

Court replacements could mean new views

We don't know exactly where the chief justice nominee John Roberts stands on the separation of church and state under the establishment clause of the First Amendment — and his confirmation hearings haven't shed much light on the question. But strong hints from past memos and briefs suggest that the nominee's views on church-state relations are very close to those of the man he is about to replace, the late Chief Justice William Rehnquist. By itself, that won't change much. But Roberts plus one — the replacement for retiring Justice Sandra Day O'Connor — could add up to a radical redefinition of religious freedom in the United States.

To win at the Supreme Court you must be able to count to five. In key 5-4 church-state rulings by the Court over the past two decades, O'Connor provided that critical swing vote. Although the outcome in some of those cases (notably school vouchers) angered strict separationists, her reasoning in all of them was rooted in a firm commitment to maintaining what Thomas Jefferson famously described as a "wall of separation between Church and State." O'Connor drew the line at government endorsement of religion. And she consistently warned that any direct funding of religion by government was a serious violation of religious liberty.

Rehnquist had a very different view of the establishment clause. Until now, the Rehnquist dismissal of Mr. Jefferson's wall has been a minority view on the Supreme Court. Beginning in the late 1940s, the Court majority has frequently invoked Jefferson (and James Madison) in support of an establishment clause that strongly separates church from state. Sometimes the wall was high and impregnable, as in the decisions striking down state-sponsored religious exercises in public schools. Other times it was low and porous as in the school-voucher ruling. But through it all the wall still stood — upholding the principle that the establishment clause keeps the government from favoring one religion over another, or religion over non-religion.

By contrast, Rehnquist had a hard time finding "separation of church and state" anywhere in the First Amendment. In his reading of history, the establishment clause was intended only to prevent the establishment of a national church and to stop the federal government from asserting a preference for one religious denomination over others. Among other things, this interpretation would mean that the government could aid religion as long as it didn't discriminate among religions. It also would mean that government could promote religion generally, though where Rehnquist would draw the line wasn't always clear.

Does Roberts, who once clerked for Rehnquist, agree with his friend and former boss? More important, will the person President Bush nominates to fill O'Connor's seat be cut from the same philosophical cloth? Religious conservatives and political leaders who have long attacked the Jeffersonian wall certainly hope the answer to both questions is yes. They are anxious to reverse much that the Supreme Court has ruled for close to 60 years.

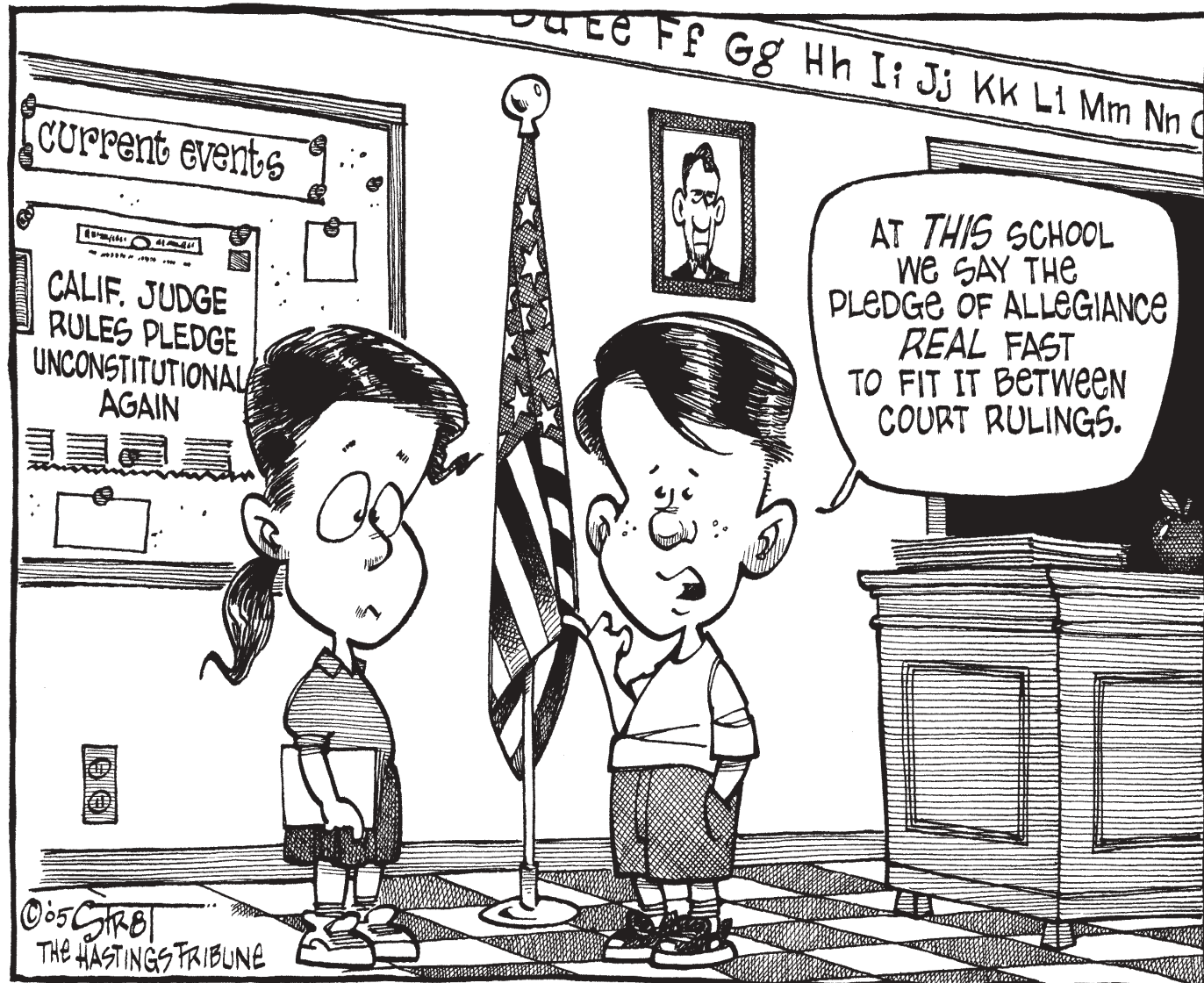
Although the evidence is thin, Roberts did write memos as a lawyer in the Reagan White House in support of allowing public schools to post the Ten Commandments and encourage prayer. And some of the briefs he wrote in a few religion cases argue for a view of the First Amendment very close to the Rehnquist interpretation. Whether or not this paper trail accurately reflects what Roberts thinks today about church-state questions remains to be seen.

If a Roberts Court does adopt the Rehnquist view of the establishment clause, what remains of Jefferson's wall, already battered and full of holes, may crumble entirely. Government funds are likely to flow more freely and directly to religious groups. Current limits on government-sponsored religious expression will probably be weakened or removed.

All of this might sound good to those Americans anxious to enlist the state in support of (their) religion. But people of all faiths and of no faith should think long and hard before abandoning the wall of separation. What metaphor we use is unimportant. But abandoning the principle, the idea that separating church from state is a necessary condition for religious freedom, is dangerous and divisive. As Justice John Paul Stevens wrote not long ago:

"Whenever we remove a brick from the wall that was designed to separate religion and government, we increase the risk of religious strife and weaken the foundation of our democracy."

— Charles C. Haynes, senior scholar at the First Amendment Center



They will always be a mother's baby

Patricia turned 20 recently and she brought it to my attention. "Mom, you won't have any more teenagers," she told me.

My reaction was somewhere between absolute glee and abject sorrow. Of course, I realize it doesn't mean this job is over. When you become a parent you sign on for life.

Years ago Erma Bombeck wrote about her children.

Of her youngest ("the one who never ever did anything first") she said, "When the hair on your head is as white as snow, you will still be my baby."

Ron Howard made a movie, *Parent-hood*, starring, among others, Steve Martin. During the planning stages of the movie Howard, and others on the production staff, shared stories about their families: Siblings in and out of rehab, failed marriages, unplanned pregnancies, rebellious teens, and children so eagerly anticipated, that somehow end up less than perfect.

They took these stories and wrote a script about a multi-generational family with a myriad of problems.

Steve Martin played an obsessive guy. He talks of the birth of a child and says when you see your child for the first time you think there is still a chance to make everything perfect.

Ah, if only parents had such power. My sister (who has no children) never liked the movie. I loved it. It is one of the truest things I have ever seen.

My sisters and I saw Garrison Kellior at the state fair over the weekend. Kellior poked a little fun at Kansas over our sci-

Back Home
Nancy Hagman



ence standards for public schools. He claimed he used to believe in intelligent design until he had children.

When I talked to Patricia on her birthday it looked like we would have a terrible storm. The day had been hot and windy. I recalled that on her "birth" day it was cool. I got the winter clothes out and put the summer clothes away before we went to the hospital. The fall was damp and cool and we never needed the summer things again.

Apparently she was the loudest baby ever born at the Norton County Hospital. She disturbed the patients at the other end of the hall. All the nursing staff had to comment. From the beginning did she somehow know much of her future would be spent trying to get noticed for something special or different from her sisters?

Did I have a chance to make her perfect? All children think their position in the family is difficult. As a middle child, I often find the attitude of first-born down right insufferable. As a parent I know they have a point. There are a lot of expectations with a first born.

And the babies — how easy it is to have no expectations, to just let them be. Maybe that is parenting at its best. Just be

a little one, just be.

Barbara Kingsolver expressed it beautifully in her book, "The Poisonwood Bible".

"A mother's body remembers her babies — the folds of soft flesh, the softly furred scalp against her nose," she wrote. "Each child has its own entreaties to body and soul. It's the last one, though, that overtakes you. I can't dare say I loved the others less — together they were my first issue. I took one deep breath for every step they took away from me. That's how it is with the firstborn."

"A first child is your own best foot forward, and how you do cheer those little feet as they strike out. You examine every turn of flesh for precocity and crow it to the world.

"But the last one — that's love by a different name. She is the babe you hold in your arms for an hour after she's gone to sleep. If you put her down, she might wake up changed and fly away. So instead, you rock, breathing her exhaled dreams. She's the one you can't put down."

My baby was raised at Sunshine Day Care. But I was the caregiver. She was the oldest of all those babies in her class. They mostly celebrate their 20th birthdays this fall — Joel, Tommy, Landon, James, Janie and later (in April I think) Sylvia.

As Garrison Kellior says of the children of Lake Wobegon they are all above average.

In my eyes at least.

In the eyes of their parents.

They may no longer be teenagers but they will always be our babies.

Mental stimulation needed for good health

Daphne Stevens, Ph.D., a psychologist and author of several self-help books, said people need a certain amount of mental stimulation to feel healthy.

Most people's lives follow a predictable routine that is needed to get them to school, work, appointments, and other activities.

But, it is important to recognize the difference between maintaining a healthy routine and that of spiraling into a rut. Dr. Stevens says that routines can become destructive when a person feels trapped, and unable to see any other options.

This can increase the risk for depression, burn out, and generally feeling that life is not enjoyable.

To get out of that rut, here are a few suggestions for change, from the most simple to those that take more time and effort.

- When going to a favorite restaurant, try something other than the usual, or at

High Plains
Mental Health
By Karen Beery,
Consultation & Education

least sample a new appetizer.

- If your daily workout schedule is the same routine, mix it up a bit with other forms of exercise such as yoga, running, biking or strength training. Try out a new class now and then. Or alternate your exercise routine on different days of the week.

- If you are feeling tired and discouraged from an exhausting day of work, make extra effort to get together with a friend afterward for some stress-reducing

time and conversation.

- If your weekend has become "catch-up" time to complete house cleaning, yard work and errands, include some time to relax, whether it is alone, with friends, or on a social outing.

- Plan a trip other than those business meetings; go somewhere new and different, near or far.

The views expressed here are those of the individual writer and should not be considered a replacement for seeking professional help.

Mail questions to: High Plains Mental Health Center, PLAIN SENSE, Consultation and Education Department, 208 East 7th, Hays, Kan. 67601.

(Questions will be formatted and answered in a manner that insures confidentiality) Internet site: www.highplainsmentalhealth.com.

WRITE:

We do not publish anonymous letters. We sign our opinions and expect readers to do likewise.

We do not publish form letters or letters about topics which do not pertain to our area. Thank-yous should be submitted to

the Want Ad desk.

Letters will not be censored, but will be read and edited for form and style, clarity, length and legality. We will not publish attacks on private individuals or businesses which do not pertain to a public issue.

THE NORTON TELEGRAM

Office hours:
8 a.m. - 5:30 p.m. Mon.-Fri.
Phone: (785) 877-3361
Fax: (785) 877-3732
E-mail: telegram@nwkansas.com

STAFF

Cynthia Haynes editor and publisher
Veronica Monier staff reporter
Dick Boyd Blue Jay sports
Carolyn Plotts society editor
Sherry Hickman circulation
Vicki Henderson computer production
Susie Marble computer production
Sonya Montgomery bookkeeping
Charlotte Gasper advertising

ISSN 1063-701X
215 S. Kansas Ave., Norton, KS 67654
Published each Tuesday and Friday by Haynes Publishing Co., 215 S. Kansas Ave., Norton, Kan. 67654. Periodicals mail postage paid at Norton, Kan. 67654.
Postmaster: Send address changes to Norton Telegram, 215 S. Kansas, Norton, Kan. 67654
Official newspaper of Norton and Norton County. Member of the Kansas Press Association, National Newspaper Association, and the Nebraska Press Association

Nor'West Newspapers

Dick and Mary Beth Boyd
Publishers, 1970-2002
Incorporating the Norton County Champion
Marion R. Krehbiel, editor

