

from our viewpoint...

What role should government play

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

The writers of the Constitution spent quite a bit of time deciding on the wording for the preamble, and set forth their ideas of what role a national government should have in relation to the country and those governed.

The first phrase indicates the Constitution was written with “we the people” as the main contributors to the operation of the United States. The world looked a lot different in 1789 when those words were written down and eventually accepted by the individual states.

The list seems quite simple: form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty....

Over the past 200 years portions of those phrases have been squeezed and stretched as generations sought to interpret the role to fit the issues of the day. Of course, not every issue could fit, and that is why there are 27 amendments to amplify and clarify portions of the constitution.

Today the country looks different as a new Congress is set to begin with a new balance between the two major parties. Reading the preamble and the Constitution one will not find any reference to political parties, but those began to develop shortly after the United States began operating under the new framework.

Many of the developments across this great country were suggested by one of the phrases in the preamble, and with the amendments, people continue to find ways today to find fresh meaning and relevance in what we face today.

With the economy slowly recovering the debate has surfaced about the role of government, and whether the federal and state governments ought to do less and find ways to cut spending and cut taxes to help move the economy forward.

One comment we hear frequently is government ought to be run more like a business. Government is big business, and is involved in a vast array of areas of our lives. Sometimes we see government regulations as interfering with our lives. We are convinced the government has gone beyond the phrases dealing with domestic tranquility, general welfare and blessings of liberty.

We judge a successful business by whether it is profitable and if it shows growth. Taking that to the government level is a bit difficult because the government does not have a true balance sheet. We always hear about the deficit and how bad it is, and it keeps growing. What a business has to balance the liabilities are the assets, but government doesn’t have a list of assets to show the investments made across the country.

As we watch the new Congress begin in Washington and the State Legislature begin in Topeka it would be a good time to look back at the preamble and see how what government is doing today fits within those phrases.

As the debate continues it will be interesting to see how the majority of Americans feel the role of government has been modified and what the writers of the Constitution would think of their wording in today’s world. – *Tom Betz*

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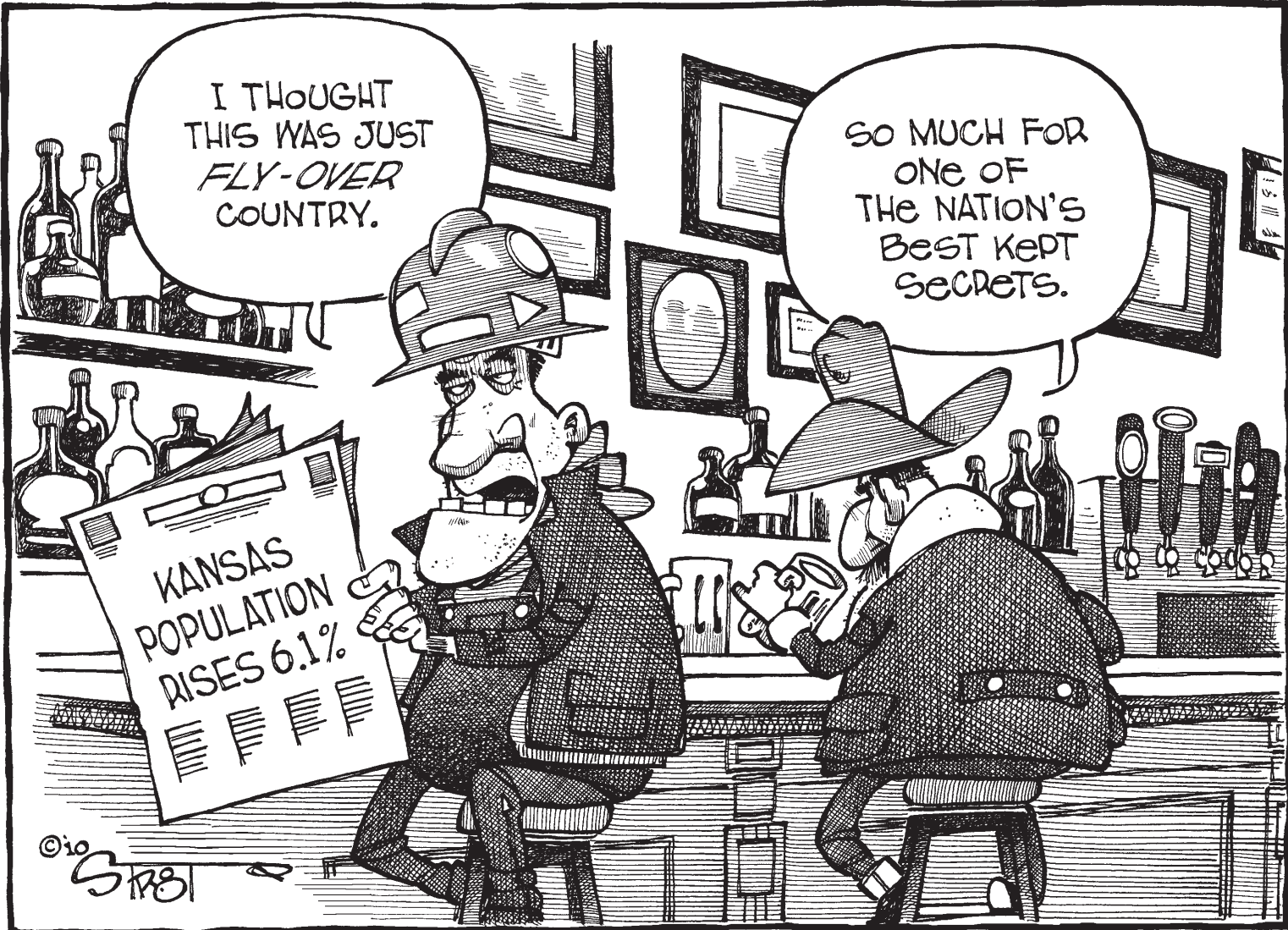
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How did I end up in Aurora, Colo.?

Fair question.

After all, it took me 44 years to get here.

Hint: Hand fed press. Typewriter. Camera with flash bulbs. And so it goes. Or should I say, and so it went.

Those were the ingredients for producing a newspaper when I decided, way back when, to move into this thing called journalism, nudged partly by one of my professors at then Fort Hays Kansas State Teachers College (or something like that). She, Mrs. Rogers, saw something in me I didn’t.

So, armed with a college educational experience and just knowing the world was awaiting my arrival, I set out to make a name for myself, not giving any thought to the ‘names’ I would sometimes be called.

I was hired by *The Ellis County Farmer*, a Hays-based weekly newspaper which, during my tenure, was renamed *The Ellis County Star*. I did a little bit of everything and due to my love of sports, I covered a lot of high school football and basketball. During the summer months, thanks in large part to a friend, Arlen Walters, I became associated with the Hays Larks passing along information on the team to a couple of area news outlets. Arlen was a member of the team, and I should say a gifted and talented member.

Games were played at the baseball field in south Hays. Early in my reporting I began using the name Larks Park. That was a lot shorter to write than the name it then had which was something like the Hays City Municipal Baseball Field. I had stationary and envelopes printed carrying that name, which caught on and is being used even today.

Whatever I was doing at The Star caught the attention of Bob McFarlin, editor of *The Hays Daily News*. So one day we talked. A few days later I was on the staff of Bob’s newspaper. Wow! A daily newspaper. Of course the responsibilities were greater. I started as sports



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• time out with td

reporter and photographer. The slow hand-fed press operation I was used to at The Star, was replaced by a press at The Daily News I never imagined existed. Big, fast and yes, noisy.

But boy did it ever turn out the papers! During my tenure at the daily, I eventually moved up to the position of city editor.

Who was it that said, “Go West, young man, go West!” Well I did. I went to the six-day a week daily paper at Goodland, *The Goodland Daily News* which had a companion weekly called The Sherman County Herald. I edited both papers while serving as a general assignment reporter and photographer. Whew!

I stayed out ‘West’ for the remainder of my 44-year career, at newspapers in Sheridan, Wyoming and in Kansas at Colby and Norton.

I often think back at the beginning of my career when the ingredients consisted of a typewriter, a hand-fed press, and a camera with flash bulbs. Today the technology used to put out a newspaper causes me to shake my head in disbelief. And I wonder where that technology will go in the years ahead.

Without question, the most unforgettable day of my career was the assassination of President John F. Kennedy in Dallas, Texas. I was on the desk at *The Hays Daily News* finalizing the front page. Suddenly, the Associated Press machine in my office rang out five bells. That signals a bulletin. I pushed my chair back to the machine and it said, “President shot.” I shook my head to make sure what I just read was what I just read. Minutes later, another five bells, and another brief note. “President rushed to hospital.” Then the final bells, three in number indicating a flash, the AP’s top prior-

Senate approves some judge nominations

After months of inaction on judicial nominations, the Senate provided a tepid response to mounting pressure to mitigate the vacancy crisis in the federal courts by confirming a small number of nominees during the final days of its lame-duck session, leaving almost 100 vacant seats unfilled.

Legal experts point to the Senate rules as the primary obstacle to filling these vacancies, calling for immediate reform to a number of the Senate’s most arcane procedural devices.

“The record number of vacancies on the federal bench has a serious impact on the daily lives of Americans, delaying or denying justice,” said Caroline Fredrickson, executive director of the American Constitution Society. “We hope these recent confirmations signal an end to the ongoing effort by some members of the Senate to prevent judicial nominees from even receiving a vote.

“But the underlying problem – the present state of our Senate rules – is a key factor contributing to this record-high vacancy rate by enabling senators’ continuing obstruction through filibuster threats, anonymous holds and other means,” she added.

University of Minnesota law professor Richard Painter, who served as chief ethics lawyer for President George W. Bush, decried the Senate’s failure to take up-or-down votes on each nominee approved by the Senate Judiciary Committee.

“The only explanation for the delay is political gamesmanship,” Painter said. “Many Republicans, who in the past have been on record opposing the filibuster of judicial nominees, are impeding the functioning not only of the Senate, but of the federal bench, which is faced with a disturbingly high number of vacancies. This is not good



from other pens

• commentary

for the Republican Party, for future Republican judicial nominees or for our Country.

“On principle, as urged by both President Bush and President Obama, nominees deserve an up or down vote,” Painter said. “This applies to so called ‘controversial’ nominees as well as to other nominees. Most of the nominees confirmed have gone through without any opposition from Republicans. If the judicial confirmation system were working, nominees such as Goodwin Liu, Edward Chen, Louis Butler and John McConnell would have, at a minimum, received a vote, and would likely have been confirmed. The system is obviously broken, and many of the same people who complained about it being broken in the past are responsible for it still being that way. Republicans and Democrats must come together to fix it.”

Michael Gerhardt, a constitutional law professor at the University of North Carolina, highlighted the problems with the Senate rules and obstruction of nominees.

“As Senator Leahy and several newspaper reports have indicated, President Obama’s judicial nominations, as well as nominees for key government positions, including Deputy Attorney General, have faced historic levels of opposition,” Gerhardt said. “The obstructions of these nominations impede the functioning of both the courts and the Justice Department. The American people deserve better from the confirmation process.”

ity: “President Kennedy is dead.”

The hours after that announcement were spent reshaping that day’s front page. That issue of the paper was put out in silence. We were all in shock. That unforgettable day remains with me as though it just happened yesterday.

So, back to the opening question, how did Aurora, Colo., figure in my retirement decision? Well, choosing a place to live out the remaining years, was a challenge. I had two kids living in Centennial, Colo., and one in Spokane, Wash., at Fairchild AFB.

I was at Norton when that topic was being tossed around, so I decided I’d go back to the community I spent more time in than any other, Goodland. My sons, Lance (the Air Force guy) and Todd, in business in Centennial, moved me to Goodland from Norton.

But a strange thing happened during that move. Lance, a master sergeant, received a phone call from his base at Fairchild to inform him he was being transferred to – guess where? – Buckley AFB at Aurora! Can you believe that? Needless to say that phone call changed everything. I knew then I would be retiring in that vicinity. Aurora and Centennial are adjoining communities (all three kids and 5 grandkids live in Centennial).

So here I sit writing this column from a truly great location, Aurora. And each day I ask myself the same question: Why did it take me this long to find this place? If you are a believer like me, I think it was the guy ‘upstairs’ who gave me the patience to endure while he was putting everything together.

Your comments on anything that appears in your favorite newspaper coming from my computer, are always appreciated, regardless of the tone. Simply give me a call at (720) 570-6197 or email me at milehitom@hotmail.com.

With the start of a new Congress this month, ACS’s Fredrickson sees “an opportunity for a fresh understanding of the importance of our judicial branch of government.”

“A review of the Constitution will show that the filibuster is a Senate-created procedure, was never a part of the Framers’ plan and has no basis in the Constitution or American history. It is ripe for reconsideration,” Fredrickson added. “The promise of a federal bench filled to capacity and allowed to function effectively is in the best interests of the nation,” she said. “We cannot continue to ignore this critical piece of our democracy.”

The American Constitution Society for Law and Policy (ACS) one of the nation’s leading progressive legal organizations, a rapidly growing network of lawyers, law students, scholars, judges, policymakers and other concerned individuals founded in 2001. For more information about the organization or to locate one of the more than 200 lawyer or law student chapters in 48 states, please visit <http://www.acslaw.org>.

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