

*"Nor shall private
property be taken
for public use without
just compensation."*

*Fifth Amendment,
U.S. Constitution*

LAND RIGHTS

THE 1990s' PROPERTY RIGHTS REBELLION

Edited by **Bruce Yandle**

Land Rights The 1990s Property Rights Rebellion

Jeffrey J. Pompe, James R. Rinehart



Land Rights The 1990s Property Rights Rebellion:

Land Rights Bruce Yandle, 1995-06-06 In the 1990s a grass roots movement has sprung up among ordinary people to fight regulatory actions taking away their rights to land In this collection of new essays twelve distinguished scholars of economics law and public affairs address the history and causes of this movement They document and analyze Supreme Court decisions on regulatory takings enforcement activities of the Corps of Engineers and EPA and case studies involving takings under the Endangered Species Act **106-1 Hearings: American Land Sovereignty Protection Act, Serial No. 106-16, March 18, 1999 and May 1, 1999**, 1999 American Land Sovereignty Protection Act United States. Congress. House. Committee on Resources, 1999 **Main Themes in the Debate Over Property Rights** James W. Ely, 1997 When BBC producer Jan Harding arrives at the small idyllic Suffolk village to begin production of the Palm Sunday broadcast of Songs of Praise a television program featuring hymns sung by real congregations she finds out that the vicar Clive Linton is hopelessly absent minded and not impressed that the top BBC religious program chose to come to his church His practical wife Helen however gets on well with the television team perhaps a little too well where the charming enigmatic rigger Michael is concerned Soon the whole village gets involved Buntly Maddocks queen of every local committee plots to get around the ban on church flowers during Lent retired lonely accountant Jack Diggins finds purpose faith and friendship as he plans tickets and seating teenage soloist Anna surprises herself with her success and obstructive Charles chairman of the Parish Council resents the enthusiasm of other villagers including his wife Betty This delightful story full of memorable characters and inspiring music will make you laugh and cry and gives a fascinating insight into the making of a major television broadcast Very readable Warm and witty Woman s Weekly A gripping story which touches some very basic emotions Captures wonderfully the two extremes of village life This is very powerful stuff Barbara Erskine Very moving very powerful intimate moments I really did enjoy it Lynn Parson BBC Radio 2 The characters and situations were so good that I got lost in the book All I can say is well done Pam The Lincolnshire Echo **Federalist Government in Principle and Practice** Donald P. Racheter, Richard E. Wagner, 2012-12-06 Federalism has generally been characterized as a system of government that is friendly to liberty It is not obvious though why this should be so Federalism is a form of government where citizens simultaneously reside in at least two governments each of which has independent authority to tax and to regulate By contrast in a unitary form of government citizens face only one government with independent authority to tax and regulate At first glance it would seem a bit strange to claim that liberty is more secure when citizens are members of two governments with independent authority than when they are members of only one such government The relationship between federalism and liberty turns out to be a complex one and one that is capable of working in either direction Whether federalism supports or erodes liberty depends on importantly on the institutional framework within which federalist governance takes place The essays in Federalist Government in Principle and Practice examine this institutionalist theme

from both theoretical and practical perspectives *The Technology of Property Rights* Terry Lee Anderson, Peter Jensen Hill, 2001 *The Technology of Property Rights* combines the understanding of institutions and institutional change with a discussion of the latest technologies and their influence on the measurement and monitoring of property rights The contributors analyze specific applications for fisheries whales water quality various pollutants as well as other pressing environmental issues No other work brings together an economic understanding of environmental issues with technological expertise in the way this volume does **Private Property Rights** Paul Ruschmann, Maryanne Nasiatka, 2007 What sort of rights are entailed in the ownership of private property Exploring this debate this objective guide aims to enhance readers understanding of this pivotal issue *Land Use Decision Making-- Its Role in a Sustainable Future for Michigan* , 1996

Under The Blade Thomas Lyson, 2018-05-04 *Under the Blade* The Conversion of Agricultural Landscapes examines the patterns causes and consequences of current land use decisions in the United States particularly the conversion of farmland to housing roads and other development Changes in land use are the result of complex interactions among law economics landscape characteristics social and political forces ethics and aesthetics By examining farmland loss from each of these perspectives and then integrating the results into policy recommendations *Under the Blade* makes an important contribution to the ongoing debate on the optimal use of a finite resource land In 1998 the last farm in Des Plaines Illinois was subdivided Seven acres along the Niobrara River in north central Nebraska sold for USD5700 per acre twenty times the price for agricultural use Waukesha County Wisconsin although still largely in agriculture has been almost entirely zoned for small lot subdivisions Nationwide the cumulative effect of thousands of individual land use decisions is an orgiastic devouring of the countryside that consumes at least 1 4 million acres of rural land each year and fragments a much larger area The effects on landscape functions include loss of agricultural production water pollution increases in local runoff and flooding loss of habitat and biodiversity and the loss of natural beauty In exchange we get malls retail strips and an ugly sprawl that degrades people and community How have we come to this and more importantly how might we find a better sustainable approach to the use of land Land use decisions are the result of complex interactions among law economics landscape characteristics population growth social and political forces ethics and aesthetics *Under the Blade* The Conversion of Agricultural Landscapes examines the loss of farmland and other rural lands from each of these perspectives and shows how interactions among different factors greatly complicate sustainable land management Included throughout the seven main chapters of the book are descriptions of some of the tools and strategies that can be used to preserve farmland and guide development The application of these tools is illustrated by 22 case studies of towns and regions throughout the United States each with a somewhat different challenge response and degree of success or failure Dietrich Bonhoeffer a Protestant theologian hanged by the Nazis in 1945 stated that the ultimate test of a moral society is the kind of world that it leaves to its children Our current choices in the use of the land are among the most important factors shaping that future world and

Under the Blade demonstrates that the quality of that future is far from certain **The Privatization Process** Terry Lee Anderson, Peter Jensen Hill, 1996 Contiene Introduction The political economy of privatization Privatization for economic development The missing ingredient what poor countries will need to make their markets work Privatization incentives and economic performance Taxation enforcement costs and the incentives to privatize Growing a post communist legal system Spontaneous privatization in transition economies **Land in the American West** William G. Robbins, James C. Foster, 2011-12-01 Throughout the history of the United States the concepts of land and the West have fired the American imagination and fueled controversy The essays in Land in the American West deal with complex troublesome and interrelated questions regarding land Who owns it Who has access to it What happens when private rights infringe upon the public good or when one ethnic group is pitted against another or when there is a conflict between economic and environmental values Many of these questions have deep historical roots They all have special significance in the modern American West where natural resources are still abundant and large areas of land are federally owned Confirmation Hearing on the Nomination of Janice R. Brown, of California, to be Circuit Judge for the District of Columbia Circuit United States. Congress. Senate. Committee on the Judiciary, 2004 **Environmental Conflict** Jeffrey J. Pompe, James R. Rinehart, 2012-02-01 This straightforward translation of environmental economics discusses issues and concerns that have long lasting and often substantial effects The authors bridge the gap between the natural and social sciences by examining how economic decisions interact with the environment In addition they explain why economics plays an important role in clarifying environmental issues and formulating solutions Environmental Conflict analyzes policy choices and provides a basic methodology for understanding a broad range of environmental topics These include the tragedy of the commons the importance of incentives and markets the role of government property rights benefit cost analysis natural resource use pollution control economic growth international trade global warming and biodiversity loss **Cutting Green Tape** Roger Meiners, 2018-02-06 Hundreds of hazardous waste sites are on the Superfund National Priority List in the United States and thousands more could become eligible The Superfund has spent or ordered the spending of billions of dollars with little apparent impact on human health risks While public perception of the real or imagined hazardous nature of consumer and industrial substances has resulted in widespread attention to the issue lawsuits have proliferated with liability aimed at deep pockets instead of individual agents who may be responsible Contributors to Cutting Green Tape carefully examine the existence and severity of the toxic harms and liability problem the erosion of a clear tort legal system to settle disputes and whether a clearly defined system of property rights could be developed to reduce the dangers from toxic substances Cutting Green Tape rethinks the nature and impact of today's environmental bureaucracy Rather than continue unworkable cumbersome and often contradictory regulations Cutting Green Tape prescribes a clearer tort legal system to settle disputes and demonstrates that clearly defined environmental property rights would reduce the threat of toxic substances Among the many topics addressed

are air toxins policy pollution damages and tort law risk assessment insurance and public information protecting groundwater regulation of carcinogens contracting for health and safety and toxin torts by government The book converges on a central theme when common law remedies with their burden of proof and standards of evidence are replaced by the legislatively mandated regulatory regimes described a problem emerges The bureaucratic tunnel vision described by Justice Stephen Breyer tends to take over The police powers of the state are given to bureaucratic decision makers who are limited only by the blunt instrument of political influence rather than by the need to show harm or wrongdoing in an unbiased court as the police are or by a budget on expenditures set by the Congress as most bureaus are The excesses described in the chapters thus result not from incompetence in the bureaus but from the expansive powers granted to decision makers who are tightly focused on the narrow mission they see before them

A Companion to the United States Constitution and Its Amendments John R. Vile, 2021-10-11 The U S Constitution and its 27 amendments including the Bill of Rights is a living document as evidenced by new laws and Supreme Court rulings that with each passing year change how the Constitution s guidelines are interpreted and implemented A Companion to the United States Constitution and Its Amendments is designed to show students just how revolutionary the Constitution was and how relevant it remains today This seventh revised edition of the Companion begins by revisiting the key events leading to the Constitution s ratification including the writing of the Declaration of Independence and the proceedings of the Constitutional Convention then explores the document article by article amendment by amendment to help readers better understand how each section of the document shapes the world we live in today In addition the Companion illuminates how new laws political debates and Supreme Court decisions are continually reshaping our understanding of the Constitution and its role in American life and society including such essential and foundational elements of democracy as voting elections the peaceful transfer of power equality before the law civil rights and liberties and the duties responsibilities and obligations of the nation s three branches of government

Green Backlash Jacqueline Vaughn, 1997 Demonstrates that contemporary forms of opposition to the environmental movement and environmental protection have a common traceable ancestry in resistance against federal resource policies in the West Identifies the changing role of the federal government in its natural resource policies looking at rivalries between different agencies Analyzes environmental opposition from a political perspective to explain how it fits into a larger political process examining tactics used by business and grassroots groups in the environmental opposition and groups linkages to philosophical and ideological agendas such as the modern conservative and libertarian movements For activists and scholars

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The Oxford Handbook of Urban Economics and Planning Nancy Brooks, Kieran Donaghy, Gerrit-Jan Knaap, 2011-02-01 This volume embodies a problem driven and theoretically informed approach to bridging frontier research in urban economics and urban regional planning The authors focus on the interface between these two subdisciplines that have historically had an uneasy relationship Although economists were

among the early contributors to the literature on urban planning many economists have been dismissive of a discipline whose leading scholars frequently favor regulations over market institutions equity over efficiency and normative prescriptions over positive analysis Planners meanwhile even as they draw upon economic principles often view the work of economists as abstract not sensitive to institutional contexts and communicated in a formal language spoken by few with decision making authority Not surprisingly papers in the leading economic journals rarely cite clearly pertinent papers in planning journals and vice versa Despite the historical divergence in perspectives and methods urban economics and urban planning share an intense interest in many topic areas the nature of cities the prosperity of urban economies the provision of urban services efficient systems of transportation and the proper allocation of land between urban and environmental uses In bridging this gap this book highlights the best scholarship in planning and economics that addresses the most pressing urban problems of our day and will stimulate further dialog between scholars in urban planning and urban economics

Ideology in the Supreme Court Lawrence Baum, 2020-06-09 Ideology in the Supreme Court is the first book to analyze the process by which the ideological stances of U S Supreme Court justices translate into the positions they take on the issues that the Court addresses Eminent Supreme Court scholar Lawrence Baum argues that the links between ideology and issues are not simply a matter of reasoning logically from general premises Rather they reflect the development of shared understandings among political elites including Supreme Court justices And broad values about matters such as equality are not the only source of these understandings Another potentially important source is the justices attitudes about social or political groups such as the business community and the Republican and Democratic parties The book probes these sources by analyzing three issues on which the relative positions of liberal and conservative justices changed between 1910 and 2013 freedom of expression criminal justice and government takings of property Analyzing the Court s decisions and other developments during that period Baum finds that the values underlying liberalism and conservatism help to explain these changes but that justices attitudes toward social and political groups also played a powerful role Providing a new perspective on how ideology functions in Supreme Court decision making Ideology in the Supreme Court has important implications for how we think about the Court and its justices

Federal Ecosystem Management James R. Skillen, 2015-10-23 For the better part of the last century preservation and multi use conservation were the watchwords for managing federal lands and resources But in the 1990s amidst notable failures and overwhelming needs policymakers land managers and environmental scholars were calling for a new paradigm ecosystem management Such an approach would integrate federal land and resource management across jurisdictional boundaries it would protect biodiversity and economic development and it would make federal management more collaborative and less hierarchical That at any rate was the idea Where the idea came from why ecosystem management emerged as official policy in the 1990s is half of the story that James Skillen tells in this timely book The other half Why over the course of a mere decade the policy fell out of favor This closely focused history describes an old

system of preservation and multi use conservation ill equipped to cope with the new ecological legal and political realities confronting federal agencies Ecosystem management it was assumed would not demand choices between substantive and procedural needs Looming even larger in the push for the new approach was a shift of emphasis in both ecology and political science from stability and predictability to dynamism and contingency Ecosystem management offered more modest managerial goals informed by direct public participation as well as scientific expertise But as Skillen shows this purported balance proved to be the policy s undoing Different interpretations presented conflicting emphases on scientific and democratic authority By 2001 when both models had been tested the Bush administration faulted federal ecosystem management for running willy nilly all over the west and shelved the policy In this book Skillen gets at the truth behind these contrary interpretations and claims to clarify how federal ecosystem management worked and didn t and how many of the principles it embodied continue to influence federal land and resource management in the twenty first century How the policy s lessons apply to our politically and environmentally fraught moment is finally considerably clearer with this informed and thoughtful book in hand

The Working Landscape Peter F. Cannavo, 2007-06-22 In America today we see rampant development unsustainable resource exploitation and commodification ruin both natural and built landscapes disconnecting us from our surroundings and threatening our fundamental sense of place Meanwhile preservationists often respond with a counterproductive stance that rejects virtually any change in the landscape In *The Working Landscape* Peter Cannav identifies this zero sum conflict between development and preservation as a major factor behind our contemporary crisis of place Cannav offers practical and theoretical alternatives to this deadlocked polarized politics of place by proposing an approach that embraces both change and stability and unifies democratic and ecological values creating a working landscape Place Cannav argues is not just an object but an essential human practice that involves the physical and conceptual organization of our surroundings into a coherent enduring landscape This practice must balance development which he calls founding and preservation Three case studies illustrate the polarizing development preservation conflict the debate over the logging of old growth forests in the Pacific Northwest the problem of urban sprawl and the redevelopment of the former site of the World Trade Center in New York City Cannav suggests that regional democratic governance is the best framework for integrating development and preservation and he presents specific policy recommendations that aim to create a working landscape in rural suburban and urban areas A postscript on the mass exile displacement and homelessness caused by Hurricane Katrina considers the implications of future climate change for the practice of place

Unveiling the Energy of Verbal Beauty: An Psychological Sojourn through **Land Rights The 1990s Property Rights Rebellion**

In a global inundated with displays and the cacophony of instant interaction, the profound power and psychological resonance of verbal beauty frequently fade in to obscurity, eclipsed by the regular barrage of sound and distractions. Yet, situated within the lyrical pages of **Land Rights The 1990s Property Rights Rebellion**, a charming perform of fictional splendor that pulses with fresh emotions, lies an unique journey waiting to be embarked upon. Written by a virtuoso wordsmith, this mesmerizing opus courses visitors on an emotional odyssey, lightly exposing the latent possible and profound affect embedded within the complex web of language. Within the heart-wrenching expanse of this evocative evaluation, we will embark upon an introspective exploration of the book is main subjects, dissect their captivating writing fashion, and immerse ourselves in the indelible impact it leaves upon the depths of readers souls.

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