

OPINION

DAILY JOURNAL

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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

Opinion roundup

EDITOR'S NOTE — Today the Daily Journal presents a sampling of editorials from around the state and nation:

Garton action threatens Indiana wineries

Palladium-Item, Richmond

Indiana Senate President Pro Tem Robert Garton exercises a selective respect for the independence of the judicial branch of government.

The Republican Senate leader killed a bill that would have allowed wine to be shipped to customers in Indiana, a move that, left unchallenged, could cause great damage to the state's promising home-grown wine industry.

The bill, which would have allowed both in-state and out-of-state wineries to ship wine to Indiana, was in response to an earlier U.S. Supreme Court ruling, which held that states must play by rules of the commerce clause to the Constitution; that is, that they may not establish barriers to their residents receiving out-of-state wine shipments.

The bill that Garton killed was intended to bring Indiana's practices regarding wine shipments in line with the high court's ruling.

Gov. Mitch Daniels needs to enter this fray forcefully and on behalf of the state's wineries, which are important to the state's tourism and economic development.

The days of legislatively picking winners and losers among the state's diverse and competitive alcohol beverage interests must fall beneath the weight of open markets.



GARTON

More information needed on ports deal

The Daily Sentinel, Grand Junction, Colo.

At least on the surface level, Dubai, the tiny nation east of Saudi Arabia, is an ally in the war on terror. It was the first in the region to agree to screen all shipping containers heading for the United States.

It has joined international agreements to suppress terrorist bombings and financing. It has aided in training Iraqi security forces.

But there are also reports the country has provided financial assistance to a variety of radical Islamic groups and that it has ties to Iran. The Sept. 11 hijackers are believed to have used the country as their base.

Since the U.S. Committee on Foreign Investment allowed Dubai Ports World, a government-owned firm, to purchase the company that operates six U.S. ports, lawmakers in both parties have been raising questions. As well they should.

Homeland security remains a critical issue because a significant portion of Muslims worldwide remains committed to waging violent jihad against the United States.

Congress is right to demand more public information about the issue before the transaction is completed. And ultimately, we hope Congress puts a stop to it.

Meat treated with carbon monoxide needs labels

The Buffalo (N.Y.) News

Like many food products, meat now comes seasoned with deception. Without independent study, the Food and Drug Administration now allows meat producers to spike cuts of meat with a bit of carbon monoxide to keep their products attractively pink far longer than they otherwise would stay fresh-looking at the meat counter.

The change is an effort to curtail an estimated \$1 billion a year in losses in fairly fresh but oxygen-browned meat that consumers just won't buy.

This sort of thing is not unique. The FDA actually approved use of carbon monoxide on meats two years ago, but it is now becoming more common.

There's an honesty issue here.

Meat packaged with carbon monoxide isn't marked as such, and it should be.

At the very least, consumers should know the healthy pink color they're seeing isn't as reliable a guide to freshness as it appears to be.

But even more worrisome is a warning by some scientists that salmonella grows more easily in treated meats that are stored at 10 degrees above the proper temperature, so there could be a safety issue after all.

For now, few major supermarket chains are selling such treated meats.

But as the industry changes, so will they.

Such products should be government-tested, and if they pass that safety test then they should clearly be marked as packaged with coloration-extending carbon monoxide.

Re-create FEMA as Cabinet-level agency

The Greenville (S.C.) News

We must learn from our mistakes and fix the Federal Emergency Management Agency if the United States is to avoid the types of mistakes that made Hurricane Katrina such a deadly disaster.

Some senators have suggested scrapping FEMA and re-creating it as an independent agency.

The idea of making FEMA a Cabinet-level agency has merit. The agency obviously did not respond adequately under Homeland Security's direction, and then-FEMA director Michael Brown admitted to Congress during his testimony that he did what he could to circumvent Michael Chertoff's authority.

Moving FEMA directly under the president would make the chain of command clearer.

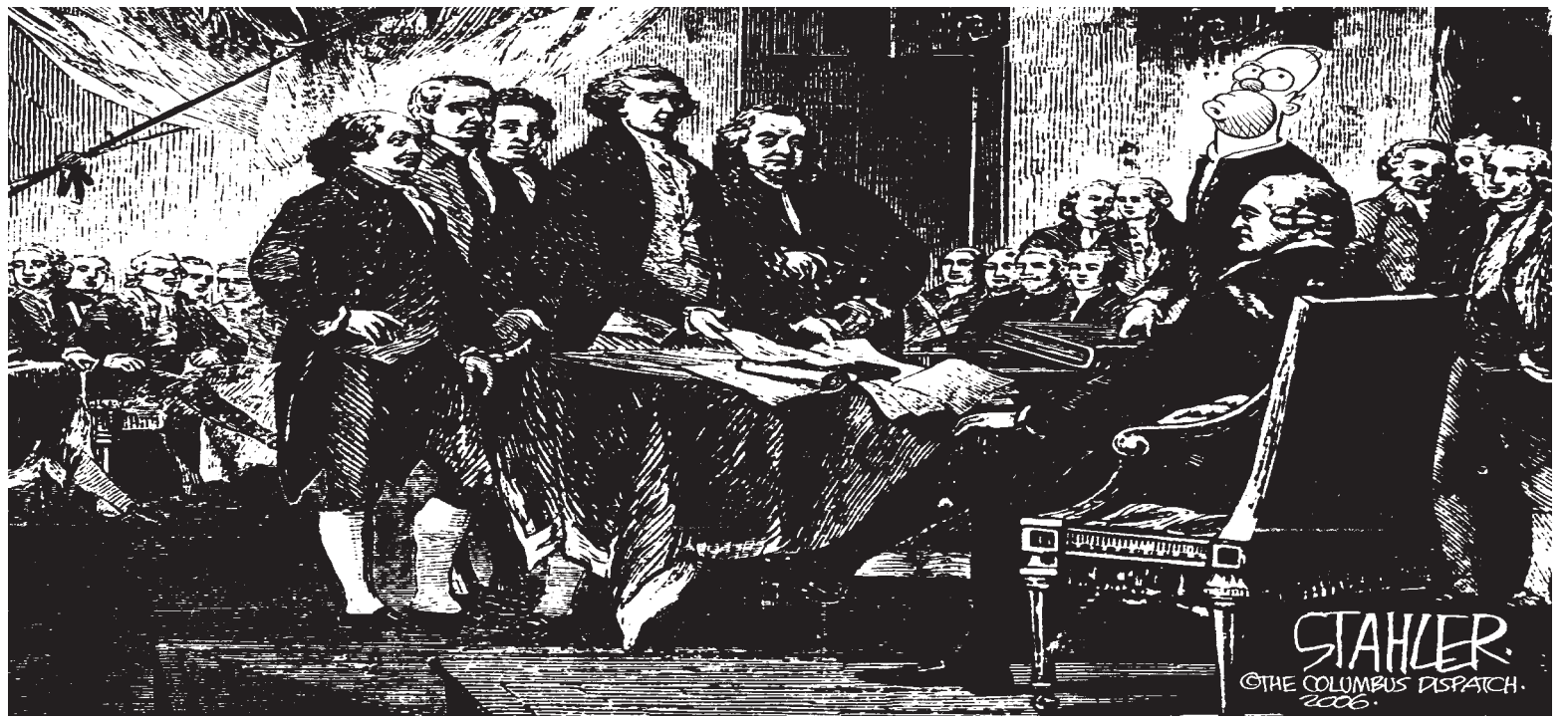
It would also strip away a layer of bureaucracy.

Finally, with FEMA one step below the president, it would be clear where the buck stopped.



BROWN

STUDY: AMERICANS KNOW 'SIMPSONS' BETTER THAN FIRST AMENDMENT



YOUR

VIEWS AND COMMENTARY

Parents' smoke exposes children to toxins

To the editor:

I am employed as the program support assistant at Partnership for a Healthier Johnson County.

One of the responsibilities of this position that I especially enjoy is providing information about the partnership's free community-based Stop Smoking 2006 classes and registering those who wish to participate.

Recently a poignant message was left on my voicemail. I have changed the child's name to protect his identify and that of his family, but please read what he had to say about his mother's smoking:

"I am Jacob. My mom is smoking two kinds of cigarettes, and I want her to stop. She always smokes in the house and in the car so can you please call her? Our number is 555-5555."

Minutes later another message was recorded: "I left a message for one of you, the one with the dogs that had the gooeey stuff that was sticky. Please give the message to her. Bye." (Note: the "dogs" and "gooeey stuff" he was referring to are educational tools used by our Young Lungs educators who present this tobacco education program free to all first-grade classes in Johnson County who request it.)

Even young children realize that exposure to secondhand smoke is harmful to them and prefer not to be forced to breathe it in. I have attempted to contact "Jacob's" mother but have been unable to reach her.

My hope is that she will read this letter to learn how her son really feels about her smoking.

My greatest hope is that she will stop smoking; but if she isn't ready to quit, I hope that she will at least stop smoking in the house and in the car. Her son will thank her for it.

All parents who smoke around children need to realize that they are needlessly subjecting their children to greater risk for pneumonia, bronchitis, ear infections and asthma.

The next time you choose to light up, please choose to do it well away from your child. I am sure you wouldn't knowingly harm your child. You wouldn't expose your child to other harmful toxins, please don't expose him or her to the toxins in cigarette smoke either.

Cathy Bailey
Program Support Assistant
Partnership for a Healthier
Johnson County

WRITE A

LETTER TO THE EDITOR

The Daily Journal invites readers to submit letters, opinion columns and e-mail comments for the opinion page.

WHERE TO SEND THE LETTER

Mail

Letters to the editor
The Daily Journal
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Local roads get short end in toll-road lease deal

To the editor:

Again the state is prepared to reap a windfall, and again local roads and streets look to suffer a familiar slight in the fair distribution of funds.

As reported, the state will receive \$3.85 billion upon signing the lease for the Indiana Toll Road. It is estimated that the state will earn about \$800 million in interest during the time the various projects come to fruition, bringing the total dollars the state will receive to \$4.65 billion.

From the \$4.65 billion the state is planning to redistribute, local governments will receive \$50 million a year for three years. A little quick math and we see that the three-year total of \$150 million dollars is only 3.2 percent of the \$4.65 billion.

By now you are probably saying, "Hey, \$150 million is a lot of money, so what's the beef?"

You're right, yet here is the beef: The 92 counties will receive only 3.2 percent of the \$4.65 billion dollars.

Only 3.2 percent. Indiana's cities, towns and counties own 92,000 miles of roads; the state owns 11,000 miles of roads.

Over the years, all taxpayers statewide have contributed to the funding for toll road construction, maintenance, subsidy and usage.

Partisan politics might well prevent the intended usage of the \$4.65 billion and lead to misdirection of the funds, robbing all taxpayers of any predetermined economic gains.

Gov. Mitch Daniels has expressed the importance of having a good transportation system for the economic advancement of our state. Good roads are essential. However, it makes no sense to travel on a superhighway only to exit onto a gravel road or a road in serious disrepair.

Businesses locate in communities, where local roads and streets carry their workers and their customers to and from home each day.

Will Major Moves be a good deal? Who knows?

How and where the monies garnered from the lease are invested in the state will tell how good a deal Major Moves was for the taxpayers. Failure to invest in local roads and streets with a fair share of the \$4.65 billion will surely overshadow any benefits that Major Moves might hope to accomplish.

Ron West
Candidate for State
Representative, District 58

Developing reading habit helps students succeed

To the editor:

Newspaper in Education Week is coming soon.

Each year the Indiana State Reading Association and the Hoosier State Press Association work together with the Indiana Department of Education to promote this special week. This collaborative effort was created to promote reading in general and reading of the newspaper in particular.

This year's special observance will be Monday through March 10, and the theme will be "Navigating the Newspaper ... A Journey to the Extraordinaire!" to align with the reading association's annual theme.

Activities will be organized around the language arts by grade clusters, and they will follow the theme. There will also be suggestions as to how to use activities at different grade levels.

We know reading is important to maintaining an educated populace. The habit of reading the newspaper needs to be developed while children are young and nurtured as they move to adulthood.

We thank you all of our

partners, not only the reading association and HSPA, but teachers, parents and friends who join with us in this important work.

The contributions of each individual help make this project a great success for now and far into the future.

Dr. Suellen Reed
Superintendent of Public
Instruction

Making new homebuilders pay for schools is unfair

To the editor:

As a resident and homebuilder in Johnson County, I disagree with using school impact fees to fund school building projects, written about in the article "Schools looking at special fees to pay for buildings" (Daily Journal, Feb. 11).

Historically, society has viewed education as a public good that benefits the populations as a whole, and the burden of financing this public good has always been shared by the population as a whole.

As each of us moved to the county or purchased homes of our own, we benefited from the Center Grove Community School Corp. We weren't asked to pay a new resident tax to begin using the school system. Instead, we've shared in the taxes over time that support Center Grove schools.

What has changed now that we should be telling new residents that the cost of public good will no longer be fairly distributed, but instead that this new, smaller population will be unequally taxed?

The reality is that bond issues and other finance mechanisms have been shown to be a more fair distribution of the costs and services that benefit the entire community.

Al Pfeiffer
Greenwood

Schools should focus on academics, not sports

To the editor:

Greenwood continues to annex all the land surrounding the Clark-Pleasant school district.

The school district needs redistricting so that Greenwood can pay their fair share to educate their students. Those of us living in this district already pay enough in taxes to support the schools.

We need to cut the sports, etc., and get back to the academics.

Patty Knox
New Whiteland

Guantanamo prison hurts nation's credibility

Each year, the U.S. State Department releases an analysis of human rights violations in various countries around the world. Those countries with poor performance will be subject to criticism and sometimes even formal sanctions.

Several countries are regulars on this list, including Sudan, Libya and North Korea. China is also often on the list due to the country's mistreatment of religious and political dissidents.

The defense used by the leaders of these countries is that the treatment of their own people falls under domestic affairs, which they are free to handle without outside interference. Article 2, Paragraph 7 of the U.N. Charter explicitly states that no authority can interfere with the domestic affairs of others.

This principle of noninterference is based on the traditional concept of sovereignty. A country's sovereignty includes three major characteristics: Sovereignty is permanent, absolute and indivisible.

A country's right to defend itself stems from the issue of sovereignty.

A few days ago, based on the recommendation of a panel appointed by the U.N. Commission on Human Rights, U.N. Secretary-General Kofi Annan said that the United States should close its military prison at Guantanamo Bay. The prison is used to detain close to 500 individuals whom the



Yu-long
Ling

United States has labeled as terrorists.

This potentially explosive issue was discussed recently in my international law and organizations class at Franklin College. Our discussion was insightful and thought-provoking.

There are two aspects to this issue that should be addressed.

First, there is the question of whether these detainees should enjoy the same protections provided to our citizens under the Constitution.

Second is the question of how far the United States can go to protect itself from foreign threats within our own jurisdiction.

It is important to keep in mind that these are not ordinary prisoners. They are terrorists whose intent is to harm our country. Based on that fact alone, the Bush administration defends its actions regarding the prisoners at Guantanamo.

But the issue has grown into a conflict over sovereignty and internationalism.

The Fifth and 14th amendments

say that the government shall not deny any person within its jurisdiction the equal protection of the laws. Our Constitution does not distinguish between citizens and noncitizens on this point.

If, under our Constitution, any person in our country's jurisdiction is entitled to due process, then by indefinitely detaining these prisoners under our authority, their rights are violated. This issue will likely be taken up by the Supreme Court in the future.

Nobody argues that the United States has a right to capture terrorists. But we have moved beyond that point by indefinitely detaining these prisoners.

The question has become what we do with them from here. There must be a clear process for trying these people who have been accused of terrorist activities.

Regardless of the legal implications in our own country, there are other issues which require serious consideration.

The international community is not a highly structured system. Many times, a state cannot justify its actions purely based on domestic legal grounds, as is the present situation.

The arguments of self-defense and the exercise of absolute sovereignty that have been used by the Bush administration are not sufficient to justify the detaining of these prisoners with no end in sight.

There comes a time when

international public opinion becomes a restraint on a state's power.

In the case of detainees at Guantanamo, the United States is creating a negative image abroad. As Americans, we can understand President Bush's position. But we do not live in this world alone.

When our strongest ally, Great Britain, and the United Nations start to openly question our policies, we cannot take it lightly.

It is very hard for the critics to argue against the war on terror because terrorists are the enemies of all of humanity. But to continue to detain these prisoners indefinitely is not only at odds with our own Constitution but also threatens our morally superior position in the international community.

In turn, this will impede our noble calling in bringing terrorists to justice.

The United States is a champion of democracy and the rule of law. The question we must answer is whether what is gained at Guantanamo is worth sacrificing these basic principles and the support of the world.

In the war on terror, international support is of utmost importance.

Professor Yu-long Ling holds the Williams Chair in Law and Public Service at Franklin College and is an internationally respected expert in foreign policy. He writes this weekly opinion column for the Daily Journal. Send comments to letters@thejournalnet.com.