

PROUDHON'S PHILOSOPHY OF JUSTICE

- by -

Yogendra Chopra

ProQuest Number: 10107208

All rights reserved

INFORMATION TO ALL USERS

The quality of this reproduction is dependent upon the quality of the copy submitted.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if material had to be removed a note will indicate the deletion.



ProQuest 10107208

Published by ProQuest LLC(2016). Copyright of the Dissertation is held by the Author.

All rights reserved.

This work is protected against unauthorized copying under Title 17, United States Code
Microform Edition © ProQuest LLC.

ProQuest LLC
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106-1346

CHOPRA

Proudhon's Philosophy of Justice

(An Abstract)

Proudhon's place in the history of modern socialism is somewhat ambiguous. In his dislike of collectivist theories he sometimes comes very near the liberal standpoint. His own programme is to "mediate" between socialism and its critics.

Unlike the positivists and the traditionalists of his time he is very close to the 'natural law' position. Even though his approach to metaphysics is strongly influenced by contemporary positivism, he makes justice the central conception of his philosophy.

Using "justice" in a very wide sense, Proudhon takes it to mean a general principle governing the universe. In a more legitimate sense he wants to equate it with equality. Taking in the beginning equality to mean strict equality in "right" he refines it gradually to mean "commutative justice", which he takes to mean "equality of exchanges". It is on this principle of "commutative justice" that he based his anarchist and federalist theories.

Proudhon bases justice on human dignity and conscience and is opposed to all theories which directly or indirectly find its sanction in some super-human principle. Yet justice in its final form is for him "absolute, immutable, eternal".

Proudhon realizes that a society based on equality runs the danger of losing liberty. But he hopes that a practical application of his dialectical principle of "balance" between opposite forces would harmonize commutative justice with liberty.

He believed that the key to economic reform lies in the reform of credit and exchange, and not in the regulation of production and

P R E F A C E

If brevity is the soul of wit, Proudhon was not a witty writer; yet, though prolix, he was frequently subtle and sometimes profound. My own excuse for not following Polonius' maxim has been the desire to do Proudhon justice.

Though justice is my theme, I cannot repay my debt of gratitude to Professor Acton with words. Even were English not a foreign tongue to me, I should still hesitate to say how much I have learnt from him. If the following pages are not so good as they should be, the fault is entirely with myself.

C O N T E N T S

Introduction:

Biographical Note.

The ambiguity of Proudhon's position in the history
of modern socialism.

A note on editions of Proudhon's works.

Books on Proudhon in English;
in French.

A few words on the difficulties of interpreting
Proudhon.

Note on abbreviations of titles of Proudhon's writings and
editions used in quotation.

Chapter I. Proudhon's general philosophical position.

Chapter II. Proudhon's various definitions of justice and
the relation of his philosophy of justice with
"Natural Law".

The subjective and the objective aspects of
justice.

Definition of the objective aspect of justice.

Chapter III. Justice and Equality.

"Equality" in a loose sense.

In what sense are all human beings equal?

The translation of equality in "right"
into equality in practice.

Chapter IV. Two kinds of justice: Catholic and
Revolutionary justice.

Ancient and Christian views of justice.

"Transcendental" and "Immanent" justice.

Chapter V. Proudhon's Dialectic.

Brief history of the theories of dialectic.

A short analysis of the meaning of "dialectic".

Proudhon's conception of dialectic.

Chapter VI. Justice and Liberty.

Theory of "collective force".

Proudhon a realist political philosopher.

Chapter VII. Proudhon's Economic Programme.

Introduction.

Section A: Property and Justice.

(a) Is property "theft"?

(b) Property as the principle of liberty.

Section B: Socialism as the reform of exchange and credit.

The People's Bank.

Conclusion.

Chapter VIII. From Anarchism to Federalism.

Anarchism.

Federalism.

Chapter IX. Justice and History.

What is progress?

A possible criterion of progress.

History as the evolution of justice.

The explanation of decline in history.

Summary of Proudhon's view of justice.

Conclusion: What is justice?

Preliminary.

Aristotle's view of justice.

Professor Perelman's view.

Justice and Equality: Professor Raphael's view.

Appendix: Marx and Proudhon.

General Bibliography.

Note on titles of Proudhon's writings
and editions used

Below I give the full titles with the dates of first publication of those writings of Proudhon which I have quoted from, with the editions used. In the text I have used abbreviated titles for the sake of convenience, which I give below opposite the full titles.

- | | |
|--|---|
| 1. <u>Essai de grammaire générale</u> , 1837. | <u>Essai de grammaire générale</u> |
| 2. <u>De l'Utilité de la célébration du dimanche sous les rapports de l'hygiène, de la morale, des relations de famille, et de cité</u> . 1838, Rivière edition. | <u>De la célébration du dimanche</u> |
| 3. <u>Qu'est-ce que la propriété? Ou recherche dans les principes du droit, et du gouvernement, premier mémoire</u> , 1840, Rivière edition. | <u>Qu'est-ce que la propriété? premier mémoire</u> |
| 4. <u>Qu'est-ce que la propriété? Lettre à M. Blanqui, deuxième mémoire</u> , 1841, Rivière edition. | <u>Qu'est-ce que la propriété? deuxième mémoire</u> |
| 5. <u>De la création de l'ordre dans l'humanité</u> , 1843, Rivière edition. | <u>De la création de l'ordre</u> |
| 6. <u>Système des contradictions économiques ou Philosophie de la misère</u> , 2 vols., 1846, Rivière edition. | <u>Système des contradictions économiques</u> |
| 7. <u>Solution du problème social</u> 1848, Oeuvres complètes, Lacroix edition. Vol. VI. | <u>Solution du problème social</u> |
| 8. <u>Organisation du crédit et de la circulation</u> , 1848, Oeuvres complètes, Lacroix edition. Vol. VI. | <u>Organisation du crédit</u> |

- | | |
|--|---|
| 9. <u>Banque d'Echange</u> , 1848, Oeuvres complètes, Lacroix edition. Vol.VI. | <u>Banque d'Echange</u> |
| 10. <u>Banque du peuple</u> , 1848, Oeuvres complètes, Lacroix edition, Vol.VI. | <u>Banque du peuple</u> |
| 11. <u>Mélanges</u> . Forming volumes XVII, XVIII & XIX of the Lacroix edition of his complete works. Collection of articles written in various papers he published during 1848-50. Vol.XIX includes his controversy with Bastiat on interest, under the title <u>Intérêt et Principal</u> . | <u>Mélanges</u> |
| 12. <u>Les Confessions d'un Révolutionnaire pour servir l'histoire de la Révolution de fevrier</u> , 1849, Rivière edition. | <u>Les Confessions</u> |
| 13. <u>L'Idée générale de la révolution au XIX^e siècle</u> . 1851, Rivière edition. | <u>L'Idée générale</u> |
| 14. <u>La Révolution sociale démontrée par le coup d'Etat</u> , 1851. Oeuvres complètes, Vol.VII, Lacroix edition. | <u>La Révolution sociale démontrée par le coup d'Etat</u> |
| 15. <u>Philosophie du progrès</u> . Programme 1853. Alphonse Lebègue, Brussels. | <u>Philosophie du progrès</u> |
| 16. <u>Manuel du speculateur à la Bourse</u> 1853, 4th edition Garnier Frères, Paris. | <u>Manuel du spéculateur</u> |
| 17. <u>De la Justice dans la Révolution et dans l'Eglise</u> . 1858, Rivière edition. | <u>De la Justice</u> |
| 18. <u>La Guerre et la Paix</u> , 1861, Rivière edition. | <u>La Guerre et la Paix</u> |
| 19. <u>Théorie de l'impôt: question mise au concours par le Conseil d'Etat du canton de Vaud, en 1860</u> . 1861, Lacroix edition of his complete works, Vol.XV. | <u>Théorie de l'impôt</u> |

20. Les Majorats littéraires,
examen d'un projet de loi ayant
but de créer au profit des
auteurs, inventeurs et artistes,
un monopole perpétuel. 1862.
Deuxième édition, Dentu, Paris.

Les Majorats litté-
raires

21. Du Principe fédératif et de la
nécessité de reconstituer le
parti de la Révolution. 1863,
Dentu, Paris.

Du Principe fédératif

Posthumous Works

1. De la capacité politique des
classes ouvrières. 1865.
Rivière édition.

De la capacité
politique

2. Théorie de la propriété
Oeuvres posthumes de Proudhon,
Lacroix, Paris.

Théorie de la propriété

3. Jésus et les origines du
Christianisme. Paris, Harvard
Fils, 1896, deuxième édition.

Jésus et les origines
du Christianisme

La Correspondance de P.J.Proudhon, Correspondance
Paris, Lacroix, 1875.

I N T R O D U C T I O N

BIOGRAPHICAL NOTE

As there are a number of good biographies of Proudhon I will confine myself to giving the briefest outline of his life.

Pierre Joseph Proudhon was born on January 15th, 1809, at la Mouillière, a suburb of Besançon. His father, Claude Proudhon, who started life as a cellar-boy (garçon brasseur), was a cooper, honest and hard-working but unsuccessful as a tradesman. His mother, Catherine Simonin before her marriage, was a cook; though uneducated she was of a fine moral fibre and endowed with considerable practical sense. Proudhon was very fond of her and referred to her several times in his writings in terms of a genuine devotion. In expression of his gratitude to her he once wrote: "My mother, whom I owe everything...". From his maternal grandfather, nicknamed Tournési after his old regiment, Proudhon inherited the fiery side of his personality. This old soldier had shown strong-mindedness as well as courage by defying the seignorial authority in his village.

For some years Proudhon's father ran a public house and brewed his own beer. The blockade of 1814 ruined his trade, his unbusinesslike methods contributing not a little to the pecuniary troubles that followed. Subsequently, the family moved to another suburb, known as the Battant, where he set

up his cooper's trade. It was here in half-rural surroundings that Proudhon spent the major part of his boyhood. At the age of eleven (1820) he entered the college of Besançon. He was a good student and won prizes, but the family were always in financial difficulties and he had to help his father in his work. During the holidays he was kept busy all day in the fields or at some work in the house. Very often he was without the necessary books, having to do without a Latin dictionary all through his schooldays.

Proudhon was only eighteen when his father, following the loss of a lawsuit, decided that his son was old enough to earn a living. For a number of years he worked as a printer and proof-reader. This enabled him to help support his family. The responsibility of maintaining his parents, and later his brother's family, fell more and more on his shoulders, until in the end they were entirely dependent upon him. But this did not discourage him and he kept firmly to his resolve to educate himself.

At the beginning of 1836, together with two partners, he purchased a printing-house. This was unfortunate, because the enterprise failed. One of his partners committed suicide, leaving the other two with the burden of discharging the debts. The press was got rid of finally in 1843. For a long time afterwards Proudhon remained loaded with obligations.

In 1837, following a serious illness which drove him to

the country to rest, he published his first work, Essai de grammaire générale. In it he tried to prove the original unity of mankind by an attempt to show the origin of human languages in a single source. It was not long before he disclaimed this view. In the following year he matriculated at the age of 29. This entitled him to compete for the Pension Suard, which his friends soon persuaded him to do. This competition was held by the Academy of Besançon. The winner was given an annual sum of 500 francs for three years, in accordance with the terms of a bequest made by Madame Suard, widow of a former member of the Academy, to enable a deserving young man of the city without adequate means of his own to carry on his studies. Proudhon won the award and was thus enabled to go to Paris to work under the general guidance of a tutor. He was, however, too independent a pupil to accept much advice from his teacher.

In 1839 Proudhon wrote his essay De l'Utilité de la Célébration du dimanche sous le rapport de l'hygiène, de la morale, de relation de famille, et de cité, on a subject set by the Academy of Besançon. Though he did not win the prize, he received a mention and a bronze medal.

Next year (1840) appeared Qu'est-ce que la Propriété ou recherche sur les principes du droit et du gouvernement (also referred to as the First memoir on property). It made some considerable stir with its challenging formula: "Property

is theft". Alarmed by the aggressive approach of the book the Academy withdrew his scholarship. In 1843 Proudhon published his De la création de l'ordre dans l'humanité, an extremely ambitious, though confused book, written from "a pressing need to take stock of himself".

For some time Proudhon had been interested in Hegel. In 1844 he met Marx and Grün, then exiled in Paris, who introduced him to the niceties of the Hegelian dialectic. He was extremely interested and had long discussions with them. But estrangement with Marx followed the earlier happy phase¹, though Grün and Proudhon remained friends.

In his contact with Marx and Grün, and later with the Russian anarchist Bakunin, Proudhon had swallowed a good dose of Hegel, whose effects were clearly visible in his Système des contradictions économiques ou philosophie de la misère (1846). The book infuriated Marx and led him to write his La misère de la philosophie, which appeared the following year. Marx's book was hardly noticed at the time, because he was then an unknown writer. For the time being, therefore, the only result of its fierce irony was to end their relationship permanently.

A few months before the Revolution of February 1848, which brought about Louis Philippe's downfall and the

1. See Appendix for a fuller account of Proudhon's relations with Marx.

proclamation of the Second Republic, Proudhon had launched his paper Le Représentant du Peuple. This was his platform at the time of the Revolution. He was critical of the Revolution. He thought that it was a revolution without ideas. In this he was not quite right. There were plenty of schemes of reform in the air in the early days of the February Revolution, only he did not agree with these and had schemes of his own, which he propagated through the various papers he ran during this period.

Proudhon was elected to the National Assembly in the elections held in June 1848. He was appointed on the Finance Committee. At this time Proudhon believed that the key to economic reform lay in the reform of credit and exchange, a surprisingly modern view. But he was not an impressive speaker and did not have much success in the Assembly. Victor Hugo, who was also a member of this Assembly, while listening to a speech of Proudhon's, wrote this comment on his desk: "He writes well but he speaks badly".

It was during this time that Proudhon started his scheme of a "People's Bank", which was to embody his pet ideas on credit. But before this scheme could be tried he was sentenced to three years' imprisonment and ordered to pay a fine of 3000 francs for two articles he had written against Louis Napoléon, who had been elected President of the Republic.

Proudhon had no wish to serve the sentence and fled to Belgium, but he returned to Paris shortly afterwards, with

the object of marrying Euphasie Piégard, a Parisian working girl. She had very little education, but possessed the qualities to make a good wife to him. She proved a loyal helpmate to the end, and bore him four daughters, three of whom survived. Before the proposed marriage could be consummated he was arrested on June 10th, 1849 and put in Saint-Pélagie prison. The marriage took place later in December. His wife took quarters opposite the prison. The prison authorities of those days were lenient and released him for a few days every month to visit her.

The two most important works written during his imprisonment were Confessions d'un révolutionnaire, which Sainte-Beuve regarded as the best of all his writings, and L'Idée générale de la Révolution au XIX^e siècle, in which he opposed his anarchist ideal to the various forms of unitary government. He was released on the fourth of June, 1852.

In May 1855 a Catholic publicist named Mirecourt published a biography of Proudhon. It was a malicious lampoon. The book contained a letter from Cardinal Mithieu, the Archbishop of Besançon, which seemed to approve it. Proudhon's sensitive pride was wounded by what appeared to him to be an unfair assault on his personal integrity. He started composing his reply, which finally grew into the longest and most important of his works. It was published in 1858 in three volumes under the title De la Justice dans la Révolution et dans l'Église. It was expanded further in later

editions and comprises six volumes of the Oeuvres Complètes published shortly after his death.

A few days after its appearance it was seized. On June 2nd Proudhon was sentenced to three years' imprisonment and fined 4000 francs. Preferring exile to jail he went to Belgium. He settled down at Brussels.

For some years already Proudhon's health had been affected. His passionate nature had given him rather excitable nerves and he had a tendency to overwork himself. The cold and damp climate of Brussels did not agree with him. He was continually catching colds in the head and increasingly suffered from a cerebral ailment which made work difficult and sometimes impossible. The result was that his health was permanently ruined. Until his death in 1865 he had to do his work under conditions of indifferent health.

Despite his illnesses he managed to do a great deal of writing in the last few years of his life. In May 1861 his La Guerre et la Paix was published in Paris. This is probably the most controversial of his books. To most of his fellow democrats it came as a shock with its apparent glorification of war, in a vein reminiscent of de Maistre.

On December 12th, 1861, a decree from the Emperor annulled his sentence. But he could not return to Paris immediately afterwards because of financial difficulties. In April 1862 an article contributed to the Belgian paper

L'Office de la publicité, for which he used to write, led to a misunderstanding with the Belgian public. He was accused of being an annexionist, i.e. of wanting Belgium annexed to France. On the 16th and 17th of September an angry mob demonstrated before the house in which he was living, denouncing him as such. This decided him to return to France immediately.

Back in Paris he set to work hard on a number of books he wanted to publish. In 1863 appeared his Du principe fédératif et de la nécessité de reconstituer le parti de la Révolution. This is one of his masterpieces and contains the best statement of his federalist theories developed during the last few years of his life to replace the anarchism of his younger days. Other less important works followed.

Soon his health began to give out. He was ill from September 1863 to January in the following year. He went for a while to Besançon in the hope of a rapid convalescence. For a time the air of his native place did him good, but the recovery was destined to be a short one. Soon after he returned to Paris he was ill again. He died on January 19th, 1865.

Just before his death he had nearly completed his De la capacité politique des classes ouvrières. It was completed and published by his friend and literary executor Chaudey. It was his testament to the working classes.

The Ambiguity of Proudhon's Position in the History
of Modern Socialism

Proudhon has a "place" in the history of modern socialism in the obvious sense that a history of modern socialism is likely to contain, if not a whole chapter, at least a few pages on him. Nor can the historian of 19th century French political thought afford to ignore him completely. But then France has been called "the classic land of socialism". Indeed it may be said that in the first half of the 19th century socialist ideas formed an integral part of the main stream of political thought in France, whereas in England they had remained comparatively speaking a backwater, during this period. But in what sense can Proudhon be called a socialist? George Sand once called him "the greatest enemy of socialism"¹. The term "socialism" is generally used to cover a wide range of ideas. Students of the formative period of modern socialism (roughly the first half of the 19th century) seem to distinguish between socialist and non-socialist writers of this period on some such basis as the following:-

1. Rejection of private property as a sacrosanct right providing the basis of the economic organisation of society.

1. Quoted in Mr. D.O. Evans' Social Romanticism in France, Clarendon Press, Oxford, 1951, p.60.

2. A critical attitude towards the theories of economists like Malthus, Say, Bastiat, etc., who were suspected of using the new science of economics to the detriment of the oppressed working classes.
3. Belief in the primacy of the economic as distinct from the political aspect of society.

So far as the first point is concerned Proudhon, as we shall see, started his career with an attack upon property, but came increasingly to realise the importance of its part in the preservation of liberty. In this respect he differs from socialists like Louis Blanc and Pecqueur. Proudhon's hostility to the "economists" was often accompanied by a surprising closeness to some of their characteristic theories. For instance, it was customary among socialists of Proudhon's time to regard Malthus' theory of population as an unwarranted piece of pessimism, likely to dishearten the working classes. Science and industry were generally believed to hold the power to transform the material conditions of human life so far as to make poverty and want things of the past. Even though "Malthusianism" was for Proudhon a term of abuse, his own views on population came surprisingly close to those of Malthus. In the second respect too, therefore, his position is ambiguous. As he himself says, he wanted to be a mediator between the "economists" and the socialists. On the third point Proudhon's position is in agreement with the typical socialist view of the primacy of economics. Thus even as

regards this threefold common denominator of this phase of socialism he is not quite clearly socialist.

A further characteristic common to the early socialists is their emphasis that it is only the existence of society that makes rights like property and liberty possible, and therefore if the enjoyment of a right by some hinders or makes impossible the enjoyment of their rights by others, it does not deserve to be called a right. The framers of the Déclaration des droits de l'homme et du citoyen did not realise that it is only the existence of certain social conditions which can give reality to liberty, equality and fraternity. But this criticism of what might be called the abstract individualism of the French Revolution is not confined to the socialists. Auguste Comte and the traditionalists de Maistre and de Bonald expressed it in much stronger terms. Here again Proudhon is very unlike the early French socialists. He is the most individualistic of them and at times seems to speak more like a laissez-faire liberal than as a socialist.

It is common among writers on Proudhon to remark on the many-sidedness of his thought. Indeed he has been claimed as a precursor from many quarters by no means mutually friendly. This by itself is no testimony of the soundness of his thought. It may be that he is essentially an inconsistent thinker, and each side acclaiming him has seized only that side of him which seemed to lend support to its

ideas and neglected the rest. Or, perhaps, he is trying to incorporate into his own scheme of ideas the essential truth contained in positions in political theory that generally seem incompatible, and that the protagonists of these points of view, without seeing what he was trying to do, have merely sought to annex him for the sake of giving a pedigree to their ideas. Then there is the possibility that his inconsistencies are more on the surface than at the core, and that there is an essential unity despite the superficial lack of consistency. In such a case it will be the task of anyone giving an exposition of his ideas to bring out this essential unity.

The directest of Proudhon's political descendants are undoubtedly the anarchists. They have, much more than other claimants to his heritage, kept up a fairly continuous tradition of reading him. His influence on Bakunin was direct and personal. Proudhon met him in Paris some time after his meeting with Marx and Grün. Like them Bakunin helped him in understanding Hegel. In the First International Bakunin kept alive the influence of Proudhon's ideas until Marx preferred to wind it up for all practical purposes by sending its headquarters to America, rather than run the risk of losing his battle with the anarchists. Among a later generation of anarchists Prince Kropotkin called Proudhon "the father of anarchy".

Though in his younger days he was fond of calling himself an anarchist, Proudhon was never an anarchist in the usual

sense of the term. He was essentially moderate, though fond of startling people with his wordy pistol-shots. In his views on the family, marriage and the rights of women, he was anything but an anarchist. For him the father was the natural head of the family; marriage was not a contract to be revoked at the will of either party but possessed the sanctity of a sacrament; woman was not man's equal but his inferior complement, nor would he have anything to do with any kind of feminism. On the rôle of the state he later abandoned his anarchist standpoint and called himself a federalist.

The question of Proudhon's influence on French syndicalism is not an easy one. Professor Ernest Barker in his latest book¹ calls him the "first clear prophet of syndicalism, who may also be said to have remained the chief of its prophets". Obviously, Sir Ernest would not, I imagine, contest this; Proudhon is not the "prophet" of syndicalism in the sense in which Marx is the prophet of communism. On the philosophical side the theorists of syndicalism are inspired by the intuitionist philosophy of Bergson rather than by the rationalism of Proudhon. Furthermore, the syndicalists insist that the working classes must develop their ideology from their own experience. Proudhon's ideas have therefore hardly been directly influential on the syndicalist movement. But his writings have had a deep influence on some of the

1. Principles of Social & Political Theory, Clarendon Press, Oxford, 1951, p.35.

syndicalist writers. George Sorel, the foremost theorist of syndicalism, drew a great deal of his inspiration from Proudhon. Nor can it be denied that there is affinity between many of Proudhon's ideas and syndicalist theory. In its belief that the working classes have their own separate being, and that therefore their politics are capable of being guided by ideals generated from their own experience, the Capacité politique des classes ouvrières anticipates syndicalist ideas in an important way. But even here he is opposed to strikes, whereas for the syndicalists the "general strike" is the most important weapon in the hands of the working classes.

Proudhon has sometimes been accused of being a precursor of Fascism¹. In France Dimier of the l'Action Française counted him among "the masters of the Counter-Revolution"². But the title of his book is rather misleading. The criterion of a "master of the Counter-Revolution" adopted entitles all the thinkers opposed to the uncritical rationalism of the French Revolution to be included in the list. Proudhon was indeed

1. Recently, for instance, by Mr. J. Salwyn Schapiro in his Liberalism and the challenge of Fascism, Social Forces in England and France (1815-1870), McGraw-Hill Book Co., U.S.A., 1949. Mr. Schapiro thinks that Proudhon was a "herald" of Fascism.
2. L. Dimier, Les Maîtres de la Contre-Révolution au dix-neuvième siècle, Nouvelle Edition, Paris, 1917.

bitterly opposed to the Jacobin tradition in the French Revolution; that is why he had a great deal of sympathy for the Girondins. But he was convinced that his own thought was a development of the positive ideas of '89.

Proudhon's view that social groups have a reality over and above the reality of the individuals composing them has recurred in French sociological theory, particularly among the followers of Durkheim. Indeed, a comparison between Durkheim and Proudhon shows many similarities¹. But Proudhon remains more of a moralist than of a sociologist. Ethics for him is not reducible to a "science des mœurs" as it seems to be for Durkheim.

The question of the relation of Proudhon's thought to Marxism is a most topical one. He was without doubt the most formidable of Marx's rivals. But as this question requires treatment at some length I have reserved its ~~discussion~~ ^{practical procedure of discussing it} ~~the course of expounding Proudhon.~~ ^{discussion to an appendix.}

Writers on Proudhon on the whole agree that "justice" is the central notion of his thought. The question whether he can be annexed by any particular school, or whether his individuality defies satisfactory labelling, would perhaps best be decided by a critical account of how he tried to group his discussion of some of the traditional problems of political philosophy around this concept.

1. See Jeanne Duprat, Proudhon sociologue et moraliste, Paris, Alcan, 1929, pp.300-311.

A Note on Editions of Proudhon's Works

There are two chief editions of Proudhon's "complete works", but neither of them is complete. The first edition was begun shortly after his death in Paris in 1867 and completed at Brussels in 1870. In twenty-six volumes, it contains all the writings published in his lifetime. It was published by the Librairie internationale, Lacroix, Verboeckhoven et Cie, and is generally referred to as the Lacroix edition. Provided with very few notes, it suffers from what I found to be the extremely inconvenient defect of having been printed in a rather small print. The second chief edition of Proudhon's complete works (called the "nouvelle édition") started appearing in 1923 under the general editorship of MM. C. Bouglé and H. Moysset, and is still uncompleted. It contains nearly all his better known writings, including the posthumous De la capacité politique des classes ouvrières. The editors have taken considerable pains in editing and have supplied a generous amount of notes; the print used is bold, which in itself constitutes a major advantage over the previous edition. Unfortunately the fourteen or fifteen volumes which have appeared so far are not numbered. It is known as the Rivière edition, and is published by the publisher of the same name.

In quotation I have used the Rivière edition as far as it was possible. As there is not much to choose between the other editions, for works which have not appeared so far in this edition I have used whatever edition was conveniently available.

The only translation of Proudhon's writings done in this country was that of L'Idée générale de la Révolution au XIX^e siècle by Mr. John Beverley Robinson (Freedom Press, 1923). In America however a translation of his complete works was undertaken by a certain Mr. B.R. Tucker in the last century (1876-88). The two memoirs on property and Systeme des contradictions économiques were published at Princeton, Mass., but the venture failed to get beyond this. I have occasionally used Mr. Tucker's translations, but for the sake of simplicity have retained the pagination of the Rivière edition.

Apart from the large number of books and pamphlets published during his lifetime, Proudhon left a good number of unfinished manuscripts, some of them nearly ready for publication. These have been published at different dates. But apart from De la capacité politique des classes ouvrières and Théorie de la propriété they are of minor importance.

Proudhon's correspondence runs into fourteen volumes (Lacroix, Paris, 1875). Later in 1911 some more of his letters were published by Edouard Droz.

Proudhon's Carnets still remain unpublished, but a few writers on Proudhon have been permitted to read them by his daughter, Madame Henneguy, whose property they were¹.

1. She died in 1948 at the age of 97.

Books on Proudhon

In English.

Though Proudhon is not a prophet of any 'ism in the sense in which Marx is the prophet of communism, and though in no sense has he the stature of a thinker of the calibre of, say, de Tocqueville, a surprisingly large number of books have been written about him. This is probably due to the fact that in his native country he has always found at least a few admirers who thought writing on him worthwhile. Some of these books are well-written and constitute important contributions to the study of his thought, but often their idiom seems foreign to the technique of exposition current in this country. There is a lot to be said for the English writer's primary preoccupation to get the essentials straight, something the French writer is not rarely apt to miss in a mass of detail.

But unfortunately not much has been written about Proudhon in English. The best contribution in English is undoubtedly Professor D.W. Brogan's Proudhon (London, Hamish Hamilton, 1934). It may be described as an excellently written life, with some acute observations on his thought scattered here and there. Professor Brogan thinks that though Proudhon's thought is rich, no systematic body of doctrine can legitimately be ascribed to him; he is a "quarry" from which almost any edifice of ideas can be built up.

Professor E.H.Carr's recent Studies in Revolution (London, Macmillan, 1950) contains a chapter on Proudhon. He seems to

endorse Trotsky's characterisation of Proudhon as "the Robinson Crusoe of socialism" - a lonely and eccentric figure with "a passion for contradiction". Professor Carr thinks that Marx was right in describing Proudhon as a petit bourgeois. Hence his "fear of and contempt for, the proletariat" (at best an unfair over-simplification, as we shall see).

In America a well-known journalist, Charles A. Dana, contributed a series of six articles on Proudhon in the New York "Tribune" in 1849. They were later (1896) published by Proudhon's American translator Benjamin J. Tucker under the long title: Proudhon and his "Bank of the People", being a defense of the great French anarchist, showing the evils of specie currency, and that interest in capital can and ought to be abolished by a system of mutual banking. At the time of the publication of this booklet, Mr. Dana had long since changed his views and was editor of the New York "Sun".

Mr. S.Y.Lu's The Political Theories of P.J.Proudhon (1922) is a doctorate thesis written in America. It is more a catalogue of Proudhon's sayings on different questions than a systematic presentation of a theme.

In French

There are a number of good biographies of Proudhon. Chief among these are:-

1. Sainte-Beuve's P.J.Proudhon, sa vie et sa correspondance (1837-48), (Paris, Lévy, 1872), has a special place in

biographies of Proudhon. The account is based on Proudhon's correspondence and possesses the master-critic's touch. It only covers Proudhon's life up to 1848.

2. M. Daniel Halévy's La Jeunesse de Proudhon covers the earlier period (1809-1838) admirably. (Paris, Figuière, 1913).
3. M. D. Halévy's La Vie de Proudhon (Paris, Editions Stock, 1948) is in three parts. The first part, covering the years 1809-37, is formed by his earlier book on Proudhon, which has been enlarged here. The second part is formed by Sainte-Beuve's book, annotated with the help of the unpublished Carnets. The appendices (as the third part), provide useful additional material.
4. M. Edouard Dolléans' Proudhon (Paris Gallimard, 1948) combines an extremely sympathetic account of his life with illuminating descriptions of the background against which his ideas arose. In places it tends to get cluttered up with quotations. M. Dolléans has been able to utilise effectively the unpublished Carnets, put at his disposal by Proudhon's daughter, Madame Henneguy. Among studies of Proudhon's thought written in French

the following may be specially cited:-

1. M. C. Bouglé's La Sociologie de Proudhon (Paris, Colin, 1911) marks a fundamental step in the study of Proudhon. In this book Bouglé stressed a new aspect of Proudhon -

Proudhon the "sociologist". According to him, Proudhon is one of the "pre-sociologists", to be included with de Bonald, Saint-Simon, Fourier and Comte among the first founders of sociological theory. It was Bouglé's hope that this new point of view in the study of Proudhon would throw new light on his thought and clear up some of the obscurities in it. The merit of this work is recognised by nearly all writers on Proudhon.

2. Arthur Désjardins' P.J.Proudhon, sa vie, ses œuvres, sa doctrine (Paris, Librairie Académique Didier, 1896) is a study of considerable merit by a writer who did not conceal his hostility to socialism. Nevertheless, Désjardin recognises Proudhon's qualities. In Désjardin's view, Proudhon remains, despite his contradictions, "the foremost among French socialists".
3. Jeanne Duprat's Proudhon sociologue et moraliste (Paris, Alcan, 1929), is an excellent study of Proudhon's sociological theories as the basis on which he tried to build his theory of Justice. According to the author Proudhon did not succeed in this, though his sociological theories cannot be dismissed lightly. It may be regarded as a study along the lines started by M.Bouglé's La Sociologie de Proudhon.
4. Shortly after the end of the first World War admirers of Proudhon formed a society called "Amis de Proudhon". Under its auspices a volume of essays on Proudhon called

Proudhon et Notre Temps (Etienne Chiron, Paris, 1920) was published. Written in an atmosphere of enthusiasm produced by Wilsonian ideas, Proudhon is held to contain elements of thought capable of helping in Europe's regeneration.

5. Professor Georges Gurvitch's 'L'Idée du Droit Social. Notion et système du Droit Social. Histoire doctrinale depuis le XVII^e siècle jusqu'à la fin du XIX^e siècle (Paris, Recueil Sirey, 1932) contains (Troisième Partie, Section II) an excellent study of Proudhon as a philosopher of "right". The author is opposed to the identification of "the idea of right" with individualism. For him "social right" (le droit social) is above "individual right" (le droit individuel). The 18th century, as a reaction to the absolutist theories of the 17th century, went to the other extreme and based rights on a purely individualistic basis. In the 19th century this individualistic bias is corrected. Foremost in France among the writers who brought "right" to its proper social basis was Proudhon. In Germany, Gierke was the leading figure in this work of rehabilitation; for him "human associations are beings really existent" which before the law are "real persons"¹.
6. Among writers of communist persuasion, Marx's La Misère

1. Quoted by Gurvitch, op.cit., pp.543-544.

de la Philosophie, réponse a la Philosophie de la Misère de M.Proudhon (Paris, 1847) remains the last word on Proudhon. As in many of his other books, Marx seems to be motivated by a steadfast desire to combat ideas which he is convinced will have a pernicious influence. Apart from demolishing Proudhon's supposed "pétit bourgeois" logic it contains an early statement of the materialistic conception of history.

7. A. Cuvillier's Marx et Proudhon (Paris, 1937) is professedly written from the Marxist point of view (in the series A la lumière du marxisme, etc., tome 2).
8. Aimé Berthod's P.J.Proudhon et la propriété, un socialisme pour les paysans (Paris, Giard et Brière, 1910) is a thorough study of the evolution of Proudhon's ideas on property. Berthod finds the unifying principle of Proudhon's socialism in his views on landed property. According to him there are two conceptions of property in Proudhon. Proudhon's earlier view that property is not justifiable as an absolute right utendi et abutendi but only as a right of possession equally enjoyed by all, is not compatible with his later view of property as an absolute right, working as a preserver of liberty against the encroachments of the state.
9. M.Henri de Lubac's Proudhon et le Christianisme (Paris, Editions du Seuil, 1945) is probably the best study of Proudhon published after the War. It has been translated under the title Proudhon: the Un-Marxian Socialist

(translated from the French by Canon R.E.Cantlebury, London, Sheed & Ward, 1948). Though himself a Catholic, M. de Lubac writes on Proudhon with great sympathy and understanding. He finds that though Proudhon had an implacable hostility to the Catholic Church he was not, despite himself, an irreligious spirit. In another book of his (The Drama of Atheist Humanism, translated from the French by Edith M. Riley, London, Sheed & Ward, 1949), de Lubac sees in the philosophies of Comte, Feuerbach, Nietzsche and Marx the great danger to European civilisation. Proudhon is unlike them in that he was not an atheist but an "anti-theist" (Proudhon's term) who differentiated himself from these philosophers who put man in the place of God. In his study on Proudhon de Lubac makes interesting comparisons between him and Kierkegaard.

10. P.Haubtmann's Marx et Proudhon, leurs rapports personnels, 1844-1847 is an excellent short study of the encounter of these two men, and of what led to their final parting of the ways. It is entirely favourable to Proudhon.
11. Armand Cuvillier's Proudhon (Paris, Editions Sociales Internationales, 1937) is a selection from Proudhon's writings with annotations. In his introduction to the texts Cuvillier rejects the view that Proudhon is to be regarded as a founder of syndicalism.
12. Alexandre Marc's Proudhon Textes Choisis (Paris, Egloff, 1945) is a selection of texts from Proudhon's writings

with an introduction. The title page carries a quotation from General de Gaulle. The text contains quotations from Péguy. Written in the atmosphere of the Resistance movement, it calls for a "return to Proudhon."

13. R.Labry's Herzen et Proudhon (Collection historique de l'Institut d'Études Slaves No.4, 1928) describes how the Russian writer came to discover Proudhon. For many years Herzen admired Proudhon and they were good friends. The reading of De la Justice, however, was a great disappointment to Herzen. He thought that the old anarchist had now become conservative and in this book was writing his testament.

The Rivière edition of Proudhon's complete works contains excellent introductions to all the works published hitherto in this edition. It is indispensable for a thorough study of Proudhon.

A few words on the difficulties of interpreting Proudhon

Though every writer in some way presents his problems of interpretation, in the case of a writer like Proudhon this problem takes a somewhat peculiar form. There is first of all the enormous extent of his writings. Among the very large number of questions which interested him some preoccupied him all his life; these he discussed again and again. As he was always strongly disinclined to read again his own books after their publication, this often meant a number of conflicting versions of the same general idea. In linking up one idea with another in his thought, quite often it makes a great deal of difference as to which version is adopted. On a few occasions he tells his readers that he has abandoned an earlier position; otherwise the reader has perforce to rely on his own judgment as to what represents him better.

Proudhon's thought does not on the whole divide up into distinct periods with some principle of transition from one to the next. But where some semblance of an evolution is discernible, as in the case of his view on property and on dialectic, I have tried to trace it.

Proudhon's dialectic complicates further the interpreter's task. He sometimes gives the impression of thinking that contradictory views can legitimately be asserted about the same thing. If, to take one of his own examples, property is a factor responsible for the decline of a given society as well as a principle serving to preserve freedom and creativity in it,

then the question arises if the term "property" is being used in the same sense in the two cases. In Systeme des contradictions économiques we are told that it is, but sometimes we are left guessing. Then the element of paradox remains to puzzle and annoy the reader. Sometimes Proudhon forgets his dialectic and employs the usual procedure of saying what he thinks without using his method of antinomies. But then the element of uncertainty always remains and we do not know whether or not we are going to be surprised with another paradox.

There is however one helpful feature about his writings. In places the quality of his writings improves a great deal in clarity and some of his books are undoubtedly written with much greater care than others. I have therefore based my account on what seemed to me to present his thought more truly. If this should appear as a Procrastean bed, I could only say that the alternative would have been a rigmarole.

Yet he must be considered an inconsistent thinker. In the course of the following chapters it will be one of my tasks to bring out some of his major inconsistencies. In the earlier chapters I attempt a comprehensive view of his theory of justice as a whole, whereas in later chapters only its chief specific applications are discussed without any corresponding attempt to force them into a consistent whole.

C H A P T E R I

Proudhon's General Philosophical Position

Though Proudhon was in no sense a trained philosopher many chapters are to be found in his writings where he makes his comments on some of the questions philosophy asks and tries to answer. Some of them seem in parts to be only awkward interpolations from notes taken from ill-digested reading. It was this slapdash method of treating philosophical problems which perhaps led Renouvier to say that he "had not studied the philosophers and, understanding nothing, treated none of the questions in their jurisdiction correctly."¹ There is, however, a metaphysic to his philosophy of justice that needs outlining so that we may see in perspective the theories outlined in the following chapters. In doing this we shall see how certain major philosophical influences led him to work out a philosophy of his own.

Proudhon made three attempts at what might be called a review of human knowledge. The first such attempt is made in De la Création de l'ordre (1843). In this book he took up his positions on fundamental questions of metaphysics, methodology, ethics, political philosophy and political economy. He had "made it so thick, so tedious, so

1. Quoted from the Philosophie de l'histoire in Guy Grand's Introduction to the Rivière edition of De la Justice, tome 1, p.41.

indigestible" that he was doubtful if many would have the courage to read it from beginning to end. But those who would he promised to teach "more things than have been produced for sixty years."¹ To his friend Ackermann he wrote: "I expect from it a revolution in philosophical studies, even greater than the revolution brought about by Kant."² Actually however Proudhon was, as yet at least, too immature to carry out such an ambitious programme successfully.

Three years later, in Système des contradictions économiques (1846) he makes his second attempt at summing up human knowledge. In these three years his ideas take clearer shape, his hobby-horses take the impress of his personality; a culmination of the period in which he is struggling towards a first synthesis of his ideas.

4 The third and most important attempt at a comprehensive outline of human knowledge is made in De la Justice (1858). It possesses a maturity and completeness not to be found in an equal degree in the two earlier attempts. I will therefore base the following very brief account of his general philosophical position on it, unless one of the earlier books contains anything of significance not sufficiently discussed (for one reason or another) by Proudhon in this.

In the Prologue to De la Justice Proudhon says

1. Correspondance, tome II, pp.88-89, Lettre à Maurice.
2. Correspondance, tome II, pp.112-113.

categorically that to suppose philosophy exclusively speculative would be gross self-deception.¹ He is of course ready to concede that "philosophy comprises a certain number of questions or problems which have always been considered as fundamental problems of the human understanding", and is, as it is said, "the science of the universal, the science of principles, the science of causes", or, in more solemn terms, "the science of things visible and invisible, of God, of men and of the universe, Philosophia est scientia Dei, hominis et mundi"². But all the questions with which philosophy occupies itself are "in the orbit of common sense". For if it were possible to dispense with all observation and experience, and relying solely on self-meditation to attain to a knowledge of the ultimate nature of things, as some of the post-Kantians were deluded into hoping, "the philosopher would not be that laborious explorer, earning the bread of his soul in the sweat of his brow, exposed to error by the omission of the smallest detail, achieving only a restricted comprehension, and often instead of certitude only probabilities, at times floundering in doubt after a lifetime of spiritual agony..... but a clairvoyant, a thaumaturge, a rival to Divinity"³, etc.

1. De la Justice, tome I, p.204.

2. Ibid., tome I, pp.189-190.

3. Ibid., pp.196-197.

After rejecting transcendental metaphysics Proudhon goes on to endorse the common view that philosophy deserves to be studied only if it is useful. For once transcendental philosophy has been declared chimerical and common-sense made supreme, philosophy must become "servant" to the practical reason: it must "humanise itself..... make itself democratic and social"¹. Just as religion guides us on all questions, so must philosophy. Philosophy is destined to take the place which religion has occupied so long and is now losing. The purpose of philosophy is not only to teach man to think and reason methodically, but also to enable him so to steer the course of his life as "to deserve by his conduct the esteem of his fellow-men and of himself, and to assure himself with contentment of heart, well-being of body and security of mind."² That is, philosophy must provide us not only with a "principle of guarantee for our ideas"; it must arm us with a (fundamental) rule for our actions"³. There must be harmony between our practical and speculative reason; for "the separation of science and conscience, like that of logic and right, is only an abstraction of the school."⁴

1. Ibid., p.205.

2. Ibid., p.206.

3. Ibid., p.207.

4. Quoted in Gabriel Séailles' "Etude" of Proudhon, included in the Rivière edition of De la Justice, tome I, p.172.

In De la Justice Proudhon defines philosophy as "the quest, and, as much as is possible, the Discovery of the reason of things."¹ The expression "reason of things" (raison des choses) should not mislead us. Later on in the course of the same chapter he tells us that "what the mind sees in things are their differences, their species, their series and groups, in one word their reason."²

The concept of "series" plays a very important part in his De la création de l'ordre. According to Armand Cuvillier, "the interest of de la Création de l'Ordre lies....in this notion of the "serial law" which is the master-idea of the book."³ Proudhon borrowed the term from Fourier but used it in a sense different from the sense in which it was used by the latter.

God, according to Fourier, does not work without plan or purpose but has arranged the universe on a definite scheme of harmony. In the natural world physical objects and living beings are arranged in "series" and "groups". Men must do likewise and arrange their "industrial" and "domestic" relations on a serial basis. The essential element of human nature is "passion" and not "constraint". The satisfaction of our passions is the instrument by which God's purposes for human

1. De la Justice, tome I, p.190.

2. Ibid., tome I, p.200.

3. De la création de l'ordre, Introduction to the Rivière edition, p.50.

beings may be fulfilled; He governs us "by attraction and not by constraint"¹. The essential thing about human society is to discover the "passional series" (séries passionnées)² by which a particular kind of work should be done. Thus all disagreeable work could be turned over "to little hordes" of boys with a passion for dirtiness³. Similarly, other series could be formed in each of which one "passion" would predominate over all the others. Thus Fourier's theory of series is mainly psychological. Proudhon, however, does not think that work can become wholly a matter of pleasure. His view of the nature of work is nearer the conception expressed in the Biblical words: "Thou shalt earn thy bread in the sweat

1. H.Bourgin, Fourier, Librairie Georges Bellais, Paris, 1905, pp.274-276, 289-290 — The reason why social experiments have miscarried is because they were based on "monastic-industrial discipline". (Selections from the Works of Fourier, translated from the French by Julia Franklin with an introduction by C.Gide, London, Swan Sonnenschein & Co., 1901, p.138).
2. To be exact, Fourier's theory of "passional series" is developed for application in his "phalanstère" (a group of 300 families living together). But it is on an analogous principle that he wishes to see society organised as a whole.
3. D.O.Evans, Social Romanticism in France, 1830-1848, Oxford, Clarendon Press, 1951, p.45.

of thy brow", than the hedonistic theory of Fourier. He uses the term "series" as some sort of general philosophical principle.

We may look at the world in terms of the three main categories of substance, cause and relation. Things "remain impenetrable in their substance"; and their causes cannot be known either "in their principle or in their origin"; what is accessible to us in only "the succession of their effects"¹. This is very Comtist in spirit. At about the time of the writing of De la création de l'ordre Proudhon's view came in some ways very close to Comte's. In a letter to his friend Ackermann (20th September 1843) he says: "I am too absorbed in positivism to talk literature with you....."². In terms of Comte's "law of three stages" the search for "substances"

1. De la création de l'ordre, p.34.

2. Correspondance, tome II, p.104.

and "causes" belongs to the "metaphysical stage" of knowledge.¹ In the final "positive" stage only uniformities of succession are sought for. Here also Proudhon seems to follow Comte. As he says, what comes under man's observation is only "the relation of things, order and disorder, the beautiful and the ugly", and this alone constitutes the proper subject matter of science. Here Proudhon is mixing up two different sorts of things which Comte would have kept separate. For Comte certain aspects of things, such as succession and extension, were in some sense objective, whereas good and evil, beautiful and

1. In De la création de l'ordre Proudhon very much, though not altogether, as will become apparent in the sequel, in the fashion of Auguste Comte adopts the law of three stages, viz. Religion, Philosophy and Metaphysics, corresponding respectively to the latter's theological, metaphysical and positive stages. (See Comte's Cours de Philosophie Positive, tome I, pp.8-10, Librairie J.B. Baillièrè et Fils, 1864). It is difficult to say with certainty that Proudhon is directly indebted to Comte. It is quite possible that Proudhon got the idea from Saint-Simon's own writings. Cf. Guy Grand's introduction to De la Justice, Rivière edition, tome I, p.66. In De la Justice the original scheme is retained, but the terms used to represent the different stages there are Religion, Metaphysics and Philosophy respectively.

ugly, were qualities subjectively ascribed by us to things.

This aspect of things (that is of "the succession of their effects") which alone we may legitimately study, is covered by the various forms of the "serial law". There are all sorts of series: there are series in mathematics; the phenomena of light, of liquids, of mechanics, can all be arranged in series. "The continuity of consciousness and the permanence of the inner sense, the indefatigable vigil of the self, are nothing but illusions". We console ourselves with the mistaken belief that we live continuously during "the short interval that is granted us". But poor mortals that we are, "every instant of our existence holds the one preceding it no better than the vibrations of a lyre hold themselves together: the vital force that animates us is counted, weighed, seriate"¹. The purpose of science is only to study these aspects which are within the reach of our understanding, that is, "the relations of succession, of juxtaposition, of quantity or of form"². In this book he seems to hold a distinctively positivist view of science, and seems to identify philosophy with what "will consist in the classification of relations and the formation of series"³.

1. De la création de L'Ordre, p.141

2. Ibid, p.88.

3. Ibid, p.89.

Here I have only tried to indicate what Proudhon means by "series". When we come to consider his dialectic we shall see what role it plays in that.

Though Proudhon rejects the claims which have sometimes been made on behalf of philosophers to understand by a trained intuition an aspect of things hidden from what he calls "common sense", the philosophical conclusions he comes to are certainly not those that common sense adopts. For instance, the common sense view of the human mind as a screen on which are projected the happenings of the external world is not acceptable to Proudhon. The understanding plays its part in the perception of phenomena and the formation of ideas, and "the human soul is not exclusively passive in its conceptions, but in receiving images or impressions from without reacts on them and forms ideas of them, so that half if not the whole of the discharge of ideas therefrom, that is the discovery of the truth in things, belongs to the mind." The Kantianism of this quotation is pronounced, but it lacks precision. Proudhon does not work out the epistemological counterpart of his ethical and political philosophy in any detail. Epistemology and Metaphysics are not his forte, and his philosophical conceptions arise from an undisciplined eclecticism which in a professional philosopher would be unpardonable. He himself had railed at the eclectic philosophy of Cousin and his disciples. His own position is made up of a queer assortment of conceptions gathered from extremely

heterogeneous sources. But he can be excused on the ground that he needs these ideas largely as a setting for his political and ethical ideas - to give them the usual completeness of a philosophical system.

In addition to the relations of succession, quantity, juxtaposition etc., which bring together elements of our experience, are "the generic supreme groups, or the rules of etiquette under which our ideas come to be arranged".¹ These are the "categories" which have played so important a part in philosophy. Proudhon thinks that the categories of philosophy are actually like the categories of grammar known commonly as "parts of speech". Philosophers have sometimes given their own lists, sometimes followed or amended the well-known ones. Thus the Indian philosopher Kanada held that there are always six things to prove, the substance, the quality, the action, the common, the proper and the relation of a thing. The Aristotelian gives a list of ten categories. In modern philosophy Kant's list is famous. But the mistake which philosophers have generally committed is to have regarded them as in themselves intelligible, as providing a scheme of classifying reality in its various aspects. "They are to metaphysics (i.e. philosophy) what simple bodies are to chemistry: they serve to express what is inexpressible, the substance, the cause, the passion, etc."²

1. Ibid., p.157.

2. Ibid., p.161.

Without them the understanding cannot operate; but the question to ask is not "on what the understanding operates, but how it should operate."¹ We may adopt either of these lists of classification; we may adopt Hegel's method of triads. However rigorous and irreproachable the procedure might be, in the end "it reduces itself to the description of a point of view chosen as one among a thousand"; it proves nothing as to the system followed by nature.

Here an inconsistency may be pointed out. When, like Comte, he says that we cannot know anything about substances or causes but can only know about certain relations between things, these relations at least are ascribed to nature. Therefore, on his own theory, the category of relation is prior to the other categories. Therefore a list of categories in which the category of relation is included would be nearer reality than another in which it is not.

Though Proudhon has in rejecting metaphysics and ontology chosen the path of positivism, the problem of what he calls "certitude" exercises his mind and leads him somewhat in the

1. Ibid., p.161. - Kant regards the categories as "pure concepts of the understanding... applying a priori to objects." "There is no question for him as to "how they should operate"; they are "original concepts of synthesis that the understanding contains within itself a priori". Vide Critique of Pure Reason, Transcendental Analytic, Norman Kemp Smith's translation.

fashion of Descartes to halt before "the hypothesis of God". He is torn between at least three possible solutions. On a number of occasions he says, like Feuerbach¹, that it is indubitable that "humanity in affirming God only affirms itself". But he does not restrict himself to saying only this, for humanity not only affirms its own idealised self in God, but in affirming itself (that is in God) "it affirms itself other than it knows itself to be (elle s'affirme alors comme autre que ce qu'elle se connaît)". Feuerbach's "anthropological humanism" is therefore to be rejected as misleading.

Writing the prologue to Systeme des contradictions économiques he asks why "social philosophy does not admit a priori that humanity can neither deceive nor be deceived in its acts." It is a strange sort of perplexity to suffer from a book on political economy. But for him it is a question of how to affirm "the authority of human judgments"; the hypothesis of God is bound up with the authenticity of the faith that "society is governed with prudence, foresight, intelligence". So "the first judgment of reason, the preamble of every political constitution" must be: "There is a God".

1. Proudhon was probably introduced to Feuerbach's ideas by Marx and Grün. His lack of German prevented him from reading Feuerbach.
2. Systeme des contradictions économiques, tome I, p.50.

It is true that "a priori dogmatism" applied to God has remained sterile. But can the same be said of God as a hypothesis? Proudhon confesses that this problem has "tormented him with contrary ideas."¹ These "contrary ideas" will appear in their full significance in the course of the last few pages of this chapter. Let us try to see how the problem is posed. It seems natural enough to assume that an unknown force moves the universe, or, as he puts it, "the suns and the atoms". But Proudhon insists on ruling out all hypotheses which postulate "the intervention of a God in the explanation of human affairs."²

A word of comment is necessary here. Proudhon seems to say that he needs "the hypothesis of God" as providing the assurance that the universe is not a chaos but some sort of cosmos and that human affairs are intelligible; but despite this, he adds, God does not interfere in the life of human beings. So he would deny that wars, for instance are divine visitations for our trespasses, as an ignorant priest might say. But what is his notion of God? If God is conceived in terms of a person, then since He maintains both the universe and man in some intelligible pattern of relations He can also intervene in human affairs when they go awry. Proudhon could say, as indeed he does in his own words, that within God's

1. Ibid., I, p.33.

2. Ibid., I, p.34.

general scheme man has some measure of freedom to make or to mar things. If, on the other hand, God is conceived pantheistically (Proudhon does not on the whole like pantheism), then not being a person He cannot "intervene" in our affairs. In considering in a little while Proudhon's theology we shall see how it sheds further light on his approach to this question.

Though God is banished from human affairs Proudhon stops short of the next step which the atheistic humanism of Feuerbach and Marx does not stop short of taking. The reasoning he employs is reminiscent of Descartes' argument from the veracity of God to the reliability of human knowledge, though, as we have already seen, he does not think it possible to prove or disprove God's existence.¹ The astronomer cannot "with the vulgar suppose the sky to be a vault, the earth flat, the sky as large as a balloon", etc. Nor can "astronomical philosophy admit a priori that our

1. In Systeme des Contradictions économiques Hegel's influence on him is at its height, and he even goes so far as to employ the argument familiar to the student of idealistic logic that every negation implies a previous affirmation: "The hypothesis of God is legitimate" because, "all negation implying affirmation", even in denying it he is under obligation to concede it. (tome I, p.51).

senses deceive us, and that we do not see what we see". Where would "the certitude of astronomy" be if such a principle were admitted? The same sceptical argument could, mutatis mutandis, be extended to apply to the other departments of human knowledge. But philosophy being essentially practical for Proudhon, the problem of "certitude" in social philosophy has an especial urgency. The urgency of his italicised proposition "There is a God" we have already seen translated into: "Society is governed by prudence, foresight and intelligence". In the next paragraph he goes on to say that "the history of society is for us nothing else but a long determination of God, a progressive revelation of man's destiny". Actually there are two aspects to what Proudhon is here trying to say: the philosophical as distinct from the sociological. The former we have already tried to bring out. In addition it may be said here that the last quotation suggests that Proudhon is understanding God pantheistically. If God is identified with the whole of reality, including man, then whatever happens is a "determination of God". The latter needs a good deal of elucidation. I shall here try to examine some of the consequences it has for his political and moral philosophy. "Atheism, known otherwise as humanism" is "true in its critical and negative parts"; but "according to the humanist God is none other than humanity itself."¹ They go so far as to "defy"

1. Ibid., I, p.394.

humanity as though it is "neither progressive, nor is there any contrast between its reason and its sentiments; in one word, as though it were infinite in every respect."¹ For Proudhon, however, "God, the Supreme Being, is the antipodes of humanity, the ontological summit which it endlessly misses". The two partake of absolutely antagonistic attributes; God is "spontaneity, immediacy, infallibility, eternity"; to man are given "foresight, deduction, mobility, time".² At this stage it is important to remember that Proudhon lived at a time when Hegel's philosophy was supreme on the Continent. It had left its impress on both contemporary philosophy and contemporary theology. But in this respect Proudhon remained aloof from the dominant rationalism of his time.

M. Henri de Lubac has in his excellent study³ of Proudhon paradoxically bracketed Proudhon with Kierkegaard as an anti-Hegelian. When Proudhon wrote his Systeme des Contradictions économiques - it is the Proudhon of this book that de Lubac compares with Kierkegaard - he was more than at any other time in his life under the influence of Hegel's philosophy. Perhaps there is an unintentional irony here.

1. Ibid., I, p.39.

2. Ibid., p.393.

3. The Un-Marxian Socialist, a Study of Proudhon.

For Proudhon's views on the relation between theology and philosophy bear some striking resemblance with those of Kierkegaard. "Theology sits rouged at the window, and courts the favour of philosophy, sells to it her beauty"¹, Kierkegaard had said with bitterness. As a youth, Proudhon had a similar experience on reading Fénelon's Démonstration de l'existence de Dieu. It was a time when he "felt God", when his soul was "pervaded with Him"². From childhood this "grand idea" (of a supreme Being) had got its hold on him, dominating his entire being. But though this book had "suddenly opened his mind and illuminated his thought"², it had failed to satisfy him. Only later on was he to realise that metaphysical reasoning was also used by materialists and atheists to deny God. Sadly disillusioned though he was, he continued to believe in God and in the immortality of the soul, less because of the weight of favourable evidence than for "the feebleness of contradictory reasons"³. But he had decided to take leave of natural theology, and try a "new route" to that scientific certitude he was ambitious to achieve for social knowledge.

1. Quoted in Mr. F.W.Fulford's study Sören Aabye Kierkegaard: a study (H.W.Wallis, Cambridge, date of publication not given), p.16.
2. Correspondance, tome 1, p.25.
3. ibid., tome 1, p.26.

Kierkegaard had said that "A logical system is possible", but "Nothing must then be incorporated in a logical system that has any relation to existence, that is not indifferent to existence."¹ A system which claims to begin "without any presuppositions" he regarded as a "comical"² view. In his Attack upon "Christendom" he went on to say "There is only one relation to revealed truth: believing it".³ Here, however, their ways part. Kierkegaard would believe just because "believing" is "an offence" to reason. For Proudhon this is impossible. On his view God insults our humanity; therefore He is our enemy.

To sum up: Proudhon's attempt to build a systematic philosophical position for himself cannot be regarded as a success. He borrowed his philosophical ideas from a number of sources, but could not harmonise them into a single scheme of his own. He adopts the Comtist law of three stages. Like Comte, and the Encyclopedists before Comte, he wants to give a practical turn to philosophy. At the same time he shares Kant's view that the human mind is so constituted that we inevitably speculate about problems and aspects of things with which our understanding is not competent to deal. He denies

1. Concluding Unscientific Postscript to the "Philosophical Fragments" quoted in Robert Bretall's A Kierkegaard Anthology, p.196.
2. R.Bretall, op.cit., pp.200-203.
3. Ibid., p.464.

that any particular list of "categories" has logical priority over another; it is no more than "the description of a point of view chosen as one among a thousand." Yet he seems to think - at least he ought to hold - that at least the category "relation" is really descriptive of reality. In spite of his positivism he believes that values are objective in some sense. Proudhon was attracted to Hegel's philosophy, particularly his dialectical method. In De la création de l'ordre he used Fourier's term "series" to cover a universal aspect of things expressing itself in many forms¹. Proudhon's theological views form an exception to his rationalism. He is, like Kierkegaard, an opponent of "theology".

Having cleared some philosophical ground let us try in the next chapter to see what Proudhon means by the concept of justice, with which he promises to remove some of our philosophical perplexities.

1. As Proudhon's views on dialectic require some lengthy discussion I have postponed their full consideration to a separate chapter.

C H A P T E R I I

Proudhon's various definitions of justice and the relation
of his philosophy of justice with "Natural Law"

In the previous chapter we have had occasion to compare Proudhon's positivism with the positivism of August Comte. The point, however, at which Proudhon parts company with the latter is very significant. Comte had, very much in the spirit of modern positivism, regarded the terms "natural law" and "natural rights" as "metaphysical and theological conceptions". "The word Right", he recommended, "should be excluded from the language of political thought, as the word Cause from the language of philosophy."¹ For Proudhon, on the other hand, it is precisely in connection with the notion of "right" that the unifying conception of philosophy should be sought.

This central conception of his thought he calls justice. Proudhon defines justice as it were at different levels. At the most general level it is almost synonymous with any basic principle, whether of metaphysics, morals, aesthetics, economics or politics. "Justice, let us not be afraid of repeating ourselves, under divers names, governs the world,

1. System of Positive Polity, vol.1, pp.289-90; translated from the French by J.H.Bridges, Frederic Harrison and others, London, 1875.

nature and humanity, science and conscience, logic and ethics, political economy, politics, history, literature and art."¹ "In the order of conscience, the highest of all, it is JUSTICE properly so called, rule of our rights and our duties; in the order of intelligence, logic, mathematics, etc., it is equality or equation; in the sphere of the imagination, its name is the ideal; in nature, it is equilibrium".² At this level justice for Proudhon has a "mystique", which like all "mystiques" defies detailed analysis. In fact many of the most beautiful passages in his writings are about the mystical in justice. "When I had driven out all the mysticism, I found myself contending again with a greater mysticism, justice, the mysteries....."³ M. de Lubac quotes a passage from Proudhon's Carnets (still unpublished) where the adoration of justice is carried to a pitch which only the devout feel for God: "Where does this passion for justice in me come from, a passion which carries me away, excites me, and sets my blood boiling? It is my

1. De la Justice, tome I, pp.226-27. - The nearest analogue to this sense of justice I know of is Leibniz's congruitas ac proportionalitas quaedam (See Giorgio Del Vecchio, Justice, chap.I. Translated from the Italian by Lady Guthrie, London, 1952).
2. Ibid., tome I, p.217.
3. Quoted in The Un-Marxian Socialist, a study of Proudhon, p.207.

God, my religion, my all, and if I attempt to justify it by philosophic reasons I cannot do so." M. de Lubac finds in them a "religious accent", an indication of a deep-down yearning for religion. As we shall see later on, Proudhon felt forced to abandon Christianity not merely out of temperamental antipathy for the Catholicism of his time - he never considered any of the Protestant churches as a possible rival for the Mother Church - but as much at least because for him all the great historical religions are incompatible with any genuine respect for human personality. But he was always aware of the important part religion has until now played in the spiritual life of man. What he really wants is a substitute for the established religion. This he thinks he can find only in the zealous pursuit of and faith in justice. Thus in Du Principe fédératif he gives expression to his faith when he hopes for a future millennium in which "the pure religion of Justice.....without symbolism and without idols"¹ will have begun to prevail.

Coming down from the metaphysical to the practical level we find Proudhon viewing justice as the key problem of ethics. But ethics abstractly viewed is of little importance. "The science of Justice cannot arise from a dialectical deduction of notions: it has to be brought out from the phenomenality

1. op. cit., p.164.

(phénoménalité) that these notions engender, as every law of physics is disengaged from the series of phenomena which are its expression"¹. We may thus reasonably define the field of ethics which justice covers for Proudhon as "that part of moral philosophy which characterises the subject in society"². But is Proudhon's comparison of the rules of justice with the laws of physics justified? The laws of physics are based on the observation of actual regularities, whereas the rules of just conduct are not always exemplified in our lives. Men are just as well as unjust, they obey as well as disobey ethical principles. Therefore there is nothing to "discover" in ethics in the sense in which physicists make discoveries. It seems Proudhon wants to put rules of justice on some objective basis, but in so far as he says that they cannot be "deduced" he is probably showing the influence of the positivist ideas of his time.

The Subjective and the Objective Aspects of Justice

The definition of justice that we employ depends not only on the level at which we may wish to speak, it depends also on the aspect chosen. We may distinguish two aspects of Proudhon's definition of justice: the subjective and the objective aspects. In its subjective aspect, it is "the

1. De la Justice, tome I, p.281. Here we have an indication of Proudhon's Platonism on which so many of his students have commented.

2. Ibid., tome I, p.313.

respect spontaneously felt and reciprocally guaranteed for human dignity, in whatever person and in whatever circumstances it may be imperilled, and whatever may be the risks to which its defence may expose us"¹.

The metaphysical status which Proudhon seems to ascribe to justice will have raised in the reader's mind the question whether this is consistent with his positivism. Here a comparison with Locke may be made. It is generally thought that Locke's denial that there are innate ideas in the human understanding is not consistent with his theory of natural rights conceivable in an a priori way. Proudhon is faced with a similar difficulty. But he was, it appears to me, not quite unaware of the anomaly of his position in this respect. There is at least one instance in which he tried to overcome it. Proudhon's views on justice as expressed in the premier mémoire of Qu'est-ce que la propriété? differ considerably from those of De la Justice. An account of his earlier position will, besides indicating the way in which he tried to accommodate his theory of justice to his positivism, also help in clarifying his position on what I have called the "subjective" aspect of justice.

In Qu'est-ce que la propriété (premier mémoire) Proudhon treats justice as a form of the "instinct of society" or "sociability"² as he also calls it. The doing of good deeds

1. Ibid., tome I, p.423.

2. op. cit., last chapter.

to their fellows is not confined to men alone, as biologists will tell us. In so far as we are like the animals sociability is "a sort of magnetism which the contemplation of a being similar to ourselves stirs in us, but whose flux never goes beyond him who experiences it, which can be reciprocated but not communicated"¹. Love, benevolence, pity, sympathy, etc., are different forms of this level of sociability common to men and animals alike. Being little more than instincts, so Proudhon thinks, there is nothing in them to merit our esteem; nor is there anything in them to distinguish us from animals.

The second degree of sociability Proudhon calls "justice". It is to be defined as "the recognition in others of a personality equal to our own"². So far as the "sentiment" of this equality is concerned, animals possess it as well as we do. As to intellectual awareness, we alone are capable of forming "a complete idea of the just"³.

As the third or highest degree of sociability we have

1 & 2. Ibid., p.303.

3. Ibid., p.303 - In a letter to his friend Ackermann (23rd May 1842) he says "justice, like the idea of the beautiful, is said to be a notion, a primitive and essential form of our soul; and I turn it into a physiological attribute, common to men and animals, there being no difference between them except by more or less and by certain ideas special to the latter, and absent in the former". (Correspondance, tome II, p.46). This suggests a clear affinity of his position here with the "naturalistic" view of value.

"a unique sentiment", which Proudhon here calls "equity or social proportionality"¹, of which generosity, gratitude and friendship are three distinct "nuances". But Proudhon is obviously mistaken in thinking that "equity" is the same thing as gratitude or generosity or friendship. We may regard it as in some sense (though an unusual one) "just" that we should feel gratitude for a good turn done to us which we have in no way merited. But generosity is certainly something more than justice, in the sense that a generous man is a benefactor who gives more than is "due".

Proudhon's view of the subjective aspect of justice in Qu'est-ce que la propriété? may be put in this way. There is an original basis of instinct which we share with animals. Some of the developments of this instinctive basis are common to men and animals (love, benevolence, pity, sympathy, etc.). Some animals have even a "sentiment" of equality, though men alone are intellectually aware of its existence. But at the highest level of the development of this instinctive basis men differentiate themselves clearly from animals. They have "a unique sentiment" which may be called "equity". This sentiment covers such things as generosity, gratitude and friendship. Here he is using the word "equity" in a sense which it simply does not possess.²

1. Ibid., p.311.

2. As he himself admits he uses "equity" in the sense of the Latin word "humanitas".

Even if we waive this objection, the question still remains whether this sentiment really exists or whether it is simply a collective name for "generosity, gratitude and friendship", recommended to us by our author. That is, if it is not merely a tautology, but a psychological hypothesis, then it must be submitted to the appropriate test.

Nevertheless, the essential fact remains that for Proudhon all the three "degrees" of sociability are grounded in instinct. As he puts it: "Sociability, justice, equity, such is in its threefold degree the exact definition of the instinctive faculty which makes us seek intercourse with our fellow-beings....."¹.

Here a comparison with John Stuart Mill's view of justice will be of some help. In chapter V of his Utilitarianism Mill discusses, among other things, the question whether "the feeling itself, of justice is sui generis like our sensation of colour and taste, or a derivative feeling, formed by a combination of others". "And the sentiment of justice appears to me to be", Mill goes on to say in reply, "the animal desire to repel or retaliate a hurt or damage to oneself, to those with whom one sympathises, widened so as to include all persons, by the human capacity of enlarged sympathy, and the human conception of self-interest. From the latter elements, the feeling derives its morality; from the former,

1. Qu'est-ce que la propriété? premier mémoire, p.312.

its peculiar impressiveness, and energy of self-assertion". As thus accounted for, "there is no necessity to assume for it any peculiarity of origin". Mill is clearly denying that justice is a feeling sui generis. Proudhon seems to adopt a somewhat different psychology. He wants to make as close a parallel with animal psychology as possible. What he calls justice is partly an animal "sentiment" and partly a human awareness of equality between persons. His term "equity" definitely stands for a "unique" sentiment. Mill's position is clearly naturalistic (justice is not perceived by a special faculty, but is reducible to simpler psychological elements); Proudhon does not, like Mill, adopt an atomistic psychology. Proudhon's position is naturalistic in the sense that for him justice and equity originate in an instinct. It is not, however, naturalistic in the sense that these elements are not reducible to other affective or cognitive elements but exist in their own right.

In De la Justice Proudhon's views on justice attain a much greater degree of clarity. The terminology is somewhat different too. Here he stresses the following points, which leave no doubt as to the "non-naturalism" of his later view of justice.

- (1) Justice contains no mystical elements in the sense of something derived from a supernatural source. Yet despite himself Proudhon gives it a mystique. He also says that it is free from "psychological" elements.

What he means by this is indicated by his own words:

"Instead of being an animal affection, a sort of organic magnetism, (it is) the exalted and impersonal sentiment that we have of the dignity of our species, dignity that we do not separate from our liberty."¹

(2) It is superior to interest.² I must respect and get respected by my neighbour as myself; such is the law of my conscience."¹

(3) It is "a faculty of the soul", "the first of all faculties, constitutive of the social being".¹

Justice is extra-phenomenal in Kant's sense of the term.³

Proudhon uses not the term "category", but the term "metaphysical ideas", though he assures us that these "ideas" in themselves contain no truth. They arise from the opposition of the ego and the non-ego. Very much like Kant's categories they are indispensable "to the formation of every idea and the constitution of each science".⁴ The idea of justice however is the chief idea of all these, the "idée

1. De la Justice, tome I, pp.425-426.

2. For Mill justice is connected with utility, and also with resentment at attack on those we sympathise with.

3. Cf. Guy Grand's introduction to De la Justice, Rivière edition, tome I, p.80.

4. De la Justice, tome I, p.211.

princesse" as he calls it. This would seem to suggest that values are for Proudhon in some sense basic to science and to theory generally, as if he thought that Kant ought to have made the Critique of Practical Reason his fundamental critique. But Proudhon does not pursue this line of thought any further. If he had, he would soon have realised that it was inconsistent with his positivism.

A further parallel with Kant can be made. For Kant only the good will has moral value and only actions done from respect for the moral law deserve our moral praise. For Proudhon the doing of good deeds to our fellow human beings from charity or love cannot get us far. It is only "respect" for human dignity as such that can be relied upon to enable us to perform our duties towards other members of the human race.

Definition of the Objective Aspect of Justice

Proudhon's view of the objective aspect of justice properly so called is easier to expound. In many ways it resembles the seventeenth and eighteenth century philosophies of natural law and natural rights. He shares with the great philosophers of the 17th century their belief in the possibility of arriving in ethics at conclusions as certain as those of mathematics. Locke, for example, thought that "moral knowledge is as capable of real certainty as mathematics."¹ So too, for Proudhon, "as much as is the

1. Essay, Book IV, chap.IV, art.7.

mathematician sure of not being mistaken on the notion of equality.....as much is the moral being certain of not going astray in his notion of good and evil."¹ George Guy-Grand, in his introduction to the Rivière edition of De la Justice, assigns this characteristic of Proudhon's thought to his "scientism"², a term which needs explaining. In a general sense it may be understood to mean belief in the possibility of arriving at definite and precise solutions of problems arising in fields outside mathematics and the exact sciences like physics and chemistry. Proudhon wrote at a time when the complexity of the problems of the social sciences was hardly yet fully appreciated. In this respect he shares the general simplisme of early sociology. Even so, the term "scientism" hardly describes Proudhon's position. To understand it we shall need to study his own special and in some ways peculiar brand of natural law.

In the preface to Du principe fédératif Proudhon went so far as to say that his entire system was a "philosophy of

1. De la Justice, tome III, p.363.
2. Ibid., tome I, p.66 - Professor Hayek has recently used the term "scientism" in another sense. It stands for him for the attitude that by applying the methods of the natural sciences we can produce similarly important results in the study of social problems. (See his paper Scientism and the Study of Society, Economica, Vols. IX-XI, 1942-44).

right"¹. "The sovereignty of right, such is the culmination of all the Proudhonian constructions"²; George Gurvitch well sums up Proudhon's whole work. The adjective "natural" hardly ever accompanies the use of the substantives "law" and "right" in his writings. That his is a philosophy of natural law and natural rights, and the sense in which it is so, will be the theme of the rest of this chapter.

Before proceeding with our investigation into the nature of Proudhon's philosophy of law or right it will be expedient to make a distinction between the theory of natural law and the theory of natural rights. The antithesis between Nature and Convention, or between natural law and positive law, goes as far back as at least the fifth century B.C. But the conception of natural rights matching political obligations does not seem to have taken root in Greek political theory. It is only among some of the Sophists that elements of a theory of natural rights may be found. Plato regards the state as an organism, similar and very much larger and therefore completer than the individual. The health and well-being of this organism is much more important than the fulfilment of the personal needs and aspirations of the individuals that go to compose it. On such a theory the individual owes everything to

1. Quoted by Gurvitch, op.cit., p.353.

2. Ibid., p.354.

society, and any claims on his part to "inalienable" rights, however conceived, would be ridiculous¹.

The distinction between Nature and Convention, on the other hand, is fundamental to Greek philosophy. Alongside of this distinction goes the identification of truth with nature - whatever nature may be understood to mean - and convention with falsehood.

In medieval political theory the conception of natural law is again prominent. As Gierke has pointed out, however, the organic conception of the state still dominates political thought, with the result that the stress is on duties rather than on rights.

The transition from early to modern natural law theory may be seen clearly in Grotius. Starting from medieval Aristotelianism he accentuates further St. Thomas Aquinas' subordination of God's will to His reason. Although God is "the Author of Nature", and prescribed though it is by him, "The law of nature is unchangeable - even in the sense that it

1. Thus Comte was in sympathy with Plato when he wanted to banish the word "rights" from the dictionary.

cannot be changed by God."¹ Natural law as "the dictate of right reason" is granted to all men, but grace and revelation do not conflict with it. Not only does grace not abolish nature, unaided human reason can thrive in relative independence of its Author². The way to the natural law theories of the 17th and 18th centuries is therefore open.

Some of the salient features distinguishing modern natural law theory from the medieval are:-

- (1) In the classical period of modern philosophies of natural law:
 1. The entire passage in the original Latin of the 1646 edition of De Jure Belli ac Pacis runs: "Est autem jus naturale adeo immobile, ut ne a Deo quidem mutari queat. Quanquam enim immensa est Dei potentia, dici tamen quaedam possunt ad quae se illa non extendit, quia quae ita dicuntur, dicuntur tantum, sensum autem qui rem exprimat nullum habent; sed sibi ipsis repugnant: Sicut ergo ut bis duo non sint quatuor ne a Deo quidem potest effici, ita ne hoc quidem, ut quod intrinseca ratione malum est, malum non sit." (Lib.I, X. 1646 edition of De Jure Belli ac Pacis, published by the Carnegie Institution of Washington, 1913, as vol.1 of No.3 of "The Classics of International Law").
 2. Even though Grotius endorses Aquinas' saying that grace is needed to perfect human nature, it has lost its medieval accent.

law the conception of society as a vast mechanism, in the wake of the developments in mathematical physics, supersedes the medieval view of society on the analogy of a living organism.

(2) As the laws of the physical universe have been unravelled by great minds like Newton, equally must the laws that govern the social mechanism be discoverable, as well as possess a similar degree of certainty.

(3) The explanation of the origin of human society as a natural phenomenon grounded in the social nature of man is no longer considered adequate. So the question, How and why did human beings originally come together to form societies? is debated in terms of new theories of contract. The medieval pactum subjectionis between the prince and his subjects must needs be supplemented by an original pactum conjunctionis.

(4) With the changed conception of the nature of society and of the individual's relationship with it, those rights that pertain to the special nature of man qua man begin to be debated in great earnestness.

In setting forth the above four points my purpose was not to sum up the essential features of modern natural law doctrines, for any such summing up is bound to be an oversimplification, but only to draw a working distinction between medieval and modern political theory for the ensuing discussion. Proudhon's doctrine differs considerably from

the classical formulation of natural law by, say, Grotius or Locke.- He does not, for instance, approve of the attempt to explain or justify the origin of human society in terms of a contract, real or imaginary. Nor is he so extreme a rationalist as some of the encyclopaedists were. This is only natural. He is separated by a span of nearly three-quarters of a century from the milieu of the French Enlightenment. The growth of positivism in France, the culmination of German metaphysics in Hegel's historical method, the development of English empiricism into Humean scepticism, were some of the chief factors militating against the rise of new philosophies of natural law and natural rights. In some ways an even more important factor in France was the traditionalism of de Bonald and de Maistre.

Nevertheless Proudhon holds fast to natural law in his own curious way. This must be said in spite of his apparent dislike of the term "natural law"¹. The explanation of his unwillingness to acknowledge his philosophy as a philosophy of natural law lies in the struggle between his humanism and an almost compulsive urge to find a more than merely human basis for morality. These two sides to his personality do not seem to harmonise, with the result that the entire logic of one important aspect of his philosophy of justice is strained. The moralist in him could not be satisfied with an egoistic

1. De la Justice, tome I, p.320.

ethic like that of Stirner.

Steeped in the literature of the Enlightenment as he was, Proudhon believed that he was continuing the work of the philosophy that inspired the French Revolution, but to regard him as simply continuing the work of the philosophes of the eighteenth century would be a serious mistake; nor is he unaware of the complexity of his own thought in comparison with the comparatively simple assumptions of his predecessors. I should rather say that the influences of mid-nineteenth century zeitgeist complicate vastly an otherwise simple system of basic assumptions.

We have seen already that Proudhon identifies justice with "right". The ultimate basis of right is neither subjective nor empirical but a priori: "Man destined to live in society is governed by a system of laws that experience reveals to him little by little, in the measure in which he enters into relation with his fellow-men and nature but whose principle is given a priori in his conscience".¹ These laws are not sociological, but normative; "in the measure in which they reveal themselves to man and are promulgated by him, they create for him as many particular, special obligations, also called duties."² This insistence that the laws of justice are discovered rather than contrived definitely establishes a close

1. Correspondance, tome XII, p.368.

2. loc. cit.

similarity between Proudhon's philosophy of justice and the modern formulations of natural law. But already a difference may be noticed. The Stoics, and in this the seventeenth century theorists of natural law were at one with the Stoics, held that the laws of justice (that is the Natural Law) are immediately discernible by the light of reason. For Proudhon they are "revealed" very slowly in a long process of historical progress. This raises the question about the relation in which natural law stands to history for Proudhon. As this question requires some lengthy exposition and discussion I have reserved its consideration to a special chapter (chapter IX). In the concluding chapter we shall have an occasion to compare Proudhon's position with some present theories of natural law.

CHAPTER III

Justice and Equality

"Equality" in a loose sense

Proudhon has his heart set on equating justice with equality. As M. Bouglé has pointed out, "the idea of justice" is for Proudhon "but another name for the idea of equality".¹ It is not, however, easy to expound Proudhon's defence of equality. Like the idea of justice, the term "equality" has for him many senses. To begin with, the principle of equality, like the principle of justice, operates not only among men, but also applies to the entire universe. Therefore, those who think that though "justice is equalitarian; nature is not" are wrong.² In his passion for equality Proudhon does not pause to consider the extreme absurdity of the position in which he would land himself by making such a claim. Nevertheless, perhaps only to reassure himself, he asserts his claim even more firmly: "The legislation of the worlds is an equalitarian legislation."³ Are not the number of days in a year equal, the annual rainfall of a place "sensibly the same"; do not "the flux and the reflux of the ocean, in their

1. La Sociologie de Proudhon, Paris, 1911, p.57.

2. De la Justice, tome II, p.66.

3. Ibid., tome II, p.67.

averages, march with the regularity of a pendulum"¹ If there is inequality in the world, it does not arise "from the essence of things, from their innateness; it arises in the environment". A few more examples of equality in nature follow, but the game is very soon given up. The words of the "Sage", presumably Pythagoras, obligingly come to his rescue: "the world has been made with number, weight and measure". The term "equality" has changed its meaning. Starting with equality in its usual sense, he has gradually shifted its meaning until it comes to stand for any sort of numerical relation. It may be noted that his loose sense of "equality" corresponds to his "justice" in the sense in which it has a mystique.

In what sense are all human beings equal?

The most important sense of equality for Proudhon is the sense in which all men are, so to speak, potentially of equal worth. This sense of equality is analogous, so it seems to me, to the sense in which it is held that God is no respecter of persons and is interested equally in their redemption; to the sense in which equality is supposed to be a natural right; or, in Kant's sense, each person is an end. The relation of equality in this sense with justice is undoubtedly important and Proudhon is right in stressing it.

Mr. E.F. Carritt makes an interesting defence of equality

1. Ibid., tome II, p.68.

in this sense. He distinguishes between what he calls "rights" and "claims". The framers of the American Declaration of Independence, for instance, presumed to define natural rights as inalienable. Such attempts to conceive them as "inalienable" have brought natural rights into disrepute. Men have only "claims" to "life, liberty, property and the pursuit of happiness". When their claims to these things conflict, the claim of one can be overridden by the stronger claim of another. But equality is the most important of our claims ("the primary claim" as Mr. Carritt calls it). On this view the natural right of equality becomes "the fundamental right of nature....to equality of treatment in like situations" - "The natural right of every man was to have claims equally considered".¹

The most important thing to note about Proudhon's theory of equality is an obvious one. For Proudhon it is not a question of asserting equality between essentially unlike beings; what the opponents of equality deny is the equality "of similar beings (*des semblables*)". For example, one species can be and often is superior to another in physical strength and intelligence; but members of the same species are

1. E.F.Carritt, Ethical and Political Thinking, Oxford, 1947, pp.79 and 97. See chts. 6 and 9. Cf. Prof. Daiches Raphael's Equality and Equity, in Philosophy, July, 1946.

essentially alike. "All the individuals composing a society are, in principle, of the same essence, calibre, type, model: if some difference appears among them, it arises not from the creative thought that has given them being and form, but in external circumstances under which individualities come to birth and develop. It is not by virtue of this inequality, singularly exaggerated as it is, that society maintains itself, it is in spite of this inequality."¹ Here two things need to be pointed out. First, from the supposed fact that all human beings are of the same essence (whatever that may mean) he draws the inference that they should be treated alike (i.e. equally well). But this is not a legitimate inference. The first proposition purports to make a factual claim about the "real" nature of man; the second asserts an ought. Some would say that statements of essence are verbal. Then equality of treatment would be made part of the essence of man and so tautologous. Moreover, it is only in virtue of an assumed equality of moral worth that we can be justified in treating two men equally well. But all Proudhon is asserting here is that they have the same essential nature, which is quite a different thing. Secondly, Proudhon is here employing a familiar theological argument in support of equality. Yet for him the notion of God is to be kept out in the discussions of social and ethical problems.

1. De la Justice, tome II, p.69.

A further likely criticism would be that if, on Proudhon's reasoning, among human beings the various races differed radically from one another, one race could be justified, on this ground alone, in governing its inferior. But we are assured this is not so. Whether "white, yellow, red or black", we are all equal, i.e. we all share the same essence.

This brings us to what appears to me a major inconsistency in Proudhon's thought. For him, as we have seen, justice is not merely conventional, nor is it a set of rules entirely dependent upon human convenience. Justice renders what is "due" not on the basis of a criterion somehow accepted and without direct relation to the essence of human nature: it is the rendering of what human beings deserve qua human beings, and what they deserve qua human beings for their labours. If Proudhon is to remain consistent, he must also apply similar reasoning to animals. As human beings have their justice arising from their essential nature, there must also be a justice for animals in its turn dependent upon the real nature of animals. Proudhon is nevertheless not willing to concede that animals should also enjoy their own kind of justice and, for him, there can be no justice between man and beast. He sees in the attempt to prevent cruelty to animals only a return to "Pythagorean sentiments", founded on the dogma of metempsychosis. In regard to animals our "Philozoi will

always be reducible to the practice of the English", that is, "to keep them well-fed, to take proper care of them, to cross them well, in order to get from them more milk, fat, wool or meat, and less bones, in short in order to eat them".¹

However gentle we may be towards them, it is not in consideration of their persons; "it is out of concern for our sensibility".²

A comparison with medieval political theory will throw some further light on Proudhon's defence of equality, and help us in passing to the next section. As Professor Tawney sums up the medieval attitude: "Within classes there must be equality; if one takes into his hand the living of two, his neighbour will go short. Between classes there must be inequality; for otherwise a class cannot perform its function, or - a strange thought to us - enjoy its rights."³ From this it would appear that actual inequalities of capacity among members of the same class are recognised; only these are overridden by ethical considerations. Proudhon's position is different. He does not accept the medieval view that different classes differ radically in capacity. He wishes to prove that most of the real differences of capacity, not only within a single class but in society as a whole, are the results of circumstances rather than intrinsic differences.

1 & 2. De la Justice, tome I, p.418.

3. Religion and the Rise of Capitalism, chap.I, 1, p.36.

There is however a point of similarity between Proudhon's thought and medieval political theory. Even if his defence of equality were proved valid, it would not follow thereby that we should set up equality of income for the whole of society all at once. It would only prove what is "right". When it came to applying a prescription of natural law to a given social situation so as to mould it nearer to its ideal, medieval political theory did not fail to recognise the difficulties that flesh and circumstance could raise against all attempts at applying natural law to particular circumstances. The Church was willing to be realistic in its approach to actual problems, sometimes as much as any modern statesman¹. Proudhon similarly does not like to be called utopian, and tries to search for what seems to him to be feasible applications of his ideal of equality.

The translation of equality in "right" into equality in practice

In respect of the question how the unequal capacities of individuals performing their respective functions in society should be rewarded, Proudhon changed his views a number of times, but an underlying trend is noticeable in the successive shifts of position until we come to his final book on the subject of property, the posthumous Théorie de la propriété. In the beginning, in Qu'est-ce que la propriété?

1. Ibid., pp.41-42.

he insisted on strict equality: "Now if equality is not absolute, it is nothing (elle n'est pas)".¹ But already he is aware that great differences of capacity are to be found among men which may not all be explicable in terms of differences of education and upbringing. There is the obvious difficulty raised by the existence of men of outstanding capacity and merit. Nevertheless in this book he still clings to his faith that "what is today called inequality of faculties, in happier conditions would be nothing more than diversity of faculties."² The heart of the difficulty lies, Proudhon seems to think, in the problem of rewarding genius. He is extremely sensitive on this question. How can you possibly reward genius in terms of riches? he asks. Genius is not a measurably quantity, at least in terms of material wealth. What is the use of loading a great artist with riches? "...property (we could equally well say inequality) makes a poet a Croesus or a beggar; equality alone knows how to honour and praise him."³ Proudhon's reasoning here, though forceful, is not quite convincing. Even if genius is not a measurable quantity in the sense in which the work of, say, a Beethoven is not at all comparable with the work of a composer of popular tunes, it does not follow that an appreciated Beethoven (even when loaded with honours) should

1. Premier mémoire, p.229.

2. Ibid., p.227.

3. Ibid., p.229.

earn no more than an average bricklayer.

In Solution du problème social (1848) Proudhon argues that though "equality of goods" is still to be aimed at, it is to be pursued only in so far as it is compatible with other aims, the principal of which, liberty, will lead him increasingly to tone down his stress on equality. In De La Justice he is able to state his problem clearly: "It is an extremely delicate venture to reconcile the respect due to persons with the organic necessities of production; to observe equality without imposing upon liberty any other fetter than that of right: such problems require a separate science, at once objective and subjective, half of fatality and half of liberty....."¹.

This realisation on his part of the complexity of the problem of applying justice in the sense of equality without sacrificing liberty does not date from the time he started working on his De la Justice. As in most cases, aspects of his thought are contained in germ in earlier works. Thus in Philosophie du Progrès (1853), a brochure which states briefly and prior to De la Justice many of the theories of the latter work, we find indicated beforehand how Proudhon is going, in the writings of the last years of his life, to complete his theory of the exchange and distribution of wealth, and thereby to bring equality down from its stern and sterile purity into some intelligible relationship with the workaday world of human

1. De la Justice, tome II, p.73.

affairs. What he now wants is equality with its "correlative of liberty", and "not an equality real and immediate, as communism understands it, nor personal, as it supposed by Rousseau's theory, but an equality commutative and progressive, which has quite another significance for justice."¹ Here Proudhon is expressing his opposition not only to equality of possessions, but also to any a priori equality of persons (as he puts it in the next sentence). His objection to Rousseau's theory of personal equality seems to be that people are not in fact equal in their persons, and that nobody can reasonably ask me to show the same respect to everyone. What can rightly be demanded is that people should progressively base their relations with one another as exchangers on equality.

Commutative justice as the "true" definition of equality

What does Proudhon mean by "commutative"? According to the Oxford English Dictionary "commutative justice" is anglicised from "commutativa justitia", a translation used by St. Thomas Aquinas and others as equivalent to Aristotle's term $\tau\acute{o}$ διορθωτικόν (τὸ ἐν τοῖς συναλλαγμοῖς διορθωτικόν δίκαιον "the justice which is corrective in transactions between man and man"²). In the concluding chapter we shall have an

1. op.cit., p.76 - I discuss Proudhon's views on the problem of the relation between liberty and justice in chapter VI.
2. Nich. Ethics, V, 2, 1130b.

opportunity to discuss Aristotle's theory of justice at some length. Here I shall only point out that Aristotle distinguishes between distributive and commutative justice. Distributive justice is the principle which regulates the distribution of wealth and honours in the state as well as the profits between partners in an enterprise, and also the division of an inheritance. The purpose of commutative justice is a more limited one. It is to set up commercial exchanges and punishments on a just basis; it corrects what is unjust in these matters. Proudhon seems to restrict his use of the term "commutative" to justice in exchanges. Thus, to take one instance, when a labourer exchanges his labour against a fixed sum of money he may not be getting for it what it is worth in justice. But commutative justice for Proudhon is not merely the correction of individual instances of unfair exchange, but rather the fair basis for exchanges of all sorts. It is through the applications of his version of commutative justice that he hopes to bring about the reality of justice in the economic world.

In l'Idée générale Proudhon contrasts this version of commutative justice with "the old system of distributive justice"¹ (based, we may add, on the Aristotelian idea of "proportionate equality" as against our author's "equality of exchanges"). The former would establish "the reign of contract";

1. op.cit., p.187.

the latter only gives "a reign of law, or, in more concrete terms, feudal, governmental or military rule". "The future hope of humanity lies in this substitution", Proudhon opines in the next sentence. Proudhon can be justified in this contrast between distributive and commutative justice only if he is using "distributive justice" in Aristotle's sense as the distribution by the state of the community's wealth among its members. This is not the sense in which the term is understood today.

For Proudhon the principle of commutative justice serves as one of the two main pillars of the bridge between the ideality and the reality of justice. The "realism of justice", as he puts it, amounts in philosophical terms to this. Somewhat like Plato's numbers which mediate between the purely rational world of Forms and the world of sense, justice brings order into man's relationship with the outer world, whether of nature or of society. In its objective aspect justice is real because without some operative distinction between just and unjust no society is possible. Subjectively it provides a psychological element of stability in society: "There is in humanity a principle, a force which sustains it, which communicates life to it....."¹ So he is not satisfied with merely proving "the superiority of a theory"; we have to establish that on account of "the difficulties of application,

1. De la Justice, tome I, p.415.

the ill-will of man, it will not come to fail miserably, and change the hopes of the legislator into disappointments". Justice has to be "more than an idea, it must at the same time be a REALITY"¹. It must be something like "a power of the soul, internal energy, social instinct, analogous, in men, to this communist instinct we have noticed in the bee"².

The second chief support of the "realism of justice" is his notion of equilibrium, which requires for its elucidation some acquaintance with his dialectic, which I discuss in chapter V. In economics "equilibrium" is translated into the terms of book-keeping as a balancing of the debit and the credit sides of an account, "the social system established upon free and reciprocally guaranteed transactions."³ As M. Bouglé reminds us, Proudhon was "first and foremost an accountant"⁴. Proudhon's idea here is that society should be considered as formed for specific purposes like the world of economic relations in which individuals are concerned with each other only as exchanging specific goods and services. There is an "equilibrium" or balancing of what they give to and receive from each other. Only, Proudhon insists on making the qualification that all exchanges must be conducted on the basis of justice.

1. Ibid., tome I, p.306.

2. Ibid., tome I, pp.313-314.

3. Ibid., tome I, p.314.

4. op.cit., p.7.

Here it is essential to see why Proudhon lays so much stress on the "realism of justice". He sees two main alternatives to his own position in which justice is a "reality": communism and laissez-faire liberalism. We shall best be able to see the meaning of his "realism of justice" by considering how he comes to reject these two theories and arrives at his own alternative.

Though the criterion of morality is "the greatest good, what is otherwise called the maximum felicity", it is often the case, as our daily experience shows, that "interests, individual as well as collective, despite the sympathy which brings together beings of the same species, are in diametrical opposition"¹. The conflict of wills can be resolved in many ways. But the chief of these are two, to one or other of which the rest tend to approximate. The first of these is "the system of communism, praised by Lycurgos, Plato, the founders of religious orders, and a majority of contemporary socialists"². It is epitomised for him in the definition: "DETHRONEMENT OF PERSONALITY IN THE NAME OF SOCIETY...."³. This hostility to contemporary socialism remained with him all his life. In Systeme des contradictions économiques we find him saying: "Jesus broke

1. De la Justice, tome I, p.299.

2. loc. cit.

3. loc. cit.

openly with pride and greed; apparently the libertines whom he chastised were holy personages compared with the herd infected with socialism"¹. Our author's quarrel with communism is not only that it is based on the enslavement of the individual, but even more because it is unrealistic. It ignores that if "the human person (were) relieved of his prerogatives, society would find itself deprived of its vital principle"². "Let us then, for a moment, grant the principle of a priori equality of goods and persons. How strange! the consequence of this so-called equality would be absolute immobility, therefore utter wretchedness. (la conséquence de cette prétendue égalité sera l'immobilisme, l'absolu, partant la misère). Society will no doubt be able to keep vegetating and stirring; it will progress no more....."³.

The opposite extreme to communism lies in the theories of some of the economists of his time, "partisans of free exchange, of laissez faire, laissez passer, of each to himself (chacun chez soi), each for himself...."⁴. Proudhon caricatures their doctrines in these words: "The partisans of this opinion contend that there is not, at bottom, any opposition of interests; that, men being all of the same

1. op.cit., tome I, p.360.
2. De la Justice, tome I, p.299.
3. Philosophie du progrès, p.76.
4. De la Justice, tome I, p.300.

nature, their interests are identical, consequently easy to reconcile; that only the ignorance of economic laws has caused this antagonism, which will disappear the day when, more enlightened on our relations, we shall return to liberty and to nature"¹. Proudhon is not here fighting men of straw, but a school of economists whose doctrines M.Gide, under the chapter heading "The Optimists", summarises as follows:-

"Pessimism is the great source of evil. The sombre prophecies of the pessimists have destroyed faith in "natural" laws and in the spontaneous organisation of society, and men have been driven to seek for better fortune in artificial organisations.....We must strive to show that natural laws lead, not to evil, but to good, although the path thither be sometimes by way of evil; that individual interests are at bottom one, and only superficially antagonistic; that, as Bastiat put it, if everyone would only follow his own interest he would unwittingly find that he is advancing the interests of all"².

To return to Proudhon, underlying communism is the idea that man is "radically unsociable and wicked"³. Against this it may be said that there is no necessary connection between the

1. loc. cit.

2. Gide and Rist, A History of Economic Doctrines, authorised translation from the French by R.Richards, p.331.

3. De la Justice, tome I, p.302.

kind of view a theory adopts, or has implicit in it, on the nature of man and the form of society it considers desirable. In other words, no direct transition from psychology to sociology can validly be made. Herbert Spencer's view of man, for instance, was not that of a peaceable creature; yet he was a liberal philosopher. But probably what Proudhon has in mind is that communism seeks to regulate for the individual so much of his life that it implies the assumption that man is "radically unsociable and wicked"; if it were based on a better view of human nature (and if it were consistent) it would be able to trust him with more freedom.

Even the system of unrestricted liberty sacrifices "the dignity of the individual."¹ Believing neither "in justice, nor morality, nor sociability", it constitutes interest into a universal criterion, which reduces itself to "pure egoism". It may be remarked that "optimistic" liberalism cannot be accused of sacrificing "the dignity of the individual" just because it leaves everybody absolutely free. What is true is that by leaving everybody to fend for themselves, out of an unfounded belief in a pre-existent harmony, we may only be creating conditions in which some are reduced to helplessness while others come to enjoy advantages which they have in no way deserved.

Proudhon's own solution lies in the establishment of what

1. Ibid., tome I, p.303.

he calls "the juridical state". This is his alternative to the "absolute" equality of communism and the belief in the almost magical efficacy of egoism of the Optimistic School. Just as the communist goes the whole way towards equality, and just as the optimistic liberal goes the whole way in wanting to base society on egoism - the two poles of Proudhon's theory - Proudhon feels compelled to follow up the path of justice to its logical conclusion. The "juridical idea", in contrast with the other two ideas would, he claims, do justice to the higher side of our nature, without ignoring the dark forces that ever seek to corrupt it. It is not so much a new idea, so it seems to me, as a name for another aspect of his theory of justice, of justice "commutative" and "mutualist". The "realism of justice" is to be established by a system under which there will be "meshing of liberties, voluntary transactions, reciprocal commitment"¹. This last formula in its bareness is not very enlightening, but it indicates the lines along which his "juridical state" is to be organised. In chapter VIII we shall see how he tries to translate this formula into the terms of his anarchist and federalist theories. Here we may merely say this. Though he has rejected the optimistic liberal's pre-existent harmony, his "juridical state", in which your liberties will dovetail into mine, your claims into my obligations, and free contracts will

1. Ibid., tome I, p.304.

overcome the troublesome fluctuations of the price mechanism, is itself a harmonious scheme of human affairs which is not merely a possibility but is to be "discovered" as inherent in the nature of things (as the Natural Law is inherent in nature for the Stoic) .

CHAPTER IV

Two kind of Justice: Catholic and Revolutionary Justice

We have already seen in the first chapter that Proudhon considers certain metaphysical and theological questions to have an important bearing on the problems of social science. Specifically it is "the hypothesis of God" which concerns him most. So we find him discussing this "hypothesis" in the prologue to Systeme des contradictions économiques as an unavoidable prolegomenon to political economy. This has puzzled many of his readers. Even if one does not agree with de Lubac that Proudhon "showed the need to introduce theology everywhere into his studies"¹, it remains true that for him theological questions cannot be left out altogether in any adequate discussion of justice.

Ancient and Christian views of justice

Starting his survey of the different theories of justice among the ancients, Proudhon thinks that they understood the subjective side of justice rightly². He quotes with some approval Ulpian's definition:-

Justitia est constans et perpetua voluntas jus suum cuique
tribuendi.

1. op.cit., p.232.
2. "Greco-Roman society raised high the person: there lies its glory". De la Justice, tome I, p.367.

So also Cicero was to some extent right when he defined justice as:-

Justitia est animi habitus, communi utilitate comparata, suum cuique tribuens dignitatem.

But the defect in this conception is that on it "in its origin and base, right is individualistic, egoistic". It lacks "the idea of mutuality", and replaces it by "the divine commandment"¹. Since right did not have "its own sanction in itself", once religion was "dissipated", human dignity could only degenerate into "pride and égoism"². So Seneca was forced to say, "No honest man without religion".

Among the Greeks, this "odious exaggeration of personality"³ had its reaction in the theories of Pythagoras and Plato, who made the perfection of the Republic lie "in that none has anything which belongs to him, even his own self does not belong to him"⁴. However, this much at least may be said in favour of the polytheistic religion of the ancients: "In principle, polytheism recognised that the notion of right had its point of departure in the dignity of man, in fact it could not develop this notion; on the contrary, by the external and superior guarantee it gave to

1. Ibid., tome I, p.354.

2. Ibid., tome I, p.366.

3. Ibid., tome I, p.370.

4. loc. cit.

justice, ~~it~~ had lost it"¹.

Proudhon does not tell us whether he thinks that there is something in the nature of polytheism itself which makes it recognise that the notion of right should have its "point of departure in the dignity of man", or whether this was for him merely a fact of ancient history. In the latter sense of a contingent fact of history we know that the ancient ideal of man (as expressed, for instance, by Aristotle in the Ethics) lauded forms of behaviour which would appear vain and selfish in terms of the Christian ideal.

Early Christianity knew that "the outstanding features of the pagan dissolution was the loss of personal dignity, that consequently the special character of redemption should be to restore this dignity"². But the kingdom of Christ is not of this world: "this precious liberty whose loss the degrading empire of Caesar had brought to the people, Christianity promises to bring them back....in another life"³. Proudhon contrasts what he calls "the system of polytheistic societies" with Christianity in the following succinct opposition: the first represents the "System of personal prerogative, or of RIGHT"; the latter, the "System of the dethronement of the

1. Ibid., tome I, p.377.

2. Ibid., tome I, p.394.

3. Ibid., tome I, p.395.

person (déchéance personnelle) or of NON-RIGHT¹.

It is clear that Proudhon is not fair in his judgment. Lacking training in Christian theology I should not like to express an opinion on his merits as a theologian². There is the age-long distinction between divine and human justice; the latter being for the theologian of necessity subordinate to the former. According to St. Augustine's teaching for instance, justice, subordinate as it is to charity and love, can be attained only in the kingdom of God (Civitas Dei). Even in the somewhat more humanistic system of St. Thomas Aquinas, the lex aeterna is supreme over all other laws, whether natural or positive. Even after the post-Renaissance theorists of natural law had secularised justice it continued to suffer denigration at the hands of great thinkers. Pascal had made fun of human justice and found it to be determined by fashion. He did not deny that it existed, but held that man could know no more than was revealed to him. But apparently not much had been revealed: "It were well then to obey laws and customs because they are laws; but a man must know that there is no question of a true and just law; that we know nothing about that and must therefore simply follow accepted

1. loc. cit.

2. M. de Lubac's study discusses this side of his thought at considerable length.

laws....."¹. Even though men are used to obeying laws only "because they believe them to be just", they must be told that their conception of justice is quite wrong; that "the proper definition of justice" requires obedience to laws simply "because they are laws"¹.

Proudhon had grown up during the Restoration when the traditionalism of de Maistre and de Bonald² was widely supported. Their "theocratic statism" as Professor Gurvitch calls their doctrines, not only "accentuates itself so as to become a veritable deification of the State, which recalls that of Hegel", they were cynical enough to advocate (as de Maistre put it) "the sacred alliance of religion and sovereignty"³. De Maistre denied the existence of any rights whatever: "In society there are no rights, there are only duties"⁴.

These two philosophers had been called "the lay Fathers of the Roman Church"; when de Bonald named his philosophy "the Catholic System" he was expressing the dominant trend in the

1. Pensées, The Apology, pp.399 and 403-405; H.F.Stewart's translation.
2. With its literary counter-part in Chateaubriand, whose works were Proudhon's pet aversion.
3. op. cit., pp.286-287.
4. Quoted by Gurvitch, op. cit.

Catholic thought of his time. A somewhat similar view is expressed in a theological form in the writings of the Abbé Bergier. This writer has been reproached with Jansenist leanings. With his uncompromising stress on faith in the divine, he provided an excellent target for Proudhon's attack upon Catholicism¹. Proudhon had edited his Dictionnaire théologique and a Latin Bible when he was working for the publisher Gauthier. He drew an abundant measure upon the Abbé's Dictionnaire for reference and quotation. Here is a quotation cited by de Lubac as a sample of this sort of theology:-

"No purely human reason can establish the distinction between Good and Evil; and if it had not pleased God to make his purpose known to us, a son could have killed his father without incurring any guilt"².

"Transcendental" and "Immanent" Justice

It would be a mistake to regard the exaggerations of certain theologians as the sole or even the chief reason for Proudhon's hostility to the Catholic religion. He is concerned with a more fundamental question. For him philosophers have generally expressed in their more sophisticated language what the Catholic Church says without

1. See Guy Grand's introduction to the Rivière edition of De la Justice, tome I, pp.34-35.

2. op.cit., p.257.

ambiguity. Those philosophers who, like Rousseau and Kant, believe in "an ethic superior to selfishness" in the end link it up with "God or a revelation, historical or psychological"¹. It is true that some philosophers do not do this, but these latter, more often than not, like Hobbes and Bentham,² though they deny or take no account of revelation, fall into something even worse. They deny justice as well as liberty.

Yet it is in the very nature of religion to place the authority of justice outside of man. However subtly theologians might dispute, and however cleverly the philosophers who are at one with religion in this respect may spin out their theories, of all such systems "the most complete

1. De la Justice, tome I, p.320.
2. Proudhon's list is long and includes, besides Hobbes and Bentham, d'Holbach, St. Lambert, a minor contemporary of Voltaire, Hegel and those he called "the contemporary pantheists" (probably the St. Simonians).

and the most logical"¹ is that of the Catholic Church. Representing Christianity better than any other church, the Catholic Church has this essential thing in common with other religions. Every religion bases justice on "the system of TRANSCENDENCE"², viewing it as a "thing essentially divine, hyperphysical, ultra-rational, above all observation and mental inference (conclusion de l'esprit)"³.

1. Ibid., tome I, p.317 - Proudhon held that Roman Catholicism represented the most advanced form of religion. As to the Protestant Churches, by cavilling at "the legitimacy of the Roman Church, the certainty of its tradition and the authenticity of its instruction, the truth of its dogma, the purity of its discipline...", while demanding the separation of the temporal from the spiritual, it had deserved the reproach which Jesus addressed to the Pharisees "of straining at a gnat and swallowing a camel". A little later on, ~~in the~~ same volume of De la Justice, he wrote: "In itself, the separation of the temporal and the spiritual would be the death of society, as the separation of the soul and the body is the death of the individual". (p.339).
2. De la Justice, tome I, p.316.
3. Ibid., tome I, p.318.

Proudhon is exaggerating in order the better to be able to attack his adversary, which is not so much religion as such but here primarily Christianity. The common denominator of all religions in respect of justice adopted here by him cannot fairly be ascribed in its entirety to Christianity. What, we may ask, is the characteristic element of the Christian religion? It is, one could say, the doctrine of original sin, of Jesus' vicarious atonement, God's concern for man's present state through the manifestations of his grace, and so forth. Even if justice is for it "essentially divine, hyperphysical", it may be doubted that it holds it as altogether "ultra-rational" (in the sense that it is entirely a matter of revelation and has nothing to do with reason) and "above all observation and mental inference". Even if some Christian theologians have tended to think along the lines ascribed by Proudhon to Christianity (with other religions) as a whole, others at least as numerous have thought differently. Saint Thomas Aquinas is an obvious example.

The essential thing for Proudhon is that there are two ways in which justice can be conceived. Opposed to the system of TRANSCENDENCE is the "system of IMMANENCE"¹. The former treats justice, to put it in another way, "as a pressure exercised from without on the ego (le moi)"; the latter treats it "as a faculty of the ego which, without departing from its own inward nature (sans sortir de son for intérieur) would feel its

1. Ibid., tome I, p.323.

dignity in the person of its neighbour with the same intensity that it feels in its own person...."¹.

Proudhon considers his philosophy to be continuing the work of the French Revolution; not in its excesses; not in the ideology of those who were at the helm of affairs in the Reign of Terror; but in the work of the leading thinkers of the Enlightenment. He finds ancestry for his philosophy of justice in, among others, Montesquieu: "Even if there were no God, it would be our duty always to love Justice, that is to try to resemble this being of whom we have such a fine idea, and who, if he existed, would necessarily be just." Though we should be free from the yoke of religion, from that of equity we cannot be" (Lettres persanes, LXXXIII). Proudhon knows that Montesquieu was not always consistent on the subject of religion, but at least he had conceived the autonomy of the practical reason as an idea. In a way Kant too felt the same need to make morality self-subsistent when he said that "man carries the moral law within himself". The adumbration of this conception, "the system of the Revolution", by a line of thinkers of whom I have given only two examples, finds its practical, though by no means complete, expression in the work of the French Revolution. "The French Revolution, by making the juridical principle predominate, opens a new period, an order of things quite opposed (to that of the ancien régime, we

1. Ibid., tome I, p.316.

may add), of which we have now to establish the parts"¹.

Is the opposition between these two ways of viewing justice necessarily irreconcilable? At times Proudhon seems to think so. "Between heteronomy and autonomy, between original sin and liberty, between the Church and the Revolution, a choice has to be made. From this choice, everything stems"². So we find him repeating Voltaire's famous words "Écrasez l'infame". But it is the clergy against whom his most passionate outbursts are reserved. His anti-clericalism started very early on. In 1832, when he was only 23 years old, he wrote in his Carnets²:

Clerical inf. (influence)		(human dignity (economics (civil liberty
Delenda Carthago	incompatible with	

It may safely be said that for him the notion of God or "the Absolute" (the term used by him to represent the general idea of transcendence, in whichever field it is used) cannot be allowed to enter any department of knowledge or conduct³. De Lubac paraphrases Proudhon's thought in this way: "On the plane, however, in which our faculties are legitimately active and our action unfolds, in the sphere of temporal and social life as well as in that of science, we cannot but declare war

1. Ibid., tome I, p.274.

2. Quoted by de Lubac, op.cit., p.73.

3. With an exception we shall note in the sequel.

upon the absolute, war upon God - war upon all the absolutes, war upon all the gods"¹.

Proudhon's hostility to the "Absolute" springs from a number of very different motives, depending upon the context in which it is expressed. Firstly, it must be ruled out from the domain of morals². "The theory of the practical reason subsists by itself; it neither supposes nor aspires to the existence of God and the immortality of souls; it would be a lie if it needed such props"³. So man may or may not believe in God, but he must derive the sanction for morality from within himself. "Let man think of God and of the life hereafter what he likes: above all he is born for justice, fidelity to law...."⁴. Here a comparison with Kant may help to bring out Proudhon's meaning. For Kant the fact of duty

1. op. cit., p.270.
2. We have seen that Proudhon defines God or the Absolute as the very antithesis of human nature, supra p. 50.
3. De la Justice, tome I, p.324.
4. Ibid., tome I, p.329. Cf. ibid., tome III, p.299: "If God is outside knowledge for us, he must remain outside particular matters. When religion, through its theology, its revelations and its cult, brings God out of the Absolute, it drives man out of morality".

(the moral law) is so indubitable that it even provides the guarantee for our belief in God and the immortality of the soul. Proudhon on the other hand seems to be saying that men may believe what they like about God and a future existence; their fundamental obligation is the ethical one of pursuing justice.

Nevertheless Proudhon realises that the exclusion of God from all ethical questions may involve a terrible sense of loss: "In banishing God, man loses immensely.....in order to be able to say: during a life without past or future, life which passes with the rapidity of lightning: I.....My conscience is mine, my justice mine and my liberty sovereign; may I die eternally; but, at least, may I be a man during one revolution of the sun"¹. To the Christian this will seem a feeble consolation, but Proudhon, even though he understands the sense of loneliness springing from the loss of faith in God², cannot say that the only remedy for this lies in recovering the lost faith. He can only comfort us with the remark that "we possess God through Justice"³, and "that is enough".

1. Quoted from Jésus et les origines du Christianisme, by Dolléans, op. cit., p.326.
2. I am tempted to quote Pascal's words describing his sense of man's utter helplessness in the world: "I am alone, alone, sunk in the infinite immensity of spaces of which I am ignorant, and which are ignorant of me". (Pensées).
3. Philosophie du progrès, p.86.

There is a theological explanation too of our difficulty. "One must have raised one's thoughts for a long time above divine things to have the right to suppose a personality beyond man's, a life beyond this life"¹. Proudhon's argument here is somewhat similar to a thought often expressed in Christian theology. It is said that innocence is not grace, and that the "dark night of the soul" is an experience which has to be gone through before genuine faith may be attained. The fact that Proudhon often puts himself in the position of the Christian theologian marks him off from the humanism of the so-called left Hegelian school, to which at the same time his debt is not negligible. Sometimes he is willing to go the whole way with them. Marx had concluded his doctoral dissertation with an apostrophe to Prometheus; Prometheus goes one better and addresses one to the Devil himself: "Come, Satan, come! Calumniated of priests and kings, let me embrace thee, let me press thee against my breast! It is a long time since I have known thee, and thou me. Thy works, o blessed of my heart, are not always beautiful nor good; but they alone give significance to the universe and save it from being absurd"².

1. Systeme des contradictions économiques, tome I, p.63. Cf. Kierkegaard when he says in his Journal that "Christianity exists because there is hatred between God and men"; quoted by de Lubac, op. cit., p.178.
2. De la Justice, tome I, p.434.

This last passage may seem to smack of Manicheism. Actually it should not be taken in a literal sense. Very often Proudhon uses theological terms in quite untheological senses. Here is a definition of "providence" which should put us on our guard. "Social reason is not to be distinguished from Absolute Reason, which is none other than God himself, and to deny society in its earlier phases is to deny Providence, it is to deny God"¹. In its ordinary sense "providence" may be taken to mean God's concern for man and His foreknowledge and ordering of the course of the universe in the way that seems best to Him. Proudhon's thought here reduces itself to the following equation:-

Social reason = Society in its earlier phases = Providence. To interpret it freely, "social reason" is to be distinguished from individual reason in this way. The past has a momentum of its own, something akin to what Professor Oakeshott calls "a flow of sympathy"². This hold of the past on us (tradition, customs, etc.) may be contrasted with the premeditation and reasoned choice of alternatives which characterises a thinking individual's life. So the "earlier phases" of society (or Providence) cannot be "denied" because that would be like saying that we have nothing to learn from

1. Systeme des contradictions économiques, tome I, p.352.
Cf. *ibid.*, tome I, p.34: "the idea of God, I find that it is a social idea.....".
2. Political Education, Inaugural lecture, p.21.

the past. The following quotation indicates a different but analogous thought: "From the moral and intellectual standpoint, society, or the collective man, chiefly distinguishes itself from the individual by spontaneity of action, otherwise called instinct. Whilst the individual only follows or imagines himself to be only following motives of which he is fully conscious and to which he is master to refuse or give his adherence; whilst, in a word, he thinks himself free, and as much more free as he finds himself more reasoning and better educated, society is subject to pulls (des entrainements) which do not, at first glance, reveal any deliberation or plan, but which little by little seem to be directed by a higher purpose, existing outside society, and pushing it on with an irresistible force to an unknown destination.....All the efforts even of those who, after Bossuet, Vico, Herder, Hegel, worked on the philosophy of history, have hitherto been confined to recording the presence of the providential destiny which presides over all men's movements"¹. In chapter IX we shall see that in rejecting the "fatalism" of certain philosophers of history Proudhon is only rejecting the theories of inevitable progress. This does not mean that he is willing to discard the idea of progress as such; only that he is not satisfied with the theories of progress with which he is acquainted. Thus, if

1. Systeme des contradictions économiques, tome I, p.34.

"providence" cannot be denied, nor can we deny the rôle of individual reason refusing to acquiesce in the dictates of "social reason" embedded in such things as customs, traditions, and what is loosely called the logic of a situation. The two must remain side by side.

Proudhon thinks that modern socialism originates in "the anathema fulminated by the author of Emile against society"¹. The Christian dogma insists on the original corruption of man; Rousseau upholds that "Man is born good, society corrupts him"². In a way it is the old dogma in a new guise: though the individual is exonerated, society, that is, "collective man", is held culpable. But by thus rejecting original sin, so far at least as the individual is concerned, Rousseau takes an important step forward and makes it easier to believe in man's capacity to do things for himself. However as the entire blame for the individual's corruption is apportioned to society, i.e. to the set of social conditions into which he is born, it implies the assumption on his part that the past, which has brought these social conditions into existence, is to be repudiated as containing nothing but evil. He thus virtually takes back what he had initially conceded (that man is not originally corrupt), since after all it is individuals who form society. Against this criticism of Proudhon's this

1. Ibid., tome I, p.350.

2. Ibid., tome I, p.349.

much at least may be said in favour of Rousseau (according to Proudhon). Even if society is held entirely responsible for the individual's corruption, the past can still have gradually reduced its corrupting potentialities and thus brought about a kind of improvement. A further point in favour of Rousseau, it may be remarked, is that just because the past is condemned fatalism or the identification of right with fact, of which so many philosophers of history have been guilty, is ruled out.

Proudhon describes his own position as "anti-theism". It is anti-theistic because God is not allowed any part in human affairs; yet it is not atheism because ^{God} is only "banished", not denied. But it would be a mistake to regard his "anti-theism" as merely "social"¹. We have seen him upholding positions which are not consistent with the doctrines of Christianity, but very often they reduce themselves to statements which are theological in form only. But not always.

For Proudhon the very attempt to base justice exclusively on man's own conscience is not compatible with the Christian standpoint. Nevertheless, he appreciates the strength of the Christian position. For instance, he would not, as some philosophers of the ~~Enlightenment~~ did, deny man's culpability altogether. In fact his position demands that he should recognise the agent's moral responsibility for the actions he performs. "...man, before the tribunal of his conscience,

1. As de Lubac seems to do, op. cit.

can very validly put forward certain extenuating circumstances, but he can never be entirely discharged of his guilt; that sometimes he is worthy of praise and sometimes deserves blame, which is always an admission of his inharmonious condition; in short, that the essence of his soul is perpetual compromise between opposite attractions, his morality a see-saw between alternative choices, in one word, and the word says everything, eclecticism"¹. The sympathy which he feels in spite of himself for the Christian doctrine of original sin is to be explained to a considerable degree by his early background and upbringing. But without being biographical, we can see certain important consequences of his rejection of the eighteenth century apotheosis of "nature".

Negatively, first of all, he is led to reject a number of ideas current in his time as a mark of being progressive. The liberation of the human spirit through the "sanctification of flesh", which some contemporary socialists were preaching, seemed to him fraught with great danger. He suspects in it the influence of the romantic deification of "nature". Nor can love or charity be regarded as substitutes for justice. "Man can love his fellowmen to the point of dying for them; he does not love them to the point of working for them"². Only when justice is loved as the highest perfection is society in good health. "We have lost, for many centuries, even the

1. Systeme des contradictions économiques, tome I, p.354.

2. Ibid., tome I, p.219.

idea of this primitive love of the just and of the beautiful indissolubly united. Since the times of Moses and Orpheus, justice, the delight of humans, their joy and hope, seems to have changed definitely into the cup of bitterness"¹. When such a dissociation takes place men lose faith in the reality of justice and begin to regard it as merely subjective and illusory; henceforth, society is preserved by fear of an external authority, whether temporal or spiritual, or by self-interest. Only in revolution can the remedy for such a state of affairs be found. The relationships of human beings in a society should be governed by the principle of commutative justice, not solely by the principle of love or brotherhood. He transfers the ancient lex talionis to the daily affairs of society as the rendering or receipt of only what is deserved or due².

Proudhon is opposed to equality between sexes. Nor can conjugal love be trusted to preserve the family: it must be bridled by justice. Sexual love is "the attraction which Force and Beauty (man being "Force" and woman "Beauty")

1. De la Justice, tome III, p.529 et seq.
2. Cf. ibid., tome I, p.258: "Talk to me about debit and credit, the only criterion in my eyes of what is just or unjust, good or bad in society. To everyone according to their works, first of all: and if, occasionally, I am led to help you, I shall do it willingly: but I do not wish to be forced".

inevitably experience for each other"¹. Marriage is "the sacrament of justice". It is "the act by which man and woman raising themselves above love and the senses declare their will to unite themselves according to right, and to pursue, as much as lies in their power, social destiny, in working for the progress of justice"².

Proudhon has been criticised for his opposition to feminism and the demand for equality between man and woman. In this respect he differs from the other socialists of his time. Fourier, for instance, said that progress is in direct proportion to the emancipation of women.

Let us try to see in a few words Proudhon's view of feminine nature and the relationship in which it stands to masculine nature. First of all, there is an all-round difference of capacity between the two:-

"Inferior to man in conscience as much as in intellectual power and muscular strength, woman finds herself definitively, in domestic as much as in civil matters, relegated to a second order; from the ethical, as well as from the physical and intellectual point of view, her comparative value is still as 2 to 1.

"And since society is constituted by the combination of these three elements, work, science, Justice, the

1. Ibid., tome IV, p.296.

2. loc. cit.

respective values of man and woman, their ratio and therefore their influence, in comparison with each other, would be as $3 \times 3 \times 3$ is to $2 \times 2 \times 2$, that is 27 to 8¹.

But the difference between them is not merely a quantitative one of difference of strength in the same faculties; there is also a difference of natures. Justice is the least important of things for woman, whereas for man, it is fundamental. "Talk to a woman of love, of sympathy, of charity, she will understand you; of Justice, she will not hear a word. She will become a sister of charity, a benefactress (dame de bienfaisance), a nurse, a servant and whatever (else) you like; she does not give a thought to equality, one might say it repels her. What she dreams of becoming, even if for a day only, an hour, is a lady, a princess, a queen or a fairy. Justice, which abolishes all ranks and makes no exceptions, is unbearable to her. As her intellect is anti-metaphysical, her conscience is anti-juridical; she shows it in all circumstances of her life"². In short, "Woman's age is the feudal age"³.

But her inferiority does not put woman in a humiliating position in relation to man. Her natural place is in the home. Even though herself lacking in the sense of justice,

1. Ibid., tome IV, p.213.

2. Ibid., tome IV, p.205.

3. loc. cit.

in marriage she provides her mate a school for justice. Alone man is egoistic: only in marriage does he learn "to feel himself double: his social education and his progress in Justice are only the development of this dualism"¹. The couple is an "organ" of justice, something the single male cannot be.

On the positive side, Proudhon makes one exception to his programme of ruling out all the absolutes. "Morality.....is the only thing I regard as absolute, not as to the form of the precept, always changing, but as to the obligation it imposes; now, this Absolute is yet but a transcendent conception, having for its object the ideal perfection of the human being by fidelity to law and progress"². By saying that morality is only a "transcendent conception" Proudhon probably means that it is not derived empirically but rests on an a priori basis; since justice is an ethical conception, in the obligation it imposes on us it must be "absolute". Though its various manifestations are different, yet (in its perfect or true form) it is "absolute, immutable, eternal"³. In the same book he also says that "Justice is human, entirely human, nothing but human"⁴. In the sense in which justice has for

1. Ibid., tome IV, p.295.

2. Philosophie du progrès, pp.80-81.

3. De la Justice, tome III, p.527.

4. Ibid., tome I, p.324.

Proudhon a "mystique" it is difficult to see how it is also "human, entirely human, nothing but human". Herzen, for many years his friend and admirer, took De la Justice as the testament of an old man¹. In this he was wrong, for it is primarily a systematic development, as far as can be expected from a writer of the type of Proudhon, of the views expressed in his earlier writings. He had seen in the earlier Proudhon an anarchist who had "placed morality on its sole real ground, the breast of man recognising only reason and no other idol than itself"². Here again he was not right in his estimate of his friend's work. But one can with reason sympathise with him in his bitter complaint that "the great iconoclast took fright at the liberated human person, for, after having liberated him abstractly, he has relapsed into metaphysics, he has not been able to go through with it to the end (il n'a pas pu en venir à bout), and has immolated him to a god without humanity, the icy god of justice, the god of equilibrium, of silence....."²

1. See R. Labry's Herzen et Proudhon, pp.154-155.

2. Quoted by Labry, op. cit., p.180.

CHAPTER V

Proudhon's Dialectic

So far in giving a general account of Proudhon's views on the nature of justice I have said little about his dialectic. My sole justification in adopting such a procedure was to avoid unnecessary complication in the basic part of the exposition; but without it a considerable part of his theories of justice in its different aspects would remain obscure. In this chapter I shall try to make good this omission.

For a number of reasons Proudhon's dialectic has often been misunderstood. One main cause of his misunderstanding lies in the term "dialectic" itself. Since Hegel it tends to have an exclusive meaning, the arbitrariness of which becomes apparent even on a superficial investigation of its history.

Brief history of the theories of dialectic

We may begin our account of the history of the term "dialectic" with Socrates, who introduced into Greek philosophy a new method: the method of question and answer. He used this method to distinguish true knowledge from opinion. "Dialectic" originally was therefore the name of this Socratic method.

Plato, in applying this method, gave it another meaning. Its full Platonic conception is given in the Republic for the first time. It is not possible to give here an exposition of

Plato's theory of knowledge, without which we could not fully explain what the Platonic dialectic was, but we may state the conclusion of the discussion of the nature of knowledge and truth in the Theaetetus and the Sophist. In these two dialogues some of the theories of knowledge then current are examined in their most favourable interpretations. They are found to fail in explaining the nature of true knowledge in the sense in which Plato understands it, as having the quality of absolute certainty and being about things that never change. This makes the way clear for the earlier doctrine of the Republic that true knowledge is knowledge of the Forms which, together with the phenomenal world, have their ground in the Idea of the Good. For Plato "the sciences form a ladder which leads up in the end to the vision of the Good as the clue to the whole scheme of existence"¹. The supreme science through which this knowledge of the Form of Goodness is reached is "dialectic". As he puts it in the Republic, "the summit of the intelligible world is reached in philosophic discussion by one who aspires, through the discourse of reason unaided by any of the senses, to make his way in every case to the essential reality and perseveres until he has grasped by pure intelligence the very nature of Goodness itself. This journey is what we call dialectic"².

1. A.E.Taylor, Plato: The Man and his Work, pp.284-285.

2. Republic, Cornford's translation, .532 A.

There is another element in Plato's philosophy which, though Plato does not call it dialectic, is much more important from Hegel's point of view. This is to be found in the Parmenides, which in the Phenomenology of Mind he calls "Plato's dialectical masterpiece". In this dialogue, to quote a recent work on Hegel, "Plato treats certain pairs of Forms, such as One and Many, Whole and Parts, etc..... not predicable in mutual exclusion of one another, as empirical predicates are. Among the pairs of Forms which are not mutually exclusive are Being and Not-Being, and it is Plato's conception of this particular pair of opposites which is specifically significant for Hegel's conception of dialectic"¹. In this connection we may note Professor Ryle's suggestion² that in the Parmenides and the Sophist (and to a slight extent in the Theaetetus) Plato is becoming aware of the difference in logical behaviour of different types of concept. Concepts like Being and Not-Being, Unity and Plurality (which he calls Formal concepts), behave anomalously when used in the way in which ordinary concepts like animal,

1. G.R.G.Mure, An Introduction to Hegel, p.117. In Mr. Mure's view "this union or "communion", as Plato calls it, of Being and Not-Being, is, in fact, far more clearly marked out in the Sophist". loc. cit.
2. In his paper "Plato's 'Parmenides'", Mind, vol. XLVIII.

man, figure, etc., are used and lead to contradiction and antinomies. On this view Plato did not know the solution of these logical difficulties; but we may be quite sure that he had no wish to generalise and conclude to a universal rule overriding the law of contradiction.

In Aristotle dialectic is still connected with discussion by the method of question and answer. It deals with the dialectical syllogism - the syllogism whose premisses are not immediately true, but are merely probable as distinguished from the seemingly probable premisses of syllogisms of a sophistic nature¹. Dialectic for Aristotle is not so valuable as "science", the knowledge of pure causes; but the first principles of science, not being themselves capable of scientific proof, are best approached by way of dialectic.

In modern philosophy, Kant uses "dialectic" in his own sense. According to him human reason suffers from an inevitable tendency to go beyond the limits of possible experience, in doing which it suffers from the "transcendental illusion"² of taking certain subjective concepts of pure reason for objectively real things-in-themselves, and of making

1. This account is based on Sir D. Ross' Aristotle. See pp. 56-58, and 154.

2. Critique of Pure Reason, Transcendental Dialectic, Introduction I, p.298; N.Kemp Smith's translation.

certain unwarranted inferences which lead it to fall into three kinds of difficulty:-

- (1) The paralogisms of pure reason, i.e. the illusions of rational psychology; for instance, of inferring from the pure "I think" that the soul is a simple substance.
- (2) The antinomies of pure reason which arise when pure reason is applied to the "field of cosmological ideas". It is in this field that "the most difficult problems of the transcendental dialectic arise". "If in employing the principles of understanding we do not merely apply our reason to objects of experience, but venture to extend these principles beyond the limits of experience, there arise pseudo-rational doctrines which can neither hope for confirmation nor fear repudiation by it. Each of them is not only in itself free from contradiction, but finds conditions of its necessity in the very nature of reason - only that, unfortunately, the assertion of the opposite has on its side grounds that are just as valid and necessary"¹. These pseudo-rational doctrines are the four Kantian antinomies. The first, for instance, has for its thesis that "the world has a beginning in time and is also limited as regards space", and for antithesis that "the world has no beginning, and

1. Ibid., Transcendental Dialectic, Book II, chap. II, sec. 2, p.394.

no limit in space; it is infinite as regards both time and space"¹. Both thesis and antithesis of this antinomy are equally plausible. So also for the other three antinomies.

- (3) The illusion of attaining to a transcendental theology. Kant thought the purpose of the transcendental dialectic was to "expose" the nature of these illusions by explaining how they arise inevitably in reason's search for unity and completeness; but that the ideas of reason perform a regulative function in the work of the understanding by, for instance, requiring it to do all its work of investigation as if everything in the world were caused, and so on.

I shall now try briefly to indicate the distinguishing quality of Hegel's dialectic. In the interpretation of Hegel the risk of going completely wrong is probably greater than in the case of most other philosophers. McTaggart's Studies in the Hegelian Dialectic, for example, has generally been considered a bold simplification, but in spite of the element of simplification I do not see why we should not accept his interpretation of the Hegelian dialectic as essentially correct. According to McTaggart, for Hegel "Truth consists, not of contradictions, but of moments which if separated, would be contradictions, but which in their

1. Ibid., p.396.

synthesis are reconciled and consistent"¹. Starting from the lowest category Nothing, Hegel in his Logic finds that to posit Nothing is also to posit Being, the result being a logical contradiction. The escape from this is to be found in a third category, that of Becoming, which includes in a synthesis the first two categories as its "moments". This last category is again subject to be contradicted by another until a new synthesis is found to harmonise them. This process goes on repeating itself until the final category of Hegel's system, the category of Absolute Spirit is reached. In this final category all earlier categories are held together as "moments" of a harmonious whole. Hegel believed that the dialectically arranged categories of his system expressed the scheme which reality followed in its development, and that his triadic logic supplied a priori knowledge of the universe. This is known as his panlogism, or the identity of thought and being.

The above historical account will have sufficed to indicate the distinctness of Hegel's dialectic from the respective dialectics of Socrates, Plato, Aristotle and Kant. Let us now try to see how much affinity he can claim with the theories of dialectic of these philosophers.

Both Hegel and Plato gave the name "dialectic" to the method or study which leads to knowledge of the highest order.

1. op. cit., p.10.

Since, however, their respective views on the nature of this method or study are so different, their dialectics are necessarily different. The Platonic theory of progress from sense-perception to knowledge of the Forms, culminating in knowledge of the Idea of the Good, is not a theory of logical deduction, whereas the categories of Hegel's logic are (on McTaggart's interpretation) claimed to be connected in a logical sequence. Nevertheless, it remains true that Plato found in the Parmenides that certain contradictory pairs of Forms had to be predicated together. While for Plato they were probably only logical puzzles, for Hegel they represented an illustration of what he held to be a basic principle of logic.

In some ways Aristotle is Hegel's starting point. The Aristotelian Scala Universi is the beginning which Hegel expanded into the architectonics of his system. Hegel's relation to Plato and Aristotle is summed up by Mr. Mure in these words: "If I may be forgiven a loose metaphor Aristotle's conception of activity is the soul of Hegel's system, but the Platonic doctrine of negation is its life blood"¹.

Kant's antinomies provide a point of departure for Hegel. He saw in them not a difficulty arising from an illegitimate extension of the field of human knowledge, but

1. op. cit., p.119.

a fundamental principle of the human mind. Interpreting in his own way Kant's distinction between understanding and reason, he argued that only the understanding is deterred by these contradictions. Reason, finding in them a prospect to advance to a superior view, sets about its work in a far better way than the understanding, and by overcoming successive contradictions comes to attain to a position free from contradiction.

The so-called "left" Hegelians rejected the master's panlogism but retained his dialectic, being convinced that it could provide an excellent organon of reasoning far superior to formal logic. Marx and Engels concurred in this view. In a letter to Dr. Kugelmann Marx wrote: "Hegel's dialectic is the basic form of all dialectic, but only after it has been stripped of its mystical form, and it is precisely this which distinguishes my method"¹. Marx had to "strip" it of mystical form because he was a materialist, whereas Hegel had been an idealist. Dialectics served a certain purpose in Hegel's system; in Marx's dialectical materialism it was to be utilised for a very different purpose. Marx was aware of this difficulty. As he put it, "in Hegel dialectics stood on its head"; he wanted to put it back in what seemed to him to be its natural position. There is a further difficulty

1. Letter of March 6th, 1868; Letters to Dr. Kugelmann, p.63, the Marxist-Leninist Library, No.3, London, 1941.

in this respect. Though he had expressed a desire to write on dialectics, Marx never managed to state his view of dialectical materialism in a continuous account anywhere. We are therefore forced to fall back upon Engel's writings on the subject.

A short analysis of the meaning of "dialectic"

After this brief historical account we may go into some analysis of the term "dialectic". I should like to make the following points in this connection:-

- (a) Contradiction in any ordinary sense can exist only between terms or propositions, not between facts. So when Engels says that contradictions exist in nature and history¹, he is using the term "contradiction" queerly. He could say that some of our theories about natural phenomena are contradicted by other theories, which would require, if it were really the case, on the part of the scientists concerned with the particular fields in question, a re-examination of their views with a view to overcome the difficulties in question. This leads to my second point.
- (b) To admit two contradictory propositions as both true leads to absurdity. As Professor Popper has shown in his paper "What is Dialectic?"², from two contradictory

1. Anti-Dühring, Part I, chaps. V and VI, translated from the German by Emile Burns, Lawrence & Wishart, London.

2. Mind, vol. XLIX.

propositions any proposition whatever can be derived. If (1) "x is wise" and (2) "x is not wise" were both taken to be true, then any third proposition whatever could be derived from a disjunctive proposition formed from one of these and the third proposition. Let (1) and (2) be the contradictory propositions and (3) the proposition to be derived:-

- (1) x is wise.
- (2) x is not wise.
- (3) Caesar is alive.

Then "Caesar is alive" follows from:-

x is wise or Caesar is alive.

x is not wise.

- (c) We may with Professor Popper consider the dialectic method as "an empirical descriptive theory". Though we cannot, on this view, say that "scientific arguing" itself is "based" on dialectic, we may with some plausibility claim that "the development of scientific theories "can be described in terms of the dialectic method"¹. In science theories are put forward competitively; one theory may be challenged by another which takes an opposite view of the phenomena in question; the clarification resulting from controversy may lead to a better formulation which overcomes the limitations of

1. loc. cit.

the earlier theories. (Of course competing theories may not always be only two in number.) Actually it was not in the history of science but in the history of philosophy that Hegel achieved the best results with his method. He saw the history of philosophy as a dialectical development of philosophical theories. Even though his interpretations were sometimes forced, his contribution in this field remains of importance.

- (d) It may be understood as a theory of knowledge about the way we attain to knowledge of different kinds as an acceptance first of one view and then of its contrary and finally an attempt to work out a more comprehensive position than the two previous ones, as somehow inherent in the nature of the cognition process.
- (e) Through the various debasements that the term "contradiction" has suffered dialectic tends to become an omnibus term. To make an analogy: when Heraclitus says that strife is the father of everything, the word "strife" has been extended so much in range that everything that seems to happen is to be termed strife; the word "strife" has no longer any recognisable relation to what is ordinarily understood by it. Similarly, when Engels sees contradictions in nature and society, mathematics, physics, biology and what not, he has emptied the term "contradiction" of all definite content; it now probably means little more than opposition, conflict, unexpected difference, anomaly,

paradox, logical contradiction, all rolled into one. Anyone who feels puzzled at this claim of Engels' has very little hope of ever being able to produce any piece of evidence which will be counted as refuting it. If he insists that the term "contradiction" be used strictly in the sense in which it is used in formal logic, he will probably be told that for the dialectical materialist dialectic is superior to formal logic. At this the critic of dialectical materialism may be forced to ask for the sense to be defined in which "contradiction" is being used. Here the protagonist of dialectical materialism may well say that one can understand dialectic only by learning to think dialectically. Since we are left no way in which a possible refutation of this theory may arise, it reduces itself to a quasi-metaphysical theory ashamed to appear in its proper guise.

Proudhon's conception of dialectic

After these preliminary remarks on the nature of dialectic we may now come to the more specific question of the nature of Proudhon's dialectic. I have already tried to indicate why it is a mistake to give an exclusive meaning to the term dialectic and regard theories which are not found to be "dialectical" in such a sense as necessarily "undialectical". We have seen that Marx made this very mistake in regarding Hegel's dialectic as "the basic form of all dialectic". He felt that Proudhon had understood nothing of Hegel's dialectic, and that his

supposed application of it in his Systeme des contradictions économiques was nothing but a travesty. Prima facie, it would seem that this criticism can be judged on its merits by examining the dialectic employed by Proudhon in this book, but there is a fundamental difference between the respective dialectics of Marx and Proudhon. Marx fashioned a dialectic of his own from Hegel's dialectic method and used it consistently. Proudhon, on the other hand, was influenced by a number of different and not quite consistent conceptions. He sometimes uses one, sometimes another. Even in Systeme des contradictions économiques, in which undoubtedly Hegel's influence is more visible than in any other of his books, he applies more than one conception. He also attempted to combine these into a unified dialectic method of his own. It seems to me, therefore, that by examining straight away Marx's criticism we should not be doing justice to Proudhon. It would be much better to see, first of all, how he uses these different conceptions; and secondly, whether or not he succeeds in putting them together into a synthesis of his own. In doing this we shall also have answered the questions about how far and in what sense Marx was justified in his criticism.

There are three main sources of Proudhon's ideas on dialectic: Kant, Hegel and his Franche-Comtois compatriot Fourier. A further factor stressed first of all by Sainte-Beuve is not so much a direct source in the sense in which these thinkers are a direct source, but a tradition native to

French thought. Since it is not held to be the influence of a particular writer but a feature common to a number of French thinkers I shall consider it separately.

Before his meeting with Marx and Grün in the winter of 1844-45 Proudhon's knowledge of Hegel could have been only very slight (I have already remarked on his lack of German), but even long before meeting them he had learnt to employ the Hegelian triad without corrupting it. M. Rist quotes the following from Qu'est-ce que la propriété (premier mémoire, 1840): "To adopt the Hegelian phraseology, the community is the first term in social development - the thesis; property the contradictory term - the antithesis. The third term - the synthesis - must be found before the doctrine can be considered complete"¹. At this time Kant, whom he had the advantage of having read in translation,² was the second source of his ideas on dialectic. He was in correspondence with Kant's French translator Tisset. He testified later to Tisset: "In reading the antinomies of Kant I saw not a proof of the feebleness of our reason, nor an example of dialectical subtlety, but a veritable law of nature and thought"³. Here

1. Gide and Rist, A History of Economic Doctrines, p.306, note 4.
2. Even Marx granted that Proudhon knew Kant's works. The Poverty of Philosophy, appendix, letter to Schweitzer, 24th January 1865, p.165.
3. Correspondance, tome II, p.231; letter of December 16th, 1846.

in seeing antinomies as "a veritable law of nature and thought" Proudhon is using "antinomies" in the sense in which Engels uses "contradictions" when he says that contradictions exist in nature and history. But it seems to me that the distinction between these two terms ought to be kept. A contradiction is something logical, as we have contradictory terms and contradictory propositions. An antinomy, on the other hand, is in the nature of a paradox, analogous to the paradoxes which logicians investigate nowadays.

Waiving this objection, we may ask: Granted that contradictions or antinomies exist in society, what does the Proudhon of this early period propose to do about them? It appears to me that though he seems to know Kant fairly well and Hegel yet hardly at all, his solution in Qu'est-ce que la propriété is more Hegelian than Kantian. By this I mean that just as for Hegel contradictions exist only to be solved by reason, whereas for Kant antinomies are inherent in reason, social contradictions or antinomies (whatever that may mean) are for the Proudhon of Qu'est-ce que la propriété capable of being resolved in terms of new social arrangements. But this book is essentially a critique of property. It is only in Système des contradictions économiques that he sets out explicitly to solve the "economic contradictions" of society in this Hegelian sense. Before however examining his application of the Hegelian dialectic in this latter book it will be expedient to see what use he makes of Fourier's

concept of "series".

In chapter I we have already seen how Fourier uses the term "series". Here I will try to show how Proudhon came to think that he had discovered a new principle to be called by this name. But before doing this I should like to point out that the concept of "series" is a preoccupation with our author only in De la création de l'ordre. In later writings it seems to lose its importance for him.

To start with, it may be pointed out that understood as a mathematical concept "series" is a readily intelligible term (the series of natural numbers, the series of prime numbers, etc.). Each member of a mathematical series shares in a common property. Thus all members of the series of even numbers are even. But we also speak of, for instance, the series of events leading to a war. What, it may be asked, is the common property such a series possesses, except that all the events that are its members have the joint causal property of having brought about the war in question? The events themselves may be as different as the Prime Minister's cold, which prevented him from attending to the danger signals in time, and the existence of a mutual assistance pact. Prima facie at least, a cold and a mutual assistance pact seem to be extremely disparate facts. Here the term "series" has lost a great deal of the precision it possesses as a mathematical concept.

The distinguishing characteristic between the respective

series in these two examples is this. In the case of a mathematical series, knowing one member of the series and the formula describing it we can find out the next number in it. In the case of the second example we do not possess any principle which would enable us to predict with certainty what event would follow upon a previous event. No doubt in physics we have examples in which knowing a set of successive events we can predict the next event, but even here the certainty is not a mathematical certainty but only a probability bordering upon certainty. In social phenomena predictions are generally difficult to make. This is simply because we do not possess anything analogous to the generating relation of a series.

My purpose in making the distinctions of the previous paragraph was only to indicate the difficulty we are faced with when we try to apply the concept of series outside mathematics in a significant way. Proudhon, it seems to me, wants to say two things. Firstly, though he recognises the importance of "series" in mathematics he feels that it can be applied equally significantly in other fields. Secondly, for him the different senses in which "series" is applied in different fields are really instances or types of the same generic concept.

Proudhon's objection to Fourier's principle of "series" is that he applies one type of series ("the passional series") everywhere, without further distinction. Against this, Proudhon maintains that each branch of knowledge has its own

series. In each branch again there are series applicable to their own particular objects.

Thus the "series" (in De la création de l'ordre) is something fundamental in our knowledge of reality. In a letter written about the time of the publication of this book he says that metaphysics is "the theory of the serial law, the absolute method which secretly governs, by diverse applications, all the sciences"¹. Dialectic itself is a member of the following series:

" 1	2	3	4
<u>Geometry</u>	<u>Arithmetic</u>	<u>Algebra</u>	<u>Dialectic</u> " ²

Geometry, arithmetic and algebra stand in definite relationships with one another. What, we may ask, is the relationship between these three and dialectic? A little later we shall see that Proudhon tries to link up his "serial law" with dialectic by what he calls "the serial dialectic". Before examining this attempt of his let us see how far he gets with his "serial law".

The "series" does not merely characterise our knowledge about things; it is also descriptive of the things we study. There are two kinds of "series": "natural series" and "artificial series". A series is natural "when it is proper and special to the object, when it arises from its nature and properties"; we have an artificial series when "it is

1. Correspondance, tome II, p.113.

2. loc. cit.

transposed from the object proper to it to another which is foreign to it"¹. A majority of the products of art and industry are "artificial series", Proudhon tells us to illustrate his distinction. Here Proudhon seems to be applying an Aristotelian idea. In Aristotle's philosophy everything has its natural and proper place: the proper place of stones is on the earth, of birds in the air, of slaves in a condition of slavery. Proudhon does not deny that in taking things out of their natural condition we sometimes make them useful to ourselves. Nevertheless the distinction still operates.

We have already seen that in De la création de l'ordre Proudhon adopts a somewhat Comtist law of three stages, but the real purpose of this book is, as its title tells us, to discover the principle of "order" in humanity. In spite of all its complicated reasonings Proudhon's view about the discovery of this "order" (presumably the system which would bring us our earthly felicity) is rather naive. He seems to think that there is only one such "order", which alone can bring about the millennium. The "series" of this order of things is as essentially inherent in human existence as the law of gravitation is inherent in material objects. But, it may be remarked, this can only be so if nature has a plan of its own for our good, which we are meant eventually to discover. I cannot help thinking that Proudhon is misled.

1. De la création de l'ordre, p.176.

by a false analogy from physics. On the Newtonian model everything in the universe is tidily arranged. Trusting perhaps the simplicity with which Nature has arranged physical phenomena, Proudhon hopes that it also provides something analogously simple for human beings.

Proudhon's attempt to link up series with dialectic is not very successful. What we seek, he tells us, in "a serial dialectic" is "the art of composing and analysing our ideas"¹. "The dialectical series is thus formed as a result of a relation of identity, or at least equivalence, which the understanding discovers, from a given point of view, between things otherwise disparate and heterogeneous"². To this view I should object that if the object of the "serial dialectic" is to provide us with "the art of composing and analysing our ideas", then it is not at all logic because logic does not try to teach us to reason correctly. If, on the other hand, our reasoning faculty is improved as a result of the study of logic, this is only as it were a by-product of an activity pursued mainly from its intrinsic interest. Nor can this "law" of Proudhon's be anything like an empirical law, because empirical laws are generally established by the different sciences and not by the art which teaches us to reason correctly. To say that a "dialectical series" is formed

1. *ibid.*, p.184.

2. *ibid.*, p.200.

whenever we have succeeded in explaining extremely "disparate and heterogeneous" phenomena in terms of a unifying principle is like saying that we have a "dialectical series" whenever an important discovery is made. So the "dialectical series" is really a name for any important discovery whatever.

But not only does Proudhon try in De la création de l'ordre to combine the notions of "series" and dialectic into a "dialectical series"; he also uses dialectic as a concept capable of being used in its own right. He gives the impression of thinking that the Hegelian development of Kant's concept of "antinomies" into the triadic method represents an improvement of dialectic¹.

Thus when Proudhon met Marx and Grün in the winter of 1844-45 he was already in a receptive frame of mind to be initiated into the details of an important discovery. His difficulty was that he could not read German. This perforce left him to rely mainly² on the oral instruction which his German friends could provide. The influence of this contact with German philosophy is clearly visible in Système des contradictions économiques (1846). At that time he overestimated the extent of his debt to Hegel. This accounts for the promise he held forth in this book of finding

1. *ibid.*, pp.213-214.

2. Some material on Hegel was then available in French, some of which Proudhon had already read.

solutions for the "economic contradictions" he thought society suffered from. In a letter to Bergmann (24th October 1844) he explains the object he has in writing this book: "I am going to show that all the facts of political economy, legislation, ethics and Government are essentially contradictory; contradictory, not only among themselves, but in themselves and yet quite necessary and irrefutable.....I need not add that I shall at the same time give the theory and example of synthetic resolution of all the contradictions"¹. This ambitious promise (as his commentators generally recognise) was not fulfilled in terms of a Hegelian synthesis. But in another sense he did indicate the lines along which they could be solved. Dividing history into ten epochs, not "according to the order in time", but according to "the sequence of ideas"², Proudhon puts each of these epochs under the reign of one economic "category".

Proudhon tells us that in actual fact these categories of his are both successive and contemporary. Let us see what he means by this. "Philosophy, that is metaphysics", he explains, "or, if you prefer, logic, is the algebra of society, political economy is the realisation of this algebra"³. Here he has moved from the position of De la création de l'ordre,

1. Correspondance, tome II, pp.166-167.

2. Quoted by Marx, Poverty of Philosophy, p.88.

3. Système des contradictions économiques, tome II, p.392.

where the key to human history lay in his law of three stages. Like Hegel he now thinks that we begin with the world of sense and rise to the abstract. But, unlike Hegel, for him providence is not successful in its programme for us: "ideas, equal among themselves, contemporary and co-ordinated in the mind, seem thrown pell-mell, scattered, localised, subordinated and consecutive in humanity and nature, forming scenes and tales without resemblance to the original design: and the whole of human science consists in recovering in this conception the abstract system of the eternal thought"¹. A look at Proudhon's list of "epochs" shows why the original design of eternity must indeed have become lost. This is the list: Division of Labour, Machines, Competition, Monopoly, Police or Taxation, The Balance of Trade, Credit, Property, Community, Population. Most of these terms are really chapter-headings of textbooks on economics. Hegel's logic purports to link up the categories of his system into a logically connected whole, but Proudhon is not able to show any such connection between the different categories of his list. Before considering how far he succeeds in his programme of giving the "synthetic resolution of all the contradictions", let us try very briefly to form an idea of Hegel's philosophy of history. The aim of his philosophy of history becomes apparent from this quotation: "The time must eventually come for understanding that rich

1. Ibid., tome II, p.395.

product of active Reason, which the History of the World offers to us. It was for a while the fashion to profess admiration for the wisdom of God, as displayed in animals, plants and isolated occurrences. But, if it be allowed that Providence manifests itself in such objects and forms of existence, why not also in Universal History? This is deemed too great a matter to be thus regarded. But Divine Wisdom, i.e., Reason, is one and the same in the great and the little; and we must not imagine God to be too weak to exercise his wisdom on the grand scale. Our intellectual striving aims at realising the conviction that what was intended by eternal wisdom is actually accomplished in the domain of existent, active Spirit, as well as in that of mere Nature"¹. Thus he not only wants to give a philosophy of history, he also wants to write a theodicy. The subject of Universal History, however, is confined to "Spirit in the course of its development"²; its aim is the "exhibition of Spirit in the process of working out the knowledge of that which it is potentially"³. The goal of this process of actualisation is "the consciousness of its freedom on the part of Spirit, and ipso facto the reality of that freedom"⁴.

1. The Philosophy of History, translated from the German by J.Sibrée, New York, p.15.
2. *ibid.*, p.16.
3. *ibid.*, pp.17-18.
4. *ibid.*, p.19.

Hegel's conclusion about the "real" significance of history is in these terms: "And the history of the world is nothing but the development of the Idea of Freedom"¹. This does not sound like the supposed philosopher of totalitarianism. This is not however the place to go into the question of whether he is using "freedom" persuasively.

In his survey of "Universal History" Hegel tells us that the Orientals have not attained the knowledge that Spirit ("Man as such") is free. The consciousness of freedom first arose among the Greeks. But they only saw that some are free. They did not know that "man as such" is free. The German nations under the influence of Christianity were the first to become conscious of this, though in the beginning this consciousness was confined to religion. Only gradually could freedom be introduced into the relations of actual life.

Without going into Hegel's survey of the history of Europe after the establishment of Christianity, it may be stated that in his opinion the Prussian State was the most advanced embodiment of freedom so far.

Marx of course is opposed to all attempts to deduce a priori the stages of history. (His programme is to put dialectic, which was standing on its head in Hegel's philosophy, back on its feet). For him the primary reality is the mode of production, not the ideological superstructure resting on this

1. *ibid.*, p.456.

- 100 -

foundation. According to Engels, after the breakdown of primitive communism, there are "three great epochs of civilisation" corresponding to the "three forms of subjection"¹: slavery, serfdom and wage labour. These are to be followed by the dictatorship of the proletariat, and the final withering away of the state.

To return to Proudhon, the question to be asked here is whether, as Marx thinks, Proudhon had misunderstood Hegel's dialectic, or whether he was merely modifying it to suit his own purposes. Proudhon's own language, as in the above quotations, suggests that he was genuinely misled. It must at the same time be pointed out that Proudhon often exaggerates. What he describes as an application of the Hegelian dialectic may as well be the ideas that had occurred to him in the course of reading about Hegel or while discussing Hegel's philosophy with those who had read him in the original².

There is a further question to be asked. In what sense is Proudhon using "contradiction" when he says that the economic categories investigated by him are contradictory of each other as well as in themselves contradictory? The first of his categories, division of labour, a "veritable antinomy" whose antagonistic results unfold themselves in the movement of history, following everywhere the deduction of ideas, divides itself into a double current, one of useful effects, the other of subversive results, all equally necessary and legitimate

1. The Origin of the Family, A Handbook of Marxism, p.335.

2. Hegel's works had not been translated in Proudhon's lifetime.

products of the same law"¹. But because division of labour has both good and bad results it does not become contradictory thereby, nor an antinomy in the Kantian sense. Marx was right therefore when he said that for Proudhon "every economic category has two sides - one good, the other bad", and further that "The good side and the bad side, the advantages and the drawbacks, taken together form for M. Proudhon the contradiction in every economic category"². But, even though Proudhon is using "contradiction" in an unusual sense, this does not mean that his theory is necessarily a trivial one. To say that an institution like property, "legitimate, irreproachable in its origin, in its exercise constitutes a flagrant inequity; and that, without any element joining it to modify it, but by the sole development of principle"³, is to make an important claim. In Qu'est-ce que la propriété he did not think that property as "right of use and abuse" was "legitimate" in its origin. But supposing that he is now using it in some other sense and means to say that property is like other social institutions in that it is on the whole just and useful (being "identical with responsibility", as he says on the same page), and at the same time has some pernicious effects, and that our purpose should be to maximise its benefits and

1. Système des contradictions économiques, tome I, p.169.

2. *op. cit.*, p.94.

3. Système des contradictions économiques, tome II, p.409.

minimise its evils. In this he would be differing from Marx's view that private property in the means of production after a time has simply to be scrapped and replaced by a radically different arrangement like communism.

It is generally said by writers on Proudhon that his dialectic is on the whole nearer to Kant's than to Hegel's. This is true in this sense. Under Hegel's influence Proudhon had hoped to find syntheses for the social and economic "contradictions" he saw everywhere in society. We have seen that even in Systeme des contradictions économiques this had been little more than a hope¹. Later on he realised that this was not to be expected. As he wrote in De la Justice, "THE ANTINOMY CANNOT BE RESOLVED (l'antinomie ne se résout pas); that is the fundamental vice of the entire Hegelian philosophy. The two terms of which it is composed BALANCE themselves, whether among themselves, or with other antinomical terms"². To have thought otherwise was, he wrote in a letter to his friend Dr. Gretin, "a grave error that I have committed on Hegel's faith, in my Contradictions, and which I am now rectifying everywhere"³. In terms of his view in Théorie de

1. Sometimes he is able to realise this hope. For instance, the idea of "mutuality" provides a synthesis between "property" and "community". See Systeme des contradictions économiques, tome II, p.411.
2. tome II, p.155.
3. Correspondance, tome VII, p.102.

la propriété property and the state provide the two terms of a contradiction or antinomy which cannot be resolved in the sense that we cannot do without either. If you abolish property the state becomes all-powerful and liberty loses its foundation. And, presumably, if the state disintegrates civilised life itself would become difficult if not impossible. But this is not the only example of an "antinomy". On the other hand, it is but one instance of a general feature of social phenomena. (Proudhon does not tell us how we can discover "antinomies" in natural phenomena.)

The essential thing about this sense of dialectic is that on it the elements into which the physical or the moral world is separated retain their separateness and are never completely absorbed in any kind of higher unity. "The moral world, as the physical world, rests on a plurality of irreducible and antagonistic elements, and it is from the contradiction of these elements that the life and movement of the universe arise"¹, he wrote in the Théorie de la propriété. Marx could have said something similar, except that for him antagonistic elements become synthesised in higher unities.

1. Quoted by Georges Gurvitch, op. cit., p.193. Gurvitch holds that this declaration of Proudhon's is also applicable to his earlier works, which however does not square with Proudhon's own pronouncements.

Proudhon would have approved of Leibniz' view that perfection consists in obtaining "as much of variety as possible, but with the utmost of order that can exist" between contraries having "irreducible qualities", in "joining unity in the highest degree with the most perfect multiplicity (multitude)"¹. In De la Justice he says: "For myself, there can be no doubt about my opinion: what makes creation possible is, in my eyes, the same thing that makes freedom possible, the opposition among powers. To make an opera of the order in the world and in universal life is to hold a false idea. Everywhere I see forces struggling; I do not find anywhere, neither can I understand, that melody of the great All, which Pythagoras thought he heard"². As thus viewed by Leibniz or Proudhon dialectic is a sort of world-view; it cannot be treated as a mere methodological scaffolding. But, as we shall see in chapters VII and VIII, so far as human affairs are concerned Proudhon's tribute to conflict as the parent of freedom is hardly consistent with his social and economic programme. His role is really that of a peace-maker. "My whole philosophy", he wrote in Systeme des contradictions économiques, "is an endless round of reconciliation"³. The

1. Quoted by Georges Gurvitch, op. cit., p.193.

2. Quoted by de Lubac, op. cit., p.149.

3. de Lubac, op. cit., p.156.

following passage from l'Idée générale, in which he defines his "contractual principle", gives a good idea of his programme of reconciling in a unity a wide diversity of social elements: "Therefore, if I could make with everyone the contract I make with some; if all could renew it among themselves; if each group of citizens, commune, canton, department, corporation, company, etc., formed by a similar contract and considered as a moral person, could, then and always, deal on the same terms with each of the other groups and with everybody, this would be exactly as if my will were multiplied to infinity. I should be sure that the law made in this way everywhere in the Republic, under millions of different initiatives, would never be anything but my law, and if this new order of things were called government, then this government would be mine"¹.

As primarily a method of description Proudhon's thought is quite French in its ancestry, as Sainte-Beuve was the first to point out. He wrote: "His method, if the German mask were removed, had nothing in it but the simple and the vigorous; he could have done without the Hegelian term antinomy. There is in everything the for and the against, there is truth in both of these.....Proudhon could equally well have practised his method openly, clearly, à la française, and traced it back to Pascal, who delighted in putting into relief the contradictions

1. pp.267-68.

in whatever is human (en ce qui est de l'homme); I exalt him, I humble him, until he understands that he is a veritable monster"¹.

Summary

A short glance at the history of "dialectic" shows that it has been used in a number of different senses. There is a tendency after Hegel to understand it in an exclusive sense and to rule out the non-Hegelian senses as illegitimate. But this is not justified. The Hegelian conception of dialectic can, however, claim some ancestry in Plato, Aristotle and Kant. An analysis of the term "dialectic" shows its ambiguity. Sometimes it degenerates into an omnibus term covering logical contradictions, paradox, conflict, anomaly, etc. Proudhon's dialectic is unlike Marx's in that Proudhon has more than one conception of dialectic, whereas for the latter Hegel provides the "basic" form of dialectic. The chief sources of Proudhon's dialectic are Kant, Hegel and Fourier. In the beginning Proudhon hoped to find "syntheses" for the social or economic contradictions he saw everywhere in society. Later on he came to reject this Hegelian idea, and came to argue that the "antinomies" or "contradictions" of society could only be "balanced", not resolved. By this he meant that just as for Kant the antinomies are an essential characteristic of reason,

1. La Vie de Proudhon, edited by Daniel Halévy; part II
P.J.Proudhon by Sainte-Beuve, p.290.

the social or economic "antinomies" are inherent in human existence. By balancing opposite principles against each other we can avoid their worst consequences and enjoy what is useful in them. As a method of description Preudhon's dialectic is, as Sainte-Beuve was the first to point out, French in ancestry. It consists in first stressing the good qualities of a thing and then bringing into relief its bad ones. This was the method practised by Pascal in describing man.

C H A P T E R V I

JUSTICE AND LIBERTY

The account of Proudhon's dialectic given in the previous chapter will help us to understand his approach to the much debated problem of the relation of justice and liberty. It is often held that an increase of justice may be secured only at the cost of liberty. Thus stated, the view is too vague, and its truth depends upon the meaning to be attached to the term "justice". If we mean by justice the rewarding of each according to his desert, the truth of this view will be dependent, among other factors, upon how deserts are to be assessed. A feudal society with a hereditary nobility enjoying its rights and exercising its functions over its "natural" inferiors could be considered a just society, provided corresponding differences of desert were supposed to prevail among its members. But actually what is meant by this view is the much clearer statement that beyond a certain point an increase in social and economic equality may lead to the loss of certain personal liberties which are taken for granted, at least in times of peace, in liberal-democratic countries. This is a proper subject for sociological investigation. Here I should like to quote Proudhon's contemporary Alexis de Tocqueville who was probably the first among its friends to diagnose systematically the ills of modern democracy. "I BELIEVE," he wrote in his Démocratie en Amérique, "that it is easier to

establish an absolute and despotic government amongst a people in which the conditions of society are equal, than among any other; and I think that, if such a government were once established among such a people, it would not only oppress men, but would eventually strip each of them of several of the highest qualities of humanity. Despotism, therefore, appears to me peculiarly to be dreaded in democratic times. I should have loved freedom, I believe, at all times, but in the time in which we live I am ready to worship it."¹ Tocqueville was convinced that "the question is not how to reconstruct aristocratic society but how to make liberty proceed out of that democratic state of society in which God has placed us."²

I shall try briefly to indicate the grounds on which he supported this view. The diffusion of equalitarian ideas, Tocqueville thought, had led to the establishment of modern democratic regimes. But actually much of the work of levelling was done long before. In France this was done by the centralised monarchy. America forms a case apart from Europe because it had no nobility whose power had to be destroyed. But the puritan outlook of the early colonists contributed not a little to the creation of conditions for the establishment of democracy. Though equality had come to stay in democratic

1. Book Four, chap.VII, p.397; translated by Henry Reeve, The Century Co., New York, 1898.
2. loc. cit.

countries, it was by itself no guarantee of liberty. Probably the rise of personal despotism was henceforth unlikely, but a kind of ubiquitous despotism which inhered nowhere in particular was the new danger. The hierarchical division of society into orders and groups had exercised checks against encroachments from the state. Now that these barriers had broken down, the compulsion over the individual to conform to accepted ways and beliefs was much greater. The spread of uniformity of conditions had led to a mentality suspicious towards novelty and independence.

Tocqueville concerned himself mainly with the consequences of the establishment of political and social equality in modern democratic societies. Proudhon, on the other hand, takes equality in the inclusive sense of political, social and economic equality. As this sort of equality is nowhere to be found, except probably in some primitive tribes, his work proceeds on a basis very different from the historical and sociological approach of Tocqueville. The latter's cautious mind is not like Proudhon's, ready with a priori and sanguine solutions for every problem. Where Tocqueville sees a hopeful sign he readily indicates its existence; on the whole his approach is tentative and piecemeal, not dogmatic and a priori as Proudhon's tends to be. We can, however, point to some similarities between their ideas; for instance, Tocqueville saw in the power of associations a defence against the encroachments of the state, which recalls Proudhon's later

anticipations of syndicalism.

As we have already noticed, Proudhon upholds equality in all his writings; at the beginning of his career in a rigorous form, later toning it down progressively. This toning down reflects a growing realisation on his part of the complexity of the problem of reconciling equality with liberty. The existence of the problem, however, is recognised as early as De la célébration du dimanche (1839); his goal at this stage being to find "a state of social equality, which is neither community nor despotism, neither atomisation (morcellement) nor anarchy, but liberty in order and independence in unity"¹. But at this stage at least he is not willing to admit that equality may lead to despotism, his fears being aroused more by the communism of Cabet and Babeuf² than by equality as such. In De la création de l'ordre, for instance, he complains: "The communists.....seem to forget that man does not only live a public life, that he also needs a private life"³. In Système des contradictions économiques he has become positively hostile to communism, as we have already seen⁴. In the Philosophie du progrès equality only means "commutative and progressive equality". In the next chapter we shall, in giving an account

1. p.61.

2. De la création de l'ordre, p.354. See the editor's note, p.247.

3. Ibid., p.355.

4. vide supra.

of the development of Proudhon's views on property, have occasion to study his final views on the economic aspect of the problem of this chapter in concrete terms.

In some ways the problem of the relation between justice and liberty is the crucial problem in political philosophy for Proudhon. From this point of view we may consider him discussing many of the traditional topics of political philosophy with two governing considerations. First, to make less and less unpalatable his own view that liberty and equality can be reconciled; second, to develop a theory of society which takes into account the main springs of social change and evolution as they seem to him to have operated in history, avoiding thereby the sentimentalism of early socialists like Cabet. So far as the first consideration is concerned, Proudhon can strengthen his case without having to defend his view directly. He can quite reasonably argue that liberty purchased at the cost of great social inequality can be real only for a small minority of the population, or that a society which tolerates gross injustice remains without one of the essential conditions of freedom - a just and conscientious mind. This was actually the criticism which early socialism had made against the liberal defence of laissez-faire. But Proudhon does not conceive the problem in such simple terms. It is not a question of choosing between liberty and justice, in the sense that you can have one or the other, but not both; nor a question of coming to some sort of rule of thumb compromise. Liberty, Proudhon would say, is

not always a good thing, not something always to be worshipped. It has been, no doubt, "the motive force of right"¹. But just as it overcomes the dead weight of "fatality", by which he means the environment of man and his own nature following fixed laws, it can also "resist the appeal of conscience"². Liberty in short can easily degenerate into selfishness. "The only power capable of checking Justice is liberty"³, he says, exaggerating to drive home his point. Actually, however, justice and liberty are not as antagonistic as all that. Justice and liberty become interchangeable terms when there is a balance between your liberty and mine; when nobody enjoys unlimited liberty but only a liberty "dualised, socialised"⁴. In terms of Mr. Carritt's view this would mean that nobody has a right to unlimited liberty, but only a claim to liberty to be translated into a right to the extent to which it is not overridden by the superior claims of others. Thus liberty, in so far as it becomes a right, is itself a kind of justice. The second consideration makes Proudhon's solution

1. De la Justice, tome III, p. 518.

2. loc. cit.

3. loc. cit.

4. loc. cit.

of the problem much more complicated than that of any contemporary socialist writer. Marx claimed to have made socialism "scientific" for the first time. Proudhon's approach too is inspired by a comparable attempt to take into account the intractable facts which militate against the establishment of full justice and liberty. Only his position is not so clearly defined as Marx's. On the other hand, Proudhon is aware of the existence of a large variety of factors which Marx on his materialistic theory of history can easily dismiss as secondary questions of the ideological "superstructure" of society. But Proudhon cannot take this easy way out, since for him liberty and justice are not entirely functions of the mode of production, but raise problems important in their own right. No doubt he stresses the importance of the economic factor in history, and sometimes thinks in the terms of a materialistic conception of history of his own. But the economic interpretation of history is for him only one way of looking at history. As we shall see in chapter IX his view of history is based not on one but on a number of different conceptions, all of which he finds significant and important. (If there is any one theory providing the key to history, it can only be his own theory viewing history as the progress of justice). In thus trying to take a wide view Proudhon is forced to strain all the resources which his predominantly rationalist position can provide. The result of course is that his thought sometimes

seems to reduce itself to a deadlock. His basic honesty often leads him to admit the perplexity which a particular problem has got him into, though he is not a man who will easily admit defeat. Herein perhaps lies the fundamental difference between him and Marx. Marx had affirmed with confidence that "humanity lays down for itself only problems that it can resolve"¹. Proudhon, on the other hand, is often troubled by the fact that "our thoughts go further than it is given us to reach"¹. And mankind, we may comment, sometimes sets itself problems which it tries vainly to solve, suffering a severe setback thereby.

Though Proudhon's love for liberty is no less than Tocqueville's, his approach to the problem of preserving and developing it is very different. He is not, like Tocqueville, content to point out remedies to counteract the harmful effects of what he has otherwise decided to accept as inevitable in the nature of things. Tocqueville, despite all his criticism, remains one of the great exponents of representative democracy. Proudhon on the other hand is a hostile critic of democracy and wants to sail under other colours, more or less of his own choosing. Not content with pointing out the weakness of democracy, he holds that

1. Quoted by de Lubac, op. cit., p.296. The sources of these quotations are not given; but the former is from the Critique of Political Economy.

representative institutions as they actually work are bound to lead to consequences the very opposite of what they are supposed by their proponents to be meant for.

Theory of "collective force"

In order to appreciate fully the force of Proudhon's criticism of democracy and his attempt to base liberty on better foundations than those on which it is usually based by liberal philosophers, we shall need to consider an important aspect of his thought, to which M. C. Bouglé¹ was the first to draw attention in his La Sociologie de Proudhon¹. M. Bouglé wishes to call certain theories of Proudhon's "sociological theories" which all "imply in common" the following postulate: "the coming together of individual unities engenders an original reality, something besides and other than a simple sum"².

He is right in holding that this postulate provides a clue to the understanding of many of Proudhon's theories. But it is not merely a postulate of some of his sociological theories, it is wider in scope. In at least one of its applications it is not so much the basis of a sociological theory as the attempted solution of the old problem about the freedom of the will. In De la Justice³ Proudhon examines the views of Descartes, Spinoza, Leibnitz, Kant, etc., and some of his contemporaries, and finds

1. See Introduction, p.20.
2. op. cit., avant-propos XIII.
3. Huitième étude, chaps. IV, V.

them all unable to prove the human will to be free. If freedom is to be found anywhere on these theories it is always in something other than man, whether God or some noumenal self; like justice it is never made to descend to the level of a wholly human reality. How does Proudhon propose to solve this problem? If man were only matter, he argues, his behaviour would be determined solely by the laws of natural science; if pure mind, by those which govern the understanding. Neither into matter nor into mind can any liberty creep in. But man is complex, "the complex of matter, of life, intelligence, passion". He is free by the synthesis of all these elements of his nature, a synthesis which like the synthesis of every complex unity produces a resultant, over and above the separate elements that enter into it, which properly belongs to it and to nothing else. The special force or quality which belongs to man in his own right as a compound or synthesis is liberty. Thus liberty in a philosophical sense is for Proudhon an "emergent", in the sense in which mind and God are "emergents" in the philosophy of the late Prof. Alexander.

Proudhon a realist political philosopher

For the most part, however, Proudhon sees this "postulate" as the basis of theories which are not metaphysical, but either sociological, economic, political or moral. In the next two chapters we shall have occasion to examine some of these theories. The consequence of this theory that is most important for the subject of this chapter is that Proudhon is led to reject nominalism in political philosophy, and to adopt

a strongly realist position. This realism develops as Proudhon matures. In the Systeme des contradictions économiques we find him saying that for "the true economist, society is a living being, endowed with intelligence, and its own.....activity, governed by special laws....."¹. This being is sometimes called "the collective being", sometimes "the collective person", sometimes "the social being", terms all closely analogous to Comte's "great being" (le grand être). It is not a mere fiction for the convenience of theory, but endowed with all sorts of qualities which living beings have; it also has "its soul, its genius, its dignity, its force"². This realism makes Proudhon's attempt to reconcile justice with liberty extremely interesting. In the history of political philosophy realist thinkers have generally tended towards authoritarianism, or at least anti-individualism; whereas the nominalists have often favoured democracy and individualism. This is merely an interesting empirical fact, and I do not think any necessary connection exists between realism and authoritarianism or nominalism and democracy. And of course there are notable exceptions: Hobbes is nominalist and absolutist at the same time, T.H.Green realist with a strong liberal predilection. Proudhon's case however is an extreme one: he is a realist who is at the same time a near anarchist.

1. Quoted by Bouglé, op. cit., p.148.

2. La Guerre et la Paix, p.158.

Proudhon goes very much beyond de Bonald and Comte in his realism. Not only is society as a whole a reality in the above sense; each social group or class has its own separate identity. "The metaphysics of the group", as he puts it, are to be seen in operation everywhere. In developing this theory, Proudhon is able to anticipate many of the later syndicalist and solidarist theories. Logically it can be regarded as a development of Rousseau's theory of the "general will", though generally, as we have seen already, Proudhon is very hostile to Rousseau's ideas. But whatever Proudhon may say against Rousseau for the harm his theory of the general will has done¹, a strong parallel can be made between his theory of "collective reason", the special reason Proudhon ascribes to his "social being", and the theory of the "general will". The general will is never wrong, says Rousseau. Proudhon asks us to be attentive to the pronouncements of collective reason; it is what points out the way "when all the spirits are individually misled"². But when everybody is mistaken in their judgment how are we to find out what our collective reason commands us to do? If Proudhon were to pursue this line of thought consistently he would expose himself to all the criticisms to which the

1. We shall be able to see the weight of Proudhon's criticism of Rousseau in examining his criticism of democracy.

2. Correspondance, tome VIII, p.240.

theory of the general will is usually subjected. Let us see how far he succeeds in escaping these criticisms. For him society, though a living being, is only "perfectible", never perfect, and so stands opposed to God who alone is perfect¹. So a whole society can go wrong in its decisions like any individual human being. "The life of nations", he wrote on 5th January, 1852 in his Carnets², "is like that of man, an assimilating vortex, endowed with conscience and consequently capable of virtue and crime, sacrifice and expiation". Very often, however, there is some sort of sanctity attaching to whatever appears to him to be a deliverance of collective reason.

But even if collective reason is generally right, we are still faced with the question, How do we find out when collective reason is right and when it is not? Not being a traditionalist like de Bonald or Burke, he cannot simply say: "Tradition is always right". Proudhon knows that there is not one tradition but many, not (in Prof. Oakeshott's terminology) one sympathy to be explored but a choice to be made between alternative sympathies. But at least in his period of maturity Proudhon comes to respect tradition more and more. This deep respect for tradition on the part of a thinker notorious for views which, because they are so extreme, one would think must be

1. Les Confessions, p.16.

2. Quoted in Dolléans' book on Proudhon, p.342.

those of an extreme rationalist, has led to the view among many students of Proudhon that there are two Proudhons; the one "rationalist, equalitarian and contractualist", the other "upholding the principle of hierarchy, authoritarian and wholly attached to the sentiment of the sacred"¹. This contrast seems overdrawn to me. It would be more correct to say that Proudhon is primarily "rationalist, equalitarian and contractualist", but for him not all human relations are to be organised on an "equalitarian and contractualist" basis. He does not, for instance, view marriage as a contract resting on a relation of equality between husband and wife. On the other hand, the husband is the head of the family and the wife is his inferior complement; nor is marriage for him a revocable contract; it is in the nature of a sacrament. Though a rationalist Proudhon tries to take into account the element of tradition. After all, as he says, he is also in a tradition - the tradition of the Enlightenment and the French Revolution (perhaps to some extent also, as some of his students would say, in the tradition of Christianity). M. Bouglé is able to appreciate Proudhon's position justly when he says that his "programme" is "to compel collective reason to consecrate personal right"². The question to be asked, therefore, is:

1. Bulletin de la société française de philosophie, avril, 1912
quoted in Guy Grand's Introduction to De la Justice, tome
I, p.7.
2. op. cit., p.329.

"How far does Proudhon succeed in this "programme" of his?" On the whole, it seems to me, he does not. Some of his attempts to utilise the work of "collective reason" in the service of liberty are nevertheless interesting. To anticipate a little the theme of the next chapter, Proudhon holds¹ that property has hitherto often been and can be in the future a strong factor preserving liberty from the encroachments of the state. But since property in its present form is not distributed over the entire community it is not a just institution; if distributed among all the members of society more or less equally it would both secure justice and preserve liberty. This is not Proudhon's whole argument in defence of property, nor is it the only way in which he wishes to secure liberty. But here I have only used an illustration.

To be true to Proudhon's thought we must point out that tradition is not quite the same thing as collective reason. Society possesses so to say the major part of its capital in tradition. But tradition derives from the past as something separate and distinct from the thoughts of individual human beings in the present who show, sometimes more, sometimes less, deference to its requirements even when they are not wholly comprehensive and, sometimes, apparently absurd. For Proudhon, on the other hand, collective reason is not embodied in any particular institution like the state. Those who like Comte

1. In Théorie de la propriété most clearly.

think that the individual apart from institutions like the state, church, etc., is an abstraction are, Proudhon thinks, mistaken. Society for Proudhon has a "double and real existence, as collective unity and as plurality of individuals. Its action is at once composite and individual, its thought is collective as well as individualised"¹. So if we recognise the work of society as a collectivity, that does not land us in communism; nor does the recognition of individuality and its work mean that we ignore general interests. "In the work of redistribution and equilibration of collective and individual forces consists the science of government, politics and justice."²

On Proudhon's theory we may regard tradition as the work of collective reason, rather than identical with it. The following quotation should bring out the distinction: "The recognition or institution of property", he says, "is the most extraordinary, if not the most mysterious act of collective Reason...."³ Collective reason works mysteriously, we may add, because what it accomplishes is not the design of any one individual and is often not visualised by the wisest among us. By allowing it to concentrate its work in one institution we should be unwittingly creating a leviathan to tyrannise us, a leviathan whose working we could neither

1. Les Majorats littéraires, p.198.
2. loc. cit.
3. Théorie de la propriété, p.67.

comprehend nor regulate.

Here a comparison with a somewhat similar view expressed by Professor Hayek will throw light on our author's position. Professor Hayek thinks that a "planned economy" in the sense of an economy based on "a central direction of all economic activity according to a single plan" is bound to lead to totalitarianism. On the other hand, an economy which makes intelligent use of competition "as the principle of social organisation" can secure equally good results - even from the purely neutral point of view of efficiency. He reminds us that some planning is involved in all economic activity, but the proper way "to employ foresight and systematic thinking in planning our common affairs" is that "the holder of coercive power should confine himself in general to creating conditions under which the knowledge and initiative of individuals is given the best scope so that they can plan most successfully": to secure freedom what is needed is "planning for competition", not "planning against competition"¹. Unlike Marx, Proudhon realises the force of this fundamental liberal argument. He too wants to utilise competition to secure results not attainable otherwise. But he also realises that complete laissez-faire, on which some liberal economists of his time insisted, would leave many in a hopelessly weak position. To interpret his thought freely, he wants a form of society in which competition does not lead to unjust exchanges but is

1. The Road to Serfdom, pp.25-27 and 31.

itself a factor promoting fairness in economic relations. This would be possible only if everybody could bargain from a strong position.

The true way of conceiving collective reason for Proudhon is to consider it as manifesting itself in all sorts of groups. "Civilisation advances only through the influence which political groups exercise over one another, in the plenitude of their sovereignty and independence; set up over them a superior power which judges and constrains them, the great organism miscarries, there is no more of life or thought."¹ By his hostility to the state Proudhon comes close to the liberal standpoint. Not only are the conclusions he reaches in this respect similar, the arguments he uses are very often liberal arguments. He takes it as axiomatic that all governments are bound to prove wasteful and incompetent when they undertake any direct economic activity. Here Proudhon is closer to the original liberal view than to the views of present day liberals like Professor Hayek who know from experience that a collectivist state by planning practically every aspect of economic life can secure the sort of efficiency which suits its purposes. In chapter VIII we shall see how, starting from an anarchist standpoint, Proudhon came to recognise some legitimate sphere of activity for the state. The state could, as he now thought, initiate an

1. La Guerre et la Paix, p.293.

economic reform or begin a new industry; but the actual operation of new schemes should be transferred to local authorities or private enterprise as soon as their purpose had come to be understood by the public.

Proudhon does not visualise that his groups will live harmoniously. Conflict and competition are essential elements in the preservation of liberty. "One thing generally recognised, because it is a fact of experience, is that civilisation had its point of departure in antagonism, and that society, in other words law, international law, public law, civil law, was developed under the inspiration and influence of war, which means under the jurisdiction of force."¹ This quotation gives in a nutshell Proudhon's philosophy of law. What is of interest is that in La Guerre et la Paix Proudhon does not think that progress is essentially due to any innate qualities of goodness in man. Liberty itself is an offshoot of the element of conflict in society. We may remember that for Machiavelli man has always the same essentially evil nature. Human nature being ever restless, the state must go either along an upward path or decline; a state of peaceful equilibrium necessarily brings disruption. Therefore, as J.W.Allen puts Machiavelli's thought in his own words, "conflict and war are necessary to the health of the body politic"². For Proudhon,

1. Ibid., p.92.

2. History of Political Thought in the Sixteenth Century, 2nd edition, 1941, p.456.

on the other hand, the element of conflict can be so transformed that instead of leading to war and revolution it is used to preserve those conditions which are the prerequisites of liberty. This is reminiscent of later liberal theory (Herbert Spencer, for instance).

In trying to indicate the lines along which Proudhon tries to solve the problem of the relation between liberty and justice I have had again and again to break the thread of exposition because of the links which it forms with those aspects of his thought which still remain unexpounded. This was to some extent inevitable by the very nature of the subject of this chapter. In the course of the next two chapters I will try to bring out in some detail Proudhon's practical programme of reconciling justice with liberty at least in its main aspects. We may therefore treat the present chapter as an introduction to Proudhon's social philosophy in so far as it links up more or less directly with the governing idea of his thought, his view of justice.

C H A P T E R VII

Proudhon's Economic Programme

Introduction

Having formed some impression in the previous chapter of the nature of Proudhon's preoccupations as a practical thinker, we may now examine his economic programme. In chapters I and V we have seen that he was in no way a systematic philosopher. Nevertheless, he can claim some importance as a political philosopher. In France at least, he also enjoys a certain reputation as an economist. But even here, he lacks the thoroughness of the professional. "Political economy is not my forte"¹, he wrote in one of his modest moments. What sort of economist is Proudhon? In answering this question the most important thing to note is that for him economics and ethics cannot be separated. In De la création de l'ordre he writes: "We have surveyed and broadly sketched the field of political Economy in its first and second departments. There remains the third, the science of Right or the science of the instruments of labour and the division of produce".² He would not agree with

1. Correspondance, tome VI, p.313.

2. De la création de l'ordre, p.349 - For the way in which Proudhon here divides political economy into departments see chap. IV of this book.

Professor Lionel Robbins' definition of economics: "Economics is the science which studies human behaviour as a relationship between ends and scarce means which have alternative usage"¹; not being concerned with "ends as such" it is "entirely neutral between ends"². Yet it is quite possible to separate Proudhon's specifically economic theories from the materials with which, in his writings, they are usually entangled. His economic theories are developed in two main fields of application: his view of the justice or otherwise of property and its significance as an institution, and his theories of the reform of exchange and credit. As they cannot be readily connected together, it will be expedient to examine them in separate sections. In doing this I hope I shall also be able to bring out his contribution, if any, as an economist.

1. An Essay on the Nature and Significance of Economic Science, first edition, 1932, p.15 - Prof. G.D.H.Cole's view of the relation between economics and ethics is similar to Proudhon's. As he writes in his recent Socialist Economics (Gollancz, 1950), "Socialist economics are human economics", being "quintessentially" a branch of morals. (pp. 8 and 250).
2. op. cit., p.23.

SECTION A

Property and Justice

(a) Is property "theft"?

Until the publication in 1840 of his first memoir on property Proudhon was an unknown man who had hitherto earned his living, apart from the three year's spell which the Pension Suard had given him, mainly as an itinerant compositor. Soon after its appearance he had acquired a minor reputation, largely as a result of the rigorous way in which he had attacked current ideas on the nature of property. Not a little of this was due to the formula, since become famous, Property is theft, with which he had shocked orthodox opinion. Though he was being sensational by repeating again and again this formula, the work as a whole was an attempt to discuss a problem of practical ethics, namely the justice or otherwise of property. He approached this problem against the background of discussions on property among the jurists of his time. It might be said that his approach to property is juristic as well as ethical. He is, however, also concerned with property as an institution. He here thought that the key to the understanding of society lay in this concept. In the light of this explanation the reason for the choice of the full title becomes clear: What is Property? or An Inquiry into the principle of right and government. "Others will offer you the spectacle of genius wresting nature's secrets", he told his readers, "to bring forth sublime oracles; here you will only find a series of experiments on the just and the right,

a sort of verification of the weights and measures of your conscience. The operations will take place before your eyes, and it will be you who will judge the result."¹

1. Qu'est-ce que la propriété, premier mémoire, pp.133-134.

Even Marx conceded that it was "epoch-making, if not from the novelty of its content, at least by the new and audacious way of coming out with everything." (Letter to Schweitzer, 24th January, 1865, published as appendix to The Poverty of Philosophy, p.164. International Publishers, New York.)

In The Holy Family (1845) Marx says: "Thus Proudhon submits the very basis of political economy, that is, private property, to a critical examination, the first such examination to be both serious, complete, and yet scientific. That is the great scientific advance he has made, an advance which revolutionises political economy and shows, for the first time, the possibility of a genuine science of political economy. Proudhon's work: What is Property? has for modern political economy the same importance as Sieyès' work What is the Third Estate? has for modern politics." (Marx, *Oeuvres Philosophiques*, Edition Molitor, Vol. II, p.53.)

By now we are in a position to see why Proudhon should want to treat his questions as questions of what is just and what is right. Apart however from this general reason there is an especial reason in the case of property. As M. Bouglé has pointed out¹, individual property was not defended in Proudhon's time on grounds of expediency, i.e. as a useful institution in the given conditions of society. Nor was it defended on such grounds as its utility as a stimulus to initiative, or as creative of the feeling of responsibility in the producer. In order to justify the jus utendi et abutendi of the owner of property "sacrosanct natural rights were invoked: first occupant's right to the land, worker's right to his product, in a more general way, the right of the human personality over things"². Proudhon wanted to prove that property cannot be successfully defended in this way, and that in fact it cannot be successfully defended at all.

Against "the nineteenth century dogma that everything must be owned"³, to borrow the late Prof. Roscoe Pound's words, Proudhon upholds the opposite dogma that nothing must be owned individually. Let me quote the two definitions which are the main target of his attack. The first is the definition of property according to Roman law: (Dominium est) Jus utendi et abutendi re sua, quatenus juris ratio patitur. The second is the definition adopted by the Code Napoléon on the model of

1. op. cit., pp.47-48.

2. loc. cit.

3. An Introduction to the Philosophy of Law, Yale University Press, 1925, p.199.

Roman law: "Property is the right to enjoy and dispose of things in the most absolute manner, provided it is not used in a way prohibited by the laws and regulations."

Taken in this sense property according to our author is "theft". To justify this condemnation he tries to prove that it is unjust. Even if he were to succeed in this attempt, it would not follow thereby that it is theft; we do not describe everything that is unjust as theft. If an innocent person is punished we say that this is unjust, but not, to labour the obvious, that there has been theft. On Proudhon's position, the reply to be made against this criticism is that if I am in legal ownership of something to which morally I have no right, and that if there are people who have a stronger ethical claim to it than I, I am depriving them of what rightfully belongs to them; in this sense I am guilty of stealing from them.

Against property as a right utendi et abutendi, which he condemns as theft, Proudhon upholds what he calls "possession". He seems to have believed that he was using "possession" in the sense in which it was understood by the Roman jurists and in the sense in which it is used in the Code civil. Aimé Berthod, in his P.J.Proudhon et la propriété, un socialisme pour les paysans, thinks that Proudhon was mistaken in thinking so. Before we can decide whether or not Proudhon was wrong in this it is necessary to get clear about the sense in which he uses "possession". Unfortunately, however, as Berthod admits, Proudhon does not make his use of this term

quite clear. Moreover, it is only in the course of his attempt to prove the injustice of property that his view of "possession" as an alternative to it emerges. I shall therefore examine his criticism of property at some length, in order that his meaning may be elicited.

We may begin our examination of Proudhon's criticism of property by noting that according to him the intention to make property "absolute and inalienable"¹ remains a mere intention, that is not meant to be carried out. At least so one would infer from the actual behaviour of legislators and the governments which apply the laws enacted by them. The Déclaration des droits de l'homme et du citoyen recognises liberty, equality, property, security as natural rights. All these except property are really natural rights, but property, though "adored by all, is recognised by none"². How is this so? The owner of property is made to pay taxes which are levied on a progressive basis: the more he owns the more he pays. Proudhon cannot understand this principle of progressive taxation. The life and liberty of the rich do not cost the government more to defend than those of the poor. As a matter of fact it is the worker who is usually more troublesome to the police (Proudhon does not give any reasons

1. Qu'est-ce que la propriété, premier mémoire, p.101. This title was probably suggested by Sieyès' work Qu'est-ce que le tiers état?

2. Ibid., p.160.

for this view). If the institution of property is just, then it must confer an absolute right, not a right hemmed in on all sides. Then look at the other encroachments made on property. Ministers of finance have so many times in the past taken steps to lower the burden of the National Debt by means of operations which have enabled them to re-borrow the original amounts at cheaper rates of interest. But by lowering the rates of interest they pay to their creditors/governments they significantly affect the actual worth of the fortunes of many people. This cannot have been just if property is a natural right, so that what "belongs to me in virtue of this right is as sacred as my person, it is my blood, my own self: whoever touches it hurts the apple of my eye"¹.

If Proudhon's reasoning here is correct, it proves too much. Governments not only interfere with the "natural right" of property, they also put restrictions on other "natural rights" like liberty and equality. This does not mean that these rights necessarily cease to be respected. Very often governments hem in a so-called natural right like liberty with a restriction because it is really necessary if everyone is to enjoy his fair share of it. It is true that governments in trying to reduce the burden of the National Debt may sometimes affect adversely the interests of those who have come to look upon the Government securities in their possession as safe

1. Ibid., p.166.

investment. But this does not mean that every attempt on the part of a government to re-borrow at reduced rates of interest necessarily has the consequences flamboyantly alleged by our author.

Now let us examine some of the grounds on which property may be defended. Property has been defended on the basis of occupation, on what is known as "the right of the first occupant". But the mere accident of first occupation cannot confer a right. "What belongs to each is not what each can possess, but what each has the right to possess"¹. What I can legitimately hope to possess cannot be more than what would suffice for my needs, for the quantity of land is limited. Furthermore, what I own I can reasonably own only when everybody recognises my right and I recognise the rights of all others to their shares, in short on a "reciprocal" basis.

We may put Proudhon's reasoning so far in criticism of property as "the right of the first occupant" in this way. First occupation itself can give a right to property only in so far as the rights of others are respected. If a few persons, say, to adopt a simple example, in a newly discovered island without any native population, grab the entire land on the pretext of first occupation, others have no chance left to acquire land. There must therefore be some fair basis for

1. Ibid., p.166.

the allocation of land among the inhabitants of this new island. (In his words, there must be a "reciprocal" basis of division). From this, it is obvious, it does not follow that everybody should have equal property, or even equal land. But it is precisely from this type of argument that Proudhon tries to deduce equality. This is how he reasons to arrive at equality: "every man has a right to occupy only what exists, and since he cannot, if he is to live, dispense with stock and toil; and since on the other hand, the number of occupants continually varies by births and deaths, it follows that the quota of material which each labourer can claim is variable like the number of occupants; that occupation is always subordinated to population; in short, that possession, in right, never remaining fixed, it is impossible that it should become property"¹. But this argument follows only if equality as a right is already assumed. If equality as the assumption underlying this argument means that everybody's happiness is of equal importance, then all that follows is that if there are no overriding considerations against giving the same quantity of capital to everybody, such as better capacity for work or greater need on account of a larger family to support, or some pressing consideration of expediency, there should be an equality in the means of earning a living. Of course Proudhon's argument only pertains to the realm of the

1. Ibid., p.188.

right and the just. But in this realm he is here being strictly equalitarian. It may be noted that Proudhon's argument is not that each should enjoy the same amount of actual economic welfare, nor even that each should earn the same value of exchangeable goods, but that each has a right only to the same measure of capital for earning his living. If one person puts his share to better use than his neighbour, he is fully entitled to the enjoyment of its fruit, richer and more abundant though it be than the latter's. "The right to the product is exclusive, jus in re; the right to the instrument is common, jus ad rem."¹

It may be noted here that in Qu'est-ce que la propriété Proudhon regards every exclusive ownership in the means of production(land, machinery, etc.) as unjustifiable. The reason for this is that "all capital, whether material or intellectual, being a collective work, consequently constitutes collective property."² From this it follows that for our author in so far as the property owner is an owner of capital he is guilty of appropriating to himself what as a matter of right belongs to the community: to own any form of capital is ipso facto "theft". As against property in the sense in which he is attacking it, the right of occupation which possession gives is nothing but a kind of mutual

1. Ibid., p.210.

2. Qu'est-ce que la propriété, premier mémoire, p.238.

toleration, a toleration possible only, Proudhon thinks, on the basis of equality.¹ The right of possession with which we are now left is to be defined as "the equality of fortunes"².

Here, by "equality of fortunes" Proudhon does not mean "equality of property". In fact "property" for him is a species of inequality. This is because property is hardly compatible with perfect economic equality. Even if initially everyone owns the same amount of land (Proudhon has mainly this form of property in view) with the growth of population the original owners or their descendants will, since they are in inalienable and exclusive possession, own more than others. Practically therefore, property is bound to be incompatible with perfect economic equality. Furthermore, since all forms of capital are for Proudhon the joint property of the community, and like the res extra commercium of Roman law cannot be owned individually without violating justice, the person in exclusive ownership of such goods is really guilty of monopolising what belongs to everyone. This is perhaps the reason why in Système des contradictions économiques he used the term "monopoly" so widely as to cover all forms of property in the means of production.

1. Ibid., p.166.

2. Ibid., p.200.

As was said earlier, Proudhon thinks that he is using "possession" in the sense in which it is understood in the Roman and the French laws. We may now try to see if he is correct in thinking so.

In Roman law possession (*possessio*) consists of two elements: the corpus, i.e. the thing possessed; and the animus, the intention to appropriate for oneself the exclusive use of the thing. In the Roman Empire possessory rights were protected by what were known as "the interdicts for the protection of possession". Against this concept of "possession" is the Roman concept of dominium. In the early days of the Roman Empire no alien could become dominus, and in the provinces land was ager publicus over which the Emperor or the Roman people held eminent domain. The distinction between possession and property was stricter in Roman law than it is in the English Common Law. "Nihil commune habet proprietas cum possessione"¹, as the Digest says. In the English Common Law possession is prima facie evidence of ownership. In Roman law the chances of possession ripening into ownership are not so many as they are in the English Common Law.

For Proudhon the justification for possession lies neither in corpus nor in animus. Furthermore, the term possession admits of a large variety of usage. Possession can be legal as

1. Digesta Justiniani, (41.2) 12.1 quoted by Schulz, Principles of Roman Law, Oxford, 1936.

well as illegal, in French as in English law it is used in a much more neutral sense than property. Even a thief is said to be in possession of the goods he has stolen. On the other hand, the mere fact that something is property in the eyes of the law means that it approves it by that very fact. That is, "legally approved" is included in the meaning of the term "property".

His view of possession corresponds to possession in the Roman and the French laws in the sense that on the whole it confers a more restricted right than dominium or ownership. Since Proudhon is trying to base his distinction between property and possession on the Roman law, it may be asked, if the individual is only a "possessor", who is then the owner, or, in the terminology of Roman jurisprudence, who has the dominium? Is it the state? This is the interpretation given by M. Augé-Laribé in Proudhon et Notre Temps. Indeed M. Augé-Laribé thinks that until 1858 Proudhon thought that the cultivators should be "fermiers d'Etat"¹ (Proudhon's expression). Since Proudhon does not answer this question directly in Qu'est-ce que la propriété, we have to look for his answer elsewhere. In L'Idée générale he says that he had for "a long time" not gone beyond this idea (that the cultivators should be "fermiers d'Etat"), though he was "never completely

1. op. cit., p.112.

satisfied"¹ with it. The expression "a long time" does not suggest any specific period. Nor does this square with his anarchism which in L'Idée générale (1851) is unmistakable. On the whole it may be said that so long as Proudhon prefers possession to property, ownership rests in the community. Communal or state ownership, however, may either operate effectively or be merely nominal and practically amount to little more than the kind of general supervision exercised over property rights under, say, the English Common Law. In the beginning, at least, he does not regard it as nominal. As he says in the first memoir, "the tenant, the farmer, the active partner in a business, (commandité), the person with usufructuary right are possessors."² None of these has the right of abuse. In this book, therefore, society, or the state, stands, for our author, in the relation of a landlord to the cultivator who must, in virtue of this relationship, pay certain dues (in the case of the state, taxes; in the case of the landlord, the landlord's rent). But do not owners of land pay revenue to the state even in the kind of society in which they are guilty of "theft"? Indeed, on Proudhon's theory of taxation³, the

1. Quoted by Aimé Berthod, op. cit., p.41.

2. Berthod, op. cit., p.31.

3. In Section B of this chapter I shall be saying a few words about Proudhon's theory of taxation.

"possessors" are to pay less than owners pay in the kind of unreformed society we are used to living in.

To resume our account of Proudhon's criticism of property, if property is not the right of the first occupant, let us see if some other basis can be found to make it legitimate. It had been defended in Proudhon's time as a creation of law, as a prescriptive right, or as the fruit of labour. The first does not detain him because property cannot become just merely because the law upholds it: it can become just only if the law creating it is itself just. Proudhon does not linger over the claims of prescription because for him mere length of time cannot make just what was originally unjust.

Proudhon disposes of labour's claim to property in the following manner. In examining the argument that labour deserves to be considered as conferring the right to property he tells us that he admits only three fundamental natural and absolute rights, namely, liberty, equality and life; any other claimant to this status if it is found to be incompatible with any of these must go. "Liberty is an absolute right, because it belongs to man, as impenetrability belongs to matter, a sine qua non of existence; equality is an absolute right, because in the eyes of every man his liberty and his life are as precious as those of another; these three rights are absolute, that is, not susceptible of increase or decrease, because in society each associate receives as much as he gives, liberty for liberty, equality for equality...."¹ Proudhon seems to be

1. Ibid., p.164.

convinced that even to recognise property as a right originating solely in labour is incompatible with what he calls the right to life. "Man can no more renounce work than he can liberty; now, to recognise the right of territorial property is to renounce (the right to)¹ work, since to abdicate the means is to compromise over a natural right and to rob oneself of the attribute of man."² He means by this that if the means of labour - land, machinery, etc. - are appropriated individually, then, the quantity available being limited, some will have to go without any and consequently be left at the mercy of those who own them. Since life is a natural right and without work one cannot earn a living (i.e. when one has no other source of income except one's work), to lose the certainty of being able to enjoy the right to work (a right derived from the right to life, on Proudhon's reasoning), is to have one's right to life curtailed and, in case of unemployment, imperilled. Proudhon is here arguing that if property can be acquired on the basis of labour, then the means of production may become so distributed that some will become dependent for earning their living upon the owners of capital employing them. This, Proudhon seems to think, would interfere with the right to work and therefore with the right to life. But surely employment can be secured to everyone even when the means of production are mostly privately

1. See Editor's footnote 45B, same page.

2. Ibid., p.197.

owned.

A distinction now becomes necessary. In the case of agriculture, some land, even if an inadequate amount in a densely populated country like France, can be given to everyone who desires to become a cultivator. But in the case of industry every worker cannot be given the machinery to enable him to work on his own, except in a few instances (such as a home industry like weaving). In the case of large-scale industry it is absolutely essential that many workers work together in one place. Here, there can be no equality of individual possession of independent units of production. The only way to secure equality of possessions in large-scale industry can be by the indirect procedure of allotting to each worker shares of equal value. But this is not the procedure he adopts in Qu'est-ce que la propriété. Instead he wants "equality of emoluments"¹. What, it may be asked, then becomes of his programme of applying justice to political economy? If wages are not proportionate to desert, but in all cases equal, then how can they be said to be based on justice? Proudhon tries to get round this difficulty with the help of a fallacious economic theory. He seems to assume that for a given society, with a given amount of accumulated capital and population, the quantity of work that can be exchanged against money is fixed. Therefore

1. Ibid., p.224.

each worker is entitled only to the amount of work that is to be found divided by the total number of workers. If one worker can do his work in less time than others, it does not mean he can rob others of their living. Let him rest, let him cultivate his mind, or work for the good of others, just as he likes.¹ Even though Proudhon is wrong in assuming that the amount of work to be secured against wages at a particular time is fixed, it is true that there is often a practical limit beyond which it cannot be expanded. So just because some workers can work faster than others it does not mean that they should be allowed to deprive others of their living. But what about the times when trade and industry are expanding rapidly and there is plenty of work for everyone? What justification is there for "equality of emoluments" at such times?

There is a further difficulty to be overcome. Not only can some workers do their work faster and work longer at the same kind of job than others, we also recognise qualitative differences between different kinds of work. How can we be justified in remunerating, say, a porter and a surgeon equally? We have seen earlier that Proudhon thinks most differences of talent are due not to differences of merit between individuals but ought rather to be ascribed to circumstance. Here he puts forward a different and somewhat novel argument in

1. Ibid., p.222.

defence of equality of rewards. He thinks that the credit for all superior faculties belongs in the main to society, not to the individual. "The man of talent has contributed to produce in himself a useful instrument: he is therefore a co-possessor in it, he is not the proprietor. He is at once a free worker and accumulated social capital: as worker, he is appointed to the use of an instrument, to the direction of a machine, which is his own capacity; as capital, he does not belong to himself, he does not use it himself, but for others."¹ Like the material which a worker uses he has only the capacity of becoming, society has given him being. "Will the vessel say to the potter: I am what I am, and I owe thee nothing?"² Earlier in the same book Proudhon had seemed to recognise that at least the product belongs to the worker though the instruments do not. But now he withdraws even this. "The worker is not even owner of the price of his labour, and does not have its absolute disposal. Let us not be blinded by a false justice; what is accorded to the worker in exchange for his product is not given to him as recompense for a job done, but as furniture and advance for a job to be done.....The worker, in regard to society, is a debtor who necessarily dies insolvent....."³ By his infatuation with equality Proudhon is

1. Ibid., p.236.

2. Ibid., p.236.

3. Ibid.,pp.240-241.

here brought perilously close to an organic conception of society which, if extended to justice, must in the end mean the negation of the ordinary meaning of the word "justice" and, worse still, the end of liberty. It is bound to lead to the negation of justice because if all that is of value in man he owes to society, the very idea of merit has lost its meaning, and justice, without being in some very direct way related to merit, loses much of its meaning. It means the end of liberty because such a rigorous system of equality can hardly be distinguished from the equalitarian communism of Babeuf and Cabet which he condemns in strong terms. The evolution of his ideas on property reflects a growing liberation from this early equalitarianism of his.

Proudhon translates his theory of equality into a theory about the way in which different factors of production should be rewarded. Socialist economists like Marx simplify the theory of value of the Classical School to mean that labour is the sole creator of value.¹ Unlike Marx, however, Proudhon does not think that in present-day society labour alone creates value. On the other hand, he holds, like Marx's rival Rodbertus, that labour alone creates goods or products. As things stand today, interest is a factor in price. Charges

1. Adam Smith, for instance, vacillates between recognising the claims of other factors besides labour to create value and regarding labour as alone creative of value. See Gide and Rist, *op. cit.*, Chap.III.

like interest and profits which the owner of capital makes are however not just. Furthermore, the differences in the rewards earned by different kinds of labour are also not fair because, as we have seen, for him (in this book) all talent is a gift from society. He wants therefore to make the following fiat: "For every product in demand should be paid what it has cost in time and expenses, neither more nor less."¹

Proudhon applies his **théory** of collective force to produce an argument analogous to Marx's theory of surplus-value. This by itself does not support his demand for equality of rewards, but it can be employed, if it is valid, in defence of a plea to reduce inequalities. "The capitalist, it is said, has paid the workers for their days; to be exact, it should be said that the capitalist has paid as many times for a day as the number of workers he has employed each day, which is not at all the same thing. For this immense force which results from the union and harmony of the workers, from the convergence and simultaneity of their efforts, he has paid nothing."² Adam Smith had pointed out the immense benefits resulting from the division of labour. Proudhon's argument is, in effect, that the capitalist has no right to appropriate these benefits to himself just because he is owner of the things that make this division of labour possible.

In spite of the serious difficulties Proudhon runs into by

1. Qu'est-ce que la propriété, premier mémoire, p.232.

2. Ibid., p.215.

his passion for equality his criticism of the arguments by which it was defended in his days remains a powerful one. But he does not rest content with trying to demolish some of the typical arguments employed by the defenders of property in the first half of the nineteenth century; he even tries to turn the tables upon them. The defenders of property say that "equality of conditions is impossible", that it is a "chimera", and "if you divide wealth in equal portions, tomorrow this equality will have disappeared"¹. But, Proudhon, answers back, "not only is equality of conditions possible, it (i.e. equality) alone is possible."² Taking property to mean "inequality of wealth" he comes out with the paradox: "Property is impossible"³. In what sense does he suppose that property is impossible? It is not impossible in the sense that it cannot exist, because it obviously exists. But it is impossible in a number of other senses. Firstly, it is impossible in the sense that morally it cannot be justified. As he puts it, "Therefore, if property can only exist as right, property is impossible"⁴. Since property for Proudhon cannot be just on any basis, logically his argument takes the following form:-

1. Ibid., pp.242-43.
2. loc. cit.
3. Ibid., chap.IV, passim.
4. Ibid., p.255.

Property can only exist (or should be allowed to exist only) as right;

But it cannot be just;

Therefore it cannot (or should not be allowed to) exist.

Proudhon also makes the claim that property is "physically and mathematically impossible"¹. In his endeavour to prove this he employs a mathematical form of reasoning reminiscent of Spinoza's Ethics². Repeating the assumption that labour alone should be considered as creating value made in the previous chapters he calls property "the right of escheat, i.e. the power of producing without working". Now to produce without work is to make something out of nothing. So property is physically impossible³. If we grant him his premisses the argument seems to follow. But the conclusion is incompatible with what we know to be the case, viz. that property does actually (physically) exist.

To summarise our discussion of Proudhon's criticism of property in the first memoir on property: Proudhon tries to prove that property as an exclusive and inalienable right utendi et abutendi is ethically indefensible, and condemns it as "theft". Against this it may be pointed out that we do not

1. Ibid., p.244.

2. Cf. Bouglé, op. cit., p.52. Bouglé calls Proudhon's method "géométrie en partie double, à la fois économique et juridique".

3. Qu'est-ce que la propriété, premier mémoire, pp.245-246.

describe everything unjust as theft. Proudhon's answer to this would be that the property owner monopolises what in justice ought to be owned by the community; to own property is therefore to "steal" from the community. To prove that property is ethically wrong he attempts to demolish the typical arguments in defence of property current in his day. He confines himself chiefly to two of these: property as the right of first occupation, and property as a right deriving from labour. The first is untenable for him because, assuming equality as the basic right, all anyone is entitled to is to have as much as others. Property then ceases to be inalienable and absolute, and varies with changes in population; on the basis of equality it is only a kind of "mutual toleration". Thus understood, it reduces itself to equality of "possessions".

Proudhon claims to derive his distinction between possession and property from the corresponding distinctions in the Roman and the French laws. Actually however, his distinction between these two terms corresponds to the way in which they are distinguished in these two systems of law only in the sense that possession is usually a more restricted right than property.

In law generally, if someone has only the possession of a thing, then the question arises: "Who is the owner?" Proudhon's answer to this question is that ownership cannot be individual, but must rest in the community. So far

Proudhon thinks that the cultivator has the right to the produce, that is, to what he produces he has a right in rem; only the instruments of production are common property. In his criticism of the argument which purports to derive property from labour Proudhon starts by saying that he recognises only three natural and absolute rights, viz. liberty, equality and life. Nothing can be a right, he tells us, which is incompatible with these three. This is quite wrong, as there are no absolute rights in society; liberty, equality and life become curtailed more or less if fairness is to be secured in the distribution of the burdens and advantages of society. Against labour's claim to property, Proudhon argues that, if people begin to acquire property, (in the sense in which he is attacking it), on the basis of labour, some may be deprived of the certainty of earning a living - i.e. the right to life would no longer be an absolute right. It is however not true that people have necessarily a better chance of finding a living under a form of exclusively social ownership than in a society which permits private ownership on the basis of labour. Even in a society in which private property can be acquired on all the bases which Proudhon is attacking, full employment is not only possible but may be maintained over long periods.

In considering the claim of first occupation to property Proudhon recognised the cultivator's exclusive right to the product, though the quantity of land he was entitled to possess was no more than the area of cultivable land divided by the

number of cultivators (allowance being, presumably, made for differences in fertility and other relevant economic factors governing the actual utility of a piece of land). Now he withdraws even this and insists that everybody should get the same material rewards. Proudhon justifies this demand for strict economic equality by an application of his theory of collective force. The individual in relation to society is somewhat like the vessel in the hands of the potter: all superior talent is a gift from society, just as it depends on the potter which vessels are better and which worse. By adopting such a theory Proudhon seems to make nonsense of justice and liberty. Justice can have meaning only if it is related to merit in a very direct way. Nor can liberty have much meaning if the individual is little more than a creation of society: to be free he must be able to claim something fundamental as his own.

(b) Property as the principle of liberty

I have examined the argument of the first memoir on property at length because, for one thing, it is the most famous of his books. The main reason, however, is that, as it seems to me and as I have tried to show, it contains so much that is obviously inconsistent with his position on the whole. It fails more than any other of his books in reconciling justice with liberty, which, as we have already seen, is the chief object of his social philosophy.

There is, however, an opposite view on property which

emerges gradually. This is his final view of property which is stated most clearly in the posthumous Théorie de la propriété. Before considering his position in this latter work let us try to see, as briefly as possible, how in the period between the publication of these two books he came to modify the extreme view of the first memoir.

Proudhon's main concern in the first memoir on property was to demolish the theories in defence of property which were in vogue in his time. His own view emerges in the second memoir (1841). "I have sought", he explains in this latter work, "what was necessary, immutable, absolute in the idea of property, and I have after a genuine verification affirmed that this idea amounts to that of individual possession, susceptible not of alienation, but of exchange."¹ Proudhon's stress on individual possession is significant. He is unlike Fourier in that he prefers individual ownership to joint ownership. As M. Gide puts it, Fourier's "social phalanstery (phalange sociétaire) is a joint stock company", his object being that "individual property should by degrees be transformed into a joint stock company"².

In Système des contradictions économiques Proudhon upholds the right to inherit. Inheritance, he now thinks, is essential for the preservation of the family. Having done

1. Quoted by A. Berthod, op. cit., p.96.

2. Quoted by Berthod, op. cit., p.152.

the work of demolishing he now wants to construct: Destruam et Aedificabo, he wrote on the title page of this book. In Des Confessions he sums up his view of property in Système des contradictions économiques in these words: "Property is theft; property is liberty: these two propositions are demonstrated equally and subsist side by side in Système des contradictions."¹

In Les Majorats littéraires (1862) he has come to feel that "it is the greatest question of our century to find out on what foundation property rests, to what end it has been instituted, and what is its function in the humanitarian system."²

Proudhon, who was fond of saying that he never read his books again after getting them published, left it to his literary executors to give in the first chapter of Théorie de la propriété a review of his opinions on property through his numerous publications. We are shown the development in them and it is denied that any sudden volte-face had taken place in this last work on property. But even though Proudhon has prepared to some extent the ground for the doctrine of the latter work the change of attitude is unmistakable. A contrast between the theory of the first memoir on property and his position in this last work on property reveals a basic change in attitude. In the first memoir he was convinced that "to

1. op. cit., p.179.

2. op. cit., p.87

defend property today is to condemn the revolution (the French Revolution).¹ Among the many charges he made against property was the charge that it made man unproductive, a "eunuch", and then accused him of sterility¹. He even seemed to question, in the second memoir, whether society in allowing property "for six thousand years has done nothing but fall into error"².

In Théorie de la propriété property is regarded as a creation of the Revolution (since, presumably, the Déclaration des droits de l'homme et du citoyen has made it into an inalienable natural right). He now bows before the testimony of history: "property is a universal fact, if not in actuality, at least in tendency.....which is reborn from its ashes, like the phoenix, when it has been destroyed by revolution, which the world has seen at all epochs playing the part of the antithesis of caste, the guarantee of liberty, and I shall say almost the incarnation of JUSTICE"³. The word "almost" in this quotation is important. We have seen that Proudhon denies in the first memoir that property is a natural right. Here also he is not willing to admit it to the status of a natural right, as something just in its own right. As a matter of fact its recognition even appears to go against reason. It is only collective reason which sanctions it, which is only

1. Premier mémoire, p.227.
2. Deuxième mémoire, p.120.
3. Théorie de la propriété, p.75.

another way of saying it is sanctified by tradition and history. In itself property is neutral; it can be made to serve good ends as well as bad ones.¹

Let us see how he now defines property. In the first memoir property was defined as an absolute right, jus utendi et abutendi. But there he preferred possession to property. Now he thinks that possession is not enough and only property in the sense in which he had rejected it can serve the purpose it is meant to serve as the chief guarantee of liberty. As an "absolute" right it must be exempt from inheritance duties, the only restriction on its absolute character being a tax the nature of which can be understood only by going a little into his views on taxation.

Proudhon thinks that taxation can never be just in the kind of society we live in. "Taxation, in the conditions of present-day society, is not nor can be just".² The reformer of taxation can forget this only at the risk of producing "in the economy of society and the system of the state immense disturbances, more terrible than all the inequalities he would like to redress"³. This is because, whatever we may do, "It is always on the masses that the incidence of taxation falls; it is always consumption, and among the consumers it is in general

1. Ibid., pp.136-137.

2. Théorie de l'impôt, pp.171-172.

3. loc. cit.

the productive who in a very large measure bear the burden."¹
Even progressive taxation cannot remedy this economic fact.
What, we may ask, is Proudhon's alternative to the methods of
taxation practised by the governments of his time? The
fundamental principle of his solution is: "The State, from the
point of view of the services it renders and the taxes it levies,
is for the citizen an exchanger: it is not a suzerain."²
Proudhon is here applying his principle of "mutuality": each
citizen gives to the state only the equivalent of what he
receives from it. The general idea seems clear, but the
difficulty is the practical one of finding a suitable measure of
the services the state renders severally to its citizens.
Practically, Proudhon's solution is very physiocratic in its
approach. He suggests one third of the rent (true rent is
meant presumably) as the share of the state. The kind of state
he has in mind could meet its expenses with this. If, through
exceptional circumstances, it found the tax raised in this way
insufficient for its requirements it could raise its share of
the rent, and also impose a small tax.³

There are two chief reasons for Proudhon's now coming to
prefer property to possession. Firstly, he has now come to
think that the institution of property carries with it certain

1. Ibid., p.206.

2. Ibid., p.148.

3. Ibid., pp.215-216.

political results which possession as a mere right of use does not. The most significant of these results, Proudhon is now convinced, is that property holders have a strong incentive to resist tyranny. This essentially conservative argument is well put by Disraeli: the liberty of a people "always rests on the fact that there is a class in the nation capable of defying despots and demagogues and around which the people will always be able to rally, these being the owners of the land"¹.

Proudhon realises that property has a tendency to concentrate, but this he thinks can be checked by a reformed system of credit, and the other items on his programme of economic decentralisation. Even as things stand, property plays its part in preserving liberty. Note for instance the fact that in England the movement towards centralisation is not so rapid as it is in Belgium. This, he thinks, is due to the existence of "an aristocracy and the regime of property"². M. Berthod holds that "possession", in the sense in which Proudhon understands it, as including the right of inheritance and "exchange", should be able to serve the purpose of preserving liberty as well as "property". But "possession" for Proudhon does not include the right of abuse. Unless the peasant or farmer feels that within

1. Quoted by Berthod, *op. cit.*, p.161. The source of this is not given. I have translated it back from French into English.
2. Du principe fédératif, p.267, Note (1).

measure he can use as well as misuse (or not use at all) what he cultivates, he cannot feel the master of his own small world which Proudhon so much wants him to in Théorie de la propriété. The reason why Proudhon here insists on using the term "property" is his anxiety to match the power of the state with as strong a check as possible. "It is to break the force of the union of COLLECTIVE SOVEREIGNTY, so exorbitant, so dread, that the domain of property has been erected against it, the veritable badge of the sovereignty of the citizen..."¹.

By property Proudhon seems to understand mainly property in land. It seems to me that in the conditions of an industrial society property in land can hardly be expected to play such an important role. But Proudhon thinks that there is nothing inevitable about big factories concentrated in large cities. In Des Réformes à opérer dans l'exploitation des chemins de fer (1855) he feels that with the coming of the railway the huddling together of populations in cities has lost its raison d'être.

But would not making property into an absolute right lead to inequalities in ownership? Proudhon expects credit on mortgages (he uses the term le crédit hypothécaire) to become "a new means of levelling"². By means of this system of credit landed property will come into touch with industrial wealth and

1. Théorie de la propriété, pp.225-226.

2. Ibid., quoted by Berthod, op. cit., p.184.

set up a link with those who work in industry. He thus links up his old programme of credit reform with his new theory of property.

The other chief reason for Proudhon's preference is expressed in dialectical terms. In the chapter on dialectic we have seen that in the first memoir on property Proudhon had viewed community and property as thesis and antithesis and had hoped to find a third term which would give a synthesis of these two concepts. His conception of dialectic has now changed. In 1854, he says, he realised that Hegel's dialectic was faulty¹; the concept of synthesis must be replaced by the concept of balance between opposite principles. The two opposite principles are now provided by "the absolutism of the State" and "the absolutism of property"². These two absolutes can only balance each other, and any attempt to produce a synthesis will only result in one of them absorbing the other. But if they mutually act and react on each other, they go on producing "new sureties to society, new guarantees to the landowner, and bringing about the definitive triumph of Liberty, Work and Justice"³.

A word of comment seems necessary here. In its usual sense we take justice to mean something normative, not something happening naturally. But Proudhon is right in the

1. Ibid., p.206.
2. Ibid., p.142.
3. loc. cit.

implied view that social circumstances can themselves bring about justice or contribute to its maintenance.

Section B

Socialism as the Reform of Exchange and Credit

Proudhon's predecessors and contemporaries in the history of French socialism had thought largely in terms of changes in the production and distribution of wealth. Some of the socialists of his time thought that free competition led to chaotic conditions and, as a reaction to the liberal economist's stress on laissez-faire, relied on state action for obtaining the organisation of economic activity along the lines that seemed desirable to them. Louis Blanc is the outstanding representative of this trend in French socialism. Earlier, Saint Simon had demanded a "new spiritual power" based on a body of scientific dogmas for conducting human affairs; he wanted to see society managed scientifically by experts. Proudhon with his strong concern for liberty saw the dangers inherent in such an approach and expressed his dislike of it in no uncertain terms. But before the Revolution of 1848 he had not been able to formulate his approach to the subject of exchange very clearly, though towards the end of the second volume of Système des contradictions économiques (1846) he seems to be groping his way towards his favourite theories during the short-lived Second Republic. In some ways Proudhon's thought marks the transition between writers like

Saint Simon, Fourier, Owen, Cabet, etc., who combined criticism of early capitalist society with utopian schemes of a new society and the socialism of Karl Marx with its aspiration to be absolutely "scientific". Like Marx he was suspicious of theories which did not relate themselves to actual trends or at least potentialities in the given historical situation. But something of the homme à programme always remained in him. During the early months of the February Revolution all sorts of schemes of economic reform were in the air. There had been an economic crisis in the previous year and unemployment was widespread. Hostile though he was to these schemes which relied mainly on state action, he came forward with his own scheme of the Exchange Bank¹ to alleviate the crisis and eventually to set society on the road to progress.

As against the other socialists of his time Proudhon thought that "the idea of February" was "reciprocity or mutuality of credit" which was for him the same thing as "FREE CREDIT"². What needs to be organised is not work, as Louis Blanc thought, "it is circulation, credit"³. Proudhon's economics are in some ways surprisingly modern. As Professor Erich Roll writes, "In the latest work of one of the most brilliant living economists, J.M.Keynes⁴, probably undetected by

1. Later called the People's Bank.
2. Mélanges, tome II, p.38 and passim.
3. Mélanges, tome II, p.43.
4. Lord Keynes was living when this was written.

him, Sismondi and Proudhon come alive again".¹ Very much like Keynes Proudhon seeks a method of economic reform without tears, We have seen how hostile he was to property at the beginning of his career as a writer. The Proudhon of this latter period (1848-50) still repeats the formula "Property is theft", but a peaceful way of rendering it harmless has now been found. "Society no more subsists", he now tells us, "as formerly, on individual property; it subsists on a more generic fact, it subsists on circulation. All the maladies which today afflict the body social can be related to a stoppage, to a trouble of the circulatory function."² He is convinced that "the seignorial right of property" can be abolished "without expropriation, without anguish", if only the state would take the initiative in organising circulation on a proper basis.³ It is significant that though opposed on principle to state initiative in economic affairs, he relies on the state to take the initial step of setting the revolution in motion. Once this first move is made and the right kind of credit institutions set up, "society would be regenerated from top to bottom, in its government, its institutions, its laws, its philosophy, its morals, its literature and its arts...."⁴ This passionate belief in the efficacy of credit reform partly

1. A History of Economic Thought, Introduction, p.15.

2. Mélanges, tome I, p.49.

3. Ibid., tome II, p.178.

4. Ibid., tome II, p.178-179.

explains why economic questions are of primary importance during this phase of his career.¹ If Louis Bonaparte would only put Proudhon's schemes of credit reform into practice, how gladly would he support his regime!

Proudhon's formulation of these schemes is not always clear, and the different versions are often inconsistent with one another. But in essentials the ideas behind them remain the same. Not being an economist I hesitate to comment on them. Therefore I shall as far as possible confine myself to giving a brief indication of their general nature and significance for my subject. Before describing them however let us see the theoretical assumptions on which they are based.

We have seen in the previous section that though he does not think that in present-day society labour alone creates value, Proudhon holds fast to the view that it alone creates goods. He is willing to recognise that as things stand today, interest is an element in price.² Nevertheless, the productivity of capital is for him (from the point of view of the production of goods and not values) a "fiction" which vitiates the entire economic system of today, though it (that is, the "fiction" that capital is productive) had its justification in earlier times. Among the various forms of merchandise, money and gold occupy a privileged place. They

1. "The identity of the political and the economic question", as he puts it; Banque d'Exchange, p.168 et seq.

2. Mélanges, tome III, p.219.

serve as intermediaries in all exchanges and alone function as agents of circulation. This "monarchy of gold" (la royauté de l'or) as he calls it, is the last stronghold of the old principle of monarchy. It would end if money (numéraire) were "republicanised", that is, if every product of labour acquired an equal status with it as a medium of circulation.¹

This takes us to the heart of Proudhon's theory of free-credit and the basic fallacy on which it rests. Money is only a medium of exchange for our author. Since its function is only to facilitate exchange why should it claim a reward in its own right? "Money is simply a supplementary kind of capital, a medium of exchange or a credit instrument. If this is the case what claim has it to payment? To think of remunerating money for the service which it gives!"² Everything which, in the repayment of a loan, is charged beyond the amount of the principal, is usury, spoliation: "Quodcumque sorti accedit, usura est"³. So, in lending his capital the capitalist does not

1. Organisation du crédit, p.112.

2. Quoted by M. Rist, op. cit., p.309. M. Rist's account of Proudhon's economic theories is the best I am acquainted with. It has helped me greatly in understanding the essential ideas underlying his ideas of exchange reform.

3. Mélanges, tome III, p.196.

render a service which deserves to be rewarded in the shape of interest; at the bar of justice rent, interest, dividends etc., are all condemned. But Proudhon seems to miss the essential point about money. As a form of wealth it represents a general command over goods; in terms of modern economic theory it is the most "liquid" of assets. If the owner of capital is to be induced to lend he must be compensated for the loss of his liquidity.¹

The question whether or not interest is legitimate in itself tends to become a futile question if discussed in isolation from other questions of a more practical nature. This observation applies to the whole of the natural law standpoint, as has probably by now been pretty generally realised. We can debate endlessly about the morality or otherwise of property, equality, interest, and so forth, without reaching any conclusion. But the question, for instance, whether in the present state of affairs interest can be reduced from, say, five per cent to two per cent is not necessarily an idle question. Proudhon seems to have sensed this in his controversy with Bastiat. The latter wants to stick to his question, "Is interest on capital legitimate?"² Feeling uncomfortable at this question,

1. As Bastiat told Proudhon in different terms in their controversy on the nature of capital. See Mélanges, tome III, Intérêt et Principal.
2. Mélanges, tome III, p.187.

Proudhon explains what he really has in mind. He now qualifies his view to the extent of saying that socialism does not deny in an absolute manner the legitimacy of interest, "considered from a certain point of view and at a certain epoch of history", but it "affirms the possibility of organising with the help of the workers a system of lending without interest, and consequently, of giving to all the guarantee of credit and work."¹ It was this possibility which he wanted to discuss with his opponent.

How does Proudhon propose to bring about an abolition or at least a substantial reduction in the prevailing rates of interest? The main element in his scheme is the proposal to make the Bank of France the chief instrument of credit reform. He points out that it is owned by private shareholders, and has a capital of 90 million francs. But by virtue of the credit it enjoys it has issued notes to the value of four to five hundred millions. Discounting at the official rate of four per cent it makes enormous profits and its shares quote at four to five times their nominal value. This is so because it enjoys credit created not mainly by its own efforts but resting on a social basis. In fact the social credit on which its activity is primarily based theoretically makes it possible for it to carry out its activities without any capital, though actually things are not so simple and all we

1. Ibid., tome III, p.230.

say on the basis of experience is that there is an increasing tendency to substitute notes of the Bank for specie (numéraire).¹ Since it owes its privileged position largely to the nation, the Bank of France should be converted by a decree of the National Assembly into a central bank "subscribed to by all the citizens of France".² What Proudhon wants is, if I may so put it, to socialise, not nationalise the Bank of France. The initial act of taking it over will be an action on the part of the state. It is the workers and the leaders of finance who will run it jointly on behalf of the whole community. Since its capital is now nearly five times the original amount with which it started its operations, its rate of discount should be reduced to one fifth of the present rate, i.e. to $\frac{3}{4}$ per cent.³ This would cover its expenses and provide a reasonable margin of profit. Once this is done others would be forced to reduce their "interests, discounts and dividends to a maximum of 1 per cent, expenses and commission included".⁴ Proudhon does not seem to realise that the results of^a reduction in the discount rate charged by the central bank of a country are much more complicated than

1. Ibid., tome III, pp.261-262.

2. Ibid., tome III, p.264.

3. Ibid., tome III, p.265.

4. Ibid., tome III, p.265.

his theory assumes. A reduction to one fifth would, for one thing, start a disastrous inflation. But there are important elements of truth in Proudhon's approach. He notes that in history the rate of interest has been gradually but surely declining over hundreds of years. We venture to remark, that possibly by judicious reform this trend could be accelerated so as to provide increasing numbers with cheap credit. Nevertheless, it is indubitable that an unrestricted expansion of credit would lead to inflation; whereas what Proudhon hopes to achieve by his scheme is a fall in prices. How does he propose to keep prices in check? He warns us that his scheme should not be confused with the all too familiar techniques employed by governments to overcome financial difficulties. All these are but a homage paid to gold, an "adoration" of the semblance of an absent god.¹ Since he wants to give goods of all kinds a status equal to that enjoyed by gold he must needs approach his problem in very different terms. He puts his faith in the bill of exchange (lettre de change). The bill of exchange is drawn against articles of commerce (bonnes valeurs de commerce, as he puts it), accepted and discounted by a banker as commercial paper very much like money. But whilst "ordinary notes of the Bank, Treasury bonds, paper money, assignats, etc." can be over issued, he thinks that the kind of paper he recommends can

1. Organisation du crédit, p.112.

never be.¹ Unlike other forms of money the security behind it is not gold, nor cash, nor any immovable property (des immeubles), but products,² "and though payable at sight, the payment is to be made only in goods or services".³ An analogy adopted by Proudhon will help us to understand his thought.

"Twenty persons meet at a house for gambling. Instead of keeping money on the table they employ counters given to them by the owner of the establishment, either against cash, or against signature, if the player enjoys a sound reputation for solvency. The game over, the counters are cashed by the banker for the holders, in such a way that the players have nothing to settle among themselves. In this small circle the counters are true money, guaranteed as they are by the banker, who in turn is guaranteed by the sums he has received or by reliable signatures.

The exchange bank fulfils the same office as the owner of the establishment, of whom I have spoken."³

The analogy is not perfect as money (i.e. cash) remains the foundation of the entire transaction, whereas it is precisely money in the sense of the most liquid of assets which Proudhon wants to do away with.

1. Ibid., p.117.

2. Ibid., p.114.

3. Ibid., p.119.

The People's Bank

On the 31st January 1849 Proudhon gave notice of the formation of his People's Bank before the notary in Paris. He had propagated his scheme of exchange reform through the agency of the central bank, as he continued to do throughout this period in every way that was in his power. But now he wanted to provide some proof of the practicability of his ideas. Unable to find support from the government, he devised a scheme to start a bank which was to rely purely on its shareholders and whatever public co-operation it could obtain on a voluntary basis. The Bank was to issue its own notes to be called "bons de circulation". Everyone of its shareholders would undertake to accept them though payment was to be only "in goods or services", as in the earlier "exchange bank" scheme, as well as to accept them in settlement of transactions of all kinds. The Bank had no obligation to pay in cash (numéraire). Proudhon's original idea was to have a bank without any capital. But in this case he contented himself with a much more modest scheme. The People's Bank was to have a capital of five million francs. Provisionally the rate of discount was fixed at two per cent, though it was hoped gradually to reduce it to a minimum of $\frac{1}{2}$ per cent. He

1. Banque du Peuple, pp.307-308. The Bank was to discount only against "bonnes valeurs de commerce", and payment was only in its own notes (bons de circulation).

did not want to start operations before at least 50,000 francs had been raised. But the actual amount raised was only 18,000 francs. Nearly three months after the People's Bank was launched Proudhon was brought to trial before the Paris Assize Court for alleged offences committed in the course of two articles containing an attack on Louis Bonaparte. He was found guilty and condemned to 3 years' imprisonment and fined 3000 francs. Finding that he could not safely leave the enterprise in the hands of people who did not share in all his ideas he decided to liquidate the Bank. Moreover, the People's Bank had now begun to appear too slow and too inadequate an instrument; the situation called for "something more prompt".¹

Conclusion

We may now see what sort of socialist Proudhon was so far as his economic programme is concerned. In terms of M. Elie Halévy's distinction between the two tendencies in European socialism, "one tending towards anarchism, the other towards statism"², Proudhon belongs very definitely to the former. He is opposed to nationalisation, and in spite of his love for justice and equality does not adopt a programme of forcible

1. Mélanges, tome II, pp.81-82.

2. Histoire du socialisme européen, septième édition, Gallimard, 1948, p.22.

levelling of fortunes. Berthod's expression "a socialism for peasants" describes Proudhon's programme for property in land, but becomes misleading if taken as descriptive of his whole economic programme. After all, Proudhon has a programme of reform in industry and credit as well. Professor Brogan's parallel between the "distributist" theories of Mr. Hilaire Belloc and Proudhon's economic programme seems very just to me: "...as far as he (Proudhon) has a spiritual heir, it is Mr. Belloc whose "distributism" expresses perfectly the essential economic doctrine of Proudhon. To spread property in fairly even doses, over most of the community; to regard equality in separate property rights, not in common property rights, as the goal to be aimed at; and to be sceptical about the forms of production which are not easily reduced to individual property holdings are Proudhonian remedies for social evils, as they are those of Mr. Belloc....."¹.

1. Proudhon, p.91.

C H A P T E R VIII

From Anarchism to Federalism

Anarchism

• We have seen in the previous chapter that in the period in which Proudhon developed his ideas on exchange reform he expected political problems to assume a secondary aspect, if not to disappear altogether, as a result of the solutions he recommended for the economic problems of his time. In Les Confessions he wrote: "I show (in l'Idée générale) the economic constitution producing itself integrally (de toutes pièces) and taking the place of the political constitution, in eliminating the latter I confine myself to showing in Les Confessions, the political constitution transforming itself into the economic constitution. It is always the same equation obtained by different procedures."¹ It may be noted that he is not specific in the use of the term "economic" and seems to use "social" as a synonym for it. In the same book he recommends "the absorption of the political question into the social question".

Before considering what is the basis of his objection to "the political constitution", and how far his alternative of the "economic" or the "social" constitution is a feasible one, I should like to bring out some essential distinctions between

1. Les Confessions, p.230, footnote.

the respective ways in which economic and political problems are usually approached in countries with at least the semblance of popular government. I think this is important because some socialist thinkers have tended to confuse these distinctions. Saint Simon, for instance, defined politics as "the science of production"¹. Apart from the "subordinate" function of "maintaining the public peace", government in his system had no other function; the rest was only "administration"¹. The uncertainty and confusion which resulted from the wranglings of politicians could be avoided by letting the experts do the management of the affairs of the state. Foremost in his list of experts were industrialists, technicians and bankers. Here Saint Simon makes two mistakes. He seems to have thought that experts like bankers, industrialists and economists would reach more or less identical conclusions on the questions concerning the economic interests of the community on whose behalf they were appointed. This is a serious fallacy. Experts in economic affairs are often seen to hold extremely divergent opinions about the remedy to be applied to a particular economic difficulty. Furthermore, he seems to have assumed a degree of similarity between economics and politics which can only derive from a misunderstanding of their relation. The personal factor plays a much larger part

1. Maxime Leroy, Le Socialisme des Producteurs, Henri de Saint-Simon, pp.68-69.

in politics than in the activities which are studied by economists. As lying specifically in their province. An efficiently run concern will aim at putting each of its employees, ceteris paribus, at the job he can do best. On the other hand in running the government of a country besides the desideratum of having "the right man for the right job" another requirement has to be met in varying degrees. Even in a society which runs its industries efficiently positions of high executive responsibility may be held by people who have no other claim to them than the suffrage of the electorate. This in itself is not a good thing. Nevertheless, the fact that in countries running their affairs on the basis of representative democracy besides aiming at efficiency ("the right man for the right job") an attempt is made to secure the consent of the people to important decisions of policy, sometimes even at the cost of efficiency, has a strong justification. In producing economic wealth men transform non-human objects from less or not at all useful things into more useful ones. In politics, on the other hand, we are for the most part arranging or re-arranging the relationships between human beings in the way that seems just or desirable or useful, and providing the agencies necessary to preserve these arrangements and re-arrangements. Of course, things can go awry in politics, as they do sometimes in the production of wealth. But the distinction nevertheless remains.

The economic objectives of a government may be, say, a balanced budget, a strong balance of payments position, and, if

it subscribes to a programme of economic security for everyone, such things as full employment, old-age pensions, etc. Politically it may, if it is honestly democratic, try as well as it can to secure such things as freedom of speech, habeas corpus, and the other civil liberties. But what is the essential difference between the way a reasonably popular government decides its policies and an entrepreneur who also happens to own a majority of the shares of his concern (i.e. who is his own master within the general framework of the law) runs his affairs? The essential thing about the way the policies of a government which enjoys the confidence of its subjects are decided is that it cannot always frame its policies in the way that seems the most likely to bring about the results it desires to achieve. Dealing with questions which affect everybody it depends for its existence in the long run on its ability to persuade people to approve, tacitly at least, its policies. (In a parliamentary form of government it must have an electoral majority). The entrepreneur in our simplified instance too in a way depends upon public opinion. He cannot dictate the consumers what to buy, and would be well advised to try to create the impression that pleasing his customers is a source of great satisfaction to him. The people he employs are mainly concerned with the way he treats them, the rate at which he pays them, whether on the whole he compares favourably with other employers in similar industries. Within this general set-up he is his own master, and if his primary concern is efficiency with a view to profit we

generally suppose that there is nothing particularly blameworthy about it.

In considering Proudhon's position on the question of the similarity or otherwise between the respective ways in which politics and economics may be run, it should be remembered that for him the economic process is not exempt from the jurisdiction of justice. On the other hand, for him the primary sphere of justice lies in this very economic field. His economic programme being the organisation of economic life on the basis of free contracts (i.e. on the basis of his concept of commutative justice) his anarchism takes the following form. He believes that the economic problems of modern society can be solved in such a way that all legal regulation of individual and group activities by the state becomes unnecessary so that only Society as the region of voluntary relations and institutions is left. Before considering how he comes to this conclusion let us try to see on what grounds he objects to politics.

In Les Confessions Proudhon objects to politics on the ground that it is based on the principle of "authority". "The principle of the political constitution is: AUTHORITY. Its forms are: Distinction of Classes, Separation of Powers, Administrative Centralisation, judicial Hierarchy, the representation of sovereignty by Election, etc."¹ It is

1. p.217.

obvious that Proudhon is giving his own definition of authority. Let us see why he rejects these so-called forms of authority as incompatible with liberty. It is not clear why Proudhon thinks that a political constitution must be based on class distinctions. The unwritten constitution of a feudal society may demand differential treatment of different "orders", thus restricting the freedom of the lower orders. But a modern democratic society is hardly likely to do anything similar. If class distinctions nevertheless exist in democratic countries, they are not necessarily incompatible with liberty. In fact it is possible that the existence of some class distinctions (socially not politically) may be a factor in the preservation of liberty (as Lord Acton and Tocqueville thought).

Proudhon's objection to the doctrine of the separation of powers is that though proposed as "the first condition of free government", it is only a way of enabling the favoured classes to enjoy the benefits of government.¹ By this he probably means that the recognition of this principle has the practical result of increasing the number of people required to carry out the functions of government, and that normally the best of government jobs go to the well-to-do classes. The truth is that he is opposed to the very idea of a judicial system. By it "the justiceables are delivered to their judges,

1. Les Confessions, p.227.

supposedly natural, as parishioners to their vicars" as though "the people belong to the magistrate like an inheritance"¹. Proudhon's own ideal is that the plaintiff or the accused should have the right to choose his own judge. He invokes Plato in support of the view that the true judge for each man is "his own conscience". On this slender argument he wants to "substitute for the regime of tribunals and laws the regime of personal obligations and contracts"². He does not tell us how the interpretation to be put upon, say, a contract can be settled without some final authority to interpret the relevant law. A judge is not like a person whose decisions the parties to a dispute have voluntarily decided to accept. He gives his verdict and it is enforced by the executive authority concerned, whatever the disputant parties may feel about his impartiality or competence.

Coming to the next "form" of the principle of authority, we find that Proudhon is opposed not merely to increasing administrative centralisation, which he noticed as a strong tendency in his time, but to the very idea of administrative centralisation.

After having seen why he objects to the existence of a judicial system, it would be superfluous to linger over his objections to "judicial hierarchy". For hierarchy is implied in the very notion of judiciary. Not all courts of law can

1. Ibid., p.234.

2. Ibid., p.236.

have equal authority; there must be graduation and some have power to invalidate or revise the decisions of those below them. Similarly, judges and magistrates cannot all have equal powers.

But the most significant of Proudhon's objections against the various manifestations of his so-called principle of authority is that against what we have seen him call "the representation of sovereignty by Election". He is not opposed to popular sovereignty as such. In fact, he often repeats the saying "vox populi vox Dei"; though it is meant more often as a mark of his humanistic faith than as something to be taken literally. Underlying his suspicion of parliamentary democracy we may see two not altogether consistent lines of thought, both of which he employs to build his case against it. One is his hostility to Rousseau's philosophy, which had inspired many of the men (the example of Robespierre comes quickly to mind) responsible for the more radical policies of the French Revolution. Proudhon blames Rousseau for what he calls "the great deviation of '93"¹. In the constitution of 1793, to which Ledru-Rollin and Considérant (besides others) hark back, appear the ideas of direct democracy and direct legislation. But though one of the two most advanced expressions of French democracy this constitution (the other being that of 1848) is like other

1. L'Idée générale, p.187.

revolutionary constitutions in that it was the forerunner of a new tyranny. Proudhon's view seems to be that every government has a tendency to degenerate into tyranny. Direct democracy and direct legislation are in fact impossible, but to put these ideas into a constitution creates the illusion that the people can protect itself from this inevitable tendency. Furthermore, (and here I am interpreting his thought liberally) the illusion that the people itself is directly ruler and legislator makes it easier for those who in fact rule in its name to do things which they would not dare to do under a less "advanced" democracy. During the years 1789 to 1793 the French Revolution after abolishing monarchical despotism and the last remnants of feudalism left no "organic tradition, no effective creation". Its proclamation of "the liberty of opinions, equality before the law, sovereignty of the people, subordination of power to the nation" has only resulted in making "Society and Government two incompatible things"¹. Proudhon thinks that it is in this conflict between society and Government that the tendency towards concentration of power must be found; in fact it seems to him to be of the very nature of parliamentary democracy to move towards despotism. The principle of the sovereignty of the people, replacing the principle of divine right, is admirably expressed by the words social pact or social contract (employed by Jurieu before Rousseau). But Rousseau, Proudhon held, understood

1. Ibid., p.151.

nothing about the social contract. The social contract is not "the accord of the citizen with the government"; it is "the accord of man with man, accord from which should result what we call society"¹. The idea of contract "excludes" the idea of government. Proudhon is of course right in saying that contract is entirely voluntary, and that government implies compulsion. But this cannot be considered a serious objection to the social contract theory. The social contract theory is an attempt, among other things, to explain the nature of political obligation. How far it succeeds in this is another matter. To reduce everything to the level of society - that is to the level of voluntary institutions - is not to face the problem of finding the proper justification for obedience to the compulsion exercised by the coercive authority of the state, but to abolish it arbitrarily. Proudhon's alternative

1. Proudhon here thoroughly misinterprets Rousseau. The idea of a compact between the people and the king is mediaeval. Rousseau expressly denies such a compact. "There is only one contract in the State, and that is the act of association, which in itself excludes the existence of a second". (Social Contract, Book III, chap.XVI). Sovereignty for Rousseau lies in the general will of the people brought into being by this act of association. (Book III, chap.XV).

version of the social contract is a society organised on the entirely voluntary basis of free contract, "the reign of contracts" as he calls it, in which human wills are to have the utmost scope. We have seen him hold that by leaving the management of its affairs in the hands of elected representatives a democracy does not go far enough. To delegate authority to elected representatives is not to be free from authority. Men are free only, so our author would argue, if they are their own authority. But, it may be remarked, there are many wills and so more than one authority in the absence of a common authority. Would not the absence of a common authority to keep the peace, in spite of the education in justice in which our author puts his faith, necessarily lead to conflicts which cannot possibly be resolved in the set-up visualised by his theory?

Proudhon's exaggerated criticisms of representative democracy spring in good part from his faith in the alternative of a "social" or an "economic" constitution. The principle of "the social constitution" is "the equilibrium of interests founded on the free CONTRACT and the organisation of ECONOMIC FORCES". The economic forces on which the social constitution is to be based are: "Work, Division of Labour, Collective Force, Competition, Trade, Money, Machines, Credit, Property, Equality in transactions, Reciprocity of guarantees, etc"¹. I shall not go into the details of how

1. Ibid., p.217.

Proudhon thinks a harmony will emerge from the foundations provided by these forces. What is of significance is, that this implies belief in some sort of arrangement provided by nature or by a kind providence for human society, analogous to that for which he chides optimists like Bastiat. It is true, and this is a point he shares to some extent with the liberal economists of his time, that economic forces like competition, trade, money, credit, etc., introduce an element of automatic regularity into the economic system. But even at best this automatism takes time to work adjustments, and the need for legal regulation is always there. In fact, it is only within the legal framework of the state that it can find scope to do its work efficiently. To hold that it can enable us to dispense with the state altogether can only be a result of an optimism which is not only groundless but logically muddled as well. Proudhon calls this millennium of his anarchy. Under anarchy, or more correctly anarchism, there will be no army, no police, no state as distinct from society, no judiciary, no currency (numéraire), no restrictions on trade, and so forth.

Bastiat has at least the merit of recognising that the state is necessary to preserve the basic condition of order, against which only his "harmonies" can fully emerge. He explicitly believes that God's providence provides that things left to the spontaneous action of individual interest lead to increasing economic well-being as well as increasing material equality. There is a similarity between his view that

economic forces left to themselves lead to equality and Proudhon's view that a regime of free contracts will have a similar result.

The practical result of Proudhon's anarchism is that he is against politics in principle, though he is quite willing to take part in them, that is, in the paraphernalia of democracy, to help forward the coming about of a society in which politics have no place. "I have voted against the constitution, because it is a constitution", he wrote to the Moniteur¹.

In chapter II I have already had occasion to say a few words about Proudhon's scientism (in my sense of the term and not in Professor Hayek's). Proudhon's anarchism is intimately connected with his view of the nature and purpose of social science. He seems to have the extraordinary faith that there is a unique form of social organisation which would eliminate the difficulty of conflicting wills in such a way that any coercive regulation would become unnecessary; that it is the purpose of social science to discover this; and that in fact in his theory of a society based entirely on free contracts he has already given a close approximation of the earthly millennium human beings are meant to enjoy by an arrangement potentially present in natural and social phenomena. Of course this millennium will not be a perfect

1. Paris, 4, November 1848. Quoted in Les Confessions, p.216.

harmony. As we have seen before, he does not wish to lose sight of the unpleasant facts of human nature and the world in which it has its place. But these can be neutralised so far at least as to render even the "night-watchman state", as Lassalle called the liberal idea of the state, unnecessary. Since, therefore, political authority is not strictly necessary, democratic elections as one of the ways of obtaining such an authority become superfluous along with other less popular ways. On his view of the social contract, sovereignty belongs not to any general will but for each individual his own will is his sovereign. Out of regard for the "fraternal sentiment" one may submit to the arbitrary decision of a majority over questions that are unimportant. But "upon principles, on the essence of rights, on the direction to impress upon society, on the organisation of industrial forces, upon my labour, my subsistence, my life, upon this very hypothesis of Government" he must "negotiate directly, individually, for myself"; universal suffrage is in his eyes "nothing but a lottery"¹. Why is decision by discussion among the elected representatives of the nation any more a "lottery" than my own decision? It is not a lottery, because we know nothing as to what sort of decision will be taken. We may form some idea of the likely decision from what we know about the state of opinion in the Chamber of Deputies (to take a French example). If the questions are

1. L'Idée générale, p.211.

such that to decide them by a majority vote in a House composed merely of professional politicians would involve great risk, (for instance, questions of detail concerning a nationalised industry), then they must be left to the experts, to those who "know". How can I as a layman know more about them than the politicians who represent me? It seems that Proudhon wants to have it both ways. Parliamentary democracy is rejected because under it each individual has to delegate authority to others to decide questions which he would decide himself if he were really free. At the same time he insists that our problems should be tackled by following what is the best course whether or not there is a majority to support it. On one view sovereignty belongs ultimately to the individual, on the other it belongs to his idea of the ideal society.

There is however another type of question requiring difficult choices between alternatives none of which is easily seen to be the best. It is here that the statesman has his characteristic role. In a democracy he acts against a background of responsibility whereby his actions can always be questioned. The very nature of the problems with which he deals requires the presence of an alert and responsible public opinion as well as a machinery of parliamentary debate so that no important aspect of a problem may be ignored. Democracy is considered by its best exponents to be a trial-and-error method (though the techniques it may employ are always capable

of improvement) of dealing with questions for which no better method is available. Proudhon is not unaware of the importance of this method, but in his criticism of democracy he seems to forget how vitally it depends for its successful working on the intelligent and free debate of questions.

Here, we may try to see how Proudhon is using the term "social" in explaining his anarchist programme. "What is government in society?" he asks. "The swaddling band, if I may so put it, of a people in its cradle; next to religion, the principal organ for the education of the masses; in epochs of antagonism, the living expression of the collective force."¹ His anarchist society being, presumably, an adult society, it has no need of "swaddling clothes" in the shape of a government or a religion.

We may, following Sir E. Barker, distinguish State from Society in this way. The state is the only association which enjoys the power of legal coercion; society, on the other hand, is constituted by "a sum of voluntary associations".² But Proudhon's distinction between these two terms seems to be different. For him, if the State represents legal coercion, the Church also represents a kind of coercion. Therefore, neither State nor Church can have a place in his "social constitution". But State and Church

1. La Révolution social démontrée par le coup d'état, p.21.

2. Principles of Social & Political Theory, p.4.

are not the only associations which employ (or may employ) coercion in one form or another. Even a trade union may be described as coercing the employer into employing only those workers whose choice it approves. Thus, trade unions too can have no place in the "social constitution". As Proudhon uses the terms "social constitution" and "economic constitution" interchangeably, and as his economic constitution is only a "reign of contracts", it means that he uses the term "social" as applicable only to freely negotiated contracts between exchangers.

To resume our examination of the scientific (again in my sense of the term) basis of Proudhon's anarchism, it seems to me that he would not admit that in our study of the fundamental problems of social science, we cannot hope to achieve the kind of scientific certainty which the physicist tries to achieve for his theories (except in a trivial way, such as the statement that inflation benefits certain classes at the expense of others). It may be said without fear of contradiction that hardly any economist would maintain today that whenever and wherever the state takes part in economic activities it is bound to be less efficient than private enterprise, or that a policy of deliberate inflation can under no circumstances be justified. It may be true that in most cases private enterprise is more efficient than state enterprise and that deliberate inflation is not easy to justify, but there is no a priori reason for assuming that it is bound to be so in each and every case. These however are

just the kind of propositions Proudhon would want economists to try to establish. There is one curious passage in the first memoir on property where after admitting that we hardly yet know the ABC of "the science of society", he insists that "The task of the true publicist, in the age in which we live, is to silence inventors and charlatans, and to accustom the public to being provided only with demonstrations, not with symbols and programmes."¹ This implies that not only is "demonstration" attainable in social science (in a significant sense), but further that the lay public can understand such demonstrations without any previous training.

Here a comparison with Marx will help us to understand Proudhon's thought. Proudhon shares with Marx the Saint Simonian idea that the functions of government can be reduced to the level of "administration". (Though both Marx and Proudhon go further than Saint Simon in holding that even the functions of maintaining law and order can be made to lose their coercive character). Engels expresses the Marxist position in the following way. Once the proletariat has seized state power it sets in motion the process of the withering away of the state. The essence of this process consists in this: "The Government of persons is replaced by the administration of things in the direction of the processes of production."² We need not consider how Engels

1. p.317.

2. Anti-Dühring, p.309.

arrives at this conclusion. For him the state is an instrument of coercion which the class in power wields so as to keep in subjection the exploited classes. When classes are abolished no such instrument is necessary. Along with this goes the idea that a tremendous simplification in all walks of life results from the "socialisation of the means of production", some of which is already seen in operation, so Engels thinks, in large-scale capitalist industry. Lenin interprets this idea in his own way. He writes in The State and Revolution: "The accounting and control necessary for this (that is for the period of the dictatorship of the proletariat) have been simplified by capitalism to the utmost, till they have become the extraordinarily simple operations of watching, recording and issuing receipts, within the reach of anybody who can read and write and knows the first four rules of arithmetic."¹ In Proudhon's case it is probably true that he did not feel so confident about the possibility of "demonstrations" in social science when he wrote Les Confessions (1851) as he did when he wrote the first memoir on property (1840). But to hold that the complicated machinery of law can be done away with, that democracy without any delegation of authority to elected representatives is possible, implies that a situation is visualised when men will have so simplified the management of their affairs that

1. A Handbook of Marxism, Gollancz, 1936, p.758.

each will truly be his own authority; or, alternatively, that men will have so multiplied their mental and physical powers that such delegation will hardly be necessary.

Federalism

In his theory of federalism developed during the last few years of his life Proudhon showed he had outgrown a great deal of the naïvety of his earlier anarchist point of view. We find his improved theory most clearly expressed in his Du Principe fédératif et de la nécessité de reconstituer le parti de la Révolution (1863). Its continuity with his earlier theories is to be found in that like them the notion of contract is central to it; it is still his old programme of replacing distributive justice by commutative justice. The affinity between anarchism as "the reign of contracts" and federalism is found by using "federation" in its etymological sense. (The Latin word foedus means treaty or agreement). Following this original sense Proudhon defines federation as "a convention by which one or several family heads, one or several groups or communes or states, bind themselves to one another for one or several purposes, the responsibility for which then lies specially and exclusively with the delegates of the federation".¹ He now admits the existence of "the political problem" in its own right. The earlier dichotomy

1. Du Principe fédératif, p.104.

between liberty and authority is now found to be untenable: "in every society, even the most authoritarian, one part is necessarily left to liberty; likewise in every society, even the most liberal, one part is reserved for authority."¹ Therefore, "all the political constitutions, all the systems of government including federation, can be reduced to this formula, the Balancing of authority by liberty, and vice versa."²

Having now realised that politics cannot be absorbed into economics Proudhon has to redefine their relationship.³ During the earlier period (especially during the years between the Revolution of February 1848 and the coup d'état of Napoléon III, the droit économique was what really mattered. His position vis-à-vis Napoléon III amounted to saying "Give me the droit économique, and you can have your empire". In De la capacité politique des classes ouvrières (left incomplete at his death, but published posthumously by

1. Ibid., p.48.

2. Ibid., p.49.

3. I do not wish to be understood to mean that Proudhon at first holds one position and then after some time begins to switch over to another. It is rather that in the beginning one position was dominant and later the second is held more or less consistently. I have followed the practical procedure of discussing the two positions separately. Going into the minutiae of interpretation here seems a futile undertaking.

friends) he says "Let it be remembered; between equality or political right, and equality or economic right, exists an important relation, so that where one of the two is denied, the other will not take long to disappear"¹. His federalist programme has therefore two aspects, the political and the economic. I shall deal with them briefly, starting with the political.

Despite all his hostility to the ideas of "the philosopher of Geneva" Proudhon has a sound intuition of the importance of Rousseau's thought in the development of modern democracy. In the previous section we saw him wrongly impute a definition of the social contract to Rousseau which the latter never employed. Proudhon's most powerful criticism, however, applies to the doctrine of unlimited state sovereignty which results from the application of Rousseau's ideas to modern nation-states. (Rousseau, it must be said in fairness, was opposed to the idea of representation by election. His ideal was the small city-state of classical times. The people in assembly has, no doubt, unlimited power and in this capacity its sovereignty is absolute. But this is not the same thing as the unlimited sovereignty of an elected parliament.) "Our national assemblies have been busy competing in the distinction and separation of powers, that is to say of the various functions of the state (*faculté d'action de l'Etat*); as to the competence of the state

1. De la capacité politique, p.267.

itself, its extent, its object, no-one seems to have bothered very much"¹. Though he now recognises the principle of delegation he remains opposed to every unitary form of democracy with the legislative authority enjoying unlimited sovereignty.

To arrive at a federalist theory of democracy Proudhon has to redefine the social contract. So "the social contract par excellence was a contract of federation.....A synallagmatic and commutative contract, for one or several determinate objects, but whose essential condition is that the contracting parties always reserve to themselves a part of sovereignty and action larger than that which they give up".² The contract of federation differs from Rousseau's social contract in that it is not between individuals, but between families, groups or states. Its "synallagmatic" nature means that it is equally binding on all the parties to it. It does not mean that once it is entered upon the contracting parties have as it were signed away all that they enjoyed prior to its establishment. But for Rousseau the sovereign alone is judge of what is included in the contract and what is left out. Nor does it seem that on Rousseau's theory any of the contracting parties can withdraw without the contract having been actually broken. Proudhon on the other hand wants to keep the contracting

1. Du Principe fédératif, p.76.

2. Ibid., pp.73-74.

parties free to withdraw if they happen to feel dissatisfied with its working.

But the most important thing about Proudhon's contract of federation is its commutative character. The function of the state is conceived by him on the commercial metaphor. The federation must render to its constituent members an equivalent of what it takes from them. It is like an agreement which a number of firms enter into for some specific purposes to protect their common interests; if one of them feels that on the whole it is a loser it will withdraw from the agreement.

Proudhon's view of the function of federal government is highly original. It is "the least possible, a rôle of execution".¹ "In a properly organised society, everything should be in continuous growth: science, industry, work, wealth, public health; liberty and morality should keep pace with them. There, movement, life, do not stop for a moment. As principal organ of this movement, the State is always in action, since it has ceaselessly to satisfy new needs, new questions to solve. If its function of prime mover and higher director (haut directeur) is unceasing, its works, on the other hand, are not repeated. It is the highest expression of progress."² Its proper role is to be "the genius of the collectivity, which fecundates it, directs and enriches it".³

1. Ibid., p.77.

2. Ibid., p.80.

3. loc. cit.

It would be an abuse of its function to leave "roads, canals, tobacco, the postal services, the telegraph service, railways, etc." in its charge. In case of need the government may intervene in these public services, but normally they could do without state regulation or management. Or it may initiate reform, like for instance the reform of credit, and then leave its working with others. We cannot organise "the education of the people" without "a great effort by the central authority". But the school should be "as radically separated from the State as the Church itself". The administration of justice should also be left in local or at the most provincial hands. Nor need military matters be centralised; "the militia, magazine, fortresses only pass into the hands of the federal authority in the case of war or for the special object of war; otherwise, soldiers and armaments remain in the hands of the local authorities."¹

We have seen Proudhon offer his anarchist programme to solve the problem which, in his opinion, democracy based on universal suffrage instead of solving only augments. Now we have his federalist programme to solve "the political contradictions of democracy". The "political contradictions" or "governmental antinomies" into which we find ourselves sinking ever more deeply are: "the common people emancipating themselves in proclaiming a perpetual

1. Ibid., pp.78-80.

dictatorship, the bourgeoisie manifesting its liberalism in pushing centralisation to the utmost extreme, the public spirit corrupting itself in this debauchery of licence copulating with despotism, power returning continually into the hands of intriguers, as Robespierre called them, and the Revolution, as Robespierre puts it, remaining always in the hands of the greatest scoundrels."¹ Proudhon's point here is that in spite of the best of intentions democracy of a unitary or plebiscitary type is unable to avoid any of these "contradictions". In a prophetic vein he writes: "The twentieth century will open the era of federations, or humanity will begin again a purgatory of a thousand years."² But there are dangers of an opposite sort which federalism faces. Proudhon sympathises with the "parochialism" (esprit de clocher) of the Girondins in its conflict with the centralising tendency of the Jacobins. The dangers of this sort of regionalism are equally plain; there is considerable truth in Lamennais' remark that it causes "paralysis of the extremities and apoplexy at the centre".³ This raises the question of the basis on which the constituents of the federation are to be organised. Unless these can have an inherent vitality of their own the federal state is bound to

1. Ibid., p.106.

2. Ibid., p.106.

3. Quoted in Professor Laski's introduction to L. Duguit's Law in the Modern State, p.XV.

stagnate. Proudhon wants them to be of "medium" size and "respectively sovereign". How they are to be brought into existence he does not tell us clearly. The federation, we are told, is to be "progressively" brought into being. But plainly it will not be through parliamentary legislation, if we are to bear in mind his other writings of this period. In the De la capacité politique Proudhon holds that "the working class" (la classe ouvrière) has come of age and must break away from the tutelage of the bourgeoisie. The political and economic ideal pursued by "the worker's Democracy" being not the same as that which the bourgeoisie has pursued since the Revolution it cannot "figure in the same parliament"¹. Proudhon on the whole favours a peaceful programme, but sometimes he foresees happenings of an explosive nature in the struggle to realise it. In his writings of this period we may see in him a precursor of syndicalism; but he is not its prophet, so that we cannot expect any clear anticipation of its theory.

The federal constitution cannot however support its own weight until it is able to overcome "in the public economy the unceasing causes of dissolution". Therefore "political right needs the buttress of economic right"². When the federal government has reformed the political order this will

1. De la capacité politique, Troisième partie, chap.I.
2. Du Principe fédératif, p.107.

have to be followed by "a series of reforms in the economic order."¹ These will in the main follow the pattern we have outlined in the previous chapter. This economically reformed federation Proudhon calls "the agricultural-industrial federation."² A little later³ in the same book he tells us that all the economic ideas fashioned by him during the last twenty-five years can be summed up in these three (underlined) words.

Summary

Proudhon's anarchism represents two inconsistent lines of thought. Firstly, he wants the human will to be complete master of itself in society. He is therefore opposed to representative democracy, since it involves delegation of authority to elected representatives. Some of his criticisms of democracy are indeed weighty, but on the whole he exaggerates very much. In this respect he differs from a writer like Tocqueville, who, in spite of a keen awareness of the dangers of modern democracy, was not one of its hostile critics. Proudhon's exaggerated criticisms of representative democracy may be explained by his faith in an alternative conception. This is his conception of an "economic" or "social" constitution of society based entirely on free contracts and involving no

1. Ibid., pp.110-111.
2. Ibid., p.111.
3. Ibid., p.116.

delegation of authority to elected representatives. Since he expects this "social constitution" of his to work without the need of a coercive authority like the state, the question arises whether it does not imply the assumption of some process of natural elimination of conflicts. Proudhon chides optimists like Bastiat for believing in a providentially provided scheme of harmony for human society. But Bastiat has at least the merit of recognising that the state is necessary to preserve the basic condition of order against which only his "harmonies" can fully emerge, and being quite explicit in his faith in divine providence.

The second line of thought which leads Proudhon to anarchism is what I have called his scientism, namely the belief that in social science we can arrive at conclusions as certain as those which are achieved in physical science. The idea that by running human affairs scientifically the element of doubt and uncertainty can be eliminated from them is prominent in the history of socialism and may be traced back to Saint Simon. On the first line of thought sovereignty for Proudhon resides in the individual will; on the second, it resides in the ideal set of arrangements which in his opinion can be shown to be the best if only social science would play its proper part.

In his federalist theories developed during the last few years of his life Proudhon is able to shed some of the naivety of the anarchist standpoint of his younger days. By

using "federation" (derived from the Latin word "foedus") in its etymological sense of "treaty" or "agreement" he remains faithful to his programme of replacing distributive justice by commutative justice. Proudhon's view of the rôle of the federal state is highly original. It is "the least possible, a rôle of execution"; on the other hand, primarily it is to be "the genius of collectivity". Therefore the federal authority should be looked upon as giving the lead to the community when either the proper response is not forthcoming from the federating units, or when it has something new and important to offer. Nevertheless, having shown the way it ought to withdraw, since its works cannot repeat themselves.

C H A P T E R I X

Justice and History

Perhaps the fundamental weakness of the Natural Law position has been its failure to account for the fact that there is an intimate connection between the standards of social and political behaviour to be adopted and what is actually practical in a given situation. Moreover, to be successful in any attempt along desired lines of improvement, a keen awareness of the actual trends in social and political phenomena can be immensely helpful and sometimes indispensable. These criticisms apply with great force to what is known as the modern (post Renaissance) school of Natural Law. The Schoolmen were no doubt fertile in making distinctions, and the trend of mediaeval political theory is conservative. But they were apt to make artificial distinctions which after a point seem to confuse rather than to help. Besides, the essential fact remains that most of the time we are trying to solve given social and political problems and fulfil limited and short-term practical objectives. The idea of an eternally fixed standard of rightness has the misleading suggestion that in society our primary purpose is to remain loyal to such a standard without regard to circumstances.

We have seen how near Proudhon is to the Natural Law position. At the same time important differences exist between his philosophy of justice and the type of political theory represented by the chief Natural Law theorists of the

17th and 18th centuries. He lived at a time when what the late Professor Bury called the "Idea of Progress" was at its most powerful. The writings of philosophers of history like Vico¹, Condorcet, Herder, Hegel, Saint Simon and Comte stimulated him to construct his own philosophy of history. In one respect at least Proudhon is very unlike them. Most of them had no sympathy for the Natural Law approach to politics, though Kant is a notable exception. But Proudhon could not have taken justice to be a relative or subjective concept without abandoning his entire position. Nevertheless he had to search for a formula which could, as it were, accommodate his theory of justice to the importance of historical evolution stressed by the critics of the Natural Law approach in the Nineteenth Century.

As Proudhon's interest in the philosophy of history continued throughout his career, remarks on the problems of the subject which seemed important to his generation are to be

1. Vico, of course, believed that history moves in cycles. His thought had remained unknown in France until Michelet translated his Principi di una Scienza nuova early in the nineteenth century. Proudhon was a great admirer of Michelet, and must have read the translation with great interest. He wrote to Michelet from prison: "You have revealed Vico to me...". Correspondance, tome IV, p.365. Letter of 11th April 1851.

found in practically all his writings. But in many cases there are shifts of position and emphasis. I have therefore adopted the practical procedure of discussing in the main only his position in De la Justice (neuvième étude, Progrès et Décadence) which contains by far the best statement of his views on the subject. There is a further advantage to be gained in adopting such a procedure. De la Justice represents his last comprehensive work. Whenever I have quoted from his other works it has been done either because a clearer statement of the same idea was available, or because it completed the position held in De la Justice, or because a significantly different position is expressed elsewhere. At the same time I am not oblivious of the fact that De la Justice is a polemic work directed against the Catholic Church, the heat of his rhetoric often leading him to exaggerate in order to strengthen his indictment of it.

What is Progress?

We have seen in a previous chapter that Proudhon arrives by an application of his theory of collective force at the view that man in the whole of his being is free. This libertarianism plays an important part in his approach to the concept of progress. I will quote him at length as I think it is important to know how far his definition of progress is intelligible.

Progress is "the same thing as Justice and Liberty considered 1^o in their movement down the centuries, 2^o in their action on the faculties which obey them and which they

modify in virtue of their development, since a synthetic being cannot develop itself in one of its powers without the others participating in the movement.

"A theory of Progress, to be complete and true, should therefore fulfil the following conditions:-

(a) Take its point of departure in liberty and Justice and thence extend itself to all the faculties of collective and individual man: otherwise, progress of one faculty being offset by the decline of another, there is no progress;

(b) Present an accelerated development, not an evolutive, parabolic, or concentric movement, which, implying an external influence, would always reduce progress to pure fatalism;

(c) Lastly, give the explanation of sin, and therefore (par suite) of every decline and social retrogression."¹

1. De la Justice, tome III, neuvième étude, p.485. - In this part of De la Justice, Proudhon is principally concerned with three problems: 1) How is progress to be defined? 2) Is there some general law of historical evolution applicable to all human history? 3) What is the general explanation of historical decline? There is an even more important problem, namely the epistemological problem of the nature and status of historical knowledge, which he rarely touches on. Though it is the central problem of the philosophy of history it can be discussed only at some considerable length. I have therefore avoided discussing it in this chapter.

The "development" of justice can no doubt be conceived as a growing approximation of the various human faculties (regarding faculties as Aristotle regards different parts of the soul) to their respective functions in the life of man. But when we try to assign definite meaning to the "action" of "Liberty" (Proudhon means by "Liberty" man's free-will) on "the faculties of collective and individual man" we immediately come up against all sorts of difficulties.

Proudhon's taste for metaphysics involves him in the problem of free-will in its bearing on history. As it is important for this chapter, I will go a little into Proudhon's approach to it to show how he tries to meet it. We know that liberty in the sense of a free-will is not anything readily understandable like freedom of expression, worship, or freedom from economic restrictions of one sort or another which the state guarantees to its citizens. But obviously the state cannot give them a free-will, and so our metaphysical problem still remains.

In chapter VI we have seen how Proudhon, in De la Justice (eighth study) applies his theory of "collective force" to prove freedom of the will. In the ninth study the problem of freedom concerns him primarily in its relation with human history. Here he seems to attempt a solution somewhat different from the solution of the previous study. Let us see how he approaches it now.

Proudhon conceives history as the product of two factors: the human free-will and the world of "Nature" as the field of

strict correlation between cause and effect. Whatever is due entirely to "Nature" does not deserve to count as progress. He reproaches Vico and Aristotle with "making civilisation turn in a closed circle." If history "is given entirely in the configuration of the globe, in the constitution of the species and the mechanism of the mind: in that case no progress; history is pure physiology." And the same thing holds good for Herder, Hegel, Saint Simon and other modern philosophers of progress. Take Hegel for instance. Universal history is the history of liberty, says this philosopher. But liberty for Hegel is nothing but the recognition of necessity. But then, Proudhon asks, what becomes of my liberty: "tell me then o philosophers and priests, what part you assign to my liberty, what idea can I have of progress when from all your words it results that I am only a marionette?"¹ It seems axiomatic to Proudhon that when liberty plays no part there could be no progress. Furthermore, he defines progress in such a way that whatever phenomenon is explicable in terms of known laws cannot (if his definition of "progress" is accepted) be called progress. But, it may be said in criticism, there are many fields in which we can observe growth. Take technology for instance. The growth of technology in different periods of history may

1. Ibid., tome III, p.502.

be explicable in terms of certain theories. Yet it is a product of human endeavour and not merely a blind and totally unmeditated phenomenon. Proudhon points out that laws or stages of history which philosophers like Hegel claim to have discovered are really not genuine laws; that in fact they are not arrived at except by ignoring many of the important and known facts of history. Furthermore, he maintains that the purpose of history is primarily to understand the past and not to cast the horoscope of mankind. Historical horoscopes cannot be cast, not necessarily because men's wills are free, but because somehow the actions of men in society over long periods remain in a large degree unpredictable. If Proudhon wishes to say more than this and to seek for something more fundamentally assignable to free-will it is difficult to see how it is going to be found. His mathematical metaphor that development to be free must be "accelerated" and not merely "(evolutive), parabolic or concentric" will not help him. Given the universal laws of mechanics and known initial conditions the motion of a body will be expressed by an equation not only when it describes a parabola or moves in a circle but equally when it moves with some definite acceleration. When the acceleration of a body is irregular and cannot be expressed in an equation then obviously some unknown factor is at work which the physicist observing it will try to discover. Inability to do so will not induce him to ascribe free-will to it. To point out that human beings are not like physical bodies is

quite in order, but that by itself does not mean that we are justified in concluding to a free-will from our inability to formulate a law of historical development having predictive value. But, perhaps, what Proudhon is struggling to express by his term "acceleration" is something analogous to what Bergson later expressed by his term "duration". According to Bergson, our past manifests itself in us "wholly" (intégralement), as something continuously accumulating, though what becomes represented in consciousness is only a small fraction of it. Since the past survives in us in this total way, we can never go over the same state twice; in fact the very attempt to do so makes the experience different. "Thus our personality pushes on, growing and ripening ceaselessly. Each of its moments has something which adds itself to what went before. To go further: it is not only something new, it cannot be foreseen."¹ As he says in Time and Free Will, to foresee anything completely is to live it.

In Time and Free Will Bergson examines the question of free-will at great length. His argument is that every attempt to explain freedom comes back to the question whether duration (i.e. real time as distinguished from mechanical time) can be represented by any procedure which uses the concept of extension. This, in terms of his theory, cannot be done. The conclusion he reaches is that freedom is real but

1. L'Evolution Créatrice, p.6.

indefinable.¹

In fact, however, Proudhon holds that progress, properly so called, must be all-round, or at least must not offset an advance in one respect by decline in others. This leads him to certain alternative criteria of progress in the following manner.

As there seems to be very little reason to assume that human beings have grown physically or as "organisms", we should try to see if in "the sphere of the mind" the story is any different. Doubtless in the human species taken as a whole there is "augmentation of the sum of knowledge". But to this undeniable fact of progress must be opposed "two barring considerations (deux fins de non-recevoir): one is the invariability, if not the decline of, the faculties, of the mind; the other, yet again the invariability, if not the decline of art." We cannot say that "the powers of the understanding, imagination, memory are proportional to the (sum of) accumulated facts and deduced laws; that for example the Newtons, the Kants, the Cuviers were greater geniuses than the Aristotles and the Archimedes." Although the "shop of science" fills up and science extends its domain "there is no increase in intelligence, the cerebral function remains the same". We may here make a comparison with Bacon's view of the scientific method. His method of exclusion,

1. Time and Free Will, authorised translation by F.L.Pogson, pp.219-221.

especially, was so devised that it could be successfully applied by minds of ordinary acuteness working diligently.¹ He expected that results would be obtained by applying this method of his which would otherwise have remained unattainable even to superior minds. Proudhon does not seem to think that any such infallible method can be found and realises that discoveries of importance are generally made by superior minds. But he is right in insisting that even seemingly simple discoveries like the discovery of the specific gravity of a solid by Archimedes required an act of genius no less creative than Newton's discovery of the principle of gravitation.

The development of science seems to be accompanied by a diminution in our powers of intuition, which may be seen clearly in art and literature. It would appear that language retains its freshness and beauty only for a short while: "In proportion as philosophy, dialectic, technology flourish poetry wilts."²

Let us see if the progress of industry and the growth of capital provides a better argument for progress. The protagonists of progress tell us of the growth of horse-power, they count their locomotives, their wagons, their ships, their bobbins, and what not. They go into raptures over the

1. See Novum Organum, book ii.

2. De la Justice, tome III, pp.487-489.

balance-sheets of banks, the taxes gathered by the Treasury, the milliards of the public debt and of mortgages. We are told about "the growing prosperity" of mankind. But what is this prosperity actually? Proudhon thinks, as did the socialists of his time, that the mass of people have absolutely no share in this prosperity; on the contrary it is only a limited class, "the industrial feudalism" as he calls it, which benefits at the expense of the community as a whole. Where then is progress? There is none, because "the number of the exploited being greater than before, there is retrogression."¹ Proudhon thinks that the Industrial Revolution has only led to the impoverishment of the labouring classes. His argument therefore may be reduced to this. The number of poor people has increased, and the poor of today are poorer than the poor of (say) fifty years ago. The increase in the number of the poor and in their poverty is hardly made up for by the increase in number of the rich and in the extent of their riches. The mode of exploitation under the economic system which now prevails is really a new form of feudalism.²

Can we speak of moral progress? Here our doubt seems only to increase. Since the establishment of Christianity the attitude that the Gospel represents the highest code of

1. Ibid., tome III, pp.489-491.

2. Manuel du speculateur; preface to the IIIrd Edition, and elsewhere.

morality has only led to an increasing neglect of ethics, just as Christianity was responsible for the neglect of science. It is only since Descartes that the free reason has been applied to the study of ethics. Even in this limited period the work of philosophy has been largely nullified, for believing that with metaphysics it was doing the work of Christianity it has only returned to the standpoint from which it made its departure in Descartes. But the work of Christianity as a set of institutions must be distinguished from the significance of the message of Jesus. Even though historically speaking there is no strong warrant for crediting the Christian era with having contributed to moral progress¹,

1. This is misleading. Even if Christianity has not made men morally better (something extremely difficult to prove) it has, even on Proudhon's position, contributed greatly to the acceptance of certain ethical ideas which alone can bring about any large-scale improvement of human morals. In many other places, however, he does justice to the Christian religion. In the second memoir on property he writes: "Without the Christianity of the middle ages, the existence of modern society could not be explained, and would not be possible." (p.67). In Mélanges (tome II, p.31) he regards Christianity as one of "the four great revolutions of humanity", the other three being: polytheism, (the art of) philosophic disputation (philosophisme) and doctrinarism.

we must nevertheless conceive progress as "above all a phenomenon of the moral order, whose movement then spreads itself, whether for good, or for ill, to all faculties of the collective and individual human being."¹ In the next section, we shall see how Proudhon wishes this "phenomenon of the moral order" to be understood. As far as the problem of freedom is concerned, the truth is that Proudhon has certain philosophical predilections which impel him to reject the more out-and-out deterministic theories, but so far as working out his own theory is concerned he has not the necessary discipline to essay it with diligence. Moreover, he has acquired a certain amount of positivism from the Enlightenment philosophers and the positivists of his time such as Feuerbach and Comte, and perhaps even Marx. This makes him very often impatient of philosophical speculation. Speaking realistically, therefore, he now finds it convenient to tell his readers: "Liberty is essentially practical and active; it declines when it indulges in speculation."²

It seems that on the whole Proudhon favours a self-determinist approach. This would involve him in the problem of the self if he were not content to adopt a somewhat rhetorical device. "Physical humanity moves; it proceeds from birth to death; this movement is called life. Intelligent humanity

1. De la Justice, tome III, p.512.

2. Ibid., tome III, p.511.

moves; it proceeds from instinct to reflexion, from intuition to deduction: this movement is logic. Religious, political, industrial; or artistic humanity also moves; it goes from monarchy to democracy, from polytheism to monotheism; it has its reactions and its decadences; it completes more or less long periods, in a continual to and fro movement. Reasoning by analogy, the better so because liberty is antagonistic to all that is inevitable, I say that the liberal, moral, justice loving humanity must also move."¹

It is clear that Proudhon is here speaking metaphorically. It is human beings who move from life to death, not humanity. The analogy between the bodily process of growth and decay and such processes as the development of religion, politics, industry, art, justice and liberty hardly proves freedom in a philosophical sense. Nevertheless, even though he is so far not very successful in his attempt to prove freedom, he is trying to do something fundamental. If I may state Proudhon's thought in my own words it would be somewhat like this: "All these human activities (science, religion, politics, industry, art, etc.) have proceeded in history as they have, and will proceed in history as they might, not wholly because certain laws of a physical, biological, psychological, sociological, or any sort soever, are applicable to them. All these laws may be true, but this by no means precludes our (i.e. of those involved in them)

1. Ibid., tome III, p.512.

responsibility for things that happened in the past and may happen in the future. Ultimately (whatever that may mean) men make (and mar) their own history." So we can have both progress and decline. Progress, in ethical terms, consists in the "Justification or perfecting of humanity by itself"; conversely, morally considered decline is the "Corruption or dissolution of humanity by itself."¹

A Possible Criterion of Progress

Having seen broadly how far Proudhon succeeds in clarifying the concept of progress for us, we have next to consider whether he provides us with a working criterion for evaluating particular periods of history in terms of progress and decline. As was indicated earlier we can visualise the rôle of justice in our lives (in the sense that every human faculty has an optimum which may be more or less approximated to). The difficulty arises in the case of "Liberty". When a particular faculty has developed how are we to decide how far it is a result of the operations of a free-will and how far a product of some tendency inherent in the faculty itself (or due to environmental influences)? Proudhon could say that even though a particular faculty can develop only along some definite lines and the environment provides the stimulus for the most part for any given development, the precise extent and quality of the development may well depend on the nature of

1. Ibid., tome III, p.512.

our choice and effort. Each individual makes decisions in his life and to regard these decisions as entirely epiphenomenal would be a piece of dogmatism. On the other hand we know, it may be said against this, that people of the same type tend to make similar decisions in similar circumstances. But, following Bergson, we may distinguish two kinds of prediction: "a probable conclusion" drawn from a knowledge of the antecedents of an action, and a claim to "an infallible foresight" from such knowledge.¹ The former, it is clear, in no way affects the argument for freedom. The latter can only be a piece of dogmatism.

Fortunately however Proudhon provides us with one possible way out of this problem which he has failed to solve philosophically. Justice and liberty meet in a freely arrived at contract (which at the same time does not violate the dictates of justice). "Justice is the pact of liberty", he tells us. In other words, in so far as men are able to arrange their affairs on the basis of free (and just) contracts they are really free. We may regard this as a not wholly unsatisfactory way of getting around the philosophical problem of freedom. Progress on this view would consist in the growth of this manner of conducting human affairs at the expense of other (less just and less free) methods.

At one place in De la Justice Proudhon seems to hold that

1. Time and Free Will, p.183.

the measure of progress consists in "the number of laws that are observed". After what he has said about liberty and justice he cannot mean by it any laws whatsoever that happen to be enforced. Presumably he means the number of just laws which are voluntarily accepted by the citizens as promoting the development of a moral and free personality. As he does not pursue this line of thought beyond stating this bare and somewhat obscure criterion I need not consider it any further.

History as the Evolution of Justice

Philosophers of history often adopt some particular view as to the "significance" of history. For Marx all history subsequent to primitive communism is the history of class struggle; for Hegel history is the drama of the objectification of Absolute Spirit; for Christian philosophers it is the unfolding of God's purpose on earth. Such theories as to the significance of history differ from a hypothesis on which a historian may work while investigating a specific historical problem (say the hypothesis that the decline of Buddhism in India in the seventh century was due to the corruption of its original creed by idolatrous forms of worship borrowed from Brahmanical sources). An hypothesis of this latter kind may be confirmed by the mass of available material or may seem to go against it, in which case some other hypothesis may have to be adopted which is better able to account for the facts. Theories like those of Hegel and

Marx on the other hand are extremely difficult to refute for the simple reason that their very ambiguity ensures a possible reply to every likely objection. Nevertheless they have suggested new angles of approach to historical phenomena and stimulated the discovery of new techniques of historical interpretation. If they are regarded solely in this light a historian need not object to their being formulated.

Proudhon has a number of such theories. History may be regarded as the history of the revolts of the people against successive manifestations of property¹; it may be regarded as the growth of humanity in the school of war; or we may view it as the story of the development of the human mind from instinct and intuition to intellect; and on some theories of similar scope.²

There is however one interpretation of history which he finds basic in a way in which none of the other theories are. This is the theory that justice more than anything else is what man is meant to realise in history. If I may so put it, it is

1. Or, as he puts it in Théorie de la propriété, "Actually, the history of nations...is very often only the history of property." p.141.
2. It is not always clear whether he adopts any such theory as one among many useful ways of conceiving history or in some fundamental way as its most significant aspect.

in justice that he seeks the "meaning" of history, in the sense of the most fundamental efficient cause and goal of history. "Civilisation is the product of right", he wrote to his friend Clerc.¹ Since men are free to make their own history, it may be remarked, it can only be an accident (granted that it is true that justice or right has been the motive force of civilisation) that hitherto one particular aspect of society, namely that of justice, has constituted the raison d'être of everything else. In De la création de l'ordre he seems to be aware of this possible criticism:

"History is the general picture of the development of all the sciences; now, as scientific speculations do not merge into one another, there are no universal laws of history, because there is no universal science."² It must be pointed out that in this book the influence of contemporary positivism on our author is at its highest. Here, like Comte, he conceives history as a growth of mind. (A way of viewing history which he adopts elsewhere also.) Presumably he thinks that the growth of the human mind is most clearly reflected in the development of science.

In the last quotation he is denying that the general course of history can be predicted. Yet on the next page he

1. Quoted by Georges Gurvitch, op. cit., p.353.

2. p.359.

refers to his own version of Comte's law of three stages¹. How is this apparent contradiction to be explained? First of all, this law is general and applies only to the most general characteristics of the various sciences. On its basis no prediction of actual developments in any given field of knowledge can be made. Secondly, this principle can be conceived as a theory about the qualitative growth of knowledge. It may help if I make a comparison with Freud's view of the growth of human personality. According to Freud, human beings pass through three stages: the oral, the anal and the genital stage. A healthy personality overcoming the difficulties of these stages should arrive at the adult level. But actually individuals often so to say get stuck at the first or the second stage. Even in the normal personality elements of the earlier stages remain. Freud thinks that the process of growth, if not frustrated through one cause or another, is bound to go through these stages. The law of three stages is like the Freudian theory of stages of personality growth in that, on it, the growth of the individual mind (as well as the thought and institutions in which the social mind expresses itself) must ultimately pass to

1. As we have seen, Proudhon's three stages are: Religion, Philosophy and Metaphysics. See chap. I. - For a discussion of Comte's law of stages see Professor H.B. Acton's paper "Comte's positivism and the science of Society", Philosophy, vol. XXVI, No.99.

a higher level of knowledge (religion to metaphysics, or metaphysics to positive knowledge, as in Comte) in its growth. Originally the law of three stages is claimed to be a generalisation from history, but in the end it seems to become an a priori principle. Freud's theory is of course only meant to describe the growth of individual personality. But the law of three stages assumes some simple correlation between the stages of development of the individual mind and the various activities in which the social mind expresses itself.

Coming to history, not in the sense of a branch of knowledge, but in the sense of the events which it studies, we find an analogous principle of development. Proudhon views this principle of development as the principle of the evolution of Justice (in the sense of the basis on which human relationships are conducted). The evolution of justice may be conceived as the gradual realisation of the principles of commutative justice. Or it may be conceived as the gradual substitution of the authority of individual conscience for the authority of agencies external to it (whether the Church, the state or some abstraction like the General Will). The development of justice can always be interrupted and there can be decline as well. But sometimes the decline may really be only a crisis of growth which it is necessary to go through before passing to a higher level of justice. Proudhon goes into considerable historical discussions but, as far as I can see, there is no clear correlation between the stages of

knowledge and the stages in the evolution of justice.¹ One principle applies both to the advance of knowledge and to social development. In the development from religion to science there is increasing emphasis on facts and a stricter and clearer grasp of fundamental principles; the reliance on intuition and authority is replaced more and more by ratiocination and observation. In the beginning it is "social spontaneity" which seems to be relied upon for resolving difficulties. But as society becomes more complicated the sources of this spontaneity begin to dry up

1. In Comte the correlation between the stages of knowledge and the stages of society is a simple one. To the theological stage corresponds a predatory-military type of social organisation, whereas an industrial type of society corresponds to the positive stage. In the intermediate metaphysical stage some sort of defensive military form of organisation prevails. Going further in his schematisation he even discovers stages of feeling corresponding to the stages of knowledge. (I have followed Prof. Acton's account). Proudhon's view about stages of history, unlike his views about the stages of knowledge, differ from Comte's. Proudhon sees in the French Revolution the inauguration of the final phase in the development of justice. Comte on the other hand regards it as based essentially on "metaphysical" ideas like rights, Natural Law, etc.; its liberalism being only a form of egoism.

(so he seems to think). "The time is gone when societies moved by a sort of intuition and spontaneity.....The spontaneity of the masses is exhausted; the movement of the century (i.e. the 19th century) has brought in politics as ~~in~~ everything else, the reign of principles which is that of reflexion, without which there can be henceforth only retrogression and decline."¹

Before closing this section I will say a few words about Proudhon's view of the rôle of religion in history. "Religion is essentially a diviner: it is a mythology of right."² So despite what he says against the Catholic Church, religion was so to say the first school of justice. As regards Christianity, as seen earlier, he separates the original teaching of Jesus from the additions and modifications introduced into it. Nevertheless, though so much was done to pervert it, Jesus' work cannot be wholly undone. He "fused together and identified religion and ethics, two things which were radically separate before, although the fear of the gods was given as the sanction of human obligations."³ With the French Revolution commences a new era. The working out of the principles of the Revolution will gradually diminish the need for religion. Perhaps

1. Lettre à Doctre Clavel, 26th October 1861. Correspondance, tome XI, p.255.
2. De la Justice, tome IV, p.28.
3. Jésus et les origines du Christianisme, p.236.

ultimately this need may disappear altogether.

The Explanation of Decline in History

The third object of his philosophy of progress is to explain the fact that we have not only progress but also decline in history. It is clear that a philosophy of history which is merely a "philosophy of progress" cannot be considered to be satisfactory. Proudhon calls the explanation of decline in history "the explanation of sin", apparently using "sin" as a synonym for decline. It is not clear why he makes such an identification. At one place at least he seems to think that there was some sort of harmonious state in which human societies originally flourished, from which they have subsequently fallen. This state was characterised by the fact that men loved justice and "right" for their own sake. There was no conflict between their ideals and the dictates of justice. To be virtuous and just men need not only an awareness of what is wrong and what is right. They also need the drive of powerful sentiments to aid them in doing their duty. Religion has been essential to humanity for this very reason (though religion too may degenerate, as happened in the case of the Jewish people just before the time of Moses - when "the public cult literally became an excitation to avarice, pride and debauchery" - and for five or six centuries before Christ). When Justice does not form part and parcel of the religious ideal men may remain in the path of social conformity and avoid iniquity

out of fear of the gods, out of self-interest or from fear of the established authority. When this takes place men have so to say lost their virtue. Decline and disintegration are bound to follow unless this moral damage is repaired. It is in this rather vague sense that Proudhon talks of "sin". "The first cause of sin, it must be said, the principle of all the social retrogressions, is in the separation, more or less gratuitous (gratuite), of what man possesses in himself of the most elevated, the just and the ideal. This division (scission) is not peculiar to civilised epochs; it appears at all degrees of civilisation....."¹ This "division" between the ideal and justice appears in many forms. In the period of religion it is between the religious ideal and justice. In our time it takes other forms, such as "art for art's sake", which are only modern versions of the "worship of false gods". But this original state of virtue does not form an essential part of Proudhon's explanation of decline in history. He entertains the idea but does not commit himself clearly. At other places he is sceptical of ideas like Rousseau's state of nature or the myth of the noble savage derived from it. The essential thing about progress is that men's ideals must harmonise with the dictates of justice (since already by definition progress cannot take place without progress in justice). But this seems like saying some such thing as:

1. De la Justice, tome III, pp.536-537.

"Since progress is the realisation of justice men can progress only when they love justice, in other words to progress they must love progress (justice)". Taken in this sense it reduces itself to the status of a moral maxim like "Love virtue if you want to be virtuous".

Proudhon's theory of "the explanation of sin" in history is probably more the declaration of a moralist's faith than something that could be verified from the study of history. But it is also intended as a theory about the fundamental nature of "every decline and all the retrogressions." Thus Proudhon seems to lump together three things: (1) decline in some particular respect (such as, say, the decline of English poetry in the latter half of the 19th century); (2) general decline over a short period (say the real or assumed decline of a colonial country for a few years immediately after it has secured independence); (3) general decline over a long period (as in the Dark Ages). In this way he is claiming one possible approach to the phenomenon of historical decline as the only correct approach, and is doing something similar to what the Marxist does when he explains all wars in terms of the theory of class struggle. Before leaving it to the historian to refute or verify Proudhon's theory from history two points may be noted. Firstly, that Proudhon's definition of progress is persuasive. He is not willing to call "progress" many of the things we should normally be inclined to count as signs of progress. Secondly, even if

we grant him his definition of progress it is quite possible that justice (in his sense of commutative justice) may most easily be realised as something not directly pursued for its own sake but from the pursuit of other activities. It is often said that happiness is better attained as a by-product of the successful pursuit of ends other than happiness. Since Proudhon's idea of justice is really a whole conception of how the relationships of human beings should be conducted it is probable that by trying to produce a particular type of society we should be producing situations which went counter to such a conception. On the other hand when individuals are pursuing their own particular ends (such as financial security for their families) types of social arrangements emerge which work for justice, though none of them originally worked for bringing them about. But Proudhon is right in holding that no amount of mere enlightened self-interest will produce a fair system of sharing the burdens and advantages of living in society. The heavy accent which he puts on justice arose from his dislike of utilitarianism. Nevertheless in his economic theories he shared some of the laissez-faire ideas of the Utilitarian School. On the whole he recognises that things cannot be left altogether to men's sense of justice; that situations need to be contrived in which their non-altruistic propensities are utilised to secure results not attainable otherwise.

Summary of Proudhon's view of Justice

It is by now clear that Proudhon builds his theory of justice into a political philosophy by combining with it elements only some of which are logically necessary to it, while some are connected with it only indirectly. Having examined his political philosophy at some length I shall now try to abstract from it his answer to the specific question: What is justice? In the final chapter I shall give an account of some other theories of justice with a view to showing how it may be answered.

Proudhon treats justice on a number of levels. In a very wide sense it is almost synonymous with any basic principle, whether of metaphysics, morals, aesthetics, economics or politics. As he puts it: "Justice, let us not be afraid of repeating ourselves, under divers names, governs the world, nature and humanity, science and conscience, logic and ethics, political economy, politics, history, literature and art." In this sense justice becomes a generic term under which all manner of laws and principles are subsumed. He seems to derive great inspiration from this very hazy concept and endows it with a mystique.

In a more specific sense Proudhon identified justice with "that part of moral philosophy which characterises the subject in society." Even this sense, it is clear, is too wide. In society men are found to be trying to obtain not only some particular conception of justice, but also show such

ethical virtues as benevolence, charity and love.

On the level, however, at which Proudhon usually defines justice it has two aspects, which may be called the subjective and the objective aspects of justice. Subjectively it is "the respect spontaneously felt and reciprocally guaranteed for human dignity, in whatever person and in whatever circumstances it may be imperilled, and whatever may be the risks to which its defence may expose us". Thus defined justice is the respect due to each person just because he is a fellow human being. Psychologically, Proudhon in De la Justice regards it as "a faculty of the soul".

But justice for Proudhon is also an objective principle. By this he means that though the contents of justice vary with time, in its final form it is immutable and eternal. It is a reality in the sense that it is gradually discovered rather than formed or contrived to suit our convenience. Thus Proudhon's view of justice comes close to the Natural Law standpoint.

Besides being the respect due to human dignity, justice also governs the more tangible of human relations like the exchange and the distribution of wealth. That is, the objective aspect of justice is what regulates or should regulate social affairs. Here Proudhon rightly realises that justice and equality are intimately connected. In the first memoir on property he regards equality as a natural right. The question arises in what sense are human beings equal.

Proudhon's answer is that they all have the same "essence". Equality in this sense is for him analogous to the sense in which it is held that God is no respecter of persons and is interested equally in their redemption; to the sense in which equality is supposed to be a natural right; or, in Kant's sense, each person is an end. From this it does not follow that everybody should be treated equally well. As Burke puts it, "All men have equal rights, but not to equal things." It seems to me that we must, following Mr. E.F. Carritt, distinguish between "rights" and "claims". Equality is the most important of our "claims". But when a claim of mine conflicts with a stronger claim of my neighbour, his claim should have priority over mine. The only sense in which I am my neighbour's equal is, that our respective claims should be "equally considered".

In the beginning Proudhon insisted on **strict equality** of wealth. Thus he translates equality as a claim into equality in practice. As he puts it in the second memoir on property, "Men, equal in the dignity of their persons, and equal before the law, should be equal in their conditions." As justice cannot be separated from desert, it would seem that equality in this last sense can only be a negation of justice. But Proudhon uses a tour de force to get around this difficulty. Applying his theory of "collective force" he comes to the conclusion that talent is a creation of society and therefore deserves no special reward.

Gradually however, Proudhon is able to refine his conception of equality. As he grows maturer he identified equality with "commutative justice". Proudhon borrows this latter term from Aristotle, but uses it in his own sense. He restricts his use of the term "commutative justice" to justice in exchanges. But the exchanges Proudhon has in mind are exchanges on the basis of "free contracts". Proudhon's "commutative justice" is therefore to be conceived on the commercial metaphor: it is the balancing of the debit and the credit sides of an account. This, however, answers our question "What is justice?" only partially. For, to continue the commercial metaphor, the more important part of the question still remains to be answered, namely, "On what basis are the debit and the credit sides of the system of economic exchanges to be computed?" Proudhon's answer to this question can be found only in his economic programme. But this much may be said in this summary: he wants society to be organised solely as a system of free exchanges, that is on the basis of his concept of "commutative justice". As a writer in Esprit says, Proudhon's conception of justice "is above all characterised by the reduction of all forms of justice to the type of commutative justice."¹ Whether this is possible is a question which concerns us as political theorists or as

1. M. Yves Simon's Notes sur le fédéralisme proudhonien (Esprit, April, 1937). Quoted by de Lubac, op. cit., p.215, Footnote 76.

economists but not in our discussion of the specific problem of justice.

In terms of his dialectic we may note an important conception of justice. Proudhon thinks that the universe is constituted by conflicting elements poised in balance against each other. These are his "antinomies", to be found not only in nature but also among human beings. It is possible, and often happens, that justice may be secured not because we consciously strive for it, but as a result of interaction between elements none of which was designed for the purpose of securing the kind of result which eventually ensues. Thus property may be an institution based primarily on human selfishness, and the state an instrument of tyranny. But jointly they may have consequences which facilitate the realisation of justice. Thus "nature" herself can and ought to be made to serve the ends of human justice.

Proudhon is very much pre-occupied with the problem of the "sanction" of justice. For him in the end there are only two ways of looking at justice: as having its sanction in the conscience of man, or in something outside him. The former conceives it as "a system of immanence", the latter as "a system of transcendence". To find the sanction of justice outside the human conscience is to deprive the human person of his dignity. This of course does not mean a free rein to selfishness, since justice is not to be conceived individualistically but on a basis of "mutuality". Proudhon's

quarrel with Christianity is that by stressing the original corruption of man it tends to abolish the distinction between "just" and "unjust", and that by conceiving justice as dependent on the will of God it deprives it of its basis in human conscience. He thinks that in doing this it is at one with other religions. In this he is not right, as the views of rationalist theologians like St. Thomas Aquinas show. But he is so far right that even for Aquinas the lex aeterna is above all human laws.

Conclusion: What is Justice?

Preliminary

We have seen how by using "justice" in various senses Proudhon makes of it an omnibus term which does service not only in political philosophy, but in ethics and to some extent metaphysics as well. This will appear strange to the contemporary student of philosophy. But the history of the term "justice" affords some excuse for this. In Homer and Hesiod justice is of divine origin. Dike, the goddess of judgments, is born of a union of Zeus and Themis, the goddess which is "no more than the personification of the rational thought or "counsel" of Zeus in all its manifest aspects."¹ The idea that justice is not only the regulating principle of the relations between human beings but also a principle of order in the universe is probably a common feature of the period of the beginning of philosophy. "The sun will not overstep his measures; if he does, the Erinyes, the handmaids of Justice, will find him out"², says Heraclitus. The Sanskrit words ṛta and dharma include an analogous idea in their connotations.

In the Republic Plato uses the word "δικαιοσύνη" to

1. Giorgio del Vecchio, Justice, p.6, University Press, Edinburgh.
2. John Burnet, Early Greek Philosophy, Fragment 29, following Bywater, of Heraclitus, p.135.

cover almost the whole of virtue¹, and objects to its use in the sense of "giving every man his due"².

The Stoics held that God not only makes the constituents of the universe follow certain uniform principles but provides us with fixed rules of conduct for our good which we can discover by the light of reason. Christianity took over this idea from the ancient world and it has never since lost its appeal completely. **I**ndeed as long as the religious view of the world prevailed human aspirations and norms were bound to be viewed as connected with the world outside which provides the setting for their realisation.

The seventeenth and eighteenth century philosophers of Natural Law whittled down this organic connection between man and the universe to an analogy between them. Natural Law is like mathematical laws in that it too is obvious like them (Grotius). With Hume this analogy is found to be invalid.

In British philosophy, Hume's distinction between logical and empirical statements and between these and judgments of value has been taken to have finally disposed of theories of Natural Law, which are held to arise from confusing these very distinctions. In the writings of contemporary positivist philosophers (Ayer, Carnap, Stevenson, etc.), many improvements

1. Barker, Greek Political Theory, Plato and his Predecessors, p.153.
2. Del Vecchio, op. cit., p.19.

upon this basic threefold distinction have been made. On the specific problem of the nature of ethical sentences Professor Stevenson's Ethics and Language and Professor Barnes' Ethics without Propositions (Aristotelian Society, Supplementary Vol. XXII), provide the best discussions. But Hume's position in this regard has retained its fundamental validity.

Without going into the discussion of the specifically logical problems involved in the Natural Law position it may be said that the three kinds of locution are not utterly disparate. First of all, not only can analytic and empirical sentences be contradictory, but sentences containing an ought can also contradict each other. Secondly, we make inferences in ethics as in other fields. Take for instance the following example:-

If any debt falls due at any time, it ought to be paid at that time;
And this debt falls due now;
And therefore this debt ought to be paid now.¹

The first and third sentences contain an ought, whereas the second is an empirical statement. In this respect the inferential process involved here differs from inferences made in cases where there is no "ought".

1. Taken from Mr. A.N. Prior's book Logic and the Basis of Ethics, p.41.

Ethical rules have been compared to logical rules. Both share the property of being factually neither true nor false. If, as Professor Barnes recommends, ethical rules are declarations of attitudes, logical rules are also in some degree dependent upon the logician's choice.

Before coming to the question of this chapter, namely, "What is justice?", I should like to say a few words about the position of Natural Law theories on the Continent. The tradition of Natural Law, much more firmly rooted in Continental thought, has survived the positivist onslaught of the last century in what is known as "the revived Law of Nature", of the neo-Kantian Rudolf Stammler and among Thomist philosophers.¹ To some extent this is a travesty of the old Natural Law theory. On the theory of Stammler, for instance, the actual content of Natural Law varies with circumstances, but for a given context it is fixed and is (morally) absolutely binding. But once the simplicity of the old Natural Law is given up the question always arises, "By what criterion is the actual "content" of Natural Law to be decided, and who is to apply this criterion?" If we are not to leave the decision of the criterion and its actual application to a few specialists, then the problem of adopting a suitable democratic procedure for this purpose becomes inescapable. We might then take votes to decide

1. See C.K.Allen, Law in the Making, p.23 ff., 4th edition, Clarendon Press, Oxford.

between competing versions of the Natural Law. But how far is this really different from deciding between different party programmes at an election?

Aristotle's view of Justice

Aristotle's treatment of justice in the Nichomachean Ethics enjoys a unique place in the history of the theories of justice. Not only does a great deal in the discussion of justice go back to this book; it is to this day the fundamental book on the subject. Let us therefore first of all see how Aristotle views justice.

Aristotle distinguishes various senses of the word justice. There is a wide and general sense of the term "just acts" which signifies conformity with the established laws of society. But these laws themselves will vary according as the constitution of a community is a democracy, an aristocracy, a monarchy or any other form of government. The science concerned with the study of the problems of the common weal is the science of politics.¹ Justice in this sense of the common good is therefore co-extensive with virtue, that is, "what, as a relation to one's neighbour, is justice is, as a certain kind of state without qualification, virtue"².

In its narrower and more specific sense justice is of two kinds: (1) Distributive justice deals with what is fair in the distribution of wealth, honours, etc., among those who are

1. Nich. Ethics, Book I.

2. Ibid., Book V, i.

partners in the state.¹ (2) Rectificatory justice deals with the problems arising out of the various transactions between man and man, both voluntary and involuntary.² Examples of voluntary transactions are buying and selling, and contracts. By involuntary transactions Aristotle means such things as fraud, theft or assault. Remedy in both these types of wrong is conceived as a redress of a wrong done by one person against another, actionable only in a way analogous to the way in which breaches of commercial transactions are nowadays only actionable at civil law. The essential thing about the redress which Aristotle's rectificatory justice provides is that it is the redress of a private wrong and not a form of sentence for an offence against the state.

Remedial justice works on a basis of "arithmetical proportion". By this Aristotle means that in the eyes of the law it makes no difference whether a good man has defrauded a bad man or vice versa: if the injury in both cases is the same, the compensation to be made is also the same.

Unlike rectificatory justice, the just in distributive justice is in proportion to desert or merit. But merit, if awards are to be made in accordance with it, must be in some sense capable of being assessed. What is to be the

1. Ibid., Book V, 2.

2. Ibid., Book V, 2.

criterion of merit? It will vary according to the form of constitution; in a democracy the free-born will think they are all of equal merit; in an oligarchy the possession of wealth will tend to be regarded as the criterion of merit; in an aristocracy the advantage of birth; and so on. But all such criteria are imperfect and fall short of the ideal of perfect justice. For men come to form a society not for the sake of wealth or power, but for a good life. The more deserving should therefore get more.

It will have been noticed that Aristotle views the state as distributing wealth and honours among its citizens. This is to be explained by the fact that in Greece the citizen was regarded as a partner in the state who received his share in accordance with his contribution.

Aristotle distinguishes between proportionate and absolute equality. For him true equality is always proportionate equality, and the just is "a species of the proportionate"¹. The equal or the proportionate always involves at least four terms. There must be at least two persons and two shares in the thing that is to be divided between them. The proportion between these two persons, in regard to their merits, must be the same as between their respective shares. Let A and B be the persons between whom distribution is to be made, and C and D respectively their

1. Ibid., Book V, 3.

awards. Then $A:B::C:D$. Aristotle views this relation as a geometrical proportion as distinguished from the arithmetical proportion of rectificatory justice. It is geometrical in the sense that the reward of each person varies directly in proportion to his merit.

In discussing his formula of distributive justice Aristotle treats the question how the first two terms (i.e. the persons A and B in regard to their respective merits) are to be made commensurate with the third and fourth terms (their particular shares in the things distributed) only in passing. And this perhaps rightly. Any comparison of merits is bound to have something of the conventional, even arbitrary, in it. In Plato and Aristotle their metaphysics back up their view of the superiority of certain kinds of activity over others, but in a general sort of way only that affords us no solution of particular problems of justice. Aristotle however with his sense for the practical mentions another much more workable criterion than the metaphysical one. In treating of the problem of rectificatory justice he realises that money works as a sort of general measure, "for it measures all things"¹, and without it "there will be no exchange and no intercourse"¹. Money is able to play this rôle because it has "become by convention a sort of representative of demand"¹. Aristotle's discussion of demand is rather obscure, though it has a decidedly modern

1. Ibid., Book V, 5.

ring. But we must not forget that all this is considerably overridden by a functional view of society.

Aristotle quite rightly links justice with the idea of merit. The true criterion of merit for him is virtue. But the mere fact of being well born does not by itself make people virtuous. As he himself rightly insists elsewhere virtue has to be acquired by effort. If this is so then birth or wealth cannot be considered criteria of merit in any ethical sense. His terminology, therefore, confuses the distinction between merit in the ethical sense and whatever criterion happens to be current for distributing wealth and honours.

Aristotle links justice with equality in a roundabout way. On his view there is no initial presumption that all men are equal, (as for the Stoic or the Christian), or that the happiness of everyone is equally important, (as for the utilitarian). Before considering this alternative approach I should like to consider a somewhat positivistic view of justice.

Professor Perelman's view

In his book De la Justice¹ Professor Perelman makes an analytical study of the concept of justice. He examines the following most important definitions of justice:-

- (1) To each the same;
- (2) To each according to his merit;

1. Published by Université Libre de Bruxelles, Institut de Sociologie Solvoy, 1945.

- (3) To each according to his work;
- (4) To each according to his need;
- (5) To each according to his rank;
- (6) To each according to what the law prescribes.

It is clear that by taking need as a possible criterion of justice he departs from the Aristotelian view of distributive justice as strictly in accordance with merit. Furthermore, these different formulae will generally lead to mutually inconsistent prescriptions in the same situation. It is of course possible that sometimes two or three of them may in effect recommend the same course of action. For example, rank and merit may coincide in the same persons in certain phases in the history of a society. So if the dictates of these different formulae can all conflict with one another should we say that in consequence the subject admits of no further investigation? Professor Perelman does not leave his search at that. To quote his own words: "The problem is to find a formula of justice common to the different conceptions we have analysed. This formula should contain an indeterminate element, what in mathematics is called a variable, whose determinations will give one or the other conception of justice. The common notion will constitute a definition of formal and abstract justice: each particular or concrete formula of justice will constitute one of the innumerable values of formal

justice".¹

The notion common to these formulae is what Professor Perelman calls "formal justice", defining it as "a principle of action in accordance with which beings of the same essential category should be treated in the same way."² He also tells us that "formal justice amounts (se ramène) simply to the correct application of a rule."³ But is not the observance of each of the formulae of "concrete justice" also a "correct application of a rule" (in the case of the first formula, "to each the same", of the rule "to each the same", and likewise for the rest)? Since he says that "the definition of formal justice does not in any manner prejudge our value-judgments",⁴ he probably thinks that his formal justice is a purely logical principle. But does not the rule that people belonging to the same essential category should be treated in the same way contain a judgment of value?

Professor Perelman's terminology, it seems to me, is unfortunate. As he defines it, "formal justice" is only the ethical principle of "equals to equals". Perhaps he means that it is more general than the formulae which he supposes are its "values". But Kant's categorical imperative is an even more general principle than Professor Perelman's formal

1. Ibid., p.26.

2. Ibid., p.27.

3. Ibid., p.56.

4. Ibid., p.42.

justice. Yet it is an ethical principle, not a logical one. So Professor Perelman's position really amounts to saying that there is a general principle of equality which is applied differently by different conceptions of justice. This of course is unexceptionable.

It is important to know that Professor Perelman's theory fails to account for an important sense of justice. For instance Plato, as we have seen earlier in this chapter, denies that justice consists in "giving every man his due". On the other hand, it is for Plato the duty of performing the task one is best fitted for in the organism of the state; that is, it is the virtue which preserves the health of the body-politic. This view of justice finds its echo, among others, in Hegel and Bradley.

Furthermore, some would say,¹ there are good rules as well as bad ones and on a procedure such as Professor Perelman's, there is no way of distinguishing between them. To this likely objection he would reply that particular rules link up with more general ones to form in the end a whole scheme of values; between one scheme of values and another there is no rational way of deciding. By this he does not mean that the concrete formulae listed above follow by any deductive reasoning from "formal justice". They only result by the inclusion in the

1. Professor H.D.Lewis, for instance, in his review of De la Justice in Mind, (Vol. LV - 1946).

same formula of both formal justice and "a particular vision of the universe".¹ (Yet he also says that every formula of concrete justice "implies" a particular vision of the universe).

He seems to me to overestimate the importance of philosophical or religious ideas in determining our choice of particular rules of justice. Catholics, Jews and free-thinkers are often to be found working for the same political programme. He tells us that formal justice is reconcilable with "the most different of philosophies and legislations".² But is not a formula such as "to each according to his merit" also compatible with "the most different of philosophies"? One could be a Christian, a free-thinker, a positivist, and many other things as you like, and yet subscribe to this formula.

Justice and Equality: Professor Raphael's view

We have already noticed that for Mr. Carritt the claim to equality is an essential element of justice. A somewhat similar view is expressed by Professor Daiches Raphael in a paper entitled "Equality and Equity". In his discussion of the question of the relation between equality and justice we may see a third possible approach to our problem in this

1. De la Justice, pp.41-42.
2. Ibid., p.42.
3. Philosophy, Vol. XXI.

chapter. Using "equity" in the sense of distributive justice Professor Raphael argues that it includes "the claim to equality". Corresponding to the "claim" to equality is the obligation to treat all men equally. Professor Raphael tells us that when he says that we have an obligation to treat all men equally he is using "obligation" in the same sense in which Sir David Ross uses the term "prima facie duty". He is thus faced with the objection that a first-impression intuition like this, if it should take place, could be discovered only by an actual experience of ours. If it is already present in the developed moral consciousness, it is clearly superfluous to look for it by analysis as involved in the practice of our lives.

Professor Raphael seems therefore to labour under some confusion. Let us see if some other sense besides that of being an intuitively perceived principle can be given to equality in this sense. It may, alternatively, be understood to mean as something implied in the actual usage of the term "equity" or "distributive justice". This is what Professor Raphael seems in fact to be trying to show.

In its ordinary sense equity includes an idea of equality. If a teacher gives less attention to a particular pupil than to the rest of the class out of some prejudice against him, we may say that he is unfair or unjust. There is, however, a distinction to be drawn between the obligation to treat everyone belonging to the same category equally and the obligation to treat all men alike. Professor Raphael takes

his examples from this country and is able to make a strong case that the obligation to treat everyone equally is implicit in the principles on which in the main the burdens and advantages of living in society are distributed. But what about the rest of the world? In South Africa, for instance, a coloured worker usually gets much less than a white worker for the same job, just because he is coloured. Professor Raphael would not call this a morally relevant consideration justifying discrimination. Of course I do not mean to suggest that the whites in South Africa have no case. It could be said in defence of the white worker's higher wage for the same job that he needs more, since he is used to a higher standard of living. But it could also be said that the deceased millionaire's sons are used to luxury and so should not be made to pay high death-duties. This, however, is really to attenuate the supposed claim of all men to equality to such a degree that it ceases to be recognisable.

We are still left with another possible approach. It could be said that all men are in essence alike (because, say, made in God's image) and that their claim to equality is really part of their essence. Actually however, this is only the declaration of an intention to treat all men as having equal claims, or a decision to use the word "man" in a specific sense.

We may conclude by saying that Aristotle is right in making justice proportionate to desert. This leads to equality of rewards among those who in our eyes have equal

merit. The idea of equality is likewise present in Professor Perelman's theory. But the idea of equality is an ethical idea, not a "formal" one. Professor Raphael can either say that we come to recognise that all men have a claim to equality intuitively (in the sense in which Sir David Ross uses his term "prima facie duties"), or he can say that men are in essence, i.e. by definition, equal. But he is wrong if he thinks that the idea that all men have a claim to equality is implied in our actual usage of the terms "just" and "equitable".

A P P E N D I X

Marx and Proudhon

Proudhon met Marx in the winter of 1844-45.. Unfortunately, no document giving the date or even the month of their meeting is known to exist. Marx had lived in Paris as an exile since October 1843. Being an enthusiast about Feuerbach's humanistic philosophy, he was naturally disappointed to notice that most of the contemporary French socialists were not against religion. In Proudhon however he found an exception. He had already read the latter's ~~first~~ memoir on property. In The Holy Family (written during the last quarter of 1844) he called it "a scientific manifesto of the French proletariat". He was therefore anxious to meet its author. Proudhon had already been interested in Hegel for some years. For him an acquaintance with Marx meant an opportunity to learn more about the Hegelian philosophy.

In the beginning the two got on together splendidly. Marx explained to Proudhon Hegel's philosophy, and a good deal about Feuerbach. They spent long hours discussing questions of economics.

But their friendship was destined to be a short-lived one. For one thing, temperamentally the two were very

different.¹ But it would be a mistake to regard this the sole or even the chief reason for their estrangement. Marx was only twenty-five at the time of their meeting and was in the course of the next two or three years to develop independent theories of his own. He soon outgrew Proudhon's influence, just as he ceased to be a Feuerbachian. In the spring of 1845 he wrote his famous eleven theses on Feuerbach, in which the materialist conception of history is already beginning to take shape. In the German Ideology (1846) the materialist conception appears fully-fledged. Henceforth there was to be little intellectual sympathy between them.

Marx was expelled from France in December 1845, and went to live in Brussels. There, he conceived a scheme to set up an international organisation for a regular exchange of letters between the socialists of different countries. In May 1846 he wrote to Proudhon, inviting him to become the French correspondent of this projected organisation of his. In this latter he also tried to persuade Proudhon into taking sides with him in his quarrel with Karl Grün, a fellow-exile from Germany. Grün too had contributed to Proudhon's initiation in Hegel. But unlike Marx he seems to have remained a Feuerbachian humanist. Now he was in financial difficulties and Proudhon was trying to help him by letting him translate his writings into German. In

1. In terms of M. de Lubac's borrowed expressions "Proudhon's frankness and strong individuality" was incompatible with the fact that "Marx needed to reign alone". op. cit., p.131.

his reply of 17th May 1846 Proudhon declined with considerable tact to oblige Marx in his personal quarrel. This letter shows Proudhon at his best. The following passage, in which he makes clear his attitude to Marx's scheme, is especially worth quoting:

"Let us seek together, if you like, the laws of society, the mode in which these laws are realised, the progress following which we arrive at their discovery - but, for God's sake, after having demolished all the a priori dogmatisms, let us not begin in our turn to indoctrinate the people; let us not fall into the contradiction of your compatriot Martin Luther who, after having overthrown the Catholic theology, immediately began, with excommunications and anathemas, to establish a protestant theology. For three centuries Germany has done nothing but destroy Luther's patchwork. Let us not impose another such task on humanity, by creating a new mess.....let us give the world an example of a wise and foreseeing tolerance, but, as we are at the head of the movement, we must not become the founders of a new intolerance, nor set ourselves up as the apostles of a new religion, even when this were the religion of logic and reason. Let us welcome and encourage all the protests; we must never look upon a question as exhausted, and when we have used up even our last argument, we must begin all over again, if necessary, with eloquence and irony; on this condition, I will gladly

join your association, otherwise, no!"¹

The publication at Brussels in 1847 of Marx's La Misère de la Philosophie formed the definite break between Marx and Proudhon. So far at least as Marx was concerned they were now enemies. Proudhon's attitude on the whole seems to have been to try to ignore the man who tried to insult him.

The quarrel between their ideas has continued with interruptions into the present time. Through Bakunin Proudhon's ideas had their influence in the first International. In the last quarter of the nineteenth century Marxism completely overshadowed Proudhon's influence. But interest in Proudhon has never died completely. More than once it was revived after he seemed to be forgotten. Even in our time appeals for a "return" to Proudhon have sometimes been made. If the number of books written on him after the last war is any indication, at least in some circles his thought is still alive.

1. Correspondance, tome II, pp.198-199.

GENERAL BIBLIOGRAPHY

A.

- Acton, H.B. Comte's Positivism and the science of Society, Philosophy, Vol.XXVI, No.99.
- Allen, C.K. Law in the Making, 4th edition, Clarendon Press, Oxford.
- Allen, J.W. A History of Political Thought in the Sixteenth Century, Methuen, London.
- Aquinas, Thomas Selected Political Writings, Blackwell, Oxford, 1948.
- Aristotle. Nichomachean Ethics, translated by W.D.Ross.
Politics, Barker's translation.
- Augustine. The City of God, Book XIX.

B.

- Bacon, Francis Novum Organum, Book II.
- Barker, Sir Ernest Greek Political Theory, Plato and his Predecessors, Methuen, 1951.
Principles of Social and Political Theory, Clarendon Press, Oxford, 1951.
- Barnes, W.H.F. Ethics without Propositions, Aristotelian Society, Supplementary Vol. XXII.
- Bastiat, Frederic Harmonies economiques, Paris, 1850.
- Bergson, Henri Louis L'Evolution Creatrice, Paris, 1907.
Time and Free Will, authorised translation from the French by F.L.Pogson, Swan Sonnenschein & Co., London, 1910.
- Bourgin, H. Fourier, Librairie Georges Bellais, Paris, 1905.

Bretall, Robert A Kierkegaard Anthology
Burnet, John Early Greek Philosophy
Bulletin de la Société française de philosophie, avril, 1912.

C.

Carritt, E.F. Ethical and Political Thinking,
Oxford, 1947.
Cole, G.D.H. Socialist Economics, Gollancz, 1950.
Comte, Auguste Cours de Philosophie Positive, (I),
Librairie J.B.Bailliere et Fils,
1864.
System of positive polity, Vol.I,
London, 1875.

D.

Dimier, L. Les maitres de la Contre-Révolution
au dixneuvieme siecle, nouvelle
édition, Paris, 1917.

E.

Engels, F. Anti-Dühring, translated by Emile
Burns, Lawrence & Wishart, London.
The origin of Family, A Handbook of
Marxism, Gollancz, 1936.
Evans, D.O. Social Romanticism in France, 1830-
1848, Clarendon Press, Oxford, 1951.

F.

Fourier, Ch. Selection from his works, translated
from the French by Julia Franklin,
with an introduction by C.Gide.
Sonnenschein & Co., London, 1901.

Fulford, F.W.

Søren Kierkegaard, a study

G.

Grotius, Hugo

De Jure Belli ac Pacis, Lib. I,
1646 edition, published by the
Carnegie Institution of Washington,
1913, as Vol.I of No.3 of "The
Classics of International Law".

Gide and Rist.

A History of Economic Doctrines,
authorised translation from the
French by R.Richards, London, 1915.

Gurvitch, Georges

L'Idée du Droit Social. Notion et
Système du Droit Social. Histoire
doctrinale depuis le XVII^e siècle
jusqu'à la fin du XIX^e siècle, Paris,
Recueil Sirey, 1932.

H.

Halévy, Elie

Histoire du Socialisme Européen,
Septième édition, Gallimard, 1948.

Hayek, Friedrich August
von

The Road to Serfdom, London, 1944.

Scientism and the Study of Society,
Economica, Vols. IX - XI, 1942-44.

Hegel, G.W.F.

The Philosophy of History, translated
from the German by J.Sibree, New York.

The Phenomenology of Mind, translated
from the German by J.B.Baillie.

K.

Kant, Immanuel

Critique of Pure Reason, N.Kemp
Smith's translation.

L.

- Laski, Harold J. Introduction to L.Duguit's Law in the Modern State.
- Lenin, V.I. State and Revolution, A Handbook of Marxism, Gollancz.
- Leroy, Maxime Le Socialisme des Producteurs: Henri de Saint Simon.
- Lewis, H.D. Review of Prof. Perelman's De la Justice, Mind, Vol. LV, 1946.
- Locke, John Essay concerning Human Understanding.
- Lubac, Henri de The Drama of Atheist Humanism, translated from the French by Edith M.Riley, Sheed & Ward, London, 1949.

M.

- Marx, Karl Letters to Dr. Kugelmann, The Marxist-Leninist Library No.3, London, 1941.
- The Holy Family, Oeuvres Philosophiques, Ed. Molitor, Vol.II.
- The Poverty of Philosophy, International Publishers, New York.
- Mill, John Stuart Utilitarianism.
- Mure, G.H.G. An Introduction to Hegel, Oxford, 1940.

O.

- Oakeshott, M. Political Education, Inaugural Lecture.

P.

- Pascal, Blaise Pensées, The Apology, H.F. Stewart's translation.
- Perelman, Ch. De la Justice, Université Libre de Bruxelles, Institut de Sociologie, Actualités Sociales, 1945.
- Plato. Republic, Cornford's translation.
Sophist, Cornford's translation.
Theaetetus, Cornford's translation.
- Popper, Karl What is Dialectic? Mind, Vol.XLIX.
- Found, Roscoe An Introduction to the Philosophy of Law (Storrs Lectures), Yale University Press, 1925.
- Prior, A.N. Logic and the Basis of Ethics.

R.

- Raphael, D.Daiches Equality and Equity, Philosophy, Vol.XXI, July 1946.
- Robbins, Lionel An Essay on the Nature and Significance of Economic Sciences, 1st edition, 1932.
- Roll, Erich A History of Economic Thought.
- Ross, Sir David Aristotle
- Rousseau, J.J. The Social Contract, Book III. G.D.H.Cole's translation, Everyman's Library.
- Ryle, G. Plato's Parmenides, Mind, Vol. XLVIII.

S.

Schapiro, J.Salwyn

Liberalism and the Challenge of
Fascism, Social Forces in England
and France, (1815-1870). McGraw-
Hill Book Co., U.S.A., 1949.

Schulz, Fritz

Principles of Roman Law, Oxford,
1936.

Stevenson, C.L.

Ethics and Language, Yale
University Press, 1944.

T.

Taylor, A.E.

Plato: The man and his work

Tawney, R.H.

Religion and the Rise of Capitalism

Tocqueville, Alexis de

Démocratie en Amérique, translated
by Henry Reeve, The Century
Company, New York, 1898.

V.

Vecchio, Giorgio del

Justice, translated by Lady
Guthrie, University Press,
Edinburgh.

