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TOLSTOY'S INTERPRETATION OF MONEY AND PROPERTY

By
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(*University of California*)

Reprinted from "Liberty", December, 1916.

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TOLSTOY'S INTERPRETATION OF MONEY AND PROPERTY

A. Interpretation of Money.

I

Assuming that our society may exist without positive laws it could also exist without money. The Russian reformer, Leo N. Tolstoy, is consistent with his doctrine of social reform (1). According to him enacted law is violence, private property is evil, and subsequently "money as a centre around which economic science clusters" (2) cannot be anything else, but a medium of oppression (3). Describing the economic nature and offices performed by money, he dissents widely from the politico-economists and disapproves of their teachings on the same subject-matter.

At the outset of the seventeenth chapter of his notable work, *What Shall We Do Then*, Tolstoy inquires, What is money? And further on he proceeds: "I have met educated people who asserted that money represents the labor of him who possesses it. I must confess that formerly I in some obscure manner shared this opinion. But I had to go to the bottom of what money was, and so to find this out, I turned to science. Science says that there is nothing unjust and prejudicial about money, that money is a natural condition of social life — necessary: 1. for convenience of exchange; 2. for the establishment of measures of value; 3. for saving; and 4. for payments" (4).

Are these theories true? According to the teaching of economics they are; according to Tolstoy they are not. Many writers even those of the earliest time argued that

[1] "If Tolstoy's teaching is not systematic, two facts may be urged in extenuation: his doctrines, so far as he expounds them, are consistent in themselves" — says T. S. Knowlson in his biographical and critical study on *Leo Tolstoy*, ch. VII, p. 143. [London, 1904].

[2] See J. W. Harper, *Money and Social Problem*, ch. V, sec. I, p. 98.

[3] *What Shall We Do Then*, ch. XIX, p. 127. [Wiener's ed. 1904].

[4] *Loc. cit.*, ch. XVII, p. 100.

money is a medium of exchange (5). The founders of classical economics, Smith (6), Ricardo (7), Mill (8), Carey (9), socialist reformers, Lassalle (10), and Marx (11), all agree in the main that money is an exchangeable commodity by means of which people measure the value of other commodities. Professor Fisher shortly and precisely defines money as *What is generally acceptable in exchange for goods* (12). More acute determination of the nature of money is given by Prof. Kinley in his elaborate study on *Money* (13). According to this author no definition of medium of exchange can be framed on the basis of the material of which it is made but on the basis of its services, and its essential services are three fold:

First, money is sometimes used to describe all media of exchange—gold, silver, paper, checks, bank drafts or the deposits which they represent, commercial bills of exchange, and even corporation stocks. These things all effect exchanges; in a way they all relieve the difficulties of barter. But this definition, however, is too inclusive, Prof. Kinley contends. It is inclusive because all mentioned articles do not attain the character of media of exchange because there is a demand for them for that purpose primarily. The medium of exchange includes money but its content is greater than that of money. All money can be a medium of exchange but all medium of exchange is not money (14).

Second, at the other extreme is a set of definitions which would restrict money to what may be called commodity money. Those who hold this view insist that money is an article of direct utility with specific value based on its direct services for consumption. They hold that it must have value due to a demand for other than a monetary system.

[5] Cf. for instance, Plato, *Laws*, ch. XI, and Aristotle's *Politics*, bk. I, ch. 9; *Nicomachean Ethics*, by Aristotle, bk. V, ch. 5. — Roman authors defined money as a "just medium and measure of commutable things" *Moneta est justum medium et mensura rerum commutabilium*, quoted in H. C. Black, *Dictionary of Law*, p. 785. [1891].

[6] *Wealth of Nations*, bk. II, ch. II.

[7] *Principles of Political Economy and Taxation*, ch. XXI.

[8] *Principles of Political Economy*, bk. III, ch. VII.

[9] *Principles of Social Science*, vol. II, ch. XXX, 1.

[10] *Die Philosophie Heracleitos des Dunkeln*, vol. I, p. 22. [1845].

[11] *Capital*, English ed. part I, ch. III.

[12] *The Purchasing Power of Money*, ch. II, ces. 1. [New York, 1911].

[13] D. Kinley, *Money*, a Study of the Theory of the Medium of Exchange, ch. V, 6. [New York, 1913].

[14] Some excellent hints as to the money-commodity, compare H. White, *Money and Banking*, bk. I, ch. I. [New York, 1908].

The implication is that in the absence of this other demand the article would not have any value and therefore could not properly serve as a measure of value. This view of the nature of money is definite and clear-cut, but it is not correct because the article has value if there is a demand for it, whatever the reason for that demand.

Third, between these two extremes fluctuates the view that all media of exchange and payment, whose acceptance the law requires in discharge of debts, may properly be called money. This definition confines to standard money, or inconvertible paper, if it were legal tender. Both kinds of money circulate without reference to the possibility of recovering their value from the payer if they should fail to pass, and their value as money depends entirely on the fact that they are generally acceptable in exchange (15).

Taking now in view these three standpoints of the nature of money, we could define it in these words: Legal tender, inconvertible paper, and all commodities which are used as general circulating and paying media, are properly called money.

This is one of the most typical definitions including nearly all others supported by current political economy. Tolstoy as always disagrees with the teaching of economics and he simply says that money is a new and terrible form of slavery (16).¹ His full definition is as follows: Money is a conventional token which gives the right, or more correctly, the possibility, to exploit the labor of other people (17). To explain this inadequate definition of money more appropriately and in its fuller extent, it is necessary to turn our attention to the functions of money as they are enunciated by Leo Tolstoy.

One of many other functions which money performs, according to Tolstoy, is the representation of labor. There

[15] Valuable suggestions on standard money, see W. A. Scott, *Money and Banking*, ch. I, sec. I. — J. L. Laughlin, *The Principles of Money*, ch. III. — J. B. Clark, *The Ultimate Standard of Value*, in *Yale Review*, Nov. 1892, vol. 1, p. 258-74. — The same subject is well treated by C. Menger in an article entitled "Geld" in the *Handwoerterbuch der Staatswissenschaften*, bd. IV. [1900], and L. Nasse, "Das Geld und Muenzwesen" in Schoenberg, *Handbuch der Politischen Oekonomie*, bd. I. [1896].

[16] *What Shall We Do Then*, ch. XXI, p. 164. [Wiener's ed.]

[17] *Id. Ibid.* ch. XXII, p. 161.

exists a common opinion that money represents wealth, but money is the product of labor, and so money represents labor (18).^[18] This opinion, says Tolstoy sneeringly, is as correct as that other opinion that every political organization is the result of a pact (*contrat social*). Yes, money represents labor (19), there is no doubt about that, but whose, labor of the owner of the money, or of the other people? In that rude stage of society, Tolstoy goes on, when people voluntarily bartered the fruits of their products, or exchanged them through the medium of money, substantially money represented their individual labor. That is incontestably true, and this was only so long as in society where this exchange took place, has not appeared the violence of one man over another in any form: war, slavery, of defence of one's labor against others. But as soon as any violence was exerted in society, the money at once lost for the owner its significance as a representative of labor, and assumed the meaning of a right which is not based on labor, but on violence (20). This is one of the functions of the medium of exchange in the pages of Tolstoy.

The second function of money is the representation of the standard value. "Catallactics" admits this function of money. Tolstoy himself should recognize it in an ideal state of society, in a society where extortion has not made its appearance (21). If people exchanged directly commodity for commodity; if they themselves determined the standards of values by sheep, furs, hides, and shells(22), then one could speak of money as an instrument of exchange, as an ideal standard of value in an ideal state of society. But in such a society there would be no money as such, as a common standard of values, as it has not existed and cannot exist(23). The standard value of money is determined by law and government, and these institutions are based chiefly on deceit (24),^[19] or represent the organized force (25). What in recent time receives a value is not what is more convenient for exchange, but what is demanded by government. If gold

[18] *What Shall We Do Then*, ch. XXI, p. 158.

[19] *Op. cit.*, p. 160.

[20] *Loc. cit.* ch. XXI, p. 159.

[21] *Id. ib.* ch. XIX, p. 126.

[22] *Op. cit.* ch. XVIII, p. 122.

[23] *Id. ib.* ch. XIX, p. 126.

[24] *Patriotism and Government*. Complete Works, vol. XXIII, p. 538.
[Wiener's ed. 1904].

[25] *The Slavery of Our Times*. Comp. Works, vol. XXIV, p. 128.

is demanded gold will be a common denominator, if knuckle-bones are demanded, knuckle-bones will have value (26). If this were not so why has the issue of this medium of exchange always been the prerogative of the government? In such a state of society in which we live, the standard of values ceases to have any significance, because the standard of value of all articles depends on the arbitrary will of the oppressor (27). By this reason we could speak only on arbitrary and conventional value of money, not of its intrinsic, nor of its standard value.

Passing now to the third function of money, enumerated by Tolstoy, we see that he attributes to it a new contingent service which is not mentioned as such in any political economy. In modern civilised society, he says, all the governments are in extreme need for money, and always in insolvable debt (28). Wherefore they issue monetary tokens in the different countries (29). These tokens: legal tender, inconvertible paper, coin, bills, and other governmental fiats, are distributed among the people, in order that later they could be collected as direct, indirect, and land taxes (30). The debts of the present monetary state grow from year to year in a terrifying progression. Even so grow the budgets (31). A state which should not levy taxes, for a comparatively short time would go to bankruptcy. The taxes and imposts required from people may be paid in form of cattle, corn, furs, skins, and other natural products, but this "natural economy" never practices in a civilised state. Governments force people to pay those taxes usually in "hard" or "soft" cash, because this kind of money best suits the purposes of rewarding the military and civil officials, of maintaining the clergy, the courts, the construction of prisons, fortresses, cannon (32), and supporting those men who aid in the seizure of the money from the people (33). So we have the third function of money as the third method

[26] *What Shall We Do Then*, ch. XVIII, p. 122.

[27] *Id. Ibid.* ch. XIX, p. 127.

[28] *Loc. cit.* ch. XVIII, p. 121.

[29] *Op. cit.* ch. XX, p. 145.

[30] *Loc. cit.* ch. XX, p. 145.

[31] *Id. Ibid.* ch. XVIII, p. 121.

[32] *The Kingdom of God is Within You*, ch. IX, p. 237.

[33] *The Slavery of Our Times*, ch. X, p. 41.

of enslavement (34), by means of tribute and taxes (35). In modern times, since the discovery of America and the development of trade and the influx of gold, which is accepted as the universal money standard, the monetary tribute becomes, with the enforcement of the political power, the chief instrument of the enslavement of men (36), and upon it all the economic relation of men are based (37).

II

Discussing money, Tolstoy cannot separate the economic question from the political. To him it appears inevitable that money performs a social service equivalent to the instrument of extortion. He does not take into consideration those innumerable utilities which circulating medium renders to the community and particularly to the commercial world, facilitating the transfer as well as aggregation of capital. "Chremmatistics" teaches us that money is the most general form of capital, capital in the fluid state, so that it can be immediately turned to new enterprises and transferred for investment to distant places. On the other hand, capital in the form of money is the most convenient vehicle of production and distribution of wealth. Tolstoy, as a medieval canonist, regards capital and wealth to be shameful and criminal things. He absolutely repudiates the theory that in all production only three factors take part: land, capital and labor. His disconcerting controversy in these matters contains nothing fundamentally new in political economy, but it is an odd manner in which he couches the notion of money in relation to production.

It seems strange, Tolstoy's theory runs, that economists do not recognize the natural objects in production of wealth. The power of the sun, water, food, air, and social security, are the requisites of production as much as the land or capital. Education, knowledge, and ability to speak are certain

[34] The first method of the enslavement of men is by means of personal violence, according to Tolstoy, and second is by depriving people of their land. [Cf. *What Shall We Do Then*, ch. XX, p. 142-43].

[35] *What Shall We Do Then*, ch. XX, p. 144.

[36] *Id. Ibid.* ch. XVIII, p. 111.

[37] For the sound discussion on function of money, which is avowedly opposite to Tolstoy's theory, see W. S. Jevons, *Money and the Mechanism of Exchange*, ch. III. — J. L. Laughlin, *The Principles of Money*, ch. I. — F. A. Walker, *Money*, ch. I. [1883]. — E. B. Bawerk, *Positive Theorie des Capitals*, bch. II, abt. II-III. [1902]. — C. Jannet, *Capital*, ch. II-III. For a different and sounder interpretation of taxes and taxation, see the excellent book, *Introduction to Public Finance*, by Prof. C. C. Plehn. N. York, 1896.

agents of production. I could fill a whole volume, says Tolstoy, with such omitted factors, and put them at the basis of science (38). The division into three factors of production is not proper to men. It is improper, arbitrary, and senseless. It does not lie in the essence of things themselves.

By its division of the factors of production, proceeds our author, science affirms that the natural condition of the laborer is that unnatural condition in which he is; just as in the ancient world they affirmed, in dividing people into citizens and slaves, that the unnatural condition of the slaves is a natural property of man. This division, which is accepted by science only in order to justify the existing evil, which is placed by it at the basis of all its investigations, has had this effect, that science tries in vain to give explanations of existing phenomena, and denying the clearest and simplest answers to questions that present them, it gives answers which are devoid of content. The question of economic science is as follows: What is the cause of this, that some men, who have land and capital, are able to enslave those who have not land, and no capital? The answer which presents itself to common sense is this, that it is due to the money, which has the power of enslaving people. This is not due to the property of money, but because some have land and capital, and others have not. We ask, why people who have land and capital enslave those who have none, and we are told: because they have land and capital. But that is precisely what we want to know. The privation of the land and of the tools of labor is that very enslavement. The answer is like this: *Facit dormire quia habet virtutem dormitiva*. To simple people it is indubitable that the nearest cause of the enslavement of one class of men by another is money (39). They know that it is possible to cause more trouble with a rouble than with a club; it is only political economy that does not want to know it. (40).

These theories on money respecting production do not appear of such nature that they could be applied in the other countries besides Russia. The Russian enlightened feudalism of the nineteenth century gave Tolstoy excellent material and a good reason to attack it with all his strength,

[38] *What Shall We Do Then*, ch. XVII, p. 102.

[39] *Loc. cit.* ch. XVII, p. 109.

[40] *Id. Ibid.* ch. XVIII, p. 124.

and he was right. But his assault on political economy for its "omission" to treat the natural objects in production of wealth, are not justifiable, and could not be admitted. In the first place, any better political economy does not consider these objects at length, because nobody lays claims on them, as Tolstoy himself avowed this fact (41). The gifts of nature cannot be appropriated by any one. They are inexhaustible and unlimited as compared with the wants of men. Therefore they never have a direct value to be taken as factors of productions (42).

In modern industrial society the essential factors of production, among the others, are money and wealth. Wealth is usually regarded as the object of consumption, and as an agent of production (43). The idea of wealth, however, is often confounded with the idea of money. John S. Mill has justly remarked that most people regard money as wealth, because by that means they provide almost all their necessities. In the same sense is the assertion of the French economist Charles Gide, when he noted that in all times and in all places except among savages, money has occupied an exceptional place in the thoughts and desires of men. People regard it, if not as the only wealth, at any rate, as by far the most important form of wealth. They appear to measure the value of all other wealth by the quantity of money that can be obtained in exchange for it. *Etre riche, c'est avoir soit de l'argent, soit les moyens de s'en procurer* (44).

Tolstoy of course has no clear distinction either of wealth, or of money. He also confuses these notions, as many authors before and after him. To define wealth exactly is verily a difficult task; and to dwell upon it impartially is perhaps still more difficult. There are two theories in "Plutology" regarding the definition of wealth: first, that wealth is all exchangeable and valuable commodities and second, that it is power. Representatives of the first theory are Henry Fawcett and John S. Mill, of the second, Hobbes and Carey. Tolstoy is nearer to those theorizers who teach that wealth is power, than to those who define it as commodity. Yet, we should err gravely if we assumed that between Tolstoy's interpretation of wealth and that of other eco-

[41] *Op. cit.* ch. XVIII, p. 117.

[42] Cf. W. Roscher, *System der Volkswirtschaft*, bd. I, kap. I, 31. [1906].

J. S. Mill, *Political Economy*, bk. I, ch. I, sec. 1.

[43] Cf. A. Marschal, *Principles of Economics*, bk. IV, ch. VII, sec. 1. p. 300. [London, 1898].

[44] *Cours d'Economie Politique*, p. 310. [Paris, 1911].

nomists exists any conformity. For instance Carey defines wealth as the power to command nature. Tolstoy defines it as the power to command other people who have neither wealth nor "the signs" of wealth. "Only in the Pantateuch, wealth is the highest good and reward" (45). In everyday life wealth is evil, deception and cause of enslavement. To be honest and at the same time to work for Mammon, is something quite impossible (46). This ethical principle may be true. But our theorist forgets that questions of what people ought to do, and questions of what it will profit men and nations to do, belong to different categories of sciences. He forgets that ethical ideas should not be read into the conceptions of wealth and money when they are employed in their everyday sense. Prof. S. Chapman (47) justly says "If our aim is to indicate what people ought to want instead of what they do want, we had better speak of ethical wealth and ethical value".

Tolstoy was very near to those reform writers who taught that political economy must be regarded as a part of moral philosophy. But he was not the first social reformer who has introduced the moral elements into the study of economic phenomena. As it is known Aristotle's interpretations of money are written in the *Nichomachean Ethics*. The political economy of Plato and Xenophon rests on moral bases (48). Medieval scholastics and theologians raised many problems which were in connection with the searching inquiry as to what constitutes a *just price*, and this inquiry belonged to the ethics of political economy. Adam Smith and John S. Mill adopted the double role to be economists and at the same time ethical teachers (49). French economists Rossi, De Laveley, and Le Play, introduced ethical principle in the science of wealth as well.

There are several such examples of "ethical interpretation" of economics among the most illustrious thinkers. They may be exculpated for their disagreements only on the ground that they lived in times when social science was in incumbent stage, when scientific ideas were intermingled

[45] Cp. *The Complete Works*, vol. XIV, p. 109. [Wiener's ed. 1905].

[46] *Id. Ibid.* p. 288.

[47] *Political Economy*, ch. II, p. 60. [London, 1912].

[48] Cf. *Histoire de L'Economie Politique en Europe*, par J. A. Blanqui, ch. III. — See also *Des Rapports de L'Economie Politique et de la Morale*, par M. H. Baudrillard, lec. II. [Paris, 1883].

[49] See J. N. Keynes, *The Scope and Method of Political Economy*, ch. II, sec. 1, p. 62. [London, 1897].

from one sphere of science into another Good, gentle Tolstoy, may also be pardoned for his "blunders of expression" because he made them in his fanatic love of truth, and truth although it is truth, does not always seem true, says a French proverb. To treat the delicate and intricate complexity of money and wealth, and never mislead, one should be a higher-man, a superman. But supermen are not yet born in this sordid earth as fitly objected a well-known philosopher.

B. Interpretation of Property.

I

When two Greek law-givers, Lycurgus and Solon, imposed their laws upon the Greek nation, they both had the same purpose — to establish the equal right of all men to the use of land and other properties. Plutarch, speaking of Lycurgus, observes that at that time "some were so poor that they had no inch of land, and others, of whom there were but few, so wealthy that they possessed all". Lycurgus persuaded the citizens to restore the land to common use, and they did so. Solon had no other end in giving laws to the Athenians but to set up justice among all his fellow-citizens. He says that ambition of the rich knows no bounds, that they respect neither sacred property nor public treasure, plundering all in defiance of the holy laws of justice. "I had commanded the wealthiest and most powerful to refrain from harming the weak, says he further, I had protected great and humble with a double buckler, equally strong both sides, without giving more to one than to the other. My advice has been disdained. Today they are punished for it"(1).

[1] See these quotations on Solon and Lycurgus in *Property*, by Ch. Letourneau, ch. XIV, sec. V, 6.

[2] That property was created by law it is proved by Montesquieu and Bentham. In the *Spirit of Laws*, Montesquieu argues that civil law is Paladium of property, and as the people acquired by political laws liberty, so they acquired by the civil laws property. [*The Spirit of Laws*, book XXVI, ch. 15]. — In *The Principles of Civil Code*, by J. Bentham, we find the same idea expressed in these words: "Property is entirely the creature of law... Property and law are born and must die together. Before the laws, there was no property; take away the laws, all property ceases". [*The Principles of the Civil Code*, pt. I, ch. VIII].

Taken as a whole this doctrine of Lycurgus and Solon is not in accordance with Tolstoy's teaching on laws and property. But nevertheless it shows clearly that law and property are two indivisible civil institutions which can not exist separately (2). Tolstoy is in opposition to both of them, law and property, because they offend against humanity, especially against the commandment not to resist evil by force.

Under the term of property here must be understood private or individual property. The notion of property, however, is not clear either in ancient or modern writers. In the course of human evolution property has many times changed its form and its substance, its meaning and its scope. In the societies that preceded ours, property embodied itself in a form of oppression which has been definitely abolished once for all. As it is known slavery was one of the forms of private property (3). In Greece and Rome there were public slaves, *i. e.* slaves of the city, and slaves of the state; but most of the slaves were simply a part of the patrimony of the citizens. Masters had the right to use them for cultivation of land, or to give them away as presents, or to sell them, or to leave them to their heirs. They had the legal right of imprisoning and fettering the slaves, or separating them from their wives, or forbidding them to marry. The slaves were part of the master's private ownership, and he disposed of them as he pleased. In the Roman laws, and also in the laws of Athens, we find that a father could sell his son. This was because the father might dispose of all the property of the family, and the son might be looked upon as property, since his labor was a source of income (4). The best Greek and Roman philosophers saw nothing unlawful in that. Their conceptions of the respective rights and duties of masters and slaves would not clash in the least with the ideas even now in equatorial Africa, and some other European colonies elsewhere.

Between these old institutions of slavery and modern capitalistic systems, Tolstoy was not able to find any great differences. To him the institution of slavery existed even in his time only in other form than it was in Greece,

[3] Cf. Ch. Letourneau, *Property*, ch. XIV and XV. See also Aristotle's *Politics*, bk. I, ch. VIII.

[4] Cf. F. de Coulange, *Cité Antique*, English by W. Small, 1901, book II, ch. VIII, p. 120.

India, and Rome. And the reason why this slavery existed lies in the institution of private property. If it be true, Tolstoy suggests, that property has its origin only in labor, why so many combats, revolutions, and wars? Why so many luxuries, robberies, and debaucheries? Are these vices not originated in personal or private property? Is it true that property and money represent labor? By no means, answers our philosopher. Property may be represented by money, and *vice versa*, but money has in our time completely lost that desirable significance as a representative of labor; such a significance it has only exceptionally, for, as a general rule it has become a right or a possibility for exploiting the labor of others. Money is a new form of slavery, which differs from the old only in being impersonal, and in freeing people from the human relations of the slave (5).⁸

In a revolutionary article, *To the Working People*, written in 1902, three years before the Russian Revolution, Tolstoy attempted to open the eyes of the people stating that they were deprived of the land which they formerly possessed and were forced to come to the cities, as wage-workers, or practically, as slaves. The working people in manufacturing cities are in complete slavish dependence on their masters. These slaves may be liberated from the chains in which they are fettered in no way, except by the abolition of private and capitalistic property, that is, giving the land to the people who work, and not to the people who live by the unearned increment. He adds that rural laborers have nothing to do with socialistic doctrinaires who propose the diminution of hours of work and raising of wages, by strikes, unions, and childish processions with flags on the first of May. They need not send into parliaments the representatives who fight there "about words, with words, and for words", as sometimes Lassalle reproached the "bourgeois" representatives. The working men who leave the land and live by factory labor must find some other means to rid themselves of the slavery. They should ask and demand of their masters and rulers the right to settle on the land, and to work there. In demanding this, they will not be demanding something not their own, not belonging to them, but the restitution of their most unquestionable and inalienable right, which is

[5] *What Shall We Do Then*, ch. XXI. p. 163.

inherent in every living being, to live on the land and get their sustenance from it, without asking permission from anyone else to do so. To be sure, masters and rulers will not give the people the land which they demand. Governments are in power to prevent this claim. But governments have no power without police and army, and who are the constituents of this army and police? People, workingmen. When these laborers refuse to serve the unchristian and brutal commands of the governments, then people can divide and take as much land as they need for cultivation and their living.

Should it not be robbery to take the possessions of people who accumulated them for hundreds and thousands years? Yes, but how did these upper classes accumulate their property and riches? Tolstoy replies on this question together with his teacher Proudhon: They heaped up their properties by theft from other people. *La propriété c'est le vol*, said Proudhon (6). *Sobstvenost est koren zla* (Property is the root of evil), continues his disciple, by the same axiomatic language as the master (7).

Is this statement categorical? From the standpoint of Proudhon and Tolstoy it is, but from the point of view of economists this doctrine is at fault. The Russian iconoclast, Tolstoy, like the American advocate of Single Tax, George, maintains that the land question may be solved simply by restoration of the land to the people who work on it. This is, undoubtedly, the best, the easiest, and quickest way to make private property common and equitable, but what do history and economics say of this *quaestio vexata*.

II

It is not needful here to go with historians and jurists far beyond the Greek and Roman lawyers in this inquiry. Let us begin the discussion with Plato and Aristotle. We know already that Plato in his *Republic* is a communist. He permits no citizen to have any property of his own beyond what is absolutely necessary. The land is divided into equal parts among all the citizens, in order that all may

[6] Cf. *Qu'est ce que la Propriété*, 1840, English translation by B. Tucker, 1876, First Memoir, ch. I.

[7] *What Shall We Do Then*, ch. 39. Wiener's ed. p. 318.

be interested in the defence of the country (8). This communism of Plato was vigorously combated by Aristotle in a brief passage of *The Politics*, which contains many of the best arguments since used on that side of the controversy (9). However, Aristotle was not an exclusive individualist. He wants in a state, *Private property and common use*. In Plato's judgment, the state should be governed in the reverse way, *Common property and private use*. In Greek history we find a constant struggle about these questions of inequality among people and private dominion of land. But the ideas of communism and social possessions among ancient nations are prevalent. The learned historian, Theo. Mommsen, in his *Roemische Geschichte* stated that in the earliest times the arable land was cultivated in common, and it was not till later that land came to be distributed among the burgesses as their own property (10). Mommsen's thesis is based on the quotations of Cicero (11), Dionysius of Halicarnassus, and Plutarch. In later time it is supported by the historian, P. Viollet (12), economist E. de Laveley (13), sociologists Ch. Letourneau (14), Sir Henry Main (15), and almost all socialist writers (16).

During the Middle Ages the idea of common ownership was theoretically maintained by church Fathers and their

[8] Plato's view on property is expressed in *The Republic*, bk. III, IV, V and VIII. Then in *The Laws*, bk. III, where he speaks of distribution of land and equalizing of property. In the same work, he further on says that property does not belong to the individual but to the whole family, and property and family alike belong to the State, *The Laws*, b. XI

[9] "I do not think", says Aristotle, "that property ought to be common". [*The Politics*, bk. VII, ch. 10]. On the other place he argues that there are two things which principally inspire mankind with care and affection, namely, the sense of what is one's own, and exclusive possession. [*The Politics*, bk. II, ch. IV]

[10] In aeltester Zeit das Ackerland gemeinschaftlich, wahrscheinlich nach den einzelnen Geschlechtsgenossenschaften bestellt und erst der Ertrag unter die einzelnen dem Geschlecht angehorigen Haeuser vertheilt ward... erst spaeter das Land unter die Buerger zu Sondereigenthum aufgetheilt ward. [*Roemische Geschichte*, 2te Auflage, 1856, bd. I, st. 171-72.]

[11] Tum [zur Zeit des Romulus] erat res in pecore et locorum possessionibus, ex quo pecuniosi et locupletos vocabantur.— [Numa] primum agros, quos bello Romulus ceperat, divisit viritim civibus. [Cited by Mommsen from *De Republica*, 2, 9, 14.]

[12] *Du Caractere Collectif des Premieres Propriétés Immobilières*, 1872.

[13] *De la Propriété et de ses Formes Primitives*, 1874. [English tr. 1878]

[14] *L'Évolution de la Propriété*, 1888. [English translation, 1892].

[15] *Ancient Law*, ch. VIII. London, 1861.

[16] Especially P. Lafargue, *The Evolution of Property*, 1908.

followers, on the basis of Christ's teaching which perpetually sympathized with the poor. St. Fathers regarded community of goods as the ideal order of society, private property as a necessary evil, trade as an occupation hardly compatible with the character of a devout Christian, and the receipt of interest for the use of money as altogether sinful. They said that individual property is contrary to the Divine Law, therefore *Omnia debent esse communia*. These principles could never be applied with logical severity. Ecclesiastics theoretically preached equality of men, and in practice they were the wealthiest class among other classes. Roderigo Borgia, later Pope Alexander VI, was one of the richest men of his time (17). The luxury, immorality and privileged wealth of clergy caused the Reformation, but the Reformation could not restrain the clergy from acquiring immense private possessions. Communism of the Middle Ages was then a pure utopia, as it is today.

In the philosophy of the 17th, 18th, and 19th centuries the institution of private property was justified by many jurisconsults, reformers, and philosophers who, based their teachings on human nature. Among these are significant theories of Grotius, Locke, Hobbes, Thiers (18), and Coulanges (19). In opposition to these writers we find, throughout the French Revolution and later on, the writers who assailed private property as pernicious. Rousseau expressed himself with all his fervid eloquence upon this theme, and he found a large public to sympathize with his declamations. Rousseau was the inspirer of those revolutionary writers, inferior in genius but equally daring, who helped to diffuse his doctrines. Mirabeau and Robespierre were also Rousseau's adherents. Even the socialists, though they have dropped some of his first principles and have adopted some of the conclusions of modern science, have inherited no small portion of his spirit (20).

[17] On this Pope, Professor P. Villari says: "One of his strongest passions was an insatiable greed for gold... he accumulated the immense fortune that served to raise him to the papacy"... See *Storia di Girolamo Savonarola e de' suoi tempi*, 1859. English by Ll. Villari, 1909, ch. IX, 152.

[18] *The Rights of Property*, by A. Thiers, London, 1848.

[19] *The Origin of Property in Land*, by F. de Coulanges. English translation, London, 1891.

[20] On the private property during the French Revolution see *Le Socialisme et la Revolution Française*, par Dr. A. Lichtenberg, Paris, 1899, ch. VII, 1. Another valuable book on this subject is *The French Revolution and Modern French Socialism*, by Dr. J. B. Peixotto, New York, 1901, ch. I, 4; ch. III, 3; and ch. VI, 2.

In America we find many of Rousseau's followers who were inspired by philosophers of the French Revolution. Among these followers is Henry George (21), and in Russia, Tolstoy. The difference between these two reformers is that George would put the rent of real property in the hand of government for better and more righteous taxation than is now the case. Tolstoy, meanwhile, is against all taxation, because it can only be collected by force, and all force is forbidden by Christ. George is for nationalization of land, Tolstoy for full communalization, against all government and all state ownership (22).

Tolstoy is, indubitably, influenced by Rousseau, Proudhon, and anarcho-communistic writers of the nineteenth century. His teaching of property has many elements of chimerical schemes, sometimes confounded with mediaeval communism and Christian primitive utopiās, sometimes with anarchistic principles which reject both private and social property. The labor question is solved by Tolstoy simply in the destruction of private ownership and in the distribution of land to the people who work manually. Mental labor and intellectual production are ignored and disdained. In many books printed during Tolstoy's life we find "no rights reserved". Literary property, accordingly, is the common property of mankind. Ideas and facts are free to all men. There are no patents and copyrights of mental exertions *cum privilegio*. The author of a work has no right of property in the book he has made; he took the common stock and worked it over, and one man has just as good a right to it as another. If the author is allowed to be the owner of his works, the public are deprived of their rights. The immaterial property in writing is in the same degree a robbery as it is material.

Finally, literary labor does not belong to this question. According to Tolstoy's interpretation, inventions, arts, literature, and science, are privileged only to the higher classes. The class of people exclusively occupied with physical labor

[21] See *Progress and Property*, by H. George, 1879, bk. VII-VIII. Tolstoy mentioned George in several of his political articles, and wrote *Two Letters on Henry George*, 1893. In Wiener's translations of the Complete Works of Count Tolstoy, these *Two Letters* are published in volume XXIII, pp. 396-401.

[22] A parallel drawn between George's and Tolstoy's theory of property may be found in C. B. Fillebrown, *The A B C of Taxation*, App. B. pp. 168-170. [New York, 1909].

nowhere read books, neither have the masses learned from books to plough, to make *kvas*, to weave, to make shoes, to build huts, to sing songs, or even to pray.

Of this Tolstoy's criticism of literature, science, and private property, were cogent objections. He was called an utopian, a sophist, an inconsistent author who speaks one thing and works something else. Some called him charlatan, destroyer of sacred institutions, and a man who did not know what he was preaching. These epithets remind one of that which Jean Bodin gave to Machiavelli calling him a "butt of invective", and "wretched man", or of those names which Voltaire gave Rousseau honoring him as a "Punchinello of letters", "the fanfaron of ink", "arch-madman", "scoundrel", "mountebank", and other choice epithets.

Such criticism might be valuable and apropos to a certain sort of newspapers, but not to serious investigators and critics. Throwing this kind of adjectives at an author, does not mean that he is really wrong. Indeed, Tolstoy's doctrine of abolishing individual ownership constitutes no valid grounds for criticism of the historic right of private property in land. Most of his great expectations would not be realized. The problems of wealth distribution, land, and money, are much deeper and more complex than he presumed. They cannot be explained solely by a theory, nor solved by refusing to serve in military and state obligations. They are the inheritance of the present generation from a long past, the resultant of a complex of forces, material and spiritual, political, economic, moral, and social. They can only be unraveled by a most minute and careful study of historical records, interpreted by the aid of the best results of the thought of economists, sociologists, and politicians. And yet, in many ways, Tolstoy aided the solution of these problems. He helped to accelerate it by the example he set of earnestness, altruism, and intense devotion to ideals which he made the creed of future society.

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