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Excess Land Concentration in the Hands of the Wealthy: A Violation of Locke's Law of Nature

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John Locke explores the concept of property rights in depth in *Two Treatises of Government*, demonstrating that man has the natural entitlement to take advantage of common lands. While Locke's arguments demonstrate that property is a God-given right, his stipulations on how exactly the commons can be removed from the State of Nature are not respected in the modern era. Locke qualifies property as a finite resource, meant to be used without waste. Unfortunately, the modern era forgets these rules. Especially in America, the activities of land ownership and amassing property are regarded as investments and assets instead of what they truly are: resources. America's "100 largest private landowners owned a combined 27 million acres of land"¹ as of 2007, and that sum increased to a shocking 40.2 million acres in 2017.² With great wealth also comes large land holdings, a trend present for centuries. Capitalist society and values have reduced property from a resource necessary for sustaining life into investments only accessible to the upper classes, thereby unjustly removing land from the State of Nature and squandering the opportunity for other economic classes to use the lands in common.

To begin, property, property rights, and the concept of land in common being removed from the State of Nature are defined clearly by Locke in *Two Treatises of Government*. Locke established that the World was given to Man in common in order for Man to "make use of it to the best advantage of Life, and convenience."³ By extension, this insinuates that all land has latent purpose, whether it be for agriculture or hunting, and it is the responsibility of man to mix his labor with it. Locke argues that when Man blends his labor with the land, or "Tills, Plants, Improves, [or] Cultivates,"⁴ he creates his own property. The "Labor of His body and the Work of his hands"⁵ is the catalyst for property creation, and the right for Man to impart his labor upon the land is nonnegotiable. The State of Nature is the condition under which this is able to occur, and is characterized by man consenting to live according to reason regardless if there is a government or common authority.⁶ The Law of Nature governs the State of Nature, which is the basis for excess land concentration to be seen as a violation of Locke's philosophy.

The Law of Nature is rooted in biblical allusions, and clearly demonstrates that holding property in excess is inherently wasteful. God gave man land in common, and gave it "for us to

¹Ingraham, Christopher. "Analysis | American Land Barons: 100 Wealthy Families Now Own Nearly as Much Land as That of New England." *The Washington Post*. WP Company, April 29, 2019.

<https://www.washingtonpost.com/news/wonk/wp/2017/12/21/american-land-barons-100-wealthy-families-now-own-nearly-as-much-land-as-that-of-new-england/>.

²Doyle, Pat. "The Land Report: The Magazine of the American Landowner." *The Land Report*. Land Leader, December 2018. <https://www.landleader.com/land-report-100>.

³Locke, John. 1993. *Two Treatises of Government*, Peter Laslett, ed. Cambridge: Cambridge University Press. 286.

⁴*Ibid.*, 290.

⁵*Ibid.*, 287-8.

⁶*Ibid.*, 271.

enjoy.”⁷ However, man only has the right to what he can use before it spoils or goes to waste, as “Nothing was made by God for Man to spoil or destroy.”⁸ The Law of Nature, though making it clear that Man does have the right to lay claim to “*The Earth it self*,”⁹ clearly stipulates that land is for the benefit of life and should not merely be accumulated for the sake of accumulation. In the case of many of the largest private landowners in the United States, much of the land being bought up in massive parcels are not actually being improved upon.

Though the United States is a First World Country, Derek Hall’s article “Primitive Accumulation, Accumulation by Dispossession and the Global Land Grab” in *Third World Quarterly* provides insight into the phenomena of the land grab. In 2006 and beyond, “large scale land acquisitions for crop production and resource extraction”¹⁰ saw a surge. Hall, though primarily analyzing primitive lands in Africa and resource-dense nations, notes that ““new enclosures”” by way of private land accumulation is directly “linked to capitalist expansion.”¹¹ First World and Third World countries face entirely different issues, as the use of the term land-grab in relation to the Third World references the corporate exploitation of rural and underprivileged communities. The United States, too, faces the issue of land grabbing in the sense that vast swathes of land in the West are being purchased by wealthy private landowners, preventing local residents from accessing parcels previously available to the public.

The United States, as urban designer Edgardo Contini notes, shifted from an agricultural to an industrial economy, which then shifted the social significance of private land ownership. Land ownership, or the American land grab, then became a “cover for extracting speculative profits from the pressures of urbanization.”¹² Mass land accumulation by wealthy individuals, therefore, is taking away opportunity from lower economic classes and locals to both enjoy the land, or have access to it in the future. Excess land holdings, in accordance with Contini’s analysis, only serve as investments for future profits in an urbanized nation like the United States. This practice is undoubtedly a violation of the Law of Nature, as holding on to land and using it as an asset rather than a resource that needs to be cultivated contrasts Locke’s philosophy, and is essentially damaging to society. In addition, billionaires like the Wilks brothers in Idaho who own tens of thousands of acres are indicative of the capitalist trend of endless accumulation, demonstrating that while the trend of agrarian land enclosure is still present in the United States, unbridled private landholding has the same wasteful effects as the weak agrarian policies in Locke’s time.

The vast majority of America’s largest private landowners treat property not as a resource, but as an investment-- which would be seen as an issue according to Locke’s philosophy. The Royal Geographical Society’s Tania Murray Li explores the exact definition of land in a lecture demonstrating that it is often treated as a thing, and sometimes as a commodity.¹³ Land is regarded differently in the eyes of a farmer or tax collector, and it is also

⁷ Ibid., 290.

⁸ Ibid., 290.

⁹ Ibid., 290.

¹⁰ Hall, Derek. “Primitive Accumulation, Accumulation by Dispossession and the Global Land Grab.” *Third World Quarterly* 34, no. 9 (2013): 1582–1604. <https://doi.org/10.1080/01436597.2013.843854>.

¹¹ Hall.

¹² Edgardo Contini, “The American City – A Forecast,” *The Futurist* 4:1, February 1972.

¹³ Li, Tania Murray. “What Is Land? Assembling a Resource for Global Investment.” *Transactions of the Institute of British Geographers* 39, no. 4 (2014): 589–602. <https://doi.org/10.1111/tran.12065>.

regarded differently across cultural and economic tradition. Li comments that it is difficult for land to become a global investment given the popularity of laws that protect many areas. The debate over whether or not it is moral to make a profit off of land only becomes stronger with the years, regardless of whether or not local law or custom deems private ownership of land permissible.¹⁴ For private owners to purchase land for future investment, as mentioned previously, violates the Law of Nature given that it takes the opportunity for gathering resources or even enjoyment from the masses.

This argument is, as Li notes, more of a moral and philosophical exploration than an argument against private ownership of land, as the capitalist structure of our economy and land ownership laws are clearly established. Locke's argument about the merits of land use are rooted in the principle that if man does not improve land or use it to some degree, the land and its resources are wasted. Wasting such resources is an offense to God, and the latent landholdings in the United States that serve to cause more issues than improvement to society. Julie Turkewitz of *The New York Times* explores how large parcels of land, especially in the Midwest, are becoming more and more concentrated in the hands of a few. Turkewitz writes that despite some parcels being "commercial forests and ranches,"¹⁵ many local residents find that their access to the outdoors is being restricted, and "the property they once saw as public is being taken away."¹⁶ Wealthy owners such as the Wilks brothers blocked access to trails, halted access to public lands within their parcels, and residents are now prevented from accessing public roads.

The Wilks brothers and other uncooperative landowners sully the name of others like John Malone, a billionaire landowner and philanthropist, who both cultivates his land and embraces the local community. Revisiting Locke's argument, "God gave the World to Men in Common" to be used by the "Industrious and Rational," not by the "Quarrelsome and Contentious."¹⁷ In other words, Locke is essentially making the argument that, to a certain extent, it does not matter if an industrious man holds land, for if he is quarrelsome or causes issues with others, the Law of Nature states that he should not hold land. This stipulation would apply to landowners such as the Wilks brothers who needlessly block recreational access to land, therefore creating contention with local community members. In addition, Locke then argues that man does not have reason to complain or "think of themselves injured by [one] Man's Inroad"¹⁸ unless his holding is exceptionally large.

Therefore, it can be argued that the controversial land concentration in the hands of few wealthy individuals is contradictory to the Law of Nature. The overwhelmingly capitalist ideals in modern society have deviated from Locke's philosophy, creating the unfortunate situation where swathes of land, once regarded as public, are purchased legally, yes, but commandeered in the sense that the rest of the community is no longer able to enjoy them as God intended. Using land as a commodity, asset, or investment would not be recognized by Locke, given that it prevents individuals from having the opportunity to improve or merely enjoy land. Land grabbing and excess accumulation in the hands of wealthy families and individuals is unjustly

¹⁴ Li.

¹⁵ Turkewitz, Julie. "Who Gets to Own the West?" *The New York Times*. *The New York Times*, June 22, 2019. <https://www.nytimes.com/2019/06/22/us/wilks-brothers-fracking-business.html>.

¹⁶ Turkewitz.

¹⁷ Locke, 291.

¹⁸ *Ibid.*, 293.

and immorally removing lands from the common for man to use, regardless of their economic class.

The implications of mass accumulation are far-reaching, from major consequences regarding inequality to environmental considerations. The Law of Nature is an important philosophical interpretation of how land should be accessible, and it is truly disheartening that the freedom of the people to explore the vast lands of the United States is becoming increasingly inhibited by excess land holdings. In the coming years, it is absolutely necessary for Locke's Law of Nature to not simply be regarded as a historical or antiquated view of land use, but as a fundamental philosophical guideline for protecting land accessibility. Even though private land ownership is an important tenet of our society, Locke's vision for property and land usage is clear in asserting that one should only take what he needs, and no family or individual truly needs hundreds of thousands of acres of property for personal use.

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