

(41) The frameworks relation to constitution, laws, decrees and contracts

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Relationship to Constitutions, Laws, and Contracts

„The Citizens' / Owners' Rights“ framework is designed to operate above constitutions, laws, and contracts. This is crucial because these legal structures can be changed by political actors, management often with little or no input and authorization by the owners. Change or suspension of laws, constitution can happen in extreme cases without the authorization of the owner (and explicit separate voting). The same can happen in organization (e.g. HOAs).

The framework acts as a much more stable and enduring set of principles, similar to human rights, which cannot be overridden by such temporary legal changes.

Why Citizens Need Fundamental Rights Beyond Constitutions, Laws?

The structure of modern governance often relies on constitutions, laws, and contracts to protect the rights of individuals. However, history has shown that these legal frameworks can be vulnerable to manipulation, rapid changes, and reinterpretation by those in power. To ensure lasting protection for individuals, a set of fundamental rights must exist above these legal structures. These rights are necessary to safeguard citizens—viewed as the true owners of their states—and include essential areas like existential rights, accountability, environmental protection, financial security, and foreign affairs.

Constitutions and laws are often seen as the ultimate protectors of citizens' freedoms, but they can be altered by political leaders when it suits their interests. Throughout history, legal systems have been turned against the very people they were meant to protect. Laws that were supposed to ensure safety and fairness have been rewritten or suspended, and constitutions have been amended to allow for the concentration of power.

One particularly infamous example of this kind of manipulation is Nazi Germany. The regime made use of existing legal frameworks to marginalize and oppress certain groups, stripping them of property, freedom, and, ultimately, their lives. What was once considered illegal became legalized through amendments and new laws, turning the state into a tool of repression. This example underscores why rights that exist above laws and constitutions are necessary—so that certain protections remain intact, even when political or legal systems fail.

Limitations of Use

It is essential to note that the rights outlined in this framework can only be exercised within an individual's own country of citizenship. This means that citizens are entitled to apply these rights only in the country where they hold legal citizenship, ensuring that they are asserting rights in a state where they are recognized as an owner or stakeholder.

The framework does not extend these rights to other countries where an individual may not have the same status, even if they reside or own property there.

This limitation is crucial to prevent potential misuse. Without this restriction, individuals could attempt to leverage the framework in countries where they do not have (legal) citizenship, leading to conflicts with local governance structures and potentially undermining the rights of actual citizens of that country.

Decree in state of emergency

In case there is a state of emergency (hurricane, earthquake, flood, war, etc.) it can happen that governing per decree gets necessary. The framework considers also that cases. It specifies how long a state of emergency may last and from which point any single owner may veto the state of emergency. It also handles the personal consequences an owner has. Rule of thumb: in over 2/3 of the cases a state of emergency is a result of unprepared or negligent state or authorities or in some cases it is provoked to achieve some political goals, therefore the management faces immediate personal consequences (generally: dismissal).

How Authoritarian Systems have violated citizens' or owners' rights in history?

Different types of authoritarian systems—such as dictatorships, fascism, Nazi regimes, and totalitarianism—violated citizens' fundamental rights in various ways. Each system can be identified based on the specific rights they harm:

1. Authoritarian, totalitarian systems

Totalitarian regimes seek to control every aspect of life, from personal beliefs to economic and political activity. The following rights are violated in totalitarian states:

- **Right to free speech and non-violent opinions:** Totalitarian regimes impose censorship and punish those who do not conform to the state's ideology.
- **Right to accountability of public officials:** There is no accountability, as the ruling party or leader exerts total control over the state.
- **Right to protection against surveillance:** Citizens are constantly monitored, and their private lives are subject to government scrutiny.
- **Right to a transparent government and access to information:** Information is tightly controlled, and the state keeps citizens in the dark about decisions, contracts, and public spending.
- **Right to veto unauthorized state actions:** Citizens have no power to stop the state from changing laws or making arbitrary decisions.

2. Dictatorships

A dictatorship concentrates power in the hands of one individual or a small group, often bypassing the legal and constitutional rights of citizens. The following rights are typically violated:

- **Right to free speech and non-violent opinions:** In dictatorships, criticism of the government is punished or suppressed.
- **Right to veto unauthorized actions:** Dictatorships frequently bypass public approval or voting for changes to laws, constitutions, or public programs.
- **Right against surveillance:** Dictatorships often implement extensive surveillance of citizens to control dissent.

- **Right to accountability of public officials:** There is little or no accountability for leaders and officials in a dictatorship, as they operate with impunity.
- **Right to protection of life and freedom:** Arbitrary arrests, detentions, and restrictions on free movement occur without justification.

3. Fascism

Fascism focuses on extreme nationalism, often at the expense of individual freedoms and rights, and promotes discrimination based on race, religion, or other identities. It is totalitarian and, in many cases, also a dictatorship. The rights violated in fascist regimes include:

- **Protection of life, free movement, and assets:** Discrimination based on ethnicity, religion, or political views results in citizens losing their property, freedom, or lives.
- **Right to keep citizenship:** Fascist regimes often revoke citizenship from those they deem undesirable, such as minority groups or political dissidents.
- **Right against surveillance:** Fascism frequently involves spying on citizens who are perceived as enemies of the state.
- **Right to non-discriminatory treatment:** Citizens may be persecuted or punished for their views, religion, or ethnicity.
- **Right to free speech and demonstrations:** Fascist regimes suppress free speech, prohibit peaceful protests, and silence opposition.

4. Nazi Regimes

Nazi regimes not only centralize power and discriminate but also aim to exterminate entire groups based on ethnicity, religion, or other characteristics. Nazi regimes are totalitarian dictatorships with fascist characteristics. The violations in a Nazi regime are extreme:

- **Protection of life, free movement, and assets:** Mass exterminations, forced labor camps, concentration camps, and imprisonment without cause are hallmarks of a Nazi regime.
- **Right to keep citizenship:** Large groups of people are stripped of their citizenship, leading to statelessness and loss of rights.
- **Right to basic needs:** Persecuted groups are denied access to food, shelter, and medical care.
- **Right to free speech and non-violent opinions:** Speaking out against the regime or expressing different views is met with severe punishment, including death.
- **Right against persecution and discrimination:** Entire populations are targeted for persecution based on religion, ethnicity, or political affiliation.

Worst examples for violations from Nazi Germany:

- Threatening/jailing/abuse/raping/kidnapping/extortion/**genocide** based on race/ethnicity/nationality/religion/sexual orientation/political view/etc.
- Declaring other people/nations/races as inferior to justify war against them
- **Dictatorship** of the majority over any
- Instead of serving the citizens **ruling the citizens**
- Unquestionable and uncriticizable leader acting like a king, elected "forever" (**cult of personality**), any criticism is punished
- **Propaganda for war**/against a group of people/against ideologies/against religions/against countries
- Propaganda/laws/decrees/constitution that **punish and prohibit free speech, demonstrations, strikes**, and other political parties
- **forced labor camps, concentration camps**
- **censorship**
- **Medical experimentations on individuals**
- **lack of free voting**
- **corruption** (misusage state finance = the owners' wealth)

Identifying Authoritarian Systems Based on the violated rights

The "Citizens' / Owners' Rights" framework provides clear indicators for identifying authoritarianism. The framework's protections ensure that citizens can use their veto powers to resist such trends and maintain their ownership rights over the state.