Land use has long been a central concept in planning, combining ideas of utility with location. But by focusing on the utilitarian question of "Where do things belong?" we tend to miss the underlying issue of distributive justice, "To whom do things belong?" This paper argues that the question of property and ownership is the most fundamental to planning. Property definitions, rights, and distribution are at the center of current political, economic, and cultural debates throughout the world and are central to planning's efforts to shape community life. The paper explores the concept of property in four contexts: (1) the transformations of American land from common use to private commodity, (2) the theory of property, from John Locke to the taking issue, (3) the distribution of use rights and income rights in property relations, and (4) the shortcomings for planning of the private/public duality.

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Much more than a decade has passed since Israel Stollman and I, awaiting our separate departures from Washington, DC National Airport, were killing time together, and he asked me the difficult question: "What is the most central concept in planning?" My answer then, which I felt sure was very close to being right, was that "land use" was that concept. I argued not only that land and location are central to the classic question Robert Murray Haig posed in 1927 for the Regional Plan for New York and its Environs—"Where do things belong?"—but also that the term "use" itself derives from the concept of "utility," which is the kernel of those economic theories of individual, firm, and market behavior that are the very paradigm of planning theory. Today my answer would be slightly different, but the difference has enormous importance. Today I would say that "property" is the key.

The problem with "land use" is its presumption of neutrality and appearance of objectivity. Operationally speaking, land use is what land use controls regulate and what land use planners plan. This operational definition, however, has long been subject to significant and increasing variation. The more important questions, of course, are: What properties should planners plan and what should communities control? What is the proper domain of the state? What is best left to private liberty? Thus I propose to move the focus from land use to property. The shift in focus will not solve the problem of contested meanings, but I hope to show that it gets us out of the grip of false meanings and presents the contest over meanings in more morally significant language, which could alter the character of planning.

Traditionally, we have begun discussions of property by distinguishing between public and private ownership, and between real property or real estate and personal property—all the other stuff in our lives, often considered to be beyond the short arms of public planners. Real property
is what we try to plan, through public ownership, public works, and development regulations. The problem with our planning tradition is that it assumes, to begin with, that what is public, what is private, and who owns what can all be accepted as clear. That is not a good beginning, because it begs the question of who has a right to what. By presuming that we know the difference between what is private and what is not, we presume to know the very meaning of ownership and the answers to questions about property rights and distributive justice that much of the world is now debating.

What does property mean? Property is a thing owned, though it need not necessarily be a physical object. There is, for example, intellectual property. A “property” is also a characteristic, a trait, or a quality of something. The word is derived from Latin and the Old French propriété, meaning “itself” (Schochet 1991). Thus we make statements like “I was in the town proper,” meaning in the town itself. This linkage of identity and properties is salient in the theater, where properties (props) are what create context and help to shape characters. Properties, in part, express persons. There are also normative connotations to property, linked to the French propre, suggesting correctness, cleanliness, honesty, decency—being proper. Hence property historically seems to have to do with the good character of things which identify us. Little wonder, then, that debates about property rights rapidly turn personal.

We often find ourselves choosing sides between the apparently polar ideas of public good and private interest: between community action and individual autonomy, between civil society and civil liberties, between regulation and markets, between regionalism and home rule. But by what moral logic do we determine where the high ground lies? As advocates of the public interest, we tend to attribute to the proponents of individualism, private property, and home rule an avarice and selfishness that fosters poverty, racism, and the degradation of nature. “Autonomy and self-determination flounder as moral arguments when tarnished with the characterization of selfishness,” notes Robert Lake in his study of NIMBYism (1994, 436). In the same breath with that condemnation, however, we praise civil rights, community control, and ownership as essentials of good democratic communities. And these are the values that preserve individualism and autonomy in the use of property, the very values that we protest.

Property definition, rights, and distribution in society are issues now at the center of political and economic debate. These issues are evident not only in our own American battles with the “wise use” movement, but also, for example, in the acute difficulties of Russia, Eastern Europe, and South Africa, where sea changes in the role of the state have uprooted securities of ownership. Indeed, conflicts over property rights and their control have been central to the history of planning’s efforts to shape community life. We would do well to recognize that the central problems of planning relate to the unsettled problems of property distribution in the world. That identification would help us to better understand the importance of what we do.

I want to explore these ideas briefly in four contexts: (1) the historical transformations of American land from a common resource to a private commodity, (2) the evolution of property theory, from John Locke to the taking issue, (3) the relationship of use rights to income rights, and (4) the inadequacies of the private/public duality as a framework for planning debate.

The Transformations of American Land from Communal Use to Commodity

To begin to understand property today in America we must look at the historical emergence of land as a commodity. We idealize the colonial New England town for its planning and governance of property, which, “by all later American standards,” according to Sam Bass Warner, “were the most equitable allocations of resources the country has ever known” (1972, 10–11). But to fully understand that commonality of property we must understand how it functioned before the English arrived, because on that matter there are two different perspectives: the European, and the Native American.

The Ascendancy of the English Concept of Property Over the Native American Concept

The colonists were escaping feudalism, in which royal ownership of (real) property was the basis for oppression. The settlers’ vision of land in their new habitation was of a civil right underlying their new freedom—to decide for themselves who might own and inherit their property as well as who their sons and daughters might marry, and to whom they might or might not sell their property (Warner 1972).

The Native American concept of property, however, was not of ownership but of use (Udall 1963; Large 1973; Cronon 1983). One used it, one moved on, and use was shared with others. Native Americans thus agreed to share lands with more than one group of colonists, but unfortunately they were then accused of having sold it several times. Personal property, to the Native Americans of New England, was only what they made with their own hands: clothing, shelter,
tools, all of which they could easily replace, so they saw no need for accumulation. In fact, power in their society was established by giving personal property to others. For the colonists, however, power was established through ownership, that is, by taking control of property. Moreover, what the settlers had known as scarcities in Europe they perceived as commodities in New England.

The people the settlers encountered here, however, survived with few possessions: in Northern New England, by moving constantly to new food sources, and in Southern New England, by farming in a minimalist way and sometimes accepting the possibility of hunger rather than accumulating surplus. The first group, who fished and hunted, were seen by the colonists as engaging in leisure pastimes; the farming group were seen as lazy. The colonists’ protestant ethic asserted that neither the leisureed nor the lazy had a right to the land.

Right was an English concept, spelled out in the Magna Charta and defended, in the last analysis, by English ecclesiastics’ application of the Biblical commandment to fill the earth and subdue it, and to have dominion over every living thing. The English interpreted this to mean that people were entitled to “what they could subdue,” an interpretation which promoted the fullest use of the land. It is but a few small steps from there to the concept of “highest and best use” (Lefcoe 1975). The taking of land from Native Americans was understood by the colonists not as theft, but as the fulfillment of divine will and a means of personal and perhaps cultural redemption. In their view their appropriation of the land was, in the most profound sense, proper.

By implication, of course, to be without property was to be without the means of pleasing God, to be unredeemed, uncivilized, and savage. “The difference between Indians and Europeans was not,” Cronon concludes, “that one had property and the other had none; rather it was that they loved property differently.... A people who loved property little had been overwhelmed by a people who loved it much” (1983, 80–81).

Emergence of A Market in Land

Within the towns of the European settlers, house lots were arranged around central common spaces, and surrounded by individually owned and worked farm lands. Town size was strictly limited, and for a while the culture and theocratic governance restrained individual impulses to profit by speculating in land. But once the nearly forty years of French-English wars in the colonies ended in the late 17th century, and standardized English paper money appeared early in the 18th century, the restraints on land speculation began to break down. “To the abstraction of legal boundaries was added the abstraction of price . . .” (Cronon 1983, 75). The meaning of profit began to change, from the idea of benefits to the idea of gain made by selling. Land speculation, which was to spread across the continent, radically transformed New England’s democratic town pattern. The inherent, but previously latent, conflict between land’s social character and its private ownership and control, what Foglesong (1986) refers to as “the property contradiction,” now manifested itself.

Originally, the notions of democracy and equity had governed the distribution and sharing of lands so that all town residents were proprietors. In the early 18th century this consensus gradually came apart; residency and ownership of land separated. One aspect of this change was identified by Garrett Hardin in 1968 as the “tragedy of the commons,” the exhaustion of community property exploited by “free riders” with no concern for its sustainable use. Such exploitation affected private property, as well, when control of the externalities of private property use was removed from residents, as absentee landlords took on ownership. Eventually local democracy lost control over the social, economic, and environmental impacts of use. The property contradiction emerged: proprietorship no longer meant living with only the consequences of either your actions or your neighbor’s actions. Ownership, possession, and control had been disassembled and located in different places. Residency no longer defined responsibility. Land use relations no longer defined the town proper.

Just as the practices of property changed, first from Native American patterns of use to colonial closed town propriety, then to open real estate markets and their contradictions, the theory of property underwent a parallel shift to explain and support these historical transformations.

From John Locke to the Taking Issue

The 17th century English concepts of property were elaborated in the theories of John Locke and later by Hegel (Radin 1982, Christman 1994). Locke believed that material objects can become the embodiment of one’s identity. Your first and foremost possession is your own body. When you utilize that body in the form of labor and mix your labor with land and other materials, these things become entwined with your self. Thus the product of your labor becomes your property by natural right as an extension of your liberty, social status, and personality. The protection of that property, in the form of state-
supported property rights, is a protection of one's liberty as well as a definition of the limitations of state intervention in personal affairs (Schultz 1992).

The difficulty with Locke's theory lies with its applicability when individuals accumulate and store their "selves," that is the products of their labor, in the form of money and capital investments, which are then traded and sold for profit or loss. In that case the concept of legitimate property is extended beyond the boundaries Locke set by certain provisos: "as much as anyone can make use of... before it spoils" and the requirement not to appropriate and personalize so much of nature's resources that there is no longer "enough and as good left in common for others" (Christman 1994, 50).

The English colonists' appropriation of American land away from Native Americans' patterns of use was made in terms of use value, not exchange value. The English simply thought that theirs was a higher use. But as the American economy turned to a modern, urban, industrial mode of capitalism, that artisan concept of use gave way to the industrial concept of profit, and the influence of Locke's labor theory of property gradually weakened (Dawley 1976).

Later Distortions of Locke's Theory

The new industrial institutions were nevertheless protected by legal concepts based on Lockean personhood alone. However, the rights of ownership in the law reflected the new institutions' demands more strongly than they did Locke's concepts. Property rights evolved from a somewhat unitary concept, of material objects controlled by individuals, to the concept of an infinitely divisible bundle of rights—to minerals, air, light, access, water, expected returns, occupancy, exclusive use, etc., rights which are subject to multiple ownership and to numerous mixes of public, corporate and individual claims. In a modern economy where much ownership is held not by individuals but by corporations, and all land is regulated by complex layers of federal, state, and local laws and administrative agencies, the Lockean notion of ego development, of the individual's investment of self and personal liberty in property, may seem hopelessly romantic. Yet the notion not only persists but is acquiring new significance.

The Taking Issue: Which Rights Prevail?

The taking issue in land use law embodies aspects of the debate over the Lockean position. The taking issue refers to the conflict between private and public interests in the use of a piece of land. Typically the issue arises in a property owner's argument that a government regulation about the use of the property, exercised under the constitutional police powers of the State without providing compensation, amounts to the virtual taking away of the entire property and hence under the Constitution is equivalent to the exercise of eminent domain for public purposes, which requires the payment of compensation. The issue is more than a question of where one draws the line. The issue turns on how you define legitimate private interest and how you define legitimate public purpose, and the relative weight given to each. The search for answers has led some legal scholars to look again to a theory of persons, like that of Locke, for guidance.

One of the most frequently cited cases of taking is the Poletown decision, in which government powers of eminent domain were used to take a poor residential neighborhood in Detroit, Michigan, against the pleadings of its residents and institutions, in order to give the land to General Motors for construction of a new assembly plant. The question raised by this case is whose claims should be privileged: those of residents, whose property represents both personhood and community identity, or those of the state, whose interests are in promoting economic development through the support of corporate capital and economic development?

Current Application of Locke's Theory of Persons

Several scholars have argued that the Poletown decision was wrong in that it failed to recognize a qualitative difference between the property needs of General Motors and the property needs of Poletown residents, and thus ended up privileging the wrong set of rights. These analysts argue for a strong hierarchical concept of rights, recognizing that "because possessions, or property, are the concrete embodiment of one's personality, to tamper with someone's property is to violate that individual's personal rights, self-identity, or self-expression" (Radin 1982; Bender 1985; Schultz 1992, 176). Property plays a role for individuals that is constitutive to them as persons and therefore, it is argued, commands privileges that should not be granted to the same degree to corporate capital's property. Margaret Radin calls these two different forms of property "personal" and "fungible." The distinction is not entirely new. Aristotle distinguished between household needs and retail needs. Karl Marx called the two categories use value and exchange value. John Christman calls them "control" rights and "income" rights.

This argument about the essence of persons, about the need to control one's body and whatever is necessary to both corporeal and psychic health, has power. These are the feelings we call on when arguing for housing for the homeless, health care for the poor,
and inoculations and education for poor children. Such arguments are at bottom about the distribution of property, and are decided to a significant extent by how you define property. The underlying claims are that form shapes function and that contexts and universals shape contents and particulars. As Jack Crittendon puts it, “...one needs to see that particulars are shaped by the universals one applies to them. Thus laws regarding property rights may seem impartial, as they are applicable to all individuals with property. But the laws also define property, a definition that conceivably does not include [and protect] what some persons might value” (Crittendon 1992, 88). Consider, for example, the argument that California’s Proposition 187, denying state services to illegal alien residents, which was adopted by popular vote in November 1994, is not racist, because it applies to all illegal immigrants alike. Anatole France ridiculed such universals: “...in their majesty [they] deny to rich and poor equally the right to sleep under the bridge at night” (quoted in Chomsky 1970, 390).

**Distinctions between Rights to Use and Rights to Profit**

One of our difficulties in thinking about property ownership is that we tend to think of it as a diadic relationship, a relationship between a person and a thing. But, as John Christman points out, “ownership is a relation between a person and all other persons in regard to some (tangible or intangible) thing” (1994, 16). Hence the rights of ownership in a thing, given to one person, are a function of the rights of ownership given to all other persons in regard to the same thing. That is not to say that all things belong to everybody or that nothing is exclusively in any single person’s control. But it is to say that one person’s right to use may be at the expense of everyone else’s right to use—or to profit, and one person’s right to profit may be at the expense of everyone else’s profit—or use.

Christman identifies nine separable kinds of property rights: possession, use, alienation (to give away), consumption, modification, destruction, management, exchange, and profit taking (1994, 29). The first seven correspond to the concept of use as discussed above. The latter two have to do with exchange for profit or income rights. Much of the current debate about property rights focuses on whether full liberal ownership (the entire set of both use and income rights) is necessary for a just society, or whether the first group of rights (use rights) may be more important than the second group (income rights), which are almost universally restricted by taxation and by land use, environmental, and other regulations. Powerful forces in American society have combined to advocate fuller liberal ownership, with pure, unfettered ownership in the economy as the end in view. Against these claims, Christman marshals a forceful set of countervailing arguments, summarized below.

Firstly, there is no persuasive argument that history legitimizes a natural right to unrestrained liberal ownership. In traditional or pre-industrial societies there is less individualized ownership of property than exists in modern times and places. Even in Roman times there was taxation. Alasdair MacIntyre sums it up eloquently:

The property owners of the modern world are not the legitimate heirs of Lockeian individuals who performed quasi-Lockean acts of original acquisition: they are the inheritors of those who, for example, stole and used violence to steal, the common lands of England from the common people, vast tracts of North America from the American Indian, much of Ireland from the Irish, and Prussia from the original non-German Prussians. This is the historical reality ideologically concealed behind any Lockeian thesis. (1984, 251)

The argument that natural rights are the basis for unconstrained income rights to property does not withstand historical scrutiny.

Secondly, the unfettered right to profit from property exchange cannot be justified as necessary to sustain competitive markets. Professor David Font of the School of Business at Stanford may have exaggerated when he said that “the puny motive of profit maximization barely explains anything about entrepreneurs at all” (Robinson 1994). But he was reflecting Schumpeter’s position that entrepreneurs are driven by motives besides that of producing a profit: “the will to conquer, the impulse to fight, to prove oneself superior to others... the joy of creating, of getting things done, or simply exercising one’s energy and ingenuity” (Robinson 1994). It is not clear that limits on profit reduce these rewards.

Thirdly, one cannot argue that full liberal ownership is necessary to ensure liberty, for liberty properly considered is inseparable from justice. Without the just distribution of property, the liberty of the whole is diminished by a spiral of increasing inequalities. “In a world of unequally talented people and differential access to new goods [different starting resources] people will enjoy different amounts of freedom” (Christman 1994, 83).

Fourthly, a similar argument applies against the notion that full liberal ownership is necessary to maximize social utility. Christman makes the point this way:
...[T]he inequalities produced by market forces tend to snowball with every round of bargaining and trade. Such snowballing is inevitable because those with greater wealth can always outbid their competitors for some scarce good. Indeed, if we assume diminishing marginal utility of wealth, then the relatively rich stand to lose less (utility) in paying some amount that they offer than does a poorer person in paying the same amount. In both cases the poorer person can make fewer favorable deals (or has less access to the most favorable deals) and hence reaps fewer benefits in each cycle. (106)

Finally, one cannot argue that entrepreneurs somehow have exclusively earned, and thus deserve complete control over the profits from their property. To deserve profits to this exclusive degree, property owners would have to show that profits were not at all the result of the uncontrolled actions of others (free markets), of nature, or of accidents of timing and location, access, or technology. Only if one could show that profits from property always accrue in direct proportion to one's good efforts would this argument have merit. That of course is impossible. Viewed in this light, the deserts of the deserving entrepreneur come to seem remarkably like those of the deserving poor.

The conclusions of this line of argument set forth by Christman are that the fundamental categories of property are use rights and income rights; that use rights are constitutive to individual human identity, but that unrestrained income rights have no natural basis, nor can they be justified by reference to market requirements, liberty, social utility, or just deserts. The task that lies ahead, then, is to examine our prevailing conventions and categories of property, and to test their power to anchor these ideas in policy debate about property.

Misapplication of the Public-Private Distinction

In Robert Lake's recent assessment of NIMBYism (not-in-my-back-yard-ism) (1993), he castigates our easy tendency to interpret NIMBYism as irrational, reactionary, misguided selfishness and obstructionism. Lake admonishes us to recognize NIMBYism as "an expression of people's needs and fears... no more or less rational and legitimate than the market.... To eliminate the acquisitiveness, the protectionism, the selfishness, and the self-interest that give rise to NIMBYism would be to undercut consumption and eliminate the market demand that ensures the return to capital that fuels the land development process" (89-91). What we really engage in when we condemn NIMBYism is blaming the loser in the game of political competition.

Lake argues, for example, that a governmental program for siting a hazardous waste facility "constitutes a local solution to an industrial production problem of corporate capital." To privilege the property rights of "public" facilities that are undesirable land uses in residential neighborhoods is a way of shifting the costs of capital—disguised as public goods—onto particular communities, rather than, for example, making the effort to restructure industry into known and available technologies whose costs would be absorbed by capital and distributed more equitably among investors and consumers. Policies that cloak corporate identity in a public costume thus permit the state to privilege business profits over individual and community property rights. The liaison between business and government is hardly news to the planning movement. Remember the Chicago plan of 1909? Do we call such application of eminent domain collusion, or partnership? As in the Poletown case, what we call it is decisive.

But an even more fundamental question is not whether we call it collusion or partnership, but how we characterize the actors involved. To view the issue simply as one of public/private entanglement is to overlook a mistaken assumption: attributing to business corporations the qualities, rights and protections acknowledged for private individuals. Such a naively unquestioned transfer ignores the undeniable community function of corporations and fails to hold them accountable as community institutions. The mistake is for our conventional thinking and language to award to such large and powerful institutions, integral to community life, the same rights to privacy and unaccountability as protect the lone person. Policies that wilfully ignore the inherent distinctions between corporations and individual persons are egregiously mistaken, because the property distribution, and hence the power balance, between the two are egregiously unequal. As Bowles and Gintis describe the conceptual missteps, "the most powerful form of collective organization in contemporary capitalism—the modern business corporation—is stripped of its communal status in liberal theory. It is ignored in neoclassical economics, treated as a quasi individual in law, and considered 'private' in political discourse. Its status as a form of social power is thereby obscured and its reality as the terrain of class conflict is systematically slighted" (1986, 16).

Consider, for example, John Gaventa's study in an
Meanwhile, defensible designs retrofit older neighborhoods as gated communities, and more than 1,000 Business Improvement Districts (36 in New York City alone) encourage commercial property owners, also, to preempt the role of government in what Peter Sahlin warns is a “perverse exchange of responsibility between the public and private domains” (Lueck 1994; Owens 1994).

How Does the Concept of Property Correct the Concept of Land Use?

We have seen how, historically, attitudes toward land and other property generally reflect changes in the relations among people, as when Native American practices of communal use were replaced by colonial English practices of communal use. Those colonial practices, in turn, broke down when the society’s concept of property separated ownership from use and residency, contradicting proprietary democracy.

That transformation was reflected in legal theories of property, which after gradually changing from a feudal system to a Lockean democracy of individual identity and personality invested in the fruits of labor, changed again in industrial society: The speculative commodity markets increasingly provided opportunities to detach property from personhood, with a more abstract, versatile, malleable, and transferable bundle of rights, each subject to separate claims of personal, corporate, and public jurisdiction. Conflicts among these claims have been dramatically manifest in perforce resolutions of the taking issue. In response to such outcomes, leading scholars look back to Lockean ideas of personhood in property as possible criteria for assigning priorities among claims, and in particular as a basis for assigning a higher priority to the use needs of individuals than to the profit claims of big business.

Property is not just the objects or possessions or capital in isolation, but a set of relationships between the owner of something and everyone else’s claims to that same thing. This more complex understanding of property highlights considerations of distributive justice that are particularly important in light of the issues in contemporary debate about property rights: takings legislation, the assertion by a rising political right that an individual’s right to profit from property takes precedence over neighbors’ rights to the use of their property (Tibbetts 1995). I argue that this group has it backwards. Rights to personal use of property are fundamental to individual and social well-being; rights to profit from property, in contrast, have always been subject to reasonable constraints for the benefit of the entire community and the society. Attempts to establish a contrary case by appealing to natural right, market necessity, liberty, social utility, or just deserts all fail to withstand scrutiny.

Finally I argue that these concepts of use rights and income or profit rights in property are at the heart of planning questions. The futility of our traditional distinctions between public and private use is increas-
ingly evident not only in the NIMBY opposition to sitting locally unwanted land uses, but also in the increasing privatization of public space in recreational parks, closed residential communities, and business improvement districts that create private governments under the protection of public authority. When we use the old categories of "public" and "private" to examine these new urban patterns, we come to the false conclusion that public use is expanding, when in fact it is contracting through privatization—not by private persons, but by corporations for profit.

We need to ask the new (old) questions: What use for persons is advanced? What personal control is sustained? What balance of liberty is championed? What distribution of opportunities is justified? Whose profit is taken? What distributive effects endure? To whom does property belong? Those are the key questions for planning. The essential debate should arise there. To ask "Where do things belong?" simply sanitizes the essential query "To whom do things belong?" Where things belong cannot be answered justly until we know whose things we are talking about.

The Ultimate Paradox of Property

We must certainly begin by admitting that these property questions have no simple answers. In the absolute sense of owning things, of full liberal ownership, we own nothing. Even John Locke recognized that, for he began with the assumption that we are all creatures of God, the product of His labor, and hence not entirely ourselves to begin with; thus whatever we "own" is not completely ours.

In a more secular vein, William Faulkner captured that realization in these desperate lines of confession:

"I can't repudiate it. It was never mine to repudiate. It was never Father's and Uncle Buddy's to bequeath me to repudiate because it was never Grandfather's to bequeath them to bequeath me to repudiate because it was never old Ikkemotubbe's to sell to Grandfather for bequeathment and repudiation. Because it was never Ikkemotubbe's fathers' fathers' to bequeath to Ikkemotubbe to sell to Grandfather or any man because on the instant when Ikkemotubbe discovered, realized, that he could sell it for money, on that instant it ceased ever to have been his forever, father to father to father and the man who bought it bought nothing." (Faulkner 1940, 256-7)

Most of us have recognized this liberating truth in some moment of reflection. I recall it in a childhood feeling. My parents were always fixing up the house, improving this, redoing that; it seemed endless. But I just wanted to live there. That house was my home, my sanctuary, too personal to be improved for sale and profit. I belonged to it and it belonged the way it was. What could possibly be more important? And who controlled my parent's house? They did. Yet there was something instinctively wrong with their being able to sell something I loved so much. So I swore that when I grew up and had a house, I wouldn't do as they had done. But I did. Mine was a naive promise, mistaking ownership for having a home of one's own. What we own we cannot sell. And what we sell we do not own. This is the ultimate paradox of property, captured in these lines of Richard Howard:

I see no sin in loving what we own, for indeed we own nothing save what owns us—our tongues for instance—we own nothing!
The one sin is to believe, indeed behave as if we own what we love . . .

AUTHOR'S NOTE

Earlier versions of this paper were presented at the Association of Collegiate Schools of Planning Meeting in Philadelphia and at the Society for American City and Regional Planning History Meeting in Chicago, both in the Fall of 1993, and in South Africa at the University of the Witwatersrand and the University of Natal in the Spring of 1994. I thank all those patient listeners and in particular the following individuals, whose extensive comments and kind criticism far exceeded my ability to respond: Hooshang Amirahmadi, Robert Beauregard, Jeffrey Eaton, David Fineberg, John C. Krueckeberg, Robert Lake, H. Milton Patton, Jerome Rose, Brian Schmitt, Gordon Schochter, William Siembieda, Niraj Verma, Katharine Warner, and the editors of this journal.

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