

## Our Viewpoint



# Will strategy help or hurt Farm Bill?

You have to hope the House Republicans know what they are doing, splitting the Farm Bill into separate agriculture and welfare legislation.

Farmers have gotten by for years with a sort of unholy alliance of Democrats and Republicans, liberals and conservatives, who came together every few years to pass a farm bill. This year, in the era of polarity, that system has broken down. In years past, liberals on both sides of the aisle could vote for the farm bill because it contained authorization for Food Stamps, nutrition programs, school lunches and other "agriculture-related" assistance. Conservatives and farm-state legislators – often the same people – got what they wanted for farmers.

And if anyone objected to the "wasteful" spending on the other part of the bill, the deal implied by the big-tent farm bill kept them quiet.

This has been important for farmers, because their numbers and influence have been declining. They still rank among the stronger business lobbying forces because the Farm Bureau and other groups have them well organized. Farmers show up on Capitol Hill in numbers a farm-state senator or representative can't ignore. And nearly every state has its farm vote.

The numbers keep shifting in favor of the cities, however. Even in Kansas, each census brings news that there are fewer of us in rural areas and more of them in cities and suburbs.

And while a strong farm sector is in most everyone's best interest, a lot of people don't know that. Most Americans today have never seen where their food comes from and really don't have much idea who grows it. They think bread comes from Sarah Lee and steak from Omaha, hamburger from McDonalds and cotton from Walmart.

Perhaps splitting the farm bill will allow all the programs to be judged on their own merits. The conservative House Republicans will certainly want to chop heck out of the every-burgeoning food-stamp program.

But many city liberals have their sights on farm subsidies. They will be waiting in the Senate, where the Democrats are in charge and the rules are different.

In the end, the two houses will have to compromise both bills, and perhaps the grand alliance can be put back together.

Farmers can hope and work for some kind of deal that keeps the most important programs going, particularly crop insurance and emergency relief. Liberals will vote for "environmental" parts of the bill, but programs like direct payments will be on the line for elimination or limitations.

And increasingly, farm groups may have to choose the parts of bill they need or most.

This may not be what we want to see, but it looks like the future. Here's hoping the House strategy helps – and not hurts.

– Steve Haynes



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# Visiting Turkey during Ramadan

It's Ramadan – the Islamic month of fasting. Normally, I would neither know nor care, but this year, I watched and to a small extent participated in the process.

We just spent eight days in Turkey, where most of the population is Islamic. This included our guides and bus drivers, and most of them were observing the month-long fast.

We were especially amazed and in admiration of our group leader Ishmael, who sat and talked to us while we ate and drank our way across the country – and didn't touch so much as a drop of water until sundown each day.

Then there was our guide at the ruins at Ephesus, an ex-army man. He led us around the ruins, explaining and herding a bunch of journalists who kept going off in the wrong direction to take a picture. Under a cloudless sky, the temperature ranging from 99 to 108. He found us every bit of shade in the place. He also was fasting.

Ramadan is something between Lent and Thanksgiving. The rules are tough. You can't eat or drink anything, even water, between first light and sundown.

First light, Ishmael told us, comes at 4:10 a.m., when you can tell the difference between a black hair and a white one on a man's head.



**Cynthia Haynes**

• Open Season

I was up at 4:10 one day, and I'd say that you have to have really good eyesight to distinguish anything at that time of the morning.

Sundown fell about 8:30 each night. We had supper in a family home and ate at several restaurants that had televisions going. As soon as it was sundown, the television showed a muezzin doing the evening call to prayer. That's when everyone dived in.

I have always thought of Ramadan as similar to Lent, only more strict. And in many ways it is. But it's also a lot like Thanksgiving, when families gather and people wish each other a happy holiday.

Each evening, as the muezzin's chant drifts across the city from the minarets of a hundred mosques, the faithful break their fast. And they usually do this with family and friends in a feast. They stay up eating and talking and then

get a little sleep before having an early – and since they can't eat after 4:10 a.m., it's a really early – breakfast.

Ishmael got to eat with us two or three times when we had supper late.

Most of the time, we ate early when the restaurants had little or no business, but you could see the tables were set, the food cooking. People would start to arrive about 8:15 to celebrate the end of their daily fast.

July is sort of a brutal month for a time when you can't drink water during the day. It's hot and the days are long. But Ramadan is a movable feast. It is set by the Islamic lunar calendar and moves through all months of the modern year. This year, it started July 9 and will end Aug. 7.

The people of Turkey were wonderful hosts, and I would love to return again sometime – but sometime when everyone could go out to lunch together.

Cynthia Haynes, co-owner and chief financial officer of Nor'West Newspapers, writes this column weekly. Her pets include cats, toads and a praying mantis. Contact her at c.haynes@nwkansas.com

# Is spying constitutional?

By Dr. Harold Pease

Recent revelations, on either the National Security Administration's seven-year accumulation of your phone calls and e-mail messages or the 35 years of FISA court's special surveillance requests on 34,000 citizens, has caused many to look to the Constitution for protection from their own government. Is government spying on its own citizens constitutional?

In the Constitution the words national security are not used but common defense is mentioned twice, first in the Preamble, which is but a statement of intent and is not generally seen as usable for codification of law. Article I, Section 8 houses the four powers of Congress: to tax, to pay the debts, to provide for the general welfare and to provide for the common defense. Sections 2-9 are the qualifiers on what is meant by common defense so as to limit government's inclination to define everything as common defense, as it now has national security. All the war powers belong to the Congress alone. Only after a war is declared does the president have commander-in-chief responsibilities over the military. Unfortunately for big government advocates, collecting and storing data on its citizens is not cited or even alluded to.

Fortunately for us this behavior is specifically forbidden in the Fourth Amendment which reads: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." The amendment was specifically designed to prevent government spying.

The right of the people to be secure against unreasonable searches and seizures shall not be violated is the strongest possible language conceivable. In their day the British government used what was called "a general search

## Other Opinions

• What others say in Kansas, elsewhere

warrant" which allowed their agents to harass the people thought to be doing, or saying, something disapproved by the government. No such flexible interpretation was allowed in our government. In our day, computers are your papers. Simply confiscating them and storing them, perhaps indefinitely, should be no different than the police walking into your home and taking any letters, or messages, that you have received, or are about to send, from you and housing them in police headquarters in case they should need them in a later day. Moreover, unreasonable was not to be decided by the police.

As a first principle your house and papers are off-limits to the government. All searches are unreasonable without probable cause that you are doing something harmful to others. Probable cause must be decided independently from the police unless you are in the act of doing something unlawful and immediate police response is necessary.

There exists no constitutional authority for a blanket extraction of all your electronic data. Judges swear an oath to preserve the Constitution. They are not to perform with a private view outside that document. Notice also the specific restrictive phraseology with respect to this power; they are to particularly describe "the place to be searched, and the persons or things to be seized" – evidence that something unlawful happened. There is no authority for a "fishing expedition." Spying on citizens without a search warrant is clearly unconstitutional.

So what of the government's secret FISA

court where over the last 35 years special federal (unelected) judges have only turned down 11 spying requests out of 34,000 made. Isn't that based upon probable cause? Not necessarily! The request is more likely made because they lack probable cause and wish to find it by accessing your private records or conversations.

We might think more positively toward the existence of the secret FISA court were it not for three big negatives: judges are not elected and accountable to the people, the court operates behind an impenetrable double-door in a vault-like room in total secrecy, and the rules empowering the spying activities are different than those allowed other judges in other federal courts.

In any other court, for an ordinary surveillance warrant, a judge must find that a suspect "is" involved in a crime. Under FISA the standard is lowered to "may be involved." An ordinary wiretap runs 90 days. FISA taps can last a year. A suspect under ordinary criminal surveillance "must be told" about it eventually, but not under FISA. And finally, if prosecuted, a defendant is never allowed to see the top-secret warrant applications used against him, which is a probable violation of the Sixth Amendment as well.

Spying on your own people is a blatant violation of the Constitution. You may argue that you are only protecting us from bad people out there, but who protects us from you? Fortunately the Constitution does if only enough will begin to use it in their voting practices and those we elect will honor their pledge to protect it, and us, from you.

Dr. Harold Pease is an expert on the United States Constitution. He has dedicated his career to studying the writings of the Founding Fathers and applying that knowledge to current events. He has taught history and political science from this perspective for over 25 years at Taft College. To read more of his weekly articles, visit [www.LibertyUnderFire.org](http://www.LibertyUnderFire.org).

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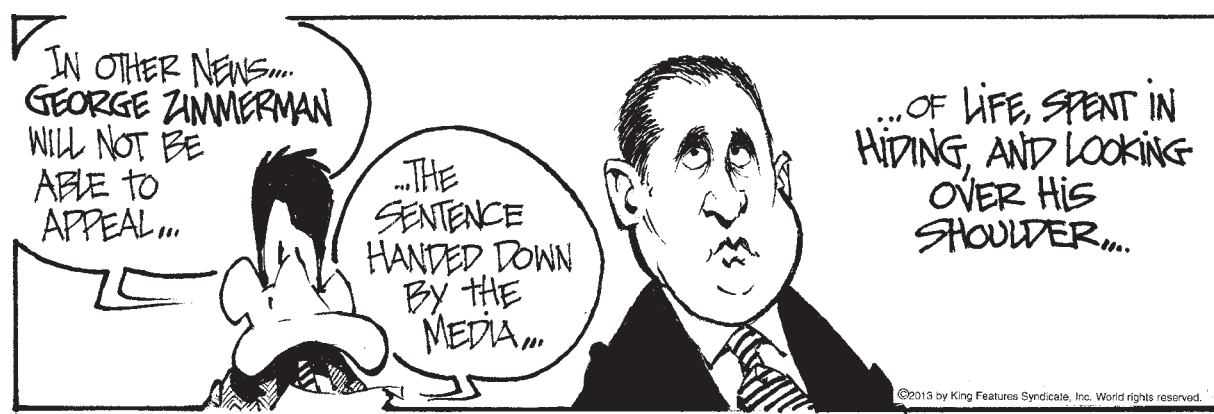
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## Mallard Fillmore

• Bruce Tinsley



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