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## **OPINION: Defending the rights of 'We the People'...**

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By CLARICE RYAN | 0 comments

July Fourth celebrations are a time for recalling the birth and exceptionalism of our great nation. The United States of America has remained a unique global experiment in government: political, social, economic, scientific, philosophical and legal. We have enjoyed, promoted and defended our human rights, freedoms, individualism and, especially, our private property.

This Fourth of July is particularly noteworthy, because it is not just the 239th year since the signing of the Declaration of Independence, it is also the 800th year since signing of the English Magna Carta.

These documents provided the foundation for our U.S. Bill of Rights and Constitution incorporating uniquely established rights for "We the People." These have provided counterweights against top-down dictatorial rule found in other countries. Unfortunately the current presidential administration has been rejecting this grand experiment in citizen-involved government, steadily transforming it into an elitist bureaucracy designed to control what people can or cannot do; think or say.

Last month the Regulatory Lawfare Relief LLC, a new group formed by Robert Fanning, former gubernatorial candidate, met in Billings to discuss the disingenuous legislative process by which the Salish and Kootenai water compact achieved passage.

This is basically a treaty entered into by three distinct sovereign governments: Montana, the Confederates Salish and Kootenai Tribes, and the United States. Attorney Lawrence Kogan considers this legislation an attack on our land and water (property) rights diminishing its use and value; thereby threatening the state economy, personal and economic freedoms. He stated, "You can't just focus anymore on what occurs locally, because what is local may be global."

The Montana water compact debate primarily addressed local concerns over irrigation and reservation water-related issues. It now goes to Congress for review and action. That decision-making body is composed of elected officials far removed from Montana, who likely have slight comprehension of potential impacts and ramifications of the water compact statewide, nationally, or even internationally.

Even locally our own Montana legislators and citizens had difficulty comprehending the immensity. However people are already experiencing adverse outcomes of the state legislative action with tribal implementation being administered in advance of and in anticipation of “eventual” process approval.

Attorney Kogan comes to us with a wealth of experience and insight combined with perspective and scope of thinking to relate issues to the big picture nationally and globally. He is highly recognized as author and lecturer at national and international levels on subjects of treaties, trade, environment and international law. His legal practice accomplishments include exposing to Congress the ominous environmental regulations incorporated in the UN Law of the Sea Treaty, thereby preventing its ratification.

His primary concerns include attacks on private property destroying its use and monetary value as witnessed here in Montana; and also the more recent precautionary principle, “Better safe than sorry,” which turns legal debate on its head. He also focuses on the intrusion of federal agencies, now acting as unconstitutional law-making and enforcement bodies of government. These include EPA, Fish and Wildlife, and the U.S. Forest Service, which have basically closed down Montana natural resource industries and reduced our per capita income from one of the highest in the nation to basically the lowest. Coming into prominence is the state Department of Environmental Quality, with false claims of human-caused climate change, an example of “precautionary” strategy.

With comprehension of these complex issues, Kogan will be working with Bob Fanning’s Regulatory Lawfare Relief organization and its team of highly qualified specialists. Montana problems will be addressed with the primary objective of awakening Congress to the seriousness for this state’s economy and its families statewide, on and off reservation, fearing for their livelihoods, property values and future way of life.

*Clarice Ryan is a resident of Bigfork.*