

PROPERTY IN LAND.

The *National Economist* makes the following extracts from John Stuart Mills' "Principles of Political Economy," as illustrative of its own views: –

"The essential principle of property being to assure to all persons what they have produced by their labor and accumulated by their abstinence, this principle can not apply to what is not the produce of labor – the raw material of the earth. If the land derived its productive power wholly from nature and not at all from industry, or if there were any means of discriminating what is derived from each source, it not only would not be necessary, but it would be the height of injustice, to let the gift of nature be engrossed by individuals. The use of land in agriculture must, indeed, for the time being be, of necessity, exclusive; the same person who has plowed and sown must be permitted to reap; but the land might be occupied for one season only, as among the ancient Germans; or might be periodically re-divided as population increased; or the states might be the universal landlord, and the cultivators tenants under it either on lease or at will....

"But, though land is not the produce of industry, most of its valuable qualities are so. Labor is not only requisite for using, but almost equally so for fashioning, the instrument. Considerable labor is often required at the commencement to clear the land for cultivation. In many cases, even when cleared, its productiveness is wholly the effect of labor and art. The Bedford level produced little or nothing until artificially drained. The bogs of Ireland, until the same thing is done to them, can produce little besides fuel. One of the barrenest soils in the world, composed of the materials of the Goodwin Sands, the Pays de Waes in Flanders, has been so fertilized by industry as to have become one of the most productive in Europe. Cultivation also requires buildings and fences, which are wholly the product of labor.

The fruits of this industry can not be reaped in a short period. The labor and outlay are immediate, the benefit is spread over many years, perhaps over all future time. A holder will not incur this labor and outlay when strangers and not himself will be benefited by it. If he undertakes such improvements, he must have a sufficient period before him in which to profit by them; and he is in no way so sure of having always a sufficient period as when his tenure is perpetual.

"These are the reasons which form the justification, in an economical point of view, of property in land. It is seen that they are only valid in so far as the proprietor of land is its improver. Whenever, in any country, the proprietor, generally speaking, ceases to be the improver, political economy has nothing to say in defense of landed property as then established. In no sound theory of private property was it ever contemplated that the proprietor of land should be merely a sinecurist quartered on it.

"When the 'sacredness of property' is talked of it should always be remembered that any such sacredness does not belong in the same degree to landed property. No man made the land. It is the original inheritance of the whole species. Its appropriation is wholly a question of general expediency. When private property in land is not expedient, it is unjust. It is no hardship to any one, to be excluded from what others have produced; they were not bound to produce it for his use, and he loses nothing by not sharing in what otherwise would not have existed **[R1170 : page 6]** at all. But it is some hardship to be born into the world and to find all nature's gifts previously engrossed, and no place left for the new comer. To reconcile people to this, after they have once admitted into their minds the idea that any moral rights belong to them as human beings, it will always be necessary to convince them that the exclusive appropriation is good for mankind on the whole, themselves included. But this is what no sane human being could be persuaded of, if the relation between the land owner and the cultivator were the same everywhere as it has been in Ireland.

"Landed property is felt, even by those most tenacious of its rights, to be a different thing from other property; and when the bulk of the community have been disinherited of their share of it, and it has become the exclusive attribute of a small minority, men have generally tried to reconcile it, at least in theory, to their sense of justice, by endeavoring to attach duties to it, and erect it into a sort of magistracy, either moral or legal. But if the state is at liberty to tread the possessors of land as public functionaries, it is only going one step further to say that it is at liberty to discard them. The claim of the land owners to the land is altogether subordinate to the general policy of the state to deprive them of it. To that their claim is indefeasible.

"To me it seems almost an axiom that property in land should be interpreted strictly, and that the balance in all cases of doubt should incline against the proprietor. The reverse is the case with property in movables, and in all things the product of labor. In these the owner's power both of use and of exclusion should be absolute, except where positive evil to others would result from it; but in the case of land no exclusive right should be permitted in any individual which can not be shown to be productive of possible good. To be allowed any exclusive right at all over a portion of the common inheritance while there are others who have no portion, is already a privilege. No quantity of movable goods which a person can acquire by his labor prevents others from acquiring the like by the same means; but, from the very nature of the case, whoever owns land keeps others out of enjoyment of it. The privilege, or monopoly, is only defensible as a necessary evil; it becomes an injustice when carried to any point to which the compensating good does not follow it.

"When land is not intended to be cultivated, no good reason can in general be given for its being private property at all; and if one is permitted to call it his, he ought to know that he holds it by the sufferance of the community, and on an implied condition that his ownership, since it can not possibly do them any good, at least should not deprive them of any thing they could have received from the land

if it had been unappropriated. Even in the case of cultivated land, a man whom, though only one among millions, the law permits to hold thousands of acres as his single share, is not entitled to think that all this is given to him to use and abuse, and deal with as if it concerned nobody but himself. The rents or profits which he can obtain from it are at his sole disposal; but with regard to the land, in everything which he does with it, and in everything which he abstains from doing, he is morally bound, and should, whenever the case admits, be legally compelled to make his interest and pleasure consistent with the public good. The species at large still retains, of its original claim to the soil of the planet which it inhabits, as much as is compatible with the purposes for which it has parted with the remainder."
