



## **Are Utah's legislators reading same Constitution, Bible I am?**

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I have two pocket-sized books, each containing the Declaration of Independence and the Constitution of the United States. They are the same size, same color and look alike. The documents therein are exactly the same. They describe the kind of government the new country shall have, list basic rights of citizens and provide for amendment and change of the governing documents. But they were published by organizations championing different beliefs.

One of my little books was published by the American Civil Liberties Union, a non-partisan group established in 1920, "to defend and preserve the individual rights and liberties guaranteed to every person in this country by the Constitution and laws of the United States." The other was published by the Cato Institute, a libertarian think tank founded in 1974 as the Charles Koch Foundation, to focus on public advocacy, media exposure and societal influence.

The books from both organizations supplied me with accurate texts written over two hundred years ago. The only difference was that Cato added a seven page preface with their interpretation of the documents and charged me \$4.95. The ACLU gave me a book for attending one of their meetings.

Unfortunately, some Americans are now trying to use the Constitution to justify unlawful acts. Last November, LaVoy Finicum, an Arizona rancher who was killed at the Malheur Wildlife Refuge occupation, told cattlemen to tear up their federal contracts and graze the public lands as they pleased. He said militiamen would back ranchers in resisting actions by the Bureau of Land Management and Forest Service. It's unclear whether he was recommending an act of civil disobedience or a call to arms.

At the same meeting, Tony Rampton, Utah Assistant Attorney General who heads the public lands section summarized the laws governing public lands. He cautioned against pursuing an unlawful course. A member of the audience handed Mr. Rampton a copy of the Constitution, apparently suggesting that 200 years of case law and experience interpreting the constitution was not as important as his own beliefs about what the founding fathers meant when they wrote the original text.

I have not found evidence that grazing livestock or any individual extraction of public resources for private gain is a civil right. The Magna Carta, Britain's classic statement of human rights, was accompanied by a Charter of the Forest spelling out what renting citizens could legally extract from the landlord's property. Our constitution does not have such a document, though some people apparently believe they have extraction rights, including livestock grazing, on the public's land.

Belief trumping reality is a common by-product of American religion. Jenny and I have eleven old family Bibles in our bookshelf. Nestled amongst them are a Book of Mormon and a Koran. All contain lessons of right and wrong based on the teachings of Jesus Christ. The oldest we have is a King James edition from the early 1800s. Our collection has most of the modern English versions published by various groups. Some have newspaper clippings or handwritten notes tucked in them, and passages underlined that relate to the clippings.

Unfortunately, few clippings or notes are dated or have information about their origin. One has an entry of my great grandfather Hasty's birth in 1835 and a newspaper clipping of prophecies for the year. Another has newspaper articles from the early 1900s about the evil of interracial marriages with numerous passages underlined and exclamation marks in the margin. Other clippings have garden planting dates based on signs of the Zodiac and articles about the dangers of alcohol. In general the loose notes were about Texan cultural beliefs rather than religion or law.

Articles my ancestors saved were more tribal than spiritual, and were often in conflict with the teachings of the bible that held their clippings. My 2d great grandfather James Edward Box was a Methodist Protestant preacher. He was Captain of a Texas Army company that killed Chief Bowles and drove Cherokees off land legally granted them by Spain. Several of my great grandfathers defended the right to own slaves in the Civil War. They followed the Constitution, not the Bible. Their actions were legal, having occurred prior to the 13th and 14th amendments of the Constitution. But English language bibles with Jesus's Sermon on the Mount and other Christian teachings had been available for over two centuries.

Come July 4, it will be 240 years since the Declaration of Independence. Our Bill of Rights, the first ten amendments to our constitution, was ratified December 15, 1791. The last amendment, the 27th, was ratified May 7, 1992. Thousands of laws have been passed by local, state and federal governments and tested against the Constitution in courts. Scholars at the world's best universities serve as watchdogs. All the above can be read on modern mobile phones.

I don't know why the unnamed rancher handed Attorney Tony Rampton a copy of the Constitution. It's hard to understand why a committee of the Utah Legislature thinks it's ok for Utah's 1% of Americans to take land from the other 99%. Or why they think it's ethical to risk \$14 million on a lawsuit to take the public land from the people when legal scholars say it is likely to fail. Perhaps, like my ancestors, their beliefs are not based in their scriptures.