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This is Phil Arnott for community comment on K INS radio.

Having been raised in the title insurance business, I have always been cognizant of property rights in our country. History tells us that communal property ownership has never worked in the United States from the days of the pilgrims. Gov. Bradford saw that early on and abandoned communal ownership and once he did that the communities started to thrive.

I was admitted to practice law before the United States Supreme Court in 1972 and in 1974 I became a charter member of the Supreme Court historical Society. The Society publishes the journal of the Supreme Court history and in its latest edition there were two articles on private property rights.

The first article was written by Jonathan O'Neil and titled property rights and the American founding. He says that a few general observations about property would be helpful. The English word property is derived from the Latin proprius which means to own. Western political tradition has always associated property with individuality of some type. Modern political theory has long been concerned with private property and its relationship to work and the distribution of valued resources.

In the early 21st century there can be little doubt about which fundamental approach to property best generates productivity and secures prosperity. Property ownership, accordingly, according to Mr. O'Neil as a direct connection to liberty, choice and consent means that it has long figured prominently in thinking about constitutionalism. Mr. O'Neil traces property rights from the time that the first colonies were established in this great country of ours. Originally the colonists believed that all their rights came from the principles of the English Constitution. However as I mentioned earlier, communal property rights led to laziness and distribution of wealth. While the property rights of American colonists in the early days were constrained by both common-law principles and the economic policy of mercantilism by which Britain governed in these colonies. When things began to break down between the colonies and Great Britain the colonists emphasized more and more the importance of property.

The declaration of independence and of course our Constitution articulate these ideas of property rights.

I leave you with a point to ponder: don't you think that even today property rights are tantamount to independence, security and individuality as well as the pursuit of happiness.

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