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The heart of America's housing affordability problem is the excessive regulation of land.



ONE-HORSE TOWN A home in California City, Calif., a planned development in the Mojave Desert that remains unfinished. GETTY IMAGES

Paving Paradise

Over the course of the 19th century, America went from a landed democracy to an ownership society

Property Values

By Joshua Specht *Princeton, 440 pages, $35*

BY EDWARD GLAESER

HOW DID America transform its astounding abundance of land and building materials into a severe lack of affordable housing? Joshua Specht's "Property Values: The Rise and Fall of the American Homeowner" argues that "the American story is the story of land." He emphasizes "a shift from a nineteenth-century vision of plenty—where vast quantities of land made it possible to dream new social and political forms—to a twentieth- century vision of scarcity—where the value of our home and the joy we take in our community is diminished the more widely it is shared."

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Land touches almost everything in our past. In 1893 Frederick Jackson Turner, the historian known for his frontier thesis, claimed that American development is explained by "the existence of an area of free land, its continuous recession, and the advance of American settlement westward." Our ancestors crossed the Atlantic for land, and for land they went west on their Conestoga wagons. The heart of America's housing affordability problem today is the excessive regulation of land. Note

Mr. Specht, a professor of history at the University of Notre Dame, is the author of "Red Meat Republic: A Hoofto- Table History of How Beef Changed America" (2019), the definitive history of America's beef industry. In "Property Values" he writes that while "the history of American land" is often told as two stories—one a "story of homesteads and countryside, the other of single- family homes and suburbia"—it is instead "all one story" spanning "two great land regimes."

In Mr. Specht's telling, the great 19thcentury concept of "landed democracy" provided "a vision of a radically egalitarian country made possible by widely diffused landownership." In the 20th century, an "ownership society" meant that landowners and homeowners "hoarded resources" and "prevented the entry of too many new residents or the construction of too many new homes" as they tried to "protect their financial and emotional stake in the community." If Thomas Jefferson proclaimed landed democracy, Herbert Hoover, the evangelist of zoning codes, was the prophet of the ownership society.

The strength of Mr. Specht's narrative can be seen in its first episode: the fight over paying rent in 1840s New York state. While it is normal to contrast the vast plantations of the South with the scrabbly small farms of New England, the patroons of New York were also vast landowners. Mr. Specht tells us that "Kiliaen Van Rensselaer never visited the nearly 750,000 acres along the Hudson River that he acquired between 1629 and 1637." Two centuries later, when another Dutch New Yorker, Martin Van Buren, sat in the White House, a Van Rensselaer still owned a sizable chunk of land near the Hudson River.

Stephen Van Rensselaer III had been a generous landlord who "offered prospective tenants a 160-acre plot for nothing up front, and they did not even have to pay rent for the first seven years." His generosity ended up almost "bankrupting his estate"; when he died, in 1839, he saddled his two sons with $400,000 (about $15 million today) in debt. His will specified that back rents should be collected to cover his obligations. Mr. Specht writes that when the sons "tried to settle these long-standing debts, their tenants, struggling with exhausted soils and poorly paying crops, began to resist in earnest." By the end of the year, as many as 14,000 farmers "had joined the anti-rent movement. . . . Armed gangs of farmers were now

actively resisting rent collection." They even "destroyed bridges that provided access to rent collectors."

The Antirenters helped elect John Young governor of New York. Young, upon taking office in 1847, promptly pardoned an Antirenter serving a life sentence. "When New York's constitution was rewritten in 1846, anti-rent measures were written into the document," we are told. The Rensselaers would sell out in the 1850s.

Mr. Specht claims that this local squabble over farm leases soon spread across the nation. "The free-soil idea, which took root in New York, would shape national politics." The leaders of the Free Soil Party, which ultimately formed part of the Republican Party, opposed the allocation of land conquered from Mexico to giant plantations worked by chattel slaves. Instead, they "came to see that distributing the land— for free—to 'actual settlers' who would live on and improve the land was the highest goal."

Mr. Specht follows the battle between free soil and slavery to Pottawatomie Creek, Kan., in 1856. He argues that "the violence of Bleeding Kansas could be framed as a story of rival philosophies: pro-slavery and antislavery men slaughtering each other over incompatible visions of the country's future." But "what made the violence real was land" because "the partisans in that fight had very real land claims." The first blood of the battle over Kansas was shed, the author explains, because "Franklin Coleman and Charles Dow both claimed the same spot. So Coleman shot and killed Dow." The fight then escalated because "Coleman had pro-slavery men on his side and Dow's free-soil compatriots wanted justice."

The landed democracy favored whites of modest means. Native Americans were expropriated from New York, Kansas and other places to make room for European settlers. When wealthy Southern planters in Savannah, Ga., were vanquished in 1864, their land didn't go to their former slaves; while "slavery was gone, share-cropping re-created some of the core features of the system." Even as the Homestead Act gave abundant land to former slaves in Nicodemus, Kan., the city was bypassed by the railroad, limiting the largely black settlement's economic growth. Mr. Specht's final 19thcentury episode presents William Jennings Bryan as "landed democracy's silver-tongued prophet" and his electoral defeat in 1896 as "the real sign that landed democracy was crumbling." An increasingly urban nation no longer thought land was crucial.

As Mr. Specht turns to the 20th century, we meet Dust Bowl refugees outside Phoenix on their way to California. He then takes us to the fight against segregation in Levittown, Pa., in 1957. Proposition 13, which sought to limit property taxes and reassessments, emerges in Los Angeles in the 1970s as a reaction to rising prices. Celebration, Fla., shows us how Disney created "a well-functioning planned community in which residents interacted with each other organically and avoided what

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many critics of suburbia have seen as the atomizing effects of the single-family home." He ends with the foreclosure crisis in 2008 Las Vegas and the fires in Paradise, Calif., in 2025, using these episodes to make the case that land and homeownership are central to the arc of American history.

In describing the ownership society of the 20th century, Mr. Specht is correct that the homeownership rate increased to 62% in 1960 from 44% in 1940. His Dust Bowl chapter discusses New Deal institutions such as the Home Owner's Loan Corp. and the Federal Housing Administration, which promoted ownership with subsidized credit. Daniel K. Fetter, an economic historian, estimates that "broader changes in finance may explain about 40 percent of the overall increase in home ownership from 1940 to 1960."

Mr. Specht argues that the "the ownership society ceded a lot of autonomy to local communities" and that "local governance has become little more than a blanket veto on any proposal for new development." I agree, but I'm not sure that I want to label a fundamental reduction in the power of landowners an "ownership society." Nineteenth-century land regulation was largely limited to health and safety concerns. In 1905 the Supreme Court of Massachusetts in *Commonwealth v. Boston Advertising Co.* insisted that a park commission had to pay if it wanted to impose regulations based on aesthetics because "the rules of the commission amount to a taking of property"; since "no compensation is provided they cannot be held valid."

Two revolutions radically reduced the power of individual landowners to use their land. First, there was a Progressive Era legal shift, culminating in the 1926 U.S. Supreme Court case of *Euclid v. Ambler,* which empowered almost unlimited local land-use regulation. Second, incumbent community residents figured out, in the 1960s and '70s, how to use those regulations to block growth. As housing supply slipped, robust housing demand led to soaring prices. As Mr. Specht writes, "when people struggle to afford shelter, or in many cases cannot afford it at all, they lose faith in government and society alike." To illustrate that history, I wish Mr. Specht had included a chapter on a great legal battle, perhaps even *Euclid* itself, and a chapter on a place where activists shut down construction, perhaps in Marin County, Calif., in the 1960s.

Nonetheless, this is a rich, serious history of land and ownership in the U.S. Our country began with a quest for abundant land; we now find ourselves facing self-inflicted housing shortages. Mr. Specht is correct that land is central to our national story, and it is likely to remain so for many decades to come. *Mr. Glaeser is a professor of economics at Harvard and a senior fellow at the American Enterprise Institute.*

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