

Editor's Introduction

GLOBALLY, change is in the air. Governments accept the need for some kind of a restructuring of the economic rules, and are largely driven to this position on ecological grounds. The material and cultural impoverishment of the largest section of the world's population has not become an overriding reason to review the rules of politics. Nonetheless, people are fervently engaged in a discussion on how to reshape the world order to a more or less degree.

Religions need to be more deeply engaged in this discourse. Arguably, spiritual leaders are best placed to offer the disinterested leadership which disputing groups need if a common language is to be defined as the first step towards a new social compact. But theological language may be part of the problem that first needs to be clarified. Sir Kenneth Jupp, for example, reminds us that the sacred texts on which three of the great religions rely are no longer correctly designated. The Old Testament was actually called the Old Covenant. That covenant was the first recorded land deal between God and a nation. Strings were attached to the land deal. Was it a pure accident that *covenant* was mistranslated as *testament*?

The Old Covenant embodied Near Eastern practices on indebtedness and landlessness. The priests and princes of the earliest civilisations understood that, to ensure a balanced society, they needed to employ a mechanism for cancelling non-commercial debts and restoring land to its original users. These traditions find their theological expression in Leviticus. Today, the popular discussions on debt fail to draw on the theological texts; and people are almost totally silent on the issue of land restoration.

Dr. Michael Hudson addresses the modern problem of debt in terms of the obligations of the churches and contemporary experiments in reform are evaluated by Geoffrey Lee and Dr. Francis Smith. How successful have they been without the benefit of the principles enshrined in the Old and New Covenants? What are the modern equivalents of the biblical teachings on debt and landlessness?

In England, the last attempt at bringing balance to a disturbed society by means of restoring land took place in the 12th century. Civil war between 1135 and 1153 had created a state of anarchy. When he acceded to the throne, Henry II investigated recent (*novel*) violent dispossessions (*disseisins*) of landholders. This was how he came to invent England's common law.

The judges were to ask local juries what occupants of land were believed to have committed *disseisins* of free men from their free holdings "unjustly and without the judgment" of a court. Those whom the juries indicated were then evicted and fined. Later, in the mid-1170s, any dispossessed freeman could seek a writ from the Royal Chancery to initiate a court case against the alleged dispossessor. The circuit judges, when they came around to hear cases of *novel disseisins*, would seek verdict from local juries in order to adjudicate the cases ... in this way, England came to have a system of royal justice, the common law, which embodied a set of principles and procedures that, if not unique, was perhaps more highly developed in England than elsewhere.¹

Unfortunately, this encouraging start to what has become the common law tradition was not to fulfil its promise. The past 800 years has seen the systematic erosion of people's fundamental rights to land. In fact, there is now a striking amnesia in the collective consciousness of free-born Englishmen over their birthright. Every right under the sun is now enshrined in law, except for the right to land. Examine any manual on people's rights today, such as the one edited by Philip Alston, and you will not stumble across a review of human rights in land of the kind that might have made sense to the people who lived in the time of Henry II.²

BOLD STATEMENTS are now being asked about the nature of power and the global distribution of income. But the issues are too often framed in incoherent language, which dooms debate to sterile outcomes. An example is the opening speech at the Johannesburg Earth Summit in August.

South African President Thebo Mbeki employed all the key words that are fashionable with environmentalists and those who seek justice for the impoverished populations of the world, but the thrust of the speech merely consolidated prejudices and those policies that are responsible for poverty and the depletion of nature's resources.

Mbeki censured the global system as driven by "the survival of the fittest", which needed to be reversed by the rich nations giving more to the poor countries.³ In fact, the rich nations like the US are the least fit in the world today. They are consuming the resource

base on which they depend for survival. To achieve this suicidal outcome, Western governments employ policies that disclose the weaknesses in their economic doctrines. For example, according to a study published in the journal *Science* (August): "Globally, the subset of subsidies that are both economically and ecologically perverse total between \$950bn and \$1,950bn each year". The core of the doctrinal failure is the system of taxation employed by those countries, which undermines the strengths of the entrepreneurial wealth-creators, and strengthens the parasitic propensities which weaken the fabric of society.

The sustainable populations are those that at least live in balance with their resource base. With the end of any civilisation, the survivors are the peasants who work the land. Those who live in opulence disappear. Mbeki, by characterising the US and Europe as the fittest, endorses the idea that these countries are in some sense superior. This places the materially poor nations at an immediate psychological disadvantage. So they become supplicants seeking the crumbs from the table of the rich. This, in turn, prejudices the way poor nations frame their development policies. They annexe their economies on to those that are driven by unsustainable policies, which is a recipe for total failure all round.

There is no reason why the so-called poor countries should remain dependent on others. Take the issue of indebtedness. Why borrow from the West to build the infrastructure of the South, when such infrastructure is self-financing? With the correct fiscal policies in place, we would see how such investment could pay for itself. In other words, the poorest of nations could be self-sufficient, relying on their internal resources to accelerate a balanced growth that was grounded in policies that respected the principles of equity and efficiency.

In brief, we are alluding to the internal mechanism that drives what is fashionably called *sustainability*. That condition will not be achieved on the basis of the language employed by spokesmen such as Mbeki, and many of the otherwise articulate leaders of the global charities that are seeking to alleviate suffering. Fortunately, some thinkers are on the right track. One of these is Herman Daly, who includes in his definition of sustainability the concept of sharing resource rents through the public sector.

But a few authoritative voices is not sufficient to shift the Western mind-set. We need to explore the parameters of a new paradigm to enable people to grasp a new vision in its totality. Fiscal reform is a central feature of that new paradigm, which includes the sharing of

resource rents on an egalitarian basis. That land taxation was not entirely alien to political thinking in the 20th century is evidenced by the efforts of Louis D. Taylor to introduce it into the governance of Vancouver, British Columbia, a story recalled in this issue by Mary Rawson.

But we have to stress that change will not come about on the strength of random reviews of concepts or case histories. Something far more profound is needed. To achieve a consistent and systematic adoption of new fiscal and institutional approaches that embrace the problems of debt and land, we need a general reawakening of understanding in the social sciences. This theme is addressed by David Smiley. The amnesia that has afflicted social scientists over the past century is a story that has shocking epistemological implications; which will invite the rewriting of scholastic credentials when all the facts are in the public domain.

AN AWARENESS is emerging among some of the international institutions on the need to structure reforms in a way that integrates the way we use land, and distribute its benefits. Habitat, the UN agency specialising in human settlements, adopted an important declaration in its *Goals and Principles, Commitments and Global Plan of Action* (Habitat II: Istanbul, 3-14 June 1996). Chapter IV includes the following:

(c) Ensuring access to land

75. Access to land and legal security of tenure are strategic prerequisites for the provision of adequate shelter for all and for the development of sustainable human settlements affecting both urban and rural areas. It is also one way of breaking the vicious circle of poverty. Every Government must show a commitment to promoting the provision of an adequate supply of land in the context of sustainable land-use policies. While recognising the existence of different national laws and/or systems of land tenure, Governments at the appropriate levels, including local authorities, should nevertheless strive to remove all possible obstacles that may hamper equitable access to land and ensure that equal rights of women and men related to land and property are protected under the law. The failure to adopt, at all levels, appropriate rural and urban land policies and land management practices remains a primary cause of inequity and poverty. It is also the cause of increased living costs, the occupation of hazard-prone land, environmental degradation and the increased vulnerability of urban and rural habitats, affecting all people, especially disadvantaged and vulnerable groups, people living in poverty and low-income people.

Under *Action*, the document specifies the following in section 76:

76. To ensure an adequate supply of serviceable land, Governments at the appropriate levels and in accordance with their legal framework should:

- (a) Recognise and legitimise the diversity of land delivery mechanisms;
- (b) Decentralise land management responsibilities and provide local capacity-building programmes that recognise the role of key interested parties, where appropriate;
- (c) Prepare comprehensive inventories of publicly held land and, where appropriate, develop programmes for making them available for shelter and human settlements development, including, where appropriate, development by non-governmental and community-based organisations;
- (d) Apply transparent, comprehensive and equitable fiscal incentive mechanisms, as appropriate, to stimulate the efficient, accessible and environmentally sound use of land, and utilise land-based and other forms of taxation in mobilising financial resources for service provision by local authorities;
- (e) Consider fiscal and other measures, as appropriate, to promote the efficient functioning of the market for vacant land, ensuring the supply of housing and land for shelter development;
- (f) Develop and implement land information systems and practices for managing land, including land value assessment, and seek to ensure that such information is readily available;
- (h) Consider the adoption of innovative instruments that capture gains in land value and recover public investments ...

Such statements are important, but insufficient. We stress that the fundamental problem is one of comprehension. This takes us back to the primacy of philosophy in the educational curriculum. Science has delivered magnificently, but humanity now needs to reawaken its ability for plain thinking.

- 1 William Chester Jordan, *Europe in the High Middle Ages*, London: Penguin, 2001, p.153.
- 2 Philip Alston (ed.), *Peoples' Rights*, Oxford: University Press, 2001.
- 3 Charles Clover, "Mbeki attacks US over survival of the fittest", *Daily Telegraph*, August 27, 2002.

References