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POLITICS, PLANNING AND LAND USE

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In June of next year, in just a few short months, the governments of the world will convene the Habitat conference in Vancouver to consider the future of the built environment and the steps that must be taken to deal with the chaotic development and unsatisfactory results that characterize the last quarter century. For those of us who have studied and worked in fields relating to these problems in the past, this will provide a very special opportunity and should be a source of new hope.

I am especially glad to take part in this meeting, because it is my very strong belief that of all the issues before the conference the most fundamental will be the use of land, which is of course the basic resource not only of human settlements but of life itself. It is on land that we grow our food, build our homes, and declare our nationhood. It is in the use of land that we reflect our cultures and build our prosperity.

My remarks today will be directed mainly to urban land, but I would like at least in passing to make reference to all land, because owing to population growth we are using up this vital natural resource at an astonishing rate. In the planning of the built environment, and in the growth of human settlements, we must be conscious of the fact that every year millions of acres are taken over, probably forever, by our expanding needs for homes and other urban uses, and are thereby lost to the production of food and the preservation of open spaces.

I would also like to say about Habitat that the convening of a conference of the United Nations is a recognition by governments of a common crisis. And if there is a global recognition of a crisis of human settlements, and an urgent need for changes in policies and systems, it must follow without question that there is a need for change in the way we use our land resources.

Planners, and probably most of you in this audience, have understood the key nature of land in human settlements for many years. I think among professionals there is a widely held consensus on how we are misusing our land even on the direction of required change.

I read recently, for example, the final report of a seminar on land use held under United Nations auspices in Madrid just four years ago. The experts at that meeting, and the mountain of documentation supporting them, clearly made every point that I could hope to present to you today. Yet I think we also know that practical steps to implement the recommendations of that meeting have been marginal at best. In the main, and particularly in free market or mixed economies, misguided and even destructive patterns of the past have been continued and in many cases accelerated. The universal agreement of expert opinion has had relatively little effect.

The reason, as you know, is more than the time lag between planning consensus and political implementation. It is because there is no issue more politically charged and complicated than changes in law and practice governing land use.

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In our efforts to deal with these problems we must accept that we are confronting a fundamental issue that divides private rights and community need. We must accept that we are dealing with an issue that involves tremendous private economic advantages. And we must recognize, in Western societies at least, that we are trespassing in an area in which private rights have traditional and even constitutional support.

In this struggle in the past, community need has won out only slowly, and usually where private interests gain supplementary economic advantages. For example, road construction has been accepted by community and private developer as useful to both, as has subsurface development for public services. And then, by general agreement, a certain proportion of land is set aside for parks, schools, hospitals and public buildings.

The nature of the issue today is quite different. It is control of land for residential use and for future open spaces in conditions of rapid population growth and the global process of urbanization. It is not so much over land already fully in use, but over the land needed for the future. Traditionally, in most countries, development of new urban land has been in the hands of the private sector as a commodity of the marketplace, its use has been either completely uncontrolled or subject to such minor restrictions as to be meaningless. And it is also clear that the use and development of such land has been a major source of private profit.

Let me cite the obvious example of zoning. The value of land, even unserviced land, can be increased five, ten or even twenty times by the change of zoning regulations from agricultural to industrial or residential use. This is a kind of modern alchemy, creating huge sources of profit and wealth at the stroke of a pen. This new wealth, let it be said, can accrue not only to private hands but to local governments through higher taxes and use charges.

However, it is increasingly evident that the results of this alchemy are not always or even usually in the best interests of the community. In the face of such an extraordinary capability to create wealth without effort, it is almost inevitable that such considerations as environment, hidden social costs and future community need will be swept aside.

The consequences of private control are seen everywhere: in wasteful urban sprawl, segregation by economic class, chaotic municipal administration, pollution, and huge public outlays for transportation and other public services. But I would especially like to point to still another end product, which is the systematic impoverishment of the poor.

In a time of rapid population growth and urban migration, the law of supply and demand when applied to land produces an inevitable cost inflation. Rising land values are the greatest device for concentration of wealth in the world today. And they are therefore the greatest impediment to the more equal distribution of wealth which is the pious promise of every society and economic system.

A further consequence, which every planner is familiar with, is the progressively greater inability of the poor to buy or rent at fair prices the land they need for housing and small industry. The poor are pushed onto land which is the most difficult to service and furthest from opportunity, and which is often physically dangerous.

One has only to visit any city, in developed or developing country, to see the residential areas of the poor on easily flooded river banks, on barren hillsides without water, or in the smoke filled areas of industrial activity. These are symbols of injustice which most nations do not even bother to hide. And these conditions are a direct consequence of the acceptance of land as a commercial commodity. Without a change of approach, you will be able to use as a rule of thumb that such distortions will increase in the future in direct proportion to population growth.

Now, let me go back to the report of the seminar on land use controls in Madrid four years ago, and the recommendations of the experts assembled there. I think they will not be very far from the views that will be expressed at this meeting. For the fact is that the basic research is complete and the necessary conclusions are already drawn. We know the problems and we know what must be done to solve them. They are no different today than in 1971 when that seminar laid down these four central points.

\* First, all urban land, and particularly that part of urban land which is not yet developed, must be viewed as a public trust, and its use must embody principles of social need, environmental safeguards and the requirements of future generations.

I think this is self evident. Even that it needs to be said at all is an indictment of our present systems.

\* Second, land speculation is the most serious impediment to optimal development of urban areas and is particularly injurious to the most deprived strata of society.

To this I would add an ethical and social consideration. There is no justification for enrichment without effort. Since all profit must come from effort in some way, unearned profit must come from the efforts of others who cannot fully protect themselves from this exploitation.

\* Third, control of land use is a pre-requisite of effective urban planning, and governments should differentiate between land ownership and land use.

This is of course at the very heart of planning as a practical science. It is evidenced not only in the benefits of integrated and planned land use but in the reverse of the picture, which is the tremendous social and human costs of the unregulated or largely unregulated systems prevailing today.

Among obvious social costs I would mention the laissez faire systems of industrial location, without regard for the responsibility of the community to supply water and electric power, without regard for the polluting effects of industrial effluence, and without regard for the housing and transportation of the workers involved.

\* And fourth, public acquisition of private land holdings is a fundamental right of the community.

This, in my view, does not go far enough. The public right to acquire private land already is recognized everywhere. The real issue is the price to be paid. Immediate payment for land, in full and at inflated prices, is not a reform but a commercial transaction and an onerous one. The speculator cannot be allowed to dictate to the community the price at which he will be willing to stop his abuse.

Moreover, inflated prices in themselves make purchase impossible in most cases because municipal governments are already strained to provide special services and do not have the financial resources to meet market demand. Municipalities must have the legal ability to take over land both now and in the future at prices within their means.

The debate over the justification for other forms of payment has already been won in the struggle for agrarian reform in most countries, where compensation has been partial or in long term bonds at low interest or by other devices. A very useful expedient for the protection of future land needs is a land price freeze, under which private holders will see no benefit in speculation and by which the price of the land will be progressively lowered through inflation in other sectors of the economy.

This is, of course, a complicated question, because not all land required by the community will be held by speculators and the small property owner cannot be willfully deprived of his security. It will be up to each community or nation to differentiate between proper and improper holdings.

The central point is this. The community's theoretical right to expropriate land is useless unless legal and financial tools exist to make it practical. This is the principle of enabling legislation in all areas of government but which is almost always inadequate for the purpose of land management.

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These four considerations which emerged from the Madrid seminar are neither new nor revolutionary and, in principle at least, it is difficult to disagree with them. The same points were covered more recently in a paper prepared for the Habitat secretariat by the International Union of Local Authorities. Yet none of them to my knowledge, is fully embodied in the laws and practices of any country of the world outside the centrally planned economies. Nor can they be as long as the status of land as a commercial commodity continues.

To these basic four points of land use control and rationalization, I would like to add two others which I also think are basic: one to effective planning and the second to social justice.

The first of these points is the need for planning to be active rather than passive, both at the national and local levels. Because of the difficulties, many of which I have touched on today, planning for human settlements until now has been too narrow both in terms of space and scope.

At the national level, we must introduce territorial macroplanning which will be based on future needs, especially of population growth and distribution. To create an orderly continuum of village, town and city, to foster balanced regional development, to co-ordinate policies between levels of government, and to meet social needs, we must have national policies, including land use guidelines. This is the first point on the Habitat agenda under recommendations for national action.

At the local level, and in particular in the case of land use, government must stop waiting for the initiative to come from the private developer, for example for rezoning or subdivision. This is the case because governments do not have active and long-term plans for urban growth which stipulate guidelines and spatial dimensions for land use, which are known and understood far in advance of actual development, and which are supported by public opinion and even public legislation.

In my remarks today I appear to criticize private enterprise. To the contrary, I believe it can be a tremendous force for good. In the world it has been shown again and again that government cannot do everything, and the built environment today is largely the result of private initiative. What I am saying is that this force must be channeled and regulated, and that this will not happen until government takes the initiative.

The second point which I would like to add is that a societal obligation exists to ensure sufficient land to meet the minimum needs of every citizen, especially for living space.

In my view this is a human right which is now almost everywhere denied. A nation is essentially land, or at least the land is the most fundamental part of the national patrimony. A citizen of a nation, regardless of wealth or station, must have the right to use a tiny portion of the national territory to establish a home for his family. This does not promise where that portion of land shall be located, but it also seems self-evident to me that this land for residential use must be reasonably close to community services and to opportunity.

Yet in most of our countries this is not the case, not even in theory. Rural areas of the developing countries are full of landless and "superfluous" people. When these people drift to the city they are called squatters. They are again landless, beginning their new urban lives in insecurity and even illegality.

And to a lesser extent the same is true in the industrialized world. In some countries, for example, a man without money or property and no reason to be where he is can be arrested on a charge of vagrancy.

The tie between land and citizenship is as old as history. In the early years of most of our countries the right to vote was linked to property. So one can see that not only does citizenship not imply the right to land, but lack of land denied the basic rights of citizenship.

This is unjust. And with population growth in the years ahead it will be seen to be unjust by the landless majorities. May I point out to you that the most important single issue in Latin America over the past three hundred years has been agrarian reform. In the years ahead, when four out of every five Latin Americans will live in urban surroundings, the issue of urban land reform is inevitable. I believe now that we must begin to weigh the ramifications of this principle: that some form of urban land ownership or availability of shelter is a human right.

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Mr. Chairman, these are the kinds of considerations that will be studied at the Habitat conference. In every country that I have visited in the past year and a half I have said again and again that solutions to the problems of human settlements are not technical but political. It will be the response of governments to these challenges, the political will to implement change, that will be the measure of our success or failure; not at Vancouver, but in the years that follow.

This is why I said in my opening words today that this will be a great opportunity. At Habitat, in a global forum, the demands of planning will be weighed at the highest political level, and the need for greater control over land use will be a prominent part of that global review.

It is for this reason that meetings like yours here today and all others that take place in the months leading to the conference are so important. In every country, through our personal contacts, our professional associations, through the media and through political action, we must debate these issues and seek public support. We must make the case that a better environment for all people is not only possible but within our grasp.

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