

## CHAPTER II.

### AXIOMS AND ASSUMPTIONS IN REFERENCE TO LAND.

**127** *Some important propositions relating to land*, described in terms suggested by judicial rulings on public health in the legal cases previously mentioned. Propositions relating to land

i. The due regulation by law of the use of the land within the government's jurisdiction is indispensable to the public welfare, for so only can the natural rights of all the people be secured.

ii. Hence government cannot deprive itself or be deprived of the power to regulate the use of land at any time and in any manner that is adapted to secure to all the people their natural rights—*i. e.* such power cannot in any manner be suspended or abdicated or otherwise alienated.

iii. Under the laws that at any time exist individuals may acquire property in land, which must be respected by their fellows, and such property, according to its nature as determined by existing law, they may use or abuse, sell, donate or devise, substantially as they please.

iv. But no property in land can be acquired except subject to the limitation that it may at

any time be qualified or destroyed at the will of the legislature, expressed in general laws applying to all the land within the jurisdiction.

The conclusion to be drawn from these propositions is :—

v. That no man now has any property in land which cannot rightfully be qualified or destroyed without compensation by general laws designed to regulate the use of land.

The arguments on which these propositions are founded.

. 128 *The bases or arguments on which these propositions are founded.*

i. Land is literally indispensable to life. The right of life therefore involves a right to land, title to which vests at birth, and by the fact of birth, in every human being. Such right as against all other human beings, like the right to life, has no limit except such as the equal correlative rights of others impose.

ii. Land varies in fertility, salubrity, accessibility, and generally in desirableness. Laws therefore securing to some men as absolute property the best parcels of land are unjust inasmuch as the natural right of other men to the best parcels is as good as that of the favoured ones.

iii. The land within the jurisdiction of the government is limited in amount, and is therefore capable of full appropriation by some to the exclusion of others. Some men are then compelled to pay rent to others ; that is, they must surrender some portion of their property. The natural right of these to what they have acquired by the exercise of the powers and faculties with which nature has endowed them is in so far



impaired (since those others who receive rent are not put by the laws in the same predicament).

iv. The conclusion is :—

That absolute property in land as a legal institution is inconsistent with and destructive of the natural right to life, the natural right to liberty, the natural right to the fruit of one's exertions, the natural right to the pursuit of happiness.

Hence the land is not the rightful subject of absolute property, but its use and occupancy must be regulated by law. A material thing is not rightfully the subject of absolute property, if the appropriation of it by the exertion of one man's natural powers interferes with the equal right of other men to exert their natural powers.

**129** *An explanation of the grounds on which it is asserted, paragraph 128, (i.), that :—*

*Every human being has, as against others, a natural right to land, and that there is no limit to such right except that prescribed by the equal rights of other human beings.*

Explanation  
why every  
human being  
has a right to  
land.

Since all men have the same equal right to life, it follows that they must all have the same equal right to land. To deny the equal right to the elements necessary to the maintaining of life is to deny the equal right to life. As no law or custom or agreement can justify the denial of the equal right to life, so no law or custom or agreement can justify the denial of the equal right to land. It therefore follows from the very fact of their existence, that the right of each one to an equal share in the land is equal

and inalienable ; that is to say, that the use and benefit of the land belong rightfully to the whole people : to each one as much as to the other ; to no one more than to the other ; not to some individuals to the exclusion of other individuals ; not to one class to the exclusion of other classes ; not to landlords, not to tenants, not to cultivators, but to the whole people.

This right is irrefutable and indefeasible. It pertains to and springs from the fact of existence, the right to live. No law, no covenant, no agreement can bar it. One generation cannot stipulate away the rights of another generation. If the whole people were to unite in bargaining away their right in the land, how could they justly bargain away the right of the child who the next moment is born ? No one can bargain away what is not his ; no one can stipulate away the rights of another. And if the newborn infant has an equal right to life, then has it an equal right to land. Its warrant, which comes direct from nature, and which sets aside all human laws and title deeds, is the fact that it is born.

See Henry George's "The Land Question," Chapter V.