

Subject: : Paflyfish General Forum

Topic: : Who owns the trout?

Re: Who owns the trout?

Author: : pcray1231

Date: : 2013/3/4 11:13:28

URL:

Quote:

Pcray, based on that line of thinking, you would have to say that the government owns us. Don't they regulate and manage us?

Our government uses the term ownership for everything that is non-human. In the case of wildlife, RLeeP's point is taken. The legal way to look at it, though, is that the collective people do indeed own the wildlife. We make the calls. What we have done is appoint our Commonwealth the task of stewardship.

Ownership, in our system, is who has the right to make the calls on what happens to something. If I own property, you can't build on it without my permission. If I own timber rights, you can't cut the trees without my permission. If I own mineral rights, you can't mine without negotiating with me first.

We have a European system, and in this system, EVERYTHING has an owner. There is no non-human thing that doesn't. Land, buildings, soil, trees, minerals, water, wildlife, even the air itself. There are even ownership disputes and the courts must decide who has rightful ownership.

And yes, this system/philosophy is different from that of the, say, native Americans. And their philosophy has penetrated our culture in recent times. And I'm not saying I don't also ascribe to it at times. I'm not debating the way it should be here. Merely stating the way our system is officially and legally set up.

The owner has full power to do what he wants with his property. If I own a stand of timber, nobody except me can remove it and sell it. If it is cut, I have the rights to the spoils. And sure, I can enter contracts for others to do the work, and may even pay them for their labor. But it's still me that has the original power.

Now, there may be regulations that effect HOW any owner can behave. And the purpose of this is to prevent the owner of one thing to unduly affect the owner of something else. If I decide to mine my property, so long as I can do it without polluting someone else's property (which includes water and air), I can do it to my heart's content. But you can prevent me from doing it, or at least put limits on my allowed pollution, if my actions stand to pollute your property. And the same goes if my actions will pollute public property, which includes water and air.

With wildlife in PA, the owner is the public at large. It's official, and written in law, we DO own them. We empower our Commonwealth with the task of stewardship of this shared property. And stewardship of shared property, really, was the original purpose for having a government at all.