

They could look it up

WT-E editorialists prefer "make it up" to "look it up"

On consecutive days, September 1st and 2nd, the WT-E, supposedly winners of the Wyoming Press Association's First Place award for editorial writing excellence, presented glaring errors in their editorials.

With a staff large enough to do some basic fact-checking and the internet at their disposal, the WT-E just ignores the basic tenets to get it right before you get it first.

On September 1st, Reed Eckhardt's column was a lengthy anti-religion rant in which he misstated a recent U.S. Supreme Court ruling on religious artifacts on public grounds.

His errors are so egregious that they are embarrassing. He obviously has never read the Supreme Court ruling to which he repeated and erroneously referred.

He wrote in his Saturday column that he alternately walks, jogs, or rides a bike past the Ten Commandments in Lion's Park and seeing it there causes him to "grind his teeth" in frustration.

I'm glad I'm not so easily angered or frustrated that I would grind my teeth like that. Especially when, if he knew the ruling he points to, there is no need for either grinding or frustration.

Reed wrote, "for two years, the city of Cheyenne has known that this hunk of stone is there in violation of a U.S. Supreme Court ruling." Actually, the mayor, city attorney, the deputy mayor Patrick Collins and a Cheyenne attorney named Steve Melchoir appeared on a radio program in which the city officials surrendered to a quasi-preacher from Topeka and said they would lose if challenged about the monolith - on November 18, 2003. Nearly FOUR years ago. But they were wrong then just as Eckhardt is wrong now.

And, "hunk of stone?" That's really disrespectful to this monolith given to the City of Cheyenne by the Fraternal Order of Eagles even before Reed was hiding under a dorm room desk to avoid military service in the 70's. Hunk of stone?

The City's inaction in unnecessarily moving the monolith to a contrived Law and Liberty Plaza or some such name, is criticized by Reed by asking whether the mayor and his minions are guilty of arrogance, ignorance, rebellion, apathy, lawlessness, inertia, or all of the above.

The ignorance here is his - for not knowing just what the majority decision of the U.S. Supreme Court actually said.

Lawlessness? Who among us can forget how the WT-E, at his direction, made illegal undisclosed campaign contributions to a Specific Purpose Sales Tax referendum?

Ah, yes. Let thee without sin throw the first stone, Reed.

He wrote this September Fool's column

as though he were quoting from the Supreme Court's decision. He wasn't. In fact, he had the basic ruling very wrong.

"The High Court ruled in the spring of 2005 that free-standing Ten Commandment monuments on public property are violations of the Establishment Clause of the First Amendment. The justices said these marble shrines are an inappropriate promotion of religion by government."

Just make it up as you go, Reed. That is not at all what the Supremes "ruled."

The case is Van Orden v. Perry (Texas) and the United States Supreme Court ruled as follows on June 27, 2005:

"Petitioner, an Austin resident who encounters the monument during his frequent visits to those grounds, brought this 42 U. S. C. §1983 suit seeking a declaration that the monument's placement violates the First Amendment's Establishment Clause and an injunction requiring its removal. Holding that the monument did not contravene the Clause, the District Court found that the State had a valid secular purpose in recognizing and commending the Eagles for their efforts to reduce juvenile delinquency, and that a reasonable observer, mindful of history, purpose, and context, would not conclude that this passive monument conveyed the message that the State endorsed religion. The Fifth Circuit affirmed."

Held: The judgment is affirmed.

351 F. 3d 173, affirmed.

"The Chief Justice, joined by Justice Scalia, Justice Kennedy, and Justice Thomas, concluded that the Establishment Clause allows the display of a monument inscribed with the Ten Commandments on the Texas State Capitol grounds."

Also, from the majority opinion, "Despite the Commandments' religious message, an inquiry into the context in which the text of the Commandments is used demonstrates that the Commandments also convey a secular moral message about proper standards of social conduct and a message about the historic relation between those standards and the law. The circumstances surrounding the monument's placement on the capitol grounds and its physical setting provide a strong, but not conclusive, indication that the Commandments' text as used on this monument conveys a predominantly secular message. The determinative factor here, however, is that 40 years passed in which the monument's presence, legally speaking, went unchallenged (until the single legal objection raised by petitioner). Those 40 years suggest more strongly than can any set of formulaic tests that few individuals, whatever their belief systems, are likely to have understood the monument as amounting, in any significantly detrimental way, to a government effort to establish religion."

The Ten Commandments monolith in Cheyenne was placed in a remote area of a park not frequented by that many local residents. Its message is "passive" and the U.S. Supreme Court ruling on the Texas appeal is almost identical to what one from Cheyenne would look like. As in Austin, 40 years have passed without legal challenge to the monolith residing here in Cheyenne.

He repeatedly misstated the Van Orden (a disbarred attorney) v. Perry ruling. He wrote that the High Court said the Ten Commandments could appear on public grounds, provided they are displayed with things like the Magna Carta, Declaration of Independence and the Bill of Rights. Read again the words in the column to the left. They say nothing of the sort.

Just make it up as you go, Reed.

As though to emphasize his ignorance, Eckhardt also wrote: "... it grates me that this mayor and City Council -- who expect you and me to obey the law -- continue to violate it, whatever their reasons."

They are not violating the law. Neither in the Tenth Circuit or US Supreme Court.

He then railed on the idea of creating the "Cornerstones of Law" areas to satisfy those who have threatened to litigate in the past. The tone of his writing and opinion are so anti-religion as to be sad.

In closing, he again misstated the ruling: "But, the U.S. Supreme Court has ruled that multi-monument displays that include the Ten Commandments are legal. And until that position changes, it will be the constitutional standard for the setting of public policy."

That is not what they ruled, no matter how frequency Reed writes that it was.

Where the Supreme Court did rule against the display of religious documents on public grounds was in McCreary County v. ACLU. The High Court ruled, by a 5-4 majority, that framed copies of the Ten Commandments could not hang in Kentucky courthouses.

In the September 2nd *Our View*, the editorialist expresses anxiety as to what will happen if candidates who will do the paper's bidding do not enter and win election next August and November.

Just to get off on the wrong foot, the writer, probably Reed also, wrote: "Since the announcement in early 2000 that Lowe's Distribution Center was going to build a new facility here ..."

Hospital has not bought all the land it wants for their new hospital

Any day now, you can expect an announcement from the WT-E that the earth is, indeed, round.

The Cheyenne Herald announced some time back that the local hospital was acquiring land in an area west of Cheyenne known as Nob Hill. Finally, on September 8, the WT-E followed our lead. But they implied that the hospital had acquired all the land they sought. That is not true. And while John Anaya and his family own much of the land involved, they do not own it all.

The Cheyenne Herald has been in regular direct contact with a landowner who has not agreed to sell his parcel and indirectly with the other property owner who has not reached an agreement to sell.

It is preferable for the hospital to complete a purchase of the two parcels at a mutually agreed price. Should they resort to condemnation through the County, donations could be adversely affected and the hospital would actually pay more for their actions than is necessary. These owners have not wanted to sell but with their neighbors reaching agreement, it will be hard for them to retain their properties.

That error was easy to catch.

I wrote the press release for Jack Spiker which announced the decision by Lowe's to build in Cheyenne. It was January 17, 2001. A simple look at their own papers from the time would have saved them from this embarrassing mistake.

While I don't grind my teeth over anything, I was surprised that Jack wanted to give the WT-E advance notice of the decision, not providing it to broadcast media in Cheyenne until the following day so the WT-E could have a "scoop." After the daily newspaper refused to endorse Jack for mayor, it seemed odd he would grant them the advance but he wanted them to like him and that was his first step to win their love. That was the first installment on the sale of his integrity. But it was 2001, not 2000. You could look it up.

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