

Property rights are key to pursuit of happiness

America is a great place. You can work hard, save your money, and retire to the home you've always wanted. Unless you live in Boulder. Then you can retire to the home your neighbors want you to have.

The People's Republic of Boulder has apparently been invaded by "McMansions," homes larger than other people think they should be. If you want to add on to your home above the "recommended limits," you now have to pay for the privilege. You buy "rights" to expand your home from the city, paying into a fund for Good Things People Like.

No less than Time magazine weighed in on the Boulder plan. Oozing progressive charm from every pore, the editors called the proposal "elegant and egalitarian" and couldn't say enough good things about it. Quoting people who called large homes "Chateaus de Screw You" for those who "had money and liked to show it off," the article must have convinced Time's readers how truly enlightened they are.

What exactly is wrong with big houses? You'll run across words like "neighborhood character" and "sustainability." These arguments are deeply and profoundly wrong, but I want to make a different point here. I want to convince the good people of Boulder County that their neighbors ought to be able to build whatever homes they want on the grounds of personal freedom. Bear with me for a moment.

Boulder's development proposal has been championed by the Boulder County land use manager. For purposes of argument, I hereby appoint myself the Boulder County land use manager. In my new official capacity I offer the following proposal: "People who want to have children over the recommended limits (four per family on the plains, two per family in the foothills) are welcome to do so, but they have to purchase conception rights from the Boulder County commissioners. This money will go into a fund for small-family households so they, too, can have more children."

What exactly would the reaction be to something like this? If you follow the logic of the housing proposal, you have to approve. After all, I just want people who either have or want smaller-scale families to be able to sell a portion of their unused reproductive



OPINION
BARRY FAGIN

Contributing columnist

potential. This will allow for ongoing diversity of family stock and allow for families of varied means to reproduce in Boulder County.

Time magazine would certainly approve. The proposal would be "elegant and egalitarian. While people can have bigger families, people who want smaller ones can now have them, too." From local Boulder officials, we'd hear something like "this ever-upward trend in reproduction, reproduction, reproduction is not sustainable . . . we don't think it's unreasonable to put some checks and balances in place." And

the man on the street? "These McFamilies have got to be controlled."

Where did I get these quotes? I made them up. But I made them up by substituting the idea of "large families" for "large homes" in actual quotes from officials, the media, or blogs. That's the only change I made.

Is the switch so far-fetched? Large families have an impact on society. They affect neighborhood character. They have economic and social consequences that not everybody likes. Why, then, does this make well-intentioned Boulderites wince?

Ask yourself if the motivations behind pretend regulation of big families and real regulation of big houses have anything in common. I'd suggest that they do. I'd suggest that if you're nervous about the former but fine with the latter, it's because you care more about personal liberty than economic liberty. Nowadays, that's pretty much what it means to be a liberal.

But try, just try, to see things from the homeowners' point of view. They aren't hurting anybody. They just want to do something important to them with the money they earned. Is that really so terrible? Even if it personally bothers you, isn't theirs a right worth defending?

Controlling someone's property is, in a very real sense, controlling their personal life. That's why we have "private" property and "private" lives. When it comes to freedom, building a house is a lot like building a family. Even for Boulder County commissioners, this can't be too hard to conceive.

Fagin, of Colorado Springs, is a senior fellow at the Independence Institute. His column appears on alternate Thursdays. Readers may e-mail him at barry@faginfamily.net.