

# Tim DeChristopher's Battle for Justice Is Our Battle

Our Best Response is Unity, Resolve and Confidence in Our Power

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*Tim DeChristopher is facing 10 years in prison in a sentencing hearing next Tuesday. His crime — he used civil disobedience to stop an illegal sale of oil and gas leases. After he stopped the leasing by falsely bidding on the lands, the Interior Department determined what was known before the sale — it was illegal. Yet, the government wants a harsh sentence to send a message to those who would join him in stopping illegal government action, ironically claiming we have to uphold the rule of law.*

We are all Tim DeChristopher. That is made clear by the government in its [official sentencing recommendations](#) to Federal Judge Dee Benson. The prosecutors write: “many are watching to see the eventual sentence” and therefore DeChristopher’s “sentence should effectively communicate that similar acts will have definite consequences.” Their purpose is to deter all Americans who would stand up to illegal government action. The government is afraid of [DeChristopher’s message](#), a message that not only applies to the climate issue but to economic and social justice, ending militarism and ending corporate control of the government:

“We think we have no power when in fact we have more than enough power. Right now, we have a big enough movement to win this battle; we just need to start acting like it.” Tim DeChristopher

The government knows DeChristopher is right and wants to make sure that we do not start acting with the immense power we have. They want to deter us by putting DeChristopher in prison for a long time. What they do not realize is that if they do so they will get the opposite response. Injustice will bring greater unity, greater anger and greater resolve to seek justice. DeChristopher realizes this. When I wrote to him and asked what the [October2011.org](#) Movement could do to help him he responded that the message should be “Join Tim DeChristopher.” It was not about advocating for a lesser sentence but about acting in solidarity. Tim has it right – if we act in unity for economic and environmental justice; and ending corporatism and militarism, we can transform this country and put it on the right track.

DeChristopher acted decisively to stop immediate and irrevocable harm. He registered as a bidder and falsely bid to prevent the leasing of land to oil and gas corporations. He acted to stop the immediate harm, not just the devastating environmental harm of carbon fuels and their extraction, but the harm the Bush Administration was causing by breaking its own regulations and violating the law by illegally rushing the leases to sale in an effort to get the land in the hands of the oil and gas companies. In fact, after DeChristopher acted these

leases were found to be illegal.

DeChristopher stopped an *illegal* auction. He now faces up to ten years in federal prison and a \$750,000 fine for doing so. The leases were cancelled by Interior Secretary Salazar who reviewed the land in three categories: parcels appropriate for future auction since they are surrounded by existing oil development, those never appropriate for future auction because of their wilderness value, and those requiring further consideration to determine the appropriateness of drilling. After the review the Interior Department found that only 29 of the 116 parcels up for auction were legal.

Are the public officials who violated the law and regulations by scheduling an illegal auction being prosecuted? Does anyone see the absurdity of prosecuting DeChristopher for stopping an illegal action and how that prosecutorial farce will be made worse if DeChristopher is sent to prison? The government ironically claims in its sentencing memorandum "The rule of law is the bedrock of our civilized society, not acts of 'civil disobedience.'" Yet, in this case civil disobedience actually ensured the rule of law.

To make matters worse, the judge did not allow DeChristopher to present a necessity defense. Such a defense would have put the lease auction on trial. It would have showed that DeChristopher was acting to prevent an imminent harm that nothing else could have stopped. A lawsuit had already been filed against the auction but it was not until after DeChristopher thwarted the lease auction that the lawsuit, along with the Interior Department's review, stopped the leases. If DeChristopher had been allowed to present this defense, bring forward experts to testify and his lawyers allowed to argue the necessity defense; and just one juror agreed DeChristopher would not have been found guilty. The judge avoided that problem by not allowing DeChristopher to present the defense he wanted.

What can we do to support Tim DeChristopher, to stand in unity with him? [Peaceful Uprising](#), the organization he works with, suggests that we demonstrate our support at court houses around the country on the day of sentencing, next Tuesday, July 26th. They ask that we show our "joy and resolve becoming outrage and love" and that our movement will not be "intimidated, deterred or delayed." You can [register your event here](#), and when you hold it take a photograph and share it with Peaceful Uprising.

The [October2011.org](#) Movement is urging all of those who support our call to challenge corporatism and militarism in Washington, DC this October to join in support of Tim DeChristopher by responding to the Peaceful Uprising call. Unity and confidence that together we can make a difference is where we gain our strength. That is the message of Tim DeChristopher and it is the message of the [October2011.org](#) Movement.

*Kevin Zeese is on the steering committee of the [October2011.org](#) Movement.*

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