

garded as an emergency measure, though political pressures may delay its modification for long periods.

9. While the right of private ownership of land carries no obligation to use the land in some countries, there is an emerging trend in others to induce its use or force its use through taxation, regulation, or compulsory purchase.⁹ Not only land use and nonuse but its abuse, misuse, and reuse have moved within the zone of public concern.¹⁰

10. Compulsory purchase exists in all countries as an inherent power of sovereignty, although it is direct authorization by statute or order that usually calls it into play.¹¹ While there is opposition to its exercise, particularly in countries with less mobile populations, it is generally no longer held to be confiscation or an arbitrary treatment of individual property. The definition of "public use" is widening. "Public purpose" and "public benefit" are interchangeable and not only embrace roads, parks, schools, and bridges but in a growing number of countries may include housing for the poor and sometimes for the middle classes. Where slums are cleared, the sites may even be relinquished for private uses, but there is an increasing obligation to rehouse the displaced occupants and in some cases to compensate them for their losses. Property may often be acquired for planning and replanning in the interests of neighborhood charm as well as public safety. Parking, airports, rehousing of squatters, markets, industrial uses, and a variety of purposes formerly private have moved or are moving within the ever-widening range of public activities. A charge for rent following acquisition or improvement does not render the use private,¹² nor need the facility be available to everybody.¹³

⁹ One of the earliest devices was a law enacted by the New Amsterdam Council requiring owners of vacant lots within the stockade to improve them, pay a tax on them if held unimproved, or surrender them to the city for public sale.

¹⁰ For examples of each, see Abrams, "Urban Land Problems and Policies," *op. cit.*, p. 34.

¹¹ The right was acknowledged by Pufendorf in the seventeenth century and by Grotius in the eighteenth (*De jure belli ac pacis*, Liber II, Ch. 4, sec. 7). The French Declaration of Rights recognized it in 1791, and it was widely accepted as a government prerogative long before the First World War. As an intrinsic power of sovereignty, it is held to be superior to private property rights. It is sometimes considered to be an exercise by the people of their inherent power to take back the land originally vested in them and appears to antedate constitutions or laws conferring the power. As a prerogative of sovereignty, it can also generally be denied or restricted only by fundamental law. Put another way, it remains quiescent until some statute points up the necessity for its exercise and indicates how and for what purposes it should be invoked.

¹² *New York City Housing Authority v. Muller*, 270 NY 233. *Moore v. Sanford*, 151 Mass 285.

¹³ *Mt. Vernon-Woodberry Cotton Duck Co. v. Alabama Interstate Power Co.*, 240

11. In some systems recognizing private enterprise the state may not undertake land operations simply to engage in the real estate business, but the restriction has been steadily qualified so even the semblance of a welfare motive is apt to authorize it. In countries once under British influence, improvement trusts buy large tracts and subdivide and sell them for private development.

12. Land reserves may be accumulated by government for future use or may be sold for private or public redevelopment, and land in excess of public requirements may be acquired and held for subsequent sale.¹⁴ The more sensitive a nation is to employing the compulsory-purchase power, the more it will tend to rely on acquiring land reserves for future development.

13. A privately owned public utility may be granted the right to acquire land compulsorily if it benefits the public. The range of such public utilities is ever-widening so that it embraces not only private railroads and electric companies but limited-profit housing corporations and other regulated development companies.¹⁵ The creation of autonomous public bodies to spur improvement has been accelerated.

14. The need for regional planning has expanded central authority over the autonomous rights of local jurisdictions, except in countries where states' rights or local or regional autonomy is a force (the United States, for example).

15. Housing shortage and urban distortions are increasing the range of beneficiaries formerly outside the public prerogative. Various countries have authorized activities such as insurance of mortgage risks and of

US 30. This is generally becoming the rule in Europe, with the spread of public housing, new towns, and urban renewal laws.

¹⁴ Expropriation of extra land is not a new device, its use having been reported in the United States as far back as 1699; but owing to later adverse court decisions on its constitutionality, it remained virtually unused until early in the twentieth century. The practice has been validated by constitutional amendments in a number of states. The power has been exercised in France in connection with public works, especially in laying out streets. Large areas nearby may be acquired and the expropriated zone divided into plots for resale to builders. Excess condemnation has been authorized in Belgium, Italy, the Netherlands, Sweden, and Britain. A number of countries, however, expressly confine compulsory acquisition to the land actually needed for their schemes.

¹⁵ In the United States, where private enterprise has long been the main force in development, early cases even empowered private irrigation and drainage districts to employ eminent domain as well as taxation to facilitate the improvement of large areas of the West.

deposits in savings and loan societies, granting of loans and subsidies for home building, discount of private mortgages, lending on junior mortgage securities, investment in private lending agencies, aid to the low-income groups and the elderly, cooperatives, loans for student housing and for civil servants.

16. The curbing of land speculation is generally within the range of government power and has been attempted in various countries not only by taxation but by price regulation on sale of houses, zoning and subdivision regulations, control of development rights, compulsory purchase, government approval to build, reparceling of plots, building of new towns, and withholding of financial aid to check rocketing land prices.¹⁶

17. The right to enjoy security in one's own dwelling is being accepted more often, and as a nation's economy improves, a stronger trend toward ownership is manifesting itself among its rank and file. The shift from tribe to family has been accompanied by increased protections of the freedom to bequeath property. Inheritance through the family is acknowledged, and such protections exist even in the U.S.S.R., although the restrictions on property accumulation sharply limit the scope of inheritance.

18. Ownership by aliens and minorities is being increasingly permitted in countries favorable to private investment, though the less developed countries have not yet fully accepted fee ownership by aliens in the case of real estate. An incipient trend is the greater protection of minorities in housing.¹⁷

* * *

In sum, state power and policy have embraced land and land operations almost universally. In some cases, governments are being forced to underwrite risks and make substantial public investment to keep the spark of private initiative in housing alive. But there is also the firm uni-

¹⁶ Abrams, *Urban Land Problems and Policies*, *op. cit.*, pp. 34 *et seq.*

¹⁷ Equal rights in landownership by minority groups remain an unsettled issue in a number of countries. In the United States, the trend has been to curb racial discrimination in publicly aided housing (and to some extent in private housing). In 1962, the federal government banned discrimination practices in federally assisted housing. By November 1, 1962, seventeen states, the Virgin Islands, and fifty-five cities had enacted antidiscrimination laws of some sort or passed resolutions against discrimination in the housing field. In South Africa the push is for isolation and subordination of the rights of the political minority by the political majority. A number of countries with political or social minorities are establishing one-class housing developments. Caste distinctions persist in India's new towns. The bloody massacres between Hindus and Muslims in India and Pakistan make the minority conflicts experienced in the United States and England insignificant by comparison.

versal acknowledgment that housing, slums, house financing, foreclosure, homeownership, building activity, and many other aspects of the housing economy are now public concerns. The entry of governments into the housing field is new, and the ultimate shape of programs is not yet determinable. There are some perversions and misuses of the new powers, and occasionally the interests of the many are subordinated to those of the few in the interplay of pressures. But there is no longer even the pretense that the state must stand aside as people rot in their hovels or sleep on the streets. Above all, there is a recognition, in both the democratic and the undemocratic non-Communist world, that private ownership of homes and farms must be respected.

THE POSITION OF THE U.S.S.R. COMPARED

When land was collectivized as an essential feature of the U.S.S.R.'s state-controlled economy after the revolution, the inclusion of urban with rural land was accepted as part of the system. Under its constitution, land belonged "to the whole people," and whatever rights in possession, use, or disposition were granted would thereafter emanate from the state. Solving the housing problem was a function of state planning and administration.

To Marx, the housing problem had been a by-product of capitalist exploitation. "The more rapidly capital accumulates in an industrial or commercial town," he wrote, "the more rapidly flows the stream of exploitable human material and the more miserable are the improvised dwellings of the laborers."¹⁸ To Engels, public housing for the poorer worker seemed to aid industry more than the masses. Communism and Communist planning were the real answers to the housing problem and to other capitalist cancers.

Yet as industrialization proceeded, the housing problem cast its shadow on the Communist state as it was doing in the capitalist societies. Confiscation of all urban land and buildings and strong central planning had proved no easy answer.

Although we have already resolved to provide every family with a separate flat of two or three rooms [said the Deputy Chairman of the State Planning Commission], the situation for the time being is such that entire families are often assigned to each of the rooms in the new houses, so that the new flats once more turn into overcrowded dormitories with all the joyless consequences which could sooner frighten people away from rather than attract them to the idea of communization of life.¹⁹

¹⁸ Karl Marx, *Capital*, Modern Library Edition (New York: Random House, 1906), p. 726.

¹⁹ S. Strumilin, "Family and Community in the Society of the Future," *Soviet Review*, Vol. 2, No. 2. (February 1961), p. 19.

Although Mr. Khrushchev has not refrained from attacking American slums,²⁰ the Soviet Union is not free of the same afflictions that are besetting the rest of the urbanizing world. Though the Soviet building rate has risen substantially since 1929, the importance of filling the gap in shelter was emphasized again and again in the 1961 Communist program, the first restatement of Communist doctrine since 1919.

According to a report by a U.N. economic mission to the Uzbek Soviet Socialist Republic in 1961:

The most serious problem affecting the level of living is, without question, the housing situation. The testimony of factory directors, republic and municipal authorities is unanimous on this point. The floor space per inhabitant in the capital is lower than in other capital cities of the Soviet Union and just as insufficient as it was thirty years ago. Most families in the towns are fortunate if they have two rooms (excluding kitchens and sanitary facilities, which are often communal). About 25 per cent of the residents of Tashkent are estimated to be still living in mud housing.²¹

The destruction or damage of 1700 towns and settlements and more than 10,000 villages and hamlets that reportedly occurred during World War II and the concentration on heavy industry and producer goods have aggravated the Soviet Union's problem. But had there been no destruction, the problem still would have existed. The main cause of continuing shortage in the U.S.S.R. as elsewhere is industrialization and urbanization. However, some 976 towns and 1941 urban-type settlements are said to have come into being between 1926 and 1961, and the Twenty-second Congress of the Communist party hopefully promises an end to the housing shortage by 1970.²² The U.S.S.R. has made great advances in prefabricated construction of apartment dwellings and has not only increased its housing investment in recent years but attained a higher rate of new housing construction than any other country for

²⁰ "Do you know that according to the latest survey, in December 1956, 13 million families [in the United States] were living in houses not conforming to the accepted standards. Thirteen million families! And the census showed that these figures had remained practically unchanged since 1950." Khrushchev, quoting George Meany's address at a trade conference, March 11, 1958, in the Premier's speech at Meeting of Electors of Kalinin Electoral Area of Moscow, March 14, 1958. See *Speeches by N. S. Khrushchev* (Canada: The Press Office, The U.S.S.R. Embassy in Canada, 1958), p. 18.

²¹ United Nations, "Planning for Balanced Social and Economic Development in the Uzbek Soviet Socialist Republic," *Report on the World Social Situation*, Economic and Social Council (New York, April 20, 1961), Annex, pp. 12, 13.

²² After ending the shortage by 1970, "families that are still housed in substandard dwellings will get new flats. . . . By 1980, every family, including newlyweds, will have a comfortable flat conforming to the requirements of hygiene and cultural living." N. N. Smirnov, in *Report of the Ad Hoc Group of Experts on Housing and Urban Development* (New York: United Nations, April 2, 1962), Appendix, p. 17.

which statistics are available; this rate has risen from 7 per 1000 inhabitants in 1954 to 10.8 in 1957 and 14.4 in 1959.²³ The assumption of responsibility for housing workers is no longer questioned, and the U.S.S.R. is trying to seal the housing breach with brick and mortar.

Political systems, however, have a way of putting their imprint on the building product as well as on the way of life. "Seventy-one per cent of all housing erected in 1957 was built according to standard blueprints, while in 1959, the percentage rose to 90."²⁴ Space provided for living is almost uniformly small. Most urban residents live in one room of a communal apartment with a common kitchen. Average occupancy per room in 1961 was still about 2.7 persons.

Central control is maintained over planning and housing as over other forms of production. In 1962, at a meeting of officials of ten nations called to review the role of the United Nations in housing and urbanization, achievements of the Soviet Union in national economic development and housing were described by its representative as:

. . . the direct outcome of the State social, political, and economic structure of the country, the absence of private ownership of the land or the means of production, the State system of national economic planning, the industrialization of the country and the collectivization of agriculture.

Since land is public property in the USSR, the allocation of sites for building is the obligation and responsibility of State organizations.

Plans for the development of towns, residential districts, micro-districts and individual buildings are worked out by the State planning institutes.

The building trusts which erect the housing, the factories which produce building components, fixtures and materials, and the transport organizations are also State undertakings.²⁵

There is no doubt that planning by the state, whether such state be monocratic, fascist, or communist, can sometimes work miracles. The building of the Moscow subway was not obstructed by landowner resistance or the fine restrictions of eminent domain. With state planning there is more accuracy in the forecast and in the product. The state decides what is good and what is needed, and somehow everything and everyone is expected to fall into line as projected. Because the whole economy is planned and because land, industrial undertakings, power plants, and transport are public property, industry can be located where

²³ United Nations, *Report on the World Social Situation*, *op. cit.*, p. 7.

²⁴ From an official survey cited by B. Svetlichnyi, in "Soviet Town Planning Today," *Voprosy Ekonomiki*, No. 7 (July 1960), translated in *Problems of Economics*, Vol. III, No. 8 (December 1960), p. 35. Cited and discussed in Jack C. Fisher, "Planning the City of Socialist Man," *Journal of the American Institute of Planners*, Vol. XXVIII, No. 4 (November 1962), p. 262.

²⁵ See N. N. Smirnov, *Report of the Ad Hoc Group of Experts on Housing and Urban Development*, *op. cit.*, Appendix, p. 15.

the state decrees, and population is thereby distributed and redistributed according to plan. The difference between planning in the West and in the U.S.S.R., a Soviet representative said, is that in the former the general town plan is merely "a forecast of the directions in which the town may develop."²⁶ In the U.S.S.R., the town is built as the state's blueprint proposes.²⁷

Despite its planned economy, however, the U.S.S.R. has been wincing under some of the same urbanization problems as are other countries. Though Soviet leaders have urged planning for limitation of growth and industrial dispersal, industries and people stubbornly tend to move toward the larger city centers, to the dismay of the planning hierarchy.

Private houses, which compose about 30 per cent of all urban living space, seem contrary to the Communist ideal; but they have had to be tolerated not only because of the housing shortage but because of the pressures exerted by the small section of private householders. Soviet city planners had been urged to provide for some private housing, but have been reluctant to supply them with services or make a permanent place for them.²⁸

However, a decree published in *Pravda* on August 7, 1962, sharply restricted private home building and cut off allocations of building plots to private home builders in the capitals of fifteen Soviet Republics, and local councils of ministers elsewhere were vested with discretion to do likewise. Since all land in the Soviet Union belongs to the state, a strict application of the decree could bring private housing construction in major cities to a halt.

Under the new decrees, the Council of Ministers may refuse credit to individual builders and may investigate the sources of funds used by citizens to build private homes and *dachas*. Local courts are empowered to seize properties if evidence of unearned income is found. While the

²⁶ *Ibid.*, p. 20.

²⁷ "Population figures are computed by the labour balance-sheet method, which can be used to predict the population of every town or district in the country from population growth, manpower requirements, the growth of production, the volume of capital investment in construction of all kinds, the growth of labour productivity and the increase in the population employed in services." Thus, says the writer, the general town plan is not merely a forecast but a practical program for the town builders. "Using this method of computation it is possible to take into account, in addition to natural population growth, migration from one part of the country to another or from the country to the towns." *Ibid.*, p. 20.

²⁸ Robert J. Osborn and Thomas A. Reiner, "Soviet City Planning: Current Issues and Future Perspectives," *Journal of the American Institute of Planners*, Vol. XXVIII, No. 4 (November 1962), p. 240. Hot water, gas, and a bathtub are rarities in these quarters. See Timothy Sosnovy, "The Soviet City," *Dimensions of Soviet Economic Power*, Hearings, Joint Economic Committee, Congress of the United States, 87th Congress, 2nd Session, December 10 and 11, 1962 (Washington: U.S. Government Printing Office, 1962), p. 336.

measures are directed at reducing profiteering and checking the so-called antisocial activities of individual citizens by restricting the earlier trend toward private building and ownership, the measures seem intended to bring the life and behavior of the Soviet population closer to the classic ideals of the "Communist society."²⁹

Confusion exists in the competition between economic councils and local governments, and the Soviet press still reechoes complaints about the shortages of housing, illegal subletting, and the frequency of delays. Shortage of building materials plagues the U.S.S.R. as it does other countries. There is also resentment about priorities given to stadiums over housing and other elementary facilities. The competition for skills is keen; in 1960, less than one quarter of the cities had a chief city architect; where there is one, he is often unqualified. Cities are criticized for holding land without developing it³⁰—a complaint heard in many other parts of the world—and there are recriminations about violations of plans by cities holding land.

Misallocation of land, its excessive use by industry, pollution problems, and the flouting of regulations are other headaches.³¹ Moreover, hutments and squatters' shanties have cropped up to impede planned expansion. Tearing down occupied buildings is proving as troublesome and as costly as in capitalist countries.

In short, since Communist planning in an urbanized society is not free of the problems encountered in the less planned economies, compromises are being enforced in the Soviet Union as elsewhere. Beadledom is a universal obstruction that rises with bureaucracy in whatever form or system. Recent efforts, in fact, have sought to cope with it by greater decentralization of authority.

Despite the relaxation of controls following the Stalin era, the controls of the Communist state over individual movement and choice are still implicit in the system and its Communist imperatives. The Soviet passport restrains the hinterlander from moving to the city, although the restrictions are not always successful. Officials boast about the marked progress in housing by citing the number of square meters built, but the country seems committed to constructing small standardized apartments as an economical means of meeting need. Occupancy is still mainly one family to a room (often more), and though housing is being built in quantity, overcrowding continues. Neither technical progress nor the Communist ideology has resolved the social vexations of urbanization.

²⁹ Sosnovy, "The Soviet City," *Dimensions of Soviet Economic Power*, *op. cit.*, p. 334.

³⁰ *Izvestia*, September 1, 1961, p. 4. See also Osborn and Reiner, "Soviet City Planning: Current Issues and Future Perspectives," *op. cit.*, p. 243.

³¹ Svetlichnyli, "Soviet Town Planning Today," *op. cit.*, pp. 30, 32.

HOUSING AND THE FAMILY IN THE U.S.S.R.

Though freedom to criticize is limited in the Communist society, the problems and theories of housing and education play a prominent part in Communist literature. It is obvious that the housing issue has been complicating the U.S.S.R.'s main efforts. Thus state policy in this area will have an important impact on life in the emerging Communist society.

Not the least important of the possible changes is the shift toward greater control of child rearing by the state. Under the heading "The Public Upbringing of Children of School and Pre-school Age," the Communist draft program of 1961 provides as follows:

The Communist system of public education is based on the public upbringing of children. The educational influence which the family exerts on children must be brought into ever greater harmony with their public upbringing.³²

There is no simple explanation for this pronouncement. It is probably the product of many complications within the Communist structure. Employment of both parents has made child rearing difficult. The unorthodox moods and attitudes of Communist youth may be another reason. The need for welding the educational system into an instrument that will more efficiently achieve technological objectives is another factor. The importance of more effective training in the Communist ideology is still another reason. This need was indicated by Premier Khrushchev when, five years before the framing of the Communist party platform, he urged the establishment of more boarding schools in order to rear the "builders of a new society, individuals of great spirit and lofty ideals, wholeheartedly serving their people who are marching in the vanguard of all progressive mankind."³³

An article "On the New System of Social Upbringing," published in *Soviet Pedagogy*, an official organ of the U.S.S.R. Academy of Pedagogical Sciences, following Khrushchev's statement in June 1956, said:

Day by day it becomes more and more evident that the existing system of upbringing [by parents and in regular schools] cannot fully cope with the [task] of creating broadly developed builders of the communist society among the new generation.

The author emphasized that it is not

³² "Final Text of the Program of the Communist Party of the Soviet Union," reprinted in *The New Soviet Society*, with annotations and an introduction by Herbert Ritvo (New York: New Leader paperback, 1962), p. 217.

³³ Quoted in Alexander G. Korol, *Soviet Education for Science and Technology* (Cambridge and New York: Technology Press and John Wiley, 1957), p. 33.

. . . enough to add a dormitory to a regular school of general education or to change the "Home for Children" sign to a sign reading "Boarding School" in order to solve the problem.

Many other articles appeared then and later on the same subject. *Pravda*, on June 28, 1956, claimed that "the educational influence of teachers embraces the entire life of children from early childhood, when they no longer need direct maternal care, until maturity." Although some years were expected to pass before the ideal could be achieved, it said, "Soviet authorities looked to the extension of the boarding school principle to the entire school system."

S. Strumilin, the Deputy Chairman of the State Planning Commission, put it this way:

Complete responsibility for the new member of society, and particularly for his upbringing as a human being and a citizen, can be assumed by society itself, leaving only those functions to the family in which it can be trusted to do no harm to the children.⁴

The need for shaping the child within the Communist ideology without too much interference by the parent is justified in almost Platolike fashion as follows:

The advantages of public upbringing are so great and evident that they justify any public expense, on any scale, for *all* the children in the country.

.....
The children's collective, particularly if not under pressure and guided by the experienced hand of an educator, can do more to inculcate the best social habits than the most sympathetic and loving mother. Prompt and effective reactions on the part of such a collective to all anti-social manifestations prompted by the egoistic disposition of the child are sure to nip them in the bud. On the other hand, all the inborn social instincts and sympathies of the child come to life and are developed by means of the new conditioned reflexes created through comradely relationships, reflexes strengthened by the daily routine of our labor schools and pre-school establishments.

Such features of the children's institutions are now being developed in the interests of Communist upbringing. In giving precedence to the public forms of upbringing, it is our task to extend them in the next few years at a tempo that would make them accessible to all—from the cradle to the graduation certification—within fifteen or twenty years. Emerging from a hospital, every Soviet citizen would be assigned to a nursery, then to a

⁴ S. Strumilin, "Family and Community in the Society of the Future," *op. cit.*, p. 9. The explanation is as follows: "It is not everyone who is equal to the task of upbringing. Special inclinations and pedagogical training are imperative for this; and it goes without saying that by no means every family has such gifted educators and teachers. Apart from this, the great majority of parents spend much of their time at work and cannot devote very much of it to the upbringing of their children." *Ibid.*, pp. 9, 10.

kindergarten maintained day and night, then to a boarding school, from which he would enter independent life—taking a job in production or continuing his studies in his chosen profession.³⁵

“The question might arise,” says the author, “whether such an early separation of the child from the family would not be too difficult for the parents and their children, so sensitive to motherly affection.” Offering some function to the parents during the child’s early years, he answers his question as follows:

The public organization of upbringing is not aimed at the complete separation of children from their parents. Even now the mothers of infants are able to feed their offspring at the breast during working hours. And it is highly improbable that anyone will prevent them from visiting their children after working hours, when they will be able to visit the children’s premises in their own dwelling house as often as the rules permit.³⁶

Despite the efforts of a militant minority during the first five-year plan to eliminate the family from Soviet life on the claim that the family was the social and jural upholder of private property³⁷ the family has survived as an important force. But now the housing problem, coupled with the problems of child rearing, is insinuating a counter force. Thus it may be no coincidence that simultaneously with the emphasis on public upbringing of children has come a strong move toward holding the size of dwellings to a minimum. Deputy Chairman Strumilin gave a clear indication of the link between the new thinking on housing and public upbringing of children when he said that “such institutions of communism as public dining rooms and the public rearing of children will enter fully into the lives of the workers only as elements in the construction of communism itself. The rudiments of these elements already exist and there can be no doubt that they will grow.”³⁸

Until recently, larger apartments, occupied by two or three families, were being built. The average construction cost of an apartment in 1956 ranged from 55,000 to 60,000 rubles. But if 15 million apartments were to be built under the seven-year plan, that cost had to be cut drastically. If each family is to get a small apartment rather than a room, and if the two or three families presently sharing a dwelling are to be given more space, the apartments simply cannot allow for kitchens or for space to raise a family.

The new “microdistrict” project urged by Soviet planners would har-

³⁵ *Ibid.*, pp. 10, 11.

³⁶ *Ibid.*, p. 11.

³⁷ Ruth Nanda Anshen, ed., *The Family: Its Function and Destiny*, revised edition (New York: Harper, 1959), Philip E. Mosely, “The Russian Family: Old Style and New,” p. 111.

³⁸ S. Strumilin, “Family and Community in the Society of the Future,” *op. cit.*, p. 8.