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Presuppositions of Locke's Concept of Property And it's Paradoxes

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Abstract

The main aim of this paper is to critically examine the presuppositions of Locke's concept of property which he discussed in his two treatises of government. For this, I began by discussing Locke's theory of property in an extensive format where he tried to see the right of property as an important natural right. Thereby, I move on to see how Marx takes on the issue of private property. However, Marx's understanding of Private Property through the spectacles of exploitation and alienation make him critical of not only private property but of the system of capitalism as whole and thereby suggests revolution for its abolition. Then I have tried to look at the 20th century interpretations and commentaries of Locke's theory of property especially in the writings of Robert Nozick and C.B.Macpherson.

Key-Words: Property; natural right; alienation; Libertarian

Introduction: Property since time immemorial had been point of debate in most of the social science disciplines like political science, philosophy, economics, sociology and psychology. There has been a debate around the concept of private property and its use, which has had its repercussions on the nature, structure and function of society at large.

Modern philosophical discussions focus mostly on the issue of the justification of private property. 'Private property' refers to a system that allocates particular objects like pieces of land to particular individuals to use and manage as they please, to the exclusion of others and to the exclusion also of any detailed control by society.

Though the concept of private property had been seen by many as area of conflict or even basic cause of conflict in the society, the fact cannot be denied that it had been one of the most important cause of human endeavour for excellence, development of individual and free personality and motivation to excel in life.

The concept of property has attracted the attention of very many philosophers across the ages. From the writings of Plato to the most important work in recent years by Rawls and Nozick, there are discussions on property and it's relation with freewill, justice and rights.

There have been different approaches to, and different definitions of, property in Philosophy. Irrespective of these differences what is common to all these different definitions is that property is treated as a means rather than as an end. Property is regarded as a means to the good life, as a condition for achieving freedom or as a condition for the realization of human essence.

It seems that everyone concerned with the question of property is in agreement that property is a means and not an end. However, when one comes to the particular elaborations of the concept of property in philosophy, political science, economics and law, the above-mentioned general statement is difficult to defend. This is so because one defines property in a fragmentary way as relationship between people with regard to the thing, or only as rights, or only as a thing, or as a combination of all of them, with lack of understanding of the complicity of this phenomenon.

The right to property is derived from the general theory of rights. However, it is a complex issue. In the case of other rights, such as liberty, it is easier to detect where an individual's right is likely to come in the way of another's enjoyment of an equal right, so it is easier to determine its proper limit. This is not so easy in the case of the right to property.

Presuppositions of Locke's Concept of Property: The most important view that changed the direction of philosophical thinking about property was John Locke's view. In his *The Second Treatise on Government*, John Locke argues that we do have a natural right to private property and it is this argument that will be primarily focused on in this dissertation. His aim in the text is to defend the right of individuals to own external things, privately and almost without limitation.

Locke considers the view that God gave this Earth to men in common, which is a view based either on natural reason or on a reading of the Bible.

Locke opens his chapter on property with,

“Whether we consider natural reason, which tells us, that men, being once born, have a right to their preservation, and consequently to meat and drink, and such other things, as nature affords for their subsistence: or revelation, which gives us an account of those grants god made of the world [...], 'tis very clear, that God...has given the earth to the children of men, given it to mankind in common.”¹

According to him this view does not explain how people come to have property at all. If property is to remain as common then it can be explained only by assuming a universal monarch. But Locke sets himself the task of showing how men come to have property in parts i.e., individual property. He says, “But I shall endeavour to show how men come to have property in several parts of that which God gave to mankind in common, and that without any express compact of all the commoners.”²

¹ J.Locke, *Treatise of Civil Government*, Ed. by Lamprecht Sterling P., Appleton-Century-Crofts, New York, 1937, #25.

² *Ibid*, #25

Locke argues that god gave this earth to men in common but along with it also gave him power of reason, logic and thought to make best of 'gift' for making their life comfortable. He asserts that, "God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life, and convenience. The earth, and all that is therein, is given to men for the support and comfort of their being."³

Since all these fruits for mankind have been given by nature in common to all the human being so, there must be a means to appropriate it for his beneficial use. According to Locke the greatest property man possesses on his person, is his labour. The labour of a man is his own and he mixes it with nature to create something, the creation consequently, is also his own. By the act of labour a man creates something of his own from what is common and provided by God. The labour of a man becomes the unquestionable property of the labourer and as a result of his labour he puts put a distinction between 'them' and 'common'. Property is created by taking away from the common i.e., from state of nature and distinctly making it his own.

Locke argues that water in fountain is common for all, but what make it individual property is the labour one puts by drawing out water in a pitcher.

He combines the structure of a theory of the first occupancy with an account of the structure of the substantive moral significance of labour. First occupancy theory proceeded on the basis that the first human use of a natural resource—a piece of land—is distinguished from all others in that he did not have to displace anyone else in order to take possession.

Locke is the chief exponent of the theory of property as the fruit of labour. Locke argued that every man by nature has a property in his person: the labour of his body and the work of his hand are exclusively his. Whatsoever then he removes out of nature and mixes with his labour becomes his property, 'at least where there is enough and as good left in common for others'⁴.

Locke claims that human beings own themselves in the same way that individuals may own external things. In Lockean self-ownership, individuals have virtually unlimited rights to control and benefit from the exercise of their own bodies and powers. However, these rights are not absolutely unlimited because individuals do not have the right to harm others using their bodies or powers.

Locke suggests that when a person takes something out of the world by his labour, he is 'mixing' his labour (i.e. part of himself) with that thing, and by the self-ownership thesis, that thing becomes his property in the same way that his body is his property. This establishes and justifies individual's right to property.

³ Ibid, #26

⁴ Ibid, #27

Locke's right to property is not absolute but has limitations. An individual can appropriate only that much for which one had a need and "enough and as good left in common for others"⁵ Thus Locke does not give unfettered right to accumulate property. Lockean concept of property is based on the proposition that anything becomes one's property by the act of 'mixing one's labour' with what is available in common. Anything into which labour is mixed becomes the labourer's property. The only three exceptions being:-

- a) An individual had a right only to that much for which he had mixed his labour.
- b) One should leave enough for others.
- c) Property should not be destroyed in the process.

Thus in the initial phase Locke does not favour unlimited right to property. But with introduction of money, the restriction put-up by Locke goes away. An individual has absolute right to product of his labour which now also has value in form of money. Since money is not destroyed and is convertible, that gives an individual unlimited right to property.

For Locke property is a natural right and his method of appropriation of property and the limitation that he has proposed give a new direction to his arguments. For, Locke it's the creation of money that lifts all the restrictions from the appropriation of money (as explained above). For Locke then what becomes important is the protection of this natural right. Human nature, for Locke, is benign and so, the creation of state is not under compulsions of anarchy (as for Hobbes) but for the promotion and protection of natural rights that is life, liberty and property. So the need of state, creation of civil society is due to the absence of legislature, executive and judiciary which are so, very important for the protection of natural rights of man (which includes property).

C.B.Macpherson⁶ has termed Locke's view regarding the right to Property as a typical expression of the idea of 'possessive individualism'. According to this view, man-the individual- is the absolute natural proprietor of his own capacities, owing nothing to society for them. He is therefore; free to use his capacities in search of satisfaction, provided he does not harm others. Freedom is identified with domination over things as manifested in ownership or possession thereof. Macpherson even claims that the intension or purpose of Locke was to establish a ground and justification for the capitalist society. This statement will be examined in the following chapters of this dissertation.

When Locke argues that each person has a right over himself, it can be derived by implication, that in a free market economy a person has every right to buy and sell his labour (the right to life, liberty and property being a natural right). It is this that makes the worker fall prey to the capitalist system. And thereby in the process of production, as Marx

⁵ Ibid, #27

⁶ C. B. MacPherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford: Clarendon Press, 1962)

believes the labour of the workers gets alienated. This, for Marx takes place in the twin process of commodification and objectification of labour. Here one can bring in a Marxian intervention into Locke's concept of property.

Paradoxes of Locke's Notion of Property: The exceptions to the right of property have some inherent problems in practice. These inherent problems are explicit in Marxian analysis of private property and appropriation. Marx explains private property and appropriation with three basic concepts:-

- a) Surplus value
- b) Commodification, objectification and alienation of labour
- c) Exploitation

For Marx labour is the most important component in the process of production. In the capitalist system a worker is forced to sell his labour for subsistence. The product of his labour is not owned by him, but by the capitalist and this leads to the exploitation of the worker. The process of commodification and objectification goes hand in hand, with the workers lack the consciousness to protest. What happens is that the value of the commodity produced by the worker is much more than what he receives as his wages. The wages are just enough to keep labourer's body and soul together, and the wave of the capitalist system is such that it does not let the worker be self sufficient. So, he is dependent on the system for his survival. In the process of production the worker get alienated at various levels, that is, from the product of his labour, from the fellow workers, from the human species as a whole and in the longer run from his labour itself. This leads to the exploitation of the worker in the hands of capitalist. It is because, "If the product of labour does not belong to the worker, if it confronts him as an alien power, this can only be because it belongs to some other man than the worker"⁷

So, we see an inherent contradiction here, whereby the worker who has mixed his labour into the production of the commodity is not the master but a slave to the commodity itself. Marx's concern is the transition of labour itself into a commodity to be traded. The proletariat workers implement their labour for products which do not become theirs and in so doing, they become alienated from their labour. In fact their labour becomes the property of some other man, because the agency of that labour, the property, transfers to someone else.

Marx objects to capitalism because of the manner in which a worker is alienated from his labour.

"The capitalist, it seems, therefore, buys their labour with money. [The workers] sell him their labour for money"⁸

⁷ K.Marx, *Economic & Philosophic Manuscript* of 1844 first published in MEGA 1,3,1844, pg. 78

⁸ Ibid pg. 204

One of the central problems of Marx is the problem of estrangement or alienation. For Marx alienation was characteristic of those social relations under which the conditions of peoples life and activity, that activity itself, and the relation between people, eventually appear as a force which is alien and even hostile to them. Marx was the first to link alienation with private property and the social system it engenders. He saw that alienation could be overcome only by the abolition of private property and all its consequences.

Labour embodied in an object of labour which has become materialised, Marx stressed is objectification of labour. Objectification of labour denies the worker the joys of life, makes him subsistent to the object of his labour. The product of his labour becomes an alien product. Objectification of labour becomes alienation of labour. The labour process loses its creative substance, and is not attractive to the worker. The worker does not freely develop his body and his mental energy; he suppresses them, mortifies his body and ruins his mind. He belongs not to himself, but to the owner of capital. He forges his own chain. His physical and moral degradation as a result of labour which is forced on him; this leads to, "the loss of his self"⁹.

Now one can note that philosophers have recognised the importance of the institution of property in society and individual life, and therefore have tried to provide some basis on which a legitimate right to private property can rest. The basis which different philosophers provide for the right to private property, of course differs in starting point, and therefore this leads to different consequences of the institution of private property. Moreover the paradox of the concept of property is that even two thinkers (e.g. Locke and Marx) starting with the same premise (i.e., labour theory of property) have produced two different concepts of property, which have serious impact on the notion of freedom, equality and the relation between the individual and state (society).

Further with the onset of economic globalisation, in the second half of 20th century Libertarians like Nozick have tried to remove all obstacles in the way of right to private property, on the premise of absolute individual freedom. Nozick subscribes to the idea of mixing one's labour with an object, thereby making that object part of one's self and extension of one's property. Nozick argues that an individual does not come to own something merely by exerting any amount of labour on it. Nozick reformulates Locke's idea by saying that one does not appropriate something by mixing labour with it, but rather by labouring on it and improving to make it more valuable. By extension, anyone is entitled to own a thing whose value he has created.

Such a view of property has worsened the condition of a large chunk of humanity, inequality is increasing. Such Libertarian thinkers have taken something from Locke's right to property.

In conclusion I can say that this law of appropriation expounded by Locke which is based on his notion of natural rights has for its foundation the merit of a person. The more

⁹ Ibid pg. 71

meritorious is in recognising his opportunities, developing his own capabilities and applying them in the given circumstances and situations, the more private property he can acquire. Merit in this sense is the sole criterion for maximising one's property. This principle can be seen as the basis of modern globalisation the underlying principle of which is survival of the fittest. Locke's theory of property confers on man unlimited right to property without having concern for society. How can one reconcile between absolute right to own private property and social concern?

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