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Geocleronomy - A New Approach

The time has come for a new multi-disciplinary approach to the study of Man and his relationship with land. It is not just a matter of economics. Anthropology, biology, psychology, sociology, and above all law and theology should also be concerned. Positive law, defined by Griffith as including all written laws enacted by a competent legislative authority, and all unwritten rules declared by the law of the state, needs to follow Natural Law. The writings of Locke (1632 -1704) and of Blackstone (*Commentaries*) are the nearest approach to a proper answer so far. But they are neglected in Britain, and only partially studied in the United States, where they had earlier dominated legal and constitutional thought.

The fundamental principles are rather obvious! Man is by nature bound to the dry surface of the earth, which the geographer calls 'land'. He may roam far and wide in mind or spirit, (without going out of my door, I can know the whole world, said Lao-Tse), but his physical body is "of the earth, earthy", and after death is committed earth to earth, ashes to ashes, dust to dust. It follows as a matter of *Natural Law* that throughout life his dwelling-house must be on the earth's dry surface, and he must get his

living - his food, his drink, and all his other needs - from the resources of Nature which are available from the position he happens to occupy on 'land' in this its geographical sense. Any excursion by sea or air is bound to begin from dry land and end sooner or later in landfall. In primitive societies, if Man gathers the fruits of the earth, hunts animals, catches fish, or traps birds for his sustenance; or if, in his later development, he tills the ground, and excavates for the rich natural resources under the ground, *Natural Law* is inexorable: he has perforce to do all these things from his position on the dry surface of the earth. There is another resource that is easily overlooked. From his position on the earth's surface Man may take advantage of the benefits emanating from the society to which as a "social animal" by nature he belongs. Accordingly his closeness to markets, to centres of population, to transport services, to supplies of water, gas, electricity and the like, becomes more and more important as that society develops and elaborates.

Locke grasped this: "The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under governments, is the preservation of their property".⁵ He went on to define two kinds of property, one the creation of individual people, the other the work of our divine author and the society He has created. That in fact makes three, as is to be expected because of the law of Trinity! Wealth is created in part by individuals, in part by natural resources, and in part by society. All three of these are of course created by God. The possession of land gives the landholder access to and control over the three kinds of property differentiated by Locke. The great

question concerning property *rights* is - who has the *right* to each kind? Unfortunately Locke was diverted by his theory of labour-value from finding the answer. He concluded that by comparison with the value of labour the other two contributions were infinitesimal. The value of a city centre site today, however, in some cases worth over a hundred million pounds per acre, entirely refutes this.⁶

These elementary and indeed very obvious facts ought not to need stating. But they have unfortunately been lost sight of in modern man-made legal systems. There is, first of all, confusion between different definitions of 'land'. First, there is the legal definition, hallowed by Coke and Blackstone, to include everything *ab inferis usque ad caelos* - below and above the surface of the earth: in this sense 'land' includes buildings and other improvements. Secondly, 'land' is used in common speech to designate the country as opposed to the town: this omits the most lucrative location in any community, namely land on which houses, shops and offices stand. Thirdly, the economist takes 'land' to mean all the resources of nature available to the labour of Man, all the powers of the external world which he can use: this definition tends to obscure the huge assistance to production afforded by connection with other human beings whose co-operation can assist him. None of these definitions makes sense now. The legislation, national and international, controlling minerals, flying space, tunnelling, radio waves and so on makes nonsense of the legal definition. Overlooking the land underneath buildings has since the early middle ages bedevilled the sensible collection of the Crown's revenues. The immense superiority of land in the centre of a city

compared with any rural location is almost entirely due to the proximity it affords to the markets of the world in which to obtain co-operation with the rest of mankind.

If 'land' is taken in the geographer's sense as the dry surface of the earth, then it is easy to see that a man's *position on land*, whether outside in the open or inside a building on whatever floor, determines the extent to which the free gifts of God are accessible to him - sunshine, wind, and rain; river, sea and sky; woods, flowers and natural fertility; mineral wealth of all kinds; indeed all animal, vegetable and mineral nature. It also determines how much use he can make of the co-operation of his fellow human beings. In the City of London, for example, a man engaged in certain types of work is in immediate touch with New York, Tokyo, or any other great market centre in which he wishes to deal. On a remote hillside, by contrast, even access to a local market town is beset by difficulties of time and space. There the advantages of nature are the predominant factor. In the city it is co-operation with others that matters most.

The benefits of Nature, and the advantages of being part of a community, fall upon mankind in vastly different degree depending on the precise position of the bit of land (in the geographical sense) that a man inhabits. Some will be very poor, and some very rich, unless adjustment is made for the advantages and disadvantages of their respective positions. The extremes are in fact not just 'very', but excessively, shockingly and indeed unjustly far apart. This is why in greater or less degree there are attempts at providing artificially for the poor and needy: an artificiality that leads to crippling systems of taxation

and borrowing, public and private. For this purpose a morass of man-made law everywhere attempts to regulate direct and indirect taxation, social security, interest rates, prices, incomes, and all the fraud and other crime they engender. Moreover Town and Country Planning, the legislation for which takes up over a thousand pages of Halsbury's Statutes, adds to the tangle. It is extremely complicated. It is also very expensive to administer. Yet it is toothless when it comes to preventing the unjust enrichment which accrues to a successful applicant for planning permission.

We unfortunately live in an Unholy Trinity of taxation, poverty, and welfare. Taxation causes poverty because it falls hardest on the poor. Poverty necessitates Poor Relief, now euphemistically called Welfare. The funding of welfare increases taxation, which increases poverty, and so on in a vicious circle until escape is made by borrowing. But the escape is short-lived because interest on loans simply starts another unholy trinity of borrowing, interest payments, and either more borrowing or more taxation. That taxes press hardest upon the poor is illustrated by the incidence of indirect taxes. VAT is one example. Another is the price of bread on which there is no VAT. As with everything manufactured, the price of a loaf has to cover all taxes incurred during the process of production. The farmer who sows the seed and cultivates the crop, the miller who grinds the corn, the baker who makes it into a loaf, and the retailer selling it; each of these has to pass on to the next in line the fuel taxes, vehicle taxes, and VAT on machinery used in production and transport; as well as "payroll taxes" on labour - that is, the

deductions they have made from wages and salaries for Pay As You Earn Income Tax and National Insurance contributions. These the employer hands over to the Inland Revenue. The workers never see the money. All this accumulating taxation has to be passed up the line of production so as to be included in the final price of the loaf. To the rich it has no significance that a loaf carries so much tax. To the poor it means a great deal, but it is hidden from them. To the very poor it could mean under-nourishment, or even perhaps starvation.

Natural Law proclaims that, in stark contrast to this unholy muddle, to share land-benefit directly is simpler, fairer, and less damaging to both givers and receivers. It is not surprising to discover that "the universal moral law, known by reason and confirmed by revelation, binding in spite of our failure to observe it" (see the opening words of Part I) carries this same truth. It is to be found in the teaching of the scriptures. For Jews it is the Torah (the Law) in the Old Testament. For Christians also it is the Torah, which Christ said he had come to fulfil, "For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled" (Mt. 5: 18). We do well to study this Judaeo-Christian revelation in both Testaments.

The essential references have been set out in Part I. When God instructed Moses, and later on Joshua, to divide the promised land equitably between the Israelite families as their inheritance from Him, the word used in the Septuagint is *klêronomeo*. This is a very important word occurring often in the Old Testament. Its root *klêros* is the 'lot' inscribed with one's name which is cast into a

receptacle whence the winner's name is drawn. Hence it comes to mean "that which is assigned by lot - an allotment of land to the citizens": hence again "any piece of land, farm or estate". Thus *klêronomeo* means "to receive one's share of an inheritance; to inherit".⁷ In ancient societies dividing by lot was widely considered the fairest way to distribute what could not be precisely cut into equal pieces. Children do the same today, often through selection by nursery rhyming. *Klêros* is therefore a suitable word to imply equitable sharing.

Thus the means by which sharing of land might be achieved for the benefit of the community could well be called *geocleronomy*. This would be to adopt the very word that Christ used in the New Testament beatitudes to describe the Kingdom of Heaven in terms of the Old Testament scriptures, and declared the joy of the poor and oppressed (*praeis*) when they come into their inheritance of land (*Klêronomeo*), and the joy of "those who hunger and thirst for Justice; for they shall be satisfied". The meaning of *geocleronomy* is:

geo-, 'land' -

klero-, 'equitable sharing of inheritance' -

nomy-, 'the laws of'.

viz. "The laws governing the sharing of the inheritance of land".

It would be for the Churches to preach *geocleronomy* from the pulpit, taking as text the words of Christ: Blessed are they that hunger and thirst after Justice. It would be for the universities to establish chairs or faculties combining

in 'geocleronomy' all the related social sciences to replace some of the discredited studies of the dismal science of economics. Under their influence Parliament could then understand the necessity for resuming the collection of the Crown's revenue as overlord of our heritage the land.

The Torah (Law) makes it clear that the nation's land is an *inheritance* from God which has to be shared equitably amongst the *families* of the nation. A nation is an aggregation of families. Accordingly the fifth commandment is: "Honour thy father and thy mother that thy days may be long in the land which the Lord thy God giveth thee". Sir Henry Maine pointed out that families, not individuals, were the units of ancient societies.⁸ In modern society by contrast, the state has increasingly made the individual the unit with which it deals, overriding the family to such an extent that there are children today seeking, with the help of social workers, legal remedies against their parents.

Today the land is bought and sold for profit, and the profits are sometimes vast. This is legitimate under man-made law, but it is in breach of divine law. The Lord had said to Moses in Mount Sinai:

"The land shall not be sold for ever: for the land is mine; for ye are strangers and sojourners with me".⁹

"This verse enunciates the basic principle upon which all these enactments rest. 'The earth is the Lord's' (Ps. 24: 1), and His people hold their lands in fee from Him. The ground itself, then, was not a proper object of sale, but only the result of man's labour on the ground."¹⁰

That land has to be divided fairly is understood as

Natural Law by aboriginal peoples. But the more separated they become from Nature, the more they forget the justice of land-division. When religion declines in modern society, Mammon is worshipped not least in the speculative buying and selling of the nation's inheritance. If the land has been monopolized into the hands of fewer than the whole population, then those left out have nowhere to live and nowhere to work. Having lost their inheritance they perish unless looked after, as they ultimately are in European countries, by charity or by taxation levied by the state. This degrading dependency on state support is no proper substitute for being given the opportunity to support their families by their own honest labour. But for that, land is necessary.

When Natural Law is forgotten by the educated, the plain man, even if he does not believe in God and has never heard of natural law, still has common sense with which to recognize that it is wrong for anyone to charge for access to 'God-given' natural resources; and that those who enjoy special benefits from the work of the community should pay for what they get. But if justice as prescribed by divine and natural law, and by common sense, is to be brought into effect today, much work is needed to be done. The physical division of land is impossible in developed countries. The diversity of its yield to those who work on it is so startling. A day's work in a few square feet of office on an upper storey in Lombard Street can earn thousands or even millions; while a whole year's work at the margin of society on an extensive acreage, may sometimes scarcely afford a living wage. It is therefore the difference in *yield* of land that has to be shared. There is no difficulty in this.

It is precisely measured by the market rent (i.e. the ground rent) of the land.

There is, however, another way - a much simpler way - of looking at all this, a way available to those having religious belief in no matter which of the world's religions. God created Man as a social being, and the emergence and growth of society was inevitable from the moment of Man's creation. The all-seeing and all-knowing Creator foresaw that man would, and intended that he should, combine in communities - the family, then the village, the town, the city of millions, and finally states of scores of millions with elaborate industries and complex organizations, needing revenue for a multitude of public purposes. He that made the world and placed man in it must have foreseen this ever increasing need for public revenues, and made provision for it. He must, therefore, have provided societies great and small with a natural revenue to be used for their common purposes. It is our duty to discover what this natural revenue is, and the duty of governments to ensure that the publicly created revenue goes into the public purse. If they allow it to be appropriated by individuals, then governments are driven to rely for revenue on taxation of all sorts and kinds levied on the product of labour: and this is a breach of the injunction 'Thou shalt not steal'. Many who only labour are driven into poverty; others while working grow rich by being so much better placed, while others grow rich without working, and those who cannot work are compelled to rely on the state to support them by further taxation.