

THE UNIMPORTANCE OF PROPERTY

ANY attempt to dissipate the confusion that reigns in Catholic circles on the subject of private property must be welcomed. Fr Drostan's paper¹ is to be welcomed also as a very notable clarification of the question and as an attractive preface to the major work which he may be persuaded to produce.

Not the least disturbing feature of the situation is that it appears so simple to many. Remaining wholly on the plane of reason, we can show Communism to be false, first because it is atheistic—and the *quinque viae* can quickly be pressed into service to show the folly of atheism—and secondly because it rejects private property—which natural law alone upholds as a fundamental right. But the Communist is not convinced, and to quite faithful Christians it does not seem as if there were much respect for God or the basic human rights in the stronghold of liberty and capitalism. And when American bankers turn to the crucifix before accommodating their clients—at the usual rates—militant atheism, if not more sincere, seems to have a better understanding of the meaning of religion.

Fr Drostan rejects this unholy simplicity and exposes the limitations of a largely hypothetical natural law. At the very opening of his paper he places the problem in its proper setting—where it is all too rarely placed: 'private property is essentially and basically a theological question'.

Of course it may be treated philosophically and the validity of the argument cannot be questioned, but the only value of this is to complete a seminary curriculum for students who will readjust their outlook when they come to *De Deo Creante* or to show those who consider the Garden of Eden a myth that we are something more than latter-day defenders of *laissez-faire* liberalism. That God is Lord of all things and that man by his intellect can participate in the divine dominion may be demonstrated by reason; but without the majestic unfolding of the story of creation in Genesis and the recollection of a man more perfectly formed in the divine image by grace, we should be hard put to it to satisfy even ourselves of the existence of the right to property or of the possibility of maintaining it in spite of its attendant abuses.

Approached from this angle, the question takes on quite a new appearance. We begin with God, who is truly Lord and owner, even if we were not here to be owned or to acknowledge him.² He is Lord

1 *Private Property and the Natural Law*. Aquinas Papers. Blackfriars Publications, 1s.

2 'Apparet quod Dominus esset, nullo existente intellectu' (*De Potentia*, q. 7 a. 11 ad. 3um).

absolutely, possessing the very nature of things, holding and retaining them by the very fact of endowing them with being. In that ownership no creature can share, any more than it can be an instrument in the work of creation. But his likeness to God makes man a suitable minister in the execution of divine Providence and qualifies him to use natural objects to bring himself and them to their appointed end.

This is the fundamental right of ownership among human beings: it is not absolute, but conditioned as relating wholly to use and of itself implies no differentiation, no *proprietas*. We are very conveniently reminded of St Thomas's careful use of terms and that 'far too little attention has been paid' to this, the first stage of his treatment. It must be noticed, too, that the *locus classicus* is in the *Summa Theologica*, not in the strictly philosophical commentaries on the Politics or Ethics. In II-II q. 66 aa. 1 and 2, the whole subject is treated with notable brevity and—as if to show its relative unimportance—under the heading of 'Theft'.

The Natural Law comes in to declare that such 'holding' fits in with man's nature and that indeed he needs to own in some sense if his life and the life of the race is to be maintained. It is thus a primary precept of the Natural Law, one without which the end of man could not be attained at all. The secondary precepts are necessary for the *bene esse*, not to be translated as 'living well' but to indicate that without them it would be very difficult indeed for men to attain their end. Secondary precepts must not be taken too lightly—harems might be established in the West with a little less circumspection than at present—but they are subordinate to the primary: they are not merely accidental, they are essential to the normal order of society, but they may be suspended under abnormal conditions and they may lead to a variety of institutions as society itself takes on new forms.

These distinctions are clearly drawn by Fr Drostan and he is particularly to be congratulated on the elucidation of the concepts of positive law and *jus gentium*.

Private property is a secondary precept of the Natural Law; fallen man lacks normally—but not always, as we see in the life of the early Christians and in religious orders today—the grace to transcend nature and rise above special and exclusive possessions. But when man falls so low as in twentieth century wars, even the graceless must be content with the provisions of the primary precept and sort things out as best they can for the good of all.³ If ever the world

³ This process of helping oneself in accordance with the primary laws of life has been appropriately named, in one country at least, after a Catholic Archbishop, *zu fringsen*.

becomes settled again, we may return to private property; but it will be under new forms and with strange systems equally resistant to the analysis of Alfred Marshall or of Joan Robinson.

At this point we seem to be leaving both theology and philosophy and turning to economics. It is a convenient point, therefore, to make some suggestions about our author's *magnum opus* and thus to conclude.

He must begin by expanding this pamphlet to a full-sized volume on the theology of ownership. St Thomas got away with less, because his contemporaries knew more about the principles than we do and because he expected them to have read the citations from the Fathers which Fr Drostan will have to translate for us. Moreover there will be all the post-thomistic thought to sum up and the encyclicals will need to be explained against the background of the whole tradition from which they have sprung.

In the second and perhaps even larger volume, after a sketch of the evolution of forms of property from Abraham's caravans to British railways, it is to be hoped that there will be a close examination of the economic systems of the present and the moral issues involved. If private property is justified because its absence would create too many *laborem fugientes*, what is the position of the shareholder whose labour is restricted to an occasional lunch with his broker or the signing of a receipt for his dividends? The most obvious argument against state-ownership of all means of production is the economic: it would lead to such appalling inefficiency. But the moral argument is more subtle and rarely satisfactorily expounded: this, too, must go on the list of contents. Before concluding the work, perhaps a little research in Germany would be advisable: a description of the breakdown of every system there might help the British public to take with greater fortitude and more acute understanding all that is coming to them.

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'OBITER will be resumed next month. 'Aldate' has been temporarily prevented from writing his synopsis through ill health. It is hoped that he will be sufficiently recovered to contribute to the October issue.—EDITOR.