

REFLECTIONS – HARVEY JACOBS IN NIJMEGEN

Barrie Needham, Prof. Emeritus, Radboud University Nijmegen, The Netherlands
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I was delighted when I heard that it had been arranged that Harvey would be appointed a visiting professor for five years here in Nijmegen, and delighted again when I heard that the appointment had been prolonged.

The first reason that I was delighted was because I knew of his work, admired it, and had learnt a lot from it. Harvey's visits here would strengthen and develop some aspects of spatial planning which are emphasised in this department.

One aspect is that land and buildings are important to people. To understand that better it is necessary to know more about property rights in land and buildings.

There is a long quotation from his 1998 book 'Who owns America' which I included in my 'Planning law and economics' (1st edition) p.34.

"A courthouse record shows that I am the owner of record of a parcel of land. What if, while owning the land, I sold the mineral right to a multinational mining corporation, sold the right to harvest old-growth timber to a paper company, donated the development right to a local land conservation organisation and leased the access right for the fall hunting season to a local hunting club? I am the owner of record: I get the local property tax bill: yet who owns the land? I own the soil, maintain the fences, and pay the bills, while others own key rights some of which might be more valuable than the rights I

have left in my portion of the property bundle.

Knowledge of Harvey's work helped me also to see where I disagreed with him. But a very healthy disagreement. Because it made clear to me – and perhaps to him also – that there are important differences in the way in which Americans view property and the way in which most European countries do that.

In his later book (Private property in the 21st century – 2004) Harvey writes about the private property rights movement in the US (see in particular, chapter 1). I have been involved in many European projects which compared aspects of spatial planning in various countries, and it struck me that similar movements are difficult to find in the Continental countries that I know (nor in the UK). That research was carried out some years ago, but since then also I have seen nothing on this side of the Atlantic comparable to a 'private property rights movement'.

Nevertheless, Harvey and I are in strong agreement with the statement: property rights in land are important. In his 2004 book he writes (p.174)

"...use value still matters.... It matters because despite the increasing homogenisation of space in America, we care about and are defined by our places. Our homes, our neighbourhoods, our ownership and management of private property act as one of the many social cues

to ourselves and other as to who we 'are', that is what social and economic class we belong to and what values we hold. "

Correct!

A second aspect of spatial planning which had received much attention in Nijmegen and which Harvey emphasises is the importance of the relationship between property rights and spatial planning. The latter affects how people are allowed to use their property rights. So knowledge of property rights and how their use can be affected is essential for the theory and practice of spatial planning. In an article (Jacobs and Paulsen 2009) he writes: "Planning cannot escape its relationship to property rights".

It is because of that common message that Harvey and I sometimes find ourselves at the same workshop or conference or seminar. Twice we were invited to contribute to workshops organised by the Lincoln Institute of Land Policy in Beijing. (It was at one of those that Harvey whispered in my ear: the Chinese have a great respect for older professors with beards!)

It is on such occasions that you get to know each other better. (At one of those Chinese workshops, we both felt the need to escape and the need for something 'Western'. So we found a Pizza-café and drank beer.)

That is a good introduction to the second reason why I was delighted to hear that Harvey would be here in Nijmegen twice a year. Because it gave me the opportunity to get to know him better. That is a matter between him and me. (And I know that

some of the other people here have enjoyed the same opportunity for getting to know him – often accompanied by Susan – better.)

It is fascinating to get to know someone personally with whose academic work you are already acquainted. Especially in the case of Harvey, for I have discovered some of the similarities between that work and his personal interests.

Harvey writes well and with attention for the human implications of his academic ideas. That is fully consistent with my discovery that he reads a lot: proper literature, not just the academic variety! When he and Susan heard that I was in hospital recently, they sent me two American novels in which I became absorbed.

And Harvey thinks that space – land and buildings and how we use them – are socially and personally important. When he was here in Nijmegen, with a little free time and no car, I heard from him that he knew a little about Nijmegen, Amsterdam and Utrecht. But the rest of this country was known to him only through train windows. So I invited him to go with me – in the car – to some places which I thought would interest him. The Afsluitdijk and some of the Zuiderzee towns, the Deltaworks, Zwolle, the Kröller-Müller Museum, Maastricht, the Spiegelwaal. It was when driving home from one of those trips that we came to Opheusden - I think it was, anyway it was in the Bible Belt - on a Sunday around 19.00 when the church services had just ended. We sat still in the car, trapped and surrounded by hundreds of men and women walking or cycling home. It reminded Harvey of when he was

commissioned to make a study of the traffic problems caused by the Amish in their horse-drawn carriages.

This year we were to go to Doesburg, but my weak health prevented that, alas.

It was good for both Nijmegen and me when Harvey retired – was no longer in

full-time service of the University of Madison Wisconsin – because it meant that he could stay longer in Nijmegen. This is probably his last visit. I am glad for Nijmegen and for myself that he has been here so often.