

The government is now driving through its proposals to criminalise squatting. We do not condone squatting but there are important principles at stake here.

Land ownership in England is at present nothing more than legalised squatting. All land is vested in the Sovereign, who holds it on behalf of all the people. After the Norman Conquest and the imposition of the feudal system, land was given to either noblemen or the church. The former holdings were conditional on the provision of knights, horses and the performance of other duties, whilst the ecclesiastical holdings were for the support of monastic foundations whose task was to pray the Office, teach, care for the sick, elderly and poor, and sometimes for other activities such as the maintenance of roads and bridges.

By the thirteenth century, weak monarchs had allowed the noble land holders to shuffle off their duties and the king then had to impose taxes. At the Reformation, the ecclesiastical holdings were taken back by the monarch and disposed off, sometimes fraudulently as in the case of the estate which had been held by Westminster Abbey and eventually became the Grosvenor Estate. The final round of land enclosure, under the parliamentary acts of 1760 to 1844, though technically legal was dubious nevertheless, since it involved the extinguishing of ancient land rights with paltry compensation.

Although that is in the past, the passage of time does not put right the original wrong, and we still have to live with the consequences. Land ownership arises and continues through the consent of the entire community. It is given force by the state through its protection of land titles, which is a right to secure occupation. This is as it should be, but it is unreasonable that this protection is enjoyed, effectively free of charge. Proposals to criminalise squatting are an enhancement of the protection given to holders of land titles at the expense of taxpayers at large, few of whom are outright owners of land.

Holders of land titles ought to pay for their protection through a national land rent charge. It is wrong for this cost to fall on the general community. Rights and duties should balance. The criminalisation of squatting needs to go hand-in-hand with the introduction of the land rent charge, as a replacement for other taxes.

Such a reform would largely get rid of the squatting nuisance. Property owners still have financial incentives to leave premises vacant for long periods. With a substantial land rent charge in place of our present taxes, there would be few vacant premises to squat in, and most potential squatters would neither need to or wish to squat.