

Legal scholars dispute permanence of monuments

By Elizabeth Shogren, High Country News

No president has ever abolished a national monument, and it has been more than 50 years since a president shrank one. Nor has Congress revoked any significant monuments. The high regard given these special places is part of what makes President Donald Trump's order to review all large monuments designated since 1996 so extraordinary.

Courts have never decided whether a president has the legal authority to change or undo a designated monument, and now this uncertainty has sparked a clash of legal titans.

A multitude of legal experts – including 121 law professors – argue that presidents lack the power to alter or revoke monuments. Meanwhile, a much smaller but no less adamant group asserts the opposite. These opponents are waging a tug of war in opinion pieces, blog posts, law journals, comment letters and at scholarly conferences. Both sides cite the 1906 Antiquities Act and decades of legal opinions and obscure congressional documents.

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