

Liv

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Chapter One

Once upon a time in a land far, far away lived a girl named Liv. Being orphan, or at least she thought she was, she had been forced to raise herself, and to the best of her knowledge the result was not too bad. Not too bad at all, actually.

Liv lived alone in a small cottage that she had found, strolling down the road to nowhere one early spring morning a few years back, when she was on her way somewhere to see whether she could help out.

You see, helping out was what Liv considered her destiny, her calling in life, and she was, by far, one of the most helpful people you will ever find.

Not only was she amazingly beautiful, Liv was so good, and kind, and full of wit, spark, cunning and shrewdness that people used to call her Liv the saint. Liv, modest as she was, never quite liked to be called that, though she would not mention this to people because she thought it better not to make them sad.

Even though Liv had helped far more people than she could possibly remember, she would still never say no to someone in need, and that sometimes meant that she was forced to pay a considerable price.

Once, she had nearly lost an arm helping a beekeeper who was attacked by bears even though the Ranger had promised him protection. Another time, she was fortunate not to lose her own life seeing a young woman who had taken ill by cholera to the infirmary.

Even though Liv thought nothing of it, one could not help thinking that people were taking advantage of her. In fact, unless everyone around her started thinking about what they asked of her, one day she would not be around to help people out anymore. Somehow, it seemed that Liv knew this, but didn't mind. She didn't mind about anything at all.

Chapter Two

As Liv left her house that morning, she knew that she had a very busy day ahead. She had promised to help Pastor Green with some kind of leaflets. After lunch with Mrs Norris she would borrow the cart from Farmer Bond and head down to Mr Shaw, the carpenter, to help him out with something he was building for tonight's big event. Liv had not quite understood what was going to happen, but everyone was very excited, and she was very much looking forward to it all!

On her way to Miller Jones she stopped by the Lawson's house so that she could take young William to school. William loved it when Liv walked him to school because that always meant that the Trinner-boys over at Trinner's farm would leave him alone, for once. With Liv, William felt safe. In fact, William often thought of Liv as the only way those Trinner-boys would leave him alone. Normally, when William had to walk on his own to school, they would be waiting for him around the bend behind their farm, in the bushes, throwing mud at him, if it was a quiet day, or worse. Once, Jonathan, the oldest of the three, had hit him several times in the face, sending William on his way, nose bleeding, tears running down his cheeks with a threatening growl:

-“If you tell anyone, anyone at all, there will be more waiting – more than you could ever imagine!”

Liv did not mind walking young William to school, not at all, because she had a good hunch that those Trinner-boys could be quite a handful for young William. However, she also had a strong feeling that William used to brag about how good Liv was to him in front of his friends at school, and she really did not feel comfortable about William claiming that she was “*his* best friend”. That made Liv feel that the other children might get the idea that she did not like them as much. She would have to talk to William about this, some day, she thought as she closed the gate behind them and set out on the way to town.

Chapter Three

Hurrying along towards the church, Liv was enough pre-occupied in thoughts not to notice that she almost knocked Pastor Green over turning through the gates to the church.

-“Oh...I am so sorry Pastor!” she started.

But the religious man did not answer. Almost as in a trance did he stride on down towards the town, and not until he had got about twenty yards down did he stop and turn to look at the bewildered Liv.

-“Well, come along then Liv, I need you to help me spread the word here!”

Pastor Green handed Liv a bunch of leaflets. She knew not what they said, because Liv could neither read nor write. Strangely enough, this had never bothered her, and it did not seem to bother those who wanted her help all that much either, so Liv never thought that much about it.

-“We will start over by the river, the paupers really need to know what the good lord says about their practices!”

Liv followed in Pastor Green’s wake, as he steamed towards the riverbank where the poorest people in the small town lived in dodgy shacks or under worn down cloths held up by poles. Liv watched Pastor Green hand out the leaflets and she thought that down here she sure was not the only one unable to read. She asked pastor Green whether he should perhaps tell the people what the leaflet said and he grunted and nodded in her general direction. As Pastor Green got up on an overturned crate to start gathering a crowd, Liv took a look at the leaflet. There was a picture surrounded by letters and the picture portrayed something that looked a bit like a very young child – practically an infant. But the picture was horrible! The child, or whatever it was, was clearly dead.

Chapter Four

Mrs Norris gasped.

-“He said...WHAT!” she almost shouted at Liv, although they were both cramped up around one of the tiny tables in the newly opened cafeteria down in the centre of the town. Everyone stared at them

-“Well, the Pastor wanted to make it clear that no one but God had the right to decide on who lives and who dies, and that trying to end the blessed state by one’s own accord, is a sin which will ensure damnation.”

-“The hypocrite!” Mrs Norris snarled through gritted teeth. “All he is interested in is power and fear. If I had a chance...wait a minute...why did he want you to come along?”

-“Well, I do not know Mrs Norris” Liv let out, “I guess he needed someone to help disperse his leaflets?”

-“Well, that just takes the cake, doesn’t it!” she exclaimed. “Of course he wanted the young, beautiful...and do not take this the wrong way now dear but you surely are a bit more naïve than is actually suitable at times... Liv with him, to show that he was only looking out for the lives of the unborn. What about the lives of the young women, huh? What about their lives!?”

-“Ehh...Mrs Norris...I am not quite sure I follow you...?”

Mrs Norris turned to Liv with a sympathetic smile.

Chapter Five

When Liv arrived to borrow the cart, Farmer Bond was already harnessing the horses for the carriage.

-“Liv!” he beamed. “You look absolutely magnificent today!” Farmer Bond gave Liv his best smile and strode towards her to give her a proper greeting.

-“Thank you kindly sir”, Liv said, smile beaming.

-“You know”, he continued, “I think I will follow you to Mr Shaw’s” he said turning towards her before jumping up on the driver’s seat.

-“By all means, Mr Bond, by all means.”

On the way to the carpenter’s, Farmer Bond started to talk about how the villager’s were all very fond of Liv, and how they were all so very happy that she was always there to help out. Liv tried to moderate his praise for her, but he insisted, and Liv started to feel a slight concern about what Farmer Bond was really up to.

-“You know we all care very much for you Liv, and it is very important that you know that we appreciate that you are doing this, for us. For the Johnsons...” his voiced trailed and his gaze rode ahead of them down the road.

Liv’s stomach tied a knot around itself. The Johnsons! She had forgot about the young girl, Eva Johnson, who had been attacked and violated by that loathsome Mr. Black last June. Eva had been on her way home after the midsummer’s eve dance, and Mr. Black had followed her. He had tried to have his way with her, but she fought him and fell into the ditch beside the road. Mr. Black had claimed it was an accident, but the magistrate had not been convinced. He sentenced Mr. Black according to the fullest extent of the law – he sentenced him to death.

“Liv?” farmer Bond grabbed her shoulder and looked into her eyes. “Liv? Are you listening to me?” he said.

Liv realized that she had not heard a word of what the man had said for the last minute or so.

“Because, you see, I need to know that I can count on your support, to have you on my side – on the good side, so to speak.”

Liv felt very uncomfortable. She was not sure what was going on. Then all of a sudden she realized that they had come to a stop, just outside the jailhouse. She watched as the two constables led Mr. Black down the jailhouse steps, his hands and feet chained. Liv churned.

When Liv, Farmer Bond and Mr. Black pulled into Mr. Shaw's yard Liv saw the gallows that the carpenter had erected. She started to cry.

"Well, well, well... here we are. Come now, Liv, remember what he did to Eva..." Farmer Bond tried to dry the tears from Liv's cheek, but she briskly forced his hand away.

"...and now you will all see him hang for it? An eye for an eye? Is not his life worth as much protection as hers? Why must he die?"

Mr. Black stirred and coughed. He reached out for Liv's hand but his chains stopped him short, and Liv shrugged away, startled by the murderer.

"You are about to kill this man, and what good does that do Eva?"

Liv was shouting now. All the people who had showed up for the hanging were looking at Liv. Tears streaming down her cheeks she screamed from the top of her lungs that Mr. Black had a life as well, and that there was no excuse for taking it away from him. The crowd stirred, and Farmer Bond felt he had to calm Liv down.

"Liv, come now, we talked about this before? Please, Liv, we need you..." the farmer was cut short by Mr. Black, howling, "I NEED YOU MOOOOREEEE!
I NEEEEEEED YOU MOOOOREEEEE, LIIIV!"

Liv let out a shriek. She was not sure what was going on. She started to feel nauseous. Suddenly the ground was turning and she had to struggle not to fall off the seat. Her palms were sweating and she felt a ringing in her ears. She started gasping for air, and clinging at her collar she saw the desperate look in Farmer Bond's eyes. Then she passed out, and all went dark.

Epilogue

Liv broke. She was torn apart by all those people who needed her to be theirs. Finally, she was everyone's and no one's. All at the same time. Torn.

Fortunately, human rights cannot break. Human rights are social phenomena, which means that they have no physical existence, they are not "brute facts". Therefore, they must not be treated as physical phenomena. This may seem obvious enough, but sometimes, we all (and I mean everyone, but lawyers in particular) pretend that we are describing the law by stating what the law "is" on a certain matter. These days one can hear people talking practically everywhere about how *their* fundamental human rights are being abused – in Court, on the news, in the news, in the line waiting to buy lunch at the cafeteria, in the dressing room at the gym, while waiting for the bus, when talking to the kids – and they are not happy about it. This is fraudulent, since we are not neutrally describing something – we are in fact arguing.

Social phenomena cannot be described, as were they chairs, rocks or flowers. Furthermore, they cannot be taken from us – because we do not *have* them! They cannot be broken, simply because they do not exist in the same way as physical objects do.

They can, however, be transformed. Through interpretation and argument, everyone who tries to qualify what a human right means in a certain context transforms it through description. This is how social constructions "break". When we try to bend them to much, to suit our own needs, we make them over-inclusive, meaning that they are watered-down until they mean everything and nothing at the same time.

The question is, what will we do when our fundamental human rights have been torn apart?