

The individual right to property ought to be valued above the economic interest of the community.

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Background

One of the most pressing political issues of the 21st century is on the idea of wealth distribution, income inequality, and the corresponding roles and responsibility of civil governments. The discussion rages across traditional and social media but rarely acknowledges the wealth of thought that has been recorded on this age-old tension. Although the question of property rights and the general interests of the community are certainly modern, it would be a serious misstep to feel it is exclusively so. In fact, this debate goes back millennia and includes some of the west's greatest philosophical minds. Plato and Aristotle disagree on the fundamental issues at play, as did the fathers of modern philosophy John Locke and David Hume. As recently as the 1900s modern seminal thinkers such as John Rawls, Peter Vallentyne, and Robert Nozick have gone back and forth on the same ground.

The core question at play through the centuries is simple enough, but endlessly rich. Given the existence of poverty and the morally questionable nature of forcibly removing a man's property, what is the right course of action? To put it another way, is the individual right to property more valuable than the economic interest of the community at large?

Terms

- **The individual right to property:** On a basic level the individual right to property gives individuals the authority over the possession and use of property that, according to the authorities involved, belongs to them. It denies anyone else the right to overrule that authority and use or possess the property without consent. The United Nations Universal Declaration of Human Rights Article 17 says *"(1) Everyone has the right to own property alone as well as in association with others. (2) No one shall be arbitrarily deprived of his or her property."* [1] While nearly all cultures intuitively acknowledge some form of this right, the difficulty is deriving the origin of this right and defining how property goes from a communal or natural resource to an individual's property. This is discussed in greater detail below as it constitutes a

significant portion of the conflict in the resolution.

- **The economic interest of the community:** Economics is defined by Oxford University Press as *“the condition of a region or group as regards material prosperity”*. [2] Thus the economic interests of the community can be described as those things that lead to the material prosperity of the community *as a whole*. Note that because the definition refers to regions and groups, this concept cannot be clearly applied to only certain subsets. For instance, a wealthy nation would be considered economically stronger than a poor nation even if the former contains individuals in poverty and the latter individuals in wealth. It is also worth noting that the resolution *does not* specify that the “community” in question is a geopolitical nation. Thus the debaters would not be required to debate these concepts at a national/global level, and may instead choose if desired to discuss at a state or city level.

Conflict

- There are a wide range of relevant scenarios. On one extreme a libertarian view that rejects even the smallest of taxes and on the other a communist regime. But neither extreme is where you should expect to see the majority of debates take place, as each is problematic for many reasons that are not directly tied to the value clash.

Rather the focus of the debate will likely be on how social, political, and corporate institutions in civil societies address property rights in situations where there is a plausible benefit to the community in limiting those rights. Use of tax money, whether for military, social programs, or infrastructure, is naturally a critical area of interest. But so are things like economic and financial regulations that seek to control the manner in which wealth is created or used. Corporate social policy which seeks to identify opportunities to use corporate wealth for the community rather than granting it to individuals. Or the activity of religious and other non-profit organizations wherein the culture may be influenced to believe that they do not have a right to withhold their abundance from those who are less fortunate. Any one of these entities may, by force or by suggestion, attempt to guide their culture toward either side of the proposed value debate.

- As discussed briefly above the key conflicts in this resolution begin to arise when attempting to define or prove the existence and especially the origin of the right to property. University of Missouri professor of philosophy Peter Vallentyne argues that *“individuals initially fully own themselves, that natural resources are initially unowned, and that individuals initially have certain unilateral moral powers (requiring no consent from others) to use and appropriate unowned natural resources”*. [3] This is a very common justification of property rights.

Before anyone owns something it is fair game. Once someone lays claim to it, it is nobody's prerogative to steal it for themselves. This interpretation is very common and as Vallentyne points out in his book *Libertarianism and Taxation*, it leaves the door open for multiple justifications for taxation. If the owner did nothing special to earn the property in the very beginning then they ought not claim unreasonable offense at having some of it recalled for the sake of others who did not have a chance to claim it themselves.

- Another seminal justification for property rights uses a much more morally driven argument. John Locke, whose work is foundational to many western philosophies, said *"Though the Earth...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 joynd to it something that is his own, and thereby makes it his Property. It being by him removed from the common state Nature placed it in, it hath by this labour something annexed to it, that excludes the common right of other Men."* [4] If the labor of one's hand (or in the age of intellectual property, their brains) is an extension of their person, nobody should have the right to take any of it. The Lockean's only expectation of this rule would be taxation that covers the

protection of that right. Just as we create liberty limiting rules to protect life, we use taxes to fund law enforcement and judicial processes to protect property.

- In contrast to Locke's argument, 18th century philosopher David Hume argued that property rights rather than being inherent and moral are based almost entirely on social or legal construction. *"Our property is nothing but those goods, whose constant possession is establish'd by the laws of society; that is, by the laws of justice. Those, therefore, who make use of the words property, or right, or obligation, before they have explain'd the origin of justice, or even make use of them in that explication, are guilty of a very gross fallacy, and can never reason upon any solid foundation. A man's property is some object related to him. This relation is not natural, but moral, and founded on justice. Tis very preposterous, therefore, to imagine, that we can have any idea of property, without fully comprehending the nature of justice, and shewing its origin in the artifice and contrivance of man. The origin of justice explains that of property."* [5] Humean contemporaries will argue that because property is essentially politically constructed, it can therefore be politically destructed. That is, the right to property ought not to be used to deny the use of heavier taxes for the general welfare or the economic interests of the community.

Philosophy

- **Plato vs Aristotle:** Some of the oldest influential books that guide the debate around this topic are Plato's *Republic* and Aristotle's *Politics*. Each author's work discusses both the morality and the practical impact of acknowledging property rights in a community. Plato's view emphasized the necessity of focusing on the common good. He argued that the best thing for each member of the community was to have that community strengthened. Thus, the more property is held in common, the better, as people would be more focused on the common good. [6] In direct contrast, Aristotle wrote, "*Property should be in a certain sense common, but, as a general rule, private; for, when everyone has a distinct interest, men will not complain of one another, and they will make more progress, because every one will be attending to his own business. And yet by reason of goodness, and in respect of use, 'Friends,' as the proverb says, 'will have all things common.'*" [7]
- **Thomas Aquinas:** In the same spirit as Aristotle, Thomas Aquinas argued "*Now according to the natural order established by Divine Providence, inferior things are ordained for the purpose of succoring [providing for] man's needs by their means. Wherefore the division and appropriation of things which are based on human law, do not preclude the fact that man's needs have to be remedied by means of these very things. Hence whatever certain people have in*

superabundance is due, by natural law, to the purpose of succoring [giving aid to] the poor." [8] Where Aristotle focused on economics, Aquinas argued almost entirely on the grounds of ethics. He expresses here that not only is it morally right for a wealthy person to distribute their wealth to those in need, but indeed it is their moral responsibility to do so.

- **John Rawls:** More recently, the extremely influential work of John Rawls and his theory of justice speaks into this issue. The theory is stated by Rawls as having two principles. First, "*Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.*" Second, "*Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.*" [9] The Rawlsian philosophy would be an excellent basis for a negative position on this resolution. While not denying the justice inherent in things like property rights, he argues that justice also requires the support of the least advantaged.

Affirmative Values

- Self-preservation
- Personal responsibility
- Charity
- Natural rights
- Anti-value: plunder

Negative Values

- Justice
- Charity
- General Welfare
- Dignity
- Anti-value: poverty

Resources

- *Republic* Plato
- *Politics* Aristotle
- *A Theory of Justice* John Rawls
- *Anarchy, State, and Utopia* Robert Nozick
- *Second Treatise on Civil Government* John Locke
- *A Treatise of Human Nature* David Hume
- *Libertarianism and Taxation* Peter Vallentyne

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