

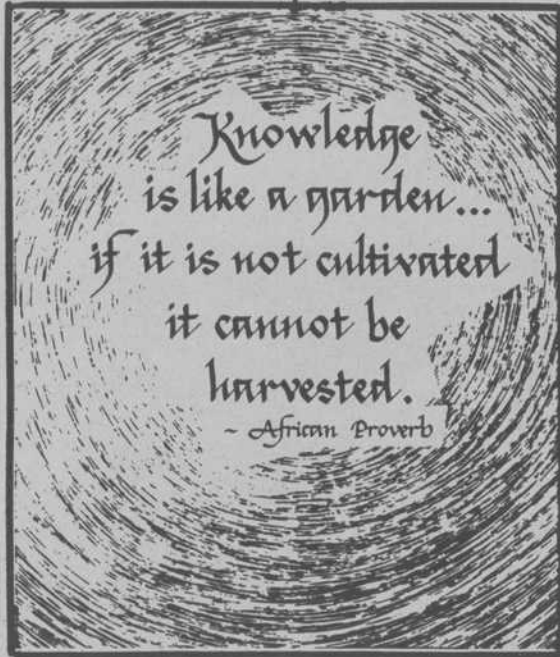
Point of View

Editorial

On December 10, 1985, the Clark County School District's Board of School Trustees will ask the voters of Clark County to approve a Pay As You Go Building Program for \$60,136,292. Over the years, this paper has always carefully scrutinized proposals being submitted to our citizens for a vote when these votes would increase our taxes. We have once again analyzed the information presented by the school district on their needs and on the proposed funding issue.

We endorse, without equivocation, this program proposal because we believe the school district administration and Board have done their homework well. They have projected, in our opinion, a need for a minimum figure for construction of 12 new elementary schools, along with major additions to other school sites. This minimum figure, as stated by Dr. Robert Wentz, Superintendent, is "critical if we are to maintain our educational posture as one of the nation's leading school districts." Dr. Wentz continues by stating that we can have a voice in tomorrow's future. We believe that if our city is to grow and attract industry which will provide employment for our people, then the construction of these schools is needed for this industrial expansion. We further believe Dr. Wentz in his comments to us that if our community is to maintain our strong educational program, then we must have space available for the projected enrollment of 99,906 students by the year 1991.

The Pay As You Go building program will be an opportunity for our total community to support the educational program in this county. We urge you to register to vote if you are not registered, and turn out on December 10, 1985, to cast a favorable vote for this building program.



The Las Vegas Sentinel-Voice welcomes expressions of all views from readers. Letters should be kept as brief as possible and are subject to condensation. They must include signature, valid mailing address and telephone number, if any. Pseudonyms and initials will not be used. Because of the volume of mail received, unpublished individual letters cannot be acknowledged. Send to: Letters to the Editor, The Las Vegas Sentinel-Voice, 1201 S. Eastern Ave., Las Vegas, Nevada 89104.

The views expressed on these editorial pages are those of the artists and authors indicated. Only the one indicated as the Sentinel-Voice editorial represents this publication.

To Be Equal

PACKING THE COURTS

By JOHN E. JACOB

President Reagan has appointed almost 30 percent of all current federal judges; by the end of his second term it is very likely that he will have appointed a majority.

Unlike previous Administrations, however, this one is appointing judges who meet rigid tests, for ideology. The President has stated he will appoint only judges who follow principles of judicial restraint. That's a code word that really means agreement with radical positions on controversial social issues.

Whatever one's position on such issues, it is important that the federal judges whose decisions affect our freedoms not be bound by narrowly conceived ideological litmus tests.

In addition, the Administration's selection process has resulted in restricting federal judgeships to affluent, ultra-conservative white males. Jimmy Carter selected blacks for 14 percent of the vacancies he filled, but less than one percent of President Reagan's judges are black.

In picking judges, the President leans heavily for advice on his Attorney General, Edwin Meese, whose ideas about the role of the judiciary are strange, to say the least.

Mr. Meese seems to want to roll the clock back to 1789. He says judges, when dealing with Constitutional questions, should stick to



John E. Jacob

the literal words in the Constitution. They should, in his words, "resurrect the original meaning of constitutional provisions." And he says "the only reliable guide" to today's constitutional controversies are the intentions of the authors of the Constitution.

Here we are, on the

verge of the 21st century, and he wants all constitutional questions decided by what was on the minds of a very diverse group of people who lived 200 years ago and wrote a document that made slavery legal. Does Mr. Meese really want to stick only to what was on the minds of those men in gray wigs?

The genius of the Constitution they wrote is that it provides a framework allowing succeeding generations to interpret it to

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meet changing conditions. That's why we call our Constitution a "living document." Mr. Meese's theory would make the Constitution a dead document, incapable of guiding us in a modern world.

Supreme Court Justice William Brennan recently demolished the Meese argument, which he called "arrogance cloaked as humility." Not only is it impossible to figure out the

intentions of the framers, Justice Brennan said, but current judges "read the Constitution the only way we can: as 20th century Americans . . . The ultimate question must be what do the words in the text mean in our time."

Another Supreme Court Justice, John Paul Stevens, generally regarded as a conservative, blasted Mr. Meese for ignoring the development of the law over the past 200 years and for the Attorney-General's

judicious argument that the Bill of Rights doesn't apply to the states.

That's a sign of what separates radicals like Mr. Meese from true conservatives. Conservatives value the past and respect it, want to keep the best the past has to offer, and are flexible enough to stay abreast of the times. Radicals have little respect for the past. They pay lip service to it, but would wipe out the progress made over the past 200 years in order to satisfy their current ideological bias.

Closer Senate scrutiny can counter the Administration's ideological bias. The Senate should actively oppose the attempt to politicize the judiciary. A few well-timed rejections of nominees could stop the plan to pack the courts with right-wing radicals.

and Jimmy's specialized services.

While this law has meant significant progress for many children, much remains to be done. The next steps are: to iron out remaining bureaucratic problems so that all children who have special needs who now await adoption can benefit from federal adoption assistance and Medicaid; and, to work to make sure that increased supports are available to families who have adopted special needs children after adoption is finalized.

The lesson is clear.

CHILD WATCH

By Marian Wright Edelman
President, Children's Defense Fund

"Opening Doors" for Disabled Children

Jasmine has a pituitary gland problem which has stunted her physical growth. At age seven, she is under three feet tall and weighs only 20 pounds. She has been diagnosed as retarded.

Jimmy was born without arms or legs. He is able to move around on an electric wheelchair which he operates with a control stick, using his shoulder.

Before 1980, neither Jasmine nor Jimmy, two severely disabled Black children in need of adoptive families, would have had much hope of finding a permanent home.

These children have special needs, which demand costly medical attention and specialized services as well as patience and love. Before the passage

of the Adoption Assistance and Children Welfare Act in 1980, the federal government did virtually nothing to assist with such cost burdens.

The old, shortsighted federal government policy was to fund foster care but not adoption assistance for these children and to cut off Medicaid benefits after a child's adoption. Such policies created barriers which deterred many individuals and families from adopting children like Jasmine and Jimmy and left those children waiting, without much hope, in foster homes or institutions.

But over the past five years, the law has "opened doors" for children who wait by providing benefits to the

children that allowed families to adopt them without taking on a serious financial burden," according to Joe Kroll, Executive Director of the North American Council on Adoptable Children (NACAC), one of a large coalition of groups who helped push the law through.

This law has improved these children's lives, and the lives of many others like them. Jasmine and Jimmy have been adopted by a single black woman who lives in Oklahoma. She provides the love, care, and attention they need, while adoption assistance payments and Medicaid, paid in part with federal funds, help defray such costs of Jasmine's daily medications and treatment

VOTE