

TUESDAY, NOVEMBER 1, 2016

The Register-Guard

GUEST VIEWPOINT

Malheur verdict lends no credence to occupiers

By **Tim Palmer**

For The Register-Guard

NOV. 1, 2016

Astounding to all, a jury on Oct. 27 found the gun-toting occupiers of public facilities at the Malheur National Wildlife Refuge not guilty as charged.

And with a commentary that I find every bit as astonishing, news reports ranging from scatterbrained blogs to National Public Radio report that the jury's outcome signals a triumph for right-wing rural malcontents to wrest public land from government agencies now charged with administering it.

Nonsense.

The jury's decision recognized only that the federal prosecutor's narrow case — that the refuge's invaders had deliberately prevented federal employees from doing their jobs — was not convincing to that particular jury. It had nothing to do with the legitimacy of men with guns illegally occupying government facilities. Further, it had nothing to do with claims that the federal government should not own and care for public land in the form of wildlife refuges, national forests, national parks or Bureau of Land Management acreage.

Newscasts include proclamations that pistol-packing, rifle-bearing invaders will be emboldened to take other public land and buildings from the government. To be sure, the minds, motives and temperaments of those bearing guns against the American public and its property are unknown, unpredictable and unstable.

But the fact that the Bundy crowd got "off" for reasons that might be explained entirely by federal prosecutors blowing their case has little real value to a band of vigilantes seeking to unilaterally trash an extensive body of law regarding stewardship of public land.

Does the verdict or its bizarre aftermath of commentary lend credence to the occupiers' thoroughly debunked claim that the Constitution bars federal ownership of property? No. The Supreme Court has ruled repeatedly on this topic since the nation was founded, and whatever a few anarchistic zealots happen to think doesn't really matter.

Does it mean that the Bundys can evade paying grazing fees, unlike all the other ranchers

who elect to run their cattle on federal land? No.

Does this gang going free now mean that anybody anywhere can pull a gun on government officials and not suffer consequences? I don't think so.

Gun-bearing militants with disdain for federal law might feel buoyed by the Bundys getting off. So would faceless multinational corporations that want to drill and strip-mine without restraint on the land belonging to us all.

But most Americans, I venture to say, are outraged that the Malheur trespassers walked into a public facility and took it over. What's the difference between the Malheur occupation and what would clearly be termed "domestic terrorism" if the occupiers had commandeered a public library because they didn't think the government should be providing books?

While news commentaries shine a dubious spotlight on the privatizing goals of those who would take public land away from the American public that owns it, the most important story here is that the motives and actions and this so-called sagebrush rebellion are unfounded and terroristic. They have no place in a civil society.

The take-home message here is that public land belongs to the public, and that all of us who own it need to defend it from an outrageous siege by those who want it all to themselves.

Tim Palmer of Port Orford (www.timpalmer.org) is the photographer of "America's Great National Forests, Wildernesses, and Grasslands" and the author of "Rivers of Oregon" and other books.

<http://registerguard.com/rg/opinion/34942231-78/malheur-verdict-lends-no-credence-to-occupiers.html.csp>