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**Americans Do Not Have Property Rights**

**October 22, 2018**

**Published by LibertyBlock.com**

Many Americans believe that the United States of America is the freest — and therefore the greatest — nation in the world. If you asked these proud Americans what specifically separates their country from the rest of the world, they might reply that its citizens maintain their natural rights to own property. The basic principle of property rights affirms that all individuals are the sole proprietors of themselves and their justly acquired property, and that no person could justly take their property by force. Property is defined as any physical and/or consumable item. Unlike the citizens of totalitarian countries like North Korea, Americans are totally free to own houses, clothes, cars, money, and weapons.

If you look deeper, though, you may find that there are numerous major ways in which Americans’ property rights are perpetually usurped by the federal, state, and local politicians:

1) Nearly every city and town throughout the union enforces zoning laws, generally regulated by a zoning board and sometimes influenced by the city council and state government. While the strictness of zoning laws vary massively from one municipality to another, they generally seem to demand that every property owner follow various laws regarding their property. These laws often control which rooms could be used for sleeping and other purposes, how structures are built, and which activities could be performed in one’s own house. Building or disassembling decks, porches, sheds, interior renovation, paint colors, and many other things

are regulated or prohibited in many cities. In some cases, people cannot even make minor renovations like putting up shelves without obtaining a permit from their local rulers. In many cases, permits are denied or certain renovations are outright illegal. Unless you live in a town with fewer than 1,000 residents, you likely cannot build anything on your justly acquired property without permission from the government. If you violate any of these zoning laws, expect to be fined and ultimately imprisoned.

These [22 pages](#) outline how people in Manchester, NH may utilize their own homes. If you live in Manchester and want to sleep in your own basement, you better make sure that its ceiling is at least 7'6". If it is shorter or if it fails to satisfy all the other basement codes, the government will dispatch armed agents to your home, and they will punish you.

Keep in mind that true ownership of something means that you could use it or dispose of it in any way you wish. If you really owned your home or your property, you would be able to build a satanic temple in your backyard or snort cocaine in your basement without politicians declaring it illegal and sending men with guns to stop you by any means necessary.

2) While we're on the topic of home ownership, let's explore whether that term is even appropriate. If you own something, it means that you have sole proprietorship of it and could therefore utilize or dispose of it in any way you wish. If you cannot utilize something without paying a mandatory and non-consensual fee, you don't really own it. People generally buy homes by paying the price that they and the seller consent to. Many people take out a large loan from a bank (mortgage) in order to pay the seller the agreed upon price. The buyer and the lender then agree to terms (amount, interest rates, etc.) and the buyer agrees to pay the lender/bank back over a certain number of years. So far, every party affirmatively consented to every transaction.

Nearly every American must pay another monthly fee to live in their homes, though. Nearly every local government levies [property taxes](#) on all property owners. Regardless of whether people voted for the politicians and regardless of whether they utilize or benefit from the services ostensibly funded by property taxes, (property taxes are generally thought to be used to fund public schools, so why are childless people forced to pay?) every single property owner must pay the city government money every month. If they fail to pay, the city government sends armed men to extract the money from the homeowner by any means necessary.

Bonus violation of property rights: Believing in true property rights would mean believing that each individual is the sole proprietor of all that they own, which includes their wages. If I demanded 30% of your weekly income under threat of force, I would be in violation of your natural right to keep your own property. Why do people get away with theft of wages simply because a few people voted for them? What about those who [didn't vote for them](#)? This issue bothered me so much that it inspired me to write [Taxation Is Theft](#) in 2022.

3) If you'd like a simple example of the government violating property rights by stealing property, you needn't look any further than the constitutionally approved theft known as eminent domain. Yes, you read that correctly. The original US Constitution empowers the federal government to seize any land for a purpose that is determined (by the federal government) to be for the benefit of the public. The Constitution does require that the federal government pay the property owner market value for their property, but that does not actually benefit the property owners much. In [Kelo vs. New London](#) (2005), the Democrat judges on the US Supreme Court affirmed that local governments could steal any property from individuals that they wanted, even

if the new use of the property hardly and indirectly benefited the public by growing the property tax base. (The city planned to sell Susette Kelo's land to Pfizer, a pharmaceutical company.)

Tomorrow, your city or town council could take your house from you. They might pay you what they claim is market value. They might demolish your house and build a road through the property. They might give your property to a massive and corrupt corporation. Once you're homeless, confused, and furious after being betrayed by your beloved government, will it even matter how they use your property?

4) Actually, the government could take your house tomorrow and pay you nothing for it. In fact, they could steal any property you own without even having a warrant, conviction, or any court ruling against you. Governments of every level and in every area of the US have been doing this for decades, but they refer to it as "civil asset forfeiture." This makes it sound more "civil" and less like "violent, illegal, theft." Simply put, civil asset forfeiture involves a cop taking property that they believe may have been used in a crime or may be used in a crime in the future. If you are carrying cash or a firearm or driving an expensive car, a cop need only claim that you seem like a drug kingpin, and he could literally seize your property.

When a justification is requested, law enforcement and government officials generally explain that when a cop encounters a lot of cash, firearms, ammunition, or other such property, it's best to confiscate them as soon as possible so that if they are being used in illegal gang operations, the gang is immediately curtailed by the seizure of money or weaponry. The problem, however, is that this practice flies in the face of property rights, due process, personal freedom, and skepticism of arbitrary government power, all of which are important American principles. Evidently, very few Americans still believe that individuals ought to be considered innocent until

proven guilty in a court of law by a jury of their peers. I explore this issue and many other violations of due process in [\*Presumed Guilty\*](#).

Upon being appointed by Trump and confirmed by the Senate, Attorney General Jeff Sessions asked for local police agencies to [increase the practice of civil asset forfeiture](#).

5) As I alluded to earlier, humans have a natural right to own property. This includes any type of physical property, including steel, plastic, lead, and any other material that the individual might wish to own. In 1934, however, President Franklin D. Roosevelt created [federal laws](#) that prohibited free Americans from owning certain items, including suppressors and various types of firearms. (Despite no firearm laws existing in the US before 1934, the nation had much fewer mass shootings.) Today, the federal government seems to enforce infinite laws which restrict the natural rights of Americans to own items. Additionally, many states and many cities have stricter firearm and ammunition laws than the federal government. The gun control laws in NYC make it illegal to have any part of any firearm or ammunition. This goes as far as criminalizing the possession of a single casing. If Americans had property rights, no items would be illegal to own.

6) Did you think that the 4th amendment protected your private property from searches and seizures by government agents? Think again. One of the fundamental problems with the Constitution is that it can be “interpreted” in any way by any judge at any time. For instance, a few judges created the “Open Fields” doctrine, which effectively means that private property is not private property. The judges claimed that the founders only intended for the 4th Amendment to protect one’s house from government intrusion.

In 1924, the SCOTUS in *Hester v. United States* established the [Open Fields](#) framework and proclaimed the U.S. Constitution does not extend to most land: “the special protection

accorded by the Fourth Amendment to the people in their ‘persons, houses, papers, and effects,’ is not extended to the open fields.”

In 1984, a few judges decided in *Oliver v. United States* that “open fields do not provide the setting for those intimate activities that the Amendment is intended to shelter from government interference or surveillance. There is no societal interest in protecting the privacy of those activities, such as the cultivation of crops, that occur in open fields.” Politicians in states like Tennessee now use that “ruling” as justification to [plant cameras](#) on private property for no reason. Thus, we lost a major protection of the natural right to be free from suspicionless searches and seizures of our property except for our actual living quarters.

7) The CDC owns all rental properties in all 50 states. Yes, you read that correctly. The Centers for Disease Control, a federal government agency has granted itself the power to control all rental properties whenever there is illness. Due to the government-manufactured economic crisis that used “coronavirus” as justification, many people are predictably struggling to pay their rent and mortgages. So, the CDC announced that they will make it a [crime for landlords to evict](#) tenants who do not pay their rent. Of course, this policy violates property rights, was not passed by legislators, is wildly unconstitutional, and will actually hurt the economy more than it helps. This is because the new policy essentially guarantees that all renters will stop paying rent to their landlords. Why pay if you don’t have to? Receiving no monthly income, landlords will default on their mortgages en masse.

There are many more examples of governmental violations of our property rights. From prohibiting tinted windows on cars (but allowing them on SUVs) to taxing Americans for every single transaction they make, the government has increasingly assaulted the most foundational

human right. Being that the Republican and Democratic parties have largely supported the perpetual transfer of property rights from individuals to the government, the only way to turn this authoritarian trend around is by electing pro-liberty candidates to replace every Republican and Democrat in office. But I'm not holding my breath.