

Private Property and the Common Wealth by Wendell Berry

THIS ESSAY owes its existence to anxiety and to insomnia.

I write, as I must, from the point of view of a country person, a member of a small rural community that has been dwindling rapidly since the end of World War II. Only the most fantastical optimism could ignore the possibility that my community is doomed—that it was doomed by the overwhelming victory of industrialism over agrarianism (both North and South) in the Civil War and the history both subsequent and consequent to it. It may be that my community—its economy, its faith, its local knowledge, its affection for itself and its place—will dwindle on for another generation or two and then disappear or be replaced by a commuters' suburb. If it is doomed, then I have no doubt that much else is doomed also, for I cannot see how a nation, a society, or a civilization can live while its communities die.

If that were all my thought, then I might find some comfort in despair. I might resign myself and at least sleep better. But I am convinced that the death of my community is not necessary and not inevitable. I believe that such remnant communities as my own, fallen to the ground as they are, might still become the seeds of a better civilization than we now have—better economy, better faith, better knowledge and affection. That is what keeps me awake, that difficult hope.

My hope, I must say, subsists on an extremely meager diet—a reducer's diet. It takes some strength from the knowledge that we may be looking doom squarely in the face, from the knowledge that human beings, let alone human societies, cannot live indefinitely by poison and fire. It takes some strength from knowing that more and more people seem to have this knowledge; more and more people seem to know that we now have to choose consciously, perhaps for the first time in human history, between doom and something better.

My hope feeds, however uneasily, on such a phrase as "the forest commons" that has recently floated up into public discussion. I think I know the worry and the hope from which that phrase comes. It comes from a growing awareness of the mutuality of the health of human beings and the health of nature, and this is encouraging. I am uneasy about it because I think I know also what the word "commons" means. It means a property belonging to a community, which the community members are free to use because they will use it with culturally prescribed care and restraint. I do not think that this even remotely applies to us.

Historically, the commons belonged to the local community, not to "the public." The possibility of a commons, in the true sense, depends on local adaptation, a process in which Americans have, at times and in places, made a few credible beginnings, always frustrated by the still-dominant belief that local adaptation does not matter because localities do not matter. At present it is generally true that we do not know in any useful sense where we are, much less how to act on the basis of such knowledge. If we humans know where we are and how to live well and conservingly there, then we can have and use the place "in common." Otherwise—and it is still far otherwise with us—we must find appropriate ways to parcel out, and so limit, both privilege and responsibility.

The idea of a commons applies perhaps to most tribal cultures. It applied to English culture before the long and bitter history of enclosure. It applied, for a while, in New England. But we in Kentucky, as in most of the rest of the United States, never had such an idea. We have had the idea of private property, the idea of public property, and the idea of the commonwealth—and we have valued those ideas in about that order. We have never thought very well or very thoroughly about any of those ideas. Nevertheless, I prefer the word "commonwealth" (in its literal and now somewhat outdated sense) to the word "commons," for the very reason that "commonwealth" comes to us with so great a historical burden. We have been saying it and ignoring it for so long that though it accurately names our condition and our hope, it is not likely to lead to too much optimism. Too much optimism, I am

afraid, will lead us to understand by "commons" only what we have so far understood by "public"-and that clearly would solve none of our problems .

In my own politics and economics I am a Jeffersonian-or, I might more accurately say, I am a democrat and an agrarian. I believe that land that is to be used should be divided into small parcels among a lot of small owners; I believe therefore in the right of private property. I believe that, given our history and tradition, a large population of small property holders offers the best available chance for local cultural adaptation and good stewardship of the land-provided that the property holders are secure, legally and economically, in their properties.

To say that the right of private property has often been used to protect individuals and even global corporations in their greed is not to say that it cannot secure individuals in an appropriate economic share in their country and in a consequent economic and political independence, just as Thomas Jefferson thought it could. That is the political justification of the right of private property. There is also, I believe, an ecological justification. If landed properties are democratically divided and properly scaled, and if family security in these properties can be preserved over a number of generations, then we will greatly increase the possibility of authentic cultural adaptation to local homelands. Not only will we make more apparent to successive generations the necessary identity between the health of human communities and the health of local ecosystems but we will also give people the best motives for caretaking and we will call into service the necessary local intelligence and imagination. Such an arrangement would give us the fullest possible assurance that our forests and farmlands would be used by people who know them best and care the most about them.

My interest here is in preserving the possibility of intimacy in the use of the land. Some of us still understand the elaborate care necessary to preserve marital and familial and social intimacy, but I am arguing also for the necessity of preserving silvicultural and agricultural intimacy. The possibility of intimacy between worker and place is virtually identical with the possibility of good work. True intimacy in work, as in love, means lifelong commitment; it means knowing what you are doing. The industrial consumer and the industrial producer believe that after any encounter between people or between people and the world there will be no consequences. The consumptive society is interested in sterile or inconsequential intimacy, which is a fantasy. But suppose, on the contrary, that we try to serve the cultural forms and imperatives that prepare adequately for the convergence of need with fertility, of human life with the natural world. Then we must think of consequences; we must think of the children.

I am an uneasy believer in the right of private property because I know that this right can be understood as the right to destroy property, which is to say the natural or the given world. I do not believe that such a right exists, even though its presumed existence has covered the destruction of a lot of land. A considerable amount of this destruction has been allowed by our granting to corporations the status of ' persons" capable of holding ' private property." Most corporate abuse or destruction of land must be classified, I think, as either willing or intentional. The willingness to use land on a large scale implies inevitably at least a willingness to damage it. But because we have had, alongside our history of land abuse, a tradition or at least a persistent hope of agrarian economy and settled community life, the damage to the land that has been done by individual owners is more likely to be attributable to ignorance or to economic constraint To speak sensibly of property and of the rights and uses of property, we must always observe this fundamental distinction between corporate property and property that is truly private-that is, property of modest or appropriate size owned by an individual.

Our history, obviously, gives us no hope that, in our present lack of a general culture of land stewardship, the weaknesses in our idea of private property can be corrected by the idea of public property.

There is some hope, I think, in the idea of the commonwealth, which seems to acknowledge that we all have a common interest or share in the land, an interest that precedes our interest in private property. Of the precedence of our share in the common wealth the best evidence is that we share also a common health; the two, in fact, are inseparable. If we have the "right to life," as we have always supposed, then that right must stand upon the further right to air, water, food, clothing, and shelter.

It follows that every person exercising the right to hold private property has an obligation to secure to the rest of us the right to live from that property. He or she has an obligation to use it in such a way as to not impair or diminish our rightful interest in it.

But-and here is the catch-that obligation on the part of the landowner implies a concurrent obligation on the part of society as a whole. If we give our proxy to the landowner to use-and, as is always implied, to take care of-the land on our behalf, then we are obliged to make the landowner able to afford not only to use the land but also to care properly for it. This is where the grossest error of our civilization shows itself

In giving a few farmers our proxies to produce food in the public behalf for very little economic return, we have also given them our proxies to care for the land in the public behalf for no economic return at all. This is our so-called cheap-food policy, which is in fact an anti-farming policy, an anti-farmer policy, and an anti-land policy. We have also a cheap-timber policy, which is similarly calamitous.

We hold the land under a doctrine of private property that in practice acknowledges no commonwealth. By allowing or forcing the owners and users of productive land to share in the commonwealth so minimally that they are poorly paid for their work and not paid at all for their stewardship, we have stood an ancient pyramid on its tip. We now have an enormous population of urban consumers dependent on a tiny population of rural producers. And this involves a number of problems that are not merely quantitative or practical.

In her paper "Agricultural Industrialization and the Loss of Biodiversity," my friend Laura Jackson helps us to see that as farming families dwindle away, we lose not just essential and perhaps irreplaceable knowledge but also an old appreciation and affection that may be even more valuable. Here is what she says about the industrialisation of livestock production; though she is talking about agriculture, her principle applies just as obviously to forestry

While innovative farmers can still raise hogs and dairy cattle more cheaply and with fewer environmental impacts than the high-density livestock facility, they suffer as their neighbors go out of business and the infrastructure and markets for livestock crumble.... Without a market to sell their animals, even the most practical, conscientious, and sustainable operations, including those of the Amish and Mennonites, are in danger of disappearing. When the minds responsible for these farms have left the countryside, replaced by minimum-wage labor in factory-style facilities, so will the potential to conserve and improve the agricultural landscape.

Conservationists have now begun to acknowledge that the health and productivity of the land constitute a commonwealth. I say they have begun to acknowledge this because at present they tend to acknowledge it only so far as it pertains to forested or otherwise "wild" land, the land that most conservationists understand as "natural." They wish to protect the common wealth of the forested land by some such doctrine as "the forest commons." But the danger is that this will accomplish only one more anomalous inversion; from a doctrine of private landownership that acknowledges no commonwealth, we might go to a doctrine of commonwealth in which there are no private shares. "The forest commons," I am afraid, may become an idea that will separate forestry

and forest conservation from the rural economy, just as industrial agriculture is an idea that has separated farming and soil conservation from the rural economy.

To insist that our public forests should be cared for and used as a commonwealth already strains belief, for it raises immediately the question of where we are to find the people who know how and are adequately motivated to care for it. Our history-which is still the history of a colonial economy-could not produce an adequate number of people adequately prepared to be good stewards of the public lands any more than of lands "privately" owned. Colonial economies place no value on stewardship, and do not teach, encourage, reward, or even protect it.

To remedy this failure, we will have to realize that not just forest land but all land, private and public, farmed or forested, is "natural." All land is natural and all nature is a common wealth. Wherever we live, we live in nature and by using nature, and this use everywhere implies the requirement of good stewardship. But we will have to do more than merely change our minds. We will have to implement a different kind of education and a different kind of economy. If in order to protect our forest land we designate it a commons or commonwealth separate from private ownership, then who will care for it? The absentee timber companies who see no reason to care about local consequences? The same government agencies and agents who are failing at present to take good care of our public forests? Is it credible that people inadequately skilled and inadequately motivated to care well for the land can be made to care well for it by public insistence that they do so?

The answer is obvious: you cannot get good care in the use of the land by demanding it from public officials. That you have the legal right to demand it does not at all improve the case. If one out of every two of us should become a public official, we would be no nearer to good land stewardship than we are now. The idea that a displaced people might take appropriate care of places is merely absurd: there is no sense in it and no hope. Our present ideas of conservation and of public stewardship are not enough. Duty is not enough. Sentiment is not enough. No mere law, divine or human, could conceivably be enough to protect the land while we are using it.

If we want the land to be cared for, then we must have people living on and from the land who are able and willing to care for it. If-as the idea of commonwealth clearly implies-landowners and land users are accountable to their fellow citizens for their work, their products, and their stewardship, then these landowners and land users must be granted an equitable membership in the economy.

Thirty years ago, one of the organizations leading the fight against strip mining was the Appalachian Group to Save the Land and the People. This seemed an exemplary organization-an informed local response to a local calamity-and I was strongly affected and influenced by it. What most impressed me was the complexity of purpose announced in its name: it proposed to save the land and the people. This seems to me still an inescapable necessity. You really cannot specialize the work of conservation. You cannot save the land apart from the people or the people apart from the land. To save either, you must save both-that is a lesson taught nowhere better than in the economic history of the Commonwealth of Kentucky. To save both the land and the people, you need a strong rural economy. In truth, you need several strong rural economies, for even so small a state as ours has many regions, and a good economy joins local people conservingly to their local landscapes.

If we are serious about conservation, then we are going to have to quit thinking of our work as a sequence of specialized and temporary responses to a sequence of specialized and temporary emergencies. We will have to realize finally that our work is economic. We are going to have to come up with competent, practical, at-home answers to the humblest human questions: How should we live? How should we keep house? How should we provide ourselves with food, clothing shelter, heat, light, learning, amusement, rest? How, in short, ought we to use the world?

No conservation issue could lead more directly to those questions than the issue of Kentucky forestry. It is true that our state contains some sizable areas of private or public forest land, but we cannot proceed on the assumption that we are dealing with large tracts of timber or that we can ever hope to conserve our forests solely by forest conservation policies, however enlightened.

In Kentucky we have 12,700,000 acres of forest, more than 90 percent of which is privately owned. We must assume, I think, that many of the 440,000 owners of this land would fiercely oppose any public appropriation of their modest properties or any diminution of their rights therein. Although I know very well the dangers to the common wealth and health inherent in private property rights, I would be one of those fierce opposers.

The first of my reasons is my too little faith in the longterm efficacy of public stewardship. Perhaps the public will prove equal to the task of wilderness preservation, though that is by no means certain. But it's not easy to imagine the conditions under which highly competent and responsible public stewardship of land that is in use might be maintained for many generations and through the inevitable changes of politics and economics.

My second reason is that I do have some faith in the longterm efficacy of private stewardship, again provided that the connection between the people and the land can be made secure. To be preserved in use, even our public lands must come to be intimately connected to their local communities by means of strong local economies .

The two great ruiners of privately owned land, as I have said, are ignorance and economic constraint. And these tend to be related. People have ruined land mainly by overusing it-by forcing it to produce beyond its power to recover or by forcing it to produce what it never should have been asked to produce. And behind this overuse, almost always, has been economic need. Sometimes ignorance and poverty have been directly related: the land would have produced better immediately had it been better used. But economic constraint also preserves ignorance in land use: families have often failed or starved out before they had time to learn to use the land well. Land that passes rapidly from one owner or user to another will not be adequately studied or learned and so will almost predictably be abused. The more marginal or difficult the land, the worse will be the abuse.

This work of ignorance and economic constraint, moreover, has been abetted by our time's radical and artificial division of the producer's interest in the land from the interest of the consumer. In reality, these two interests are the same, and yet our idea of "the market" has encouraged us to think of the interests of producer and consumer as two interests, not only divided but competitive. And we have allowed many economic enterprises and many agencies to interpose themselves between producers and consumers, greatly increasing our bewilderment about our economy, our connection to the land and to one another, and our ecological and economic responsibilities. One result, to name only the most prominent, is our so-called cheap-food policy, by which farmers are put under pressure to abuse the land on behalf of urban consumers, many of whom think of themselves as conservationists.

In Kentucky we are now moving rapidly toward the end of such economic fantasy. Conservationists wishing to establish good forestry practices in our state will immediately see the hopelessness of conventional economics and of conventional conservation if only they will consider that many of the owners of Kentucky's forests are farmers, and therefore that one of the greatest threats to our forests is the continuing stress within our agricultural economy. We would-be conservers of the state's forests must see that the interests of producers and consumers, of landowners and conservationists are not divided but only the two sides of a mutuality of interest that waits to be defined. Conservation clearly cannot advance much farther here unless conservationists can make common cause with small landowners and land users. And our state's small farmers and other small

landowners desperately need the understanding and help of conservationists.

I would beg my fellow conservationists, as I would beg my fellow farmers, to realize that we must quit thinking of our countryside piecemeal, in terms of separate products or enterprises: tobacco, timber, livestock, vegetables, feed grains, recreation, and so on. We must begin to think of the human use of each of our regions or localities as one economy, both rural and urban, involving all the local products. We must learn to see such local economies as the best and perhaps the only means we have of preserving that system of ecological and cultural connections that is, inescapably, our common wealth.

If conservationists are serious about conservation, they will have to realize that the best conserver of land in use will always be the small owner or operator, farmer or forester or both, who lives within a securely placed family and community, who knows how to use the land in the best way, and who can afford to do so. Conservationists who are also farmers or foresters already feel the tension between the demands of ecology and the demands of our present economy; they already feel the urgency of our need for a better economy and better work.

Now consumer-conservationists must begin to feel these strains and stresses also. They will have to acquaint themselves with the requirements of good agriculture. They will have to see that a good food economy does not enrich the agribusiness and grocery corporations at the expense of everything and everybody else, but pays to the real producers the real costs of good food production in Capital, labor, skill, and care. They will have to become active and knowledgeable participants in their local food economies. They will have to see that their local Sierra Club chapter is no more important to conservation than their local food-marketing co-op.

Similarly, they will have to understand the value of and give their support and patronage to the formation of good local forest economies, permanently in place, scaled so as to use the local forests in the best way, and able to pay a price for timber that will encourage the best forestry and logging practices. These three issues of local economy, scale, and price will determine the quality of use. Our present economy pretty well dictates that a farmer's woodlot or forested hillside will be roughly logged once in a generation or once in a lifetime, and otherwise ignored or used for grazing. A good local forest economy would both protect the forest from abuse and make it a continuing source of income to the landowner and the local community.

Let me give just one very suggestive example of what I mean. My friend Gene Logsdon owns fourteen acres of woodland in Ohio, and his son, Jerry, has a small woodworking shop. One of Gene's main reasons for owning his wooded acreage is that he likes trees. He likes to walk in his woods and look at the wildflowers or watch warblers in the spring. His two woodlots would be valueless or even repugnant to him as fourteen acres of stumps. At the same time, a part of his fascination with his small farm, including his woodlots, is in his economic relation to it. He uses his land because using it makes economic sense and gives pleasure. He logs his woodlands very selectively for firewood and lumber, taking mostly dead or dying or defective trees-and always leaving some dead trees in hospitality to the birds and animals. Every few years he accumulates enough logs for a day's sawing, and then he hires a man with a portable band saw to come and saw the logs into boards. Here is what he wrote to me in response to something I had written about local forest economies:

You could have made the point that not only do woodlot owners lack bargaining power but when the wood comes back to the local lumberyard the price is atrocious. Jerry tells me that the last time we had the band saw man in to saw logs, we came away from a day's work with something like 3,000 board feet of good white oak lumber, worth \$3,000 or \$4,000. and this was all from blemished or poor-grade logs that we could not have sold at all to a timber buyer. The band sawyer charged us \$350! Not only that, but we got a few board feet of mulberry, pear, and sassafras for furniture accents. The mulberry and pear were big old yard trees that a regular sawmill would never take

because of possible hardware in the log. A band sawyer can take the risk of hitting a nail because a dulled band-saw blade can be sharpened for \$15.

This is an excellent example of intimacy in land use. This is the way a good forest economy reaches the ground. Such intimacy enables pleasure, good care, attention to details, awareness of small opportunities, diversity, and thrift. It prevents abuse, preserves the forest, and produces an economic return. A fourteen-acre woodland that supplies a household's winter heat and \$1,000 worth of sawed lumber a year is contributing significant income—considerably more, in fact, than an equal acreage of corn. We should note in passing that Gene's woodlands have produced this income probably without diminishment of their value as standing timber. Moreover, as he well knows, such farm woodlands might also produce fence posts, medicinal or edible herbs, Christmas wreaths, mushrooms, and other products usable or marketable. We must also understand that this sort of forestry and forest economics cannot expectably or even imaginably be practiced by a public agency or a timber company.

But let us not limit our thinking just to the economics of woodlands. Let us think of the thousands of farm woodlands in Kentucky not just as the possible basis of a system of good regional forest economies but as parts of family farms that include, in addition to their woodlands, some land that is arable and some that is in permanent pasture. Such farms in Kentucky are capable of producing an astonishing variety of marketable products: forest products, livestock, row crops, herbs and mushrooms, fruits and vegetables. They can produce these good and necessary things in great abundance indefinitely, protecting in the process the commonwealth of air, water, forests, and soils, granted only the one condition: vigorous local economies capable of supporting a stable and capable rural population, rewarding them appropriately for both their products and their stewardship. The development of such economies ought to be the primary aim of our conservation effort. Such development is not only desirable; it is increasingly necessary and increasingly urgent.

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