

OPINION

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"The Daily Journal is dedicated to community service, to defense of individual rights and to providing those checks upon government which no constitution can ensure."

SCOTT ALEXANDER
founding editor, 1963

AT ISSUE

A proposal by Rep. Mike Sodrel, R-Ind., would bar federal judges from ruling on content of prayer in state legislatures.

OUR POINT

The position is bad government with respect to both the states and the courts and is a thinly disguised attempt to push a particular religious agenda.

Sodrel proposal to limit judges' role misguided

The Daily Journal

Fallout from a federal judge's ruling on sanctioned prayer in the Indiana House of Representatives continues.

U.S. Rep. Mike Sodrel, R-Ind., this week introduced legislation to bar federal judges from ruling on the content of prayer in state legislatures.

The legislation would remove from federal courts jurisdiction over reviewing the content of speech in legislatures.

In November, U.S. District Judge David Hamilton banned prayers during Indiana House proceedings from mentioning Jesus Christ or endorsing any particular religion.

Sodrel called the ruling "a clear example of judicial activism."

"It threatens to spread across the nation," he said.

Sodrel said his bill would provide immunity for the content of speech for lawmakers or their guests during a legislative session, excluding witnesses and excluding speech that constitutes treason, an admission of a crime or a breach of the peace.

The bill would also prohibit the use of federal funds to enforce a decision like Hamilton's.

Ken Falk of the American Civil Liberties Union of Indiana called Sodrel's effort "a complete disservice to judges and the American legal system." The civil liberties union filed the lawsuit that resulted in Hamilton's decision.

"Sometimes courts make decisions that politically we don't like, but that's part of the American system," Falk said.

Sodrel's move is a bad one in several respects.

First, there is nothing in Hamilton's order, federal law, state law or the Constitution that bars legislators from praying any way they want or using whatever language they want. What the order did do was bar sanctioned prayer that seeks to promote a specific religious movement.

The order does not prohibit official prayers opening legislative sessions. Prayer respectful of all faith traditions has the approval of the Supreme Court and is offered before legislative sessions across the country.

Second, Sodrel's proposal is a dangerous step with respect to the separation of powers. It seeks federal intervention in what should be a state matter and to restrict the court in its oversight role.

Finally, the idea is a thinly disguised attempt to promote a specific religious viewpoint. Sodrel will insist that his proposal mentions nothing about a specific religion, but it's clear that it never would have been suggested were non-Christian prayers outlawed.

The United States was founded on the concept of toleration of minority views. Sodrel's proposal risks a move toward a tyranny of the majority.

Focus: Foreign relations

Rice's money for Iran can't buy us love

Pittsburgh Post-Gazette

In a context of an international effort to obtain the cooperation of Iran in keeping its nuclear program on an energy track, as opposed to a weapons track, the Bush administration announced last Wednesday a provocative request to Congress for \$85 million, in effect, to pursue regime change in Tehran.

Secretary of State Condoleezza Rice, appearing before the Senate Foreign Relations Committee, described a proposed program, up from only \$3.5 million last year, that would provide major financing to Iranian "political dissidents, labor union leaders and human rights activists" and to other nongovernmental organizations outside Iran that oppose the current Iranian government. These efforts would be in theory open Iran to democracy and reform.

In fact, this effort will at best simply be ineffective, a lavish, wasteful gift to the Iranian equivalent of Iraqi exile Ahmad Chalabi's supporters in the run-up to that war. Chalabi and his associates were one major source of the phony intelligence that the administration then peddled to Congress and the American public as part of the justification for the 2003 invasion.

Some of the \$85 million is also likely to end up in the hands of exiled supporters of the deceased Shah, driven out of power by the current rulers of Iran in 1979. This group of monarchists has virtually no support in Iran itself 27 years later.

Some of the \$85 million will also go into broadcasts to Iran, some by the Voice of America, some by private satellite radio and television stations based on the U.S. West Coast. There was a time when such broadcasts were effective in the sense that they were listened to as sources of otherwise unavailable information. This is no longer the case in the day of the Internet.

What Rice's request is more likely to do is persuade the government of Iran once and for all that it must have nuclear weapons to protect itself, and as soon as possible, because the United States is gunning for it, seeking to overthrow it.

THE GREENWOOD SMOKING BAN...



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THE DAILY JOURNAL

YOUR

VIEWS AND COMMENTARY

Gas stations no place to sell alcohol

To the editor:

The debate on House Bill 1250, which would, among other things, prevent more gas stations and convenience stores from selling beer and wine, has so far been depicted as a battle between big oil marketers and liquor stores.

In the 22 years that I have been in the liquor store business, I have seen the regulations that for years controlled how alcohol was sold in this state watered down by grocery and drugstore permit holders.

The merchandising of alcohol in a drugstore used to be restricted to behind the sales counter where minors could not handle it. Now it just means that drugstores and grocery stores that have a pharmacy permit can and do merchandise anywhere in the store.

For someone to get a grocery permit (the right to sell beer and wine only) at one time meant that the location had fresh meat and produce and actually stocked enough food that you could buy all of your food needs in that one location. Now grocery permits have been given to furniture stores, tobacco stores and gas station and convenience stores.

Given the little selection of food gas stations and convenience stores have, they should not be considered a grocery store.

The truth of the matter is that no one has talked about good public policy. In 2003, the Indianapolis City-County Council passed a non-binding resolution asking the legislature to prohibit the sale of beer and wine in gas stations. At least 20 other city and county councils from around the state have formally asked the legislature to do the same thing.

Numerous neighborhood groups in Indianapolis and around the state have adopted policies opposing the sale of beer and wine in gas stations.

Some neighborhood groups and other concerned citizens have remonstrated and won against gas stations applying for a grocery permit at their local liquor board hearing only to have the state board overturn the local board's decision.

It is clear there are economic interests involved in this issue. It is also clear that when you ask the

public policy question of should we allow more gas stations to sell alcohol, the resounding answer is "no."

The Indiana House of Representatives should be applauded for voting "no" to gas and alcohol by better than a 2-to-1 margin. Let's hope the Indiana Senate feels the same way.

Ray Vandivier
Vandivier Spirits
Franklin

Choice for lawmakers goes beyond two parties

To the editor:

I am disillusioned with our two-party system. The discussion of issues is too narrow. Important topics are not discussed (sustainable energy policy, programs that help people and creating a better world for future generations). And the debate lacks creative ideas.

With Republican and Democratic campaigns funded by corporate interests, it's pretty clear neither will "bite the hand that feeds them." I have drifted toward the Green Party. The party's 10 key values fit my principles (see www.indiana.greenparty.org).

How do fresh ideas get into the public forum? When a political candidate runs for office. To be recognized as a political party in Indiana, you must run a candidate for secretary of state.

To do that, you must collect more than 30,000 verified registered voter signatures (since many are thrown out, you must collect 40,000 to 50,000). Then, if you get 2 percent of the vote, you are recognized as a political party for four years and can run candidates statewide without collecting signatures. This is a huge hurdle.

Now even if the Green Party gets a ballot line to run candidates, the U.S. Congress is proposing effectively to prohibit third parties and independents from running for the U.S. Congress.

I finally find a party I want to vote for, and then I will be told that they cannot run for office. Iraq had more than 27 parties listed on their ballots without having to collect 30,000 signatures.

In California, the recent governor's recall race had several parties represented as well. Bill

Stant, who is running for the Indiana Green Party for secretary of state, says, "Every election in the United States is won in a landslide by the party of the non-voter."

We are trying to promote democracy throughout the world, yet we have elections where very few viewpoints are represented, and, therefore, fewer people vote. We need a system that will encourage voters to express their opinions.

Tom Hougham
Trafalgar

Turning over port security puts citizens at risk

To the editor:

President Bush has pushed the envelope to the very end, in my opinion.

I've been listening to the news about Bush and his plan to have the United Arab Emirates secure our ports of entry. I heard Bush smugly say he will veto any legislation which seeks to stop the United Arab Emirates from being put in charge of our major ports of entry.

We have so many reasons not to allow this to take place, such as:

- Two of the Sept. 11 hijackers came from the United Arab Emirates.

- The United Arab Emirates connection to nuclear weapons development in North Korea and Iran.

- The United Arab Emirates connection to terrorist financing and Sept. 11 money laundering.

And on and on it goes. Why should we allow the United Arab Emirates to man our ports? Would they ever allow us to man their ports? Why, they refused to allow us to build an airport in their country.

What's wrong with hiring some of our very own, willing to work, U.S. citizens to fill these positions? At the very least, I see this as outsourcing, turned inside-out, and gone all wrong.

America needs to wake up and take a closer look at just how closely joined-at-the-hip Bush and Co. is with the United Arab Emirates.

At this rate, Bush might as well put a call out requesting Osama bin Laden to come out of his dark cave and step up to a new position as chief of homeland security.

Kathleen J. Crosson
Greenwood

If your toast hits the kitchen floor, pray it lands with buttered side up

The big news this past month was that new research has shown eating a diet high in fat does not necessarily lead to heart disease, cancer or stroke. It does lead to Wendy's, Hardee's and McDonald's.

The morning news shows were quick to round up their resident doctors, who were all at Starbucks sipping black coffee and choking down sawdust-flavored scones.

Doctors also eat at real restaurants, but don't even think about getting a Heimlich maneuver from one of these professionals at St. Elmo's, because no self-respecting cardiologist is going to abandon his 32-ounce rib-eye and reveal to the world the carnivore that he is.

"This study should not be taken as permission to eat a lot of high fat foods," Dr. Tim Johnson said on "Good Morning America."

"Let's not jump to any conclusions based on this research," he continued, angry he had given up Chinese spare ribs based on some wacko research one of his classmates did at Harvard Medical School 30 years ago.

The food police are telling you this study should be taken with a grain of salt (even better, salt substitute).

They are in denial because the results are not consistent with their preconceived beliefs. This is a very bad way to make a decision.



Dick Wolfsie

I sure hope President Bush is reading this.

I think the problem here is that the medical community is wasting money on inane studies while TV stations are doing the important research. That's right, TV stations.

The Discovery Channel just completed a series of tests to confirm what has been considered a bedrock of American eating habits: The five second rule.

Yes, long before the eight glasses of water a day declaration, years before the no-double-dipping decree and decades prior to the warm mayonnaise scare, people were comforted knowing that any food item hitting the floor and picked up in less than five seconds retained its purity and could be safely consumed.

But is it true? Apparently my beagle thinks so. If an entire pot of spaghetti fell to the floor, Toby would snarf it up before the five second threshold.

Dogs are smart that way. Even a beagle knows a kitchen floor is a

dirty, filthy disgusting harbinger of germs, bacteria and disease.

And to think, I walk on one almost every day.

The professor who assisted in this research begins the Discovery show by clearly stating the five second rule is not scientifically accurate. Germs do, in fact, form on food within five seconds.

The introductory remarks were intended to engage the viewers and prevent them from waltzing over to "Dancing with the Stars" on another network. I know the tease worked for me.

"So, the five second rule is not true," I thought. "Then how many seconds do I have? Three? One? Oh, joy! — maybe you have more than five seconds." Apparently not. The research showed that you would be better off retrieving your food from a toilet seat than from the kitchen floor, which is sure good information to have. I guess.

Dry foods, by the way, are safer than wet foods if you drop them. I mention this so that if you should drop a piece of buttered toast on the kitchen floor, take careful note which side it lands on, then act accordingly. I'll tell you right now, it almost always lands butter side down.

They proved that on the Food Network.

Television personality Dick Wolfsie writes this weekly column for the Daily Journal. Send comments to letters@thejournalnet.com.

READERS

RESPOND

EDITOR'S NOTE — On Monday, the Greenwood City Council voted to approve a smoking ban.

The Johnson County Board of Health is also recommending a countywide smoking ban that would outlaw lighting up in all public places, including bars and in most outdoor seating at restaurants.

Government intrusion into lives erodes liberty

To the editor:

When free choice is no longer an option and government dictates the direction of private business, then the liberties for which all before us have fought are lost.

The more government is allowed to intrude into our lives, the further imbedded they become.

This country has always been about choices: We choose the location to raise our families, the individuals whom we elect and the religion we observe. The proposed smoking ban is just another example of government's intrusion into our private lives.

This isn't about health; it's about freedom. People should have the choice to frequent the establishments that cater to their preference. Under this proposal, a segment of the population is being excluded from making that choice.

When one freedom is lost, all can be lost.

First it was seat belts, today it is smoking. What's next?

David Tyner
Franklin

Banning smoking in private business wrong

To the editor:

First the government tells private businesses that they must ban smoking in their privately owned business.

Next they tell private citizens what they can do in their privately owned home.

Keep government out of our lives.

Ryan Grinstead
Whiteland

Nonsmokers must inhale secondhand fumes

To the editor:

I am a nonsmoker who is exposed to secondhand smoke near my office each morning. As a result, I am in a constant state of nicotine withdrawal.

Even at a very low level of exposure, my quality of life is affected in a very negative way. First, I get agitated. By evening, I have unexplained depression. It's awful until Monday morning when I start to feel better. Then, the cycle starts all over again.

The ban should greatly improve my quality of life.

Steve Graves
Greenwood

Regulating lives puts U.S. closer to socialism

To the editor:

I don't smoke. I never have. I never will. I don't like smoke. I don't like to frequent places that can't control the smoke. But I like government dictating what private individuals and privately owned businesses can do even less.

There is a growing tendency within government, both local and otherwise, to use specific "hot topics" as cover for extending public policy into the private sector. These back-door efforts to capitalize on political correctness have been making their way into planning and zoning and building codes for years.

It's been showing up in the form of endless environmental regulation, costly requirements for landscaping and other senseless expenses for years.

Most people haven't see it coming because the encroachment has been slow and mostly under the radar.

But now the success of this method of governmental infiltration has finally made these dictators brave enough to stick it right in our faces in the form of public policy.

If local government wants to make a statement, or even assume a leadership role in curbing smoking in the private sector by banning smoking in public buildings, fine. I support that.

But when they start to dictate to private businesses, they overstep their bounds and need to be reined in.

I'd like a smoke-free environment as much as the next person would, but not at the expense of individual and private ownership rights.

There is a name for the governmental process that can't resist infringing on these rights: It's called socialism.

Mike Pflum,
Whiteland business-owner
Martinsville