

If a land title is tracked back far enough, you will find a theft: enclosure of what was once common property. Or will you?

Some, however, would argue that if you track it back far enough, you will find land that was discovered for the first time and therefore had no owner. This line of reasoning will hold up well enough as long as it is accepted that land is not common property and can be owned like any other resource. If, on the other hand, it is recognised that land, like air, is common property, the conclusion must be that land can never be owned.

There was a time when all the land of England was held - not, strictly speaking, owned - by the Sovereign on behalf of all the people. As a legal fact that is still the situation. It is less than ten years ago that the same still applied in Scotland.

But even if one were to accept the ownership right was acquired by first occupation, and do not go along with the doctrine that the land is Sovereign property, which in many countries of the world it is not, it remains that case today that contemporary land titles are derived from and maintained by the state. It is the state who will assert and defend the rights of the title holder. "First enclosure" is meaningless without the guarantees that come from the state, that uphold the landowner's continued rights to exclusive occupation, today and for the future.

Otherwise, land rights have to be asserted by force. In which case if someone comes along and throws you off, you cannot complain.

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If one believes that land can be owned like any resource, then men can be owned and that makes slavery acceptable. On the same principle it would even be acceptable to own all the oxygen on the planet if some means could be found to enclose it by extracting it all. The company that succeeded in doing this, OXICORP INC, would be able to patent the technology - no doubt the US Patent Office would grant one. Then it would get very rich as the entire population of the earth would have to purchase the oxygen to stay alive. Imagine what a marvellous investment OXYCORP INC stocks would be!

What is the real worry about the issues raised over land rights? It is certainly an uncomfortable idea for those of a libertarian inclination. May I venture to suggest that many of us have a little bit of a personal interest in the matter? I must admit that I do. I have done very nicely out of the present system. But I am willing to accept that it is immoral and involves a theft.

We in the Campaign are realistic and accept that we are where we are and have to move forward. Nobody here is suggesting that land titles should be taken away from their owners or that land should be nationalised. But the old injustice continues as land value is something that is continuously sustained and re-created by the presence and activities of the community today. There is an ongoing theft as this value is privately appropriated. Our case is that the stealing of this ongoing wealth stream should stop, through collection of the rental value of and its use as the main source of public revenue. This would make it possible to get rid of that other institutional theft, the taxation of human labour and its products.