

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)

THINKING ABOUT PROPERTY

In this book Professor Garnsey explores ancient 'foundational' texts relating to property and their reception by later thinkers in their various contexts up to the early nineteenth century. The texts include Plato's vision of an ideal polity in the *Republic*, Jesus' teachings on renunciation and poverty, and Golden Age narratives and other evolutionary accounts of the transition of mankind from primeval communality to regimes of ownership. The issue of the legitimacy of private ownership exercises the minds of the major political thinkers as well as theologians and jurists throughout the ages. Among those whose ideas are woven into the discussion are Plato, Aristotle, Cicero, Jesus, Augustine, Thomas Aquinas, Bartolus, William of Ockham, Plethon of Mistra, Grotius, Pufendorf, Locke, Hume, Rousseau, Kant, Hegel and Proudhon. The book gives full consideration to the historical development of Rights Theory, with special reference to the right to property. It challenges the dominant historical paradigm that the ancient world made little or no contribution to Rights Theory. The book ends with a comparative study of the Declarations of Rights in the American and French Revolutions and seeks to explain, with reference to contemporary documents, why the French recognized an inalienable, human right to property whereas the Americans did not.

PETER GARNSEY is Director of Research in the Faculty of History at the University of Cambridge, having previously been Professor of the History of Classical Antiquity. His recent books include *Ideas of Slavery from Aristotle to Augustine* (1996), *Food and Society in Classical Antiquity* (1999), (with Caroline Humfress) *The Evolution of the Late Antique World* (2001) and (with Anthony Bowen) a translation, with introduction and notes, of Lactantius' *Divine Institutes* (2003).

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)

IDEAS IN CONTEXT

Edited by

Quentin Skinner and James Tully

The books in this series will discuss the emergence of intellectual traditions and of related new disciplines. The procedures, aims and vocabularies that were generated will be set in the context of the alternatives available within the contemporary frameworks of ideas and institutions. Through detailed studies of the evolution of such traditions, and their modification by different audiences, it is hoped that a new picture will form of the development of ideas in their concrete contexts. By this means, artificial distinctions between the history of philosophy, of the various sciences, of society and politics, and of literature may be seen to dissolve.

The series is published with the support of the Exxon Foundation.

A list of books in the series will be found at the end of the volume.

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)

THINKING ABOUT PROPERTY

From Antiquity to the Age of Revolution

PETER GARNSEY

University of Cambridge



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)

CAMBRIDGE UNIVERSITY PRESS

Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo

Cambridge University Press

The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org

Information on this title: www.cambridge.org/9780521876773

© Peter Garnsey 2007

This publication is in copyright. Subject to statutory exception
and to the provisions of relevant collective licensing agreements,
no reproduction of any part may take place without
the written permission of Cambridge University Press.

First published 2007

Printed in the United Kingdom at the University Press, Cambridge

A catalogue record for this publication is available from the British Library

ISBN 978-0-521-87677-3 hardback

ISBN 978-0-521-70023-8 paperback

Cambridge University Press has no responsibility for the persistence or
accuracy of URLs for external or third-party internet websites referred to
in this publication, and does not guarantee that any content on such
websites is, or will remain, accurate or appropriate.

Cambridge University Press
978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution
Peter Garnsey
Frontmatter
[More information](#)

To
R. G. R. G. C. H.

Contents

<i>Abbreviations</i>	<i>page</i> viii
<i>Preface</i>	ix
Introduction	I
1 Plato’s ‘communism’, Aristotle’s critique and Proclus’ response	6
2 Plato’s ‘communism’: from late antiquity via Islamic Spain to the Renaissance	31
3 Renunciation and communality: thinking through the primitive Church	59
4 The poverty of Christ: crises of asceticism from the Pelagians to the Franciscans	84
5 The state of nature and the origin of private property: Hesiod to William of Ockham	107
6 The state of nature and the origin of private property: Grotius to Hegel	136
7 Property as a legal right	177
8 Property as a human right	204
Conclusion	233
<i>Bibliography</i>	238
<i>Index</i>	262

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)*Abbreviations*

<i>AARC</i>	<i>Atti dell' Accademia Romanistica Costantiniana</i>
<i>AFLN</i>	<i>Annali della Facoltà di Lettere e Filosofia di Napoli</i>
<i>AJPh</i>	<i>American Journal of Philology</i>
<i>ANRW</i>	<i>Aufstieg und Niedergang der römischen Welt</i>
<i>CJ</i>	<i>Codex Iustinianus</i>
<i>CQ</i>	<i>Classical Quarterly</i>
<i>CSEL</i>	<i>Corpus Scriptorum Ecclesiasticorum Latinorum</i>
<i>CTh.</i>	<i>Codex Theodosianus</i>
<i>GCS</i>	<i>Die griechischen christlichen Schriftsteller der ersten drei Jahrhunderte</i>
<i>IJ</i>	<i>Institutes of Justinian</i>
<i>JbAC</i>	<i>Jahrbuch für Antike und Christentum</i>
<i>JRS</i>	<i>Journal of Roman Studies</i>
<i>JTS</i>	<i>Journal of Theological Studies</i>
<i>OSAP</i>	<i>Oxford Studies in Ancient Philosophy</i>
<i>PG</i>	J. P. Migne, <i>Patrologiae cursus completus: Series Graeca</i> , Paris 1857–66
<i>PL</i>	J. P. Migne, <i>Patrologia Latina</i> , Paris 1841–55
<i>REG</i>	<i>Revue des études grecques</i>
<i>RHD</i>	<i>Revue Historique de Droit Français et Etranger</i>
<i>RIDA</i>	<i>Revue Internationale des Droits de l'Antiquité</i>
<i>RISG</i>	<i>Rivista Italiana per le Scienze Giuridiche</i>
<i>SC</i>	<i>Sources Chrétiennes</i>
<i>SDHI</i>	<i>Studia et Documenta Historiae et Iuris</i>
<i>SP</i>	<i>Studia Patristica</i>
<i>St. Mon.</i>	<i>Studia Monastica</i>
<i>TAPA</i>	<i>Transactions of the American Philological Association</i>
<i>ZSS</i>	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte</i>

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)

Preface

This book has its origin in the Carlyle Lectures delivered at Oxford University in Hilary Term 2005. I would like to thank George Garnett and the other members of the Carlyle Committee for honouring me with their invitation to give the lectures, and the Warden and Fellows of All Souls College for extending to me their hospitality for the period concerned. I benefited greatly from discussing matters arising from the lectures with members of the audience during my time in Oxford. In composing a work of this kind, I have inevitably drawn on the learning of a large number of scholars who have written extensively and expertly in aspects of my subject. In addition, colleagues and friends have generously read my work or parts of it in draft and given me encouragement and advice. They include Margaret Atkins, Tim Blanning, Anthony Bowen, Peter Brown, Myles Burnyeat, Luigi Capogrossi Colognesi, Patricia Crone, John Crook, Michael Frede, Raymond Geuss, Richard Gordon, Verity Harte, Caroline Humfress, David Ibbetson, Melissa Lane, Geoffrey Lloyd, John Marenbon, Dieter Nörr, Michael O'Brien, Glenn Olsen, Christopher Rowland, Magnus Ryan, Malcolm Schofield, David Sedley, Quentin Skinner, Gareth Stedman Jones, John Thompson, Robert Tombs and Frank Walbank. I owe a special debt of gratitude to Raymond Geuss, Richard Gordon and Caroline Humfress for raising my sights and lifting my spirits. Niketas Siniosoglou has given me invaluable assistance in the closing stages. My family has been as usual tolerant, patient and supportive.

There were six lectures in the first instance. They have been expanded and two new chapters added (6 and 8). The book now consists of four pairs of chapters corresponding to four main themes. I hope that readers who were also members of the audience will agree that the changes form a natural and logical development of the original lectures.

Two days before I delivered my typescript to the Press the state of Virginia issued an apology for the enslavement of Africans and the exploitation of native Americans by the country's white settlers. It will be

Cambridge University Press

978-0-521-70023-8 - Thinking about Property: From Antiquity to the Age of Revolution

Peter Garnsey

Frontmatter

[More information](#)

x

Preface

interesting to see whether this event, which might be expected to be replicated by some other American states, will revive interest in the significant decision of Thomas Jefferson, a slaveowner and landowner, not to include property among the inalienable and natural rights of man in his draft of the Declaration of Independence, which was later ratified by Congress in July 1776. The issue of the legitimacy of private property, its acquisition and its retention, which has troubled the human mind for over two millennia, has not gone away.