

A CHRISTIAN VIEW OF OWNERSHIP

AMBROSE FARRELL, O.P.

OWNERSHIP has both personal and social aspects. One of the main justifications of personal property is that it is an essential material guarantee of a reasonable freedom and is an incentive to productive work. This is commonly called the profit-motive. Certainly what the ordinary man really wants is a fair distribution of private property and not its abolition. And it is his reasonable hope that he may be allowed to enjoy his property in his declining years and hand it on to his posterity.

The right to full ownership really includes two rights: the right of use and the right of disposal. I may use what I own, and others, without my permission, may not use it. I may sell, lend or give what I own, and so transfer to another my own right of exclusive use.

The proprietor or owner is the one who enjoys the full right to dispose of what is his in so far as it is not prohibited by law or harmful to others. It implies a claim to possess something as one's own, as a due, and therefore imposes constraint (whether by way of forbearance, acquiescence, or active support) on the rest of the world. Thus if a man has a right to a sum of money, this means that someone has also the duty of paying it to him. The thing or object of this right of disposal is property, and the right of disposal itself is ownership. The same principles apply when property is held jointly by a public body or corporation, or by a trust.

Following the conceptions of Roman Law, Blackstone (Comm. I, 138) states that the right of property consists in the free use, enjoyment and disposal of all acquisitions, without any control or diminution, save only by the laws of the land. Ownership bestows on a person the right to dispose of a thing for his private interests as he sees fit.

A possession is defined by Aristotle in the *Politics* (Bk. I, 4) as 'an instrument of action separate from the possessor'. Every possession may have two uses, its primary and proper use, and its secondary use, both belonging to the thing as such. A shoe may be used for wear and for exchange. The

primary purpose of a shoe is not for barter, yet in so using it the shoe is used as a shoe. Exchange arises from the circumstances that some have too little, others too much. (cf. *ibid.* 9.) Something similar may be said of money, which as a medium of exchange is consumed in its primary use. But in present-day economy it has also a secondary use as an instrument of production when it becomes capital. In big concerns the accumulation of wealth as capital is assured by means of shareholding which is a form of partnership in joint-stock.

The origin of money is interestingly described by Aristotle. When the inhabitants of one country became more dependent on those of another, and they imported what they needed, and exported what they had too much of, money necessarily came into use. For the various necessities of life are not easily carried about, and hence men agreed to employ in their dealings with each other something which was intrinsically useful and easily applicable to the purposes of life, for example iron, silver and the like. Of this the value was at first measured simply by size and weight, but in process of time they put a stamp upon it, to save the trouble of weighing and to mark the value. Today the symbol has largely replaced the reality in the form of paper money.

It is outside the competency of any government to confiscate private property in an arbitrary manner. Such seizure may be made as a penal measure, and requisitioning may be just for the public good of the community, providing that due compensation is paid. Pope Pius XII has expressly stated that 'The positive laws regulating private property may change and may grant a more or less restricted use of it; but if such legal provisions are to contribute to the peaceful state of the community, they must prevent the worker, who is or will be the father of a family, from being condemned to an economic dependence or slavery irreconcilable with his rights as a person'. ('The Rights of Man', Broadcast, 1942.)

Many Communists and extreme Socialists condemn private ownership as unjust and injurious, and aim at abolishing either (1) all private property, or (2) the private ownership of productive goods. Many like Hobbes (*Leviathan*, c. 2)

derive the right of private ownership from the laws of the State. On the other hand the United Nations have endeavoured to restore the notion of private property as a natural right in their declaration on ownership. '(i) Everyone has the right to own property alone as well as in association with others. (ii) No one shall be arbitrarily deprived of his property.'

It would be indeed vain to suppose, in a world where the rights of God are denied or considered irrelevant, that the rights of man will be upheld, however much declarations may be made. Loss of belief in God has brought with it a commensurate loss in human values.

Private property in the widest sense may take the form of wages. The *Industrial Relations Handbook* (H.M.S.O., London) defines wages as 'the payment to workers for placing their skill and energy at the disposal of an employer, the method of the use of that skill and energy being at the employer's discretion and the amount of payment being in accordance with terms stipulated in a contract of service'. Unless a person has freedom to work he is no longer master of his own life, and cannot receive his fair share in the wealth of the community, for food, clothing and shelter. The employee, however, is not a substitute for the employer, but a hand to aid him in carrying out an undertaking which it is beyond his powers to accomplish alone. Although the labour-power of the worker is his own personal possession, his work is not a mere commodity to be sold for hard cash. He is worthy of his hire and entitled to just remuneration. Correspondingly there is a reciprocal obligation on the employer to pay a just wage for work done. Commutative justice exacts an equality of proportion between work and its remuneration, having regard to the status of the worker

¹ 'The Universal Declaration of Human Rights', art. 17. Basing itself on this article, whilst yielding to the susceptibilities of Socialist governments, the Council of Europe in the Protocol of March 1952 to the Convention on Human Rights has, in Article 1, laid down that 'no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law'. The Convention and Protocol have been signed by fifteen Foreign Ministers, and ratified by three governments, including that of the United Kingdom.

as a person, and the purchasing value of money in terms of real wages. In the light of these considerations the principle of 'equal pay for equal work' may not in fact come up to the standard that justice requires.

The Popes have been insistent on the payment of a family living-wage as the first step towards the spread of ownership among the workers. Pope Pius XII speaking of the Rights of Man stated that 'the dignity of the human person normally demands the right of the use of earthly goods as the natural foundation for a livelihood; and to that right corresponds the fundamental obligation to grant private property, as far as possible to all'.

The wage-earner as such has no natural right to the ownership of the premises or plant at which he is employed. Such a right does not emerge simply from the wage-contract. Similarly when a man processes raw material which is not his own, the product of his labour belongs to the owner. The more ideal economic system is that in which the worker shares the profits, or is the part owner of the land or industry in which he works. But, as Mr Belloc has observed (in *Economics for Helen*, p. 108), in a capitalist society a man is not compelled by law to work, but he is compelled to work for another by the necessity of living. The same situation is not altered when a government nationalises ownership. But even where ownership of the land and the means of production are well distributed, the more prosperous, unless restricted, will tend to create monopolies and the small owners will gradually lose their ownership, and have to content themselves with subsistence allowance. The multiple store is a classic example of what happens in this way.

The world's wealth is made accessible to the individual either by collectivism or by the institution of private property. There is no preconceived moral law which forbids community of goods. Indeed before the Fall there would have been no private holdings, but possessions would have been held in common, according to each one's need, without danger of strife.² The human person however, is prior to the state, and private ownership existed even before any form of common ownership. The institution of private

² cf. St Thomas, Ia, 98, I, ad 3.

property has evolved by the simple evolution of life. It has been persistently upheld on the grounds that it has been found necessary by the human race in its advance along the road of life.³ This has received recognition in the 'International Declaration of the Rights of Man'. 'It is the duty of every State to recognise for every individual the equal rights of life, liberty and property.' (Article 1.)

M. Maritain has well said, man is an animal born more poverty-stricken than all other animals.⁴ Moreover, he is also a person, which is to say that he is by nature destined to be independent and master of himself. He must win independence by a gradual process in the course of time. For this he must be free to work in order to maintain and to expand his personal autonomy by the acquisition of property as his own. As a person his place in society is to be enriched. Otherwise he cannot enjoy 'freedom from want' which is his inborn right. The right to private ownership of material goods is the great safeguard of those liberties which are proper to the individual as a member of society.

The State certainly has a right to intervene in the economic system for the sake of the common good. Amenities such as parks and roads, being so much in common use, can be best and more justly managed when in the hands of public ownership. This partial state ownership is a very different matter from general state ownership. No government can lawfully nationalise all industries and productive property. Nationalisation on this scale would mean the abolition of the God-given right to private property. Many economists hold the view that the ideal system of land tenure would be co-operative farming. It might well appear at first sight, as far as private ownership is concerned, that there is little difference between the system in which peasants work on state property of collective farms, and that in which large masses of landless peasants work on the land of large private owners. But in fact, as under the Soviet system, state corporation has been used as a powerful instrument for political expansion and the enslavement of the worker.

³ cf. *Mediaeval Socialism*, Bede Jarrett, O.P.

⁴ *The Rights of Man*, Jacques Maritain, p. 10.

Ownership of every kind is a stewardship carrying with it social obligation. The more a man owns, the greater will be his duty to use his wealth for the well-being of the community. There are restricted and just limits to ownership, such as the extreme necessity of others, the common good of society, and the necessary charity to the poor.

Admittedly, the right to live is prior to and more fundamental than the right to private property, and honest work is the normal means of gaining a livelihood. There are still far too many in this country who are unemployed or unemployable. This is undoubtedly a grave social evil which calls for special remedies. And 'private property for all' is a far cry when we consider that countless numbers have not homes of their own because of the housing shortage. This problem has not been solved either by the pre-fabricated house or the council flat with insufficient accommodation for a family of normal size, however well-appointed in other respects.

The Christian view of ownership, whether private or public, is best seen in the Sermon on the Mount, where the ground of possession is not greed and envy but poverty of spirit. There would be no class-warfare if men would see each other as brothers under the Fatherhood of God. Earthly wealth is good, necessary and desirable, but as a means; and the possession of goods is an evil when it becomes life's end. The words of Aquinas are as true now as when they were written, 'External riches are necessary for the good of virtue: since by them we support the body, and help others'. (III. C.G. 133.)