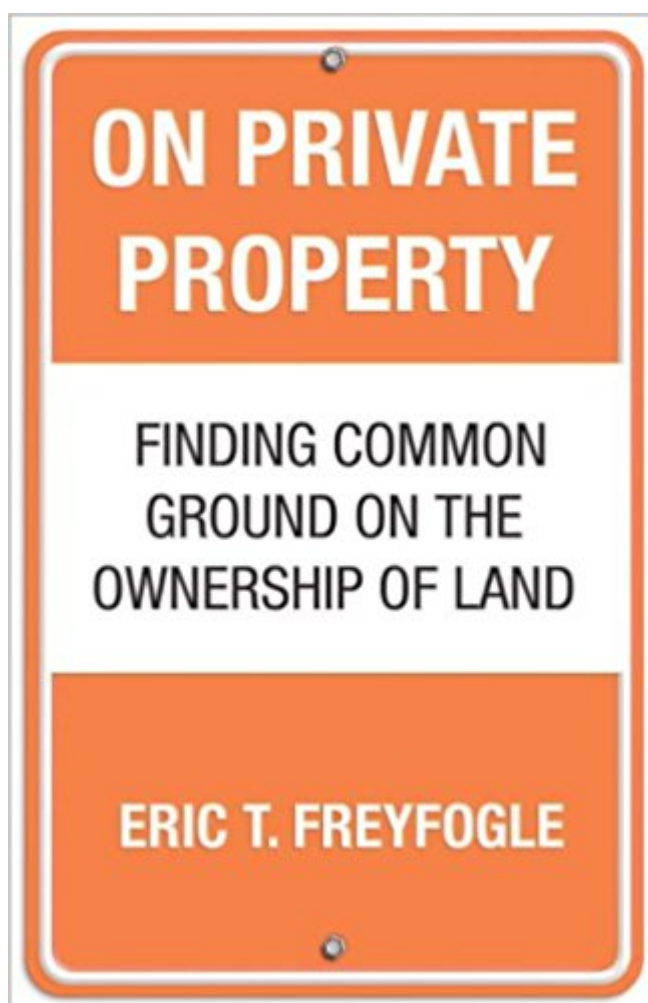


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# On Private Property: Finding Common Ground On The Ownership Of Land



## Synopsis

Urban sprawl. Disappearing wetlands. Historic preservation. Eminent domain. These and related land-use issues have put private-property rights on the public agenda in a contentious, visible way. In this provocative book, legal scholar and conservationist Eric T. Freyfogle presents the private-property debate in a surprising new light while suggesting how we can both respect private property and achieve communal goals. Freyfogle's argument culminates in an intriguing Landowner Bill of Rights far different from property-rights measures now being discussed.

## Book Information

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## Customer Reviews

Freyfogle's new book, which probably should have been titled *Roll Over, John Locke*, is just what the public debate over property rights needs: straight talk, and an invitation to open a conversation about the real issues." Joseph L. Sax, author of *Playing Darts with a Rembrandt: Public and Private Rights in Cultural Treasures*"In a work that eschews easy slogans, Eric Freyfogle proves the truth about American property rights—that original intent, early court opinions, and the realities of modern society all mandate that ownership brings with it weighty but reasonable responsibilities to the larger community. This beautifully articulated book, at once bold and thoughtful, is bound to become a classic in American constitutional and property law." Charles Wilkinson, author of *Crossing the Next Meridian: Land, Water, and the Future of the West*"Packed cover-to-cover with well-reasoned arguments that take both public and private needs into account, *On Private Property* is a welcome contribution to an ongoing dispute." Midwest Book Review"A fresh perspective and penetrating legal and historical analysis of an issue that will continue to be in the forefront of land

policy in the twenty-first century."â Anthony Flint, Lincoln Institute of Land Policy, author of This Land: The Battle over Sprawl and the Future of America

Eric T. Freyfogle has written widely on the many links between people and land, and on the need for a more land-sensitive culture, including the recent books *Agrarianism and the Good Society* and *Why Conservation Is Failing and How It Can Regain Ground*. His nonlegal writings have appeared in various publications, from *Conservation Biology*, *Wild Earth*, and *Orion* to *Dissent* and *The New York Times*. Freyfogle has appeared widely as a speaker, not just at academic gatherings, but at land-related conferences sponsored by major federal agencies, major national conservation organizations, and such professional organizations as the Society of American Foresters, the George Wright Society, and the Natural Areas Association. In January 2004 he was appointed editor of the Leopold Conservation Papers Project, an effort to edit and publish in thematic volumes the conservation writings of Aldo Leopold. He teaches at the University of Illinois College of Law at Urbana-Champaign.

Written by published author and Professor of Law Eric T. Freyfogle, *On Private Property: Finding Common Ground in the Ownership of Land* is a thoughtful look at the recurring dilemma of the private property debate. When is eminent domain justified, and when is urban sprawl too much? When should land be put in public trust to preserve natural life, and when should private property owners' rights prevail? Though Freyfogle acknowledges the concerns of the property-rights movement, he warns that the movement is at risk of distorting the institution of private ownership itself, by completely severing its connections to responsible community welfare. Criticizing the land conservation movement for its excessive and indiscriminate payments to landowners, allegedly to use their lands well, and stressing that the landowner's responsibility not to alter lands in ways that bring ecological decline should not be overlooked, Freyfogle suggests a Landowner Bill of Rights that is vastly different from current property-rights measures being debated. Packed cover to cover with well-reasoned arguments that take both public and private needs into account, *On Private Property* is a welcome contribution to an ongoing dispute.

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