

Private Property: From the Conflict of Interpretations Among Post Lockceans to an Ethic of Hospitality

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Abstract:- Imposing itself as an epicentral question of the social sphere, the notion of private property, treated by several philosophers, who, each in their own way gives it their own meaning, is confronted with the conflicts of interpretations among post Lockceans. To the question what is property, Proudhon answered, without hesitation, it is theft. For Macpherson, it is possessive individualism. And, ultimately, we define property as a precarious possession of natural goods, which implies alterity. Otherness being constitutive of the identity of every human being, because of the common origin of all, it calls for the ethics of interstate and intersubjective hospitality. This constitutes, for us, an innovation in the understanding of the concept of property in Locke.

Keywords:- Ethics, Hospitality, Ownership.

I. INTRODUCTION

The question of property occupies the base of social life, as evidenced by the various acts based on the management of the goods of the earth. In political and legal philosophy, the notions of property and the right to property have been widely discussed from antiquity to the present day. Each philosopher has given a very particular interpretation of it according to whether he intends to defend such and such a political system which he considers to be best suited to government.

The question is resurfacing today with terms such as “world heritage”, which evokes the obligation that each modern state has towards the great whole called humanity. Added to this, by virtue of the principles of belonging-together and of the plural-identity of all men, are the glaring inequalities that continue to go hand in hand with men. The objective pursued by approaching the notion of property, is to establish an ethical theory of hospitality in order to reduce economic inequalities among men, with regard to the aforementioned principles and the fact that philosophy does not constitute not only an intellectual approach, but above all a practice with a view to acting better and living better, by directing our thoughts towards our own actions.

The merit of such research, which emerges from Locke and germinates an ethics of hospitality, is twofold. (1) Proceeding by deconstruction on the classical plane, the ethics of hospitality shows that the notion of property, in Locke, although the latter is liberal, cannot be thought of as one does when it comes to capitalists, because property in Locke remains attached not only to Christian values inherited from the

medieval tradition but also to democratic, community and humanitarian values. In this sense, work, as a means of appropriating what is common in the state of nature, subject to limits, can in no way constitute the one and only way for an individual to become an owner. Indeed, charity is the other means by which one becomes an owner. (2) In the socio-political sphere, the ethics of hospitality re-thinks and heals the glaring inequalities among men by addressing the issue of immigrants and proposing a way out. How does she intend to proceed?

II. METHOD

Without forgetting that reflection is the only method in philosophy, this research intends to proceed through analysis. Analysis consists in seeking the meaning of a concept or a proposition by back and forth, that is to say, by comparing the authors who have written on the problem and, finally, stand out by adopting its own design. In this sense, the analysis is intended here to be a semantics of the concept of "private property", as presented by Macpherson, in his interpretation of Locke, on the one hand, and a quest for meaning of the concept of "private property" by Proudhon, on the other hand. This is the first part of this article.

The second moment, contrary to the first, crucial, clearing a new orientation of private property, wants, by the appropriation of the concept, to forge a communitarian, humanitarianist, democratic perspective, which consists in considering the individual appropriation of original resources of the land not as an absolute act which inevitably sprouts from possessive individualism, but rather as a precarious act which implies, for the convenience of intersubjective and interstate relations, moderation or the happy medium in the acquisition of natural resources . Because, with regard to the principle of the belonging-together of all beings to the same humanity, people are bound to each other by the ethics of hospitality. Therefore, in accordance with the principle of identity-plural.

III. PRIVATE PROPERTY IN PROUDHON AND MACPHERSON

A. Proudhon and property

Property, says Proudhon, is theft. According to him, there can be no philosophical justification for the private appropriation of resources that are supposed to be common. However, it must be said that if Proudhon had known Locke, his magic formula would have surprised the author of the Second Treatise on Civil Government. This is because, for

Locke, property requires legitimate status. But also, if we questioned Proudhon, during his lifetime, on the mode of governance of property, I dare to believe that he would like to see the intervention of the State in the limitation of appropriation of the goods of the earth and in their equitable redistribution according to the work provided by each of the men.

To consider property as theft is to say that the victim must be placed on one side and the executioner on the other. The icon of the victim reminds us of the genesis in which the thought of Pierre-Joseph Proudhon evolves, where we find the working masses who, in relation to the work provided, do not benefit from the added value of their work that Proudhon call it a bargain. Thus, the whole question of property, believes Proudhon, is to be situated in the "economic question of justice to distribute [the] surplus value without monopolization or spoliation". On the other hand, the image of the executioner is the one offered to us by the capitalist system, which, at the time of Proudhon, was at its apotheosis of extortion: the bosses, the barons earned without working and mistreated, by their low wages not equivalent to work, the workers. It is also the image of those who appropriate large tracts of land, considered as common property for all men, to the detriment of the weak.

Without opposing the appropriation of goods, Proudhon seeks to know, with regard to the supposed equality in the natural condition of man, "how the goods of nature, the wealth created by Providence, can become private properties » and under what conditions this ownership is permitted. On the subject of the first part of the question, while opposing his economist predecessors who noted two main means of becoming the owner of the goods of nature, namely work and primitive occupation, but only privileged work, Proudhon, by a substitution method, responds with occupation. To work, says Proudhon, following Victor Cousin, one must occupy , and he considers that "those who, like the Fourierists, seek, despite their social reformism, to base the distribution of wealth on the criteria of capital and labor, are seriously mistaken, because any inequality of birth, age, strength, or capacity is annihilated before common law, which is none other than the equality of conditions and goods. . Indeed, the system that bases property on labor also implies the one that makes it rest on occupation. Primitive occupation is the right that the first inhabitants of a space attribute to themselves because the (perishable) goods are to be considered, in the state of nature, as goods belonging to all men. Their appropriation should, Proudhon wishes, be done with equal opportunities for all. Equality of opportunity for all means that despite the natural inequalities provided by nature itself, that is to say, the qualities and capacities that each man has, the appropriation of perishable goods must observe the fundamental principle of the natural law which postulates that all the men are descended from the same origin and -, consequently, beneficiaries of almost the same advantages.

It is only under conditions of equality of opportunity between all men that we must consider the legitimacy and legality of the appropriation of the goods of the earth by individuals. According to Proudhon, goods must be classified

distinctly into categories: those which are susceptible of individual appropriation and those which are not. Without listing the goods likely to be appropriated, Proudhon describes the goods which are in no way appropriable. Indeed, according to him, "the earth (the ground), the air, the water and the fire" cannot in any way be appropriated. The character of incompatibility which is deduced there, seems to be, according to my analysis, what makes that the first three natural goods among the four are not the object of private appropriation.

In this sense, we understand why Proudhon chooses the concept of primitive occupation and thinks of property under the conditions of legality and equality among men. The primitive occupation served and continues to serve as a legal procedure for the appropriation of land in rural, even urban-rural environments. The cartographic limitation of modern states and the different concessions of land occupied by villagers in their living environments are the result of the theory of the first occupier.

As we see, the notion of property in Proudhon, summed up in terms of theft, apart from the fact that theft is never legitimate and legal, bears considerable resemblance to Locke, at least in the present analysis, in the insofar as Proudhon denounces the exploitation suffered by market gardeners, peasants, the mass of "proletarian helots" by bourgeois feudalism where money replaces the other, represented by bosses, symbols of a capitalism at its peak which pockets capital gains, even though the other would still have nothing guaranteed for his subsistence. Proudhon's fight is therefore not far from that of Marxist communism, which believes in abolishing all economic inequalities among men. For this current, represented here by Macpherson, Locke, by the invention of money.

B. Units

Before any invention of money, Macpherson agrees with Locke in this: "if it is labour, the absolute property of the individual, which justifies appropriation and creates value, it follows that no moral claim cannot prevail against the right of individual appropriation. .Considered as the foundation of the entire legacy of the socialist current, whether communism or socialism, or even the followers of the advent of the minimal state, that is to say, a system of governance where the involvement of civil authority in private affairs is almost nil, which I consider to be outrageous capitalism, work is the most appropriate means that man, as a rational being, has for to accomplish its duty of triple preservation: of oneself, of the other and of humanity. But, unlike Macpherson, who absolutizes the concept of work in the works of Locke, the latter hardly gives this concept an absolute character. Admittedly, work is the legitimate mode for the appropriation of the common goods of the earth, but it does not constitute, in the eyes of Locke.

But, it must be said that the whole problem in the process of acquiring the natural goods of humanity arises in the work of Locke, according to Macpherson, a communist Marxist by profession, at the moment when we bring in the commercial intersubjective exchanges, the use of money. It is in this context that we must see whether it is a question of the good

or the misinterpretation of the reading of Locke by Macpherson. For the latter, Locke would have agreed on the permissive possibility of individuals to accumulate common wealth ad infinitum to the point of depriving others of it. And, he would thus have sufficiently laid the foundations for a capitalism that exploits others by stripping them of their means of subsistence.

For having introduced the concept of money in the commercial exchanges between the men of his time, Locke, believes Macpherson, would have abrogated the restriction on waste. and therefore allowed the accumulation of wealth by any individual because of his natural faculties provided by nature itself. Since, for Macpherson, mercantile policy, just like economic enterprise, would have for Locke the transformation of money and land into capital but also the increase of private possessions . It is therefore a question here of a veritable kingdom of "everyone for himself, God for all" that Macpherson inaugurates with regard to Locke's thought. According to Macpherson, the repeal of the original restrictions on the acquisition of natural goods, initially common to all, transforms Locke's theory of property into a justification of the natural right of the individual, but also encourages the inequalities of possessions and above all "unlimited appropriation" . In a substantial way, a double idea emerges from this reading: the idea of the natural right of the individual, which promotes inequalities among men, and that of the unlimited appropriation of goods having an aspect of non-rottable conservation. The natural right of the individual, for Macpherson, supposes the pre-established acquisition of the rights of each individual before his coming into the world on the fruits of the earth and on the earth itself. Coming into the world, each individual already knows what possessions he has and what property he has to claim. It is about the primacy of the right of the individual over all the rights of the universal community.

Such an interpretation of property, which consecrates the primacy of the individual over the community, largely escapes the fundamental principle of the law of nature, which presents all men as being the work of a single Creator. The work of a single Creator presupposes that the father is the one who loves that order, peace, love, mutual support between his children reign. No child can know beforehand what will be his inheritance during his father's lifetime. The fundamental principle of the law of nature, as it is the same for a family of good education, thus consecrates the primacy of the right of humanity over all the goods given by Heaven. In other words, Locke envisages above all the idea of the universal community, issuing from a Father, God; and in this sense, any appropriation of the commons had to take place with respect for the dignity of others and their preservation. In fact, Locke, with the medical training which privileges life above all else, cannot advocate an exaggerated capitalism as claimed by Macpherson. The essence of capitalism is to favor individualism to the detriment of any idea of community until the tiny crushing of the other.

Another assumption underlying Macpherson's interpretation is that of unlimited possession of property. The unlimited possession of goods, which is based on the concept of money and which was to be generalized to all natural goods, argues the author, undermines the tradition which explains that the earth and all its fruits were given in common to humanity for her to enjoy and who saw in property obligations towards society . Which means, for Macpherson, that Locke breaks with the philosophical tradition from Greek antiquity to the Middle Ages about the conception of property and societal living together. The unlimited possession of goods and the primacy of individualism are deployed through the invention of money, which repeals the principle of parsimony enunciated since the Middle Ages by Guillaume d'Occam. Currency, derived from raw materials with a long shelf life, in particular gold and silver, incorruptible, "man can therefore accumulate unlimited quantities, because it is not the extent of his possession that makes him leave bounds of his rightful property, but only the waste of any of them .

This interpretation cannot leave me speechless. There are precisely important dimensions, in my opinion, which have not been exploited by Macpherson. If we must begin with the example of gold and silver, we must remember, apart from the tiny aspect of durability of these minerals which allows Macpherson to support the possibility of an unlimited accumulation of goods, that the teleology envisaged by Locke, in invoking these ores, is to be interpreted in two ways.

The first part is at the level of the question of the number. Indeed, gold and silver are only mentioned in terms of comparison with seasonal and numerically quantifiable products. The grapes, the apples, the saffrons, seasonal fruits that an Indian can pick, the ground, good par excellence on which essentially the property relates, are goods whose number and extent are quantifiable. And, in this sense, the seasonal and quantifiable aspect can be the object of an unreasonable use by an individual and, consequently, cause, not only the scarcity, but also the inconvenience of the relations between the men. Thus, for Locke, gold and silver, offering the impossibility of being quantified by the fact of being underground and not allowing an easy statement on their exhaustion.

The second part is linked to the convenience of relations between men. Contrary to the mercantilist policy that Macpherson saw in the invention of money, not only do I believe that money is this element which saves us all waste, but also, I insist above all on this, an element which promotes intersubjective pooling, convenience in interstate relations, because the use of money guarantees the value of the other in our life. And so, the other is no longer the one I have to put down, but rather this other me, which comes to my aid and transforms me. The invention of money, from a point of view contrary to Macpherson, with its ability to make interhuman relations possible, is thus, in my opinion, a real avenue for exploring the theory of the ethics of hospitality.

IV. ETHICS OF HOSPITALITY

By ethics of hospitality, I mean a diagram of powers, that is to say, a set of empowering capacities, freedoms, rights, desires that modern States have to promote not only peaceful coexistence interstate, but also to decide on the redistribution of the natural resources of humanity with a view to significantly reducing inequalities among humans, because of their belonging together to the same species, human species.

The belonging-together of all humans to the same origin, with common characteristics, presupposes that humanity is one big family. In this way, the possession of natural resources, derived from the earth, property common to all, by what are today called States, remains, according to the conception of the ethics of hospitality, a possession precarious.

A. *Private property as precarious possession*

The concept that emerges from the idea of possessive precariousness of natural resources is indeed that of God, insofar as God indicates the source of provenance of natural resources. God, in fact, posed as a postulate, serves to indicate that only Him, the universal monarch, living and not dead in the legal sense of *De cuius*, is the unique and only absolute owner of the goods of the earth, because in the justifies their emanation. And that all men can possess the goods of the undivided land only in terms of a precarious right of possession, which is limited only to use and enjoyment. The father of all men, God, being an eternal living being, all natural resources, having regard to the principle which regulates the notion of inheritance, which applies only to the death of the first owner.

All the goods of nature being common to humanity, according to Locke, it is necessary that an individual, in his quality of co-owner, appropriates them in the respect of the law of nature that is to say in the concern for the conservation of the other and of humanity. In other words, the privatization of what is common is only possible and legitimate if and only if there is a large quantity and good quality of the remaining portions for others and for future generations. Therefore, the possession that we have over the goods of nature can only be precarious as long as these future generations have not yet declared anything about the quality and quantity of what is reserved for them.

The precariousness of private property, in Locke's understanding, is also understood to mean that no owner can have the most important attribute of three that a holder of title to property must possess. The title of owner is conditioned on obtaining the three powers specific to ensuring its holder total control of the thing: the power to use it, the *usus*; the power to enjoy it, that is to say to reap its fruits, whether natural or civil, the *fructus*; the power to dispose of it, whether materially-by destroying it or abandoning it, for example-or legally-that is, by selling it, exchanging it or giving it away-, *abusus*.

Even if one possesses the three attributes, the dimension of the other is always guaranteed by law. In fact, the French Civil Code has even shown the importance, within its Book II, "Property and the various modifications of the property", by

defining private property as "the right that an individual has over a thing to enjoy and dispose of it in the most absolute manner provided that it is not used in a way prohibited by law and regulations". The conditional proposition "provided that it is not used in a manner prohibited by law and regulations" precisely indicates the spirit of limitability which was to govern the institution of private property by identifying with the peaceful, friendly, communal nature of mutual aid and solidarity between those who live together. Which is, according to Locke, a real response to the social imbalance generated by the unlimited appropriation of naturally common goods by the king's agents and the king himself. He recalls, moreover, the duty (must) which is imposed on every human person to preserve himself, but also, as far as possible and whenever his own preservation is not in danger, to ensure to that of the rest of humanity, that is to say, to help the other, not to destroy or weaken the life of the other, nor what tends to preserve it, nor its freedom, neither his health, nor his body, nor his property.

For, the earth being a common good which the bounty of heaven has given to men, the right of private property can neither be natural nor derive from the constitution of man, but rather a right acquired by means of acts of individualization. I thus compare the private property that every modern state has over the great mass of the earth to a football field, where the athletes individually occupy a position, but all compete for the sole purpose of winning the prize. Each of the individualities is constitutive of the community; it is not absolute. This explains the changeability of athletes and positions in a football field.

Assimilated to the football field and to the role of each athlete in a team, private property in Locke has nothing to do with possessive individualization in the capitalist sense, which legitimizes the glaring inequalities among societies; but it contains, on the contrary, I say it openly, very strong seeds of socialization and communitarianism for a better world.

Alas, presented by the capitalists as favorable to mercantilism, private property has sunk into the dehumanization of humanity by constantly generating phenomena such as immigration.

B. *Private property and the immigration*

The paradigmatic context in which the concept of immigration is collectively perceived by those who have remained nostalgic for the colonial past, a past which has largely affected the psychology of others and which continues to create an unhealthy climate of memory, likely to be the basis of a revolt, is the one who considers immigrants pejoratively, that is to say that immigrants constitute, for the so-called developed countries, "a problem, a burden, a burden".

However, beyond this reductionism, the new perception of this term has the advantage of taking into account a double dimension. This is, in particular, its meaning of being "an economic reality", a burden, that is to say who thinks about the issue linked to the management of the number for the host countries, on the one hand, and that of being a "fact of life", such as it is, if well managed, according to the principle of

agency, can generate income and propose solutions that are sustainable.

As a problem/economic reality, immigration is the result of the precariousness of life, because of which almost all the popular mass of the southern states, North Africa in particular, are moving north. This massive displacement causes thousands of deaths by drowning in the Mediterranean, whose statistics, varying from day to day, are colossal and questioning. However, the philosophical questioning remains permanent. Are these popular masses wrong to mobilize in search of a comfortable life?

It should indeed be said that the search for happiness constitutes the duty of every human being, the guarantee of a vital minimum for the member of the universal community, must be an obligation on the part of those who enjoy, thanks to their tireless efforts, exorbitant wealth from the earth. If this obligation is established from the bond of consanguinity of our belonging to the land, to a common origin, established thanks to the common characteristics, in particular the possession of "reason", it is however important to underline the responsibility that falls to all those wanderers who possess the quality and quantity of the earth, earth as a potential source of all natural goods.

However, we must also look at the phenomenon of immigration not only as a reality-problem and which requires objective solutions, as it is in the minds of the leaders of the authorities of the host countries, but we must also underline, for the countries of origin of emigrants, that immigration constitutes a shortfall in terms of manpower, brain drain", capable of participating in the effort to build the States of origin of these immigrants.

Immigration is above all an ontological reality, that is to say, a "reality of life", when it comes to massive population movements within a continent. In this context, immigration has much more radical foundations, which are difficult to uproot. The foundational roots of certain ethnic groups or even certain tribal groups before the constitution of the general history of humanity, as presented by the United Nations Educational, Scientific and Cultural Organization (UNESCO), would have been broken. Either by mythical stories of humanity, or by the will of modern man who has erected political borders without taking much account of the deepest ontological position of belonging of peoples.

Faced with this double dimension of the phenomenon, the ethics of hospitality recommends a two-pronged solution: the minimum subsistence income, as a response to the economic aspect, and the irenic logos-which constitutes a new article in the works-, as diplomatic response.

C. Minimum subsistence income, a response to economic immigration

Correlatively to Locke's political thought, the concept of minimum subsistence income, guarantee of social security for all human beings, by virtue of the principle of belonging-together and by virtue of the right of inheritance that each human person, member universal community, finds, in our

view, its foundational roots in several passages of the Treatise on Civil Government.

Among these passages, we note, for example, the one which declares that the fundamental law of nature, imposed on every individual, is to "ensure the conservation of humanity to the greatest extent possible". . The concept of humanity, in the perspective of Locke, remains encompassing and has a threefold dimension, namely: humans, animals and plants. In fact, the first dimension, without which the other dimensions could not justify their existence, and which, in our understanding, constitutes the substantiality of the concept of humanity remains the human being. Indeed, the "human" concept presupposes, in every man, the natural intention to seek values likely to be contained in the daily action of each individual with a view to a good, happy and harmonious life with and for others, in just institutions. This is the idea that we note from Locke's use of terms such as "others" (§46), "life" (§34, 37), "humanity", etc.

Also, believes Locke, in this context, the acquisition of land and the enjoyment of the advantages that go with it must be in accordance with the prescriptions of the law of nature, with universal scope, and which orders that all men be, by their existence as the work of the same creator, bound one another to the duty of peace, charity, self-preservation, of the other and of humanity.

Since it is observed among human beings, born of the same stock, glaring inequalities caused by the advent of the so-called civilized society, which seems to us to have diminished, as Paine indirectly wondered in his law agrarian, the happiness of the human race, and categorized human beings as a block of those who shine "the brilliance of appearances" by attributing to themselves, or they are attributed, the epithet of the rich, on the one hand, and of those who undergo or make themselves undergo the flogging of "extreme misery" , on the other hand, it is appropriate to promote a social policy for humanity with a view to significantly reducing the massive movement of populations, without prejudice to the fundamental right of mobility and choice that everyone has, in non-anarchic conditions, that Everyone has to settle in any part of planet earth and benefit from the natural resources.

The RME would be the unconditionally of an individual income, like a starting capital stocked by an organ for the benefit of every human being, infant as young, adult as old, in order to guarantee a minimum subsistence to each one and to reduce appreciably the great lifestyle differences that exist among humans.

Basically, this initial financial capital allocated to any individual finds its legitimacy in the fact that, as Paine points out, "the land was, and would always have continued to be the common property of the whole human race, without exception". In this perspective, any possessor-State or individual-, each because of its GDP, had to pay a land rent to the International Fund for Human Survival (CISH). Land rent is the obligation incumbent on any State and/or any individual, whose "asset" takes on the appearance of a State, in order to operationalize the CISH. The demographic statistics of each

State constitute the universal database, updated annually, of the beneficiary population. Once the database is established, a minimum subsistence income of ten thousand dollars will be allocated to each citizen of the world whose renewability is set at five years.

When we have solved the problem of the possessive order that is to say of the reign of necessity or of the relations of having/I-that-, we can then, with vehemence, approach the questions of being. , the beyond of the economy. This going beyond the economy, in the quest for an ethic of interstate hospitality, is what we call the irenic logos, which will be the subject of an article in the near future.

V. CONCLUSION

At the end of this article, it is important to recall that the notion of private property among post-Lockeans is confronted with conflicting interpretations. Two offshoots are generally to be classified according to their writings.

On the one hand, those who believe that the notion of work in Locke not only sufficed to justify and legitimize the glaring inequalities among men through the possessive individualism of natural resources, but also it lays the foundations for the theory of The minimal state, according to which the role devolved to the modern state to be a regulator of activities resulting from the public sector as well as private life, is to be considered, in the case of the private sector, only as a theft. He thus refuses any idea of a welfare state. Among the commentators of Locke, aligned following Nozick, we have noted, in this article, the figure of Macpherson. For him, Locke's conception of private property, with the advent of money.

On the other hand, those who believe that the role of the State in the management of private property is to be providential, better to be the one who watches over the redistribution of natural resources to all its members of the community while watching over the freedom and the opportunity offered to everyone to exploit these resources but without claiming to be the sole heir in the daily management of what is given in common to all men.

We have noted here the contribution of Proudhon. For him, private property is theft. Understood by this that there is no legitimate justification for ownership. The teleology of such a crude formula would be, according to my analysis, to promote an altruistic social policy of redistributing capital gains in accordance with each person's capacity for productivity.

Finally, the innovative perspective that this article outlines is to think of private property as being a precarious possession of the goods of the earth, in accordance with the hypothesis of a gift of the world made by God. Because, I consider it so, the individual appropriation of the original resources of the earth is not to be considered as an absolute act of appropriation, that is to say which excludes any possibility

of communion with others, but on the contrary, the act of personalizing the goods of the earth always recalls the obligation that we have vis-à-vis the other and vis-à-vis humanity. In this second case, private property calls for the ethics of hospitality, which has been deployed in the strategic axes of life, particularly in diplomatic relations of the conditions of immigrants. The perception of the host States of immigrants, epic entered on the economic aspect and which poses the thorny question of the management of the number, causes mistreatment of the human. Thus financial capital was proposed as an answer. But beyond the economy, immigration has many other roots, notably the ontological root.

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