

Conservation publications, such as *Cultural Survival*, recognize that upholding the property rights of native peoples is absolutely crucial to saving the rainforests. Private ownership encourages preservation of endangered species as well. For example, Zimbabwe respects the homesteading claims of natives to the elephants on their land. Like other private property, elephants and their products can be legally sold. As a result, the natives jealously protect their valuable elephants from poachers. The natives have every incentive to raise as many elephants as possible so they can sponsor safaris and sell elephant ivory, hide, and meat. As a result, the elephant population has increased from 30,000 to 43,000 over the past ten years. *People will protect the environment when they own it and can profit from it.*

On the other hand, when governments try to shepherd wild animal herds, disaster is the predictable result. For example, the Kenyan government claims ownership of all elephants, and hunting has been banned in Kenya. While Zimbabwe's herds thrived, elephants in Kenya have declined 67% over the last decade.

Environment that is "unowned," suffers a condition described by Dr. Garrett Hardin in a 1968 paper as "the tragedy of the commons." He revealed that property that belongs to "everyone" is the responsibility of no one. Ocean fish, for example, are considered to belong to anyone who catches them; consequently, everyone tries to catch as many as they can today, before a competitor gets them tomorrow. If the ocean could be homesteaded, as with the shrimp fisheries described above, owners would have an incentive to make sure the fish population was maintained and even expanded.

**Making Polluters Pay:** If someone pollutes or destroys that piece of the earth owned by another, he or she should be required to restore it. In practice, this could be so expensive that a polluter could be bankrupted by his or her own carelessness. If corporate officers were made personally responsible for deliberate acts of pollution, they would have little incentive to poison the air, land or water. Making polluters, not taxpayers, responsible for the damage they do takes the profit out of pollution.

#### **The Bottom Line**

Privatizing the environment gives owners the incentive to protect it. Making sure that polluters – not taxpayers – compensate their victims is the best deterrent. We can save

the earth by making greed work for, instead of against us. What could be more natural?

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by **Dr. Mary J. Ruwart**

We all want a safe, pollution-free environment - and with hope in our hearts many of us have turned to government rules and regulations to protect ourselves and our loved ones from the horrors of a ravaged world. Yet pollution of our air and water still threatens. In South America the rainforests are cleared so rapidly that some of us may live to see them vanish from the earth. In Africa, big game animals are hunted to extinction. Where has our environmental strategy failed? What can we do to make things right again?

## The Greatest Threat Of All

**Toxic Waste:** Ironically, the greatest toxic polluter of our nation's environment is the very government we've turned to for protection. The greatest polluter is the *US military*. Pentagon spokesperson Kevin Doxey told the National Academy of Sciences in 1991 that, "We have found some 17,400 contaminated sites at 1,850 installations, not including formerly used sites." The "contamination" consists of toxic solvents used to de-ice military planes, byproducts of the manufacture of nerve gas and mustard gas, and radioactive debris. In 1988, the Department of Energy estimated that it would take 50 years and \$100 billion to clean up a mere 17 of these sites. How can we expect the greatest polluter of all time to effectively halt pollution by business and industry?

**Radioactive Waste:** Even when the courts recognize that our government is guilty of killing people with pollution, victims have had no recourse. In 1984, a Utah court ruled that 10 out of 24 cases of cancer brought to its attention were due to negligence of the US military in association with nuclear weapons testing. The Court of Appeals ruled that even though the US government was responsible, it would not have to compensate its victims. The government enjoys "sovereign immunity" – it does not have to right its wrongs. How can a "polluter pays" policy work if the greatest polluter of all cannot be held liable?

**Nuclear Power Accidents:** Liability is the key to protecting the environment. When those who pollute our air, land, and water are held accountable for the damage they do, would-be polluters are likely to be far more cautious. For example, in the late 1950s, private insurance companies refused to insure nuclear power plants, because the enormous risks associated with a possible accident were unacceptably high. Consequently, power companies refused to consider nuclear power. Congress, however, passed a law (the Price Anderson Act) to limit the amount victims of a nuclear power plant disaster could claim to a maximum of \$560 million. Of this amount, over 80% would come from taxes. Once the power companies were able to enjoy limited liability for any damage they might cause, nuclear power plants proliferated. Instead of protecting the public, our government passed laws to protect special-interest profits.

**Rainforests:** Unfortunately, the above story is not an isolated incident. Governments of all countries have shown

a strong tendency to sell out their nation's environmental bounty to special interest groups. Third World dictators have routinely driven natives from their rainforest homes so that those favored by the regime could clear the mighty forests. The cost of such callousness was vividly portrayed in the movie "Medicine Man," in which Sean Connery played a scientist who found a cure for cancer in the rainforest. He watched helplessly as the natives who befriended him were driven from their forest home. The rainforest, along with the cancer cure, were both destroyed. The US government frequently directs "foreign aid" to Third World power-brokers to pay for rainforest devastation. US taxpayer dollars are literally fueling the fire of the slash-and-burn attacks on the tropical woodlands.

**It's Only Natural:** Betrayals such as those described above hardly seem possible at first, but further reflection illustrates that they are only the natural outcome of political management. Special interests reap great profits from building nuclear power plants while facing little liability, dumping toxic waste without having to clean it up, using radioactive materials without being responsible for the consequences, or harvesting forests for which they didn't have to pay. When they offer government officials part of this profit to betray the public interest, the temptation is often too overwhelming to resist. If an elected official refuses to be bought, special interests simply fund his or her opponent in the next election. Few honest politicians can survive against such odds. Consequently, the special interests win virtually every time. Indeed, it's a wonder that our environment has not been totally devastated long before now!

### The Easy Way Out

The answer to environmental protection may be gleaned by observing special interest behavior. Let's take the example of the paper companies who log America's national forests. The US Forest Service, with our tax dollars, builds three to four times as many logging roads as hiking trails, so that vast sweeps of our precious forests can be felled by paper companies with little cost and only token replanting.

However, on lands which they own privately, the paper companies suddenly become *staunch* environmentalists! They replant so that *their own* forest acreage increases each year – while the national ones dwindle. In the South,

International Paper makes as much as 30% of its profits from recreational uses of its forests.

Why is there so much difference between how paper companies treat their own land and the way they treat public property? When a paper company is allowed to log a national forest, it has little incentive to harvest in a responsible and sustainable manner. After all, the paper company has no guarantees that it will be allowed access to the same forest again. Without ownership, long-term planning and care of forests just doesn't make economic sense.

Owners, on the other hand, profit from long-range planning because they will eventually reap the fruits of their conservation efforts. Even if they don't wish to keep a property, selling it becomes more profitable when it is well cared for, and this includes forest property.

With this in mind, we can propose a two-part strategy for environmental protection which can turn each person's greed into a desire to nurture Mother Nature:

1. individual ownership of the environment, and
2. personal liability for damage caused to the property of others.

**Owning A Piece Of The Earth:** The British long ago learned how to stop pollution of their rivers. Fishing rights in British streams and rivers are a private good that can be bought and sold. For the last century, polluters have been routinely dragged into the courts by angry owners and forced to rectify any damage they may have caused. Every owner on these rivers has in fact become an environmental protector – because each stands to profit from nurturing the environment.

In the Gulf of Mexico, shrimp fishermen once claimed parts of the ocean as their property in the time-honored practice of homesteading. They formed a voluntary association to keep the waters productive and to avoid over-fishing – until the US government took over as caretaker in the early 1900s.

Just as the US government took over the fisheries, so too have Third World governments taken over the rainforests and handed them over to special interests. An important element in protecting the rainforests is to respect the homesteading rights of the native peoples who have consistently exhibited a history of sustainable use.