What is Property? is one of the most notorious and influential works of social criticism of the nineteenth century and certainly the best-known book by Pierre-Joseph Proudhon, revolutionary author and contemporary of Marx. Proudhon's short answer to this question "Property is theft" was even more notorious, linking private property as it did with the worst features of "bourgeois" political hegemony and exploitation. Yet because of the eagerness of later admirers to place Proudhon in one later tradition or another (socialist, utopian, anarchist, fascist, etc.) the intellectual qualities of his book have never been fully appreciated; nor has his critique of the institution of property been situated properly in the context of nineteenth-century political thought in general. This new translation, with a critical and historical introduction to these neglected aspects of Proudhon's "diabolical work" (as he called it), tries to do justice to the work of this subversive critic who himself, through his assault on the central institution of modern Western society, spent his whole life in quest of social justice.

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PIERRE-JOSEPH PROUDHON

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EDITED AND TRANSLATED BY

DONALD R. KELLEY

AND

BONNIE G. SMITH

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Contents

To the memory of
Sanford Elwitt and Charles Freedeman,
Dix-nueviémistes par excellence,
who had their own answers

Introduction

Pierre-Joseph Proudhon's *What is Property?* (1840) appeared at a crucial point in modern French history. Just ten years before, during the "three glorious days" of revolution in July 1830, the Orleanist monarchy had been founded with a fanfare of liberal bombast and high hopes, in some quarters, of fulfilling the aims of the first French Revolution. "What is the Third Estate?" the Abbé Sieyès had asked in 1789; and his answer – "Everything" – seemed now on the point of fulfillment, with the nation finally and truly united under the general will and according to the principles of liberty and justice. For a time this political dream of bourgeois hegemony, pursued within the framework of constitutional monarchy, was shared by workers as well as members of the propertied elite, who were following François Guizot's famous advice – "Enrich yourselves!"

Before the decade was up, however, the July Monarchy seemed to many observers to have degenerated into a tyranny of wealth and status hardly better than the Old Regime. Love of liberty had turned into a "religion of property." The ruling principle was neither equality nor fraternity but sheer "egoism"; the nation celebrated by Guizot, Michelet, and others had become a scene of class struggle between owners and workers – the haves and the have-nots or, in the parlance of the day, the *prolétaires* versus the *propriétaires*. The vision inspired by the *Trois Glorieuses* had become a social nightmare that portended another, perhaps more fundamental, round of revolution against another corrupt regime, with another basic question posed, most notoriously by Proudhon, about the excluded part of the society.

Radical opposition to the "bourgeois monarchy" took a variety of forms, ranging from vague and sentimental reformism to covert and revolutionary action but agreeing on the centrality of the "social question." Most conspicuous in this opposition were the Christian and utopian schools of "socialism," especially the followers of Henri de Saint-Simon and Charles Fourier, who projected grandiose visions of a just society, drawing on widespread resentments but without posing any really basic threats to contemporary institutions (not even to property, as Proudhon complained about the Fourierists). By 1830 the emergence of working-class movements gave support also to more subversive and "communist" doctrines, which aspired to complete the program of 1789 by promoting an authentically social and at least implicitly proletarian revolution. For many social critics, "labour" began to replace "property" as the central problem to be confronted, and indeed as a seminal issue in the revolutionary movements of 1848.

A significant turning point seemed to be reached in 1840, when conditions and events conspired to heighten anxieties, resentments, and outright "misery" (*misère*, signifying poverty). An economic slump in 1839–40 helped to produce what by September was virtually a general strike in Paris. A month later there was an attempt to assassinate the much-maligned King Louis Philippe, as Guizot emerged as the dominant figure in the ministry of Count Molé and continued to pursue a conservative and manipulative policy to preserve political stability and bourgeois hegemony. Behind this façade of law and order the social question not only loomed but received all kinds of dramatic literary treatment and publicity. The appalling conditions of the working class were most vividly portrayed and statistically measured in Louis Villermé's groundbreaking *Tableau of the Physical and Moral State of the Workers Employed in the Cotton, Wool, and Silk Industry* (1840), which stressed the need for bourgeois control of the proletariat but held out little hope for improvement.[1] It was at this time, too, public attention was stirred by three more inflammatory manifestos provoked by the same problems: Louis Blanc's *Organisation of Labour*, Etienne Cabet's *Voyage to Icaria*, and

[1] *Tableau de l'état physique et morale des ouvriers employés dans les manufactures de coton, de laine, et de soie.*

Proudhon's *What is Property?*[2] All of these works were concerned in one way or another with the question of property, as indeed, at just this time, was the young Karl Marx; but none of these went quite as far as Proudhon in giving the answer (echoing the radicalism of 1793), "Property is Theft!"

Who was this P.-J. Proudhon? A man of the people – "child," he preferred to say – a self-made intellectual, one of the last of the *philosophes*, and a revolutionary anarchist. Through his sensational explorations of the social question that tormented nineteenth-century France, Proudhon created, out of an initial scandal, a tradition of social, economic, and political thought that, however overshadowed in the twentieth century by Marxism, has persisted down to the present day. Having suffered extreme poverty more than once, Proudhon was in a better position than many observers to criticise and perhaps to theorise about this question; having risen in social scale from peasant and printer's apprentice to author, investment counsellor, and political activist, he could appreciate the growing antagonism between the "proprietors" and the "proletarians"; and having endured political persecution for his subversive views, he was anxious to infer connections between the social question – poverty, class division, and proto-revolutionary ferment – and the behavior of government. All of these themes met in the debates over the institution of private property, which became the subject of Proudhon's most provocative book as well as the obsession of a lifetime.

Pierre-Joseph Proudhon was born in Besançon in 1809, the produce of "pure Jurassic soil" and a family that had been poor but, he proudly declared, free "from time immemorial" (*Mémoires*, 15). He came from the "unfortunate" (*maudite*) branch of the family – the one destined, he later wrote, "to lawsuits, prison, poverty, and revolt" – as distinguished from the "fortunate" (*bénigne*) side that had produced an impressive line of churchmen and lawyers, including his cousin, J.-B.-V. Proudhon, Professor of Law at the University of Dijon, who was later to be a target of the younger Proudhon's criticism. Pierre-Joseph's character and inspiration derived not only from his peasant-proletarian heritage but also from a larger national sentiment ("O

[2] Blanc, *Organisation du travail*; Cabet, *Voyage en Icarie*; and see Christopher Johnson, *Utopian Communism in Europe 1839–1851: Cabet and the Icarians* (Ithaca, 1974), 66.

patrie, patrie française," he chanted, "patrie de la liberté" [*Mémoires*, 15]) produced by the Revolution and from the Catholic religion as it appeared to his innocent and idealistic eyes. Yet in the end it was only the "proletarian" part of the people that he chose to celebrate and to champion.

Proudhon received a good classical education at the Collège Royal in Besançon (1820–27), but he was shaped as much by his restless travels, job-hunting, and personal contacts, including, in 1829, a six-week infatuation with the "bizarre genius," Charles Fourier, whose ideas he was later to attack. By then Proudhon was already a republican, on the road to his own peculiar brand of Christian socialism. In these years before finding his social calling, Proudhon experienced not only poverty but also a variety of personal troubles that tormented him, though without undermining his essential optimism. In 1833 the death of his brother Jean-Etienne, as a result of his military training, turned Proudhon irrevocably against the established order. In 1836 Gustav Fallot, his close friend in Besançon and Paris, also died; and two years later another friend, Lambert, committed suicide. With Lambert, Proudhon had formed a printing firm (Lambert & Co.), which marked his promotion from apprentice to master but which kept him on the edge of bankruptcy and served mainly to give him another taste of economic and professional failure. At this time (around 1838) Proudhon also went through some sort of sexual crisis, the last evidence of this aspect of his personal experience before his marriage ten years later (Woodcock, 33). Toward women in general Proudhon's attitude was fairly characteristic of his age, on the one hand idealising them in almost chivalric style but on the other denying them any place on his socialist agenda – and at one point proposing bluntly to "exclude them from society."

Drawn increasingly from the provinces to Paris, where most of the action and almost all the talk was to be found, Proudhon shifted his sights increasingly from his own tormented and deprived *Moi* to the equally miserable *Société* at large. Proudhon grew up in a climate of extraordinary political cross-winds and storms marked above all by two very different "revolutions" – that of 1830 producing the July Monarchy and the revolution of 1848 ("revolution without an idea," as he later called it) which brought about the defeat of socialism. His *What is Property?* appeared, then, in the heyday both of bourgeois ascendancy and of rising socialist protest; and it must be understood

in the context of a generation not only torn by class resentment but also informed by simplistic (and "utopian") solutions to the social question, which Proudhon reformulated in his own peculiar, ultimately "anarchistic" way.

For some, like Guizot and Michelet, the victory of 1830 seemed to be the fulfillment of the first French Revolution; for others, like Louis Blanc and Karl (or, in these years, "Charles") Marx, its betrayal. The July Monarchy was the arena of the liberal drive for wealth and power, a renewed Christian religiosity, the communitarian dreams of the Saint-Simonians and Fourierists, the embryonic communism of Cabet and Marx, the launching of Positivism, the emergence of the new science of political economy, and widespread fear that the nation created by the revolutions of 1789 and 1830 was splitting into two warring classes – the rich and what Saint-Simon famously called "the poor and most numerous" – that were headed for another and even more fundamental explosion. It was in the context of this social and intellectual turmoil that Proudhon hatched his first scheme of social redemption, which was the achieving, or the restoring, of community and sociability through the abolition of what was at once the source of the rampant and unsocialised egoism of the July Monarchy and the institutional keystone of bourgeois government – private property.

"My public life began in 1837," he wrote in his Rousseauean *Confessions*, "in full Orleanist corruption" (*en pleine corruption philippiste* [*Mémoires*, 44]). The year before he had begun work on a project which he hoped would qualify him for the triennial scholarship given by the Academy of Besançon in the name of J.-B. Suard, a local luminary and impenitent royalist who died in 1817 and whose widow administered the fund. On 31 May 1837 Proudhon, boasting of his "working-class" origins, addressed his first letter to the Academy, outlining his heaven- and earth-storming project of finding "new ways in philosophy" and of creating "a complete system joined to religious and philosophical beliefs" (*Mémoires*, 43). The topic was "On the Utility of the Celebration of the Sabbath," but Proudhon was awarded only a bronze medal. The winner of the prize was Proudhon's older friend and correspondent and soon to be professor at the University of Besançon, Jacques Tissot, whose book, also published in 1840, treated "suicide mania and the spirit of revolt, their causes and their remedies," in a properly objective (i.e., statistical),

yet conservative fashion.[3] Proudhon found this treatment of a fundamental social evil inadequate and regretted that his own contribution (published by Lambert & Co.), which linked the institution of a day of rest to "a political system based on social equality," had not received such recognition. It was in the course of this work, however, that he found (as Marx was also finding) his way not only to philosophy but also to a solution of the social question – that is, in the new science of political (some called it "social") economy.

He would try again, this time with better preparation. Coming across the topic of political economy in the catalogue of the library of Besançon, Proudhon later recalled, "I began to read" (*Mémoires*, 46). The reading notes he took from about this time afford extraordinary insights into his mental and emotional development at this crucial period of his life.[4] These notes contain not only extensive passages copied out of books and his critical reactions (carefully marked "P") but also comments on various lectures he attended in Paris (by Michelet, Théodore Jouffroy, Jules Simon, and others), revisions and drafts for his work in progress, and occasionally personal revelations and social criticism. They portray him on an emotional roller-coaster moving from highs of philosophical speculation to lows of psychological despair and social protest and form a fascinating gloss on – or hypertext to – *What is Property?*

Some of these manuscript notes concern his earlier work on the sabbath (for which he consulted the *Encyclopédie* of Diderot) and another on general grammar, which reflected his belief that the study of languages and philosophy was essential to an understanding of human nature and its social discontents. This work carried on the universalist investigations of language begun by the Port-Royal grammarians and by Condillac's work on the origin of language. Proudhon soon became aware that the new discoveries in comparative linguistics made such speculations obsolete, and he turned to more "positive" approaches. He already possessed a fine knowledge of Latin – indeed claimed normally to think in this language and adorned his rhetoric

[3] Tissot, *De la manie du suicide et de l'esprit de révolte, de leurs causes et de leurs remèdes* (Paris, 1840).

[4] Bibliothèque National, Manuscrits français, N. A., 18255–18263 ("Economie. Notes, Extraits et fragments"), including 25 *cahiers*, with Proudhon's own index (MS 18257, ff. 1–3), but not yet described in a published catalogue. The essential references here will be identified by volume and folio numbers.

with classical tags – and he made preliminary efforts to learn the elements of German and even Sanskrit as well. In his writings he frequently resorted to old-fashioned philological and etymological arguments to demonstrate the antiquity or embeddedness of particular institutions or practices, such, most notably, as "theft."

But his attention was soon directed to more frontal approaches to social philosophy. "I am reading the *Spirit of the Laws* of Montesquieu, "he wrote on 8 December 1838 (MS 18256, f. 5); but unfortunately, he added, there was "nothing further from scientific method" than this old classic, at least for his purpose, which was nothing less than "to found a new philosophy." Four months later he noted, "I have begun reading the *Social Contract*" (MS 18256, f. 93). With Rousseau's work he was more impressed, especially for its "powerful, vigorous, and energetic" style; as for its thesis, that was "as bold as it is possible to express, even today." Proudhon had reservations about Rousseau's theory of a "pure" state of nature, but in a literary and polemical way he had obviously found a model, and a dangerous one at that. As a friend wrote, "You are not Rousseau";[5] but Proudhon, afflicted by his own sort of anarchic egoism, would never heed such warnings and continued stubbornly in his quest for equality – and, in this connection, recognition.

He studied many other classics as well, including Hugo Grotius, to whom he assumed Rousseau to be responding (MS 18256, ff. 76–84); Sieyès; members of the Scottish school, beginning with Thomas Reid (in Jouffroy's translation); and going on to other fashionable German philosophers, especially Kant and Hegel (also in translation, of course). He was also much struck by Vico's philosophy of history. He did not care for Vico's views about the significance of "barbarism" or his cycles (*cours*), but he did agree wholeheartedly with his axiom that the order of ideas followed the order of things (MS 18256, f. 68). Like virtually all of his French contemporaries, Proudhon read Vico's *Science nouvelle* in Michelet's translation, and it is interesting that Proudhon was also attending Michelet's lectures at just about this time (25 Nov. 1839, 6 Jan. 1940 [MS 18256, f. 104; 18258, f. 33]). Again it was less Michelet's substance than his style – and the crowds he attracted to the Collège de France – that seems to have made the greatest impression.

[5] *Correspondance*, I, xiv–xvi.

Proudhon's major concern in these studies, however, was with the Eclectic philosophy of Victor Cousin, which dominated the academic culture of France under the July Monarchy (MS 18256, ff. 12–23; 18257, ff. 137–42). It was mainly through Cousin's writings, translations, and influence (encouraging Michelet's translation of Vico, for example, and Edgar Quinet's of Herder) that Proudhon derived his knowledge of non-French thought. Proudhon was not lucky enough, he lamented, to have a personal acquaintance with Cousin or other leaders of academic culture (Guizot, Villemain, etc.), but he did attend the lectures of such disciples of Cousin as Jouffroy and Simon, and he studied Cousin's own works with intensity, regarding them as the ideological basis of liberal hegemony and exploitation.

Cousin's method, too, was exploitative. "Cousin takes from everyone," Proudhon complained; "he modifies, adds, adjusts, and then he calls himself a philosopher" (MS 18256, f. 14). "Monsieur Cousin always says the best things in the world," he added, "but he does nothing." Cousin's point of departure was the Cartesian principle, "I think, therefore I am"; and in the opinion of Proudhon and other critics of Cousin, this *Cogito* led directly to the materialist concern with the *Moi* – the gross egoism – of the "bourgeois monarchy." What made this unsociable attitude worse was the Cousinian view of history, which found its legitimacy in the past, especially in the victors, and more especially in the beneficiaries of the Revolution of 1830. In general, as Proudhon had learned from Simon (who had opened his course by declaring his allegiance to this school), "The principle of Eclecticism is that there is nothing absolutely false in history" (MS 18256, f. 145). Proudhon came finally to scorn Cousin as a "charlatan" in "perpetual confusion" and to associate him with the contemptible notion of deriving principle from historical contingency. This was an immoral way – as Marx also charged – of basing philosophy on history, which (as Guizot and other liberals also taught) was the story of the winners.

More directly tied to – and responsible for – the social question than the official philosophers of the July Monarchy were the jurists; and much of Proudhon's study was devoted to the technical works of legal apologists and commentators on the Civil Code such as Charles Toullier, Charles Comte, and A.-L.-M. Hennequin as well as his late cousin, J.-B.-V. Proudhon (MS 18256, ff. 84–89, 23–39; MS 18258, ff. 3–7). Here Proudhon found the intersection between the

two main tendencies which had produced the social question of his own time: the authoritarian method that justified all institutions on the bases of the Civil Code (and the Charter of 1815 which authorized it), the unchecked growth of selfishness as expressed in the principle of private property formulated by this same Code, and especially the fundamental confusion underlying the social question: "Property," he wrote: "The whole question is enclosed in these words: *property, possession*. Possession is for all, property for none" (MS 18256, f. 41v). This was exactly the thesis of his forthcoming book.

But if the jurists were the masters of the law of property, the political economists were the masters of its reality; and very much like the young Marx, Proudhon experienced a turn – almost a conversion – to this new form of social science. "The first philosophy [the name traditionally given to metaphysics] is nothing else than economic Science," he confided to his notebook; and indeed *la Science économique* "presides over, follows, and therefore envelopes all other sciences . . . " (MS 18255, f. 43). In this conviction Proudhon turned especially to the writings of J.-B. Say, Charles Comte, Destutt de Tracy, Joseph Droz, and other contemporary economists, though again he read their books with a skeptical eye and cutting analysis (MS 18257, ff. 166–74; MS 18256, ff. 23–39, 59–64, 41–49). These men, too, he judged harshly, calling both Say and Comte "imbeciles." If anything they were worse than the lawyers and theologians in their defense of inequality and injustice. "I have spoken with small respect for jurisprudence," as Proudhon admitted in *What is Property?* "I have been pitiless in criticising the economists, for whom in general I have no liking . . . , [and] I have severely blamed the Christian church, as I am obliged to do."

Proudhon was not exaggerating when he boasted, "I have read a hundred volumes of philosophy, law, political economy, and history" (Haubtmann, 219), but more than erudition went into the making of *What is Property?* His notebooks also reflect a terrible confusion of personal distress and social outrage. In *Le National* he read many tragic stories of deprivation and death. In early February 1840 he reported the case of a sixteen-year-old girl from Tally-sur-Meuse who had died of starvation (MS 18257, 85), and he contrasted this with the 100,000 fr. salary of Mlle Rachel, a popular French singer (a reference which he retained in *What is Property?*). "The poor are

dying of hunger every day," he lamented. At this same crucial time he also wrote: "I have been agonising and giving way to the pressure of my needs and the feeling of being abandoned to an unfortunate future. I see the impossibility of escaping my troubles, which come from the ignorance of the people and the bad will of those who abuse and oppress my forces." In this state of mind, identifying his own ego with the *Pauvre Peuple*, Proudhon found a new identity. "I am not an author," he wrote (MS 18257, 84). "I am a proletarian . . . "

Yet Proudhon's depressive states alternated with intellectual euphoria, and his reinflated ego gave him renewed confidence in his philosophical and political destiny. "My conscience is mine," he wrote; "my justice is mine, and my liberty is sovereign" (*Mémoires*, 33). From the standpoint of such eclectic egoism Proudhon went off in search of his social program. "I do not invent ideas," he declared arrogantly; "I see, I judge, I write" (*Mémoires*, 44). His notes show him struggling with the rhetorical tactics of his subversive thesis, consciously taking Sieyès's "What is the Third Estate?" as his inspiration, drafting and crossing out several versions until he got it right (MS 18256, f. 105v–6r). But always "La propriété c'est le vol." And – again crossed out and then repeated – "What a revolution in ideas!" These phrases were all retained in *What is Property?*

Sometimes Proudhon thought of his book as his political testament and framed it as his last will (MS 18256, f. 73):

> Pierre Joseph Proudhon, printer, to all these present and all those disinterested and of good faith, I am . . . etc. I bring a new truth, a new Gospel, an *Evangelium novum*, or at least I offer a deplorable example of human folly. However, if I am not deceived, I have done a great service to humanity, which is to show better than any one [the reasons for] the impossibility of establishing equality and fraternity among men.

Yet Proudhon insisted and always would insist that he was no revolutionary; he was only a philosopher who was revealing a truth rooted in human nature and showing how "reform should be from the bottom up and not from the top down" (MS 18256, f. 41).[6]

His position set, his learning marshalled, and his arguments

[6] "J'ai montré que la réforme devait être commencée par le bas, et venir du haut, et non par le haut d'en bas."

sharpened, Proudhon determined to set off his bombshell at all costs. To his good friend Bergman he wrote (9 February) darkly about being a martyr as well as a prophet, adding that he really expected nothing from the public at large, who were mainly "egoists," or even from his patrons, whom he termed "cowards," and wrote only for the pure souls who counted among his friends (*Correspondance*, I, 176). To his cousin J.-B. Proudhon, son of the "Professor," he boasted (29 February) that he "had certain truths to make known" (*Correspondance*, I, 199) and that he would proclaim these "at any cost." "No, my cousin," he wrote in May, "I am not crazy" – and went on to publish, less than two months later, what he described proudly as this "diabolical work which frightens even me" (*Correspondance*, I, 296).

One further aspect of Proudhon's experience, though it has escaped notice, surely gave incentive and direction to his polemic, and this was his family situation – and more specifically his relationship with this same cousin, from whom he had asked support for his failing printing business. In June 1839 Pierre-Joseph was already falling out of favour (*Correspondance*, I, 136). "Monsieur Proudhon is irritated with me and my 'obstinacy' in not selling [the printing firm]," he told Bergman. "He accuses me of being less than frank and a man who goes back on his word" (*qui dit et contredit*). There is also a suggestion that Proudhon's radical business associates may have reinforced this distrust.

But there was a much more fundamental ideological barrier separating the "fortunate" and the "unfortunate" Proudhons. Just a year earlier Professor Proudhon's own great *Treatise on the Domain of Property* was published posthumously in Dijon by another of his sons (Camille) and the manuscript deposited in the Besançon public library where Pierre-Joseph had done so much of his reading.[7] Deliberately or not, the young Proudhon's inflammatory *livre du circonstance* establishes a fascinating dialogue not only with conventional jurisprudence in general but with his recently deceased cousin.

Professor Proudhon, too, had faced the social question and had no less dogmatic – and considerably more authoritative – opinions

[7] J.-B.-V. Proudhon, *Traité du domain de propriété, ou de la distinction des biens* (Dijon, 1839), I, introduction. See especially Gabriel Dumay, *Etude sur la vie et les travaux de Proudhon, doyen de la Faculté de droit de Dijon* (Autun, 1878).

on the subject.[8] In his great treatise the Professor's fulsome rhetoric parallels P.-J.'s own in its invocation of *la Patrie*, the importance of property for morality, the primacy of "natural law," and especially the theme of "egoism" – though for him it was an egoism "purified by property." In effect Professor Proudhon had supplied his own answer to the Academy's prize question: "How can society, to which the Author of Nature has destined us and into which we were born, survive without the division of property?" he asked. "Therefore, let us conclude in general that prudence, probity, morality, industry, enlightenment, the spirit of order, and the love of public tranquillity are all equally associated with property" – which therefore is "not only the nursing mother of the human race but also the foundation of all possible tranquillity among men in the social state to which they are called by nature."[9]

No less than Pierre-Joseph the late Professor had acknowledged the social question, but of course he viewed it from the other side of the class barrier: "Who is it that, with complete good faith and without hope of gain, urges the necessary measures to prevent destruction . . . ?" he asked – and then answered:

> The proprietors. And who is it on the other hand that, hypocritically and in the hope of hiding their thefts, promote disorder to achieve their ends? Needless to say, the vagabonds and the proletarians.[10]

From these premises Professor Proudhon drew three conclusions of special notice

> The first was that theft [*le vol*] is a crime condemned by natural as well as civil law because it is a violation of the right of property which is founded on both these laws . . . The second is that every project of levelling fortunes can only be an extravagant dream of those who deliberately conceive it as contrary to natural law . . . The third, finally, is that, for a moment supposing it possible to achieve this levelling of fortunes, it would cease to exist the next day because there exists neither the means nor the motives to preserve it

– and if imposed by force, he added, it would lead to the destruction of society.

[8] *Traité*, I, 51. [9] *Traité*, I, 55. [10] *Traité*, I, 51.

Pierre-Joseph was well acquainted with his late cousin's work in general (MS 18256, f. 26), and it was surely not inadvertent that, identifying with just this class of *prolétaires*, he should turn the charge of "theft" back on those whom he regarded as the true egoists.[11] It may have provoked Proudhon further that the Professor should also have included, among the other benefits of property, its value for the support and "good education" of the children – something not vouchsafed more remote relatives such as Pierre-Joseph. In any case his work can be read to some extent both as an act of revenge against his fortunate but less than helpful relatives and as a rejection of the ideology which supported their good fortune and their social values, if not a parody of the orthodox arguments of his cousin. In presenting his own paradoxical answer to the question of property, moreover, he was in effect making criminals of the whole line of juridical apologists for property.

Under these burdens of resentment and erudition and spurred by ambition and social conscience, the young Proudhon turned to the prize topic for 1840, which focused on the economic and social consequences of the law concerning the equal division of property among children; and as he had done before, he translated the topic into a question about "social evil" in general. In his treatment of the question he returned to the source of his experience and resentment, but now he projected it into a philosophical dimension and onto a national and even world stage. His theme was the eternal conflict between poverty (*la misère*) and its social opposite, *la propriété*. "The cause I defend is that of the poor," he wrote; and, "poverty is good, and we should see it as the cause of our happiness" (*Mémoires*, 1, 21). Impressive hyperbole, but had Proudhon forgotten his own bitter reaction to poverty, his thoughts of suicide, and the terrible dream of becoming himself a "thief"?

So in any case, on 1 July 1840, Proudhon's book appeared in 500 copies (with 3,000 more in a second edition the following year). At first it was more of an embarrassment than a bombshell; and Proudhon cannot have been surprised at the reaction of his patrons, whom privately, and several months before the appearance of the book, he

[11] Proudhon mentioned his late relative only briefly in his published work, but the choice of Charles Toullier served as well, since Toullier was a lifelong friend and supporter of Professor Proudhon (and indeed the corrspondence between the two was published in the introduction to the *Traité du domain de propriété*).

referred to as cowards and egoists (*Correspondance*, I, 179). The members of the Academy of Besançon did not respond to his request to dedicate his book to them, and when they saw the conclusion – "Property is Theft" – they voted to disavow his "detestable brochure." It was only through the distinguished economist Auguste Blanqui's support, conditional though it was, that Proudhon was permitted to keep his stipend.[12] A "second memoir" in the form of a reply to Blanqui appeared the following spring (2,000 copies), and a third, rather repetitive memoir in early 1842, addressed to Victor Considérant, chosen as representing the Fourierists, who had responded to Proudhon's criticisms in his first memoir. This phase of Proudhon's career ended with his being summoned to the local court of Doubs to answer a series of exaggerated charges ("assassination, pillage, insurrection, refusal to work, regicide," etc.) based on his publication. After an oral defense that drew some applause, he recalled, the jury decided that the matter was too technical ("scientific") for them to judge. The unrepentant Proudhon was thereupon acquitted, his brain-child and other offspring loosed upon the world (Haubtmann, 302–8).

What is the message of Proudhon's "diabolical work"? Among other things it is an updated variation on the theme introduced by Rousseau almost a century earlier: "Man is born free but is everywhere in chains" (*Contrat social*, I, 1). So, too, according to Proudhon. And how had this come about? Rousseau pretended not to care about this but only about the problem of the legitimacy of this state of affairs. Proudhon, however, was interested in both questions; and – despite the similar emotional fervor, rhetorical excess, and first-person orientation – this broader concern accounts for the extraordinary difference between Rousseau's abstract moralising and Proudhon's deep engagement with history, traditional learning, and the intricacies of positive law.

In general Proudhon set great store by his rigorous "demonstrations," but often rhetoric takes precedence over logic to produce

[12] Later Blanqui remarked (*Histoire de l'économie politique en Europe depuis les anciens jusqu'à nos jours* [Paris, 1865], II, 378): "In the first edition of this work the author had made this response [to the question, "what is property?"]: *Property is Theft*. Monsieur Proudhon, a man with much talent, offended by the abuse of property, finds nothing simpler than to abolish the principle itself. But while totally deploring this error, one should not overlook in his book views of great boldness and a rigor of logic worthy of a better thesis."

contradictions that may well trouble more literal-minded readers. Is poverty the source of goodness or the worst of evils, or both? Is Proudhon constructing a system or not? Is he interested in the history of property or not? And, above all, *What is Property?* Is it "nothing" (as he wrote in 1840), or is it "everything" (1855), or both? It all depended on his rhetorical mood. Very well, then, Proudhon contradicts himself; let us proceed from there, because he is at least clear about what he wants and what he does not want.

From the beginning two things have prevented a proper appreciation of Proudhon's work in historical terms. One is due to the aftershock of Marxist criticism, which has relegated him to the ranks of the utopians. Marx himself was no less emotional than Proudhon in his critiques of bourgeois society and perhaps no more insightful an observer of its failings and evils; but he did make more extreme claims for the scientific status of his theories; and his sarcastic inversion of Proudhon's *Philosophy of Poverty* (in his *Poverty of Philosophy*) was a source of long and even posthumous embarrassment.

The second obstacle to an understanding of Proudhon has been the virtually unanimous tendency to read his work in the light of some post-Proudhonian ideology or another – French communism, anarchism, syndicalism, federalism, or merely a radical brand of Christian socialism or political economy. Yet it should be clear that Proudhon, like Marx, cannot be appreciated without serious consideration of the conceptual context of the post-revolutionary Europe in which he lived – and from whose intellectual and social prejudices he struggled to extricate himself, especially with regard to the labyrinthine question of private property.

Like Marx, Proudhon was caught for a time in the coils of conventional learning – not only political philosophy but also legal science, which offered each of them the first target of his criticism.[13] It was in the law, too, that the definition of private property was embedded, and both struggled at great length with this problem. In 1843 Proudhon was still toying with the idea of working from inside of the legal profession – to study the law formally and in particular "to prepare this thesis for the doctorate: what is good in the [Civil] Code or in one of the Codes" (*Carnets*, I, 64). His Rousseauean ego led him

[13] See the discussion by Donald R. Kelley and Bonnie Smith, "What Was Property? Legal Dimensions of the Social Question in France (1789–1848)," *Proceedings of the American Philosophical Society*, 128 (1984), 200–30.

down other, more fundamental avenues of inquiry and action; but jurisprudence continued to represent the great ideological Other which, through the superior resources of political economy, had to be overthrown.

Proudhon grew up in what E. M. Forster was to call the "age of property." Private property was indeed an object of worship among the *bourgeois conquérants* of the early nineteenth century; and jurists like the elder, the Professor, Proudhon were the high priests of this institutional embodiment of the Revolution – "its internal support," as Hippolyte Taine wrote, "its primary force, and its historical meaning."[14] Although the product of an exercise in what Raymond Troplong (another of Pierre-Joseph's targets) called "dividing the spoils,"[15] property became an "inviolable and sacred right," according to a revolutionary maxim repeated continually from 1789 to 1804, when it was canonised in article 544 of the Code. After this it was repeated, glossed, inflated, and embroidered upon in the pious rhetoric – the "dythrambs" repeated by Prof. Proudhon – of generations of commentators.

In Proudhon's day the institution of property, which was the most significant legacy of the Revolution, represented a sensitive issue on practical as well as theoretical grounds. First there had been the massive dispossessions following revolutionary confiscations, further embittered by the debates over the Law of Indemnity of 1825; and then there was the threat to private fortunes posed by the crucial qualification to the "absolute" character of private property (art. 544), which was that in some cases "public utility" might override private rights (art. 545). For Proudhon this was simply another form of political confiscation. The contradictions, the irony, and the hypocrisy thus produced by the lawyers, especially in their claims to have separated property from all political considerations, were insupportable; and Proudhon proposed to do something about the situation.

But before treating the political theory of property, he had to deal with these legal foundations. The difficulty stemmed from the tangle of three separate legal traditions making up what one scholar has called the "classificatory" genitive[16] – namely, property, possession,

[14] *Les Origines de la France contemporaine* (Paris, 1878), II, 386.
[15] *De la Prescription* (Paris, 1857, 4th edn.), I, 203.
[16] C. Reinold Noyes, *The Institution of Property* (New York, 1936), and Kelley and Smith, "What was Property?" and further literature.

and prescription, and more specifically the confusion between property, which signified titled ownership, and possession, which is based on occupation, seizin, or simple "prehension," and real "enjoyment," or exploitation. Then possession, by right of prescription, became legal (according to the Civil Code, following Old Regime precedents) after a year and a day of demonstrable and peaceable occupation.

In the early nineteenth century France was torn by a massive and politically charged debate over questions of possession, since it seemed to be logically prior to property and since it was an amphibious category defined as "fact" as well as "law" (comparable to the English maxim, "possession is nine points of the law"). One common view was that the "fact" of possession represented the origin of – that is, evolved into the right of – property; and it was this cynical argument that so outraged critics like Proudhon and Marx. "It is a rule of jurisprudence," Proudhon wrote in *What is Property?*, "that a fact does not substantiate a right." Such a "monstrous" view, held by jurists as well as historians, seemed to legitimise egoism and immorality. The natural law tradition – the philosophical school of law, which claimed Proudhon's as for a time it did Marx's allegiance over the rival "historical school" – held that property should be identified with possession and thus with its productive and civilising "use."

It was Proudhon's task to show the irrationality and injustice of these legal distinctions, and in order to do so he was obliged to confront not only the political theory of property as developed by Grotius and the jusnaturalists but also the progression whose licensed members in the nineteenth century still claimed to be "priests of the law." To this task Proudhon brought not only a fierce logic, a richly inflammatory and defamatory rhetoric (derived from deep immersion in Latin classics), and an acute sense of justice but also his extensive, if undisciplined knowledge of jurisprudence and his growing, if eccentric grasp of the newer science of political economy, which proposed to cut through the Gordian knot of legalisms. "How could these men," Proudhon asked about the lawyers, "who never had the faintest notion of statistics, calculation of value, or political economy, furnish us with principles of legislation?" Political economy was "social science par excellence," declared Pietro Rossi; and Proudhon, who had attended Rossi's lectures in the Collège de France, could not agree more.[17] In practice its powers were even more formidable,

[17] Rossi, *Cours d'économie politique* (Paris, 1840), 34.

and to the question "What is political economy?" Proudhon had almost as many – and as contradictory – answers as to the question "What is property?" "*Political economy* is after all but the code, or immemorial routine of property," he aphorised; yet it was also "the phenomenology of the spirit" (*Carnets,* II, 66). In 1847 Proudhon provided his most optimistic answer: "The revolution today *is* political economy."

In his refutation of the lawyers and persuasion of his public Proudhon was anxious that he should furnish absolute and incontrovertible "proof" of his arguments. Like a good Cartesian he began his book with a statement of "method," and this method, like that of Descartes, was a compromise between mathematical and logical procedure (axioms, propositions, etc., as well as mathematical formulations) and an old-fashioned scholasticism that always began with a simplistic Quid? – "What is . . . ?" In this he was consciously following Sieyès's equally famous question, "What is the Third Estate?" as well as the dramatic and subversive answer, "Everything," though (added Sieyès) it has been treated as if it were nothing.

For Proudhon the questions were not only "what is property?" and "what is political economy?" but also "what is justice?" and "what is sovereignty?" As always his answers were as often rhetorical as logical: "What is religion? It is a dream. Philosophy? An hallucination. Communism? Death. Royalty? A myth. Democracy? Chaos. Criminal justice? A scaffold. Society in general? It is a war" (*Carnets*, I, 37). These are all formulations made just a few years after his first startling equation: "What is Property? It is theft." And always, at the center of his arguments, the irrepressible ego that sustained not only the institution of property but the assaults on it by critics like Proudhon. "What is it that property has denied?" he asked. "*Moi*. What is it that anarchy has proclaimed? *Moi*" (*Carnets*, I, 64; II, 240).

In general *What is Property?* is a curious blend of abstract logic and agitated rhetoric, of traditional learning and mathematical calculation, of anecdote and analysis, of sarcasm and deadly serious denunciation, of high-minded idealism and bitter social criticism. The assigned question about the "economic and moral consequences" of the legal rule of equality of inheritance among children" Proudhon translated into the larger and more inflammatory Rousseauean problem of the origin of inequality and the nature of its primary consequence, which he took to be private property. In his search for the answer to this

question Proudhon ransacked the resources of the western intellectual tradition, especially history, moral and political philosophy, law, and political economy; but he argued his case neither on the "old opinions" of mankind nor on the modern "sciences" of jurisprudence and economics, which to him seemed little more than accumulations of "prejudice" and error. Proudhon was a late-born child of the Enlightenment, and though he frequently resorted to the simplistic methods of cost-accounting, what counted for him in the final analysis were the abstract and universal principles of justice. "Justice, nothing but justice, that is the sum of my argument." But by justice, of course, he did not mean the law.

Proudhon's book was in the first instance a "work of demolition," and he began by seeking out the root cause of social distress in human nature itself. Was it the age-old distrust of innovation, the spell cast by ancestral custom? Was it perhaps religion or the debilitating concept of original sin? No, answered Proudhon, it was something deeper; it was ignorance of the conditions and values of life in society. History itself has been a record of this ignorance and error – from the experience of Rome (on which Proudhon repeatedly drew) through that of Christianity down to the French Revolution and its bitter aftermath. The events of 1789 represented "struggle and progress" but no true – social – revolution because the upshot was the perpetuation of three principles which violated justice: that of sovereignty, which degenerated into despotism; that of the inequality of wealth and rank; and most fundamental, that of property, which was the central – some said virtually the only – theme of the Civil Code and which represented the principal bequest of Jacobin and Bonapartist "social science." These remnants of the old regime constituted the main obstacles to progress and, Proudhon concluded in stentorian capital letters, "JUSTICE, the general, primitive, categorical law of all society."

Yet if history was for the most part the story of human failure, it also demonstrated the potential for the improvement of man and gave "reason to believe that, ceasing to err, he will cease to suffer." Convinced that "Humanity makes continual progress toward truth, and light ever triumphs over darkness," Proudhon hoped to lead the People out of selfish darkness into the true light of social justice. A simple "seeker of the truth," Proudhon turned, like so many of his contemporaries, to the natural sciences for ways of explaining the

"moral world." Government and legislation were matters of science, not opinion, he argued; and he represented his own book as "a series of experiments," employing "algebraic formulas." At the same time, he believed that his truths about "the laws of our moral nature" were accessible to all; for such had been the progress of modern science, which revealed the truths of nature "today to Newton and Pascal, tomorrow to the shepherd in the valley."

Proudhon aspired indeed to be the Newton of the science of society; and like the seventeenth-century founders of the new science of nature, he saw little but error, often compounded with bad faith, in the work of even the best of his antecedents. None of the philosophers, jurists, or even political economists understood the true laws of social science. The second and third books of *What is Property?* are devoted to clearing away the misconceptions and apologetics of earlier scholars with particular reference to the question of the origin of property. In the early nineteenth century this issue was fiercely contested by historians as well as lawyers, political theorists, and political economists; and Proudhon offered a critical survey, drawn from this literature, of the three standard opinions about the origin of property, which for him meant cause as well as legitimate pedigree. The first was the theory of first occupancy, which he associated with the work of Grotius, Thomas Reid, and the Ideologue Destutt de Tracy; the second was that of civil law, which was the position of the elder Proudhon (who argued that possession was the "cause" of property), his friend Toullier, and their professional colleagues and apologists for bourgeois society; the third, that which derived property from labour, and was the view taken by liberal *économistes* such as Say, his son-in-law Charles Comte, and Proudhon's patron Blanqui.

For Proudhon all three of these theories were false, whether morally or logically or both; and over half of the text of the book is devoted to refuting them. The idea of first occupancy tried to derive a right from a historical accident, and Proudhon found this arbitrary and illegal as well as immoral. This was equally true of the argument from "positive law", which made the socially destructive distinction between (real) possession and (theoretical) property; and Cousin's "eclectic" combination of the two was no improvement. Nor did political economy have a solution, though it took Proudhon much more effort to unravel the arguments making labour the "efficient cause" of property. He began by rejecting three "prejudices": first,

the imperialist notion (derived from Roman law) that the earth could be appropriated under any conditions whatever; second, that "universal consent" could be invoked to justify alienating the common human inheritance; and third, that prescription (this was the argument of the eighteenth-century lawyer, F. I. Dunod de Charnage) and mere passage of time could in any way bestow legitimacy on exclusive, private property. On the contrary, Proudhon argued, labour in modern society had become (like his own printing trade) so specialised that it had created irreversibly socialised forms of production, capital, and human equality. If the result was to deny individual excellence, "genius," and associated prerogatives, Proudhon added, "It is not I who refuse it; it is economy, it is justice, it is liberty."

Thus all modern scholarship had failed to provide a rational answer to this question which "except for man's destiny," Proudhon later wrote, "was the greatest problem that reason can pose and the *last* that can be resolved." What property had produced was "the reign of libidinous pleasure," a hypocritical "bourgeois morality," and an unproductive idea of "increase" (*aubaine*), especially in the form of rents, interests (i.e., "usury"), and profits, which in mathematical and economic terms demanded something from nothing. Thus Proudhon proceeded to his own Euclidean demonstration that property is, for at least ten reasons, "impossible." It is "nothing" – a fiction – because it is, economically speaking, derived from nothing and indeed it destroys productivity; "homicide" because it deprives others of what is a limited heritage (the earth); tyrannical because, the "negation" of equality, it conspires with political force and institutionalised injustice; and worst of all "theft" because it denies men of the legitimate fruit of their labour.

In the last chapter Proudhon changes his tone – raising his voice, and his eyes, to a summary exhortation celebrating, and predicting, the "march of humanity" through the three stages or "degrees" of "sociability," "justice," and finally "equity." Here the argument, based on the identification of society with justice and equality, converged with a socialist theory of Progress that drew on the work of Vico (whose *New Science* he had read in Michelet's translation) and Hegel (whom he knew only through Cousin's popularising works). This march took humanity from the "negative community" (the jurists' term, too) of the poets' "golden age" to the "positive community" of full equality – or, according to the ideas of Frédéric Cuvier

(whom Proudhon had been talking to as well as reading [MS 18257, ff. 160–64]), from a community that was instinctive to one that was reflective and critical.

To Proudhon the pattern also resembled the popular conception of the Hegelian dialectic: the thesis being community, the antithesis property, and the synthesis Proudhon's anti-legal, anti-political vision of society. The only obstacle to this "third social form," as he called it, was property, or rather the law of property in its divorce from human possession and enjoyment. As Proudhon later summed it up after a lifetime of argument: "The reader must now understand the difference between *possession* and *property*. It is only the latter that I call theft" (*Théorie de la propriété*, II, 158).

Such is the message of *What is Property?* The eclectic "dythramb" of the final chapter reaches a threefold crescendo in Proudhon's quasi-logical QED, in his invocation of the socialist "God of liberty and equality," and in his own famous Credo, which represents the final characterisation of his new and socialised *Moi*: "je suis anarchiste."

This is not the place to review the extraordinary fortune of Proudhon's "diabolical work" that was at the same time so prophetic of the revolutions of 1848, when (as Proudhon himself declared in October to the National Assembly) labour – the "capital" of those who had no capital – had indeed overshadowed property at the center of the social question. "How has it happened," asked Adolphe Thiers that same year, "that property, natural instinct of man, child, and animal, single goal and indispensable reward of labour, has been placed in question?"[18] And this interrogation was provoked not only by the particular target of Thiers's remarks – Proudhon himself, whom the February revolution had thrown into political prominence – but also by a vociferous movement seeking the "right to work" as well as liberty and equality. Thus *Travail* became a "war-cry," according to a professor of political economy, who opened his course in 1855 with a critical reexamination of Proudhon's notorious question (and still more notorious answer).[19]

Like Machiavelli and his *Prince*, Proudhon and his own "diabolical

[18] *De la Propriété* (Paris, 1849), 9.
[19] Henri Baudrillart, *La Propriété* (Paris, 1867), 15.