

CHAPTER VI

THE RIGHT TO THE USE OF THE EARTH

THE dry superficial area of the earth being the only medium through which external nature becomes accessible to man ; being not merely his only foothold and resting-place, but also the means through which he obtains access to all the matter which he, through the exercise of his faculties, changes into objects fit to satisfy his desires and maintain his life,—it follows that freedom to use the earth is the indispensable condition for the exercise of man's faculties and the maintenance of his life. Hence the right to the use of the earth is a natural right, the denial of which involves the denial of the right to the exercise of any faculty, that is, the denial of the right to live.

The right of any one to the exercise of his faculties being limited only by the equal right of every one else, the exercise of any faculty being dependent upon the use of the earth, it follows that the right of any one to use the earth is limited only by the equal right of every one else. The natural right to the use of the earth, therefore, is an equal right, inherent in all. If there were only one man upon this earth he would obviously be free to use the whole earth ; the right of any second man to do the like must be equal to that of the former. Nor can further multiplication bring about any change in this relation. Of all the millions inhabiting the earth to-day, each is free to use the whole earth or any part of it, provided he infringes not the equal right of any other man. And conversely, it is equally true that

no one of them may so use the earth as to prevent any other from similarly using it. For to do so implies a claim to greater opportunities for the exercise of his faculties than others can enjoy.

The earth, therefore, is the common property of all men—the common property of all now living men, subject to the equal rights of all succeeding generations. For just as the human beings now living are dependent upon the use of the earth for the exercise of their faculties and the maintenance of their lives, so will succeeding generations of men be dependent upon the same condition for the maintenance of their lives. A baby which will be born to-morrow or next year or a century hence, therefore, will have, in its turn, the same right to the use of the earth as any one now inhabiting the earth. No arrangements made, even with the consent of all living men, can deprive any member of any future generation of his or her equal rights to the use of the earth. Likewise no arrangements made by past generations, even if all their members had consented to them, can deprive any one now living of his equal right. For every such arrangement, if enforced, would offend against the law of equal freedom, would deprive some of their right to an equal opportunity for the exercise of their faculties and the maintenance of their lives; would run counter to the law, that each adult shall experience the consequences of his own acts, and would do all this at the dictation of some past generation, making them the masters of all subsequent generations.

Justice, therefore, condemns private ownership of land. For if one portion of the earth's surface, however small, may justly be made private property, then all portions may equally be made private property, and consequently the whole earth may be made the private property of some men. As private property of any portion of the earth involves the right of exclusive use of such portion, the private ownership of the whole earth likewise involves the right of exclusive use of the whole earth. All non-landowners, under this condition, would have no right to the use of any part of the earth, would have no right to live upon it. Being here on sufferance only, being

dependent upon the permission of the landowners for an opportunity to maintain their lives, the landowners may deny them such permission without any infraction of justice. As mere trespassers on the earth, the owners of the earth may justly hunt them off the earth, *i.e.* condemn them to immediate death. If, then, the whole earth can justly be made private property—a proposition involved in the claim that a part of it may be made private property—the law of equal freedom is denied. For even if the owners of the earth were habitually to permit of its use by all others, the latter would have no right to such use—would be dependent upon such permission for the exercise of their faculties and the maintenance of their lives. Obviously, those who are dependent upon the permission of others for the exercise of their faculties and the continuance of their lives, cannot have equal freedom with these others. On the contrary, the others are absolute masters, and they are slaves without any rights.

Though the whole earth has not yet been made private property, the most valuable parts of the earth have been so appropriated. As a consequence vast numbers of human beings in every civilised country are deprived of their equal right to the use of the earth, are dependent upon the permission of others for the use of any opportunity to exercise their faculties and maintain their lives. The conditions which would arise if the whole earth were privately owned have actually arisen in civilised countries through the private ownership of all the land of such countries. For though elsewhere there is yet land not privately owned, it is too distant or too little productive to enable the majority of non-landowners to escape from the conditions prevailing in their country. In every civilised country the majority of the non-landowners, therefore, are deprived of their right to use their faculties for the maintenance of their lives, while amongst the landowners themselves there prevails the greatest disparity of right. A few, owning more or less extensive areas of valuable land, enjoy opportunities far in excess of what equity could assign to them; the majority, owning small areas of little value, enjoy opportunities of less

extent than equity would assign to them. What justice requires, the recognition of the right of all to equal opportunities for the exercise of their respective faculties, is absolutely denied in all civilised countries.

This denial of justice, this abrogation of fundamental rights, has arisen, exists, and continues to exist, not in spite of the State, but through the direct action of the State. As will be shown in the next chapter, the State, by a consistent course of force and fraud, has created private property in land, and now maintains it by force. Were it not that police and soldiers are ready to enforce the claims of private owners, the institution of private ownership could not maintain itself. Men cultivating or otherwise using the land would not for long continue to pay others for the privilege of doing so, if the State did not force them; still less would men, seeking for an opportunity to maintain their lives, allow vast areas of valuable land to remain unused while they must starve.

The State, therefore, is not merely guilty of neglecting one of its fundamental duties in allowing private property in land to continue; it commits the positive wrong of maintaining this unjust condition. Yet, as it is the primary duty of the State to maintain justice, to prevent any infringement of the equal rights of all its members, the State is bound to frame and enforce regulations which will safeguard the equal right of every one of its members to the use of the national land. Nor would it be difficult so to do. The opportunity which any piece of land offers for the exercise of faculties is measured by its value; the product of the exercise of faculties on any piece of land is measured by the value of such produce minus the rental value of such land. The land offering the least valuable opportunity which must be used, having no rental value under natural conditions, the rental value of all superior land is the measure of the superior opportunity inhering in it. The State, taking for common purposes the annual rental value of all land, would equalise all natural opportunities and maintain the equal right of all to the use of the land. All would have an equal opportunity to use any part of the land, and those who obtained the privilege

of using superior opportunities would pay full compensation to all others for the special privilege accorded to them.

An illustration will make this clear. A father leaves to his three sons, in common, property consisting of three houses of unequal value. Each of the sons wants to inhabit one of the houses, and the question arises, how is the common right of all three to be maintained while according to each the use of a house. They decide the issue in this way. Each of them makes an offer of what rent he will pay for the use of one or more of the houses. When the offers are compared, it is found that the highest rent offered for the largest house is £150, and is made by the eldest. He, therefore, is accorded the use of this house. The next eldest offers the higher rent for the second house, £100, while the youngest son has offered a rent of £50 for the smallest house. They are, therefore, granted the use of these respective houses. The rent for the three houses, £300 in all, is placed in a common fund, and is equally divided between the three, each of them receiving £100. Obviously this method safeguards the equal right of all of them, without any interference with the freedom of any.

That the equal right of all the members of the State to the use of the land may be similarly safeguarded, that such a system may be carried out without any interference by the State with the individual use of land, and while fully maintaining the individual ownership of any improvements placed on the land, will be fully shown in Part V., when dealing with what is known as the Single Tax proposal. For the present purpose it suffices to have shown that justice cannot recognise any private property in land, and imperatively demands that the State shall restore to every one of its members his natural inherent and equal right to the use of the earth.