our founding figures well enough to recognize the rather significant faults that nearly all of them had; 2) that we don't know enough to see how those faults are far outnumbered by spectacular achievements, precisely in the realm of respect for individual rights, in thinking through the problems of racism and nationalism, etc.; and 3) that we are all a little too easily carried along by the current of small-f fundamentalism and the eye-on-the-media purity campaigns which rule popular politics.

In this anniversary year, in the midst of an economic dip which threatens to deepen into a real crisis, we should really just get over it, get on with it,

spend some time getting to know the figures who first built this movement of ours, and perhaps particularly today's birthday boy, Pierre-Joseph Proudhon. Proudhon was, *par excellence*, the anti-fundamentalist thinker, if by fundamentalism we mean the opportunistic tendency to substitute convenient answers for the hard but necessary work of understanding who, how, and why we are, here and now, together. (And that, whatever other definitions there may be out there, seems to be our zeitgeist. Add our unbelievably atrophied organs of tolerance and forgiveness to the picture, and many, many things may be explained.) As such, he is one of the thinkers at least potentially most useful to us, here and now, together.

Anselme Bellegarrigue described the beginnings of the 1848 French revolution as if someone had pressed that infamous "make the government go away" button that libertarians talk about, as if the revolution was, at the moment of the abdication of the king, accomplished. The problems came from the failure of the provisional government, and its successors, to understand that another kind of work was necessary. It's an intriguing thought, though it is equally tempting to valorize the early days of the transition that followed, when public debate on the form of government burst out in so many forms. Proudhon, of course, dismissed the French '48 as a revolution "without an idea," and set himself to establish just what the "general idea of the revolution" might be. He never stopped writing about the possibilities: justice, equality, liberty, mutualism, reciprocity, agro-industrial federation. The Revolution, he said, was both conservative and progressive. All of this is of real importance, and we neglect any of these concepts and principles at our peril. But we have seen all these glorious words captured by various approximations, or attached to various shams, so often that it is hard to see how any of them, or all of them taken together, if we do not remember arguably the most important thing that Proudhon said: The antinomy does not resolve itself. It is not resolved.

Let's call that the Spirit of '58 (the year of Proudhon's Justice), which was also William B. Greene's Blazing Star, and let's reunite with it one of Proudhon's other best observations, which we might see as a necessary corollary: "L'humanité procède par des approximations," that is, Humanity proceeds by approximations. From the various lessons we might draw from that combination, let's start with a certain restlessness and relentlessness, particularly when faced with panaceas, political and economic saviors, "bail-outs" and the like, a skepticism towards claims about what "just won't work," what ideas "can't go together," and a recollection that "it is the clash of ideas that casts the light." In practice, let's try to marry all of that to a more and more habitual experimentalism, a DIY sensibility that springs from our understanding that it never gets done in any way we, as anarchists and libertarians, as full and free human beings, could live with, until we do it ourselves.

Mutualist Property Theory: A Miscellany

"Property Must Justify Itself or Disappear"

Once more into the breach. Proudhon's *The Theory of Property* is one of those books I have been wrestling with for several years now. It's a complicated, frustrating work, being both an attempt to summarize, clarify and rectify errors in Proudhon's many previous writings on property and an 11th-hour departure into new territory, inspired by the major works of history and sociology which occupied much of his later career. As a posthumous work, it lacks the careful revision and finishing that Proudhon habitually gave his published writings. That, and the apparently radical departures in theory that it contains, have allowed critics, from the time of its publication to the present, to treat it as a potentially apocryphal text, a product of the editors', rather than the nominal author's, intentions. I think I've made a pretty good start at showing the basic continuity between the earliest and latest of Proudhon's property writings, and given some decent indications of how the theoretical epiphanies of the 1850s led to the shift in approach. But it's past time to present Proudhon's own account.

I've wrestled with *The Theory of Property*, and, in the process I've had to gradually come to terms with the rest of Proudhon's property-canon—no small task. To understand the ensemble of the work, the late work has to be the guide, but it is a potentially unreliable guide, so it has to be checked against the sources. Ultimately, we're talking about a lot of reading, a lot of translation, and a lot of wait-and-see on some details, as the context develops. And since the questions of property and justice are hardly academic, it's necessary to maintain a critical engagement, to identify the places where Proudhon's various approximations of property-theory might have developed in other, potentially more useful directions. And it is in this context that *The Theory of Property* demands serious and resistant reading.

I don't think Proudhon himself would have seen the issue facing us much differently. In laying out his "New Theory," he made it clear that his original theory was not off the table, and that there was some urgency in making what was ultimately a hard choice about how to proceed with regard to "property."

The moment has come when property must justify itself or disappear: if I have obtained, these last ten years, some success for the critique that I have made of it, I hope that the reader will not show themselves less favorable today to this exegesis.

I will first observe that if we want to be successful in our research, it is completely necessary that we abandon the road where our predecessors became lost. In order to make sense of property, they returned to the origins; they scrutinized and analyzed the principle; they invoked the needs of personality

and the rights of labor, and appealed to the sovereignty of the legislator. That was to place oneself on the terrain of possession. We have seen in Chapter IV, in the summary critique that we have made of all the controversies, into what paralogisms the authors were thrown. Only skepticism could be the fruit of their efforts; and skepticism is today the only serious opinion which exists on the subject of property. It is necessary to change methods. It is neither in its *principle* and its *origins*, nor in its *materials* that we must seek the reason of property; in all those regards, property, I repeat, has nothing more to offer us than possession; it is in its AIMS.

But how to discover the purpose of an institution of which one has declared it useless to examine the principle, the origin and the material? Is it not, to lightheartedly pose an insoluble problem? Property, indeed, is absolute, unconditional, *jus utendi et abutendi*, or it is nothing. Now, who says absolute, says indefinable, says a thing which one can recognize neither by its limits nor its conditions, neither by its material, nor by the date of its appearance. To seek the aims of property in what we can know of it beginnings, of the animating principle on which it rests, of the circumstances under which it manifests itself, that would be always to go in circles, and to disappear into contradiction. We cannot even bring to testimony the services that it is supposed to render, since those services are none other than those of possession itself; because we only know them imperfectly; because nothing proves besides that we cannot obtain for ourselves the same guarantees, and still better ones, by other means.

Here again, and for the second time, I say that it is necessary to change methods and to start ourselves on an unknown road. The only thing that we can know clearly about property, and by which we can distinguish it from possession, is that it is absolute abusive; Very well! It is in its absolutism, in its *abuses* that we must seek the aim.

This is pretty strong stuff, and, to me at least, fairly contemporary. Proudhon complains that property theory has been confused, that without a clear sense of what they were dealing, where it came from or what its aims might be, the critics and defenders of property ended up lost in the fog. Lots of the pieces of the critiques and the defenses were, in fact, pretty much on target, but since the big picture seemed contradictory, there was plenty of incentive not to grasp the whole thing. Proudhon himself quite obviously resisted his own final program. One of the most remarkable things about *The Theory of Property* is the extent to which it reads like the Proudhon of 1840 having one last argument with the Proudhon of the 1850s and after. After all, Proudhon testified that he, personally, had no need of property.

I have developed the considerations which make property intelligible, rational, legitimate, and without which it remains usurping and odious.

And yet, even in these conditions, it presents something egoist which is always unpleasant to me. My reason being egalitarian, anti-governmental, and the enemy of ferocity and the abuse of force, can accept, the dependence on property as a shield, a place of safety for the weak: my heart will never be in it.

For myself, I do not need that concession, either to earn my bread, or to fulfill my civic duties, or for my happiness. I do not need to encounter it in others to aid them in their weakness and respect their rights. I feel enough of the energy of conscience, enough intellectual force, to sustain with dignity all of my relations; and if the majority of my fellow citizens resembled me, what would we have to do with that institution? Where would be the risk of tyranny, or the risk of ruin from competition and free exchange? Where would be the peril to the small, the orphan and the worker? Where would be the need for pride, ambition, and avarice, which can satisfy itself only by immense appropriation?

The reference to "something egoist" here should be handled with care, since the translation is a bit of a provocation on my part. Clearly, what Proudhon objects to is selfishness, not the "selfiness" of Tak Kak, or the egoism of Stirner's "unique one." What Proudhon is proposing is, in fact, the use of "private property," in the sense Stirner used the term, as a hedge against those whose commitment to "property" does not extend to properly managing their relations. Having observed that "absolutism" is the key to property (because it is the key to identity, understood as a matter of unique individuals developing according to their own "law"), and having decided very early on (1842 or earlier) that the solution to the problem of individual absolutism was a balancing of forces and a leveling of the playing field (universalization of property, destruction of privilege), – and, finally, having discovered in his historical researches that the absence of private property was no guarantee against the "usurping and odious" – the main question left for Proudhon was whether all those unique individuals would simply be left to fight it out (in the sort of "tough love," property-primitivist scenario) on a leveled-down battlefield, or whether it was possible to level-up through the universalization of a strong form of individual property.

The "New Theory" can be seen, without much of a stretch, as an attempt to kickstart the Union of Egoists (explicitly understood as the union of unique ones through their individual pursuit of their unique and individual relations), using "private property" (in Stirner's sense) to protect the development of "property" (ditto). As later Proudhonians suggested, the transition was through a sort of de facto "union of capitalists," who couldn't constitute a dominant class because they lacked a class to dominate, being all dependent on one another. (See Tucker's "Should Labor be Paid or Not?") Proudhon never explicitly clarified the relation between "ownness" and private property, either as Locke did nor as Stirner did, but he spent a lot of time developing the theory of how "absolutes," and particularly human "free absolutes," developed, starting, back in 1840, with his observation that "Man errs, because he learns." Knowledge is the perfection of error, as peace is the perfection of war, and as perfection is the endpoint of series of approximations. The individual develops according to a unique, internal law of organization – is, in fact, defined as an individual on the basis of that law – and its present state always points to some future development, with the implied line marking its prospective "right" (*droit*, as in a straight line). Because the self is development, present possession can't encompass what it is in its

fullness. That which is possessed may fall on the line of the self's development, and falls within the circle of "self-enjoyment" (Stirner's "property"), but that can't be the end of the story for a self that exists to progress, whose absolutism is dynamic, and for which the capture by any other absolutism would be a kind of interruption or death. For the early Proudhon, the concern is that private property, as a "right of use and abuse," was just the sort of tool which could be used to subordinate one individual's development to the absolutism of another. He was ready to tackle the general acceptance of property because he knew that we erred on the way to learning, and some big mistakes were going to be expected along the way. (That's one reason he so frequently stated that he wasn't picking fights against people, but against principles.) As he matured, he quickly came to see that the erring and the learning were all pretty well mixed up together, and his understanding of the "abuse" allowed by property shifted. He came to associate this licit "abuse" with error, rather than domination, and having already identified error as a necessary part of individual development, his advocacy of universal simple property is ultimately nothing more than a proposal to protect for each individual a space in which to learn and grow.

Call it the union of egoists, with sturdy fenders and protective gear, because anarchism is the sort of vehicle that we're bound to run off the road our share of times.

I've been calling it "the gift-economy of property," because I think Proudhon overstated the gap between principles and aims, and Stirner perhaps underestimated the degree to which his union might need to rely on convention, and that most thinking people in anarchist circles deny neither the significance of the unique individual or of the collectivities in which s/he is entangled in all sorts of ways – so that there doesn't seem to be anything to do but to tackle both the restricted economies of "property" and the general economy that defies and defines them, to grasp "gift" and "property" where they give rise to one another. My sense is that this sort of thing, getting up to your elbows in concepts that twist and turn into each other at regular intervals, is a sport with limited appeal – and certainly one that cuts against the grain of an increasingly fundamentalist intellectual culture. But I also don't see any easy way around it, if anarchism is to be something other than that smug feeling we carry around, that "at least I'm not a statist," while actual freedom – societies that can respond to unique individuals with something other than a muzzle and a jackboot, systems of "property" (in the broadest sense) that can respect the free development of those individuals by respecting their access to resources—remains elusive.

Proudhon gave the struggle with "property" a good chunk of his adult life, 25 years or so. I've got to that feeling that "property must justify itself or disappear" in much shorter order. Having invested so much already in presenting Proudhon's theory, I'm committed to getting the rest of the requisite translation done, and spelling out, as best I can, the ways in which that crowd we left arguing on the riverbank awhile back provide us with all the clues to

make the problems associated with "property" at least a lot more manageable. But I really do feel like – having satisfied myself that the "property" of Stirner's unique and the "property" of Proudhon's final proposal are compatible, and not incompatible with the initial spirit of Lockean appropriation or Proudhon's famous critiques – there isn't much to do but "own up," and learn to take property a whole lot more seriously than we have, or else let the question drop, and find other languages to guide us as we try to live as unique and free absolutes.

What is Property? – Some Thoughts about How to Proceed

I've had a couple of useful discussions of property over the last few weeks, where the question of the points of contact between Proudhon and Stirner have come up again. There is work being translated that will eventually help to clarify similarities and differences, but there's also a bit of analytic preparing of the terrain that needs to be done, and could easily be done right now. What I want to try to do right now is to differentiate some of the things that "property" means in these two bodies of work, and suggest some of the relationships between them. Proudhon initially organized his distinctions around the opposition between fact ("possession") and right ("naked property"), and Stirner's distinction between "property" (as ownness) and (state supported) "private property" follows similar lines. That convergence gives us a general trajectory. Let's work from "fact" to "right."

We have to begin with the difficult, conceptually slippery stuff. Start with the "unique one" (Stirner) or "absolute" individuality (Proudhon). We have a class of entities defined by the fact that they (as "unique ones") express only themselves, their own law. Every such individuality may—indeed must—be crossed by other expressions of other principles (manifested in other individualities), which could then be accounted for as unique in their own stead and at their own scale. Proudhon was convinced that every absolute individuality was always already a group, organized by a law, and that the existence of the individuality as such depended on that group and that principle of organization. (Likewise, the collective interactions that produce individualities depend on the unique and absolute characteristics of their individual component elements.) I'm not convinced that there is anything in Stirner which necessarily contradicts that assumption. In any event, Proudhon and Stirner seem to share an interest in identifying a class of individualities defined by the ways that they escape any more general classification. "Property" at this level of analysis describes a dynamic ownness, self-enjoyment, more-or-less in the realm of "fact" (whatever fits wrestling with the facticity of this subject may throw us into.) There is obviously another sort of factual analysis that can be done—and has to be done at some point in our analysis of "property"—showing the radical contingency of every unique, and the natural interrelations of all of them. (Joseph Dejacques' "The Circulus in Universality"

is part of that analysis.) The phenomenological experience of the radically separate nature of each unique human individual needs to be tempered by our knowledge that the subject's "raw" experience of subjectivity is far from the whole story. But there's no point in getting drawn too far in that direction at this point, when we're just trying to figure out what kind of thing it is which could be an owner—or a possessor.

So we start with a unique individuality whose "property" is just *what that individuality is*, what involves it, what falls within the circle of its self-enjoyment. That individuality need not be an individual human being—though obviously some formulations of the question are of more immediate interest to us—and the objects of its enjoyment need not be enjoyed exclusively. This sort of property ultimately has very little to say about things-as-things. But that's what is missing in so much property theory: a principle of property that doesn't have to change shape drastically when we move from talking about the owner to the owned; an account of the unique one and the sphere within which its own uniqueness is manifest, as opposed to an inventory of objects which particularly pertain to it (or over which it has some right to rule), within which we may haphazardly place its physical form and its various "properties." There are obviously practical reasons for getting around to talking about "the owner and his stuff," but that's probably not the place to start.

I want to renew my pitch for thinking long and hard about "property," before we even dream about laying out "property rights," confronting the sort of dynamic self-enjoyment that defines individualities before we start any more loose talk about "self-ownership." Whatever you think of Stirner's style, or the various forms of "egoism," the concept of "the unique" has some real advantages as a starting place for any property theory that doesn't simply want to read some particular set of rights and conventions back onto the relations that theoretically form its foundations—and it has the added strength, from an anarchistic point of view, of being a concept specifically designed to resist capture and organization by existing *archies* of various sorts. At his best, Stirner thinks anarchistically—and when he falls short in this regard, his individualism is still mighty suggestive. Proudhon was a more accomplished sociologist, but his work on property always hovered around questions of law. Pierre Leroux and Joseph Dejacque made much clearer the sort of dialectical play that exists between the "unique one" and the "circulus in universality" as "contr'un," but the assumption behind the "two-gun mutualist" project is that we need to develop the various tendencies and bring them into even higher relief if we are to really come to terms with the ensemble. In many ways, Proudhon's lengthy engagement with "property" seems like the most promising body of work to focus on, assuming we can remedy some of his errors, omissions and inconsistencies. Obviously, I think that we can do just that.

Proudhon's *The Theory of Property* began with his own attempt to clarify that lengthy project, in a section on "the various acceptations of the word property." "Acceptation" is a good word in this context, since there's a good deal

of uncertainty whether the difficulties relate more to the specific meanings given to the concept, or to the concept's ability to circulate in a variety of contexts without quite meaning anything very specific at all. If we were to attempt a broader clarification, what sorts of "acceptations" would we have to account for? At least these, it seems to me:

1. "Property" in its broadest sense, as a "social problem," involving by the issue of the "mine and thine" and that of the "you and me;"
2. "Property" as "ownness," relating to "the circle of self-enjoyment," that defines the unique individual, and which refers both to the material resources involved in specific instances of self-enjoyment (the facts of "possession") and the principle of organization by which they are thus involved;
3. "Property" or "properties," referring to those material resources;
4. "Properties," referring to the component characteristics of the individual (which both Stirner and Proudhon may encourage us to treat as "uniques" in their own right and at their own scale, and which some theories of property have treated as "property," in the sense of #3, in order to argue that everyone is a "proprietor" or "capitalist");
5. "Property rights," as social and/or legal attempts to formalize standards for answering some one or more of the question posed by the other senses of "property;"
6. "Propriety," in the general sense that each should have and respect its own in a well-managed society;

and a bunch of subordinate distinctions (real property, chattel property, products, allod, usufruct, etc., etc., etc.), referring to specific property norms and forms proposed in the course of our long engagement with the general problem of "property."

Having untangled all of that, a coherent property theory needs to be able to carry the same terms across the terrain of appropriation, maintenance, abandonment or expropriation, exchange, exclusive and shared domain, the possibilities of "intellectual property," the relation between theories of property and their abuses, the relation between property and gift, etc.

It's a pretty tall order. But it seems to me that we've actually made the basic problem (how to get along together with some decent helping of freedom and justice) harder by insisting that the problem of property was simple, or no problem at all.

Thoughts on mutualist land theory

There's a call at the Center for a Stateless Society for responses to a document on "Land Tenure and Anarchic Common Law," which "which synthesizes remarks by Kevin Carson, Brad Spangler, and Gary Chartier." The

basic argument is that “occupancy and use” and “Lockean” (non-proviso neo-lockean) theories differ primarily over the question of abandonment of “justly acquired” property. The assumption is that the theories are in something like agreement on “just acquisition” because both employ a homesteading mechanism.

It’s the sort of thing that first makes me want to say: “Property is theft!” I’ve been involved in a lot of discussions about abandonment issues, and defended versions of “occupancy and use” very open to summer homes and various other petty bourgeois deviations—provided owners carry their own costs. I would hope that a free society would mean more options—even more luxuries—rather than less.

But there’s no getting around the difficulties of that question of “just acquisition.”

As I’ve observed before, the Lockean theory of property—the full theory, that is, with provisos intact—is, whatever you think about Locke’s ultimate intentions, a rather elegant system. It shows its age, certainly, reflecting an economic relationship between human beings and natural resources that is certainly not the norm more than three centuries later, as well as a view of the nature of “nature” that’s pretty hopelessly out of date. But, in general, it seems to me that it’s a pretty darn good start towards a just property theory.

Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this no body has any right to but himself. The labour of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state nature hath placed it in, it hath by this labour something annexed to it, that excludes the common right of other men: for this labour being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good, left in common for others.

There’s nothing flashy, or too complicated here. There’s an individual, with a “property in his own person”—a relation we generally call “self-ownership”—and there is nature—largely a passive element available to the uses active agents, and “inferior.” (To the extent that Lockean property theory incorporates assumptions about land use, those assumptions are likely to be more simply “environmentalist” than “ecological” in character. But I’m getting ahead of myself a bit...) The human actor is a coherent and evolving force and/or bundle of projects, and it appropriates nature by incorporating resources into its projects, subjecting them to its forces. “Property,” in Locke’s scheme, refers in turn to the the relation of the human actor to itself, to its effects, and to the elements it incorporates. There’s a clear sense in Locke’s prose that there is a chain of connections here, based initially on the property posited in the “person” of the actor (which “no body has any right to but himself”), and extending out

by steps. "Every man has a property in his person," so "we may say" that "the labour of his body, and the work of his hands" are "properly his." And then some other resource can be considered appropriated because, by "mixing" those things that "we may say" are his, he has "joined to it something that is his own." "Property" appears to be "something" (vague as that is, it's the word Locke himself used at key points in his account) that radiates out from the property of the person, to property in the products and efforts of the person, and then to property in the resources incorporated in the the products and transformed by the efforts of the person (provided the provisos are met.) While the general model is of an expanding envelope of exclusive personhood, it seems pretty clear that the actual relations, and thus the associated rights, of property are not identical at every remove from that initial "person with property in themselves." There are causes and effects, persons that are proper to themselves by definition and things that become proper to them by extension.

When modern proprietarians talk about "self-ownership" as the basis of "property," a lot of this has a tendency to just go out the window—or at least take some very odd turns. Tibor Machan, for instance, starts his "Self-Ownership & the Lockean Proviso" with the provocative claim that "self-ownership—or in Locke's terms "property in his own person"—is justified only if we leave "enough and as good" for others of ourselves." By treating "self-ownership" as if it must be derived from the same mechanisms of extension as the appropriation of resources, Machan produces an apparent paradox, but it's one which has to badly backfire on any property theory. If self-ownership has to be derived from homesteading, and homesteading works because of self-ownership, then there are some pretty obvious problems. Machan's little scandal doesn't actually come off very well. Roderick Long's "Land-Locked," written in response to Kevin Carson, is a lot more sensitive to these sorts of problems, but may not entirely escape them. Roderick nicely demonstrates that the notion of nature as a "common patrimony" cannot be derived from some originary homesteading of nature by humanity. Clearly, nature is not *in fact* the joint property of humanity. As I suggested elsewhere, the notion of an "original mixing" might well also be fatal to individual property. The problem is that, when it comes to principles of just appropriation, it isn't clear that individual self-ownership carries us any farther forward than the premise of a common patrimony. *In fact*, there has been incorporation of resources, but whether that appropriation is most justly understood as individual or collective probably really is a question that "the principle of self-ownership alone" cannot decide for us. And it's not really these questions of what has actually been homesteaded that are at stake. I don't think anyone believes that Locke, or Kevin Carson, is trying to claim an original homesteading. We don't say that natural resources are not destined for the use of the individual, on the grounds that the individual has not used them yet. On the contrary, another good scholar I happen to disagree with, Gary Chartier, considers the position that "there are no just property rights, because it is wrong for anyone to claim to control any part of

the material world” a position “no reasonable person would endorse,” which would render “orderly, purposeful action in the world impossible.” I’m not certain that “orderly, purposeful action” depends on *rights*, but it seems to me that most of the Lockean and/or natural rights proprietarians are unlikely to contest the notion that *something* other than an already accomplished homesteading is at stake in whatever rights to appropriate we eventually derive or discover.

One way or another, it seems, we’ve got to do the trick of moving from the fact of self-ownership to a right of appropriation, and the determination of what constitutes “just appropriation” has to wait on the results.

And there’s nothing terribly easy about that. Without recourse to a God who bequeathed nature to humanity in common, we have to look for something in the nature of human being, or in self-ownership, that authorizes us to talk about rights to appropriate anything in particular. Thomas Skidmore, in *The Rights of Man to Property*, thought he had derived a natural right to property that was individual, inalienable and roughly equal, but ultimately impracticable outside of a fairly extensive social consensus. The “agrarian” result is much like communism. And, of course, plenty of anarchists have opted for communism. Indeed, from the death of Proudhon onward, the vast majority of anarchists have responded to the difficulties associated with the just appropriation of land and other natural resources by embracing the collective management of these things. (For those who want to immediately interject something about “the tragedy of the commons,” I can only gesture to the actually existing tragedy of state-capitalist resource management and suggest a little reading in ecological science. For those quick to talk about “marxist” influence... well, Hell, anarchist collectivism was as strongly influenced by the Belgian “rational socialists,” guys like Jean-Guillaume-César-Alexandre-Hippolyte (baron de Colins), as it was by Marx in that regard. But they made the influences their own, in any case.) Proudhon learned to stop worrying and love property (a little bit, anyway) precisely because he identified it first with “the sum of its abuses,” and then, ultimately, with absolutism and despotism.

My own interest in Locke’s theory is that it seems to make something of an end-run around this problem of the right of appropriation—at least when the main proviso remains intact. If property is essentially non-rivalrous—if our “good draught” really leaves “the whole river,” or enough of it so that natural processes will replenish it—then here’s some real ground for agreement, at least in terms of the basic justice of the appropriation. Of course, the notion of non-rivalrous property runs against the grain of contemporary proprietarian theory, but it seems to be right there in Locke—and it seems like a much more promising place to look for substantive agreement with left anarchism than in a debate about abandonment.

Elements of Appropriation

I broke down various meanings and aspects of property awhile back. Since some of what I wrote in the last post depends on an understanding of appropriation that I haven't made explicit in some time, maybe a sort of summary is in order. In order to have an adequate theory of appropriation—in traditional, more-or-less Lockean terms—we need—one way or another—to provide ourselves with at least:

1. An understanding of the subject of appropriation (“individual,” “collective,” irreducibly individual-collective, etc.;
2. A theory of the nature of that subject's relation to itself as “self-ownership,” “self-enjoyment,” etc.;
3. A theory of nature (active or passive? productive? capable of “projects” worthy of acknowledgment?) and of the relation between nature and the subject of appropriation;
4. Some answer to the question “is there a right of appropriation?”—and some reasonable account for any such right, grounded in the previous elements;
5. A theory of justice in the exercise of appropriation (provisos, etc.);
6. A mechanism for appropriation;

And if we can pull all of that together, we can begin to talk about rights with regard to actually appropriated property, abandonment, expropriation, etc.

Neo-Lockean property frequently seems to me to end up with a “universal right to ‘devil take the hindmost.’” But I would rather attribute that to incomplete theory than proprietarian depravity.

Responses on mutualist property theory: Self-ownership

Given the amount that I've already written about mutualist property theory, both historically and in the context of “the gift economy of property,” and the specific context of the C4SS symposium, there wasn't much chance that my post on mutualist land theory was going to be a summary of my own theory. Instead, it was really a series of reasons why I couldn't just engage the question in terms of abandonment, with some gestures back at the theory I've been building. That sort of thing never quite cuts it in the blogosphere, as the comments make clear. I sympathize with Derek for thinking that things are left in a potentially paradoxical state. And I guess the “quibbles” in the other comments are just the sort of thing that have to be clarified on a regular basis. I'll try to do that here:

The commenter (Iain McKay) has “two quibbles:”

First, is the acceptance of “self-ownership”—that is problematic because it mixes up something which is inalienable (liberty) with something which is (property). This allows social relations of authority, domination and exploitation to occur.

This can be seen from Locke, who uses “property in labour” to justify the exploitation of workers’ labour by their employer [employer, I assume]—as intended. It is used this way by proprietarians to this day.

As the Iain has suggested, folks like Carole Pateman and David Ellerman have approached these questions differently, with Pateman rejecting the notion of “self-ownership,” by distinguishing it from “property in the person.” There’s a lot to like about Pateman’s essay but there’s no question that it is an intervention in a particular libertarian debate about “property rights” that I’ve been trying to shake for a long time now.

In case it hasn’t been clear, even in my most schematic posts, I consider the conflation of various forms of “property” and “property rights” a fairly serious problem with much of the property theory I encounter. Libertarians who essentially reduce property rights to a right of reprisal against invasion seem to me to be begging a rather stunning number of questions along the way. And I’m attempting to follow a strategy of Proudhon’s—the occasion for a lot of his best, funniest, sometimes snarkiest writing—of not attributing the problems of property to the bad faith of Locke, or “the proprietarians” at all times, but to more-or-less well-intentioned systems that simply don’t live up to the claims made for them—and then of either showing how the systems might be fixed or revealing what the systems actually do when functioning correctly. Did Locke set out to build a system for defrauding the workers? Maybe. Is the whole “alienability of labor” of labor thing simply unthinkable? That seems to depend on some clarifications of what is really involved. The second question depends on making sure we know what is at stake in the system. The first deals with intent, and may just be beside the point, if the system that Locke built did not serve those intentions particularly well.

As I have been reading Locke, *whatever his intentions*, it appears that appropriation of external resources depends on a prior and inalienable property in person, and is limited to essentially non-rivalrous possession. As a start for a system to rob the workers, this seems unpromising, since, among other things, it severely limits the incentive for the sorts of labor-alienation responsible for so much capital accumulation. Indeed, it seems to militate very strongly against the possibility of a capitalist class emerging. Whatever Locke set out to do, the “homesteading” theory doesn’t seem to give much shelter to capitalism—unless, of course, you remove the proviso that demands a rough equality of property, the thing that gives it its social character, as well as whatever claims it may have to universality and self-evidence. But the arguments against the proviso, as I argued in the earlier post, just don’t seem all that convincing to me.

Now, as we know, Locke moved beyond this treatment of homesteading in the state of nature to a justification of property in an exchange economy. But his justification was that division of labor and exchange created virtually the same effects as the initial labor-mixing scenario. That claim has to rise and fall on its own merits: either exchange can, in fact, live up to the high standards of

equality that Locke seems to have posited for property acquired by labor-mixing, or it can't. If it can't, and we believe the whole thing was a set-up in the first place, there's still every reason to emphasize the difference—and the alleged similarity—between the two standards.

Anyway, on the question of whether “self-ownership” necessarily mixes up the inalienable and the alienable: 1) the case can certainly be made, as Pateman makes it, but there seem to be problems with the construction of “property in the person” in that case as well; 2) that mixed-up “self-ownership” is not—and, by this point, pretty explicitly not—the concept that I have “accepted;” and 3) to the extent that “self-ownership” is supposed to refer to Locke’s “property in person,” it isn’t at all clear that the problem raised exists in the portion of Locke’s theory that I have been addressing.

We know that “self-ownership” is often used in ways that are less than careful and coherent. The cart and the horse change positions with a disturbing frequency. In laying out the various senses of “property” and the various elements of appropriation, and in my ongoing examination of the points of contact between Proudhon and Stirner, virtually everything I’ve said has been in the service of straightening out these cart-and-horse, cause-and-effect confusions.

It seems straightforward to claim that “I own myself” in a somewhat different way than “I own my abilities,” or “I own the product of my abilities,” or “I own a field or forest,” or “I own that toaster that I bought at K-Mart.” Call the first “self-ownership” or “property in the person,” consider the second possible or impossible on the grounds of alienability, but *if* you believe that I *can* own that toaster *because* it is like owning the direct products of my labor, *and* I can own those products *because* they are an expression of my abilities and exertions, *and* I own the abilities and exertions *because* they are the expressions of a self that I own pretty much as an *a priori* premise, *don't end up by claiming that the self is really just like a toaster that you can't give away.* This seems to be about as far as Pateman’s quibble takes us, and while, in some senses, it’s better than deriving all forms of property from self-ownership, and then describing the self as a toaster that you *can* give away, that’s not much of a theoretical payoff.

The property theories that appeal to some sort of “natural right” want to move from a fact about the nature of human being, to a generalizable rule about the “mine and thine.” All too often, they seem to move from a derivative right, back up the chain of justification to try to make the facts fit. The result is again, all too often, weird divisions of the person into owning and owned elements—the sort of thing that has a tendency to keep dividing and retreating before our attempts at justification.

Now, the suggestion that we might choose “liberty” over “property” as the fact that we focus on, doesn’t seem to get us very far. After all, liberty is already a keyword for all the contenders in the struggle over just property rights, and the vision of “free people working as equals” is shared by anarchists

of schools who have little else in common. And if we take Proudhon for our guide, then we there is no disentangling liberty from property. After all, in 1840, the goal was a “third form of society,” a “synthesis of community and property,” which he identified as “liberty.” And as his thought matured, Proudhon’s idea of “synthesis” became more and more one of irreducible dialectics, antinomies, within which antagonistic elements acted as counter-forces to one another. It is true that Proudhon identified property with despotism, and that he never renounced that view, but it is also true that it was the very despotic tendencies that he had identified that soon led him to embrace property *within the context of the property-community dialectic*.

This issue of the “third form of society,” and the relation of Proudhon’s federalism to collectivism, is something I need to tackle in a separate post. For the moment, I want to review and clarify what I do indeed accept with regard to “self-ownership.”

It’s always important to remember how rough-and-tumble and sharp-edged things tend to be within Proudhon’s systems. And it’s necessary to recall just how far he went beyond the few phrases we tend to focus on:

“They called me ‘demolisher,’” he himself said; “this name will remain after I am gone: it’s the limit of inadmissibility that is opposed to all my work, that I am a man of demolition, unable to produce! ... I have already given quite thorough demonstrations of such entirely positive things as:

“A theory of force: the metaphysics of the group (this, as well as the theory of nationalities, will be especially demonstrated in a book to be published);

“A dialectical theory: formation of genera and species by the serial method; expansion of the syllogism, which is good only when the premises are allowed;

“A theory of law and morality (doctrine of immanence);

“A theory of freedom;

“A theory of the Fall, i.e. the origin of moral evil: idealism;

“A theory of the right of force: the right of war and the rights of peoples;

“A theory of contract: federation, public or constitutional law;

“A theory of nationalities, derived from the collective force: citizenship, autonomy;

“A theory of the division of powers, correlate with the collective force;

“A theory of property;

“A theory of credit: mutuality, correlate with federation;

“A theory of literary property;

“A theory of taxation;

“A theory of the balance of trade;

“A theory of population;

“A theory of the family and marriage;

“As well as a host of incidental truths.”

Out of all of this, anarchists tend to know something about his theories of credit and of federation—if only that he was in favor of free credit and federation—and enough about his property theory—generally the three famous slogans—to be dangerous. And they know he had some dodgy ideas about women and Jews—and later had some appeal for certain fascists. But the basic dynamic

of Proudhon's thought—the role of those antinomic, irreducible dialectics; the serial analysis he inherited from Fourier; his treatment of justice as balance, and his progressive commitment to “leveling up;” the ways in which his theories of the group and of collective force didn't allow him to simply choose between property and community, the individual or the group, centralization or decentralization, etc.—all the stuff that makes the slogans and aphorisms make sense, never seems to get in the mix somehow. In 1840, he showed us that the old systems of “force and fraud” had been, in their way, evolutionary stages in the development of justice. “Community and property,” objectionable separately, were the elements of liberty. In 1846, when his working model was the “economic contradictions,” he damned both property *and* community as “theft,” because they were “non-reciprocity.” Community, he said, was “the negation of opposing terms,” which would be sort of a curious objection, if we did not know that, a few years later, Proudhon would defined reciprocity as “the mutual penetration of antagonistic elements.” Property is the “religion of force,” while community is “the religion of destitution”—and yet it is “between” them that Proudhon insists he “will make a world.” By the 1850s, Proudhon delved deeper and deeper into these dynamics, developing his progressive philosophy—affirming only progress, denying only the absolute—and then his theories of collective and countervailing forces, until he finally came to define the liberty of the individual in terms of the complex play of individually absolute, despotic forces: the more complex the play, the more individually despotic the forces, the greater the quantity of freedom for the individual defined and composed by that play. Peace is the perfection of freedom, and liberty is the product of that perfection, the outcome of complex antagonism transformed into association. As early as 1849, he claimed that the individualization of interests, “complete insolidarity,” was the first step by which:

... the mutualist organization of exchange, of circulation, of credit, of buying and selling, the abolition of taxes and tolls of every nature which place burdens on production and bans on goods, irresistibly push the producers, each following his speciality, towards a centralization analogous with that of the State, but in which no one obeys, no one is dependent, and everyone is free and sovereign ...

Liberty, then, depends on property—at least if we understand property as first and foremost being associated with the individual self and the development of its organizing law. Federation gains its force as much from the separation, even “antagonism” of the federated elements, as it does from their organization under a common rule. And, of course, the increased force and freedom of the federation is not a matter of indifference to its constituents.

I've described Proudhon's system as an individualism on multiple scales. It is, in an important sense, also a collectivism at all those scales, but there are advantages, I think, in tackling this difficult dialectical relation from the side with the most phenomenological immediacy for us as human ethical and political

actors. Life is, as Pierre Leroux put it, inescapably both objective and subjective, but our understanding of the dynamic is inescapably mediated by subjectivity.

We know that our body—the most immediate physical site of the self—is made up of elements organized according to particular laws, and that those elements are, in turn, composed of other organized elements, and so on, down as far as we've been able to explore. We know that our health depends on the free functioning of these constituent elements—just as we know that our health, and that free functioning, are not independent of the organization and function of higher-order systems (ecosystems, societies, social classes, etc.) Individuals are always already groups, and there are various sorts of influence and feedback between the various orders of individuality/collectivity. Joseph Déjacque's "universal circulus" is the sum of all that influence and feedback, which simultaneously and irresistibly separates the wheat from the chaff at every level, according to a logic that is the product and the law of all the constituent individuals and their interactions. Seen from this side—the side of the most inclusive sort of "community"—the claims to "property" of any individual might seem pretty thin, except that this *circulation of everything* is hardly the lazy sloshing of some undifferentiated mass. If there is an overall guiding law that says, *this is wheat and this is chaff*, it does not appear apart from all the various levels of organization and *legislation* beneath it. There is no collective without the elements.

More importantly, there is no collectivity—no "life," in some very basic sense—without the individuality of the elements. The theory of collective force, Proudhon's theory of liberty and ecological science agree in associating the fullest and most robust conditions for life with diversity and multiplicity. A recent article in *Machete* on Stirner and the "contr'un" associated with de la Boetie suggests that perhaps Stirner also holds a key to part of the mystery we're wrestling with:

In reality, Multiplicity finds its best expression precisely in what apparently contradicts it: the uniqueness of the individual. Anchored as we are in false dichotomies, who would ever think to look at Stirner as a philosopher of Multiplicity? And yet, it really is the singularity of each human being, her unrepeatability that constitutes and guarantees Multiplicity. The more human beings are different from each other, the more they refuse the collective identities offered by social and political conventions...and turn to the discovery and creation of themselves, and the more they create new desires, new sensibilities, new ideas, new worlds, which is a reason why it would be necessary to stimulate and defend individual differences rather than blurring them in 'common agreement'. [translation by Apio Ludicrus, who spotted the article]

From the egoist side, of course, self-ownership *can* be very simple (although I'm seeing very interesting, complex stuff from some serious students of Stirner these days): self-ownership is simply self-enjoyment, the enjoyment of that which falls within the power of the unique one, without concerns about that enjoyment being exclusive, or conforming to any external standards of justice,

and certainly without concern about conformity to “private property” conventions. But *that sort of egoist* is really playing a different game than those of us embroiled in this debate over property. Arguably, an awful lot of familiar concerns race back into the picture the moment that the egoist acknowledges another unique, and begins to forge some “union of egoists,” but that’s a set of problems to address another day...

We know that for mutualists, things are simple in their own way: we start with mutual recognition, and we, if we are pursuing the neo-Proudhonian, “two-gun” approach, we know that we have to take into account both the universal circulus (which threatens to simply sweep away the individual in its proliferation of connections) and the unique (which threatens to sweep away all standards whatsoever, leaving us with a world of uniques, both linked and distinguished by their incommensurability to one another.) What’s “simple” is that we know we’ve shooting for mutual association—not necessarily “associations,” in an institutional sense, since mutualist social approximations are likely to run the gamut from the most ephemeral union of egoists to the sort of durable institutions that Proudhon was unafraid to describe as an (anarchistic) state—and we know that we want those associations to give free play to a very pronounced sort of individuality—the sort that responds to names like “the unique” or “free absolute.” The details aren’t simple, but at least we know what sorts of difficult things we need to keep in play.

Is “self-ownership” compatible with that play of difficult things? The egoist’s “self-enjoyment” certainly looks like a “fact” about human being, which is not dependent on the imposition of some property model presumably derived from it. It begs few questions, and seems to smuggle in few of the assumptions of any particular system of property. As a “matter of fact,” it resembles what Proudhon initially called simple “possession”—and like simple possession, it guarantees nothing in the way of justice. And it leaves any system of property that might be derived from it open to some things not generally accepted in “private property” schemes: the possibility that all sorts of interconnections and overlaps, all sorts of non-exclusive possessions, are proper to human being—and thus the most “natural” norms for property. But I’m ultimately a whole lot less interested in natural rights than in human approximations of justice. I’m not sure collectivist César de Paepe was wrong when, in debate with the mutualists, he claimed that “Society has only one right, which is to conform to its own laws, to the laws of its historic development...,” but I know that there’s really no stopping at any individual right once you’ve started down that particular road—perhaps not even at the sort of “recognitions of human dignity” that Proudhon embraced.

So where and how does the mutualist attempt to swim against the stream of natural and historical development, in order to posit a potentially-mutual something-or-other that might intervene in that development in the name of greater liberty? For over two years now, my suggestion has been that we embrace the notion of a “gift economy of property,” that we acknowledge, on the

one hand, what is profoundly unnatural about individual rights, and explore the real interconnections that notions of individual property tend to obscure, while, on the other hand, we give to one another the one sort of property that robs no one, the recognition of the other as a unique being, subject to their own law of development, and in many ways incommensurable with all other unique beings.

Over two years ago, I introduced the notion of the “gift economy of property,” my intervention in the debate over “self-ownership,” as a sort of “foundation” on which a full mutualist property theory might be built:

My intuition, based in part on some language various places in Proudhon’s work and in part on the connections I’ve been making to other continental thought, is that a “gift economy,” in the sense of a system in which something, which can be rightfully given, is given, with no specific expectations of return, could only arise in fairly limited circumstances, and perhaps can only have one application within Proudhon’s thought—but that one application may be a bit of a doozy. We know that there is, for Proudhon, some opening for society to emerge as a “pact of liberty” leading towards approximations of equality and finally of justice. We know that freedom rises from the interplay of necessity and liberty, and that property too has its internal contradictions. Proudhon’s *moi* has very little that he can rightfully give, if even his own “property” is theft. But he can, perhaps, give property to the other, through recognition, which steals nothing, robs no one, and is perfectly gratuitous, even if, and this is the character of the gift economy, he cannot be sure of reciprocation. To the extent, however, that commerce is based in equal recognition, if not *necessarily* any other sort of equality, then this particular gift economy might be strangely (given all we have said, and some of the names we have invoked) foundational.

As much as my connections and key-words have changed in that time, that initial argument still remains foundational for the various interventions in property theory that I’ve made since. That’s one “doozy” of an application—a mutually-gifted self-ownership, still haunted in important ways by one version of the “impossibility” of property—if all that I have “accepted”—and, whatever its own difficulties, I don’t think it suffers from the sorts of problems Pateman raises.

On Occupancy and Use

[This piece first appeared at the Forums of the Libertarian Left, in a thread on “Occupancy and Use.” It seems to add enough to the current series on mutualist land tenure to repost here. The thread began with some very basic questions about how occupancy and use land tenure would play out, and how to respond to the common silliness about people out shopping losing their homes to mutualists, etc.]

With any of the basic principles of “property,” you’re going to have to eventually confront a bunch of messy details before you’ve got the “anarchic common law” that could justly regulate it. There’s certainly nothing self-evident about how true lockean and neo-lockean property would actually work. In the homesteading model, “something” of the person is “mixed” with unowned

resources, which annexes those resources to the person. Neo-lockeans throw up their hands because they can't make practical heads or tails of the "enough and as good" proviso (and generally ignore the proviso against waste), but, arguably, the provisos are a lot clearer and more clearly practicable than the mechanism of appropriation. Of course, neo-lockeans don't focus on appropriation anyway, skipping ahead from the "state of nature" to the exchange economy, where division of labor and exchange will have effects virtually "as good" as proviso-appropriation. But, yikes! If the original standard was impracticable, then how hard to practice is its virtual equivalent? Rather than basing itself on a principle that's about as close to self-evidently universal as you're going to get—and then confronting the problems of applying the principle—neo-lockean property simply abandons the principle, and asserts that which is far from self-evident: that an exchange economy in which the appropriation rights of others are simply not considered will have virtually the same effect as one in which appropriation is direct and guided by the provisos. Seems like an easy way to go astray. And, sure enough, true lockean property is virtually non-rivalrous (and amenable, at least in principle, to adjustment to account for long-term sustainability and ecological effects, for which "good fences" are hardly a solution), while neo-lockean property is rivalrous by definition, and inflexible (mostly unconcerned, really) with regard to the material, systemic complexities of actual property in the real world.

Compared to all of that, how difficult a principle is "occupancy and use"? Take the lockean provisos seriously, and add the fact that natural processes "unmix" all the while—observe that anything in perpetuity is about as un-natural a principle as you can imagine—and you can derive it from the same roots as neo-lockean theory, with less opportunistic reasoning and jimmying of the basics.

The straw-man depictions from propertarians probably reflect a basic difference in political aims and cultures. Mutualists are not *occupancyandusitarians*: our theory of real property comes a couple of steps after our account of "self-ownership" or "property in person," and it is certainly not prior to the principle of reciprocity. You could, no doubt, construct a mutualist account in which "all rights are property rights," but the "property" certainly wouldn't have the exclusive, perpetual character of most propertarian systems. From a propertarian perspective, the notion that property isn't forever—or isn't at least dependent on the intentions, however inert, of the proprietor—seems outrageous, so there really isn't that much difference between moving into your house when you nipped out for a carton of milk and opening the land of some distant holding company to occupation by the landless. Having jettisoned the provisos, and no longer being able to fall back on the actual homesteading mechanism (the effects of which market exchange is supposed to approximate), neo-lockean theory doesn't have a lot of guidelines to fall back on, so it makes a virtue of being "tough, but fair." If you question the "universal

right of first-come, first-served” stuff, chances are the propertarian isn't even going to see a problem.

Anyway, apart from any mutualist reimagination of property, possessory occupancy and use conventions are going to be based on the principle of reciprocity. When propertarians insist that without their form of property, mutualists will “steal” anything that nailed down, my first question has to be: Dude? Is that the way *you* imagine the Golden Rule playing out?

The Heart of Proudhon's Thought

A slightly belated “Happy 202nd Birthday!” to Pierre-Joseph Proudhon. It looks like the AK Press anthology will be out in February, and I have hopes of having the second issue of *The Mutualist*, “Owning Up,” and Proudhon’s *Third Memoir on Property* finished up by the Bay Area Anarchist Bookfair. I wish I thought that all those releases were likely to advance the debate about mutualism much beyond its current state—but I’m seriously concerned that more translations means more material to take out of context, and an intensification of the tug-of-war over Proudhon’s place in the anarchist tradition.

I don’t think my own understanding of the matter can be much in doubt by now: Proudhon’s mutualism was not a precursor, from which any of the later schools evolved—at least if by “evolved” we mean some sort of development that took the early system seriously in its entirety. Instead, it was an ambitious project from which nearly all of the subsequent schools of anarchism have borrowed *something*, but from which they have also subtracted some elements that Proudhon would have considered essential. But can’t we pick and choose? Sure. There’s nothing about anarchism that means anything has to be drawn from Proudhon’s thought—or anyone else’s, for that matter. But if you’re going to play the game of trying to link Proudhon’s thought to more contemporary schools—whether you’re a social anarchist, a market anarchist, or a two-gun mutualist—you have to engage with the texts in a way which does not remove passages cited from necessary contexts.

For Proudhon, was property “theft”? Yes, from as early as 1840 and on until the end of his life. Was property “impossible”? Yes, and for the same period. Was property “liberty”? Yes, at least from 1846 until the end of his life—and arguably from 1840 as well. For Proudhon was property any of these various things in isolation? Possibly—in the sense that the arguments for “theft” and those for “impossibility” are not necessarily dependent on one another—but it’s probably most accurate to think of those two analyses as aspects of a single critique of property according to its origins and logics. There’s certainly no point in choosing between them, unless you find one of the arguments simply unconvincing. When it’s a question of choosing between “theft” and “liberty,” things are a little more complicated. Arguably, if you follow the logic of *What is Property?* all the way through, “theft” and “liberty” are already tied up in a dialectic bundle a handful of pages after Proudhon declared himself an anarchist. Certainly, by 1846, the suggestion that liberty is a “synthesis of property and community” has given place to an explicit “contradiction” inherent in property, with “theft” and “liberty” as the horns of the dilemma. “La propriété, c’est le vol; la propriété, c’est la liberté : ces deux propositions sont également démontrées et subsistent l’une à côté de l’autre dans le Système des

Contradictions,” he said in 1849 in his *Confessions of a Revolutionary*. “Property is theft; property is liberty: these two propositions are equally demonstrated and subsist beside one another...” And from that point on, nothing changes except that the contradictions become more irreducible, and eventually Proudhon turns his analysis to the *aims* of property—at which point he does a sort of amazing thing, taking the weakest aspect of his 1840 analysis, the treatment of property as “the sum of its abuses,” and finding in it the element that brings his whole analysis together. It is because property is “theft”—because it is absolutist in character—that it can be a force for liberty in the “new theory” of *The Theory of Property*.

Again, anyone is free to borrow elements from Proudhon’s writings for their own project. But to claim derivation or evolution from Proudhon’s thought—or to claim that one has surpassed or superseded that thought—the bar is considerably higher. For that, you need to show that you have understood that thought in some basic way. With Proudhon, that means taking into account the various sorts of serial and/or dialectical approaches he used, all through his career. It means not trying to affirm only one element of a antinomic pair, when Proudhon explicitly affirmed *both-in-the-antinomy*. And it means respecting what he himself said about his methods and commitments.

It’s been almost two years since I first posted a translation of Proudhon’s *Philosophy of Progress*, and I’ve recently returned to it, cleaning up the translation for a New Proudhon Library hardcover edition. Unfortunately, it was one of the items that did not make the cut for the forthcoming anthology, and all I can do is point again to the key passages in it dealing with Proudhon’s basic philosophy and method (in a slightly improved translation.) These passages really do indicate the very heart of Proudhon’s project, the logic that guided him through all the various projects and analyses that he undertook. And they are challenging passages—which demand a great deal more of us than the common mis/understandings of Proudhon’s thought even begin to take in. More importantly, they demand something different from us that just an affirmation or rejection of this or that idea or institution.

If you’re interested in Proudhon, and in the early forms of anarchist thought, give these passages a careful read. If you’ve read them before, another look probably wouldn’t hurt. Pay particular attention to the passages where Proudhon talks about what is “true” and “false.” And the next time someone makes a claim about Proudhon or his particular form of mutualism, ask yourself if it takes into account these very basic elements of Proudhon’s approach.

from Proudhon’s “The Philosophy of Progress”

Nothing persists, said the ancient sages: everything changes, everything flows, everything becomes; consequently, everything remains and everything is connected; by further consequence the entire universe is opposition, balance, equilibrium. There is nothing, neither outside nor inside, apart from that eternal

dance; and the rhythm that commands it, pure form of existences, the supreme idea to which any reality can respond, is the highest conception that reason can attain.

How then are things connected and engendered? How are beings produced and how do they disappear? How is society and nature transformed? This is the sole object of science.

The notion of Progress, carried into all spheres of consciousness and understanding, become the base of practical and speculative reason, must renew the entire system of human knowledge, purge the mind of its last prejudices, replace the constitutions and catechisms in social relations, teach to man all that he can legitimately know, do, hope and fear: the value of his ideas, the definition of his rights, the rule of his actions, the purpose of his existence...

The theory of Progress is the railway of liberty.

...

Progress, once more, is the affirmation of universal movement, consequently the negation every immutable form and formula, of every doctrine of eternity, permanence, impeccability, etc., applied to any being whatever; it is the negation of every permanent order, even that of the universe, and of every subject or object, empirical or transcendental, which does not change.

The Absolute, or absolutism, is, on the contrary, the affirmation of all that Progress denies, the negation of all that it affirms. It is the study, in nature, society, religion, politics, morals, etc., of the eternal, the immutable, the perfect, the definitive, the unconvertible, the undivided; it is, to use a phrase made famous in our parliamentary debates, in all and everywhere, the status quo.

...

From that double and contradictory definition of progress and the absolute is first deduced, as a corollary, a proposition quite strange to our minds, which have been shaped for so long by absolutism: it is that the truth in all things, the real, the positive, the practicable, is what changes, or at least is susceptible to progression, conciliation, transformation; while the false, the fictive, the impossible, the abstract, is everything that presents itself as fixed, entire, complete, unalterable, unailing, not susceptible to modification, conversion, augmentation or diminution, resistant as a consequence to all superior combination, to all synthesis.

...

For me, the response is simple. All ideas are false, that is to say contradictory and irrational, if one takes them in an exclusive and absolute sense, or if one allows oneself to be carried away by that sense; all are true, susceptible to realization and use, if one takes them together with others, or in evolution.

Thus, whether you take for the dominant law of the Republic, either property, like the Romans, or communism, like Lycurgus, or centralization, like Richelieu, or universal suffrage, like Rousseau,—whatever principle you choose, since in your thought it takes precedence over all the others,—your system is

erroneous. There is a fatal tendency to absorption, to purification, exclusion, stasis, leading to ruin. There is not a revolution in human history that could not be easily explained by this.

On the contrary, if you admit in principle that every realization, in society and in nature, results from the combination of opposed elements and their movement, your course is plotted: every proposition which aims, either to advance an overdue idea, or to procure a more intimate combination, a superior agreement, is advantageous for you, and is true. It is in-progress.

...

Such is then, in my opinion, the rule of our conduct and our judgments: there are degrees to existence, to truth and to the good, and the utmost is nothing other than the march of being, the agreement between the largest number of terms, while pure unity and stasis is equivalent to nothingness; it is that every idea, every doctrine that secretly aspires to prepotency and immutability, which aims to eternalize itself, which flatters itself that it gives the last formula of liberty and reason, which consequently conceals, in the folds of its dialectic, exclusion and intolerance; which claims to be true in itself, unalloyed, absolute, eternal, in the manner of a religion, and without consideration for any other; that idea, which denies the movement of mind and the classification of things, is false and fatal, and more, it is incapable of being constituted in reality. This is why the Christian church, founded on an allegedly divine and immutable order, has never been able to establish itself in the strictness of its principle; why the monarchic charters, always leaving too much latitude to innovation and liberty, are always insufficient; why, on the contrary, the Constitution of 1848, in spite of the drawbacks with which it abounds, is still the best and truest of all the political constitutions. While the others obstinately posit themselves in the Absolute, only the Constitution of 1848 has proclaimed its own revision, its perpetual reformability.

With this understood, and the notion of Progress or universal movement introduced into the understanding, admitted into the republic of ideas, facing its antagonist the Absolute, everything changes in appearance for the philosopher. The world of mind, like that of nature, seems turned on its head: logic and metaphysics, religion, politics, economics, jurisprudence, morals, and art all appear with a new physiognomy, revolutionized from top to bottom. What the mind had previously believed true becomes false; that which it had rejected as false becomes true. The influence of the new notion making itself felt by all, and more each day, there soon results a confusion that seems inextricable to superficial observers, and like the symptom of a general folly. In the interregnum which separates the new regime of Progress from the old regime of the Absolute, and during the period while intelligences pass from one to the other, consciousness hesitates and stumbles between its traditions and its aspirations; and as few people know how to distinguish the double passion that they obey, to separate what they affirm or deny in accordance with their belief in the Absolute from that which they deny or affirm in accordance with their

support for Progress, there results for society, from that effervescence of all the fundamental notions, a pell-mell of opinions and interest, a battle of parties, where civilization would soon be ruined, if light did not manage to make itself seen in the void.

Such is the situation that France finds itself in, not only since the revolution of February, but since that of 1789, a situation for which I blame, up to a certain point, the philosophers, the publicists, all those who, having a mission to instruct the people and form opinion, have not seen, or have not wanted to see, that the idea of Progress being from now on universally accepted,—having acquired rights from the bourgeoisie, not only in the schools, but even in the temples,—and raised finally to the category of reason, the old representations of things, natural as well as social, are corrupted, and that it is necessary to construct anew, by means of that new lamp of the understanding, science and the laws.

Dimsit lucem à tenebris! Separation of positive ideas, constructed on the notion of Progress, from the more or less utopian theories that suggest the Absolute: such is, sir, the general thought which guides me. Such is my principle, my idea itself, that which forms the basis and makes the connections in all my judgments. It will be easy for me to show how, in all my controversies, I have thought to obey it: you will say if I have been faithful.

...

Movement exists: this is my fundamental axiom. To say how I acquired the notion of movement would be to say how I think, how I am. It is a question to which I have the right not to respond. Movement is the primitive fact that is revealed at once by experience and reason. I see movement and I sense it; I see it outside of me, and I sense it in me. If I see it outside of me, it is because I sense it in me, and vice versa. The idea of movement is thus given at once by the senses and the understanding; by the senses, since in order to have the idea of movement it is necessary to have seen it; by the understanding, since movement itself, though sensible, is nothing real, and since all that the senses reveal in movement is that the same body which just a moment ago was in a certain place is at the next instant in another.

In order that I may have an idea of movement, it is necessary that a special faculty, what I call the senses, and another faculty that I call the understanding, agree in my CONSCIOUSNESS to furnish it to me: this is all that I can say about the mode of that acquisition. In other words, I discover movement outside because I sense it inside; and I sense it because I see it: at base the two faculties are only one; the inside and the outside are two faces of a single activity; it is impossible for me to go further.

The idea of movement obtained, all the others are deduced from it, intuitions as well as conceptions. It is a wrong, in my opinions, that among the philosophers, some, such as Locke and Condillac, have claimed to account for all ideas with the aid of the senses; others, such as Plato and Descartes, deny the intervention of the senses, and explain everything by innateness; the most

reasonable finally, with Kant at their head, make a distinction between ideas, and explain some by the relation of the senses, and the others by the activity of the understanding. For me, all our ideas, whether intuitions or conceptions, come from the same source, the simultaneous, conjoint, adequate, and at base identical action of the senses and the understanding.

Thus, every intuition or sensible idea is the apperception of a composition, and is itself a composition: now, every composition, whether it exists in nature or it results from an operation of the mind, is the product of a movement. If we were not ourselves a motive power and, at the same time, a receptivity, we would not see objects, because we would be incapable of examining them, of restoring diversity to their unity, as Kant said.

Every conception, on the contrary, indicates an analysis of movement, which is itself still a movement, which I demonstrate in the following manner:

Every movement supposes a direction, $A \rightarrow B$. That proposition is furnished, a priori, by the very notion of movement. The idea of direction, inherent in the idea of movement, being acquired, the imagination takes hold of it and divides it into two terms: A, the side from which movement comes, and B, the side where it goes. These two terms given, the imagination summarizes them in these two others, point of departure and point of arrival, otherwise, principle and aim. Now, the idea of a principle or aim is only a fiction or conception of the imagination, an illusion of the senses. A thorough study shows that there is not, nor could there be, a principle or aim, nor beginning or end, to the perpetual movement which constitutes the universe. These two ideas, purely speculative on our part, indicate in things nothing more than relations. To accord any reality to these notions is to make for oneself a willful illusion.

From that double concept, of commencement or principle, and of aim or end, all the others are deduced. Space and time are two ways of conceiving the interval which separates the two terms assumed from movement, point of departure and point of arrival, principle and aim, beginning and end. Considered in themselves, time and space, notions equally objective or subjective, but essentially analytic, are, because of the analysis which gave rise to them, nothing, less than nothing; they have value only according to the sum of movement or of existence that they are supposed to contain, so that, according to the proportion of movement or existence that it contains, a point can be worth an infinity, and an instant eternity. I treat the idea of cause in the same way: it is still a product of analysis, which, after having made us suppose in movement a principle and a goal, leads us to conclude by supposing further, by a new illusion of empiricism, that the first is the generator of the second, much as in the father we see the author or the cause of his children. But it is always only a relation illegitimately transformed into reality: there is not, in the universe, a first, second, or last cause; there is only one single current of existences. Movement is: that is all. What we call cause or force is only, like that which we call principle, author or motor, a face of movement, the face A; while the effect, the product, the motive, the aim or the end, is face B. In the ensemble of

existences, that distinction has no more place: the sum of causes is identical and adequate to the sum of effects, which is the very negation of both. Movement or, as the theologians say, creation, is the natural state of the universe.

...

From the moment that I conceive of movement as the essence of nature and of mind, it follows first that reasoning, or the art of classifying ideas, is a certain evolution, a history, or, as I have sometimes called it, a series. From this it follows that the syllogism, for example, the king of arguments of the ancient school, has only a hypothetical, conventional and relative value: it is a truncated series, proper only to produce the most innocent babble about the world, by those who do not do not know how to return it to its fullness, by bringing about its full reconstruction.

What I say about the syllogism must be said about the Baconian induction, the dilemma, and all the ancient dialectic.

...

The condition of all existence, after movement, is unquestionably unity; but what is the nature of that unity? If we should consult the theory of Progress, it responds that the unity of all being is essentially synthetic, that it is a unity of composition. Thus the idea of movement, primordial idea of all intelligence, is synthetic, since, as we have just seen, it resolves itself analytically into two terms, which we have represented by this figure, $A \rightarrow B$. Similarly, and for greater reason, all the ideas, intuitions or images that we receive from objects are synthetic in their unity: they are combinations of movements, varied and complicated to infinity, but convergent and single in their collectivity.

That notion of the ONE, at once empirical and intellectual, condition of all reality and existence, has been confused with that of the simple, which results from the series or algebraic expression of movement, and, like cause and effect, principle and aim, beginning and end, is only a conception of the mind, and represents nothing real and true.

It is from this simplism that all of the alleged science of being, ontology, has been deduced.

...

With the idea of movement or progress, all these systems, founded on the categories of substance, causality, subject, object, spirit, matter, etc., fall, or rather explain themselves away, never to reappear again. The notion of being can no longer be sought in an invisible something, whether spirit, body, atom, monad, or what-have-you. It ceases to be simplistic and become synthetic: it is no longer the conception, the fiction of an indivisible, unmodifiable, intransmutable (etc.) *je ne sais quoi*: intelligence, which first posits a synthesis, before attacking it by analysis, admits nothing of that sort a priori. It knows what substance and force are, in themselves; it does not take its elements for realities, since, by the law of the constitution of the mind, the reality disappears,

while it seeks to resolve it into its elements. All that reason knows and affirms is that the being, as well as the idea, is a GROUP.

Just as in logic the idea of movement or progress translates into that other, the series, so, in ontology, it has as a synonym the group. Everything that exists is grouped; everything that forms a group is one. Consequently, it is perceptible, and, consequently, it is. The more numerous and varied the elements and relations which combine in the formation of the group, the more centralizing power will be found there, and the more reality the being will obtain. Apart from the group there are only abstractions and phantoms. The living man is a group, like the plant or the crystal, but of a higher degree than those others; he is more living, more feeling, and more thinking to the degree that his organs, secondary groups, are in a more perfect agreement with one another, and form a more extensive combination. I no longer consider that self, what I call my soul, as a monad, governing, from the sublimity of its so-called spiritual nature, other monads, injuriously considered material: these school distinctions seem senseless to me. I do not occupy myself with that *caput mortuum* of beings, solid, liquid, gas or fluid, that the doctors pompously call SUBSTANCE; I do not even know, as much as I am inclined to suppose it, if there is some thing which responds to the word substance. Pure substance, reduced to its simplest expression, absolutely amorphous, and which one could quite happily call the *pantogene*, since all things come from it, if I cannot exactly say that it is nothing, appears to my reason as if it was not; it is equal to NOTHING. It is the mathematical point, which has no length, no size, no depth, and which nonetheless gives birth to all geometric figures. I consider in each being only its composition, its unity, its properties, its faculties, so that I restore all to a single reason,—variable, susceptible to infinite elevation,—the group.

A Note on Bastiat and “Double Inequality”

Sheldon Richman recently posted an interesting piece on “The Importance of Subjectivism in Economics: The double inequality of value,” over at *The Freeman*. In it, while praising Bastiat, he wants to supplement Bastiat’s account of the benefits of a market economy with “the subjectivist Austrian insight that individuals gain from trade *per se*.”

For an exchange to take place, the two parties must assess the items traded *differently*, with each party valuing what he is to receive more than what he is to give up. If that condition did not hold, no exchange would occur. There must be what Murray Rothbard called a *double inequality of value*. It’s in the logic of human action – what Ludwig von Mises called praxeology. Bastiat, like his classical forebears Smith and Ricardo, erroneously believed (at least explicitly) that people trade *equal* values and that something is wrong when unequal values are exchanged.

Sheldon does a nice job of reading through Bastiat’s *Economic Harmonies*, showing Bastiat’s engagement with the “double inequality,” as expressed in pre-Austrian form by Condillac, as well as referencing Roderick Long’s commentary on the “Gratuity of Credit” debate, concluding that, although the principle had been around for a hundred years, “neither Bastiat nor Proudhon fully and explicitly grasped the Condillac/Austrian point about the double inequality of value.”

Now, as Sheldon shows, Bastiat seems to have *thought* he had “grasped the point,” only to reject it. Indeed, when you look at his discussion of Condillac, he sounds a lot like Proudhon, positing “Exchange” as a more-or-less anarchic “association:”

“...the separation of employments is only another and more permanent manner of uniting our forces—of co-operating, of associating; and it is quite correct to say, as we shall afterwards demonstrate, that the present social organization, provided Exchange is left free and unfettered, is itself a vast and beautiful association—a marvelous association, very different indeed from that dreamt of by the Socialists, since, by an admirable mechanism, it is in perfect accordance with individual independence. Every one can enter and leave it at any moment which suits his convenience. He contributes to it voluntarily, and reaps a satisfaction superior to his contribution, and always increasing—a satisfaction determined by the laws of justice and the nature of things, not by the arbitrary will of a chief.”

And the two propositions about profit and loss (“The profit of one is the loss of another” or “The profit of one is the benefit of another”) are alternately true or false, depending on whether individuals are or are not associated. Compare Proudhon, from the “Revolutionary Program” of 1848:

“Who does not see that the mutualist organization of exchange, of circulation, of credit, of buying and selling, the abolition of taxes and tolls of every nature which place burdens on production and bans on goods, irresistibly push the producers, each following his specialty, towards a centralization analogous with that of the State, but in which no one obeys, no one is dependent, and everyone is free and sovereign?”

Indeed, somewhat uncharacteristically, Proudhon insists so strongly (in that same essay) on the individualization of interests that he talks about “complete insolidarity.” So, however incommensurable the subjective values may be, the dual profit seems to arise, for both Bastiat and Proudhon, from the combination of individualization of interests *and* association, and, in both cases, this seems to occupy some ground between purely emergent phenomena arising from market forces and the more explicit sorts of “utopian,” “communist” or state-socialist association from which Bastiat and Proudhon would both have been striving to differentiate themselves.

Now, it seems to me that the notion of the “double inequality” has at least two major components: 1) the assumption that exchange is conventional, because subjective values are incommensurable; and 2) the assumption that individuals will only trade under circumstances where they individually profit. That second assumption seems to depend a great deal on how you understand “profit,” and it isn’t clear that individual, subjective standards of “profit” are any more commensurable than the values on which they are based. But if we accept the notion that individuals “gain from trade *per se*,” it doesn’t seem to be a notion limited to “freed-market” transactions, and the subjective “profits” don’t seem incompatible with a certain amount of material loss. Like the arguments that claim we are all “proprietors” because we have arms and legs, I suspect this sort of “profit” amounts to pretty cold comfort in a lot of cases. More importantly, though, it points to what a strange thing “exchange” is from at least some Austrian perspectives. The “double inequality” is a rather *a-mutual* notion of exchange, involving no “exchange of values” or even a translation of them. Contrary to at least some of the senses of “catalactics” (“to admit in the community” or “to change from enemy into friend”), this sort of “exchange” seems strangely solitary.

The notion that individual values are subjectively incommensurable was hardly alien to the anarchists generally associated with labor theories of value. Josiah Warren had pretty thoroughly subjectivized “equal exchange” rhetoric as early as the 1820s. His “hour of labor” was, after all, merely a standard—an hour of a particular sort of labor—against which the subjective valuations of individual laborers could be measured. And Proudhon, for whom “equal exchange” was certainly a part of the mutualist program, the incommensurability of values was basic. In *The Philosophy of Progress*, he wrote:

The idea of value is elementary in economics: everyone knows what is meant by it. Nothing is less arbitrary than this idea; it is the comparative relation of products which, at each moment of social life, make up wealth. Value, in a word, indicates a proportion.

Now, a proportion is something mathematical, exact, ideal, something which, by its high intelligibility, excludes caprice and fortune. There is then, on top of supply and demand, a *law* for comparison of values, therefore a *rule* of the evaluation of products.

But that law or rule is a pure idea, of which it is impossible, at any moment, and for any object, to make the precise application, to have the exact and true standard. Products vary constantly in quantity and in quality; the capital in the production and its cost vary equally. The proportion does not remain the same for two instants in a row: a criterion or standard of values is thus impossible. The piece of money, five grams in weight, that we call the *franc*, is not a fixed unity of values: it is only a product like others, which with its weight of five grams at nine-tenths silver and one-tenth alloy, is worth sometimes more, sometimes less than the franc, without us ever being able to know exactly what is its difference from the standard franc.

On what then does commerce rest, since it is proven that, lacking a standard of value, exchange is never equal, although the law of proportionality is rigorous? It is here that liberty comes to the rescue of reason, and compensates for the failures of certainty. Commerce rests on a *convention*, the principle of which is that the parties, after having sought fruitlessly the exact relations of the objects exchanged, come to an agreement to give an expression reputed to be exact, provided that it does not exceed the limits of a certain tolerance. That conventional expression is what we call the *price*.

Thus, in the order of economic ideas, the truth is in the law, and not in the transactions. There is a certainty for the theory, but there is no criterion for practice. There would not even have been practice, and society would be impossible, if, in the absence of a criterion prior and superior to it, human liberty had not found a means to supply it by *contract*.

This is, of course, the “equality in the long term” argument that is central to the “free market anti-capitalism” of Carsonian mutualism—and there’s no downplaying the importance of Kevin Carson’s rediscovery of the compatibility of subjective and labor theories of value. But it would be a mistake, I think, not to highlight the essential differences between the approach we find in Proudhon and that of Rothbard. It seems to me that, like the more solipsistic egoists, the Rothbardian economic actor acts in an essentially solitary manner: whether or not the exchange is “equal,” in either the long or short run, is not his concern, and the willingness of the other trader to trade is just another aspect of scarcity. Reciprocity is not a goal. Instead, it is assumed to be an outcome of “equal” profit-seeking. And the currency in even nominally mutualist circles of notions like “stigmergy”—“indirect coordination,” based on the interactions between actors and the *traces* of other actors—suggests a body of thought in which there is no clear distinction between the Golden Rule and “devil take the hindmost.”

There seems to me to be an enormous difference between exchanges which always work to the profit of all exchangers and exchanges, as we find them in Proudhon’s account, that fundamentally don’t work at all, until some convention—some mutual approximation—is constructed which bridges the gulf

of incommensurability. That approximation is the law of exchange, and, for Proudhon, that law is equality—set up as the standard against which all approximation-by-exchange will be judged. The positing of the law of equality is, at the same time, the creation of the possibility of society (“equal” association), and the condition for that positing and creation is liberty—and liberty is the result of a prior complex interconnection of actors. Implicit association gives rise to liberty, which gives rise to explicit association, which gives rise to the conventions by which exchange and society become really possible.

Regular readers of the blog will probably already see familiar dynamics in this business of a mutual gift bridging the impossible differences between incommensurable regimes of value, but I’ll leave more explicit explorations of all that for another day.

Where, ultimately, does Bastiat come down in all of this? Somewhere in between, I would guess, seeing in the laws of exchange something more natural and harmonious than Proudhon, the philosopher of economic contradictions, but still more concerned with explicit association and its empirical effects than Condillac or Rothbard.

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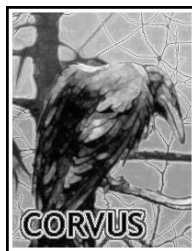
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