P.S. to the NEWS

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THE NEW FEUDALISM

A highly reactionary objective has emerged as the goal of a growing coalition of lawyers, academicians, and politicians. Put bluntly, they are trying to eliminate the American concept of freehold private property and replace it with the discredited concept of "social property."

"Land use and control" is the euphemism that usually attaches to the proposals they are introducing into Congress and state legislatures with increasing frequency. Their effect would be to deprive individuals of their right to the free use of their own property, and to substitute Federal control, or sometimes state control.

That's not what the bills say, of course. They use the deceptively disarming language of the do-gooders. The bills may talk about the environmental, economic and social implications of developments of regional impact. They may talk about areas of critical state concern.

The bills may talk about areas having a significant effect on an existing or proposed public facility. They may talk about experimental development, or about areas of major potential. They may talk about the "partnership" of the government and the landowner.

Most of these land control bills are based on the assumption that the best brains are in Washington, and the second best brains are in the State Capitols. The end result would be more bureaucracy, more taxes, and less freedom.

These land use and control bills are really a reactionary revival of the medieval system called feudalism. That was a system that defined the relation of persons to land. The essence was that land cannot be "owned" by anyone; it can merely be held on a temporary basis subject to the overriding good of society.

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Feudalism served the needs of the Middle Ages and endured for some 600 years.

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It provided military security in an era of brigands and invaders. It promoted social stability and it curbed economic fluctuations. It imposed a well-understood system of mutual rights and responsibilities.·

The defect of feudalism was that it stifled individual liberty, productivity, and self government. Fortunately, by the time the colonists came to America, the English political theorists had rejected feudalism and accepted the theory that the purpose of government was to secure natural rights, among which was the right of the individual to own the land on which he labored.

Our Founding Fathers, raised in the intellectual climate of John Locke and William Blackstone, recognized individual freehold property as the central ingredient of liberty.

The fundamental premise of those promoting land use and control is the same as feudalism's, namely, that rights in land are not owned by individuals, but merely held at the sufferance of some superior. Big Brother in Washington has been nominated as the modern successor to the medieval monarch or feudal lord.

Sometimes the New Feudalists wrap their merchandise in the theory of the "public trust" -- the theory that the state holds public lands in trust for the public and that any attempt to sell these lands to private interests, or otherwise divert them to private use, will be viewed with grave skepticism.

It is important for Americans to understand that the basic concepts of individual liberty and self-government depend on a widespread ownership of private property. When the land controllers come forth with their modern retreads of feudalism, they should be told that they are out of step with the principles that built our great nation.

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