

Seventh Part:
Justice of the Remedy

Chapter 26

The Injustice of Private Property In Land

JUSTICE IS FUNDAMENTAL to the human mind, though often warped by superstition, habit, and selfishness. When I propose to abolish private property in land, the first question to be asked is that of justice. Only what is just can be wise; only what is right will endure. I bow to this demand and accept this test. If private property in land is just, then what I propose is false. If private property in land is unjust, then my remedy is true.

What constitutes the rightful basis of property? What allows someone to justly say, "This is mine!"? Is it not, primarily, the right of a person to one's own self? To the use of one's own powers? To enjoy the fruits of one's own labor? Each person is a definite, coherent, independent whole. Each particular pair of hands obeys a particular brain and is related to a particular body. And this alone justifies individual ownership.

As each person belongs to himself or herself, so labor belongs to the individual when put in concrete form. For this reason, what someone makes or produces belongs to

that person—even against the claim of the whole world. It is that person's property, to use or enjoy, give or exchange, or even destroy. No one else can rightfully claim it. And this right to the exclusive possession and enjoyment wrongs no one else. Thus, there is a clear and indisputable title to everything produced by human exertion. It descends from the original producer, in whom it is vested by natural law.

The pen that I write with is justly mine. No other human being can rightfully lay claim to it, for in me is the title of the producers who made it. It has become mine because it was transferred to me by the stationer, to whom it was transferred by the importer, who obtained the exclusive right to it by transfer from the manufacturer. By the same process of purchase, the manufacturer acquired the vested rights of those who dug the material from the ground and shaped it into a pen.

Thus, my exclusive right of ownership in the pen springs from the natural right of individuals to the use of their own faculties—the source from which all ideas of exclusive ownership arise. It is not only the original source, it is the only source.

Nature acknowledges no ownership or control existing in humans, except the results of labor. Is there any other way to affect material things except by exerting the power of one's own faculties? All people exist in nature on equal footing and have equal rights. Nature recognizes no claim but labor—and without respect to who claims it. When a pirate ship spreads its sails, wind fills them; as it would those of a missionary. Fish will bite whether the line leads to a good child who goes to Sunday school or a bad one playing truant. The sun shines and the rain falls on the just and unjust alike.

The laws of nature are the decrees of the Creator. They recognize no right but labor. As nature gives only to labor, the exertion of labor in production is the only title to exclusive possession.

This right of ownership springing from labor excludes the possibility of any other right of ownership. A person is rightfully entitled to the product of his or her labor (or the labor of someone else from whom the right has been received).

It is *production* that gives the producer the right to exclusive possession and enjoyment. If so, there can be no right to exclusive possession of anything that is *not* the product of labor. Therefore, private property in land is wrong.

The right to the product of labor cannot be enjoyed without the right to free use of the opportunities offered by nature. To admit a right to property in nature is to deny the right of property as the product of labor. When non-producers can claim a portion of the wealth created by producers—as rent—then the right of producers to the fruits of their labor is denied to that extent.

There is no escape from this position. To affirm that someone can rightfully claim exclusive ownership of his or her own labor—when embodied in material things—is to deny that any one can rightfully claim exclusive ownership in land. Property in land is a claim having no justification in nature—it is a claim founded in the way societies are organized.

What keeps us from recognizing the injustice of private property in land? By habit, we include all things made subject to ownership in one category—which we call “property.” The only distinctions are drawn by lawyers, who distinguish only personal property from real estate—

things movable from things immovable. The real and natural distinction, however, is between the product of labor and the free offerings of nature. In the terms of political economy, between wealth and land. To class them together is to confuse all thought regarding justice or injustice, right or wrong.

A house and the lot on which it stands are classed together by lawyers as real estate. Yet in nature and relations they differ widely. One is produced by human labor (wealth). The other is a part of nature (land).

The essential characteristic of wealth is that it embodies labor. It is brought into being by human exertion. Its existence or nonexistence, its increase or decrease, depends on humans. The essential characteristic of land is that it does not embody labor. It exists irrespective of human exertion, and irrespective of people. It is the field, or environment, in which people find themselves; the storehouse from which their needs must be supplied; the raw material on which—and the forces with which—they can act.

The moment this distinction is recognized, we see that the sanction natural justice gives to one kind of property is denied to the other. The rightfulness of property that is the product of labor implies the wrongfulness of the individual ownership of land. The recognition of the former places all people upon equal terms, and gives them the due reward of their labor. Whereas the recognition of the latter is to deny the equal rights of people. It allows those who do not work to take the natural reward of those who do. Whatever may be said for the institution of private property in land, it clearly cannot be defended on the grounds of justice.

The equal right of all people to the use of land is as clear as their equal right to breathe the air—a right proclaimed by the very fact of their existence. We cannot suppose that some people have a right to be in this world and others do not. If we are all here by permission of the Creator, we are all here with an equal title to the bounty of nature.

This is a right that is natural and inalienable. It is a right that vests in every human being who enters the world. During each person's stay in the world it can be limited only by the equal rights of others. If all people living were to unite to grant away their equal rights, they could not grant away the rights of those who follow them. Have we made the earth, that we should determine the rights of those who come after us? No matter how long the claim, nor how many pieces of paper are issued, there is no right that natural justice recognizes to give one person possession of land that is not equally the right of all other people. The smallest infant born in the most squalid room of the most miserable tenement acquires, at the moment of birth, a right to land equal to millionaires. And that child is robbed if that right is denied.

Our previous conclusions were irresistible in and of themselves. They now stand confirmed by the highest and final test. Translated from economics into ethics, they show that the source of increasing misery amid progress is a great fundamental wrong: the appropriation of land as the exclusive property of some. For it is land on which—and from which—all people must live. From this fundamental injustice flow all the injustices that endanger modern development. They condemn the producer of wealth to poverty, while pampering the non-producer in luxury.

There is nothing strange or inexplicable in the phenomena now perplexing the world. It is not that material progress is not in itself a good thing. It is not that nature has produced children it has failed to provide for. It is not that the Creator has left injustice in natural laws, such that material progress should bring such bitter fruits. It is not due to any lack of nature—but to human injustice.

Vice and misery, poverty and pauperism, are not the legitimate results of growing population and industrial development. They follow them only because land is treated as private property. They are the direct and necessary result of violating the supreme law of justice—giving to the exclusive possession of a few, what nature has provided for all.

Since labor cannot produce wealth without using land, denying equal right to use land is, necessarily, denying the right of labor to its own product. If one person controls the land on which others must labor, that person can appropriate the product of their labor as the price of permission to labor. This violates the fundamental law of nature: that a person's enjoyment of the fruits of nature requires that person's exertion.

The unjust distribution of wealth stemming from this fundamental wrong is separating modern society into the very rich and the very poor. The continuous increase of rent is the price labor is forced to pay for the use of land. It strips the many of wealth they justly earn, and heaps it in the hands of a few who do nothing to earn it. The few receive without producing, while others produce without receiving. One is unjustly enriched—the others are robbed.

Why should those who suffer from this injustice hesitate for one moment to sweep it away? Why should land-

holders be permitted to reap what they have not sown?

Consider for a moment the utter absurdity by which we gravely pass down titles giving the right to exclusive possession of the earth, and thus absolute dominion over others. In California, land titles go back to the government of Mexico, which took them from the Spanish King, who took them from the Pope. The Pope, by a stroke of the pen, divided lands—yet to be discovered!—between Spain and Portugal.

In a word, ownership of land rests upon conquest. Everywhere, there is not a right that binds, but a force that compels. And when a title rests only on force, no complaint can be made when force annuls it. Whenever the people, having the power, choose to annul those titles, no objection can be made in the name of justice. People have had the power to take or hold exclusive possession of portions of the earth's surface. But when and where did there ever exist the human being who had such a right?

The right to exclusive ownership of anything of human production is clear. No matter how many hands it has passed through, at the beginning there was human labor. Someone produced or procured it by exertion, thus gaining clear title to it against all the rest of mankind. That person could justly pass it from one to another by sale or gift.

But at the end of what string of transfers or grants can we find, or even suppose, a similar title to any part of the material universe? To improvements, such an original title can be shown. But this is a title only to the improvements, and not to the land itself. If I clear a forest, drain a swamp, or fill a bog, all I can justly claim is the value given by these exertions. It gives me no right to the land itself. I

have no claim other than my equal share with every other member of the community toward the value added by the growth of the community.

But it will be said: There are improvements that, in time, become indistinguishable from the land itself. Very well, then the title to the improvements becomes blended with the title to the land. The individual right is lost in the common right. It is the greater that swallows up the less; not the less that swallows up the greater. Nature does not proceed from humans, but humans from nature. And it is into the bosom of nature that we and all our works must return again.

Still, it will be said: Everyone has a right to the use and enjoyment of nature. In order to gain the full benefit of labor applied to land, a person must have the exclusive right to its use. There is no difficulty, however, in determining where the individual right ends and the common right begins. A delicate and exact test is supplied by value. With its aid, there is no difficulty in determining and securing the exact rights of each, and the equal rights of all. This can be determined, no matter how dense population becomes.

The value of land, as we have seen, is the price of monopoly. It is the relative, not the absolute, capability of land that determines its value. No matter what its intrinsic qualities may be, land that is no better than other land that can be had for free can have no value. The value of land always measures the difference between it and the best land that may be had for free.

Thus, the value of land expresses, in exact and tangible form, the right the community has in land held by an individual. And rent, therefore, expresses the exact amount an

individual should pay the community to satisfy the equal rights of all other members.

We now have a method to reconcile the stability of tenure, required for improvement, with a full and complete recognition of the equal rights of all to the use of land. We can concede the undisturbed use of land to priority of possession—if we collect rent for the benefit of the community.

What of the deduction of a complete and exclusive individual right to land from priority of occupation? That is, if possible, the most absurd ground on which land ownership can be defended. How can order of occupation give exclusive and perpetual title to the surface of a globe on which countless generations succeed each other! Did the last generation have any better right to the use of this world than we? Or those of a hundred years ago? Or of a thousand years ago?

Does the first person to arrive at a banquet acquire the right to turn back all the chairs and claim that no other guests can eat the food unless they agree to the first person's terms? Does the first person with a ticket at the theater have the right to shut the doors and have the performance go on for him or her alone? Does the first passenger who enters a railroad car obtain the right to scatter baggage over all the seats and force all subsequent passengers to stand?

These cases are perfectly analogous. We arrive and we depart. We are guests at a banquet continually spread, spectators and participants in an entertainment where there is room for all who come. We are passengers on an orb whirling through space. Our rights to take and possess cannot be exclusive. They must be bounded, everywhere, by the

equal rights of others.

A passenger in a railroad car may spread baggage around only until other passengers come in. So may settlers take and use as much land as they choose, until it is needed by others. This fact is shown by land acquiring a value when the initial right must be curtailed by the equal rights of the others. But no priority of appropriation can give a right that will bar the equal rights of others. If this were not the case, then—by priority of appropriation—one person could acquire the exclusive right to a whole township, a whole state, a whole continent. If one could concentrate the individual rights to the whole surface of the globe, that person alone of all the teeming billions would have the right to live, and could expel all the rest of the inhabitants.

In point of fact, this absurd supposition actually does occur, though on a smaller scale. I will refer to Britain only because land ownership is more concentrated there, and it affords a striking illustration of what private property in land necessarily involves. But it is true everywhere, including the United States. The territorial lords of Great Britain have, over and over again, expelled the native population from large areas. People, whose ancestors had lived on the land from time immemorial, have been forced to emigrate, become paupers, or starve. The vast body of the British people and their subjects are forced to pay enormous sums to a few—for the privilege of being permitted to live on the land they so fondly call their own.