

Anachronistic?

My concern with the proposals is that the proposals for 'prohibited installations' in wilderness areas shows no sensitivity to the legal notion of *animus imponentis*. Let me explain.

This Latin phrase is regularly employed in constitutional law. According to *Black's Law Dictionary*, "*animus*" (Latin for "soul" or "mind") when used at law, particularly constitutional law, often indicates "intention" and is best translated as such. Well, inasmuch as "*imponentis*" means "the imposers" or, in this case, the "imposing body," the *animus imponentis* would refer to the intention of the imposing body. My point is quite simple: the original founders of the wilderness act and 'prohibited installations' did not have bolting, or replacing existing fixed anchors in mind.

So my question is, "If the 'Wilderness Act' was put in place in 1964 by Lynden B. Johnson, then how are 'prohibited installations' in wilderness areas now applied to bolting and bolt anchors, or existing fixed anchors? This seems like an anachronistic move to me. That is to say, it seems to have nothing to do with the intentions of the original drafters of the 'Wilderness Act'!

Indeed, if the Forest Service, and the NPS go through with these management plans, they may find themselves up against more serious legal arguments than their lawyers or Rangers have even begun to consider. Do they really want to spend taxpayer's dollars on legal defense for a specious claim?

Appealing to "prohibited installations" in my view, unless someone can convince me otherwise, seems like special pleading.