

# ЭКОНОМИЧЕСКИЕ НАУКИ

УДК 330.113 ГРНТИ 06.01.07

## ЗАКОН СОБСТВЕННОСТИ

**Крюков Виктор В.**

*Доктор философских наук, профессор.  
Профессор кафедры правовых и социальных наук  
Сибирского государственного университета геосистем и технологий.  
Россия.*

## THE LAW OF PROPERTY

**Victor V. Kryukov**

*Dr. of Sc (Philos), Prof.  
Professor of the Department of Legal and Social Sciences  
of Siberian State University of Geosystems and Technologies.  
Russia*

**Аннотация.** В статье обсуждается проблема собственности как социального отношения. В качестве фундаментальной принята идея Адама Смита в классической теории трудовой стоимости, но со значительным обобщением этой идеи из экономического контекста как особого случая на общий теоретический уровень социальной философии, на котором ценности понимаются как продукты и практической, и духовной активности. В этом контексте собственность трактуется не как отношение человека к вещам, а как отношение людей друг к другу по поводу вещей. Формы собственности рассматриваются не исторически, как у Маркса, а функционально, как их усматривает автор. В такой версии капитализм и коммунизм оказываются экономическими мифами, а формы собственности определяются способами индивидуализации сообща произведенного продукта.

**Abstract.** The article discusses the problem of property as a social relationship. The idea of Adam Smith in the classical theory of labor value is accepted as fundamental, but with a significant generalization of this idea from the economic context as a special case to the general theoretical level of social philosophy, at which values are understood as products of both practical and spiritual activity. In this context, property is interpreted not as a person's relationship to things, but as the relationship of people to each other about things. Forms of property are not considered historically, as in Marx, but functionally – as the author sees it. In this version, capitalism and communism turn out to be economic myths, and forms of ownership are determined by the means of individualization of the jointly produced product.

**Ключевые слова:** стоимость, продукт труда, собственность, формы индивидуализации, закон присвоения.

**Key words:** value, product of labor, property, forms of individualization, the rule of appropriation.

### Prolegomena

Social philosophy focuses on the basic categories of economic theory – value and property. Here we turn to the problem of property relations between people in various forms of appropriation of things. The author has addressed this issue and is ready to offer his own version of property relations.

One of the founder of the United States, Benjamin Franklin, began the text of the American Constitution with the famous words: all people are born equal, and from birth they are endowed by God with the inalienable rights to life, liberty, property and the pursuit of happiness. The rights of a citizen in society are ensured by the principle of inviolability of private property.

### Jean-Jacques Rousseau about property

Theoretic idol of Franklin, Jean-Jacques Rousseau, became famous for his shocking criticism of “civilized” society. Already in his first, sensational treatise on modern morals (*Discours sur les Sciences et les Arts, 1750*), he stated that “... virtue disappeared as their (sciences and arts) shine rose

higher and higher above our horizon, and the same phenomenon was observed everywhere.” [1]

All the more shocking was his point of view on the “sacred cow” of bourgeois society – private property. In his treatise “The reasoning about the origin and basics of inequality between people” (*Discourse sur l'origine et les fondements de l'inegalite parmi les homes, 1755*), he wrote that the emergence of property was originally associated with deception. “The first one who fenced off a piece of land came up with the idea of saying “This is mine!” and found people simple-minded enough to believe him, he was the true founder of civil society.” [2] True, Rousseau understood perfectly well that it was impossible to return to the natural simplicity of morals, and property was a necessary attribute of civilization. In an article for the Encyclopedia “*On Political Economy*” (1755), he argued that “the right to property is the most sacred of citizens' rights and even more important in some respects than freedom.” “Property is the true foundation and the true guarantee of obligations between people.” [3]

### Marxist version of forms of ownership.

Unlike Rousseau, who interpreted property as a legal relation, Karl Marx, in his fundamental four-volume work “Das Kapital”, gave the property relation an economic meaning and regarded it as a system-forming production relation on which the distribution, exchange and consumption of production products depend. The property relation arises not as a result of deception, but out of necessity, and it is determined by the level of development of the productive forces. More precisely, by what element of the productive forces plays a leading role in social production.

When there is no technology and a person has only himself and the simplest hand tools, then he himself becomes an object of appropriation. Slavery arises. It is justified by the fact that slaves are barbarians captured, and savages can and should be forced to work by force.

When the object of labor becomes the basis of production – land for farmers, water in the Asian mode of production, herds of cattle and pastures for pastoralists – then natural resources become the object of appropriation. Feudalism arises. The right to land is appropriated by the first settler who managed to stake out a plot: to dig in a pillar with the words “this is my land!” for rent. And then the land is “favored” by the sovereigns for merits, and along with the vassals, there are serving nobles.

When, as a result of the technical upheaval and the industrial revolution, the means of production, capital as “materialized labor”, become the main element of the productive forces of society, bourgeois property appears and “owners of factories, newspapers, ships” take the first roles. And this is also justified. Who is a proletarian? The one who has drunk everything that he has worked out, eaten, skipped. And who is a capitalist? The one who saved every penny and put everything he saved “into business!” We will not recall the “grimaces” of the initial accumulation of capital, but we will agree that the main instrument of expanded reproduction is the capitalization of profit.

These are, according to Marx, the historical forms of ownership, and then – the public ownership of the commune of people on the product of production and the distribution of this product “in fairness”, which is already beyond the scope of the economy. But this pseudo-equality and selfish brotherhood we have already passed during the “socialist experiment”.

### The property rule

In the opinion of the author, [4] that is, in my opinion, [5] all of the above “historical justifications” for property rights are nothing more than economic myths. The reason for the illusory nature of such explanations, I believe, is that the same Marx, who often repeated that property is a relationship between people about things, nevertheless determines the forms of this relationship according to the *object* of appropriation. But if property is a relationship between people, then the forms of this relationship should be determined precisely by the *subject* of appropriation.

In the process of labor, people unite with each other and the production of all vital goods has a social character. Marx rightly argued that “*a person works together even when, apparently, he does it alone.*” Like

sailor Robinson at Daniel Defoe on a desert island, behind which humanity invisibly stands. Let's expand this formula into the opposite statement: *a person consumes alone even when, apparently, he does it together!* When the communards put a large cauldron of stew on a common dining table, then, ultimately, each communcard gets his own bowl, his own spoon and his own individual ration, because in the process of consumption material goods are destroyed, amortized partially or completely. Therefore, the communards can wear a single pair of boots only in turn, and not all together and at the same time, and the eaten loaf of bread will no longer get to anyone.

The source of the property relationship is the need to resolve the dialectical contradiction between the social nature of production and the individual nature of consumption, therefore property is nothing more than a way of individualizing the jointly produced product. “The crow-magpie cooked porridge, fed the children. She gave this and gave this, but this one did not give: you didn't chop wood, didn't carry water, didn't knead dough – you don't have anything!” – here is a figurative presentation of the principle of equivalence of the measure of labor and the share of consumption. But then what determines the various ways of individualization and, consequently, the forms of ownership?

In the production process, social actors are arranged in a hierarchy – ranking from bottom to top – according to the number of participants and the quality of cooperation. One person – a man – can not share with anyone, therefore his property is individual, that is, indivisible. Of course, he will have to pay taxes on the maintenance of an official, soldier, teacher and doctor, but that's another story.

Several people – an workshop, a team, who are united by direct joint work, can divide their product according to the amount of living labor – let's say, according to workdays or according to the coefficient of labor participation. And this will be group ownership, as in a cooperative.

Many people – the collective of a factory, a plant, a corporation – unite their labor indirectly and do not interact directly with each other. They can divide their product only to the extent of materialized labor, that is, in accordance with the amount of previously expended labor and capitalized profits. This can be a share contribution, investment in production, shares of an enterprise, etc. If there is nothing of this, then the employee sells his labor and receives its value for this – wages in accordance with qualifications, not counting on a share of profit. This is collective, it is also corporate property.

A lot of people – the masses – generally unite their labor in an indirect way, so here only one way of distributing the product is possible: “leveling”. This method is typical for public institutions, for example, trade unions, where any member can get a ticket to a dispensary, send a child to a health camp, etc., because membership fees are the same for everyone. Municipal or, for example, church property is in common and equal use. This is mass property, although even here the chairman of the trade union committee or the head of

the district administration may have hidden preferences. But this is a corruption.

Finally, the total society as a whole can distribute its wealth – primarily natural resources – exclusively according to needs. Let's say a peasant needs land, but only as much as he can cultivate. An entrepreneur needs a mine or a piece of forest land to extract wood, but only to the extent that he can collect the means of production and make a profit. And me, a university professor, do not need either land or a gold mine, because I cannot do anything worthwhile with them, and if they are forced upon me, I will quickly go broke.

For those who can and want to exploit natural resources, there are concessions, long-term leases, perpetual and hereditary use, but only use, not property. And in this case, we are dealing with public property, since the same land is not a product of labor (apart from the cultivation invested in it): it is God's, that is, it is the property of our grandfathers and fathers, mine and yours as residents of this country, our children and our grandchildren. Users will give the agreed part of the profit to the manager - the state, and it, our dear, will give us, sinners, a small fraction through the social items of the state budget.

What determines the level of socialization of labor? Resource intensity (labor, energy, raw materials, finance, technology, know-how) of the thing being produced. If I can produce something without the help of other people – it say, grow potatoes in the garden and even sell the surplus on the market, then I am a typical individual entrepreneur and, in theory, I am not obliged to share with anyone.

If I want to build a home, then I cannot cope with all my desire alone, and I have to involve a group, even relatives or friends, and put them a reward, or even hire workers altogether. And with the team, you need a calculation.

If I want to mass produce a product and saturate the market with it, I have to invest capital, that is, create an enterprise, purchase raw materials and hire labor, and on a scale corresponding to the complexity of the product: from a candle factory to a car factory. This is already a corporation and typical capital as “value producing surplus value.”

But, for example, no one, not even a transnational corporation, can handle the spaceship “Shuttle”: here it is necessary to unite thousands of teams under the auspices of the state within the framework of a national program. The laying of roads and communication lines, the launch of satellites and the launching of ships, the production of tanks and aircraft are supported by a government order. The participation and control of the state is necessary in “natural monopoly” – finance, energy, transport, communications, and finally in the “defense industry”! And this is public property, part of which, but only part (without fanaticism!) – can be privatized for specific investments and certainly not for voucher pennies, but at real cost.

Here it is – *the law of property*: the form of individualization of a social product is determined by the level of socialization of labor, which, in turn, is directly proportional to the value of the resource intensity of the result produced.

And finally, is it possible to influence the hierarchy of social subjects and shift the level of socialization of labor in one direction or another? Naturally, this happens due to the improvement of technologies and the introduction of innovations, and then this level decreases or increases depending on the simplification of production or the appearance of more complex products.

But it is possible to influence artificially, by force methods, from total nationalization in one case up to the socialization of chickens and the collectivization of everyday life in communes, and then we will get the “longed-for” communism, but at the same time a total deficit, since with a general equalizing distribution, the incentive to work will disappear as such. In another case, we can declare a total privatization, which liberal reformers promised by oath to every Soviet citizen, and we will get “terry” capitalism in its “pure form”.

Needless to say, neither one nor the other has been anywhere and never, and indeed it cannot be, since total collectivization and total privatization are the asymptotes, the idealizations, i.e., really unattainable limits of the organization of the economic life of society. In the first case, the forms of real distribution will go into the shadows and a criminal “black market” is formed, and in the second, the declared individual owners will inevitably begin to unite, stray into companies, forced to do so by the very nature and scale of social production. And this is nothing more than a *mixed economy*, which is what the author of “Das Kapital” called a natural-historical pattern.

Such a state of society cannot be introduced by legislative means, and this was already clear to Karl Marx: “... Society, even if it fell on the trail of the natural law of its development, ... can neither jump over the natural phases of development, nor cancel the latter by decrees.” [6]

### Summation

Trying to directly embody this or that ideological myth into economic reality – whether communism or capitalism – is an occupation that will generate only, in the words of Immanuel Kant, “a lot of funny fussy movements, and nothing else.” It’s approximately as if the Parliament of Russia suddenly adopted a law that from January 1 of next year all citizens of Russia should become greens: after all, we will not turn green anyway. True, there are many law-abiding, first of all, officials who in the morning before the job or service will smear their faces with green paint, doing their usual show. However, coming home in the evening, they will wash off this paint with great pleasure and become ordinary people.

The natural state of a *mixed economy* society of mankind will acquire when its contradictions are correctly resolved, when democracy makes it impossible to push society to extremes, to social asymptotes, and economic policy will be subordinated to true, not imaginary values, common sense, and not economic mythology.

### References:

[1] Руссо Ж.-Ж. Способствовало ли развитие наук и искусств улучшению общественных нравов?

[Has the development of the arts and sciences contributed to the improvement of public mores?] / Трактаты. – М.: Академия, 1969. – С. 14. Rousseau J.-J. Treatises. – Moscow: Academy Publishing, 1969. – P. 14. (In Russian)

[2] Руссо Ж.-Ж. Об источнике и основаниях неравенства между людьми [On the source and grounds of inequality between people] / Трактаты. – М.: Академия, 1969. – С. 72. Rousseau J.-J. Treatises. – Moscow: Academy Publishing, 1969. – P. 72. (In Russian)

[3] Руссо Ж.-Ж. О политической экономии [On political economy] / Трактаты. – М.: Академия, 1969.

– С. 72. Rousseau J.-J. Treatises. – Moscow: Academy Publishing, 1969. – P. 72. (In Russian)

[4] Kryukov V. Basics of axiology. Why do we appreciate it? / Monograph. – Scholars' Press: International Book Market Service Ltd. – Beau Bassin, Mauritius. – 2020. – 181 p. – P. 89-95.

[5] Kryukov V. Philosophy in a simple and clear presentation: monograph. – London: SCIEURO, – 2020. – 200 p. – P. 94-100.

[6] Маркс К. К критике политической экономии [To the Critics of Political Economy] / К. Маркс, Ф. Энгельс. – Соч. – Т.23.- С. 10. К. Marx, F. Engels. – Op. – V.23. – P. 10. (In Russian)

## СПИСАННЫЕ ОППОНЕНТОМ ФАЛЬСИФИЦИРОВАННЫЕ ОЦЕНКИ ДОСТОВЕРНОСТИ ПОЛОЖЕНИЙ И ВЫВОДОВ ИССЛЕДОВАНИЯ ОБ АЭРОПОРТАХ МВЛ

*Леонтьев Рудольф Георгиевич*

*д-р экон. наук, профессор,  
почетный работник высшего профессионального образования РФ,  
главный научный сотрудник ВЦ ДВО РАН,  
г. Хабаровск, Российская Федерация*

## CHARGED BY THE OPPONENT FALSESEED ASSESSMENT OF THE RELIABILITY OF THE PROVISIONS AND CONCLUSIONS RESEARCH ABOUT MVL AIRPORTS

*Leontyev R.G.*

*Computer center of the Far East office Russian Academy of Sciences  
Khabarovsk, Russia*

**Аннотация.** В статье подвергнуты анализу представленные в отзыве официального оппонента (профессора) списанные им оценки достоверности положений и выводов исследования менеджмента аэропортами местных воздушных линий. Доказано, что эти оценки являются фальсифицированной информацией, предназначенной для придания данному отзыву видимости высококвалифицированного документа государственной научной аттестации и тем самым запутать все экспертное сообщество и других представителей научной общественности о релевантности, рассмотренной оппонентом диссертации.

**Annotation.** The article analyzes the reviews written off by the official opponent (professor) written off by him of the reliability of the provisions and conclusions of the study of airport management of local airlines. It is proved that these estimates are falsified information intended to give this review the appearance of a highly qualified document of state scientific certification and thereby confuse the entire expert community and other representatives of the scientific community about the relevance considered by the opponent of the dissertation.

**Ключевые слова:** Аэропорты, местные воздушные линии (МВЛ), государственная научная аттестация, диссертация, отзыв официального оппонента, фальсифицированные оценка, достоверность положений и выводов диссертации.

**Key words:** Airports, local air lines (MVL), state scientific certification, dissertation, official opponent's review, falsified assessment, reliability of the provisions and conclusions of the dissertation.

Между невежеством и знанием  
лежит пропасть.  
*Японская пословица*

Известно, что в соответствии с пунктом 20 (абзац 1) действующего тогда "Положения о порядке присуждения ученых степеней", утвержденного постановлением правительства РФ от 30 января 2002 года № 74 (в редакции постановления правительства РФ от 20 июня 2011 года № 475), «диссертационные советы назначают официальных оппонентов по диссертации «из числа компетентных в соответствующей отрасли науки ученых».

Однако, «диссертационный совет ДМ 223.005.02 при Морском государственном университете им. адм. Г.И. Невельского» по диссертации Милой назначил первым официальным оппонентом д.э.н., профессора, директора института международного бизнеса ВГУЭС Латкина А.П., который ни по образованию, ни по роду научной и преподавательской деятельности и ни по областям его научных интересов никак не связан со сферой транспорта и, особенно, в области гражданской авиации. В 2012 году не были известны его "ваковские" и обычные научные публикации в этой же сфере.

Поэтому профессор Латкин А.П. в 2012 году не являлся «ученым, компетентным в