



11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030 Phone (703) 934-6101 Fax (703) 352-3678

fff@fff.org www.fff.org

Historical Preservation and the Market

by Scott McPherson

There's a controversy brewing over the Old North Church in Boston, from the window of which patriot Paul Revere received the signal that British troops were headed for Concord and spread the word through the Massachusetts countryside. It seems that the old church needs some work, and the U.S. government is chipping in with a grant for the much-needed repairs.

The trouble is, the church is an active Episcopal house of worship, and an organization called Americans United for Separation of Church and State is protesting the funding decision.

For its part, the federal government is ecstatic over the move, and sees no reason for debate. A new policy adopted by the Interior Department makes all "nationally significant" historic structures eligible for such grants — even churches. "This new policy," said Interior Secretary Gale Norton, "will bring balance to our historic-preservation program and end a discriminatory double-standard that has been applied against religious properties."

"Gale Norton is wrong on the Constitution at a minimum because the Constitution prohibits turning the public treasury into a church-building fund," countered Barry Lynn, executive director for Americans United. "It's really a gross abuse of tax dollars to drop public funds into the collection plate of an active church."

What to do?

Certainly nothing could be more "nationally significant" than Boston's Old North Church. On the night of April 18, 1775, two lanterns were hung in the church's steeple warning of British plans to move out the following morning and capture militia stores and weaponry being housed in nearby Concord. Thanks to the swift riding of Paul Revere and others, patriot militiamen from all over

the colony were alerted to the troops' movements, and a small force of some 77 colonial minutemen was able to meet them on Lexington Green and momentarily stall their advance.

After crushing that slight resistance, however, the approximately 750 British regulars marched on to Concord, where the militia there fired on them and eventually forced them to abandon the town. After thousands of militiamen began appearing all around them, the British troops retreated back to Boston, enduring a running firefight that cost them around 73 killed and 174 wounded, or well over 20 percent of their force.

These hostilities marked the opening of the military phase of the American Revolution.

There is no doubt that the Old North Church has a vital and cherished place in our nation's history.

Despite all this, the Americans United for Separation of Church and State has a point of its own. The church is an active church, and funding its repair, regardless of its historical significance, would be tantamount to the government's supporting a religious institution.

For those operating in the traditional political paradigm, the situation appears hopeless: Abandon an American cultural landmark to potential ruin, or, as Lynn put it, add "another crack" to the wall between church and state.

As with so many other political battles, such as prayer in school, funding for the arts, and political correctness on college campuses, this problem stems from government involvement outside its legitimate domain. In a free society, private property is the greatest guarantor of the peaceful and final settlement of exactly these kinds of disputes, and this present case of disagreement over land use and maintenance would best be settled by returning government to its constitutional role and removing it from the history business; that is, by abolishing all public expenditures on historical properties and turning all historical landmarks over to private owners.

"What's this?" the reader may cry. "Leave the preservation of our past strictly to *private* charity, management, and the marketplace?" Such a suggestion, for most people, would appear to be the equivalent of the first alternative presented above, which abandons our past to ruin.

Let it be said at the outset that no one is more passionate about historical places than am I. The thought of even a single old structure, road, field, or other historical treasure falling into disrepair, or worse, total ruination, brings dread to my heart.

I love to see places where exciting and important events took place. From Siberian cities to the mountains and fields of Oklahoma (yes, there are mountains in Oklahoma), from the many castles and churches of Europe to the Little Big Horn, from the cliff dwellings of Mesa Verde, Colorado, to the Danube River, I have gazed at the spots where kings stood, dictators reigned, civilizations thrived, and battles were fought.

I have felt the excitement of living history; I have felt the walls of ancient structures and stood in libraries that date back centuries. I hope to spend the rest of my life experiencing even more historical places. I know what I am asking and the risks involved.

Yet honesty requires candor, and history is no exception to the rule: Historical property ought to be treated as other property. Those who value it should be expected to pay for it and be responsible for it. They can form private nonprofit and for-profit organizations with the intention of obtaining and maintaining historical landmarks so that future generations may view the past with their own eyes. They have no claim to the use of public funds for historical preservation; historical property should never be owned, funded, maintained, or regulated by government. No one has a “right” to his hobby, even if that hobby involves historical places.

In a free-market environment, owners of historical landmarks would have a market incentive to maintain their property and promote historical interest in their particular spot. Through advertising and other promotional mediums they would attract history-lovers to donate time, money, and expertise to the preservation of America’s great places of interest and keep the past alive.

This wouldn’t just be a matter of historical appreciation: Jobs and investments would depend on their historical site’s being commercially successful. Just as important, their ownership would make them, not a bureaucrat or politician, the ultimate authority on how the property will be used, funded, and maintained.

This isn’t as tall an order as some would think. Mount Vernon, George Washington’s plantation, is a private historical preserve. The property was purchased in the 1850s — ironically, after both the federal government and the Commonwealth of Virginia refused — by a private organization called the “Mount Vernon Ladies’ Association.” Mount Vernon has never used public funds, and today is *the* most visited historic site in the country.

Another example is an old general store in Prince George’s County, Maryland, built in 1867 and often visited by President Woodrow Wilson. It had been left vacant and decrepit until purchased by a retired builder whose entrepreneurial instincts heard opportunity knocking. David Watts and

his wife, Cheryl, decided to save a piece of history and turn a profit at the same time: They turned the old store into the Ice Cream Factory and Café. They plan to open this July.

In Kayenta, Arizona, there's a small museum dedicated to the memory of the World War II "code talkers," Navajo soldiers who used their native language to thwart Japanese attempts to decode U.S. radio transmissions. The museum is found in a Burger King restaurant. These are just a few examples of how private organizations and individuals are doing a job that some think only government can perform.

The instant government is brought into the matter, however, constitutional prohibitions, political squabbles, and funding disputes leave the nation's most valued treasures in the kind of vulnerable position currently occupied by the Old North Church. Wouldn't the church be better off soliciting funds from the congregation and others than by inviting controversy and resentment? Rather than dedicating their time and resources to raising money to repair their church, the owners are embroiling themselves in a heated constitutional debate.

Another case of government failure in the handling of historical property is the Minute Man National Historical Park outside Boston, which covers more than 900 acres of the ground bloodied on the morning of April 19, 1775. The park has been listed as an "endangered" historic place by the National Trust because Hanscom Field regional airport, in the middle of the park, is planning to expand its flights. "One of the most important historic places in the country is slowly being degraded by noise, congestion, and visual intrusions," said Peter Brink of the National Trust.

Of course, this flight expansion will be carried out with the sanction of one government agency or another (the airport could not have been built to begin with, without the sanction of one government agency or another), leaving history-lovers without much recourse — especially those who support government ownership of history.

Also in trouble is the Mount Bethel Baptist Church, where protesters gathered for Martin Luther King's 1963 march on Washington; likewise Arkansas's Hot Springs bathhouses, and other historic and culturally significant American landmarks.

All of these places are either on public land or are churches, and so face either a constitutional challenge if funded by government, competition with other locations for limited public funds, or poor management decisions, as in the case of the Minute Man Park and the Hot Springs bathhouses. Whichever way it goes, history gets short shrift — and all because of government intervention.

This is precisely why the government ought to turn historical preservation completely over to the free market. When historical properties are owned privately, they will best be protected from bureaucrats, political controversy, and neglect. Like the environmentally sensitive properties purchased, owned, and maintained by private organizations such as the Audubon Society or the Nature Conservancy, these pieces of history will be protected by the best insurance money can buy: market value and property rights.

But surely, in a competitive environment, not all historical places will be saved. Yes, that is an unfortunate truth, but at present not all historical places are saved. It is left up to our public officials to make this determination, and who is to say their choices are the correct ones?

At least in a free market, individuals will vote with their pocketbooks by frequenting those places that are of the most importance to them. If they feel passionately enough about their chosen site, they can purchase it themselves or with help from others. If they disagree with how a historical property is being used, they can join the private historical societies that manage them and seek change in that way. Best of all, no one else would have to fund their choice, and they would not be forced to fund anyone else's. What could be fairer than that?

History, like education, health care, and the environment, is far too important to leave in the hands of government management and control; politicians and bureaucrats simply aren't equipped with the kinds of incentives needed to realize the true value of what they have. In the case of religious properties significant to our past, constitutional limitations simply will not allow government to subsidize them, mandating the kind of unfair "discriminatory double-standard that has been applied against religious properties" that Secretary Norton criticized.

The only workable solution, then, is to remove government from the equation and let motivated individuals and interested groups fund historical preservation in the fairest, most efficient, and most reliable manner possible: through the free market.

Scott McPherson is a policy advisor at The Future of Freedom Foundation. Send him [email](#).

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