

from our viewpoint...

# Should the justices be more responsive?

Is it wrong to want the Kansas Supreme Court to be more responsive to the will of the people?

Apparently, Sen. Sam Brownback, the Republican candidate for governor, is taking some heat this week for comments that the process for selecting justices could stand some reform.

The Democratic candidate, Sen. Tom Holland, ridiculed his opponent. An Associated Press analysis piece claimed that his comments meant Mr. Brownback was on the far right.

Anyone who's watched Sam Brownback's political career knows he's a conservative, of course. He's never tried to hide his beliefs. But he keeps getting elected by big margins, so there have to be a lot of people voting for him. Maybe most of them don't like abortion or big government – or left-leaning judges – either.

The Kansas Supreme Court raised a lot of questions about its objectivity when it forced the Legislature to add more than \$1 billion to school spending a couple of years ago. Many people, some of them far to the right, others more moderate, criticized the court exercising powers that a lot of them saw as belonging to the Legislature under the state Constitution.

The real questions here are, is the selection process for the court fair and democratic and would changing the process restore some sense of humility to the justices?

Kansas Supreme Court justices hold their jobs until they die or retire. While theoretically, voters could remove a justice by simply voting against him or her during every-six-years "retention" votes, the truth is, no Kansas justice has been removed by that process.

In districts where judges still run for election, voters can and do remove a judge now and then. Usually, the issue is based on performance on the bench, not a judge's political views or decisions. But everyone agrees, the electoral process makes judges think about how they handle issues.

The point is not to bend judges to the will of the voters, but to force them to at least consider it. Unpopular decisions sometimes are what a case calls for, after all.

With the Supreme Court, the selection process has been changed until it's anything but democratic. The governor gets three names to choose from, selected by a panel dominated by lawyers which meet and take votes in secret. If the governor fails to act, the chief justice gets to choose for him or her.

The people have no say, no voice. A federal lawsuit challenging the system was filed this summer, but a decision could be years away.

One proposal for change is to let the state Senate vote on the governor's nominees. Similar to the way federal Supreme Court justices are selected, this plan could at least provide a forum for public comment and push the process closer to the center. No one doubts today that the court leans to the left.

However, pro-school forces made sure that an amendment to change the selection process went nowhere in the Legislature the last few years. Courts are not supposed to be about one side or the other, however, but about the Constitution and the law.

So, Sen. Brownback has a lot of company when he questions the court selection process. If that makes him right-wing, so be it.

But many, including this newspaper, think it's high time the court is called to account for its decisions. Perhaps with a Republican governor, something will be done. – *Steve Haynes*.

## The Goodland Star-News

(USPS No. 222-460. ISSN 0893-0562)

Member: Kansas Press Association  
Inland Press Association Colorado Press Association  
National Newspaper Association  
e-mail: [star.news@nwkansas.com](mailto:star.news@nwkansas.com)

Steve Haynes, President  
Tom Betz, Editor  
Pat Schiefen, Society Editor



Jessica Corbin, Josh Harenberg, Anne Selfridge  
Advertising Department

Sheila Smith, Office Manager

### Nor'west Press

Richard Westfahl, General Manager  
Jim Bowker, Betty Morris, James Jackson,  
Lana Westfahl, Kris McCool, Stacy Brashear, Tracy Traxel,  
Gary Meyer, Judy McKnight



[nwkansas.com](http://nwkansas.com)

N.T. Betz, Director of Internet Services  
([nt.betz@nwkansas.com](mailto:nt.betz@nwkansas.com))  
Evan Barnum, Systems Admin.([support@nwkansas.com](mailto:support@nwkansas.com))

Published every Tuesday and Friday except the days observed for New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas Day, at 1205 Main Ave., Goodland, Kan. 67735.

Periodicals postage paid at Goodland, Kan. 67735; entered at the Goodland, Kan., Post Office under the Act of Congress of March 8, 1878.

POSTMASTER: Send address changes to The Goodland Star-News, 1205 Main Ave., Goodland, Kan. 67735.

TELEPHONE: (785) 899-2338. Editorial e-mail: [star-news@nwkansas.com](mailto:star-news@nwkansas.com). Advertising questions can be sent to: [goodlandads@nwkansas.com](mailto:goodlandads@nwkansas.com)

**The Goodland Star-News** assumes no liability for mistakes or omissions in advertising or failure to publish beyond the actual cost of the ad.

SUBSCRIPTIONS: In Sherman County and adjacent counties: three months, \$29; six months, \$46; 12 months, \$81. Out of area, weekly mailing of two issues: three months, \$39; six months, \$54; 12 months, \$89 (All tax included). Mailed individually each day: (call for a price).

**Incorporating:**

## The Goodland Daily News

1932-2003

**The Sherman County Herald**  
Founded by Thomas McCants  
1935-1989

**THE SHERMAN COUNTY STAR**  
Founded by Eric and Roxie Yonkey  
1994-2001

## Nor'West Newspapers

Haynes Publishing Company



# The proper role of government

Sherman County, and America as a whole, is struggling with a basic question: What is the proper role of government? Should government paint our houses? Should government do "urban renewal"? Should government essentially spread the wealth?

Decisions such as these should not be based on popular consent but instead on sound principles. If we judge the reason and right of government to embark on a task simply by the popularity of the goal then not one of us is safe from its grasp. Who among us can fend off the will of the majority when the majority desires what we have? Instead, shouldn't we have an understanding of what the proper role of government is and the undergirding principles? Are there not time-tested principles that can be attributed to the fantastic success of this grand American experiment? Is there not a right and a wrong that never changes?

I submit there are sound principles that should guide citizen and elected official alike when determining the proper role of government. It seems absurd in this modern age we must be reminded of this.

Governments were instituted from God with the express intent to preserve the rights He has given us. These are known as our God given rights. Proper government recognizes the people are the sovereigns, the holders of the rights, and the people loan these rights to government for personal benefit so their rights can be better protected.

Or, as once said much more eloquently in The Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit



guest columnist  
• commentary

of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

For instance, we allow our local Sheriff to protect us from those who would harm us or our property because we know by giving him the right and power to do this will result in much better protection than if we were each fully responsible, 24/7, for protecting ourselves and our property.

Government has no power of its own. All its power is derived from "We The People." John Locke, an English philosopher whose ideas have been credited as being part of the basic tenets of American democracy, wrote "For nobody can transfer to another more power than he has in himself, and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life of property of another."

As such, government can only rightfully act in our stead and here is the guiding principle that Sherman County should remember.

I have no personal right to someone else's wealth. As such, government has no right to the wealth of its citizens. Government's role has been purposely limited to the few areas where the collective strength of the people can better serve the people in the preserving of their rights.

Does the city or county government have the

right to take from one citizen, thru the power of taxation, the wealth of one and then give it to another? Yes, but only if the action results in a further securing of all the citizens God given rights.

Apply this principle to the taxing of one to paint the house of another. Apply this principle to the taxing of many to repair the houses of many others. What right do the elected officials of Sherman County and the City of Goodland have to tax Bob and give to Sue to fix up her house? Would Sue have the right to go to Bob's house, ring his doorbell and demand some of Bob's hard-earned money so she can repair her house? Sue has no moral right to do so and neither do our local, elected officials.

It matters not that the money is a "grant," or from the Federal government. They neither have the moral authority to allow the use of the money they've taken from citizens to be used as such. Those who participate in this behavior violate the trust that "We The People" have given our government. Governments that act outside of their moral purpose are illegitimate and endanger their citizens.

Conversely, governments that act within their proper role strengthen and empower their citizens. I encourage our local citizens, and I expect our local elected officials, to hold to the basic principles our great Nation was founded on. To learn more about these principles I encourage all to attend our regularly scheduled Constitution studies held in Goodland. Call me for details.

*Ken Klemm is a local buffalo rancher concerned with restoring Constitutional principles of liberty. He can be reached at (785) 899-5804 or by e-mail [ken@thebuffaloguys.com](mailto:ken@thebuffaloguys.com)*

# We must work together for growth

To the Editor:

Recently I have taken note of the political side of our community.

Recent events suggest our local governing officials don't always seem on track.

What track you might ask?

That is exactly what I am concerned with. I have many friends in various places of our local schools, Northwest Tech and those involved in our county government.

I am not a native to Goodland but have lived here for seven years. I have been involved in various community activities and try to teach my children that to be a good citizen means being involved in the community.

It is my understanding that our community needs to grow! Surrounding communities seem to have it figured out and are making economic head way. Now I know it is in our local governments' interest to help Goodland grow and maintain our small town environment.

I have seen some good improvement in the years I have been here. I am pleased to see our local Northwest Tech spread their wings and strive to bring more educational opportunities to our children.

When I attended Goodland High School



from our readers  
• to the editor

graduation many of our children are choosing to continue their education with local schools. I understand our high school offers many dual credit courses to help our young graduates get a good start. I commend the efforts that it must have taken to accomplish this task.

It is my understanding our local Northwest Tech is not involved in these dual credit courses. The money spent on these courses is being sent to Thomas County. This concerns me that those who may have been involved in this decision may not have realized the economic impact of that choice. Why not keep those dollars spent on education in our own community.

If our major entities in this community cannot come together then our community will never grow to its full potential. All of us have an idea to help our community grow and be prosperous. But only a few speak up and take action.

We have many great leaders in our community who take the time and effort to be involved and help make Goodland a better place to live. But these great leaders need to put differences aside and think about what is best for our community.

Our community thrives on individuals who have made it their priority to serve others. Whether it is a paid profession or donating your time to better our community I commend you.

We all have a responsibility to help Goodland grow and become a place that we can be proud of. But if we allow our officials to rule without our input then it is also our job to speak up or ask those officials to move on. I urge those who have the power to make decisions and move our community forward to do so with concern for the bigger picture. And that picture has to encompass community growth not individual growth.

Sometimes we have to make decisions that humble us and make us swallow our pride. And we become better people for doing so. Greed comes in many colors and does not allow for the growth that our community needs. Move forward and swallow your pride.

Dawn Stasser  
Goodland

-----

*Editor's note: The Goodland school district does work with Northwest Tech on educational programs and pays to allow juniors and seniors to attend the college.*

*The dual credit courses were created through Colby Community College years ago when Northwest Tech was not providing general education courses. The school district is working with the two colleges and contracts with local teachers to see if some of the courses can be offered through Northwest Tech. The money spent on these courses is paid by the student and goes for books and to pay the Goodland teacher who is under contract with Colby.*

# where to write

**U.S. Sen. Pat Roberts**, 109 Hart Senate Office Building, Washington D.C. 20510. (202) 224-4774; web address — [roberts.senate.gov](http://roberts.senate.gov)

**U.S. Sen. Sam Brownback**, 303 Hart Senate Office Building, Washington D.C. 20510. (202) 224-6521; web e-mail address — [brownback.senate.gov/CMEmail.me](mailto:brownback.senate.gov/CMEmail.me)

**U.S. Rep. Jerry Moran**, 2202 Rayburn House Office Building, Washington, D.C. 20515. (202) 225-2715; Fax (202) 225-5124 web address — [www.jerrymoran.house.gov](http://www.jerrymoran.house.gov)

**State Rep. Jim Morrison**, State Capitol Building Rm. 247W, Topeka, KS 66612. (785) 296-7676; e-mail address — [jmorrison@ink.org](mailto:jmorrison@ink.org)

**State Sen. Ralph Ostmeyer**, State Capitol Building, Rm. 225-E, 300 SW 10th, Topeka, Kan. 66612. (785)-296-7399; e-mail address — [ostmeyer@senate.state.ks.us](mailto:ostmeyer@senate.state.ks.us)

**Kansas Attorney General**, 301 S.W. 10th, Lower Level, Topeka, KS 66612-1597 (785) 296-3751 Fax (785) 291-3699 TTY: (785) 291-3767