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What Is Property?

Among the most important of inalienable or God-given rights is the right to own property. The term “property” arose from the French word “*propre*,” meaning “[one’s] own, self.” In its most general sense, property is anything that is characteristic of or an extension of the self.

The right to the ownership and control of what we call “private property,” however, is one of the more recently recognized rights. For thousands of years of human history, the notion of property and property rights either did not exist at all, or was the exclusive franchise of nobility. The right to private ownership of property developed over many centuries of mostly English legal experimentation. The concept of private property, meanwhile, was put on a sound philosophical footing by political theorists such as John Locke and Frédéric Bastiat.



Yet the right to property remains unacknowledged or under-acknowledged in much of the world, especially outside of countries whose legal and political traditions arose in northwestern Europe. And even in those countries — including the United States, where the right to private ownership of property was once more perfectly enshrined than anywhere else — private property is routinely disparaged by the media and attacked by legislators.

The right to private property is closely intertwined with what historian J. B. Bury once called “the idea of progress.” The notion that man and society ought to progress, grow, and improve over time is almost exclusively a discovery of Western Civilization; as Bury ably documents, even in the high classical civilization of the Romans and Greeks, there was no belief in progress as we now understand it. The Romans and Greeks always believed in the superintending power of fate, of divinely ordained destiny, for better or for worse. That is, no matter what a man might wish to accomplish, his destiny was dictated by higher powers beyond his control. And outside of classical European civilization, in such ancient cultures as India and China, fate reigned supreme, as evidenced by the pervasive control exerted over those societies by auguries, shamans, divination, zodiacs, and the like.

The idea of progress took root in Western Europe during the Middle Ages, and with it, the idea of property. Individual progress, after all, cannot occur unless the self can be enlarged by personal choice. The doctrine of private property asserts that the individual enjoys a right to goods, both tangible and intangible, that are produced as a result of effort or labor on his part. In this way is material progress made possible. That this right of property inheres even in lower life forms is apparent from the behavior of the beast of prey who defends his kill against scavengers who did not work to procure it, or the



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wasps who protect their paper nest. It is in keeping with natural law that those who work acquire a right of ownership over the fruits of their labor. The “origin of property,” according to Bastiat, is “the ceaseless application of [man’s] faculties to natural resources.”

The natural right to private ownership of property has historically been better respected by the beasts of the field than by mankind. Since time immemorial, men have denigrated property rights and sought to abolish them under a wide range of creative pretexts. Formerly it was fashionable to claim that all property belongs by right only to a monarch or a class of nobility, and everyone else (i.e., the serfs) were merely tenants. Nowadays, this notion is scoffed at, at least in the West — yet newer justifications for the abolition of private property continue to animate the enemies of freedom. For example, Karl Marx, in the *Communist Manifesto*, called for the abolition of “bourgeois” private property — land, factories, and capital generally. Put into practice in the former Soviet Union, in the People’s Republic of China, in Pol Pot’s Cambodia, in Cuba, in North Korea, and in many other communist states past and present, private property has indeed been confiscated on a vast scale — and given to ruling elites. Ordinary Russians were shoehorned onto collective farms — but Communist Party officials continued to enjoy their sumptuous dachas. In practice, the confiscation of private property has only led to its redistribution among the wealthy and powerful.

In more insidious ways, so-called Democratic socialists seek to dilute property rights by confiscatory rates of taxation and myriads of regulations and controls limiting the use, sale, and transfer of private property. In modern America, you are generally no longer free to build, farm, harvest timber, rent, buy, sell, or bequeath your property as you see fit. Every act of improvement of real estate, from digging a pond to building a porch, must be approved by government. Every purchase or sale of securities is tightly scrutinized and regulated by government. Inheritances may also be subject to massive taxes. Though exemptions for these death taxes on both the federal and state levels are high, the taxes may make it difficult if not impossible for a family farm or business to be transferred to heirs without the heirs being forced to sell the business to pay the taxes.

These encroachments on the right of private property are justified in various ways, among them environmental protection, community property values, safety, and egalitarian social “justice,” but all these are merely justifications for the seemingly unappeasable appetite of Big Government for more and more revenue streams.

Perhaps in no other area has the proper role of government been more systematically perverted than in the protection of property rights. Government ought to protect private property from those who wish to acquire it by force or fraud; yet in seeking to destroy, confiscate, or redistribute private property, government makes itself into the supreme thief and con artist. As Bastiat explained, men often long to have what does not belong to them. Converting government into an instrument of “legalized plunder” allows men, under the guise of the benevolent state, to help themselves to one another’s property by proxy — to “rob from selected Peter to pay for collective Paul,” in Kipling’s masterful phrase.

As with all other natural, God-given rights, the right of private property is indispensable to human liberty. Without property, there is no progress, and without progress, the lamp of free civilization is soon extinguished.



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