Congratulations, Con Con delegates

The proposed constitution which 100 Constitutional Convention delegates approved Friday represents a towering improvement over the antiquated 1889 document which has shackled state and local government in Montana for many decades.

The proposed constitution, which will be voted upon at the primary election June 6, is not perfect; it has imperfections but in general it is a document that will allow cities, counties and the state to do a more meaningful job in these changing times. It is not as progressive as some delegates desired nor as conservative as others wanted but a reasonable compromise which the delegates agreed was worth signing.

When voters compare the 1972 and 1889 constitutions, they will note that the proposed one contains about 12,000 words rather than 28,000 words spelled out in 1889. The delegates, who have returned to their homes after 10 hard-working weeks in Helena, succeeded in hammering out a much more flexible document than the 1889 delegates did. They also allowed for continuing modernization by making it easier to amend the constitution. The current constitution permits only three amendments every general election. Montana is one of five states which limit constitutional amendments to three each general election.

The constitution provides for long overdue legislative reforms, including annual legislative sessions and for lawmakers to be in each session for 60 working days rather than 60 calendar days. The document also calls for single-member legislative districts — a feature that will appeal to voters who have been confused when they had to select 17 or 18 lawmakers as Cascade and Yellowstone County voters have in past elections.

Voters will have an opportunity to decide by voting on a side-issue whether they want to substitute a unicameral legislative system for the present bicameral one which is incorporated in the main body of the constitution.

The delegates fortunately limited the number of side issues to three — the unicameral choice and ones on gambling and the death penalty. They avoided mistakes convention delegates in other states made by including emotional and controversial issues such as abortion and aid to parochial schools.

The 1972 constitution gives municipalities considerably more flexibility and freedom to manage their own affairs. Under the 1889 constitution, cities and towns are severely handicapped by legislative and constitutional limitations.

The new constitution's articles on the executive and judicial branches are not as progressive as they might be but they represent significant improvements over the present system. The provision for two separate state Boards of Education is one of the advancements in education. There also are improvements in the taxation and Bill of Rights articles.

The hard-working and dedicated delegates deserve to be congratulated for completing their history-making assignment within the budget provided by the legislature but above all for the conscientious manner in which they labored to fashion a markedly improved state constitution they are recommending to their fellow Montanans.

Explain, discuss the constitution

The responsibility to explain the proposed constitution to voters before the June 6 election does not rest solely upon the weary shoulders of the 100 delegates who just finished their 10-week convention. All citizens interested in improving the quality of state and local government must help.

It's needless to argue the semantics about the way to describe the educational campaign required to convince the voters that the constitution is vastly superior to the 1889 one. Possibly "selling" is too commercial a word to describe such a program but the constitution must be explained, promoted, debated, discussed and reviewed.

Many Montanans have questions and doubts about the document just written in Helena; they have the right to expect consideration of their views and to get answers for their questions.

There are 10 weeks before the election to inform voters about the merits and weaknesses of the constitution. Statewide discussion and healthy debates about it will contribute to better citizenship — and a better constitution if the voters agree that a modernized constitution will help Montana solve its problems in a better way than would our 1889 document that was geared to post-Civil War needs.

'What–And give up show biz?'

Readers' Opinions

'Let's make this the last!'

A bill designating the week of March 26-April 1 as "Week of Concern" passed both the Senate and the House in Congress. This particular week was chosen because on March 26, eight years ago, the FIRST American serviceman was taken prisoner in Vietnam.

The following is from a letter from the National League of Families of American Prisoners of War and Missing in Action in Southeast Asia: "By now, most people know at least something of the cruelty and shocking treatment that has been heaped upon U.S. servicemen captured in the Vietnam War. But few can freely appreciate the depth of the anguish and despair these men face day after day.

Ill-fed, ill-clothed, brutalized, even barred in most cases from communication with their loved ones, they no doubt survive only on the faint hope that we, their friends, their neighbors, their fellow citizens, are doing all we can to bring them home."

Let's make this Week of Concern our last one. We hope everyone understands the POW/MIA issue is NOT political, it is NOT controversial. It IS man's inhumanity to man. Allow yourself to be your "brother's keeper" and these men will not and CAN NOT be forgotten. As private citizens we cannot bring these men home but we can help keep them and their memory alive.

Write your congressman, fly your flag and burn your headlights during this Week of Concern.

MRS. THOMAS H. CURTIS, 4432 A Gumwood

Lighting the capitol

I wish to publicly register my digust and sorrow upon reading the cut-line under the photo of the capitol in the March 19 Tribune. This is the first that I had become aware of this deplorable squandering of public funds on the new $24,000 capitol exterior illumination system, which "costs only $1 more per night to operate . . ."

Indeed, what in the name of sanity and reason determines these economic priorities in a state which is ever more endeavoring to wring new revenue from a trusting and unsuspecting public?

May I pose one question: Who is benefiting from this lighting system? Not me, not you, but our old friend, Montana Power! May the saints preserve us.

STEPHEN LaRANCE, Helena.

Criticizes 'snake' story

A front page story in Monday's newspaper, "Pipe cleared of, not with, snake," shows the Tribune's motto is "If no news, manufacture some."

If the article had been written by a 9th grade journalism student, it would have ben understandable; but for a "news reporter" to write such an article without investigation and his supervisor to place it on the front page shows complete disregard for facts.

As you know, the "snake" was a piece of plastic from the hot water heater. Your newspaper's retraction, "Water line problem wasn't snake," in Tuesday's paper tried making a joke of the whole thing.

You goofed terribly; why not admit it? If your newspaper is friendly toward the revenue water and sewer bond issues, they surely don't need any enemies.

W. H. PARDIS, D. C., 1300 1st Ave. S.
Chairman, Water Board

(Editor's note: The Tribune relied on information supplied by the persons involved. It is unfortunate that anyone tries to see a connection between this incident and the proposed revenue bond issues.)

'Week of Concern'

Sunday marks the beginning of a National Week of Concern for Americans who have been captured or are missing in the Vietnam conflict.

Incredible as it may seem, some of these men are now entering their 6th, 7th, 8th or 9th year in cells or jungle camps where they are refused even the basic humanitarian protection of the Geneva Convention.

Our government sent them into war. But since ours is a government of the people, the responsibility for their fate rests with each of us. We must live up to that responsibility by doing all that we can to assure their safe return as soon as possible.

It has been said that Americans missing and captured in Vietnam are the "Living Dead." Let us all try to help them at least cling to some shred of hope that their countrymen care and will continue to do everything humanly possible to end their torment.

MRS. ROBERT WILLETT, 3320 11th Ave. S.

No definite word from son

Today (Sunday) marks the beginning of a National Week of Concern for prisoners of war and men missing in action in the Vietnam conflict. It also marks six years and 159 days that our son Rod has been held captive in North Vietnam.

No neutral body, not even the International Red Cross, has been allowed to see him. We can not tell, from the four 6-line notes or the two 1-page letters that we have received from him, what he does, what he needs or how his health is.

Ten other families in Montana are not as fortunate as we are, though, as they have not had ONE letter! Their loved ones are Missing in Action, but if North Vietnam, Laos and other Communist forces would abide by the Geneva Conventions and allow inspection of their prison camps these men and many more could be accounted for. No one but the families themselves know the anguish they live with.

Won't you join us in writing to the foreign ambassadors at their embassies in Washington, D. C.? Their countries could help by interceding with North Vietnam, Laos, and other Communist forces, asking them to allow neutral inspection of the camps. Public concern and ACTION do help.

MR. and MRS. ARVIN KNUTSON, Billings

Richard Wilson

WASHINGTON — A month has passed since President Nixon was in Peking and a few preliminary conclusions may be in order. The cultural shock of the visit was too vivid at the time to make many immediate conclusions trustworthy.

In the first place, the idea of a sell-out of Taiwan appears just as foolish today as it did when the Sino-American communique was issued in Shanghai. There is no reason to revise that judgment.

Another judgment needing no revision is that the Peking visit was merely the beginning of a slow process with no very significant tangible results to be expected soon.

THE CONCLUSION which could not be reached until now is that this adventure into the unknown has not upset the world. It may not have 'changed the world," either, but it is beginning to make the world a quieter place.

More fears have been allayed than have been increased by the President's visits with Chou En-lai and Mao Tse-tung. The prospects for peaceful co-existence, to use the Communist term, have been increased. The old flare points of controversy have become less sensitive. Even Mao Tse-tung's five principles of co-existence can be accepted in Peking, Moscow and Washington as a sincere expresssion of peaceful aspirations, which was not formerly the case.

THE UNDERLYING impression which has spread widely since the excrutiating exercise of drafting a joint communique is that the People's Republic of China is not, at this stage, an aggressive threat to the stability of other countries in Asia. If that impression is wrong, then the President's trip was a dismal failure, but there is every indication in the capitals of Asia that the conclusion is not believed to be wrong.

A month after Shanghai, attention turns away from Taiwan to that section of the joint communique which the Chinese considered to be of primary importance, and over which they labored longest and with greatest care.

THE VERY IDEA that the leaders of China and the United States would join in a common renunciation of the use of force was itself an emotional experience for the Chinese. They agreed with the United States on respect for the sovereignty and territorial integrity of all states, non-aggression against other states, non-interference in the internal affairs of other states, without the use or threat of force.

China renounced any aim of becoming a superpower. Her leaders joined with the United States in declaring that neither should seek hegemony in the Asia-Pacific region and opposed efforts by any other country or group of countries to establish such hegemony.

THIS PIECE OF PAPER cannot be waved in the face of Chinese armies pouring across their borders into Thailand, India or Korea. Its value lies only in the importance the Chinese attach to it. The judgment, a month later, seems sound that they attached overwhelming importance to this language.

What is called "parallelism" in Chinese and American concepts of the shape of Asia thus emerges. It cannot be applied strictly to specific countries. But the "parallelism" serves to exclude the overt hostility of the past.

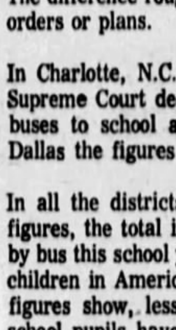
By parallelism, what is evidently meant is that both countries will follow their own paths without colliding. The common statement of principles of parallelism was deemed to be far more important to the Chinese than waffled phrases on Taiwan which meant nothing in terms of immediate policy, either in Peking or Washington.

THE CHINESE wanted a parallel course with America in significant respects, because their relations with Russia do not run parallel but may be on a collision course. Nixon could easily over done parallelism and created alarm in Moscow. That he did not do so is evident from the recent speech of Leonid Brezhnev. The President can go to Moscow under minimum suspicion of secret deals with the Chinese.

Taken altogether, the Nixon initiative in China continues to hold up. It is still a tender shoot which might not survive the hot breath of controversy, and that is evidently why both Washington and Peking are willing to let it grow without discussion, comment or explanation.

Diplomatic contacts in Paris opened on schedule. They are proceeding in the manner expected. There is every reason to believe that the cultural and commercial development agreed to, as small as they will be, will materialize in the course of time.

"Try to digest that while I prepare for another trip!"



Anthony Lewis

WHEN PRESIDENT NIXON made his television speech on busing, most of his audience must have believed that the Supreme Court had ordered massive busing to balance the racial makeup of public schools, and that millions of children across the country were being bused for that purpose. Those were the assumptions that seemed to underlie the President's urgency, his call for an immediate legal moratorium on busing.

But the assumptions are false. The facts are otherwise.

FIRST, THE FIGURES. The Department of Health, Education and Welfare says it has no tabulation of children who are taking school buses because of a desegregation plan—children, that is, who would not have been riding a bus to school anyway. But H.E.W. does have figures on the number of bus-riding pupils in major districts that have desegregation plans with busing this year, and comparable figures for last year. The difference roughly shows the increase attributable to court orders or plans.

In Charlotte, N.C., for example, which produced the leading Supreme Court decision on the issue, 46,076 children rode the buses to school a year ago; this year there are 46,849. In Dallas the figures are: 5,079 last year, 12,154 now.

In all the districts for which H.E.W. has those comparable figures, the total increase in the number of children traveling by bus this school year is 126,810. That is out of some 46 million children in American public schools. In short, so far as these figures show, less than three-tenths of 1 per cent of public school pupils have been affected by busing orders related to desegregation.

SECOND, THE LAW. The Supreme Court has never found in the Constitution a requirement that schools or any other public facility be racially balanced. What it declared 18 years ago in "Brown vs. Board of Education" was something very different: The right to be free of legally-imposed segregation.

In the Charlotte case last April, Chief Justice Burger quoted from the Brown opinion the central passage disapproving the old doctrine of deliberate separation of the races. The Chief Justice said the lower court in the Charlotte situation had used population ratios only as a "starting point" to overcome the entrenched vestiges of a segregated system.

WHAT HAS HAPPENED, in the view of many qualified lawyers, is that some lower courts have gone wrong. They have not heeded Chief Justice Burger's admonition against raising racial balance to the status of a constitutional right. They have slurred the distinction between school segregation imposed by deliberate policy and one-race schools resulting from neighborhood patterns. They have called for busing to overcome both situations.

In these circumstances, public concern about busing is wholly understandable. The suburban family that thinks its children are going to be taken 50 miles by bus every day to an inner-city school may well be frightened. And it is clear enough that many Americans today do think just that, however baseless lawyers may believe their fears to be.

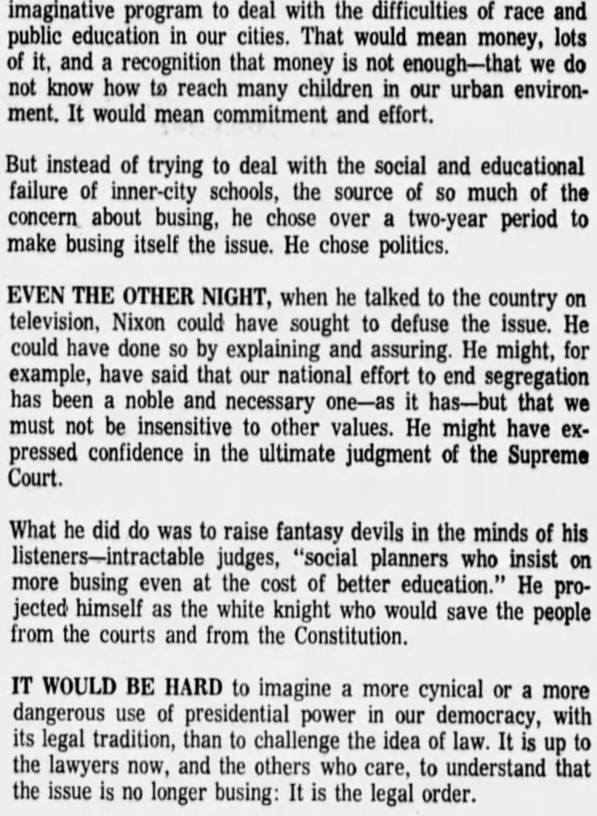
A PRESIDENT interested in leading his country past such a divisive problem might have made it the occasion for an imaginative program to deal with the difficulties of race and public education in our cities. That would mean money, lots of it, and a recognition that money is not enough—that we do not know how to reach many children in our urban environment. It would mean commitment and effort.

But instead of trying to deal with the social and educational failure of inner-city schools, the source of so much of the concern about busing, he chose over a two-year period to make busing itself the issue. He chose politics.

EVEN THE OTHER NIGHT, when he talked to the country on television, Nixon could have sought to defuse the issue. He could have done so by explaining and assuring. He might, for example, have said that our national effort to end segregation has been a noble and necessary one—as it has—but that we must not be insensitive to other values. He might have expressed confidence in the ultimate judgment of the Supreme Court.

What he did do was to raise fantasy devils in the minds of his listeners—intractable judges, "social planners who insist on more busing even at the cost of better education." He projected himself as the white knight who would save the people from the courts and from the Constitution.

IT WOULD BE HARD to imagine a more cynical or a more dangerous use of presidential power in our democracy, with its legal tradition, than to challenge the idea of law. It is up to the lawyers now, and the others who care, to understand that the issue is no longer busing: It is the legal order.



Playing chicken

Great Falls Tribune

An Independent Newspaper

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