

An Immodest Proposal

(Being an Abridgement)

By GEORGE B. BRINGMANN

In this asylum they call me "The Mumbler," and I suppose with good reason. But there was a time when I did not stutter. I resort now to the written word to express my thoughts, the spoken word having failed me in the courts of law. I would rest my case with you, The People, my last court of appeal.

To begin, I have been adjudged insane and have been separated from the society of my fellows because of no violent or unsocial act but because of an economic idea conceived by me. It was to bestow this boon upon mankind that some time back I went to court for the necessary authority. It was there that clever lawyers succeeded in confusing my hitherto clear and orderly speech.

I think it was in the summer of 1939 that this stupendous concept came to my inordinately active brain. I was lying on my back, watching the clouds through the branches of a beech tree, when I became overwhelmed by the magnitude of space from that fixed and conscious point. As I speculated on the astronomical figure approximating the depth of the heavens, a black tree ant fell from a branch upon my face. I brushed off the insect and idly watched it move rapidly away. It crawled to a sign tacked to a post some twenty feet from where I sat. I knew the sign, having fastened it to the post less than an hour ago. It read: "FOR SALE," and referred to a quarter section of Louisiana farm land left me by an agrarian grandfather, the last piece of real property to which I had title. I think I had viewed the future when, money from the expected sale having been spent, I would be faced with a personal financial problem for the first time in my sixty years. I'd have to go to work.

I recall again giving my attention to the clouds. Suddenly I visualized the image of a "FOR SALE" sign in

the heavens. Then came my great idea, at first hazily, as do all great thought contributions. Briefly: now that the air above the earth was used by man in commercial intercourse and communication, why was not title permitted to parcels of air, comparable to title to tracts of land, the solid surface?

Land being considered wealth by many, and evidences of wealth by more, and all agreeing to its having value in use and value in exchange, then to give value in exchange to air which already enjoyed value in use would open up a new field of riches. Of course, I know that economists consider air and water, as well as dry surface, under the term "land." What of it? Let them reconsider it! People bound by an economic system limited to the planet earth would have a new economic sphere limited to the extent of the universe. This was economic liberation! The new frontier!

My rationalizations foresaw that if one million dollars of wealth could be produced by employing three factors—land, labor and capital—then to add a fourth factor would increase the production thirty-three and one-third per cent. If one inclined toward including the entrepreneur as a fourth factor, air acting as the fifth would increase production twenty-five per cent. To that school of economists (generally employed by the State) which included government as a factor along with land, labor, capital and the entrepreneur, the inclusion of air in their reasoning would increase production a neat twenty per cent.

Having so conceived a new vital factor, I petitioned the State through the courts to allow me to be the first to file claim to that area of air or space over the States of New York, New Jersey, Pennsylvania, Ohio and Illinois.

My first petition was thrown out of court by a short-sighted judge. I filed again. Again I was prohibited

from arguing my claim. For the third time I filed suit. In this attempt I was likewise unfortunate. Instead of being granted a day in court on the virtues of my claim, I found myself defending my sanity. But it turned out that in this endeavor I could introduce justifications for my civil claims.

I recall the State's Attorney asking me: "By what right do you file claim to areas in the heavens?"

"The right of discovery!" I barked.

"Discovery?" The State's Attorney turned to the Judge as if to say, "Why go further? The man is mad."

"There is nothing novel about claiming discovery of something that has existed for ages. Christopher Columbus and other explorers are credited with discovery, yet the territories they "discovered" were inhabited by men for thousands of years."

"But . . . that was different."

"Different as to element but not as to fact. The court recognizes title to land, yet title to land hasn't the ethical and moral justifications of my claim to clear title of a tract of air."

"In what way?" (This from the judge.)

"My claim in no way employs force to make it valid. Almost invariably you will find that titles to land rest upon confiscation by force or fraud, conquest and the like. I myself hold a quarter section of land to which I have no moral right. The title rests upon force. I remember the red men."

"I protest," said the State's Attorney. "There have been several instances of purchase. Title to that which is purchased in good faith has a basis in ethics. Your grandfather's purchase?"

"As to purchase being a basis for title—the law does not think so in the case of a purchase of an automobile, a watch or a horse stolen or taken by force. Purchased in good faith, the stolen article and

title to it is returned to the original owner."

Mr. State's Attorney sat down, then jumped to his feet. He leveled a finger at me. "And who would you suggest as the original owners of land if all titles to it are based upon force or fraud? Besides, there is a limitation of . . ."

"No limitation of a felony is just. Has justice as applied to theft and robbery a time limit? A wrong act of yesterday is wrong today. Tradition and habit do not justify it. And may I remark that the State's Attorney seems to have gone afield. I am being tried here for my alleged lack of sanity. I would defend it. Here I would not attack ownership of land. I own some. But I submit that claims to tracts of air over land are more ethical and just since they do not involve force but are mere legal permissions per se."

His Honor leaned forward. "I take it that what you seem to think will benefit everybody will also benefit you particularly. Is there not intent for personal gain? You would make that air allotted to you by grant a source of income by obliging men to pay to breathe?"

"True," said I. "My lack of altruism is no different from staking a claim to land. All of us have self-interests. As to charging men for the breath they draw . . . while it is far-fetched, I grant it has possibilities as a source of income. This aspect of my claim does not differ essentially from charging men to stand, to walk, to sleep, to work. Both elements (air and land) are absolute prerequisites to life. What man can live without land, or, if you will, without solid surface? All men are required to pay for that necessity. In fact, there is not a thing we use, from the sandwich on the court stenographer's desk to the gavel on the bench, which did not originate in land, the ownership of which gives some a source of income by the legal right to charge rent."

The judge plucked his lip and sat back nearly out of sight. The State's Attorney took up the cudgels.

"In what way would you derive an income were a grant of this Jules

Verne variety to be given you?"

"There are airplanes traveling the air, also messages and entertainment. These are required by government to be licensed at a fee which, termed otherwise, is in effect no less than charging for the use of air."

The State's Attorney leered into my face. "Don't you think that the air over the States of New York, New Jersey, Pennsylvania, Ohio and Illinois is a much too modest portion to be allotted to one of your great intellect?"

"My claims are modest indeed, purposely so."

"Your Honor, I contend such a statement proves this man is mad."

Several of the spectators called: "Let him speak!"

"If my inquisitor pleases, the area is indeed modest. It is comparable to grants given William Penn. When communication is swift, distances from point to point, while mathematically the same, are not so great when measured in hours."

"You are clever," said the State's Attorney. "Yet, when obtaining a grant of land from the State, you are required to do a certain amount of improving in a definite period of time. Railroads, for instance, were granted land for the construction of their lines, and much surrounding terrain to help defray the expenses involved. How would you propose to improve this . . . grant of air area?"

"I'd do what the railroads did, and I'd exact a toll from lines already in existence. By dangling lower rates to prospective competitors of these established lines, I'd bring more users into the field. And, lest we overlook an important fact, in charging for the use of air area there would, as in the case of land, be an added necessity on the part of those producing to meet the rates imposed. Production would have a new impetus!"

The State's Attorney whirled and faced the judge. "Ah! He admits that what would be collected by owners of air area would come from production. That is unsocial and . . ."

"And in no way different from the

rent paid for the solid surface area of land," I added.

"Do you mean to suggest that you would, by ownership through title, mulct the people, the taxpayers who support the State, of what they produce?" He glowered at me.

"I do not propose to mulct. There would be no compulsion to use my air any more than there is compulsion to use my land surface. If one enjoys the sanction of law, reason dictates that the other element must not be penalized with prohibitions. As to payment for land coming from production, does the court entertain notions that surface rent comes from any other source? There is no other source. Yet they are considered justly rich, legally rich, who have land. Would it not be a social boon to permit ownership of air so that more may be wealthy? I, as did William Penn, would sell portions of my grant. In that way many might enjoy riches and leisure."

"What would you think of an alternative plan that gave to each man legal title to an arithmetically equal area of air?"

"That would be a stupid arrangement requiring constant readjustment as the population increased or decreased. It would confuse titles and sales and would precipitate an economic disaster the like of which European countries and their hop-head arithmetical agrarians have promoted. Further, it is obvious that there are some sections of air areas, as there are surface areas, which are more desirable than others. These have greater value in use and so in exchange. All men would want their shares to be from the cream, as it were—like that area to which I filed claim. No. Dividing air area arithmetically is nonsensical."

"Perhaps you are right. But would it matter to lives yet to be born were your air area divided arithmetically, or all taken up by claim? Would not all new babies be deprived of an almost natural right to breathe free of charge?"

I was afraid of the question. Speak

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of babies and sentiment immediately takes the place of reason. I weighed my every word.

"Title to land denies the same right to unborn lives. For ages it has been deemed just and legal. I merely plead if that is just, then title to air area is also just. Yet men who cannot pay rent, and are thus supposed by law to live without the use of land, are not thrown into the sea. They go into the streets and roads reserved by the State for common use. Why cannot the State set aside similar areas of air, namely, that air area over streets and roads?"

And so it went . . . for three days of questions and answers, with my-

self getting far the better of the situation. But my tired body and over-taxed brain began to show signs of fatigue. My speech was reduced to mumbling, my legs and hands shook, and at night when I had a chance to rest I dreamed with open eyes of looking up through the branches of a beech tree into the cerulean blue where a sign reading "FOR SALE" mocked me.

On the fourth day the judge halted the proceedings abruptly and arbitrarily confined me to this place of dead minds from which I write.

Will those to whom I appeal be blinded by the solidness of my plea, or will they be aware of the implication of injustice this mumbling idiot presents?