

Your Land? My Land? An Author Ponders the Implications

February 19, 2021 **by Dan McCue**

Simon Winchester has spent a lot of time thinking about land. As a student in his native Great Britain, he read geology at St. Catherine's College and, having become involved in the University Exploration Club, soon found himself a member of a six-man sledding expedition onto an uncharted section of the East Greenland ice-cap.

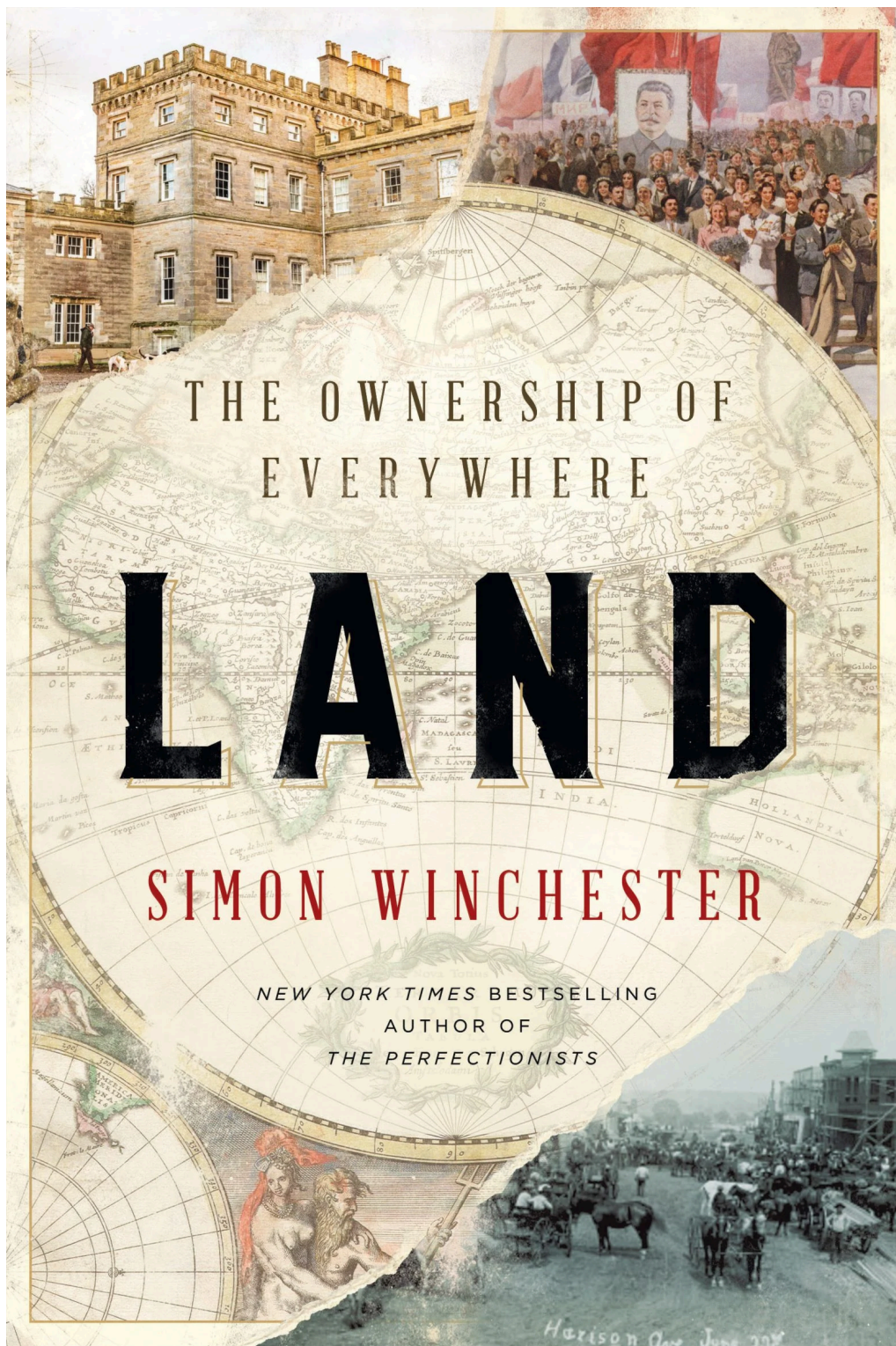
That was in 1965 and he hadn't even graduated yet. When he did, a year later, he joined a Canadian mining company, Falconbridge of Africa, and worked as a field geologist in Uganda, trying to find copper deposits in the foothills of a mountain range near the Congo.

A life of digging into the Earth and searching for precious metals wasn't to be, however.

One night in 1967, while in a jungle camp in Uganda, he happened to start reading "Coronation Everest", by James Morris. The book was an account of the success of Edmund Hillary's historic climb up Mount Everest, a climb he completed on June 2, 1953, by coincidence the day of the coronation of Queen Elizabeth II.

Stirred by both the epic story and the writing, Winchester decided then and there to start a new career in newspaper reporting, and he has **remained** a full-time writer ever since.

In fact, so notable have his contributions to writing been, that he was made an Officer of the Order of the British Empire "for services to journalism and literature" in the New Year Honours



list for 2006. And he was elected an Honorary Fellow of St. Catherine's College, Oxford, in October 2009.

His latest book, just published by **HarperCollins**, is called "LAND: How the Hunger for Ownership Shaped the Modern

World.”

Like all
good
literature, it
tells the
story of a

Simon Winchester

“character,” the land itself, and the tensions that swirl around it — a basic conflict between those who see access to land as an “inalienable part of human existence” and others who want to own in, enclose it, and keep everyone else out.

The story begins with Winchester himself. He was, by the time the tale begins, a globe-trotting journalist and he’d become a successful author when his 1998 book — “The Professor and the Madman,” about an American who played a key role in the making of the Oxford English Dictionary — became a huge best-seller.

And right about this time, Winchester decided to do something he’d never done before — buy a piece of property. In this case, 123 and 1/4 acres of “forested and rocky mountainside” in Wassaic, N.Y.

“I had just purchased a piece of the United States of America,” he writes, noting that his ancestors had always been tenants, never landowners themselves.

“I would walk in the forest — my forest now! — as often as I could.”

That exalted feeling is leavened with modesty. As Winchester quickly points out, the total land surface of the Earth is just less than 37 billion acres, meaning his property amounted to a relatively miniscule three-billionths of all the land on Earth.

What follows is a deep dive into the history of the property and its “owners” going back to a band of Mohicans that eventually opens wide to history of land ownership the world wide.

At its core, the book is almost a political thriller, describing exploiters and protectors, restrictions and freedoms, while the author continues to question the very idea of land ownership itself.

How could any man, he asks, think of himself “as actually owning a piece of what, in essence, eternally belongs to nature?”

Winchester spoke to The Well News a few mornings after mostly glowing reviews of “Land” appeared in The New York Times and The Washington Post.

He’s now an American citizen, married to the former NPR producer Setsuko Sato. The couple lives in New York City and on a small farm in the Berkshires.

TWN: I began reading your new book shortly after the review hit the morning papers on Sunday, and it’s easy to presume the inspiration was buying the wild acreage in New York State that you talk about in the early chapters. Is that what really

started you on the course of writing this book? Was that the spark?

SW: Well, I think there was a lot more to it than that. I think it was when I became an American citizen, which was in 2011. By that point, I had owned the land for 12 years or so ... but I never really thought about it very much. It was beautiful land, but fairly useless in terms of growing anything on it or having any animals on it or anything like that.

By this period I'm talking about, I had moved up to where I live now in Massachusetts, where the land is flatter and where I can grow things, and indeed do.

The land in the book is located about 40 miles south of where I live now, and I have to say I never really considered it or thought about it other than every time I got the tax bill for it.

Then, when I became an American, I realized that I was physically invested, as it were, in the country. And I became much more interested.

So, I began looking at its history ... at who had owned it before me. I knew, of course, who I had bought it from, a plumber from the Bronx, N.Y. But I wanted to investigate further, and the records went back and back and back. I got to these, sort of, 18th century deeds, which were then handwritten, and then progressed to an even earlier period, to these ragged documents that were written in Dutch.

What was particularly interesting about these documents was that the people from whom the land had been taken did not sign their names, because they didn't write. Instead they marked the page with x's and little drawings of deer or cattle or something like that.

And I realized that these people, the original people who inhabited this area, the Mohican Indians had never owned land, had never imagined that land was something that could be owned, any more than you could own the breeze or could own the ocean. And it suddenly hit me that this was an interesting topic to inquire into. How could I own land? The people who were the original inhabitants never did. Where did the whole concept of ownership come from?

So, I put it to my editor, and she said, 'It sounds like a very good idea to investigate.' But she also added, 'Don't restrict yourself just to the United States.' It makes you think about how things have changed, doesn't it. Sometimes I wonder if people can remember the recent past, when one could travel?

TWN: Right.

SW: But based on her advice, I went all over the world and tried to look at the whole nature of ownership in places like New Zealand and Scotland, and Russia and so forth. And the result is the book.

TWN: I'm struck by your description of the Mohican Indians. People who had no concept of land as something that could be owned. It seems to me that the root of every misunderstanding we've ever had in this country starts right there ...

SW: Well, in the world, not just this country. Because once we own land, then we can exclude people from it. We can put up fences. We can fight with each other. We want their lands. We go to war. We argue with them.

We've got it. We've got lots of it. We don't particularly care for it. We pollute it. We mine it. We strip it down for its resources. Compare this, for instance, to the way the Aboriginals in

Australia view the land. As sentimental as it may sound, it's actually quite sensible. Their view is that the land is our mother. All sustenance, everything, derives from the land, so we should take care of it.

In their view, we should regard the land just as we regard our mothers, and you don't own your mother, you take care of her. I think that's a very sensible approach. And I think the central thesis of the book – if there is a thesis – is that it is far better for communities to own land and to care for it than for individuals to amass great parcels of land for bragging rights and perhaps misuse it and not care for it.

TWN: Now, I grew up in New York. The land you own and that we've been talking about is part of the "Upstate" for me. And your writing about it is rich with detail of what that area is like. It also made me think that the less you own, in terms of land, the more you notice the details. ...

SW: That is absolutely right. I mean, the biggest landowners in the United States are Ted Turner, the founder of CNN, and John Malone, another cable media magnate, each of whom owns about 2 million acres, and that pales in significance when compared to Gina Rinehart, Australia's wealthiest citizen, who owns 29 million acres, which is as many acres as in all of England and Wales.

When you own that much land, you can't possibly look after the long grass ... it's just impossible to get into the details of what you own, and you tend to be somewhat careless of it. Although it has to be said that Ted Turner, particularly, is looking after his land rather well and bringing various beasts that have been endangered back to sustainable numbers, most notably the buffalo. Ted Turner is a big champion of the bison or buffalo.

But then there is a pair of Texas billionaires, the Wilks brothers, Dan and Ferris Wilks, who have made a huge amount of money from the fracking industry. They were basically bought out by the Singapore sovereign wealth fund for about \$4 billion, so they each had roughly \$2 billion to spend in sort of petty cash. That led to a land-buying spree And they've now got just under three-quarters of a million acres in Idaho and Colorado and Wyoming and Montana.

But what's happened is, whereas before, like much of the Rocky Mountains, that land was open for people to walk or fish or scale on a snowmobile, it's now closed and watched over by security cameras and security guards. Now, that makes perfect sense and the Wilks have a perfect right to do that, but going back to that original question of who owns it? You run into a bit of a dilemma.

I mean, compare it, for instance, to Scandinavia, where the law is quite absolute and there's a hardwired tradition that every Swede, Norwegian, Dane and Finn has the absolute right to wonder about on any land in those countries, providing they behave themselves.

Now, if you're the owner of 100 acres in Sweden, that doesn't mean people can just come into your living room and order coffee; they can't sit in your garden on Sunday ... but the tradition and the law provides that every Swede in the country can wander over your 100 acres.

In Sweden, in fact, they call it "allmansrätten," and it essentially means it's every man's right to roam ... in practice it means having a right to public access to the wilderness.

Similarly, as a landowner, you can't dig quarries on the land and you can't chop down trees, because they exist for the public good.

Now, this is something that does not happen in the United States and most other countries.

TWN: Is what we see in places like the United States and elsewhere really a holdover or byproduct of the old British Empire?

SW: I'm afraid it is. I mean, as you can tell from how I speak, my origins are British and I think our people are enormously responsible for this whole idea of private ownership.

It was born in England in the 16th century, with the adoption of a policy called The Enclosures Acts. Prior to their adoption, there was a belief system in place that held all land belonged to everyone. So you'd have a village of maybe 50 people and they all had their homes, but the open fields around those homes were available for anyone to graze their cattle on or raise pigs or turnips or whatever.

And then someone – some forgotten someone – realized that the population was growing and that farming needed to be made more efficient and common land was antithetical to that. Cattle would trample over the weeds and the pigs would eat the turnips and so on.

So, the thinking became, “Why not build fences and segment the land into privately owned smaller bits? And thus began the whole process that is Enclosure, which began formally in 1604. Oddly enough, it began in a little village where I went to school in southwest England called Radipo.

The Parliament passed a bill saying that common land in Radipo would now be made private, enclosed and would become the property of seven or eight named people. A printed version of the bill suggesting this should happen was tacked to the door of the

local church and people were invited to read it if they could and object if they wanted to.

Now, enclosing this land certainly did increase the efficiency of the farms in the village, but it also made a lot of people very unhappy because all of a sudden, they couldn't graze their cattle where they wanted and couldn't plant their turnips where they wanted. These people – the dispossessed people, if you like – went either to the newly expanding cities like London, Birmingham, Manchester, or Bristol, or, toward the end of the century, they started coming across the sea, looking for their fortunes elsewhere.

Among other places, this included the 13 colonies in the United States and the first thing they did was start enclosing land and owning it – creating another population of dispossessed people in the process. It's kind of like the creation of a schoolyard bully. Someone gets bullied and then later, they become the bully themselves. So the new arrivals come, start dispossessing Native Americans and that begins the whole series of programs which led to the situation we have now, where there are thousands upon thousands of Native Americans living on Indian reservations and being very unhappy about it.

TWN: Right. Now, as someone who's lived east of the Mississippi River his entire life, I see evidence of land enclosure everywhere. But isn't it different in the western United States? Don't they retain some of that ethos of being free to roam, at least to an extent?

SW: So you mean, in other words, is the attitude toward land different as one travels across the United States? That's a very interesting question, because it is changing as we speak. I think, somehow, that there's a guilty feeling growing in this country, a feeling that we haven't seen the land as we should. A feeling that,

for instance, we haven't treated Native Americans as we should have. Now that should have been fairly obvious, but for many years, people just dismissed it.

What's happening now, for instance, here in Massachusetts – specifically in the village I live in – is whenever there's a town meeting or an official pronouncement, after people have pledged allegiance to the flag of the United States, they also say, "Would everyone remain standing to honor the memory of the Mohican people that lived here, whose land we are standing on today." And people know they should do that and do indeed remain standing.

Another thing that's happening, at least around this part of the world, is we're getting what are called community land trusts being set up. There's a little village next to mine, called New Barbara, that has established a community land trust, and what happens is, anyone that owns 200 to 500 acres is asked to give a chunk of their land to the trust, in perpetuity. Now, not everyone agrees, but to the extent they do it guarantees that there will be no development on this chunk of land, ever, and also that anyone can have access to it.

To those who do participate, it is a way of giving back to the community and abrogating the idea that they should own it themselves. Now, whether this concept would ever come to Idaho or Montana or California, I don't know. But what I will say is the first green shoots of a revolution are beginning to be noticed.

TWN: Let's stick to this theme of different attitudes regarding land. Your editor encouraged you to travel widely and look at how things are in a number of different countries. Did you come across any concepts that were totally different from ours in the U.S.? Anything strike you as just plain odd?

SW: Well, in totalitarian states and also those states emerging from totalitarianism, the state totally owns the land. I spent a lot of time in Ukraine, where Stalin carried out one of the sort of half-forgotten genocides in recent history as part of his attempt to collectivize the farms.

Now Ukraine, up to that point, was basically like Kansas and Nebraska. There used to be small farms, 160-acre plots, producing wheat or Barley or whatever, and Russia decided this was inefficient and that you needed to have gigantic farms with machines and all the local landlords should be taken off and shot or sent off to the Gulag. So there's a very different attitude to land in these totalitarian states.

China is another example of a place where the concept of private land doesn't really exist – it's all state land.

But the place where attitudes are really changing, in a positive way, is New Zealand. This is a country which was colonized by, once again, my people, the British. In 1840, through a vehicle called the Treaty of Waitangi, considered by many the foundational document of New Zealand, all of the land was taken away from the Māori, who were the indigenous people.

Now we're seeing the tide reverse itself. This began in the 1970s through the efforts of an extraordinary woman, Whina Cooper, who has since died, but who was really tough, tough as old boots, and dedicated to improving the lives of her fellow Māori. She encouraged more and more people to stand up and say, "We want our land back." And because of that, they are slowly getting it back.

Sovereignty has been very, very complicated because White people who have owned the land for 100 years are not going to give it up without a struggle.

But generally speaking, New Zealand being a liberal, progressive country, sovereignty has slowly been given back to the people who were originally superintendent to land. So we should all look to New Zealand for the modules to follow.

TWN: Based on what you've seen, how does land ownership shape a nation's politics?

SW: I remember when I was a young reporter in the north of England in the 1960s, there was a theatre company in Scotland, just over the border, called the 784 Theater Company. It was a venue for rather progressive plays at the time and it took its name from the fact 7% of the people in Scotland owned 84% of the land.

That is now changing in Scotland, due to political influence. For instance, it is now illegal in Scotland, if you're the owner of a big clump of land, to sell it to another private individual. It sounds monstrous to an American, I know. But the public policy in Scotland is to encourage community buyouts. The holder of an expanse of land now has to sell it to a community. So what happens is, communities organize themselves and make a bid for the land, and then the government of Scotland steps in to help them out financially.

It's called a community land fund and Scotland will provide most of the purchase price so that a community can buy the land and large swaths of property are no longer owned by a small number of private individuals.

That's an idea that's not going to come to the United States for a long, long time. But the existence of such programs brings us to a discussion, not of politics, but of the inequities in our society.

The hugely important thing is not so much the political importance of privately-owned land, but it's economic importance.

Do you remember the opening scene in "Gone With The Wind"? It opens with Scarlett O'Hara weeping and looking miserable — some love affair has gone south, evidently — and she tells her father she's going to sell the family home, Tara.

He responds by angrily getting off his horse and saying "You're a fool to think of selling it. Don't you realize land is the only thing worth working for ... the only thing worth fighting for worth living for and worth dying for ... because land is the only thing that lasts."

That idea, that land is the only thing that lasts, enables you to take land you own to the bank and say, I'd like to take a loan out against this property. It's never going away. It's like gold. And for many years landowners have used their property as security to buy a tractor or a horse or a car or a washing machine, whatever. Take that away, and capitalism has no basis.

So it's politically important and it's economically important. And, we now know, it's flawed. This idea that land is not going away. And it's flawed for a reason no one anticipated — climate change.

Sea level rise is not immutable. It has been chewing away at the land. In America in just the past 10 years, we've lost something like 13,000 acres of coastline along the East Coast. Meanwhile, there are whole countries in the Pacific Ocean that are going under, and large tracts of Bangladesh are disappearing under the water.

So the idea that land is forever and that it should therefore be the basis of so much that is important to modern society is simply no longer true. It's a very interesting situation we're facing.

TWN: That's true. But at the same time, it's happening so slowly that most people aren't thinking in these terms.

SW: I mean, look at what happened with Superstorm Sandy in New York, and the people who owned property on Long Island and along the Jersey shore. Look at Battery Park City. This is a huge development built on a landfill which is no longer nearly as secure as it was when they put all those apartment blocks up 25 years ago.

So yes, you're right to say it's happening slowly and people are just going about their business.

But insurance companies ... they're the canary in the coal mine. And they're getting wary now, for instance, of lending and insuring properties on the American coast. Yes, they'll continue, of course, to insure properties in Nebraska and Kansas because those places are not going to be inundated for centuries.

But America is going to be a smaller country in 50 years than it is now. And that's because the land is being nibbled away by the sea.

TWN: Let's change the subject and talk about another kind of land ownership, or at least a perception of ownership on some level. A little over a month ago, rioters stormed the U.S. Capitol and many of them later claimed they had a right to be there, sitting in the House Speaker's chair and so forth, because the Capitol is the "People's House," it's "the public's property" and they "own" it in some way.

Leaving aside the politics, as much as we can, what do you say about that concept of “public property” and their supposed right to therefore invade it if they wanted to?

SW: That’s a very good question. I mean, there’s a difference, of course, between your house and your lands and the idea of trespass. I refer you back to the attitude of Scandinavians toward land that we discussed earlier.

America has always had an entirely different attitude. This is the country where barbed wire was invented in the 1890s. “Keep out.” “Don’t come in here.” “This is my house and no one can come in.”

However, when you start to talk about something being the people’s house or the people’s land or public lands, then in theory, at least, people are entitled to go onto it. And this is an issue that the Bureau of Land Management grapples with in places like Arizona and New Mexico all the time.

So the question is, “Is the U.S. Capitol the people’s house, as a matter of law, and should everyone be able to walk into it willy nilly?” That’s something the courts will be deciding over the next few months.

And remember, when we talk about the whole concept of private property, that there’s a difference between “real estate” and “real property.” Real estate is the land and any structures on it. Real property is all that, plus what’s called the bundle of rights that you attach to the land, one of which is to exclude people from it.

If you walk onto my land and I say go away, you should go away. If not, I have the absolute right as landowner to call the police and have them compel you to go away.

So who owns the U.S. Capitol? Who has the right to say to the people, if this is the “People’s house,” No, go away? It’s a very interesting legal question somewhat beyond what I write about in the book, but one which, as I said, will be tested in the courts in the coming weeks.

TWN: Well, since I’ve gotten you into a somewhat controversial area. Let me ask you this. on the day that we are speaking a House committee is set to hear testimony on reparations for the families of former slaves. You mentioned New Zealanders giving land back to the Maori; do you think some kind of offer of land will be part of an reparations package settled on in the U.S.?

SW: We, that opens a whole other can of worms because it is another subject that interests me due to my wife being a Japanese American and what happened to all the Japanese landowners who were bundled off into concentration camps in 1942.

Here was a people who were thought to be a threat for no reason other than the color of their skin and the shape of their eyes, and when they came out of those camps at the end of World War II, in many, many cases they discovered their lands had been taken away from them.

Well, eventually, they got “”reparations” in the form of an apology from then-President Ronald Reagan and a check for \$20,000, but it was a drop in the bucket compared to the loss they’d suffered in terms of their land, their livelihood, their standing in their communities and their dignity. So reparations are a very complex issue. I think the basic thing is not to misbehave towards people, whether they be Mohican Indians in New York State or Japanese Americans.

TWN: So now, what's next for you? Do you have an idea of what you're going to write next?

SW: Well, I do actually. My editor said the other day, the ideas get smaller and smaller and smaller. The next book I'll be writing is a history of the spreading of knowledge, and the threat associated with the future of wisdom.

The idea being that knowledge is so instantly available now — at the touch of a button — we risk no longer keeping it in our brains. And if you believe that wisdom is knowledge multiplied by experience, an elderly person imbued with a lot of accumulated knowledge has a chance of being wise.

But if you have no reason to retain knowledge. If it's available almost instantly to you, do you then risk never becoming wise, no matter how old you are? We need wise people in the world.