

Rights as a Stato-Legal Construct

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When two companies contract with one another, each obtain certain “rights” or “privileges” to the other’s stuff. For example, a company building a new apartment complex will lease building equipment from another company. For a period of time, the building company has rights or privileges over the use of the leased building equipment. At the end of the period, the rights or privileges evaporate, to be leased again to another building company.

People often give each other a “lease” on the use of what they consider to be their property. This quite often is much more than just a temporary lease, but a permanent title transfer. Your property becomes my property, and vice versa. Once it becomes my property, you no longer have rights or privileges over its use. Nobody has rights or privileges over the use of my property without my say-so, or so common convention goes.

I believe that in many ways, this is how people think of whatever legal systems exercise power over their lives. Nor do I believe that thinking this way is an accident, but rather an intentionally created mindset due in large part to government schooling. One of the very first things I learned in my government schooling about society is our need, and thus desire, for people to make rules about what we can and can’t do with ourselves and with each other.

From a very young age the idea was planted that our lives must be controlled by other people for, supposedly, our own good. Preceding this “social studies” lesson were very similar lessons from Mom and Dad at home. Without this control, people would hurt one another, and everyone would always be in fear of their lives. So instead of living in a barbaric world, people got together and created a “social contract”, which grants to everyone permission to do some things, and forbids them from doing others.

If there is something you desire to do, then you must consider whether or not government has granted you the privilege to do it. Going to school, driving a car, starting a business, these are privileges that must be granted, and may be taken away. I do remember learning about governments being “reset” in the past, and new governments forming, and new constitutions being written, and some people fearing the new governments wouldn’t recognize certain pre-existing rights and privileges, and so sought amendments to their constitutions to prevent the abolition of these pre-existing rights and privileges. And often these rights and privileges were described in naturalistic ways, but at the end of the day what was being argued over was a legal document.

And so, centuries later, people are confused about what they may or may not do in a so-called “free society.” Some people figure it out and are quickly labeled “radical” and “extreme” and kicked to the curb as crazy. Rights are whatever we may do *after* laws are passed to tell us, say most. Otherwise we’d all be murdered within the week.

At this point, “rights” are a stato-legal construct in the minds of most anyone you’ll encounter. Maybe “rights” need to be thrown into the garbage heap of history.