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Introduction

The current, mainstream libertarian view regarding land ownership is fatally flawed. The view, embodied in the writings of Murray Rothbard as well as the Libertarian Party's National Platform, is that the first users of land, followed by their assigns or heirs, own the land completely and eternally^{1} (though I can't say I've heard any of my fellow libertarians offering to return their land to the descendants of Native Americans). More to the point of this essay, most libertarians respond to the idea of a *tax* on land value the same way they respond to the idea of a tax on anything—by, as a friend of mine says, chanting the mantra "taxation is theft." But what if the tax were actually a way of taking *stolen* money and returning it to its *rightful* owners? In that case, it would not be theft, but its prevention. And if that is the case, then the *absence* of such a tax permits a form of theft that is both ongoing and potentially enormous, occurring with the mailing of every rent check, and with every land transaction. And that is precisely the case I hope to make in this essay.

But before we can reasonably talk about the theft of something, we must determine who its rightful owners are. And to do that, we must first talk about the basis of property rights. That will be the subject of the next chapter. For now, let me simply state that the overwhelming majority of libertarian philosophers throughout history have maintained that land —

which no one created, and which is a *sine qua non* of human existence — is a unique type of property, and can be "owned" (free and clear) *only* when as much and as good free land is available to all — the "Lockean Proviso"^{2}." But the day has long since passed when land of *any* quality was free for the taking, and most libertarians today are largely unaware of this caveat historically attached to outright land ownership.

Land is like oxygen

To give a sense of the classical liberal view of land, consider an analogy with the liquefaction of atmospheric oxygen. Currently this is done on a minuscule scale, with liquid oxygen being used in medicine and industry. But what if, for example, a group of people began liquefying and storing it *en masse* in order to create an atmospheric shortage (admittedly a farfetched example), so that everyone else would have to pay them for bottled oxygen, just to be able to breathe?



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Throughout history, classical liberals have viewed land the same way you and I view atmospheric oxygen; it's Nature's (or God's) gift to all humanity, and people who'd attempt to grab it all not to use for themselves, but in order to charge others for access to it, would be guilty of the grandest theft.

Just as all people are entitled to the oxygen they're using so long as their use does not infringe on the equal rights of everyone else, so are all people entitled to the land they're actually using, so long as that claim doesn't infringe on anyone else's equal right to the use of land.

This essay represents the culmination of my efforts to explore the roots of the question of how we should "manage" natural resources. Rather than being just a series of linear arguments, it is also partly an anthology, in which I've presented, analyzed and compared the views of libertarian greats throughout history. Thus, much of it is repetitious. But from my experience, the topic is so rich that going over the same ground, but coming from slightly different angles, is instructive, because the ground may seem unfamiliar, and it's only through much thought and many visits that one begins to see it clearly and fully. An example of the topic's richness: it has drastically reshaped my thinking on subjects seemingly unrelated to our system of land ownership, such as minimum wage legislation, and the relative viability of organic vs. factory farming. (Both of these relationships

will be mentioned in this book, though one would have to read carefully to find them.)