

**I**N THE SWISS federal court at Lausanne, some time soon, a civil action will be fought between a hotelier named Zimmerman and a group of Swiss families led by businessman Othmar Julen. At stake will be a large piece of property; a veritable mountain of real estate which the world knows as the Matterhorn.

To the 25,000 winter sports enthusiasts who throng its ski-slopes or climb its challenging faces every year, the Matterhorn is one of the natural wonders of Europe. Pointing over 14,000 feet into the Alpine sky above the resort of Zermatt, this towering pyramid of snow-covered rock must rank as one of the world's most famous mountain peaks.

But to Othmar Julen, the Matterhorn is not so much a peak as a pay-cheque. He and his family, with 20 other burgher<sup>1</sup> families of Zermatt, consider that they own it. And not just the Matterhorn; according to a report in the *Sunday Times Magazine*<sup>2</sup>, they also lay claim to the Breithorn, Castor and Pollux, the Lyskamm and Monte Rosa.

There is not much doubt that this breathtakingly beautiful area, world-wide favourite among winter sports devotees, is well worth owning.

- As landlords, the 21 burgher families control all development on and around the ski-slopes and have a monopoly on cable cars, lifts and restaurants.

- All profits from feeding and refreshing the climber — including coca-cola at £1.25 a time — accrue to them.

- From some of Zermatt's most luxurious hotels, from the town's water and electricity installations and from the £260m that tourists spend in the town every year, the 21 families take a hefty percentage.

- Their assets, amazingly for a small Swiss town, are estimated at £77m.

# Can money buy the Matterhorn?



by Bert Brookes

"We have always owned the mountains," Mr Julen declares. And of the Matterhorn in particular, he says, with conviction: "It's ours. Our families finished buying it by 1618 and nobody is going to take it away from us."

**T**HE OFFICIAL history of Zermatt bears out Mr Julen's claim. The whole area was given by King Rudolf III to the Count-Bishops of Sitten in 999. The Count-Bishops ceded it to feudal lords who, in turn, sold their rights to local families. In 1618, the families formed themselves into a unified association called the "Burgher-gemeinde".

In the early days, life for the burghers was no bed of edelweiss. They gained a frugal living from the land, farming sheep, goats and cattle. But in 1865, mountaineering arrived, the dramatic lift-off of winter sports followed and the fortunes of Mr Julen and his associates were laid.

Recently, a small cloud gathered over the business prospects of the Burgher-gemeinde. On the initiative of Mr Zimmerman, their title to the area is being challenged. Indeed, a local court has already found against Mr Julen and ruled that the Matterhorn belongs to "Zermatt as a whole". But Mr Julen is not disheartened. He is appealing to the federal court, and he insists: "Those are our mountains, and that's that."

No doubt Mr Julen sincerely believes the Matterhorn to belong to him and his associates. Their forbears bought it and no doubt they have an impressive title deed bearing the appropriate crests and seals.

*No matter that the Matterhorn, like every other particle of the Earth's surface, was here aeons of time before the remotest ancestors of King Rudolph and the 21 families swung from tree to tree.*

As far as they are concerned, they own it — provided they win their case in court. They own the Matterhorn just as, say, the first Lord Arran owned 360,000 acres of Ireland<sup>3</sup>; just as the Land Lords of London — the Grosvenors, the Cadogans, the Bedfords and the Howard de Waldens — between them own most of Marylebone, Bloomsbury, Knightsbridge, Chelsea, Belgravia and Mayfair<sup>4</sup>; and just as I and many readers of *Land & Liberty* own the few square feet of land on which stand our semi-detached houses or bungalows.

Yet Mr Julen must know, as Lord Arran and the rest of us must know, that the titles we hold to the land we call "ours" have no more substance than those which various crackpot organisations issue for plots of land on the Moon.

*No one in his right mind would argue that parts of the Moon's surface are capable of being owned by individual human beings. Is the Earth any different?*

**P**ERHAPS everything that needs to be said about land titles was said by Henry George in *Progress and Poverty*. He wrote:

"Consider for a moment the utter absurdity of the titles by which we permit to be gravely passed from John Roe to Richard Roe the right exclusively to possess the earth, giving absolute dominion as against all others. In California our land titles go back to the Supreme Government of Mexico, who took from the Spanish King, who took from the Pope when he, by the stroke of a pen, divided lands yet to be discovered between the Spanish or

## THAILAND

### Reds quit jungle for land

**M**ANY Communist guerrillas in Thailand are giving up their struggle.

The promise of land has lured them out of the jungle, where they have waged war against the government.

Since December, groups of up to 1,000 insurgents have been marching out of their hide-outs. Some of them explained that they joined the guerrillas when

government troops burned their homes during searches for communists.

One intelligence officer explained that these tactics are no longer used. And he said that the arrogance of officials, "corrupt police and greedy landlords" had always helped to strengthen the ranks of the Communists.

The Red army has drawn its strength from the hundreds of thousands

of landless farmers in the north east.

But some defectors are now complaining that the government has not kept its promise to give them land and houses. ●

● Colin Campbell, 'Many Thai Communists give up their long warfare in the Jungle', *New York Times*, July 4, 1983.

Portuguese — or if you please they rest upon conquest. In the eastern states they go back to treaties with Indians and grants from English kings; in Louisiana to the government of France; in Florida to the government of Spain; while in England they go back to the Norman conquerors. Everywhere, not a right which obliges, but to a force which compels. And when a title rests but on force, no complaint can be made when force annuls it. Whenever the people, having the power, choose to annul those titles, no objection can be made in the name of justice. There have existed men who had the power to hold or to give exclusive possession of portions of the earth's surface, but when and where did there exist the human being who had the right?"<sup>5</sup>

This uncompromising ridicule of titles to land is unanswerable; not one of us has any *moral* title to any natural resources we might claim to own.

But so accustomed do we become to society around us ignoring this fundamental fact that our perception of the incongruity — like the taste of water — fades. We come close to accepting that the practice of land being "owned" by individuals has somehow become hallowed by the mere passing of time; just as in English grammar, a common error can become "sanctioned by usage". Then, suddenly, a grotesque fantasy, such as a claim to own the Matterhorn, jolts us from our torpor.

For while the sanctioning by usage of a piece of corrupted English may unsettle the perfectionist, it has no effects outside the world of letters. It victimises no one; it enslaves no one; it sentences no one to pay tribute to others till the end of time.

In contrast, the commandeering of a piece of land does all of these things. Instead of granting the Matterhorn and the surrounding area to the Count-Bishops in 999, Rudolf III could just as effectively have issued them with a royal document decreeing that, in perpetuity, all people living and working in Zermatt should pay a levy to the Count-Bishops or their successors, a levy that would grow with the passing years until it became the lion's share of the wealth produced.

But whether the method adopted is the appropriation of land or the enforcement of a tribute, the common people are robbed of their possessions. It was, and is, a crime that moral law can never sanction, however long it has endured. That is the shameful significance of land ownership. Perhaps we should be grateful to Mr Julien and his associates for reminding us of these facts.

#### REFERENCES

1. Families of the bourgeoisie, usually wealthy. *Sunday Times Magazine*, 6 February, 1983.
2. *The Standard*, London, 28 February 1983.
3. *The New Standard*, London, 5-7 May 1981.
4. Henry George, *Progress and Poverty*, Centenary Edition, 1979, p. 342.

## ROUND THE WORLD . . .

# LAND IS A POLITICAL PROBLEM

**SPECULATORS** are the target of a new tax adopted by Singapore's government.

When the use of land is changed, 70 per cent of the increased value is taxed away.

"We have deliberately discouraged land speculation," explains architect William Lim. "We encourage free enterprise in all other areas."



● William Lim

There is no housing problem in the world, he says, but there is a land problem — "which is a political problem because governments protect land-owners."

Speaking at the Second World Congress on Land Policy, staged at Cambridge, Massachusetts, Mr. Lim declared:

"Land problems are not technical, academic or Third World problems, but they are political problems."

*ARLINGTON'S* shopkeepers expected a revival of business in the decaying downtown district when the new Washington, DC subway opened for business three years ago. Instead, many of them are being forced out of business by rents that have doubled near the stations.

## 'Public robbed of birthright'

**A**N AMAZING attack on Washington's politicians has been launched by the Editor of a scholarly journal.

In the July issue of the *American Journal of Economics and Sociology* Mr. Will Lissner reported that in fiscal year 1983 the nation received \$17 billion from lease rents and royalties.

The revenue came from the private exploitation of publicly-owned natural resources on the continental shelf and the sea bottom.

"It's the public's offshore money from the people's land," declared Mr. Lissner.

But the orthodox view in the United States is that these resources ought to be sold off to the private sector. Mr. Lissner declares in a no-holds-barred comment:

"The plunderbunds within the Republican and Democratic parties, which unfortunately have been all-powerful in several recent administrations, would like to hand over, for a pittance, these leases and royalty agreements to their campaign contributors who have so pervasively corrupted American politics."

Such a sale, says Mr. Lissner, would "rob the people of their birthright, their patrimony." It was justified on the grounds of preserving capitalism, but the sale would have the reverse effect.

"Nothing would be more likely to sound the death knell of capitalism, to bring on a Soviet-style revolution and the dictatorship of the politicians and the secret police to which revolution inevitably leads."

Social science is equipped to devise rational programmes for resource taxation and land use, claimed Mr. Lissner, but these conflicted with the "privileges usurped by wealthy and powerful special interests . . . and their stooges, university professors, journalists, lawyers, politicians, officeholders and so on."

Mr. Lissner said that the present distribution of beneficial interests in natural resources was "creating billionaires whose crackpot ideas, combined with the terrible power of their hoards, threaten the survival of democracy in America."

The attempt to hive off publicly-owned resources to private interests was treasonous, wrote Mr. Lissner. Unprincipled politicians, he declared, "must be driven out of office, out of public life. The Congress's investigatory bodies should be ultra-zealous in exposing every facet of the effort."

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