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Easley Didn't Disclose Before Marina Vote

By **DON CARRINGTON**
Executive Editor

RALEIGH

Gov. Mike Easley failed to disclose a personal business relationship — a \$150,000 home-remodeling contract — with Wilmington developer Charles “Nick” Garrett, Jr. before Easley called for a Council of State vote to approve a lease of the state-owned Southport Marina to Garrett and his associates.

Garrett's development company remodeled Easley's Southport home shortly after Easley became governor in January 2001.

In an apparent attempt to downplay Easley's potential conflict of interest, an Easley spokeswoman said that he did not vote on the marina deal and that Garrett is not a principal in the project.

In addition to involvement in the marina and the remodeling of Easley's Southport home, Garrett got a plum automobile license tag franchise in Wilmington from the N.C. Department of Transportation despite a recommendation by a DOT official against granting



Gov. Mike Easley's home in Southport (arrow points to it in photo above) was remodeled by someone who was a principal in a company later involved in the Southport Marina lease deal. (CJ Photo by Don Carrington)

the franchise.

The vote on a new marina lease came at the monthly Council of State meeting January 2006. The council is

comprised of the governor and the other nine independently elected state officials, such as the state treasurer, lieutenant governor, and agriculture

commissioner. By law, the council is required to approve or deny state real estate transactions.

The 46-acre marina property, under control of the N.C. State Ports Authority, had been leased to Southport Marina, Inc. to operate the facility. Raleigh businessmen Cliff Benson, Jr. and John F. Phillips owned that company but later sold it to new owners.

A story in the *Triangle Business Journal* in August 2005 reported Cary developers Tim Smith and Julian “Bubba” Rawl “provided financial backing for Wilmington homebuilder Nick Garrett's July purchase of Southport Marina Inc.” The story also reported that Smith's and Rawl's only involvement was to help Garrett finance the purchase. “We don't want to be managing it. We don't know anything about running marinas,” Smith told the newspaper.

The Council of State made the new marina lease contingent on the sale of Southport Marina Inc. to the new own-

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Northeast Partnership Ends Contract of CEO Rick Watson

By **PAUL CHESSER**
Associate Editor

RALEIGH

The board of the North Carolina's Northeast Partnership terminated the contract of its president and CEO, Rick Watson, on March 20, after a longtime disagreement among the partnership's county members about his contract and his personal business dealings.

Randy Keaton, the manager for

Pasquotank County who helped develop recommendations for organizational changes to the Northeast Economic Development Commission and the partnership, said Watson's termination was retroactive to March 1, and that he would receive a one-year salary severance, amounting to \$165,000.

Vann Rogerson, a Department of Commerce employee who worked out of the Partnership's Edenton office and helped Watson negotiate many

of his deals, will serve as the interim director.

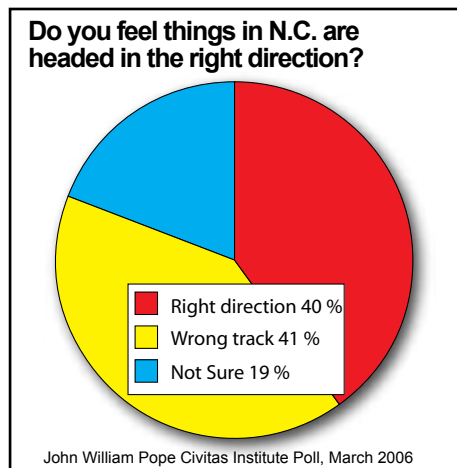
According to Mort Hurst, chairman of the Martin County Board of Commissioners, Watson's contract was ended because a state audit — not yet released — determined that Watson's relationship with country music entertainer Randy Parton presented a conflict of interest with his duties for the Northeast Partnership. Representatives of State Auditor Les Merritt's office

yesterday had no comment.

Jack Runion, chairman of the board of both the Northeast Partnership and the Northeastern North Carolina Economic Development Commission, from which the partnership was spun, confirmed Watson's termination.

“We are in the process of adjustment due to the relieving of the CEO/

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Easley Didn't Disclose Before Urging Marina Vote

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ers. The council awarded a new 15-year lease with extensions that would tie up the property through 2040.

On March 10, Easley spokeswoman Sherri Johnson said, "The governor did not vote to approve the lease. The governor only votes in the event of a tie, and did not vote on this matter."

Johnson also said that Garrett is not a principal in Southport Marina, Inc. Her statement contradicts news reports that for several months have referred to Garrett as one of the new owners of Southport Marina, Inc. In addition to the *Triangle Business Journal*, *The News & Observer* of Raleigh, *The State Port Pilot* of Southport, and the *Wilmington Star-News* all have reported Garrett's involvement with the company, and Garrett has never said anything publicly to the contrary. Johnson did not reveal the source of her information.

If Garrett's role in the project has changed, a letter obtained by *CJ* indicates the change was recent. "As you all know by now, investors Tim Smith, Julian 'Bubba' Rawl and Nick Garrett purchased Southport Marina as of January 2006 and subsequently assumed the property lease from the North Carolina State Ports Authority," said the Feb. 28 letter from Southport Marina, Inc. to all marina slip holders.

Garrett has built luxury condominiums across the street from the marina and has been trying to acquire additional adjacent property. He tried to buy the marina property in 2005.

State Auditor Les Merritt, when told about Easley's business relationship with Garrett, said it was not important whether Easley voted on the item. "Maybe he didn't vote, but he was certainly involved in the discussion," Merritt said. Merritt and Labor Commissioner Cherie Berry voted against awarding the lease.

Voting for the lease were Lt. Gov. Beverly Perdue, Insurance Commissioner Jim Long, Secretary of State Elaine Marshall, State Treasurer Richard Moore, and Agriculture Commissioner Steve Troxler. Attorney General Roy Cooper and Superintendent of Public Instruction June Atkinson were absent.

"We all recognize that the previous lease was a bad one, but all new people have come in. These are different people you're dealing with, though the company name is the same," Easley said, as reported by the *Star-News*. The newspaper also reported that the vote was 6-2, apparently including Easley as a voting participant.

Even though Easley's vote might be in dispute, a state law requires that the governor specifically approve Ports Authority real estate transactions. General Statute 143B-455 addresses the approval of acquisition and disposition of real property controlled by the Ports Authority. It states that real estate



The Southport Marina, which was leased to a private company after a vote of members of the Council of State at the urging of Gov. Mike Easley. (CJ Photo by Don Carrington)

transactions "shall be subject to prior review by the Governor and Council of State, and shall become effective only after the same has been approved by the Governor and Council of State." So if Easley didn't vote or specifically approve of the transaction, the lease may not be valid.

The council vote angered a group of Southport residents who traveled to Raleigh to attend the meeting. "That council is extremely ethically and morally bankrupt — the group personifies that," said Southport resident Woody Wilson as reported by the *Star-News*. Wilson and other opponents told *CJ* they thought the agreement was a sweetheart deal for the developers who were buying Southport Marina, Inc. "There was no doubt that the governor was pushing for the Garrett group as the answer for the future of the marina," Wilson said.

Several news reports indicate Easley has been closely involved in discussions over the future of the marina. In May 2005 the Ports Authority received an unsolicited offer to purchase the 430-slip marina for an undisclosed amount of money. The Ports Authority never disclosed who made the first offer. The authority decided to seek bids from other parties. It received bids ranging from \$2.5 million to \$16 million. Garrett offered \$5.1 million.

Several local residents expressed concern that a private owner would convert much of the land to condos and significantly raise the fees for renting a boat slip. In the midst of those discussions on the future of the marina, Garrett and his partners began negotiations to buy Southport Marina, Inc., the company that held the existing lease.

On July 29, 2005 the *Star-News* reported that N.C. State Ports Authority Board Chairman Carl Stewart "learned of the impending leaseholder change during a call from Gov. Mike Easley's office late Wednesday. That call followed a public hearing in Southport regard-

ing the possible sale of the property." Shortly after that news story appeared, *CJ* contacted Stewart and asked him to identify the person from Easley's office who had called him. He refused to identify the person.

On Aug. 4 Easley released a statement declaring that "the state marina at Southport is not for sale." In December 2005 the City of Southport offered \$6 million for the property. The *Star-News* reported that "if given the chance" Garrett "would beat the city's offer." The Ports Authority rejected the city's offer.

The port deal comes amid state elections board hearings and legislative concern over the ethics of state officials.

CJ has tried to interview Garrett about his role in Southport Marina Inc., but he has not returned phone calls.

Ethics guidelines applicable

"Our citizens have a right to demand and expect the highest ethical conduct from their leaders," Easley said at a March 2 press conference announcing his appointment of retired Superior Court Judge Robert Farmer as chairman of the N.C. Board of Ethics. Easley has also asked Farmer to make recommendations to strengthen the state's ethics law before the May legislative session. The Ethics Board is the state's primary conflict-of-interest watchdog for high-level employees and appointees in the executive branch of state government.

Ethics guidelines for all employees under the control of the governor are outlined in Executive Order No. 1, which was issued by Easley on Jan. 12, 2001. The guidelines state, "Officials should be prepared to remove themselves immediately from decisions, votes, or processes where even the appearance of a conflict of interest exists."

"My understanding is that the governor is covered by the order. He files an

Continued as "Easley," on Page 3

Easley Failed to Disclose Relationship Before Marina Vote

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annual economic interest statement with our office," Ethics Board Executive Director Perry Newson said.

The remodeling project

In 1985, Easley and his wife, Mary, purchased a home on the Cape Fear River in Southport, built in 1970, for \$125,000. At the time, Easley was the local district attorney. The Easleys bought a home in Raleigh after he became attorney general in 1992, but they kept the Southport home.

On June 6, 2001, six months after Easley became governor, Nick Garrett Development applied to the Town of Southport for a building permit to remodel Easley's Southport home. Garrett has been building new homes in the Wilmington and Wrightsville Beach area for more than 20 years. *CJ* was unable to determine how extensive his home-remodeling business is in the Southport area.

The permit application stated the job involved remodeling the Easleys' existing home, removing an existing room, and adding 824 square feet of living space. The stated value of the project was \$150,000. Public records show the project was completed in December 2001. The Brunswick County property tax office currently values the structure at \$192,670 and the total property at \$643,600.

The renovations apparently were substantial. "In my opinion, it was a significant remodel, based on the size of the house and the value of the permit," Brunswick County Tax Administrator Boyd Williamson said. Williamson also noted that his office would have inspected the home twice in 2002 — once after it was completed and again for the normal revaluation cycle — indicating the relationship between the improvement project and the market value of the property should have been accurate at the time.

Attempts to discuss the renovation project with Garrett or Easley were unsuccessful. Garrett did not return phone messages left with an assistant at his Wilmington office. "Any renovation of the Governor's private residence would involve a personal business transaction and I do not have any information about it," Johnson said.

The license-tag franchise

While Garrett's involvement in the Southport Marina project remains unclear, his successful efforts to obtain a state license tag franchise are more certain.

Before 2003, New Hanover County had one license-tag franchise in Wilmington, and another was



Gov. Mike Easley (left) at a press conference announcing the appointment of former judge Robert Farmer (right) as the new chairman of the State Ethics Board. (*CJ* Photo by Don Carrington)

situated nearby in Hampstead in Pender County. In September 2003, Garrett applied to the Department of Transportation to open a franchised license-plate office in Wilmington. Records show that on Oct. 10, 2003 Motor Vehicle Registration Field Supervisor Linda Parke met with Garrett and his father, Charles N. Garrett, Sr. at the Garrett Development Office to discuss Garrett's request to open an agency.

In a memo to her supervisor, Tonia Stevens, Parke summarized the meeting:

"Mr. Garrett [Sr.] stated that now he had the information I had provided he would have to do additional studies. I mentioned to him that in most likelihood the Hampstead Agency would feel the impact of the opening of another office. I asked him why he wanted to open up an agency, his reply, it would give him some place to go ... I do not recommend that this agency be opened at this time. Its opening would have a negative impact on an already struggling agency less than 15 miles away. I feel that we should help the contract agents who are representing the state in a very positive manner," she said.

On Oct. 28, 2003 the N.C. DOT awarded Nick Garrett, Jr. a franchise for a license-tag office at the Market Plaza Shopping Center, despite Parke's recommendation against it. The new site is about five miles from the other Wilmington franchise.

The NCDOT file on the Garrett franchise obtained by *CJ* contained no documentation on the need for an additional office, nor any indication on who made the decision to award a franchise to Garrett. In July 2004

Garrett's father applied to be the contractor and was granted a contract to run the franchise at the same site. DMV Commissioner George Tatum did not respond to *CJ* attempts to interview him on the matter.

Family, friends, money and appointments

On the same day in December 2005, Lanny Wilson, his wife, Jill, and his sister Linda Wilson gave a total of \$10,000 to Beverly Perdue. On the same day in November 2005 Nick Garrett gave \$4,000, and Linda Wilson gave \$1,000 to Roy Cooper.

Like many major political donors, Garrett and the Wilsons are involved in several state boards and commissions. Easley appointed Garrett to the N. C. Board of Architecture and to the Clean Water Management Trust Fund Board.

Easley appointed Lanny Wilson to the N. C. Real Estate Commission and later to the N.C. Board of Transportation. State Sen. Marc Basnight appointed Lanny Wilson to the N.C. Turnpike Authority Board and his mother, Laura, to the N.C. Ports Authority Board.

Garrett has a close relationship with the Wilson family. Garrett shares an office building with Lanny Wilson. Garrett, Lanny Wilson, and Linda Wilson are partners in Southport Trading Company, LLC, the company that built the Village at Southport, advertised as "luxury condos" across from the Southport Marina.

Public records indicate that Garrett and Linda Wilson have a possible relationship other than business. In June 2005, Garrett's wife, Lee Brewer Garrett, filed a complaint against Linda Wilson in New Hanover County Superior Court. Garrett and his wife now live apart.

The complaint alleges that Linda Wilson engaged in sexual relations with Nick Garrett on numerous occasions since December 2003. Lee Garrett seeks to recover damages in an amount determined by a jury. In her response to the complaint, Linda Wilson refused to "admit or deny" allegations about sex, but acknowledged that she and Garrett took a trip to Maine together and appeared together at several Wilmington-area events in the spring of 2005.

Garrett and his close associates, including the Wilson family, are substantial contributors to Democrat political campaigns. An analysis of campaign finance records shows they have given more than \$300,000 since 2000.

They have given significantly to current Council of State members. Easley has received more than \$76,000; Lt. Gov. Beverly Perdue has received more than \$44,000; Attorney General Roy Cooper has received more than \$22,000; and State Treasurer Richard Moore has received more than \$14,000. *CJ*

Northeast Partnership Ends Contract With CEO Rick Watson

Continued from Page 1

President, and do not have a statement at this time," Runion said in a phone message left with *Carolina Journal*. "We will notify you after the boards have met and discussed this situation."

Watson arranged to work for Parton and his Moonlight Bandit production company in Roanoke Rapids while still retaining his head role with the partnership, and sought state money for Parton's music-theater project that is planned for Northampton County.

He also asked for public money for the Advanced Vehicle Research Center

in his role leading North Carolina's Northeast Partnership Foundation.

Watson in the past has tried to use his position with the partnership to leverage personal investments with a fingerprint technology company, a biotechnology company, and an ethanol plant, among others.

"I'm not enthused over Rick and his contract with the Partons," said Mack Nixon, vice chairman of the Perquimans County Commission and a member of the Northeastern Economic Development Commission board. "I do know there's going to be a reshuffling of some positions."

In addition, according to Hurst, the board terminated its relationship with attorney Ernie Pearson of Raleigh, who has been the Northeast Partnership's legal counsel for years. Pearson advised Watson on economic development deals and about its obligations regarding the state's public records laws.

Both Watson and Pearson maintained that the partnership was not subject to the records law, despite receiving almost all of its funding from the state.

"We're using tax money," Nixon said. "We should be as transparent as possible."

County managers from the ter-

ritory represented by the Northeast Partnership had banded together to call for Watson's resignation, and he announced last month that he would leave his post on June 30. Hurst, who called for Watson's removal in February, hoped the immediate change would lead to a restructuring of the partnership's organization.

"I think that the [auditor's] report was a good finding," Hurst said. "I'm glad they did find it was a conflict of interest in the Parton deal."

Pasquotank County's Keaton said he hoped Watson's departure would lead to improvements in disclosure. *CJ*

*Arizona-based Alliance Defense Fund***Legal Group Maintains Gay Seminar at Governor's School Illegal**

By PAUL CHESSER
Associate Editor

RALEIGH
The seminar "The New Gay Teenager" — conducted at the exclusive, taxpayer-funded Governor's School last summer — was illegal, a national Christian legal organization says.

The Scottsdale, Ariz.-based Alliance Defense Fund, in a letter addressed to State Board of Education Chairman Howard Lee and Superintendent of Public Instruction June Atkinson, said the controversial seminar "not only jeopardized the safety and well-being of its students, but has violated both state and federal law." J. Michael Johnson, senior legal counsel for ADF, warned in the letter that "it is imperative that this situation be corrected immediately to avoid unnecessary litigation."

"The seminar in question violated North Carolina statutes," Johnson said in a press release. "Teaching sexually-oriented material without parental knowledge is not only morally wrong, it is illegal."

The seminar was heavily criticized by James and Beverly Burrows, whose son attended the school last year and who said that their son returned home from the school "confused" about homosexuality because of the seminar, and that they have had to seek family counseling. The Burrowses contacted ADF about legality of the seminar.

A spokeswoman of the Department of Public Instruction, Vanessa Jeter, said the matter had been referred to Attorney General Roy Cooper, whose staff is preparing a response.

"The New Gay Teenager" seminar was based on a book with the same name, written by homosexual Cornell University Professor Ritch Savin-Williams. The book and the Governor's School seminar discussed whether homosexual teenagers benefit, or are harmed, by embracing labels based on their sexual orientation. The co-leaders of the seminar — 19-year-old Wesley Nemenz, a University of North Carolina at Greensboro student, and Susan Wiseman, a teacher at East Forsyth High School — identified themselves as gay.

In his letter, Johnson cited North Carolina statutes that stipulate that the State Board of Education "has the sole authority to develop and approve courses and programs that concern human sexuality education." Another state law requires an "emphasis on the importance of parental involvement" and "abstinence from sex until marriage" in any such curriculum.

The Burrowses, who complained directly last summer to Atkinson, say they were not warned beforehand about the "Gay Teenager" seminar before sending their son to the Governor's School in Winston-Salem.



"The seminar in question violated North Carolina statutes. Teaching sexually-oriented material without parental knowledge is not only morally wrong, it is illegal."

J. Michael Johnson
Senior Legal Counsel
Alliance Defense Fund

"Hopefully this will cause much more supervision of this program so that no more families will have to endure detrimental effects to their family due to their students' attendance at this program," Beverly Burrows said. "I also believe some staff changes will have to be made in order for this to happen."

The Governor's School was led by onsite director Lucy Milner, who approved holding the "Gay Teenager" seminar during the last week of the six-week program. Milner has defended the inclusion of the seminar, saying it was optional for students.

In a written response to the Burrowses' allegations, she explained that the seminar discussed "an approach to the issue of homosexuality that was based on research and reasoned extrapolation," which through presenters gave "an opportunity to refract that knowledge through personal lens and then, in reverse, to refract the personal through the objective."

She said faculty who attended the seminar were "encouraged" about the session and "were emphatic that no

Gay Seminar Teacher Fired

By PAUL CHESSER
Associate Editor

RALEIGH
The woman who co-taught the controversial "New Gay Teenager" seminar at last year's N.C. Governor's School in Winston-Salem has been removed from her position at East Forsyth High School and will surrender her teaching license.

Susan Wiseman was the subject of an investigation by Winston-Salem police because of alleged sexual misconduct with a 17-year-old female pupil, but was not charged with any crimes because the student did not want to take legal action. But on March 14 the Winston-Salem/Forsyth County Board of Education voted unanimously to end Wiseman's contract at the end of the school year. She is on an unpaid leave of absence for the remainder of this year.

Wiseman taught social studies at East Forsyth for four years and would have become tenured had she been hired for next year.

The school board acted because Wiseman violated an administrative regulation for "prohibited relationships in the workplace." The code says "all employees are prohibited from dating, courting or entering into a romantic or sexual relationship with any student who is enrolled in a Winston-Salem/Forsyth County School where the employee is assigned, regardless of the student's age. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal."

Wiseman also co-taught, along with 19-year-old UNC-Greensboro student Wesley Nemenz, a seminar based on a book called "The New Gay Teenager," given at the Governor's School West last year. The six-week

residential program is held every summer, and draws "intellectually gifted" public high school students who are approaching their senior years, and who are nominated by their high schools' teachers and administrators. The state budget fully funds the program, with \$1.3 million set aside for it this fiscal year.

Wiseman, according to Winston-Salem/Forsyth Schools spokesman Theo Helm, did not admit or deny the allegations. A police source in February said the Governor's School was part of the investigation into Wiseman, but school and law enforcement officials couldn't confirm that the 17-year-old student attended Governor's School. The alleged sexual relationship occurred between February and May 2005, before Governor's School began in June.

Wiseman was also a youth coordinator for the Parents, Families, and Friends of Lesbians and Gays (PFLAG)-Winston-Salem. One gay activist who has worked with her in the Triad and said he knows her well, Matt Hill Comer, refused to believe she was guilty of the allegations.

"I don't have any evidence that she did it," Comer said. "If she is innocent, this has totally ruined her career."

He said the gay community in Winston-Salem has a history of run-ins with the county school board.

Vanessa Jeter, a spokeswoman for the Department of Public Instruction, said if Wiseman surrendered her license she would be ineligible to teach anywhere in North Carolina. Helm said the Winston-Salem/Forsyth County Board of Education will request that DPI forbid Wiseman from ever re-applying for a license again. CJ

one attending could have thought the seminar was attempting to proselytize or to brainwash students or to promote a gay rights agenda on impressionable young people...."

"It responded to a need for additional factual, neutral information about this highly sensitive issue," Milner wrote.

In his letter, Johnson said state law requires "that parents be given the opportunity to review sex education programs, materials and objectives before any student may participate." He also said the law requires public hearings before sex education programs are adopted.

Johnson also said another con-

cerned parent approached DPI officials in August 2004, "concerning past examples of pro-homosexual advocacy in Governor's School programming." He said the parent was assured by officials "that future programs would not include such topics."

ADF also accused the Governor's School of an anti-religion bias, in violation of federal law, which the Burrowses also had alleged.

Johnson said DPI should prohibit "any similar seminars or unapproved sexuality education curricula...in the future," and requested "written assurance that religious viewpoints will no longer be maligned...at all future Governor's programs." CJ

GOP Caucus Members, Black Have Different Takes on Decker

By PAUL CHESSER

Associate Editor

RALEIGH

N.C. House Speaker Jim Black told the State Board of Elections in February that former Rep. Michael Decker switched political parties in 2003 because of a lack of respect from fellow Republicans — but GOP members present at a caucus meeting have differing memories of what took place at the time.

In hearings conducted Feb. 8-10 that investigated Black's fund-raising practices for himself and for fellow Democrats, the speaker explained how Decker told him of his party switch. After Republicans had won a 61-59 majority in the House, Forsyth County's Decker sought to become speaker pro tem, a largely ceremonial position but one that provided a little more income. His only opposition within the party came from Joanne Bowie of Guilford County.

"As I understood it from talking to Mr. Decker later," Black explained at the SBOE hearings Feb. 9, "he had 34 commitments for a position of leadership from his caucus.

"The person nominating him stood up and looked at him and smiled and said, 'Michael, are you sure you want me to do this?'" Black said, "and looked over at Leo Daughtry and winked and sort of made a joke of it. And when they voted shortly thereafter, [Decker] got 16 votes."

Daughtry, of Smithfield, had just finished a term as the House minority leader, and won the most votes within the caucus to become the 2003 term's Republican candidate for House speaker. Then-Rep. Connie Wilson of Charlotte had earned 20 votes for the speaker post, and many in the caucus were adamant that they would never back Daughtry, regardless of the vote outcome.



Speaker Jim Black testifying at N.C. Board of Elections hearings in February.

Decker, according to some other Republicans, was among those wavering in his support for Daughtry. When he lost the election for the speaker pro tem position, after thinking he had been promised enough votes, fellow House members said he was incensed. Decker did not return phone messages seeking comment for this article.

"He changed parties to vote for me because I treated him with respect and dignity, and his own party didn't," Black said at the hearings. "And so he came over to my side."

Daughtry told *Carolina Journal* that Decker was promised nothing and called the allegations of disrespect from the party "completely ludicrous and untrue." He said both Decker and Bowie had told him of their interest in running for the pro tem position, and he encouraged both to run.

"I didn't support or not support either of them," Daughtry said.

He said at the time "he was worried

"He changed parties to vote for me because I treated him with respect and dignity, and his own party didn't. And so he came over to my side."

House Speaker Jim Black in testimony at Board of Elections hearings on campaign contributions in February

about his own hide" in his run for the speaker job and didn't concern himself with the pro-tem contest. Because of the delicate balance of power with Democrats, Daughtry said he was in no position to promise anything to fellow party members.

Daughtry and other Republicans said Decker was visibly shaken after the vote.

"Michael was very disturbed," Bowie said. "He just boomed out of the room. He was very, very upset."

Bowie said she worked hard to gain support from House Republicans, calling all except for a handful. She also said that in her speech before the caucus that she proposed "strengthening" the pro-tem job "a little bit." She said she thought she had enough backing to win, but she wasn't certain.

"I thought I had the votes when I went in, but I'd been in there long enough to know they change their mind," Bowie said.

Meanwhile, she said Decker's speech before the caucus "was not very good," and the person who seconded his nomination, Wake County Rep. Paul "Skip" Stam, agreed. He said Decker had asked Stam to nominate him, but Stam said as a freshman member he didn't feel it was appropriate. He told Decker that he would second him. As a result, Stam said, Decker nominated himself.

"It was like, 'I know I'm not going to win, but here I am,'" Stam said about Decker's nominating speech.

Stam said he had no discussions with Daughtry prior to the pro tem secret ballot, and said he voted for Wilson for speaker.

Daughtry also denied any conspiracy against Decker and said that when candidates for a leadership position contact fellow members looking for votes, sometimes they get told they will be supported even though they really won't, to spare hard feelings.

"It is inconceivable to think anyone would control the votes on a secret ballot," Daughtry said.

However, House Republicans who ultimately backed Daughtry's rival in a co-speaker arrangement with Black, Moore County Rep. Richard Morgan, said Daughtry's behavior drove Decker from the party.

"Leo was making lots of promises to every member of the caucus," Cherryville Rep. Debbie Clary said. "I have no doubt that the faction of support that Leo had, had promised Decker they would support him."

When some members spoke to each other before the caucus votes, they realized they were being promised the same things, Clary said. Those who ended up voting for Decker were those who kept their word, she said.

"He was lied to," Clary said. "It's that simple. I have never broken my word to a caucus member."

Clary said Decker was "pushed out of the party," and didn't leave because of any financial incentive he was offered beforehand.

"Go back and look at Decker's voting record," Clary said of his very conservative reputation, "and then all of a sudden he's a Democrat? That sort of epiphany doesn't happen overnight."

Clary rejected the idea that Decker could have misread the level of commitment he received from fellow members for speaker pro tem.

"I don't think it was a miscalculation in any way, shape, or form," she said. "[Decker] took things at face value."

When Decker made his switch to the Democrat Party official on Jan. 24, 2003, he told *The News & Observer* of Raleigh, "I just decided that Jim Black was the best man for the job. And I felt like the only way to make sure that he had a chance at winning was to switch parties. And so I did."

Rep. Stephen LaRoque of Kinston, who was a freshman in 2003, said he called Decker on the day he became a Democrat.

"He said that Leo Daughtry had lied to him, and said he was going to support him for speaker pro tem, and he didn't," LaRoque said. LaRoque said he believed Decker. "That is typical behavior of Representative Daughtry."

LaRoque reacted to Decker's action by calling for a change in Republican leadership "from top to bottom," according to *The N&O* at the time.

Regardless of perspective, though, none of the November 2002 House GOP caucus participants interviewed for this story could remember anybody asking Decker whether he wanted to go through with the speaker pro tem nomination, or a "wink" at Daughtry, or any indication of ridicule towards Decker, as Black described to the Board of Elections.

"He was a good friend of mine, I thought," Daughtry said. "I thought he'd lost his mind. There's got to be more than just, 'I'm mad at Leo.'"

"I have no earthly idea why it was my fault." CJ

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NC Delegation Watch*Myrick, McHenry on ports*

Republican Rep. Sue Myrick, R-9th, garnered national media attention after she wrote President Bush to protest a deal that would turn over control of six critical U.S. ports to a state-run company from the United Arab Emirates. Myrick's letter consisted of a single sentence: "In regards to selling American ports to the United Arab Emirates, not just NO—but HELL NO!"

Meanwhile, 10th District Rep. Patrick McHenry, also a Republican, also opposed the ports deal, but for a different reason.

"We should say to every government in the world, if you want to do business in the United States you must abide by free market principles," McHenry said in a press release. "America has the power to level the economic playing field — we must use it.

"State-owned companies — whether in the UAE, China or Europe — are government-financed, giving them a competitive advantage over privately-owned companies. When the U.S. government does business with state-owned corporations, competition is stifled and our private, domestic companies have their legs cut out from under them.

"I am concerned with the Dubai Deal not only because of the national security implications, but the economic implications as well. The Dubai Deal outsources our ports to the state-owned entity of a foreign government. This deal turns its back on the free market principles that have guided this nation into economic prosperity."

Dole: Budget shorts NC

Sen. Elizabeth Dole said that President Bush's proposed federal budget was good, but that it failed to fund "certain North Carolina needs."

"In particular, I am disappointed that crucial projects including Wilmington Harbor, Oregon Inlet, Atlantic Intracoastal Waterway, and North Carolina's Shallow Draft Navigation Inlets were under-funded," Dole said in a statement.

But Dole had mostly positive things to say about the plan.

"Overall, I believe the President has submitted a good budget that funds critical national priorities, particularly with regard to our national defense and economic competitiveness, while at the same time holding the line on wasteful spending." CJ

*March for Life a good example***Media Largely Ignore Pro-Life Events**

By KAREN WELSH

Contributing Editor

RALEIGH
The *San Francisco Chronicle* recently reported that "South Dakota's sweeping new law banning abortion in the conservative state also protects rapists' rights" and that observing the implementation of the ban is like "watching the extremist right in action."

The *Houston Chronicle* followed suit when it said, "South Dakota's politicians are willing to blight lives of rape and incest victims for a political gamble."

These newspapers and others in the mainstream media, however, virtually ignored the March for Life in Washington, D.C., Jan. 23. The marchers were there to save the lives of unborn children.

Officials estimated that as many as 200,000 marchers from across the nation participated in the event. It was a diverse gathering that included women suffering post-abortion trauma, homeschoolers, youth groups, and various secular groups, including the Pro-Life Alliance of Gays and Lesbians, Democrats for Life, and Feminists for Life. Protestants were there. So were Catholics and Jewish congregants.

The only organizations noticeably missing were mainstream media outlets. That didn't surprise Nellie Gray, the event coordinator and president of the National March For Life organization in Washington, D.C.

"I don't worry about the press anymore because they've never been friendly," Gray said. "Most of them have a bias against pro-life. Even when they do write an article, they never get to the issue that we're trying to stop the killing of the pre-born. It doesn't deter me. I will continue to explain life principles and take our message to Congress."

It's ironic, Gray said, how the mainstream press focuses on cruelty to animals, but journalists won't report on the mass murder of human beings, a total of 48 million since abortion was legalized through *Roe v. Wade* in 1973.

"The press doesn't realize they are participating in this murdering of unborn babies," she said. "Three thousand children are killed each day, and they ignore it. One day they will realize this. There will come a time when they will see it's not politically correct to kill pre-born babies."

Not everyone is blind to the problems, as the grass-roots movement has gained momentum in the fight for life over the past several years. Barbara Holt, president of the North Carolina Right to Life, said at least five buses filled with participants and many people driving their own vehicles traveled from North Carolina to the nation's capital to march.

"Rights to life is a basic issue," she said. "It's a hinge issue because you can't enjoy liberty or happiness without life. I go to the march every year to take a stand for life that is being threatened by abortion or infanticide. We are growing in numbers and strength. Maybe someday we will overturn *Roe v. Wade*. People will finally see what a bad law it is."

The biggest change this year, Holt said, was the number of young people attending the rally.

"I think the tide is turning increasingly across the country, and young people are becoming engaged," she said. "The youth were everywhere in Washington. They feel vulnerable. They realize large bodies of their peers are missing because of abortion, and they want that to change for future generations."

There is a general disconnect in the United States over the abortion of millions of children, Holt said. She said this is evident when the mainstream media and pro-choice forces vigilantly oppose the death penalty for killers, yet the organizations support laws that allow the mutilations and painful deaths of innocent children.

"There's no appeal for the unborn," Holt said. "It's regrettable."

Alamance County resident Kimberly Wood was one of the pro-life supporters who took a chartered bus to participate



in the March for Life crusade. One of the most touching moments of the day came when members of the group Silent No More, an organization of women who have had abortions, spoke to the crowd, Wood said.

"They were speaking up and telling their stories and sharing the pain they're still going through years and years later," she said. "They had the courage to come out and speak up."

That's one of the reasons Tetilia Brown, president of PLAGAL, joined the march. Although a "non-traditional" pro-lifer, Brown joined the movement because of a forced abortion she suffered when she was 18 years old.

"I need to let women know that abortion hurt me and it hurts women," she said. "It's helped me to heal from my abortion."

Brown also said her non-religious based organization serves a useful purpose at the march. "We are a part of the fringe group that makes up about 10 percent of the crowd," she said. "We are trying to educate the pro-life community that you don't have to fit into the stereotype to be in the movement."

Ann Scheidler, executive director of the Pro-Life Action League based in Chicago, said her non-sectarian activist group attends the annual march not only to support the movement, but also to gain a morale boost for the coming year.

"It's really exhilarating to see that kind of crowd gathering together," she said. "It's very upbeat, and it keeps the momentum building. It also helps prepare us to be diligent."

There's still a lot of work to be done in North Carolina, Wood said, and she spends a lot of her time supporting pro-life activities all year through her local Right to Life Chapter.

"North Carolina is a state that has pre-*Roe v. Wade* history," Wood said. "Abortion was legalized in our state in 1967, and we have no law to ban assisted suicide." In fact, Holt said the state does not uphold the value of life or the sanctity of human rights through its current laws.

"We have to do our work in this state," she said. "North Carolinians need to be informed and let their voices be heard. They need to become involved with an organization to be connected with what is going on. North Carolina is a hotbed for the pro-death forces. It's really very sad."

Wood said that she won't stop her efforts and that she's hoping the mainstream media will be around soon to cover the pro-lifers' ultimate goal — to have all the laws allowing abortion overturned.

"I'm looking forward to having a victory march in the near future," she said. "We are going to win." CJ

Kristol: Conservatism in Good Shape for Long Term

By CAROLINA JOURNAL STAFF

RALEIGH

Bill Kristol is editor of *The Weekly Standard* and a contributor to Fox News. He recently sat down with the John Locke Foundation's Mitch Kokai to discuss conservatism in America.

Kokai: Well, let's start with this. Your colleague Fred Barnes started a recent article with this description of a typical conservative: "Supporting small government with low taxes. Traditional values, such as the sanctity of life, and a hawkish foreign policy." Is that a good place for us to start?

Kristol: It is, and I think it's also good just to start with history, and who is the most famous and prominent and successful conservative in the last 50 years? Ronald Reagan, one of the great presidents of the United States and someone all conservatives look up to. And what did he stand for?

He stood for cutting taxes and trying to reduce the size of government, or at least stop the continued growth of government on the domestic side, a hawkish and informed foreign policy that sought to defend or promote liberty around the world, and the defense of the traditional family and the sanctity of life and traditional values, and also a commitment to a kind of an American patriotism. So I think if you admire Reagan, then you're a conservative.

Kokai: After the first Bush administration, the Clinton years, and now into the second Bush administration, just how much of that Reagan brand of conservatism is still having a sway over politics?

Kristol: I think a lot. You know, a lot of people thought in the '90s and even in the late '80s after President Reagan left office — I was there in the first Bush administration — there was a sense of, "Well, okay. President Reagan did a good job for his time," but the Cold War had ended and tax cuts had gone into effect, and now it was time for a different brand of conservatism or new policies or maybe Reagan was just a guy we look back on fondly and with nostalgia.

I think what the 21st century so far proves is that Reagan remains an extremely important guide for our time. Foreign policy, obviously the threat of Islamic radicalism, is different from Soviet Communism. But the principles Reagan embraced — strong defense, a message of strength and, "Don't mess with us," to the world, but also a commitment to advancing liberty and defending democracy around the world — Reagan's foreign policy remains very relevant today.

I think his economic policies remain very relevant today: Bush cut taxes, we've had good economic growth.

Europeans didn't cut taxes, and they've had very slow economic growth.

And on the traditional values sorts of issues, again lots of sophisticated people said, "Well, that's kind of in the past," but the more you look at the world, the more you look at social science evidence, the more you look at common sense, the traditional family and the respect for life and the respect of American traditions turns out to be the best thing for us and our kids most of the time.

Kokai: The conventional wisdom has seemed to be the first Bush administration was maybe Reagan-light, or not quite Reagan, and that President Bush has been more supportive of those principles, but he's not the same guy.

Kristol: I think he has been more supportive of the principles, but A: The principles changed 15 years later obviously, or they didn't change, but they changed in their implementation. And B: He's not the same guy, and he's got different strengths from Reagan and also different limitations, I would say.

Kokai: So one of the things that you're looking at very closely is the future of conservatism. What should we see on the forefront?

Kristol: I think the future looks pretty good, you know? I mean conservatism has been counted out many times. Back in the '50s it seemed like a hopeless quest when Bill Buckley started *National Review* 50 years ago. With Reagan, the speech for Goldwater in '64, his campaign in '76, the losing presidential efforts, it looked like, "Well, the conservative movement would never win electorally."

Then came the '80s and the successful Reagan presidency, the '94 takeover of Congress, and at each stage of course there have been setbacks and one wave crests and recedes a little bit and there are some defeats, but what strikes me really, if you step back and look at the 50 years, is how strong and so permanent the conservative message has turned out to be: Being strong in the world, supporting traditional values, economic growth based on tax cuts and limiting government. Those are as relevant in 2006 as they were in 1956 or 1986.

And so I think the conservative future is strong and promising. That doesn't mean that you can't lose elections in 2006 or in 2008 obviously. And I think



Bill Kristol, Fox News contributor and Weekly Standard editor

conservatives?

Kristol: That's certainly been the trend over the last 30, 40 years. One of the biggest facts about American politics today is the movement of conservatives to the Republican Party, the movement of liberals to the Democratic Party, the exclusion, to some degree, of conservatives to the Democratic Party, and to some degree the choice of liberals to leave the Republican Party.

So the parties have become more ideological. It's a good thing and a bad thing. In some ways you'd like to have more, and perhaps cross-party, cooperation that was possible when the parties were less distinct. On the other hand, in a way there's a kind of accountability now, and voters do get the sense they're voting for people they really agree with, not just for a party label. So it cuts both ways, but for now at least it looks to me as if the future of conservatism is in the Republican Party.

Kokai: We have tended to see that the party in power, Democrat or Republican, runs into scandals, some of them involved with the process of governing. The Republicans are running into this right now. Does that hurt the conservative cause to have — because Republicans are the party in power and do have some sort of scandals involved with the government — that that hurts the conservative cause, or do you think it makes much difference?

Kristol: Well, sure it hurts in the short term, and I think Republicans in Congress are at some risk in 2006, partly because of the scandals, partly because of the sense that they haven't controlled spending, partly just because of a sense when you're in power for a decade people start to blame you for everything. You don't get much credit for anything. Conservatives are a little depressed. The Republicans haven't stuck to conservative principles. Other voters might just look at some program

tactically there are some real challenges for the Republican majority in Congress and probably for the next Republican presidential candidate. The Bush administration has had some tough times, but I'm optimistic about conservatives.

Kokai: Now, we know that over the years there has been an alliance of conservatives in both parties, but do we see that in the future only one of the parties is more likely to have all the

like the prescription drug benefit and say, "Well, it's not working very well. Let's blame the Republican member of Congress that voted for it." So I think Republicans are at some risk in the short term. Now, I don't think longer term it makes that much difference probably. There will be a fresh presidential candidate in 2008. He won't have anything to do, presumably, or she won't have anything to do, with Jack Abramoff or congressional scandals. So I think these things do come and go, but they can have a short-term effect.

Kokai: Speaking of 2008, just how important is it for this Republican candidate to be someone whom the conservatives view as a strong conservative and not just someone there in the middle?

Kristol: Yeah, I think it is important that the candidate be a strong conservative, with the caveat that one generation of strong conservatives isn't identical to another. And if national security becomes the dominant issue, it's conceivable that people might be less, put less weight on certain aspects of the conservative agenda or if other issues become central. I think national security and the courts, when you think about 2008, those are the two issues that leap out to me.

You know, there are interesting questions of economic policy and health care, but when you really get down to it, it's likely in 2008 that the next president will tip the balance on the Supreme Court one way or the other, and of course the next president will continue, will have the task of continuing to fight this war on terror across the board and deal with the threat of Islamic radicalism and the proliferation of nuclear weapons. And I think on those two issues conservatives will want to see a strong voice and a strong advocate for their principles.

Kokai: Looking ahead 15, 20, 25 years, what's conservatism going to look like then?

Kristol: That's a tough, tough question, and I think in American politics it's tough enough to look at, you know, five or 10 weeks or months let alone five or 10 or 15 to 20 years. I guess I think, on principle though, it's not that different.

I don't think conservatism will have abandoned the defense of the family or the defense of life. I don't think conservatism will have abandoned the notion that American strength and leadership is crucial to the peace of the world.

So I think there will be particular challenges. The baby boom generation retiring, advising and revamping entitlements, those sorts of things. But I think conservative principles are in pretty good shape, not just for the short term, but really for the longer term. CJ

State School Briefs

Wake to convert store

The Wake County Board of Commissioners on March 20 approved a motion to acquire a Winn-Dixie grocery store in Wake Forest and convert it into a ninth-grade center for Wakefield High School, WRAL-TV in Raleigh reports.

Beginning in 2007, ninth-grade students will go to school there, as part of an effort by the county and school leaders to ease crowding in the county public school system.

School officials want to lease the store for 10 years for about \$5 million. It will cost about \$7 million more to renovate the facility, and take six to 10 months to renovate it. It can take three years to find the land and build a school from the ground up.

"It's something we can get on the ground and open faster," said incoming Wake School Superintendent Del Burns.

Burns says that turning existing buildings into schools plays a small but important role in the effort to find more space for the ever-expanding Wake County school system.

That's because existing buildings are often located in prime areas where land is already developed. It's also faster to convert an existing building into a school rather than begin construction on a new school.

Beaufort County grant

The people in rural America are the strength of the nation, U.S. Rep. Walter B. Jones Jr., R-N.C., told a group of Southside High School students in Chocowinity on March 21, the *Washington Daily News* reports.

His words marked the debut of funding earmarked for a distance-learning model in place in Beaufort County since the beginning of the school year. Jones and other area legislators stopped at the high school to inspect the program and celebrate the arrival of a U.S. Department of Agriculture-Rural Development grant.

The \$114,211 check will reimburse Beaufort County Schools for its interactive video-conference system installed at the county's three high schools.

The Rural Development arm of the USDA awarded more than \$29 million in distance-learning and telemedicine grants this year.

Beaufort County Schools is the only North Carolina recipient out of the 79 grants awarded, 44 of which promote educational opportunities. CJ

One proposal: Use as a text itself

Bible in Schools: A Diversity of Ideas for Its Use

By MAXIMILIAN LONGLEY
Contributing Editor

DURHAM

There are many efforts nationally to get the content of the Bible incorporated into public-school curricula using several secular textbooks. But one North Carolina group has a different idea. They suggest that the Bible itself be used as a textbook.

The National Council on Bible Curriculum in Public Schools, an organization based in Greensboro and having many North Carolinians in its leadership, is promoting the idea.

In addition, the group provides several resources for teachers, including a lengthy teachers' guide. Another resource is a CD-ROM of a 1969 textbook (*The Bible Reader: An Interfaith Interpretation*) with various Bible translations accompanied by commentary from Roman Catholic, Protestant, and Jewish perspectives.

Last year, a group called the Bible Literacy Project published studies suggesting that American teen-agers were deficient in Bible knowledge. Students in public schools, in particular, had a great degree of Biblical ignorance compared to private-school and homeschooled students. English teachers surveyed in the studies said that students' Biblical ignorance made it more difficult for the students to understand the literature they were studying.

A few months after issuing their report, in September 2005, the Bible Literacy Project unveiled a high school textbook, *The Bible and Its Influence*. The NCBCPS teachers' guide sometimes recommends a 1995 text, *The Bible As/In Literature*. This is a mainstream academic text whose authors are not connected to NCBCPS.

NCBCPS claims that its curriculum is used in hundreds of schools in 37 states, but it declines to give specifics, citing fears that the schools involved might get harassed by secularists. According to an account in *The News and Observer* of Raleigh, Wake County schools use a version of the curriculum.

State Sen. Neal Hunt, R-Wake, is on the advisory board of NCBCPS. The state of Biblical literacy is "very poor," he said. Many of the Founding Fathers were "strong believers in the Bible," Hunt said, and by learning about the Bible, students would be able to understand "where the Founding Fathers are coming from."

When a school board in the Odessa, Texas, area was considering the NCBCPS curriculum, a separationist organization published a critique of the curriculum, claiming that the teachers' guide was sectarian, recommended sources endorsing young-earth creationism, and wasn't properly sourced. NCBCPS denounced the criticism, while modifying its teach-

ers' guide.

The Bible and Its Influence is about 400 pages long. The book contains summaries of the various books of the Bible, along with discussion questions, sidebars, and pictures. Students are encouraged to supplement their reading of the text by studying particular books and passages in the Bible itself. *The Bible and Its Influence* largely portrays the Bible as a positive influence, particularly on behalf of progressive causes. For instance: The books of Ruth and Esther are said to have a bearing on "women's struggle for equality."

While the text regretfully notes Timothy's traditional attitude toward women, it promptly goes on to praise the pro-feminist sentiments of Galatians 3:28. *The Bible and Its Influence* has a curious array of supporters. It's been endorsed by prominent evangelical Charles Colson, as well as by church-state separationist Marc D. Stern, general counsel of the American Jewish Congress.

In another interesting development, the textbook was endorsed by name in a Bible-curriculum bill sponsored by Democratic leaders in the Alabama House. It was implicitly endorsed in a Democratic bill in the Georgia legislature, but the Republican-controlled Senate approved a substitute calling for a Bible course with the Bible itself as a textbook.

Judith Schaeffer, deputy legal director of the People for the American Way Foundation, said her organization opposes the NCBCPS curriculum, while it avoids taking a position on *The Bible and Its Influence*.

Teaching the Bible as true, which the NCBCPS curriculum allegedly does,

would violate U.S. Supreme Court precedents about the separation of church and state, Schaeffer said.

One case where the People for the American Way Foundation fought allegedly sectarian Bible teaching took place in Lee County, Fla.

In 1997, the Lee County School Board voted to teach a Bible course inspired by NCBCPS (the extent of the inspiration is today a subject of controversy). PFAWF and the American Civil Liberties Union sued the school board in federal district court, which ruled that the curriculum's New Testament section was unconstitutional, and that the Old Testament section needed to be closely monitored.

At the urging of the judge, the parties reached a settlement, in which a new Bible course was adopted. The textbook was called *An Introduction to the Bible*. In a 2002 letter, Schaeffer and another PFAWF lawyer approvingly cited the Lee County settlement and the use of *An Introduction to the Bible*: "a truly academic, objective and secular approach."

One of the co-authors of *An Introduction to the Bible* is Professor Mitchell G. Reddish, chairman of religious studies at Florida's Stetson University. Reddish recalls the Lee County case. After the settlement, he instructed teachers there on how to use his book. However, Reddish said, "That whole experiment fell through."

An Introduction to the Bible is written at the college level, Reddish said, but not for high-schoolers (members of the Lee County School Board didn't respond to an e-mail from *Carolina Journal*). *An Introduction to the Bible* calls itself a college textbook. CJ



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Governor's Priorities for Budget Topped by Teacher Pay Raise

By JIM STEGALL
Contributing Editor

RALEIGH

Education budget writers will have new money to spend when the General Assembly opens its short session May 9. Increased tax revenue — and the first fruits of the state's new education lottery — would appear to give lawmakers breathing room in revising the second year of the state's two-year budget passed last session.

But Gov. Mike Easley already has plans for most of that money, and he often gets his way with the current legislative leadership.



Gov. Mike Easley

The centerpiece of the governor's agenda is his plan to raise teacher salaries by about 5 percent. In November, after the budget had been passed with a modest 0.35 percent raise in the teacher pay scale, Easley exercised the special authority written into the budget to shift \$85 million into teachers' salaries, giving all state-paid teachers an extra \$75 a month for the remaining seven months of the school year. At the time, he announced that this was the first step in a five-year plan to raise teachers' salaries in North Carolina to the national average.

But this year's installment on the plan will be more expensive. The state will need to hire more than 1,800 teachers this year just to handle the projected increase in student enrollment. Add to that the 884 new hires the State Board of Education has recommended in order to provide full-time mentors, and another 932 to provide increased planning time, and new money will have to be found for up to 3,620 new teachers, in addition to the raises.

Despite the concerns over cost, most legislators contacted for this story said that raising teacher salaries is an important step in attracting and keeping a competent, qualified teacher workforce. Expect the salary increase, along with more money for the governor's signature More at Four pre-school plan, to be approved.

Inspired by the prospect of new money, the State Board of Education recently weighed in with a costly supplemental budget request, totaling \$473 million. The board's other top priorities are to restore \$44 million in discretionary

cuts, which last year's budget imposed on local districts, \$11 million for high school reform, \$4 million for reading coaches, and more than \$5 million to help students with limited proficiency in English. The board made a point of aligning its monetary requests with programs the governor is known to support, so many of the top priority items stand a good chance of becoming law.

Relief from the state-mandated discretionary cuts is also a top priority for local school boards. Their lobbyists also will seek restoration of the sales tax rebate, which districts had been receiving until it was eliminated by the legislature last year. While there is broad support among legislators for these efforts, it's not yet clear how the governor will come down on the issue.

Another issue of concern to local boards is the formula for distributing the school construction portion of lottery funds, which rewards districts with high tax rates. For example, under the current law, high-tax Durham County is scheduled to receive almost twice as much lottery money for construction (\$4.57 million) as fast-growing, low-tax Union County (\$2.33 million), despite having virtually the same number of students. Several legislators are eager to reconsider the funding formula.

One idea that ranks as a long shot, at least for now, is a statewide bond for school construction that would be repaid using lottery money. The Department of Public Instruction is due to release a study that could show a backlog of construction needs totaling as much

as \$14 billion.

In the background of all discussions about schools and money are the ramifications of the *Leandro* school-funding equity case. Judge Howard Manning recently threatened to close chronically low-performing high schools, and no one yet knows what he might require from the legislature in terms of school funding. Another returning policy issue involves rehiring teachers who have retired. Educators have been trying for years to get the state to allow retired teachers to be rehired on a case-by-case basis to address the perceived teacher shortage. However, the IRS has warned that allowing immediate rehires could jeopardize the special tax status of the state employees' retirement system.

Current policy calls for a six-month break in service before rehiring, and some lawmakers are considering shortening that to as little as two months. CJ

In the background of all discussions about schools and money are the ramifications of the Leandro school-funding equity case.

Commentary

Two Educational Philosophies

How do children learn? While this question has enlivened public debate for decades, it is now the source of a great divide among educators. Proponents of two competing philosophies — romanticism and classicism — are battling for the ideological high ground in American schools.

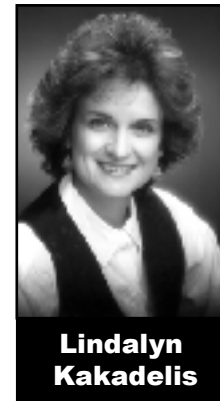
The stakes are high: Students in our country aren't faring well academically. Recently, the Educational Testing Service released a discouraging report detailing trends in high school graduation data. Over the past 30 years, high school completion rates in America have dropped sharply, from 77.1 percent in 1969 to 69.9 percent in 2000.

To what do we owe this decline? Our downward academic spiral is caused, in part, by the education establishment's embrace of an increasingly progressive or "romantic" view of how children should be taught. Romanticists believe that children are best educated in a hands-on, natural way — too much structure and repetition snuff out an innate love of learning. According to this philosophy, objective tests and rote processes hold little value, since children learn based on their interest in a particular subject and not because they seek rewards or fear punishment. Teachers are guides for the journey, rather than experts in all things academic.

At the other end of the spectrum is the "classic" approach to education. Classicists view learning (like life) as necessarily striking a balance between natural impulses and artificial constructs. Think of it this way: A student might not naturally yearn to study literary or math concepts, but he must understand them for his own good. That means classicists don't balk at rote memorization or drills — how else do students master math facts or multiplication tables?

If this seems like an interesting but irrelevant ideological exercise, think again. These philosophies have significant repercussions for how teachers are trained, how classrooms function, and how curriculum is taught. Dr. E. D. Hirsch, a professor of education and humanities at the University of Virginia, traces the origins of this debate in the annals of intellectual history and its many implications for American schools in his article, "The Roots of the Education Wars."

Hirsch, a Classicist to the core, cites abundant evidence that Romanticism has failed. Proof of the value of Classic techniques comes from research done in the 1980s by sociologist James Coleman. Coleman found that Catholic schools did a better job of closing racial and social achievement gaps than did public schools because of their varied and rigorous curriculum, their emphasis on drills and practice, and their expectation that children should meet minimal goals in each subject. Coleman's conclusions are bolstered by data on "effective schools," showing that schools work best with



Lindalyn Kakadelis

explicit academic goals, a strong focus on academics, order and discipline, maximum time on learning tasks, and frequent performance evaluations. Put simply, hard work, even when it feels unnatural, pays off. Hirsch sums up: "The very idea that skills as artificial and difficult as reading, writing, and arithmetic can be made natural for everyone is an illusion that has flourished in the peaceful, prosperous United States."

Yet schools of education — the route to certification and teaching jobs in our country — continue to indoctrinate teachers with Romantic philosophy. Teacher-training institutions stress implicit, natural instruction (through projects and discovery) over knowledge of basic subject matter. When research demonstrates the failures of Romantic pedagogy, the education elite suggests that instructors are abandoning their beliefs, or that they lack the funding to successfully educate all students. Meanwhile, a third of our students aren't graduating from high school, and far too many graduates move "up" to remedial courses in college.

What's the solution? While we may dabble at reform, real change will come only when we shift the way we think about education. Good teachers should seek to nurture a child's innate intellectual curiosity, but they must also insist on a lot of hard work. That may not sound very "romantic," but as French philosopher Joseph-Marie de Maistre said about 200 years ago, "There is no easy method of learning difficult things." CJ

Lindalyn Kakadelis is director of the North Carolina Education Alliance.

School Reform Notes

Linking pay with results

A new pay-for-performance program for Florida's teachers will tie raises and bonuses directly to pupils' standardized-test scores beginning next year, marking the first time a state has so closely linked the wages of individual school personnel to their students' exam results, *The Washington Post* reports.

The effort, now being adopted by local districts, is viewed as a landmark in the movement to restructure American schools by having them face the same kind of competitive pressures placed on private enterprise, and advocates say it could serve as a national model to replace traditional teacher pay plans that award raises based largely on academic degrees and years of experience.

Gov. Jeb Bush has characterized the new policy as a matter of common sense, asking, "What's wrong about paying good teachers more for doing a better job?"

The pay program approved in February by the Board of Education is mandatory and intended to ensure compliance with a 2002 Florida law requiring performance pay for teachers. The policy comes amid growing debate about the Florida Comprehensive Assessment Test, which Bush has put at the center of his school-restructuring plan.

Johnston's school plans

Johnston County is weighing a proposal to open an exclusive school for its most talented students, and a Smithfield group hopes to open the county's first charter school, *The News & Observer* of Raleigh reports.

"We're getting so big now, we have a diversified clientele with increasingly diverse needs," said Keith Beamon, associate superintendent for curriculum, who is spearheading the concept of an Advanced Learning Center.

The center, in Smithfield, would be a full-time middle and high school for 500 students from across the county who compete for spots based on their academic ability or talent in the arts.

It would house the rigorous International Baccalaureate program and offer three specialized degrees — science, math, and technology; international studies; and communication and cultural arts.

It also would serve gifted elementary students who now spend a few hours a week at the Academically and Intellectually Gifted Center in Smithfield. CJ

Sports, band, debate

Extra-Curricular Activities Grow for Homeschoolers

By HAL YOUNG
Contributing Editor

RALEIGH
The popular image of homeschooling is a mother and her children leaning over the kitchen table or gathered in the family room with their schoolbooks. This is not inaccurate for most families, but it is far from complete.

Studies show homeschooled students are involved in many after-school activities along with their public and private-school counterparts, such as scouting, 4-H, church groups, and sports leagues. Yet home educators also are building their own programs to provide more of the traditional high-school activities, such as varsity athletics, band, and academic clubs.

Sports

Many homeschoolers play baseball, soccer, and football in local recreational leagues. These tend to focus on younger grades, knowing that promising players will usually graduate into high-school athletics. This avenue is closed to homeschoolers, since rules for the N.C. High School Athletic Association don't allow students from nonpublic schools to participate in public school sports.

In response, homeschooling families in many towns have organized sports programs of their own. Some are credible competitors in the private school leagues, but finding a venue for statewide competition can still be a problem.

North Carolinians for Home Education, the state's largest homeschooling organization, sponsored the sixth annual North Carolina State Homeschool Basketball Tournament in February. This year, the league expanded to hold east and west divisional playoffs, and the tournament has been recognized as the largest state championship for homeschoolers in the country.

Ernie Hodges, a longtime coach of youth basketball, softball, and cross-country teams in Winston-Salem, has been the head of NCHE's athletic programs since they began. The league includes 42 basketball teams in 11 cities. New programs are proposed for the Charlotte and Asheville areas, he said. Tournaments are also being conducted in volleyball and golf, and more sports are being considered. "Boys' and girls' soccer is developing, though we'll probably wait until this fall for the first tournament" to even out the athletic calendar, Hodges said.

While some private and Christian schools accept individual homeschooled students, their own league rules keep them busy playing other school teams. "It's getting progressively more difficult to schedule teams in the Christian school



The sixth annual North Carolina State Homeschooling Basketball Tournament was held in February (Photo by Virgil Hilton)

leagues because of their own [scheduling] requirements," Hodges said. NCHE's league ensures that homeschool teams continue to have a competitive home of their own.

It has a character of its own, too, Hodges said. Competition is keen and both college recruiters and ACC referees have come to the NCHE tournament, but Hodges said the off-court interaction is more constructive. "It breeds camaraderie between teams," he said, "because they have the same [academic] stresses and pressures on them. The students come away from the tournament encouraged after spending the weekend with students from other towns."

"I see parents from opposing teams on the sidelines, discussing curriculum" between games, Hodges said. "I've overheard some of the school teams saying it would be embarrassing to lose to 'a bunch of homeschoolers,' but we don't get the level of viciousness in our own tournament."

Embarrassing or not, the Forsyth Home Educators team, which Hodges coached for several years, is currently 4-0 against area private schools this season.

Music

Homeschoolers are also gathering to work on the fine arts together, with a number of band programs available in the state.

One of the oldest is in High Point. Dr. Dennis Renfroe teaches at John Wesley College. Thirteen years ago, he said, the college suggested that since they didn't have a regular band at the college, he might use their facilities to start a program for local homeschoolers. It would be a way to introduce the college to homeschoolers, and he could stay active with a band program, he said.

The High Point Homeschoolers Band, as he named it, now has 48 students. The instrumentation is pretty well-balanced, Renfroe said, though light on the more expensive instruments usually purchased by the school. Like small ensembles always have, they adapt the parts to fit the available musicians. "We don't have some of the larger percussion," he said, "and we don't have a tuba; I've transcribed the tuba part for our electric bass player."

Although not a home educator himself, Renfroe said, his students have responded well to high expectations. "I don't tell them a particular piece is too difficult for them; I just hand out the music and we get started. I've got sixth- and seventh-graders who are playing ninth-grade literature," Renfroe said. Some of his students have gone on to play in college ensembles.

Meredith Stephens, a homeschooling mother of four in Thomasville, started a different kind of ensemble. Stephens has played flute since she was a child, and this year she organized a flute choir with 13 students. They recently gave their first public concert at the Archdale Public Library.

Academics

Of course, homeschoolers have attracted attention for success in high-profile academic events such as the National Spelling Bee and the Olympiad of the Mind. There are opportunities for advanced academics on the local level as well.

Joseph Wirtz, for example, offers tutorial programs in logic, speech, and Christian apologetics, bringing parents and homeschool students into the classroom together. His most popular program is a debate school, which he teaches across eastern North Carolina. The classes, sponsored by Wirtz's nonprofit, The Cultural Commission, were offered in six locations this year from Greenville to Concord, and may expand to Wilmington and Boone next year.

Even though they are spread out, the clubs are not isolated. "We meet every other week," Wirtz said, "and between classes the students take part in a moderated forum on the Internet, with reading and discussion assignments." The forum is also a place to hone their arguments, as they prepare to debate both the positive and the negative case of every resolution.

"I limit the club size to 12 students," he said. "Any more than that, and I can't spend the time listening and coaching every individual in the class." CJ

Hal Young is president of North Carolinians for Home Education.

What works best

DonorsChoose Gets Private Funds in Teachers' Hands

By PAIGE HOLLAND HAMP
Contributing Editor

RALEIGH

The vast majority of North Carolinians agree that public schools need an overhaul. For the most part, the agreement stops there. Strategies suggested for accomplishing systemic change are all over the place: increased funding, smaller classrooms, pre-K programs, Learn to Earn, school choice, increased teacher pay, vouchers . . . the list is endless. However, there is one other place where common ground can be found. More money must be put directly into the classroom.

On both sides of the political aisle, many believe that good teachers are the key to improved learning for students. Teachers are on the front lines. They know their students' strengths and weaknesses, how they learn, and what resources they need in the classroom. Unfortunately, under the current system teachers receive few discretionary dollars for use in the classroom. An innovative project, DonorsChoose, aims to change that and get private dollars directly into the hands of teachers.

The mission of DonorsChoose is to address the scarcity and inequitable distribution of learning materials and experiences in public schools. The goal is to improve public education by engaging citizens in an online marketplace where teachers describe and individuals can fund specific student projects. Created by a former social sciences teacher from the Bronx, Charles Best, the concept is simple yet effective.

Working on the premise that teachers know what their students need, Best created an easy-to-use website

where teachers submit classroom projects or experiences their students need to learn. Donors peruse the list of projects by region, subject, cost, school type, or student profile. Once they find a project they want to fund, donors can choose to fully or partially fund the project. What this means is anyone can directly support students, whether a donor can afford a \$5,000 gift or a \$5 gift. Once a project is fully funded it is moved to a different location on the website. At the end of the project donors receive a personalized packet from the teacher complete with pictures and letters from students describing the impact on their classroom.

Since its inception in 2000, DonorsChoose has spread like wildfire. Thanks to Michael Brader-Araje, North Carolina was the first state to get DonorsChoose and the state served as a model for national expansion. After watching an interview with Best in the fall of 2003, Brader-Araje found his name on Google and his phone number and arranged a meeting. A former teacher and entrepreneur who created OpenSite and truPilot, Brader-Araje has a good eye for innovation. Shortly after meet-



A collage from a fund-raising brochure developed by a teacher to solicit funds from the DonorsChoose program shows potential donors who will be the recipients of their donations.

ing with Best, Brader-Araje lined up an advisory board and invested his own money to hire an executive director to build a DonorsChoose program in North Carolina. They launched the project in 15 school districts in February 2004 and by that fall it went statewide.

Missy Sherbourne, DonorsChoose executive director for North Carolina and South Carolina, said 100 percent of donations made online for projects go directly to fund those projects. Administrative costs are raised separately. Sherbourne, a former Baltimore city public school teacher and North Carolina executive director of Teach For America, is enthusiastic about the impact DonorsChoose can have on education. "Teachers really do know what they need better than anyone," she said. "It is incredibly powerful and empowering for teachers to have access to the resources they need to ensure their students learn."

Teachers' proposals vary in cost and content. Browsing the website, potential donors will find projects in math, science, reading, social studies, arts, music, and physical education. Funding ranges from less than \$100 to more than \$1,000. The creativity of many of the projects is remarkable: a Middle School Scrabble Tournament to build vocabulary, spelling, and literacy skills; We're Magnetic and Our Light Bulbs Are On to improve science process skills; and Shake, Rattle and Roll, a dance class to combat hyperactivity so students can focus on learning. But just as important as creating a unique learning environment to engage students is having the basic supplies teachers need. There are hundreds of requests for pencils, notebooks, calculators, math workbooks, globes, and books. Donors from all states have responded generously to the teachers' appeals.

Nationwide more than \$5.5 million has been put directly into teachers' hands. Since its launch in 2004, DonorsChoose NC has funded \$750,000

in teacher projects. All of the funds were private donations. Seventy-five percent of the donors were first-time givers to public schools. Many people don't give to public schools for fear their donations will go into a big, black hole. So what explains this ability to tap into donors who have never supported public schools? "Donors absolutely know where their dollars are going — there are no hidden costs," Brader-Araje said.


Perhaps one of the most impressive ways DonorsChoose is making a difference is in high-needs areas. Across the country there is an ongoing discussion about equitable division of resources, particularly to high-need and high-poverty schools. Of the 11,625 DonorsChoose projects: 8,758 were at high-poverty schools, and 1,727 were at high-need schools. Ninety percent of all projects funded were those in high-need areas.

Many teachers rave about the impact of DonorsChoose. "I'm sure I don't have to tell you how difficult it can be to acquire the necessary tools and materials needed to do our job properly. It is just wonderful that someone has taken the time to help make it possible to do what we love to do . . . teach," one online testimonial said.

Great things are happening in North Carolina, thanks to the strong leadership of Brader-Araje and Sherbourne. DonorsChoose NC recently won a national nonprofit innovation award given by Amazon and the Stanford Business School, based on the number of dollars nonprofits could raise using the Amazon Platform. DonorsChoose NC raised \$790,000 to win the award and Amazon matched it.

"Our biggest challenge is to get the word out to both teachers and donors," Sherbourne said. "And since donors from 47 states have funded North Carolina projects, we have an incredibly significant potential donor base."

Visit the DonorsChoose website at www.donorschoose.com. CJ



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Course of the Month

This month's honoree is a course at East Carolina University, EDUC 3002: "Introduction to Diversity."

The course itself is not unique. Even its hand-holding, privacy-invading, condescending requirement that students keep a "reaction/reflection journal" isn't unusual. Its selection is based upon it being emblematic of academe's highly politicized definition of "diversity," which we've described before: "[to] academe, ... diversity is only skin deep and intellectual diversity is dangerous and probably offensive to somebody who's 'diverse.' The campus idea of diversity generally resembles a bag of Peanut M&M's: different colors on the outside, same nutty interior."

Only in cloistered halls of American academe can you find people who think that someone who's seen at least 17 cycles of the four seasons, experienced nature and urbanity, interacted with elders and infants, wandered in and out of hundreds of shops, tried to choose a cable show, sat in numerous classrooms with hundreds of peers, been to sporting events and concerts and movies and hosts of other cultural activities, dated, loved and lost and comforted friends who've done the same, encountered numerous scholastic subjects from math to science to reading and everything in between, wandered in bookstores and libraries, wondered about religion, given gifts to friends and relatives, spent any time online, spun the FM dial looking for music or the AM dial for ideas, and generally lived life in America in the present with all its myriad choices and encounters too numerous to recount, let alone try to conceive in the space of a 350-word article, still needs an "Introduction to Diversity."

But that's because in universities, "diversity" isn't diversity. It's something else — something simple, something that can be quantified. Monitored. Something not unlike Peanut M&Ms.

The ultimate objective of "Introduction to Diversity" quantifies it: to "[i]ncrease understanding of diversity in religion, gender, class, sexual orientation, and student learning." The course objectives actually talk about "components of diversity" — which, to someone unfamiliar with diversity's political definition (Noah Webster, for example), would sound as abjectly stupid as discussing "components of variety." CJ

John Locke Foundation research editor Jon Sanders tracks down the monthly wacky course offering.

UNC Will Continue Growth Push, NCSSM move

By SHANNON BLOSSER

Associate Editor

RALEIGH

UNC officials will continue to push for enrollment growth funding to be included in the continuation budget as well as seek approval to make the North Carolina School of Science and Mathematics the system's 17th constituent institution. These items are included in the UNC nonbudget legislative agenda for the upcoming short session, which will begin May 9.

The agenda has yet to be approved by members of the UNC Board of Governors. That is expected to take place at the board's regular business meeting in April in Greensboro, which is being conducted in conjunction with President Erskine Bowles' inauguration at UNC-Greensboro. However, Bowles was present at a March 20 meeting of the Joint Legislative Education Oversight Committee to present legislators with the system's request for the upcoming year.

Bowles said the items included in the agenda were ones that would allow students to "compete and win in this new world of work we live in."

The request to make enrollment funding a part of the continuation budget is a request that UNC leaders have attempted to get approved for some time. It was one of former President Molly Broad's chief requests during last year's budget process when she made her pitch to legislators for UNC funding. Enrollment funding is similar to that of the Department of Public Instruction in that UNC, as well as the community college system, receives a certain amount of money from the general fund per student enrolled in the system. Last year more than \$73 million was included in Gov. Mike Easley's budget request for enrollment growth funding.

During a meeting last year of the joint appropriations subcommittee on education, Kristen Crossen, of the State Office of Budget and Management, told legislators that funding for enrollment growth is not in the continuation budget because there is "not a constitutional mandate to provide a free higher education."

Bowles said the move to place enrollment growth in the continuation budget would support "new students who have already been admitted" into the university system. He also said it would allow students in the system to be better-educated.

"This can't be a discretionary item," Bowles said.

Bowles also talked about agenda items that would make the university

run more efficiently, in his opinion. He said efficiency reviews are under way within General Administration as well as at each campus. Once recommendations are made, Bowles said, the Board of Governors will consider them in the same way as the Base Closing Commission, on the federal level, takes recommendations — approve them all or none at all.

Regardless of the review outcome, several efficiency measures were included in the university agenda. Included were a proposal to allow the Board of Governors to delegate some of its statutory duties to the Office of the President. Bowles said the move would allow board members to consider bigger policy issues, instead of having to

continually look at day-to-day operational issues.

"This is something we allow our boards of trustees to do," Bowles said.

UNC President Erskine Bowles on putting enrollment growth in budget

The UNC agenda includes the provision to make NCSSM a constituent of the UNC system. Since

the school was opened in the 1980s, it has received its funding through a line item in the UNC budget and has been considered as an affiliated institution, however neither the Department of Public Instruction nor the Board of Governors had true oversight over the institution. The move would allow the school to continue to have its Board of Trustees, but would allow the Board of Governors some oversight.

"This is a positive step for the school, the university, and the state,"

Bowles said.

Bowles also made a point to discuss faculty and the number of faculty members, who according to the system, have left to go to other institutions across the country. He said he would provide legislators with a list of faculty members who have left for jobs at other institutions.

The UNC agenda supports a plan, currently in discussion in a subcommittee of the Joint Legislative Oversight Committee on Education, that would change how long retirees must wait before taking another teaching job. UNC wants to preserve its "phased retirement plan and allow more flexibility in the rehiring of retirees," according to the agenda. Currently, retirees must wait six months before seeking another teaching job in North Carolina.

Rep. Rick Glazier, D-Cumberland, chairs the subcommittee examining retirees. He told committee members that his subcommittee is looking for compromise in certain areas where possible. A plan will be presented to the full committee for approval before the start of the short session.

Bowles said UNC officials would present legislators with a proposal to address other areas of need when it comes to teacher shortages in the state. He said the state needs more teachers and better teachers.

Bowles also sought legislature approval for more funding for need-based financial aid. Included in that request, is an agenda item that would allow taxpayers who contribute to the Parental Savings Trust Fund to deduct their contributions on their state taxes, beginning with the 2006 tax year.

That move, according to Bowles, would cost the state about \$1.3 million per year. CJ

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Community College Officials Want More Funds From State

By SHANNON BLOSSER
Associate Editor

RALEIGH
N.C. Community College System officials are requesting more than \$141 million in non-recurring spending from the General Assembly, including more than \$31 million to accommodate increased enrollment.

System officials also are asking for increased funding for technology enhancements, economic development, salaries, and system-office needs. Legislators will return to Raleigh on May 9 to adjust the state budget and to deal with other issues.

Kennon Briggs, vice president for business and finance for the community college system, said increased enrollment and an aging population, since some of the programs deal with allied health, necessitated the request for increased funding.

The system's enrollment has increased by more than 50,000 students since 1999.

"Growth has created challenges," he said. "Those challenges can only be conquered with an infusion of financial support."

The \$31 million, which comes under the heading of "access and affordability," would cover enrollment growth and regular-term enrollment growth. It also would fund financial aid,

"Challenges can only be conquered with an infusion of financial support."

Kennon Briggs
NCCC System vice president

funding for multiple college locations, and other items.

System officials also are asking for a 7 percent raise for faculty and professional staff. Other compensation costs include revamping the salary schedule for college presidents and funds for system office staff "that would enable the [system office] to be more competitive." In all, the system is asking for \$33.5 million in compensation funding, the largest single group request.

College officials also are asking for \$33.3 million for economic and workforce development. The officials propose to spend the money on allied health program funding as well as funding for biotechnology initiatives. There is also a plan to use some of the funding for two regional training specialists for the northeast and southeast regions of North Carolina. CJ

ECU Leaders Pushing Ahead With Plans for Dental School

By SHANNON BLOSSER
Associate Editor

GREENVILLE
East Carolina University officials are expected to seek approval for a dental school when the General Assembly's short session begins May 9. If construction is approved, the institution will become the state's second dental school, joining UNC-Chapel Hill's School of Dentistry.

The plan has been approved by the school's Board of Trustees, which passed a resolution for the plan at its February meeting. It also has the support of Speaker of the House Jim Black and Senate Pro Temp Marc Basnight. Other legislators, mainly from eastern North Carolina, have said in media accounts that they plan to support a new dental school at ECU.

No word on how much the proposed school would cost has been made official.

Discussion about a new dental school at ECU was evoked by a perceived need of new dentists in North Carolina, especially in the eastern part of the state.

According to an article published in the November-December 2005 issue of the North Carolina Medical Journal by ECU Vice Chancellor for Health Sciences Michael Lewis; Gregory Chadwick, assistant vice chancellor for oral health at ECU; and Terri Workman, associate vice chancellor for health sciences at ECU, the state will need an additional 1,209 dentists in the next 20 years to meet demand.

However, according to a 2004 North Carolina Health Profiles, published last year, there was a 15 percent increase in the number of dentists in North Carolina in 2004.

"Our intent is to develop a school of dentistry whose primary mission will be to attract into the profession individuals of high intellectual capacity who have a desire to practice dentistry in this state, and who are oriented toward a professional lifetime career of service to communities in need of high-level dental care," they wrote.

The authors also wrote that the school would not compete with or hurt UNC-Chapel Hill's dental school. CJ

Commentary

Revenge of the Tenured Radicals

The conviction that American higher education is a ship far off course and heading for the rocks was strengthened recently with the announcement that Harvard's president, Larry Summers, had been pressured into resigning.

Since Summers became president in 2001, the faculty had repeatedly quarreled with Summers because he didn't fit their idea of a modern university president. They had already voted "no confidence" in him once and were preparing to do so again. Why?

A modern university president must bow down before the idols of the leftist-thought world. Those idols include the abhorrence of the American military, acceptance of the idea that the historical grievances of blacks entitle them to special treatment today, and the belief that discrimination is the only possible explanation for group differences. Not only did Summers not bow down to those idols, but he said and did things to indicate that he rejects them.

To the tenured radicals, the military is a barbaric atavism. Summers painted himself with a scarlet (make that crimson) H for Heretic when he had a few words of praise for the military and sought to reverse the long-standing ban against ROTC on campus.

Another of Summers' sins was to criticize — privately — Harvard's superstar Black Studies professor Cornel West. West had been spending most of his time doing things in the realm of politics and entertainment. Summers had the effrontery to suggest that he ought to devote more of his time to academic matters.

Well! Just who is that white overseer to tell a black intellectual what to do? West went public with this unspeakable abuse and huffed off to do his thing at Princeton. Summers apologized for his indiscretion, but to no avail.

Blunders like those had put Summers' head in the noose, but what sprung the trap door was his questioning of a central tenet of feminist orthodoxy: All statistical disparities between men and women are evil, unjustifiable, and caused by discrimination. Summers angered the keepers of the faith when he carelessly advanced the

hypothesis that the comparative shortage of women in hard-science faculty positions might be because of something else, such as biology and the choices many women make.

The howls of indignation were ceaseless. University presidents are supposed to know that it's nothing but discrimination, the glass ceiling, which keeps women from achieving parity with men. Summers might just as well have said that he thought we should discuss whether the Earth was flat.

Taken aback by the paroxysms of rage occasioned by his "insensitive" speculation, Summers apologized for his transgression and pledged to start a new "diversity" campaign on campus. Ah, but you just can't apologize for words so heinous and hurtful as those.

A crucial point to understand is that in the governance of colleges and universities, the fault line does not lie along the liberal versus conservative divide. Rather, it is between those who are educational traditionalists and those who want to use education to further their ideological visions. People in the former camp believe that students should learn critical skills and master bodies of knowledge. People in the latter want to ensure that students adopt the right attitudes about "social justice," the environment, cultural oppression, and so on.

Alas, most of the people who are positioned to run educational institutions at any level are from the ideological vision group. Most professors want to work for someone of their own tribe.

Summers had impeccably liberal political credentials, but educationally he was a traditionalist. What the fight for control of Harvard tells us is that traditionalists have an extremely difficult task in front of them. Even the slightest, most innocuous or inadvertent criticism of the hallowed beliefs of the visionaries will trigger furious protests, denunciations, and "no confidence votes." CJ

George C. Leef is the executive director of the Pope Center for Higher Education.



George C. Leef

Bats in the Belltower

Geography Teachers' Tales

One day in February, high school geography teacher Jay Bennish decided that his students weren't getting the truth about something. Were there only 48 stars on his classroom American flag? Were his maps hopelessly out of date? Did they still refer to the Soviet Union?

The answers to those questions are no, no, and (deep sigh) no. What Bennish decided his students weren't being told wasn't related to his subject matter. It concerned politics.

Bennish was outraged that his students didn't believe President Bush is similar to a former leader of Germany, Adolf Hitler.

Bennish had decided that he was the one to tell his students this, and his geography classroom was the place to do so. He became so obsessed with this abuse of the classroom that finally one of his students captured one of his "geography lessons" on tape. At one point, he asked the class, "Who is probably the single most violent nation on planet Earth? The United States of America! And we're a democracy. Quote-unquote."

Bennish took umbrage that Bush said "we have been blessed essentially by God to have the most civilized, most advanced, best system," then he added this interpretation: "and that it is our duty as Americans to use the military to go out into the world and make the whole world like us. Sounds a lot like the things that Adolf Hitler used to say," he said.

"Now, I'm not saying that Bush and Hitler are exactly the same," Bennish clarified. "Obviously, they are not. OK. But there are some eerie similarities to the tones that they use."

Because his tirade was caught on tape and shortly afterward — thanks to Walter E. Williams on Townhall.com and others — broadcast to the nation, Bennish was placed on leave while his Overland Park, Colo., high school investigated the incident. Once the initial controversy died down, however, Bennish was reinstated. School officials said they had meted out discipline, but they wouldn't say what that was.

For his part, Bennish, having been re-entrusted with a classroom, promised to "promote student learning of geography, the subject I teach."

Just kidding! He never said

that. What he did promise was that he would continue to "promote social justice, just as I have always attempted to do."

'We are a college'

That same month, another geography teacher, Professor Karen Murdock at Century College in Minnesota, decided her students weren't getting the truth about

something. It, too, was something outside the subject area of geography.

"At the height of the international controversy surrounding the Muhammad cartoons, adjunct professor of geography Karen Murdock was concerned that most students at Century had not even seen

the cartoons and would therefore be unable to evaluate them intelligently," a press release from The Foundation for Individual Rights in Education stated. "On February 7, she posted the drawings, related newspaper articles, and blank comment sheets on a bulletin board near her office where various faculty members post items of interest."

The cartoons were repeatedly torn down, however, the last time by her academic division head, David Lyons, with the support of other, higher-ranking college officials. That is why FIRE got involved and seemed to secure Murdock's speech rights.

Murdock reposted the cartoons, but this time she placed them behind a veil. She wrote in large, black letters across the veil: "WARNING!! The material behind this curtain is CONTROVERSIAL and some people may find it OFFENSIVE." In smaller print she explained, "These are 12 cartoons of Mohammed first published in a Danish paper — Sept 2005."

It didn't matter. The cartoons were again ripped down, and officials again asked her not to repost them.

"We are a college. We are supposed to be a forum for the free exchange of ideas," Murdock said. "If we can't talk about this controversy at a college, where are we supposed to talk about it?" CJ

Jon Sanders is research editor for the John Locke Foundation.



Jon Sanders

Panel: The First Amendment Must Be Defended or It Will Be Lost

By MITCH KOKAI
Associate Editor

CHAPEL HILL

American journalists need to defend their First Amendment Rights in order to protect them, or "there's not going to be a torch to pass to the next generation." That was the assessment of one of North Carolina's leading free press advocates.

"I hope people don't look back years from now and say, 'Those guys were surrounded, and they all went down,'" First Amendment lawyer John Bussian said during a free press forum in Chapel Hill on March 6.

Bussian compared today's journalists to the defenders of the Alamo. The forum at the University of North Carolina was scheduled on the 170th anniversary of the last day of battle at that Texas fortress.

"One hundred seventy years ago, people were yelling, 'Remember the Alamo,'" he said. "We live in a society that has free press rights like no place else, but if they're not going to be protected and defended and asserted, they're not going to be there."

A worldwide debate about free speech took on new significance at the Chapel Hill campus last month. An editorial cartoonist depicted the prophet Muhammad in the Feb. 9 edition of the student-run *Daily Tar Heel*.

Wearing a turban, the cartoon prophet stood between two mosque windows. One window outlined a Danish flag flying in a peaceful scene. The other window depicted violence that erupted in Europe in the wake of a dozen Muhammad cartoons originally printed in a Danish newspaper.

The UNC Muslim Students Association lodged a complaint about the student cartoon. A dozen association members staged a peaceful sit-in at the newspaper office Feb. 20. None of them showed up for Monday night's forum. They missed *Daily Tar Heel* editor Ryan Tuck's defense of the cartoon.

"Cartoons in newspapers daily force the limits of freedom of speech," Tuck said. "They're the acid paper of the First Amendment. They're pushing that limit. They're challenging belief systems. They're sparking discussion. That's what I look for in a newspaper. And that's what I want a newspaper that I run to do."

Tuck's decision drew praise from

a fellow panelist. *Carolina Journal* editor Richard Wagner described his reaction to the worldwide controversy over the Danish cartoons. "I think it's alarming that so many newspapers chose to self-censor," Wagner said. "Thomas Jefferson said that's why they made the First Amendment the first amendment. It's the most important one. It's the one that ensures our democracy remains strong and vital."

Wagner included one of the Danish cartoons in a recent column. "If we don't exercise that right, then we surely will lose it."

"When it comes to the First Amendment, your interpretation is your opinion. I'm thankful that you're allowed to have it."

Ryan Tuck
Editor, *The Daily Tar Heel*

Muslim students were not alone in skipping the free speech forum. Panelists addressed only a handful of students in the lecture hall. "Most people take freedom of the press for granted," said Shannon Blosser of the John W. Pope Center for

Higher Education Policy, the group that organized the forum.

"They don't see that it's possible that we could lose these freedoms," Blosser added. "I think when people see those rights taken away, that's when people will start to show and take these things seriously."

Bussian led the panel's discussion of current threats to the First Amendment. They include a recent U.S. Appeals Court ruling that restricts free press rights for college newspapers that accept campus funding.

Newspapers in general also face increased threats of costly lawsuits, Bussian said. "Trial lawyers across America routinely sue the press for punitive damages for covering issues that are of clear public importance, for doing nothing more than publishing stories about matters that are important to the future of the public."

Panelists took comfort from the attitude expressed by Tuck, the student editor. "I believe in unfettered freedom of the press, an unabashed and unfettered First Amendment," he said.

"To the hundreds — maybe even thousands of people at this point — who have called or e-mailed about the cartoon, I've responded to each one the same way," he added.

"When it comes to the First Amendment, your interpretation is your opinion. I'm thankful that you're allowed to have it. This is my interpretation. I'm grateful that we're in a place where we have the opportunity to disagree." CJ

McWhorter's *Winning the Race* Skewers Affirmative Action

By GEORGE C. LEEF

One of the sharpest analysts of race relations in America is John McWhorter. A former University of California professor and current senior fellow with the Manhattan Institute, McWhorter rejects almost all of the "conventional wisdom" regarding race, especially the idea that the great obstacle to black progress is lingering racism.

When McWhorter engages a subject, he does so with relentless logic. In *Winning the Race*, his 10th book, McWhorter tackles a number of contentious issues revolving around the failure of many black Americans to advance and prosper despite ever-improving conditions in America.

"It's not that there is 'something wrong with black people,' but rather that there is something wrong with what black people learned from a new breed of white people in the 1960s," he writes. That something is an attitude McWhorter calls "therapeutic alienation" — a preference for anger and scapegoating as opposed to the work needed for success.

I have neglected to mention that McWhorter is black himself. That shouldn't matter in the least, since good analysis is good analysis no matter what the physical characteristics of the analyst.

McWhorter fully explicates his argument, and one of its facets concerns education. Why is there such a large achievement gap between black students and white and Asian students when the whites and Asians come from families of similar or even lower socio-economic status than the blacks?

Too many young blacks who pursue education at all — and many

don't — do so in a desultory fashion, expecting high grades just for showing up. "My people suffered in the past, so now I'm entitled," seems to be the prevailing attitude.

That attitude simply won't get the job done.

What about the policies of racial preference that most of the higher-education establishment so vehemently defends? McWhorter attacks them.

"To set the bar lower for black students out of a sense that the achievement gap is due to socioeconomics is mistaken," he writes. "Because the factor is not socioeconomic but cultural and self-perpetuating, the lowered bar only deprives black students and parents of any reason to learn how to hit the highest note." Thus, affirmative action is actually counterproductive in that it seduces its beneficiaries into believing that mediocrity is fine.

But don't colleges need a substantial percentage of black and other minority students in order to gain the benefits of "diversity?" Fealty to the concept of diversity has become an absolute requirement for anyone who wants to be considered for almost any administrative or faculty position in higher education, but McWhorter finds the idea nothing but condescension:

"[T]he 'diversity' cult is a direct manifestation of the therapeutic alienation meme: This is why it is argued for so desperately despite something that makes no sense on its face. Namely, being cherished for one's color and how



it contributes to the local diorama used to be called being a token black.... Even in the face of an institutionalized dismissal of blacks' abilities to compete seriously on an academic level, the oppositional

bedrock of the 'diversity' rationale — celebrating being different from whitey — is so seductive that it becomes a mantra warmly cherished."

At this point, diversity advocates chime in that it isn't just tokenism — they want to make sure that classes are "enriched" by the addition of distinctively "minority" points of view. Some may let that argument skate by unchallenged, but not McWhorter.

He writes: "It is unclear just what a 'black' opinion is. Even the most doctrinaire radical shies away from supposing that in the real world, pigment and politics walk in anything approaching a lockstep. After all, if there really are 'black views,' then couldn't professors just learn them from a gathering of black students over a summer and then recite them from their own notes during the school year? Besides this, the entire notion applies logically only to a mere sliver of any curriculum. What is the 'black view' on systolic pressure? *Le Chanson de Roland*? Contract law? Musical counterpoint? And what, pray tell, are the distinct Latino views on these subjects?"

Most satisfying of all is McWhorter's demolition of the arguments made by the University of Michigan in its battle over its race-preference policies. Michi-

gan was desperate to argue that there were educational benefits to its policy and commissioned Professor Patricia Gurin to do a study demonstrating the existence of such benefits.

Her approach had nothing to do with knowledge of history or understanding of chemistry, but rather involved asking students for self-reports on questions such as whether they prefer simple rather than complex explanations, whether they think about the influence of society on other people, and whether they had more general knowledge and problem-solving skills than when they entered college. From the responses, Gurin claimed to have proved that more "diverse" campuses led to better educational outcomes.

While affirmative action defenders say the Supreme Court agreed that there are important educational benefits from "diversity," McWhorter gives the Gurin report the scrutiny that the court didn't bother to.

"For one thing," he writes, "that all of these things are self-reported is almost flabbergastingly irresponsible of someone purporting to address as grave and crucial an issue as diversity on university campuses." Then the fatal blow: "What was presented as eleven 'questions' was actually eleven statements of Gurin's impressions of what diversity is good for — rosy, PC propositions that only the most idiosyncratically contrarian undergraduate would venture to disavow."

Winning the Race is a fabulous book and I recommend it cover to cover. CJ

George C. Leef is executive director of the Pope Center for Higher Education Policy.

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For more information, visit www.CarolinaJournal.com/CJRadio

Town and County

Asheville-Buncombe water

The dispute over water system operations continues between Asheville and Buncombe County. In addition to a looming fight in the courts, it has local politicians snipping about the issue.

Between 1981 and last year, Asheville and Buncombe County's water needs were addressed by a regional water authority. In June 2005, Asheville took control of the water system. It does not enjoy complete freedom of pricing though, for the General Assembly passed the Sullivan Acts I, II and III. The laws prohibit the city from using water system revenue for nonwater system purposes or for charging county residents higher rates than those paid by users in the city.

The city is challenging the Sullivan acts in the courts.

"(The laws) represent unique and harmful intrusions on local government affairs," City Councilman Carl Mumpower said to the *Asheville Citizen-Times*. Mumpower blames a projected \$2.4 million city budget deficit in the upcoming fiscal year on the law.

"I think the Sullivan Acts make the playing field level across the county and the city," said Rep. Bruce Goforth, D-Buncombe. Goforth notes that the city would profit by putting the system back under the control of an independent authority.

Durham taxi fare increase

The Durham City Council is considering whether to let cab companies temporarily raise fares to make up for losses incurred when gasoline prices spiked last year, reports *The Herald-Sun* of Durham. Taxis would be allowed to impose a \$1 surcharge for six months.

Durham, like many other cities, regulates how much taxis can charge. The previous fare increase, 20 cents per mile, went into affect in June, just before gasoline prices rose sharply in response largely to damage to refineries caused by Hurricane Katrina. Durham Transportation Manager Mark Ahrendsen told the City Council that cab companies "did suffer a loss during that time."

One concern was how to notify cab riders of a surcharge.

The Raleigh-Durham Airport Authority has also approved a fare increase to allow cab operators to recover cost increases associated with Katrina. CJ

Arbitrary Zoning Decisions Get Scrutiny

By MAXIMILIAN LONGLEY

Contributing Editor

DURHAM

The U.S. Supreme Court's *Kelo* decision subjugating private property rights to economic-development interests grabbed headlines recently, but another danger to property rights has resurfaced from another quarter: arbitrary zoning decisions.

A decision in one such case, in Fayetteville, struck City Councilman Paul Williams as unfair, and he had it reversed. Sung Ho Choi purchased and renovated a parcel on North Reilly Road that had been zoned for residential uses only, although it's next to a business area. Choi requested that the zoning be changed to allow some commercial uses. The City Council, on the recommendation of the Zoning Commission, denied the rezoning. The reason for the denial: A comprehensive plan adopted by Fayetteville contemplated the affected property being part of a residential area.

Williams moved to reopen the case when he learned that eight out of 10 of the entrances to the neighborhood in question had businesses on them. Because of high traffic count in the area, Williams said, the best use of Choi's property would be as a business. Williams asked the council to reconsider Choi's petition, which was approved.

Some rezoning denials, Williams said, constitute "interfering with private investment," and Fayetteville's growth rate has slowed to 1 percent annually, compared to 3 percent annually in the unincorporated parts of Cumberland County. "Nobody's ever suggesting that we [rezone] the interior of neighborhoods" to allow business uses, Williams said. What Williams opposes is the denial of residential-to-business rezoning in property on the borders of neighborhoods, whose access to traffic routes make them ideal locations for business.

Rezoning issues have also cropped up in Raleigh. Raleigh resident Dave Clemmer ran into "stern curiosity" from his neighbors when he applied to have his property rezoned from a residential-only category to allow offices. Clemmer has no immediate plans to sell his Rembert Drive property, which is on the border of the Brookhaven neighborhood near Glenwood Avenue, but he may eventually want to sell to a business, which would use the property in a "tasteful" way, Clemmer said. Clemmer said he would want any business use to be in "keeping with the standards of the neighborhood." Clemmer's rezoning petition was pending by this article's deadline.

An owner's desire to profit from selling his property to a business might not necessarily be recognized as legitimate by all participants in the zoning process. During a meeting to consider zoning petitions Jan. 17, the Raleigh City Council and Planning Commis-



Increasing instances of residents wanting zoning changes from residential to office or commercial are putting pressure on cities to justify their comprehensive plans.

sion heard from neighbors of a couple of petitioners who wanted their properties reclassified from residential to commercial.

One neighbor denounced a petitioner's motives, in language paraphrased in the meeting's minutes: "the zoning process is intended to advance good zoning and not provide financial win fall [sic] to property owners." The neighbor of another petitioner summarized the sentiment of the local Citizens Advisory Board, a group of property owners living near the petitioner's property and who opposed the petition: "... the majority of attendees [at the CAC meeting] believe the request is mainly to increase the value and market ability [sic] of the property," the minutes said.

Rezoning typically takes place "near the boundaries of zoning districts," said S. Ellis Hankins, executive director of the North Carolina League of Municipalities. Most zoning requests come from the property owner, Hankins said, and "in my experience more such requests eventually are granted than denied, after notice, public hearing and discussion by the elected governing body." In zoning cases, Hankins said, it is the responsibility of elected officials to weigh the interest of the property owner against the public interest.

Jessie Taliaferro, of the Raleigh City Council, said many old homes in Raleigh sit along formerly quiet thoroughfares, such as Falls of the Neuse Road, Glenwood Avenue, and Six Forks Road — routes that are being broadened and turned into "major corridors." As traffic increases, Taliaferro said, the properties become less attractive as residences. Petitions to rezone from residential to commercial tend to come from these borderline residential areas, Taliaferro was reported as saying by *The News & Observer* of Raleigh.

Zoning petitions in Raleigh tend to involve properties situated between residential and commercial areas, Taliaferro said. Only two to five petitions a year

would qualify as spot zoning, meaning that the owner wanted a business surrounded on all sides by residences, or vice versa, the councilwoman said. "We don't see many of these" spot zoning petitions, because of the intensity of the opposition, she said.

Zoning petitions are affected by a law signed by Gov. Mike Easley in September, "moderniz[ing]" and "simplify[ing]" local zoning. Of particular relevance to property owners who wish to petition for a residential-to-commercial zoning change, the new law provides that local governments must decide whether a proposed rezoning would fit with the local "comprehensive plan." Having decided whether the proposed use fits with the comprehensive plan, the local government might choose to disregard the plan, or to insist on compliance, depending on which course it finds to be in the public interest.

David Owens, a faculty member and zoning expert at UNC-Chapel Hill's School of Government, said that the new provisions about local comprehensive plans might tend over the long term to "improve the quality of decisionmaking." By requiring local governments to publish reasons for their zoning decisions, Owens said, the law might prevent zoning petitions from turning into "strictly ad hoc political wrestling match[es]."

In Durham, local planners responded to the new law by increasing the paper work required of at least some zoning petitioners. Frank Duke, planning director for the city and county of Durham, explains new local regulations: If a petitioner wants to rezone property in a way that conflicts with Durham's comprehensive plan, the petitioner must not only apply for a change to the zoning map, but must simultaneously make an application to amend the comprehensive plan itself.

Three-fourths of rezoning petitions are consistent with the comprehensive plan, Duke said. CJ

N.C. Supreme Court**Annexation Must Bring Benefits**By MICHAEL LOWREY
Associate Editor

RALEIGH

The concept of involuntary annexation is based upon the premise of landowners being compelled to pay additional taxes in exchange for additional services. In a ruling Jan. 27, the N.C. Supreme Court held that municipalities must provide actual services of benefit to annexed landowners. In doing so, it overturned a Court of Appeals' ruling that allowed the village of Marvin to involuntarily take in additional land even though all Marvin provided were limited administrative services and a tax bill.

In July 2003, the Union County town of Marvin adopted a resolution to annex 324 lots on 468 acres, including property owned by William J. Nolan III and his wife, Louise C. Hemphill-Nolan. The Nolans challenged the legality of annexation, contending the town's action violated state public policy. Specifically, they argued that North Carolina law recognizes the importance of municipalities in providing the governmental services necessary to support residential, commercial, industrial, institutional, and government development, the land classifications that allow for annexation. Marvin, they noted, would

"These services must provide a meaningful benefit to newly annexed property owners and residents, who are now municipal taxpayers, and must also be extended in a nondiscriminatory fashion."

Justice George Wainwright
N.C. Supreme Court

provide them with no additional meaningful services beyond those which Union County, the state, or volunteer organizations already provided, those undermining the very premise allowing the town to involuntary annex land.

A trial court and the N.C. Court of Appeals sided with the town.

Before the high court, Marvin argued that it was really providing services. State law lists nine categories of services municipalities provide, and it did provide one of them: administrative services. The town had three part-time (12-hour-a-week) employees: a village administrator, village clerk, and tax collector. Marvin also contracts for planning and engineering services, an auditor, and an attorney. Because the benefits of these services would be extended on a nondiscriminatory basis to newly annexed residents, the town argued that it met all statutory requirements.

Marvin also estimated that its overall cost of providing administrative services would increase by \$14,240

because of the annexation. By contrast, the village would collect an estimated additional \$80,395 per year in taxes and fees from the annexation.

Five of the Supreme Court's seven justices were not impressed by this line of reasoning and found the level of services the village would provide inadequate to allow for involuntary annexation.

"We agree that services must be provided on a (qualitative) nondiscriminatory basis; however, we also conclude that N.C.G.S. § 160A-35(3) is grounded in a legislative expectation that the annexing municipality possesses meaningful (quantitative) services to extend to the annexed property," Justice George Wainwright wrote for the court.

The justice explained in his opinion that the General Assembly approved involuntary annexation in 1959, and the legislation, codified as N.C.G.S. §

160A-35(3), also lists nine types of services that an annexation report must address: police protection, fire protection, streetlights, solid-waste removal, street maintenance, administrative services, water and sewer services, animal control, and parks and recreation.

"The primary purpose of involuntary annexation, as regulated by these statutes, is to promote 'sound urban development' through the organized extension of municipal services to fringe geographical areas," Wainwright said.

"These services must provide a meaningful benefit to newly annexed property owners and residents, who are now municipal taxpayers, and must also be extended in a nondiscriminatory fashion. Our decision does not require an annexing municipality to provide all categories of public services listed in N.C.G.S. § 160A-35(3). We conclude only that the level of municipal services proposed in the Annexation Report prepared by the Village of Marvin is insufficient. Those part-time administrative services, such as zoning and tax collection, simply fill needs created by the annexation itself, without conferring significant benefits on the annexed property owners and residents."

Justices Robert Edmunds and Sarah Parker dissented, finding that the Supreme Court was overstepping its authority in reading the status to require the provision of actual services. CJ

Commentary

Sales Ratios a Moving Target

There are many issues in local government that are poorly understood and have little news appeal. We can count among these issues Medicaid, social services, revaluation, and anything related to courthouse operations. In other words, you aren't likely to see a lot of coverage on these issues. They aren't sexy.

Sales ratios fall in this category, but it is critical to the tax base of a county if officials are to have accuracy in matching the values they assign to property with the taxes collected on it.

In trying to understand sales ratio, (sometimes called sales assess ratio) the taxing authority calculates a percentage of what it considers to be the market value of a home. For example, if the assessed value were 80 percent, 0.80, of the market value, a house that might sell for \$100,000 would be taxed at an assessed value of \$80,000.

OK, you can yawn now.

But let's put this into action. Let's say county officials complete their revaluation and set the tax rate at 80 cents. So you pay your taxes based upon the value they assign your home. If they've done a good job, then the value assigned correlates with what a buyer would pay were you to sell. The sales ratio would be 1.0, meaning that it directly matches what the tax department established as worth.

That's the easy situation. But if your revaluation was done poorly, your tax department could have inaccurately assessed value at way below market value. In that case, your home might be selling for \$200,000 when the tax department established the worth at \$150,000.

In that case, the sales ratio would be 0.75. That means the county is losing money. When multiplied by the hundreds of thousands of parcels in a county, hundreds of thousands of dollars in missing revenue are lost, or the tax rate is too high. With counties taking four to eight years to do their next revaluation, you get the picture.

County commissioners and city councilmen occasionally get upset when they find that their ratios, shortly after their revaluations, have dropped substantially,

but they should really look at what is happening in their real estate markets.

If you looked at Brunswick County, residents had a revaluation in 2003, but their current sales ratio is down to 0.80. That means the property is selling for far more than it is valued for taxes. That isn't because the tax department did a

bad job, but probably because real estate in the coastal county has been hot for several years and is increasing in value almost daily. The county can't keep up with the values.

The lowest sales ratio in the state is in Ashe County. Its last revaluation was in 1998. State law requires that every county have a revaluation every eight years, so Ashe County's will be done this year. Currently however, the county's ratio is at 0.5895, meaning that property is selling at almost twice what the county thinks it's worth.

Ideally, counties want to be close to 0.99 when they finish their revaluations and then slowly tick downward until their next revaluation. That accuracy has a great deal to do with stabilizing the tax rate.

The problem is that revaluations are tedious, expensive, political, and contentious. One has to wonder whether there isn't a better way to navigate this minefield.

Maybe a regional approach might be better and most cost-effective. Counties might consider doing their revaluations on the same cycle and pool their resources. If you're going to have regional economic development, this might make some sense.

It's always easy to look at the spending side of the equation and criticize local government for spending too much or lacking priorities. But we should be equally concerned at how accurately revenue is being calculated. While we might be yawning through these type of discussions, those inaccuracies can cost us all at tax time. CJ

Chad Adams is vice chairman of the Lee County Board of Commissioners, director of the Center for Local Innovation, and vice president for development of the John Locke Foundation.



Chad Adams

Local Innovation Bulletin Board

HOAs Actually Increase Values

Today, nearly 54.6 million people in the United States live under some form of neighborhood association, and their numbers are growing as a majority of new housing units in rapidly growing urban areas are privately governed, say Amanda Agan and Alexander Tabarrok of George Mason University, writing in *Regulation*.

Private governments such as homeowners associations and condominium cooperatives seem to have passed the market test, but not without controversy. Some residents chafe at restrictions imposed by HOAs, while others are upset that HOAs don't have to operate under the one-person, one-vote rule; however, the main issue is whether HOAs affect property values, Agan and Tabarrok say.

A study of HOAs in five zip codes in the Washington, D.C., suburban area of Prince William County, Va., from the years 2000-2004 found that the mean sales price for houses within HOAs (\$255,580) is actually lower than the mean price for houses without HOAs (\$313,130). But after controlling for housing characteristics, the year of sale, and location effects, HOAs raise house value by 5.4 percent.

The typical house within an HOA sold for \$255,000 and membership in an HOA increased house value by nearly \$14,000. Consumers value a three-bedroom home in an HOA about as much as a four-bedroom home without an HOA.

Even though HOAs increase house value, many questions remain unanswered. A continued study of HOAs may help to identify how and why local governments are failing to maximize returns for their residents and the knowledge provided by private governments could be used to improve services, Agan and Tabarrok say.

Municipal broadband loses

Advocates of municipal broadband systems say they won't cost taxpayers anything. Don't believe it, says Joseph Bast, president of the Heartland Institute.

- Cedar Falls, Iowa, has had a municipally owned communications system for nine years. The system has covered its operating costs since the second year, but not its capital and finance costs. The Cedar Falls municipal communications system has had negative free cash flow every year but one. It is \$3.1 million short

of paying back what taxpayers have paid into it.

- Muscatine, Iowa, has had a municipal communications system for six years. It's had negative free cash flow every year except 2004. It is \$25.6 million short of payback.

- Spencer, Iowa, has had a municipal communications utility since 1999. Spencer had negative free cash flow until 2003 and seems to have had a positive cash flow since then — but Spencer's electric utility has paid more than \$9 million in capital costs for construction of the communications utility, transferred \$1.55 million in assets to the communications utility and loaned it \$8 million at 4.5 percent interest (less than the 5.75 percent that the electric utility pays for its own bonds).

- Bristol, Va., operates a municipal communications utility, which it launched in 2002. It, too, is unlikely ever to achieve positive free cash flow. It was originally funded by a \$15 million revenue bond issue and was re-funded in 2004 at \$27.5 million. It has borrowed \$14.9 million from the electric utility and has had operating losses (including cost of capital and interest) of \$8.6 million so far.

These case studies are important because advocates of municipal broadband systems say they won't cost taxpayers anything, Bast says. Each of these communities claims that its municipal broadband system is breaking even.

Heartless cities

The Washington-based National Coalition for the Homeless says Sarasota, Fla., is the meanest in the country in its treatment of the homeless.

Sarasota earned this distinction because it prohibits vagrants from camping out on public property. Atlanta made the list because it banned panhandling downtown. And Phoenix made the list even though it is building a \$24 million "homeless campus." Apparently a city's shelters, free-meal kitchens, and social service programs mean little to this coalition, which pounds on cities to motivate a public response to homelessness, says the *Tampa Tribune*.

A better way to encourage public support for combating homelessness would be to track a community's success in coordinating efforts among churches, nonprofits, and government agencies. That's a list that would motivate cities, not disparage them. CJ

From Cherokee to Currituck**Appeals Court Rejects Challenge To Winston-Salem's Annexation**

By MICHAEL LOWREY

Associate Editor

CHARLOTTE

The N.C. Court of Appeals has rejected a challenge to a proposed large-scale annexation by Winston-Salem. The involuntary annexation would add 20 square miles and 17,482 residents to the city by the end of June.

"From Day One, I told everyone at every stage that the property would be annexed," City Attorney Ron Seeber said to *The Winston-Salem Journal*.

"I've been telling [city staff and elected officials] the same thing for months, and they've been preparing this for months," he said.

The annexation would make Winston-Salem the state's fourth-largest city, behind Charlotte, Raleigh, and Greensboro.

The latest legal challenge questioned how the city classified land for annexation purposes. The appeals court agreed with a lower court that the annexation opponents failed to show the city's methodology was improper or that the tax maps relied upon by the city were inaccurate.

An earlier lawsuit claiming that the annexation was unconstitutional and that the city had followed improper procedures in its hearings on the proposed annexation was rejected last year.

"By challenging annexation, they saved the annexees four years' worth of city property taxes," said Richard Browne, the lawyer for annexation opponents.

"It served to fight City Hall and let them know how they feel."

The 2010 census will get a dress rehearsal in N.C. in 2008

The Census will be coming soon, and Moore County officials are starting to prepare for the 2008 count, the *Fayetteville Observer* reports.

By constitutional requirement, the Census happens every 10 years, in years ending in a zero. The Fayetteville area, however, was selected in January by the Census Bureau as the site of a dress rehearsal two years earlier. The nine-county area, including Moore County, was selected because of its diversity and large transient military population. Fort Bragg and Pope Air Force Base will also participate in the head count.

The earlier test count lets the bureau try out new technologies such as GPS and its new counting techniques. Like the 2010 count, the Census Bureau will hire thousands of people to follow up in person to households that don't respond to the surveys sent by mail.



"The accuracy and completeness of the census is dependent on the accuracy and completeness of our address list," Jess Avina, a program coordinator of the Census Bureau's Charlotte office, said at a recent Moore County Commission meeting. County staff will soon review and update the Census' address list.

While the Census Bureau will release the results of the 2008 count, it will not be used to determine funding or congressional apportionment.

The other region where the Census Bureau will conduct a dress rehearsal is the San Joaquin County, Calif. area.

Eminent domain brought against Morrisville family

Developer Ed White is trying to build a subdivision in Morrisville. Holding up the project, though, is the need to acquire a small amount of land to build an access road. The landowners are holding out for more money.

This is a typical situation in the development business. It's unusual, however, that Morrisville has threatened to use eminent domain to acquire the land at minimal cost for the developer unless a deal is reached, *The News & Observer* of Raleigh reports.

The land at issue is a portion of Family Farm Road, a private 13-foot-wide and 300-foot-long road that leads to homes belonging to members of the Davis family. White and Centex Homes need to acquire right of way from the Davises to begin work on an 83-house neighborhood. White has offered more than \$10,000 for the sliver of land.

After negotiations dragged on, Town Manager John Whitson became involved. Stating that getting the deal done was for "the public's benefit, not the developer's," Whitson threatened to have the land condemned for \$390 unless a deal was reached. On Feb. 27, the Morrisville commission voted, 5-2, to begin eminent-domain proceedings.

"They should have stayed out of it," landowner Bobby Davis Jr. said to the newspaper. "I think it was a personal problem between a landowner and a developer." CJ

New Hyde County Court Facility Brews Controversy

By KAREN WELSH
Contributing Editor

RALEIGH

A contingent of Hyde County citizens is condemning the demolition of the county's uncondemned courthouse after local commissioners voted unanimously to begin a \$15 million rebuilding project. The new structure will house the judicial and public safety departments of the county.

The decision to begin new construction was made after the courthouse, situated in Swan Quarter, was flooded repeatedly in recent years. The latest flood occurred in September 2003, when the eye of Hurricane Isabel landed in the area, causing a two- to four-foot storm surge to cover most of the county seat and site of the historic courthouse.

About 800 of the county's 5,500 residents have signed a petition to get a court injunction that would halt construction of the building, Chamber of Commerce President Jane Gibbs said. Most of the concerned residents want to know why one building had to be torn down and yet another portion has remained to be cleaned up and used in the near future, she said.

Many county residents think something underhanded has been going on, especially since the county commissioners conducted a public meeting Jan. 30, 2006, on the new building and then had contractors begin demolition on the site less than two weeks later, Gibbs said.

"The people of Hyde County are really upset over what's going on," Gibbs said. "[County officials] are in a mighty hurry to get this done and the people are heartsick. It just makes my blood boil, to tell you the truth."

During the public meeting, Hyde County resident William Howard testi-

fied the commissioners weren't thinking of the future of the county when they decided to place the building at the same site. He asked the officials to consider placing the matter on a ballot and putting it before the voters.

Gibbs agrees with his assessment. "They are building it in the floodplain in the same place where it's flooded nine times. If we've got to spend the money, let's put it up in a higher area where it can be landscaped with plenty of parking. Now it's going back up on a tiny lot."

Other residents complained about spending a large sum of money while the county's population is decreasing. The quick demolition of the old courthouse shocked those who had asked for caution and rethinking.

County Commissioner Jane Hodges said the plans to reconstruct a new courthouse were a long time in the making. She said several well-publicized public meetings were conducted before the demolition.

The commissioners considered moving the building to another area of the county, but many residents of the county seat said the courthouse should stay in its present site, Hodges said.

"We were open to whatever we could do within our budget constraints," she said. "The majority of the people, however, said to leave [the courthouse] in Swan Quarter. Without the courthouse, Swan Quarter would be dead. It has failed to thrive since Hurricane Isabel. That's why people have fought so long and so hard to keep it in Swan Quarter."

A solid concrete block with tunnels was installed in the historical part of the courthouse, built in the early 1800s, after Hurricane Floyd. The tunnels allowed the water to flow in and out

Projected Cost of New Courthouse/Public Safety Facility in Hyde County

Construction	\$12,365,590
Furnishings & Equipment	\$384,351
Contingency	\$536,172
Architect Fees	\$776,974
Technical Services	\$76,870
Construction & Management Fees	\$393,384
Preconstruction Services	\$128,600
Interim Interest	\$120,000
TOTAL	\$14,782,390

Source: Hyde County Manager

The county already owned the land at the site and it didn't make sense to purchase new property in Swan Quarter, he said. The struggling government couldn't afford the added expense, especially since construction costs have soared since Hurricane Katrina hit the Gulf Coast in September.

Construction costs have risen from \$9 million to \$14.8 million since the original estimate, he said. "We knew it was going to go up," he said. "But, we didn't realize it would be that much. As the government, you have a fine line of what you need and what you need for more growth. We simply could not afford to build more building."

As it stands, the major funding for the project, \$8 million, was appropriated from the Hurricane Recovery Act of 2005. Howard said the rest would be raised through various sources.

When it's complete, the new courthouse will sit on pilings 14 feet off the ground, seven feet higher than any known storm surge in the area.

"When I got here it was already decided to rebuild in the same location," he said. "I think it was decided rather than let it happen again to get the courthouse off the ground and start again."

It's a good decision because employees were starting to be sickened by growing mold, Howard said.

The county doesn't need a larger courthouse, Howard said, because he doesn't foresee the county staff increasing, even if the population increases significantly.

Gibbs said county officials should slow down and do the right thing before proceeding with the project. "I'm going to beg them to stop building the courthouse until it's brought before the people," Gibbs said. "It should have been on a referendum in the first place." CJ

quickly during the most recent flood, Hodges said.

The other section, built in the 1930s, was destroyed, she said. Although it was never condemned, Hodges said, it should be removed.

Gibbs said she doesn't think county officials have made the right decision. She said many in the community, who now refer to the project as "the hole," want a referendum. "This is a major issue," she said. "It's a countywide issue."

Hyde County Manager Kevin Howard said the decision to build the new courthouse at the existing site was a matter of economics.

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Greenville	WNCT	AM 1070	Wednesdays	6:30 PM
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Laurinburg	WLLC	AM 1300	Sundays	10:00 AM
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Raleigh	WDNZ	AM 570	Sundays	7:00 AM 9:00 AM
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From the Liberty Library

• Every week, President Bush's top strategists gather in the West Wing office of Karl Rove to plot what they wryly call "strategy." The word was coined by comic Will Ferrell in a "Saturday Night Live" skit that portrayed Bush as an endearing dimwit. Far from being offended, the president's men adopted the term as a sort of ironic inside joke. In fact, they laughed all the way to re-election. *Strategy*, the book, is the behind-the-scenes story of that hard-fought election and the tumultuous year that followed. It's the third installment in a multivolume set chronicling the Bush presidency, written by former *Washington Times* White House correspondent Bill Sammon, who was granted unprecedented access to Bush, Vice President Dick Cheney, Rove, and other senior White House officials. Learn more at www.regnery.com.

• Left-wing radicals from the 1960s have hung around academia and hired people like themselves, but if you thought they were all harmless, antiquated hippies, David Horowitz says you would be wrong. In *The Professors: The 101 Most Dangerous Academics in America*, he says today's radical academics are legion. And far from being harmless, they spew violent anti-Americanism, preach anti-Semitism, and cheer on the killing of American soldiers and civilians — all the while collecting tax dollars and tuition fees to indoctrinate students. Horowitz exposes 101 academics — representative of thousands of radicals who teach young people — who also happen to be alleged ex-terrorists, racists, murderers, sexual deviants, anti-Semites, and al-Qaeda supporters. Also from Regnery.

• George W. Bush came to the presidency in 2000 claiming to be the heir of Ronald Reagan. But while he cut taxes, in most other respects he has governed in a way utterly unlike his revered predecessor. Now Bruce Bartlett lays bare the incompetence and profligacy of Bush's economic policies in *Impostor: How George W. Bush Bankrupted America and Betrayed the Reagan Legacy*. A highly respected Washington economist, Bartlett started out as a supporter of Bush and helped him craft his tax cuts. But he was dismayed by the way Bush executed them, without fiscal restraint. More information at www.doubleday.com. CJ

Supreme Chaos

Pickering: Goal is to Strengthen the Judiciary

• Judge Charles W. Pickering: *Supreme Chaos: The Politics of Judicial Confirmation & the Culture War*; Stroud & Hall Publishers; 2005; pp 202; \$24.95 hard cover.

By MELISSA MITCHELL
Contributing Editor

RALEIGH
No one is more eminently qualified to write a book titled *Supreme Chaos: The Politics of Judicial Confirmation & the Culture War*, than Judge Charles W. Pickering. In *Supreme Chaos*, Pickering presents an insider's view of how the judicial nomination process has been influenced by left-wing special-interest groups and a few liberal Democrats. It is an influence that he thinks weakens the judicial and legislative branches of government.

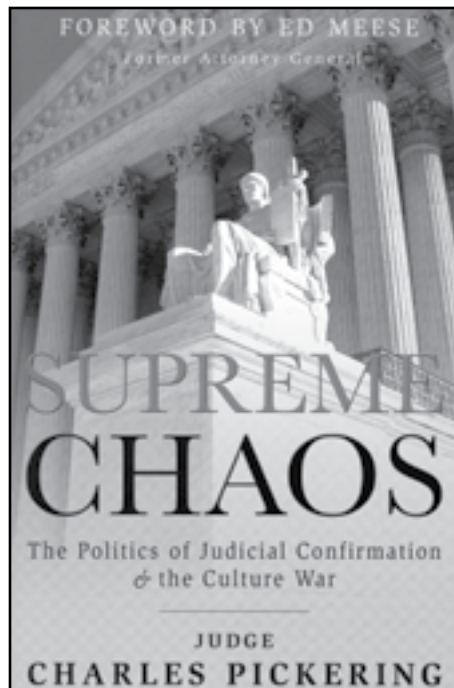
During the time he was a judge and a nominee, Pickering never commented on the confirmation process, but now as a private citizen he believes that he can share his thoughts on how to improve the process. "We must strengthen the judicial branch, not weaken it. This is the goal of my book," he says.

In 1990, President George H.W. Bush nominated Pickering as a district judge for the Southern District of Mississippi. At the time of the nomination, Pickering had practiced law for almost 30 years and had extensive trial experience. Pickering was not only approved unanimously by the Senate Judiciary Committee, he was also unanimously approved to this lifetime appointment by the entire Senate.

Because of his prior support, when President George W. Bush nominated Pickering in 2001 to the Fifth Circuit Court of Appeals in New Orleans, it was assumed that Pickering would be a non-controversial nominee. However, during the 10 years between his first appointment and his second nomination, a cultural and political war had reduced the process to a partisan conflict rather than a dignified process.

This time, Pickering would find himself in a five-year, partisan battle that would malign his character and distort his record. Even though he had widespread support from both Republicans and Democrats, Pickering's nomination would never leave the Judiciary Committee in 2002. In 2003, Democrats filibustered his nomination. Bush then recess appointed Pickering in January 2004, and Republicans had 11 months to gather the votes to break the filibuster. That did not happen, and Pickering decided to retire.

Pickering addresses what happened in the years between his first and second nominations. During the intervening years, the process became a partisan battle between Republicans and Democrats, with both sides blocking nominees. Some candidates were blocked in the Judiciary Committee,



while others were filibustered on the Senate floor. Pickering often turns to the intent of the Founding Fathers to illustrate a point, which he does concerning the use of the filibuster to defeat judicial nominees. Pickering devotes an entire chapter to the history of the "filibuster." Neither the Framers of the Constitution nor the Senate created the filibuster; it came into being to stop civil rights legislation.

For more than 200 years of American history, the filibuster was used, for good or for ill, only to block legislation. Never was it used to block judicial nominees, Pickering says. He notes that employing the filibuster to prevent confirmation prevents the Senate from fulfilling its "advise and consent" responsibility.

He also points to the involvement of liberal special-interest groups. These groups want liberal judges who will legislate from the bench and who see the Constitution as a document that evolves over time. The well-funded groups include the ACLU, National Organization for Women, People for the American Way (whose president supports abortion on demand, same-sex marriages, and accessibility of pornography on public library computers), Pro Choice America, and MoveOn.org. Each of these groups fears a conservative judiciary will stop its liberal agenda.

Pickering devotes several chapters to the influence and goals of these groups. He points to several instances where decisions by liberal judges have

emboldened the groups. He thinks the ruling in *Roe v. Wade* that found a "right to privacy" in the Constitution left the issue unsettled and should have been settled by the voters of each state. He also addresses the recent Supreme Court ruling on the outlawing of the Ten Commandments. Pickering sees this as a victory for secularists, who want to remove all religion from the public square.

The media, Pickering believes, is complicit in creating the chaos within the confirmation process. "Few Americans know or personally know anything about, nominees to the federal bench," he writes. Any information about these candidates must be provided by the news media. "A media culture forcing reporters to get the story no one else has, or to write the story in a way no one else does, and to post the story before anyone else can, is driving sloppy and inaccurate news reporting," he says. Along with sloppy reporting, Pickering cites the media as being in favor of the liberal special-interest groups, with whose views they often agree.

Pickering points to the danger of deeming ours a "living Constitution." "This evolving Constitution could be called a 'mystery Constitution' because you don't know what it means until the majority of the Supreme Court decides what it means," he says. Pickering points out that the United States is "emphatically termed a government of laws and

not of men," but the idea of a living Constitution could lead to a government of men, not of laws.

Ironically, he notes that it is also dangerous for liberals who support the idea of a living document. Every right that they value could be overturned at the whim of the courts.

When Pickering decided to write a book about his nomination ordeal, he envisioned a three- or four-part book, in which he says he planned to "discuss the confirmation fight and its causes," his "reflections and observations gleaned from the experience," and a final section that would "advocate solutions." However, Hurricane Katrina disrupted that plan. In *Supreme Chaos*, he presents the reasons why the nomination process deteriorated into chaos. Pickering also gives a brief preview of his solutions to eliminate the chaos.

"In the book to follow this one, I discuss my personal odyssey through the political jungle of confirmation and elaborate on the solutions I recommend," he says. CJ

"We must strengthen the judicial branch, not weaken it. This is the goal of my book."

Charles W. Pickering
Former federal judge
Author of *Supreme Chaos*

Bailey's Conservative Manifesto Helped Stymie New Deal Programs

President Franklin Delano Roosevelt had many fans, but North Carolina Sen. Josiah Bailey, an author of the Conservative Manifesto of 1937, was not one. In a letter to anti-New Dealer Sen. Peter G. Gerry of Rhode Island, Bailey wrote, "Our President is not actuated by principle, but by fears. He will try to head off anything in order that he may stay at the head."

Yet, Bailey in his first term (1930-1936) weakly resisted the expansion of the federal government. Bailey was well aware of FDR's popularity in North Carolina and heavy-handed party leadership. Bailey also recalled that his 1930 Senatorial election was won, in great part, because he censured Sen. Furnifold Simmons for party disloyalty. As a result, Bailey voted only against the Wagner Act, for it basically placed the weight of government behind organized labor.

Critics considered the North Carolina senator's political timidity and obsequiousness as tactics to ensure reelection

and fulfill political ambition. Perhaps the most consistent, sardonic, and possibly vicious criticism came from the pen of Jonathan Daniels, editor of the Raleigh *News and Observer*, who predicted that Bailey would show his true ideological colors once re-elected.

Daniels was right. Bailey acquiesced initially to FDR so that, when the timing was right, he could one day "fight a good and last fight" to check collectivism.

Government meddling in business, Bailey believed, not only prolonged the Depression but also ruined any chance of real economic recovery and sapped individual Americans' integrity and hardiness. Bailey also regretted that progressives co-opted free-market terminology: "I am a great liberal when it comes to the fundamental meaning of the word," Bailey wrote North Carolina Gov. O. Max Gardner, "but I am not a liberal when they interpret liberalism in terms of a return to the old reactionary system of centralized power and control of the individual . . ."

Re-elected to the U.S. Senate in 1936, Bailey no longer feared political reprisal. In 1937, America experienced an economic recession, and partisan lines blurred when conservative Republicans and Southern Democrats opposed FDR's

court-packing schemes. When Roosevelt charged businesses to bring the nation out of economic recession yet refused to deregulate, Bailey had had enough.

He then formed a bipartisan alliance to oppose further New Deal legislation. The torchbearers of liberty and delimited government worked secretly to draft the Conservative Manifesto. But word soon leaked. Fearing political repercussions, many senators denied coauthoring the document. Bailey, however, accepted responsibility.

According to historian John Robert Moore, the Conservative Manifesto called for:

1. Immediate revision of taxes on capital gains and undistributed profits in order to free investment funds.
2. Reduced expenditures to achieve a balanced budget, and thus, to still fears deterring business expansion.
3. An end to coercion and violence in relations between capital and labor.
4. Opposition to "unnecessary" government competition with private enterprise.
5. Recognition that private investment and enterprise require a reasonable profit.
6. Safeguarding the collateral upon which credit rests.

7. Reduction of taxes, or if this proved impossible at the moment, firm assurance of no further increases.

8. Maintenance of state rights, home rule, and local self-government, except where proved definitely inadequate.

9. Economical and nonpolitical relief to unemployed with maximum local responsibility.

10. The reliance upon the American form of government and the American system of enterprise.

Simply put, Bailey believed "the repeal of irksome taxes, the ending of government competition with business, and the maintenance of states' rights would . . . bring the return of the business confidence necessary to stimulate recovery." The Tar Heel hoped to properly balance enterprise and government intervention and remind FDR that bipartisan opposition to collectivization was possible.

In the end, the Conservative Manifesto stymied the New Deal and created momentum for a postwar conservatism that overturned many New Deal programs. *CJ*

Troy Kickler is director of the North Carolina History Project.



Dr. Troy Kickler

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Short Takes on Culture

'Kong' a Visual Masterpiece

• "King Kong" (2005)
Universal Home Entertainment
Directed by Peter Jackson

Academy Award-winning director Peter Jackson's 2005 remake of the classic "King Kong" lives up to the reputations of both the great ape and the director, who has established himself as one of the pre-eminent modern-day filmmakers. Even those who already know the story will thrill at Jackson's fast-paced and engaging production.

Kong is a visual masterpiece combining lush art production, stunning special effects, and powerful acting. Jack Black is perfect as Carl Denham, a cunning documentary filmmaker attempting to get by in Depression-era New York City. Naomi Watts is understated and beautiful as Ann Darrow, the unlucky vaudeville actress who captures Kong's heart. Even the supporting actors (Adrien Brody, Thomas Kretschmann) lend an air of grim 1930s reality to Jackson's epic.

But the movie is not for the squeamish or the faint of heart. With the exception of the first half hour, Kong races towards its inevitable conclusion for the better part of 187 minutes. The adventure begins as soon as the foreboding and mysterious Skull Island emerges eerily from the fog. The atmosphere on the island is no less unsettling; Jackson's bloodthirsty natives are particularly sinister. Once the adventure is really under way, tyrannosaurs and giant cretaceous insects occupy the characters' and audiences' attention. There are, however, rare moments of relaxation in between the dazzling action sequences; a shared sunset between Kong and Darrow is the most memorable.

Although the stunning cinematography makes this film best viewed on the big screen, it's definitely worth renting, and might even be one for the permanent home collection.

— JENNA ASHLEY
ROBINSON

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I am serious. This is the best thing since books. Not being a huge TV fan, and in near-total despair over the truly abysmal production and content of most broadcast radio, I took the plunge at Christmas and bought a portable XM radio. I am

now totally devoted.

What's up with subscription radio? A lot of the love for this medium comes from what's not up — endless commercial segments, stations that use up-tempo percussion in the background for every news, traffic, or weather interlude (making it nearly impossible to understand the speaker, often), and programming that is only marginally acceptable and interesting anyway. This content problem leads to the dread "station-switching," an activity that no doubt contributes to many of the traffic accident announcements we are trying to understand over the constant sonic wallpaper of drums and hi-hat cymbals.

Not any more. My new Delphi MyFi XM portable can go from home to office, to the car, and for those whose looks and egos are goofy-proof, along for a walk outdoors. As long as one is willing to wear the specially designed satellite antenna on a baseball cap or armband (it looks like a microphone; is about the size of a digital voice recorder), mobile reception is no problem at all.

— KAREN PALASEK

'Spear' has powerful end

• "End of the Spear"
Every Tribe Entertainment
Directed by Jim Hanon

If you grew up in an evangelical church, then likely you know the basic story of "End of the Spear" — Nate Saint, Jim Elliot, and three other American missionaries were slaughtered by the murderous Waodani tribe the very first time they met in the Ecuadorian Amazon.

What you may not know is the rest of the story of what the widows and Nate's 8-year-old son Steve did afterward, and the incredible inter-twinings of the families of the slain missionaries and the warriors who killed them.

The film develops the story from both sides through the eyes of Steve and key members of the Waodani, treating the tribe with dignity and compassion — the film was made with their cooperation and permission — and showing both the passion and the pain of the missionaries.

The story spans 50 years to bring the adult Steve back to an unexpected 1994 confrontation with the people who made him fatherless.

It's a powerful story, well told and beautifully filmed — I've got to say two thumbs up, and if I had more I'd give them, too.

— HAL YOUNG CJ

The Victory of Reason

Stark Makes Short Work of Myths

*Rodney Stark: *The Victory of Reason: How Christianity Led to Freedom, Capitalism, and Western Success*; Random House; 2005; 281 pp.; \$25.95.

By MAXIMILIAN LONGLEY
Contributing Editor

DURHAM

Rodney Stark teaches social science at Baylor University in Waco, Texas. He's not your typical academic social scientist, however. Rather than blaming Christianity for a wide variety of social ills, he has made a name for himself by crediting Christianity for the boons of Western civilization.

Stark's latest book, *The Victory of Reason*, elaborates on his thesis. Stark's latest production takes direct aim at the standard academic narrative of Western history. In the standard narrative, secularists are the good guys, fighting for reason, science, and freedom against opposition from the bad guys, i. e. traditionalist Christians. The good guys, says the narrative, tried to expand beyond the boundaries of traditional narrow dogma in order to understand the world around them, incurring the wrath of organized religion as it sought to repress free thinking and, for that matter, everything that is true, good and beautiful.

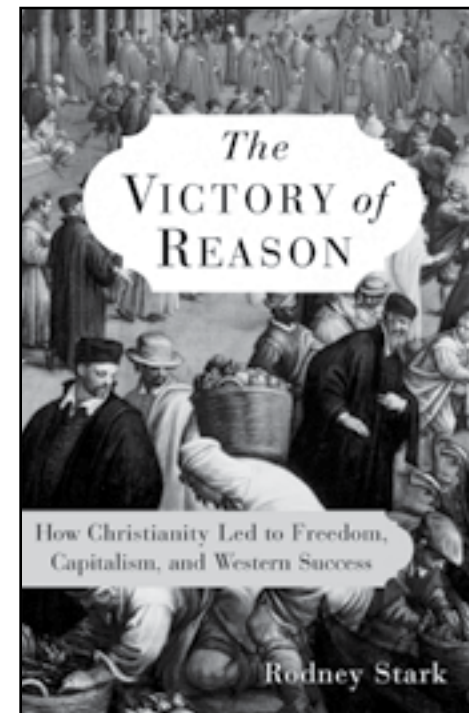
The standard academic portrays the pagan societies of Greece and Rome as scientifically and administratively advanced. The invasion of the Western empire by Germanic tribes, who soon became Christianized and established numerous feudal polities all over Europe, is said to have inaugurated the Dark Ages and Middle Ages, during which everyone withdrew into autarkic manorial enclaves and lives of superstition and ignorance.

Only the Renaissance and the Enlightenment, which were opposed by bigoted Christians, rescued Europe from this condition. America, of course, is the heir to the Renaissance/Enlightenment legacy.

Such is the myth, and Stark makes short work of it.

The ancient Greeks, while they were great at philosophical speculation, never made the transition to empirical science as we know it today. The Roman Empire repressed economic freedom, stifling potential capitalist development. The famous Roman roads were horrible. The supposedly barbarous Germanic invaders and their successors advanced the frontiers of human knowledge beyond what the Romans had known, making useful innovations in agriculture, military science, and other areas of human endeavor.

The much-derided Dark Ages and Middle Ages saw economic advances as the development of banking financed the beginnings of capitalism as we know it today. Far from opposing these



advances, the Roman Catholic Church even involved itself in them, investing money along with everyone else. Areas such as Holland, England, and Northern Italy were making economic strides long before Protestantism or secularism arose in Europe.

A spirit of scientific inquiry allowed these and other innovations as European scientists began investigating the world around them. In the United States, a dynamic and Christian people picked up these European trends and ran with them, raising freedom, science, and capitalism to new heights.

Stark contrasts this progress with the history of other civilizations, especially China and the Islamic world. These mighty civilizations, having reached a certain plateau of development, stagnated. The tenets of Confucianism (in China) and Islam (in the Moslem world) were hostile to the sort of progress and innovation Stark chronicles, glorifying the warrior or the aristocrat rather than the merchant. Islam's ban on usury thwarts capitalism by repressing banking.

What's the root cause of the West's unique progress? Stark places the credit with the Christian religion. Other religions, Stark says, have a static view of human nature, involving repeated cycles of death and rebirth, for example, or they put too great a distance between humanity and the divine.

Christianity, in contrast, teaches about a God who intervenes in history, not to sustain a repeating cycle of events, but to carry out a once-and-for-all scheme of creation and redemption. Christianity has a linear and progressive view of history.

It's not surprising, as Stark sees it, that people holding this religious world view would use their intellects in a purposeful manner in emulation of God's purposeful actions in history. CJ

'Capote' the Film Reminds Us of Capote the Person

• "Capote"; directed by Bennett Miller; produced by Caroline Brown, William Vince, and Michael Ohoven; starring Phillip Seymour Hoffman, Catherine Keener, Chris Cooper, Clifton Collins Jr., and Mark Pellegrino; 1 hour, 38 minutes; rated R.

By **SAM A. HIEB**
Contributing Editor

GREENSBORO

The story is well-known. On Nov. 15, 1959, Perry Smith and Dick Hickcock entered the Clutter family home in Holcomb, Kan., looking for a safe holding the family fortune. When they didn't find the safe, they shot all four family members in the head.

The crime was so shocking that it made the pages of *The New York Times*, where it caught the attention of the flamboyant author Truman Capote. Sensing a story, Capote immediately traveled to Holcomb, befriended everyone on all sides of the case, and spent five years writing what would become his best-selling book *In Cold Blood*. Capote was catapulted to celebrity status. Smith and Hickcock had the floor jerked from underneath them with nooses around their necks.

While the Clutter murders are well-documented in Capote's nonfiction account as well as a critically acclaimed feature film, Capote himself, while certainly a character in real life, remained in the background, as good journalists do. But in "Capote", Bennett Miller's Oscar-nominated film, he becomes the main character in the drama that gripped Holcomb.

And what a character he is. We first hear Capote's voice at a party in New York. Phillip Seymour Hoffman, who won the Oscar for his portrayal of Capote, does a dead-on impersonation.

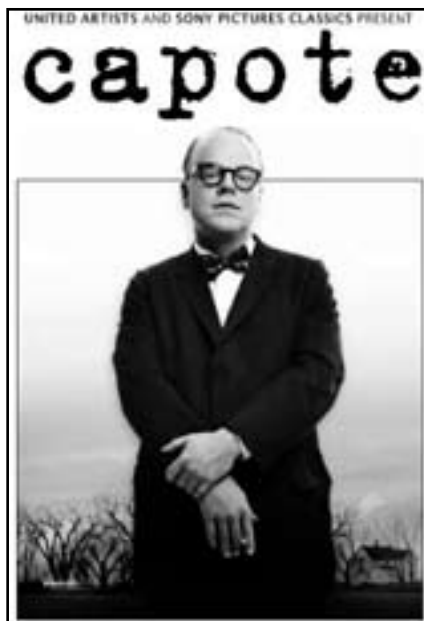
As the camera pans through the party you expect to see the wan little fellow, instead of the heavier-set Hoffman. The audience is treated to a couple of Capote monologues over the course of the movie, a real treat considering the grim subject matter.

But most of the movie is set in Kansas, where Capote employs his own brand of journalism while researching the "nonfiction novel." He's accompanied by his best friend Harper Lee (Catherine Keener), who would go on to write the classic *To Kill A Mockingbird*. They were on the scene almost immediately, attending press conferences and getting time with investigators when they could.

Neither Capote nor Lee took a single note while interviewing subjects. Capote loved to brag about his "94 percent recall," and indeed such skill is very beneficial, as any journalist will tell you that furiously scribbling notes interferes with getting to know your subject.

The movie addresses some serious ethical issues that are still prominent in journalism today. Capote's smooth demeanor eventually gained him access to all the key players, including lead investigator Alvin Dewey (Chris Cooper) and Smith (Clifton Collins Jr.), who was being held in the sheriff's quarters.

Capote's cozy social relationship with Dewey while the case was still live



(they were having dinner at Dewey's house when the call came in that the criminals had been captured) would be viewed with contempt today. He also wasn't afraid to perform an extreme brand of checkbook journalism, through bribing a prison warden to have unlimited access to Smith on death row.

So what about Capote's relationship with Smith? Collins does an excellent job portraying

ing a killer with a sensitive and articulate side. Collins had a lot to live up to, considering the fact that, in real life, Capote always stood in awe of Robert Blake's dead-on portrayal of Smith in the 1967 film adaptation. While Blake certainly did an excellent job, Collins is physically more realistic as a half-Cherokee Midwestern drifter who had lived a hard rural life.

It's well known that Capote was infatuated with Smith, though surprisingly the movie doesn't explore Smith's sexual confusion. Capote thought he and Smith were kindred spirits, both having suffered from neglect as children.

"It's as if Perry and I grew up in the same house, and he stood up and went out the back door while I went out the front," Capote said. Capote helped Smith and Hickcock get new lawyers for their appeal.

Capote makes the statement several times that he's not ready to see Smith

die. But it's also crucial that Smith open up about the murders, providing Capote with the gripping climax to his book. The two had a strange relationship going for a couple of years as Smith clammed up and Capote lost interest in the appeal.

On the other side, Capote continually had to ward off his publisher, who was eager to get it in print. "Why are you doing this to me," Capote cried in drunken anguish one night.

Smith finally spilled, giving the book and the movie its climax. If you're faint-hearted, it helps to know the murders in "Capote" are recreated in a quick, camera-darting scene.

Where the movie came up short was that it didn't really show Capote performing the monumental task of actually writing the book. That's the hardest part, any writer will tell you. I would have liked to have seen Capote sweating over the keyboard, poring over notes, checking facts by phone, tearing up pages.

The movie is well-filmed. It's cold and dark in Kansas, and you feel it. But the relative lack of action makes it a fine DVD or video rental. Again, Capote was his own main character in the drama that was his life after the success of *In Cold Blood*. The book gave rise to the creative nonfiction literary genre, which has gone on to produce a number of fine accounts of true crime right here in North Carolina from authors such as Jerry Bledsoe and Joe McGinniss.

Capote's next great work never saw print. He was content to play the role of the drunken little man on talk shows and in cameo appearances in movies before dying of complications from alcoholism in 1984. It's important to remember he was much more than that. "Capote" reminds us of the real Capote. CJ

North Carolinians for Home Education

The MISSION of NCHE is to:

- PROTECT the right to homeschool in North Carolina.
- PROMOTE homeschooling as an excellent educational choice.
- PROVIDE support to homeschoolers with conferences, book fairs, and other resources.



The IDEALS of NCHE are:

- Educational excellence.
- Parental authority and responsibility for education.
- Protection and promotion of the family.
- Diligence in moral and ethical instruction.
- Responsible citizenship.
- Freedom of choice among educational alternatives.
- Defense of Constitutional rights.

Over 9000 people will attend the annual conference and book fair in Winston-Salem May 26-28. For more information about NCHÉ, you can call the office at **919-790-1100** or visit the website at www.nche.com

As of January 2005, there were over **60,000** homeschoolers registered in the state of North Carolina.

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Commentary

The System Made Black Do It

There is plenty of mocking and sneering in Raleigh these days over House Speaker Jim Black's present difficulties, which surround his questionable practice of handing out political favors concurrently with distributing blank \$100 checks to legislative supporters.

A lot of people are blaming it on "the system." A Feb. 2 editorial in *The Charlotte Observer* said "a system in which lobbyists raise money for legislators whose votes help or hurt their clients is open to conflicts of interests at best and outright corruption at worst." Stopping short of calling on Black to resign as speaker, *The Observer* said "overall he has done little more than other legislative leaders in the past and present who have effectively wielded the power the system allows them to exercise....The problem isn't simply the people, it's the process."

Many of Black's fellow Democrats believe the issue is procedural also.

"The problem is with the system," said state party chairman Jerry Meek to the Associated Press on Feb. 15. "Everybody understands it is."

Claiming to have spoken to "many members of the legislature," Meek told *The Observer*, "It is clear that they don't like the current system and that they feel that the system itself, not any individual members of the legislature, is to blame for the loss of confidence in the process among some members of the public."

Well, that's quite a system, if it overwhelms the personal integrity of those who participate in it and forces them into unethical behavior. I didn't know the political system was so much more powerful than other organizational structures that depend heavily on the honesty of their participants.

Take for instance our method of income tax collection. As a journalist who writes freelance articles on the side, I receive payments from publications that usually pay only \$50 to \$100 a pop, and they don't accumulate enough to require those organizations to issue me (or the IRS) a 1099 form stating annual totals paid to me. In other words, the amounts are so low they don't have to be formally identified or reported.

No, much of our mode of tax collection requires me to abide by the age-old honor system. However, unlike the oppressive political system that Black and his brethren find themselves stuck in, I am so glad our tax collection system has not coerced me to compromise my ethics!



Paul
Chesser

But as we know, the only way for Black to keep his job as House Speaker was to collect all those funds from his fond followers, like the optometrists, video poker vendors, and chiropractors. The "system" forced him to chop the quantities into undetectable increments, so he could

reward the party-switching former Rep. Michael Decker, whose vote was vital in Black's eyes to help him retain at least part of the Speaker job.

I too, every day, am confronted with a similar dilemma. Do I try to extract financial gain for myself or for my employer, *Carolina Journal*, in exchange for favorable reporting about those contributors? Or do I just try to do a good, fair job? Thank God I have those options in the system I toil in! How paralyzed and helpless the Raleigh politicians must feel in theirs.

Meanwhile, the sheer audacity of the North Carolina media in their criticism of Black is disturbing. Take, for instance, the insensitive and unsympathetic editorialists at the *Wilmington Star-News*, who said of Black, "the N.C. House under him looks like a teenager's bedroom and smells like rotting shrimp in a sun-baked dumpster." Or the slightly more charitable opinion writers at the *Wilson Daily Times*, who said he "flagrantly used his office to peddle favorable treatment for his cronies and friends."

Don't they know Black has a "system" he has to work under here?

It makes you wonder where Rep. Jennifer Weiss, D-Wake, was coming from when she told *The Charlotte Observer*, "It troubles me that assumptions are going to be made that we all do business like that, because we don't."

She must hail from a planet in an entirely different "system." CJ

Paul Chesser is an associate editor of Carolina Journal.

NEWS ITEM EDUCATORS SEEK WAYS TO TAKE PECKY, HOWLING PARENTS OUT OF THE CLASSROOM



Editorial

Classroom Experiment Arrogant

Should boys and girls attend classes together, in single-sex groups, or in some combination of single-sex and mixed-sex classes? The question is as ambiguous as the answers. In some cases, it appears that educators are seeking more boy-typical behaviors from girls and more girl-typical behavior from boys. Often, single-sex programs are unclear as to the goals they seek.

Recently, talk about placing boys and girls in separate classrooms has emerged from an experiment in Carrboro's McDougle Middle School. A Carrboro middle-school teacher, Dorothy Works, a 31-year teaching veteran who is retiring after this school year, decided to test her theory on some of the school's students.

She didn't consult the school superintendent nor the school board; parents and children were notified the Friday afternoon before the split took place Monday. Works didn't want "to run the risk of someone saying, 'No, no, no.'"

Discussions about boy-girl brain differences, distractions, socialization, maturity, intimidation, learning styles, expression, discrimination, and academic rigor have been around for quite some time. In public education, single-sex schools and classes are unusual and often controversial, but allowed under specific circumstances.

Here are some possible reasons for which parents might want to choose single-sex schools or classes for their children, for all or part of their academic careers. The single-sex setting:

- Reduces distraction from academic work and increases academic performance (because social concerns distract);
- Serves health, religious, or ethical concerns;
- Reduces competition (usually for girls — as a motivator);

- Increases competition (usually for boys — as a motivator);

- Reduces peer pressure (eliminating labels such as "nerd," "dummy," and "teacher's pet");

- Allows more boy-centric or girl-centric learning styles, responses, or topics (if the students are uncomfortable with other-sex styles); and

- Reduces sex-based expectations and stereotyping (they should not be pigeonholed into "girl" topics/styles vs. "boy" styles — this is really a feminist equity complaint).

Does boy-girl interaction in school or in class do any good at all? One wouldn't know it, given the litany above, but the answer, we feel, is yes. There are valuable lessons that mixed classes and mixed company convey. They include:

- Learning to deal with the opposite sex. Most boys will marry girls, and vice versa. Intellectual, physical, and emotional respect for the opposite sex is tougher to learn in a vacuum.

- Civilization. Girls civilize boys' behavior, and vice versa. (Surprise!) Boys will do things in the company of boys that they would never do in mixed company.

As for the Carrboro experiment, whether results are good or bad, Works made a poor and an arrogant decision to separate her students. Her action demonstrates disrespect for these children's parents.

If we want kids to behave well for whatever reason, including better academic performance, we need to make sure they see good behavior in the adults around them.

Modeling behavior that says it's OK to disrespect others, to act with impunity on your wishes, and to treat your goals as too important to merit consulting others' opinion is the wrong message to send. The experiment might end, but the lesson will linger. CJ

Road Funds 'Tipping Point'

Technology will facilitate new ways to finance highways

Let's go way far out on a limb and predict that there will not be a groundswell of popular support anytime soon for the creation of a new set of toll roads and mileage fees in North Carolina. However, we do agree with Kenneth Orski, publisher of transportation research via his Urban Mobility Corporation, that highway pricing might be close to the "tipping point" made famous by author Malcolm Gladwell.

Orski, a former administrator at the federal Urban Mass Transportation Administration and a 30-year veteran of transportation-policy wars, argued in a recent edition of his newsletter, *Innovation Briefs*, that "highway tolling and private financing are gaining new converts among governors and state transportation officials, in state legislatures, and in the media." As evidence, he pointed to proposals since the beginning of the year in California, Virginia, Maryland, Texas, Washington, Indiana, Utah, Georgia and South Carolina to set up or expand public-private partnerships to build tollways. He might have included recent activity by North Carolina's new authority to create a priority list for new tollways in several corridors across the state.

As for charging motorists to use state highways according to miles driven

rather than gasoline consumed, there is at least some conversation about an idea that, until quite recently, was viewed as purely theoretical, politically impossible, or both.

Despite the rise of the SUV, average fuel economy in the motor-vehicle fleet has increased. Motorists effectively pay less in tax per mile driven than they used to, not a trend likely to keep highway investment sufficient to accommodate growing traffic. North Carolina's "solutions" to the problem, consisting of a variable component to its excise tax on motor fuels and a lot of wishful thinking, are inadequate and themselves politically unsustainable.

Meanwhile, it has become technologically feasible, using the global-positioning system, to install markers in automobiles and track not only their mileage but also their use of particularly congested roadways. Germany already successfully operates a satellite-based system for charging trucks to use some 7,500 miles of autobahns, while demonstration projects are underway in Oregon and Washington to use GPS-based tracking technology to price roads.

It would be good news if policy-makers began a serious discussion of these challenging issues. It would mean the tipping point is close at hand. CJ

Hotel Taxes Also Paid By Locals

Visitors will cut back on other spending due to higher hotel bills

The city of Charlotte is about to have a new government-funded tourist attraction — the NASCAR Hall of Fame — but it won't cost local residents any new taxes, say the city and county officials who favor the deal. That's because most of the cost, \$118 million out of \$155 million for the museum and attached facilities, will come from higher taxes levied on hotel stays.

Not only was this argument used in print and broadcast coverage of the Hall of Fame announcement, but also by supportive politicians at a John Locke Foundation Headliner Luncheon recently in Charlotte. But with respect, to suggest that hotel taxes do not cost local residents anything is fundamentally to misunderstand the concept of tax incidence.

To put it simply, he who writes the check to the taxman may not actually bear the cost of the tax. When a tax pushes up the price of a good or service, buyers and sellers respond. In some cases, the higher price gets passed along to the consumer.

But if consumers can find substitutes for the good or service in question, it may be in the interest of sellers to eat the loss and keep the price level. There is a lot of disagreement in the tax

literature about the incidence of various taxes — but none at all about the fact that taxes affect many more people than simply those to whom the taxes are formally charged.

In the hotel-tax case, many decisions about lodging are made in a highly competitive atmosphere. A difference in hotel bills of a few dollars may not seem like much, but in bulk it can make or break a deal to attract a gathering or weekend getaway. When hotel prices rise, some visitors won't change their behavior at all. Others will choose to pay the higher price but then cut back on other expenditures during the trip, such as meals or entertainment. Still others will decide to go elsewhere.

Thus, those who actually bear much of the cost of a higher hotel tax in Charlotte aren't from far away. They are local business owners and employees, in hotels as well as other industries catering to visitors.

Charlotte is in a highly competitive market for business or pleasure travel, a market now based on quick price comparisons on the Internet. In this environment, much of the real cost of hotel taxes is borne by local companies and workers in the form of lost sales and wages. CJ

Commentary

Spending Other People's Money

The phrase "Other People's Money" has given us the title of a pretty funny Danny DeVito film and a slew of late-night television "specials" urging viewers to learn how to buy real estate with no money down. Its most pernicious use, however, is in the public policy debate as a way to obscure what's really going on with government finances.

I used to think it was strictly the fiscal-conservative version of an urban myth, but then I actually heard people say that "we" shouldn't have to pay for a certain program, the "government" should. There really are millions of voters who believe that if a politician promises them a "free" good, it won't cost them anything. Their misapprehension is helped along by such devices as income-tax withholding, which makes some welcome as good news the prospect of a tax refund (it's really evidence that you have made an interest-free loan to the tax collector), and retail sales taxes, which keep taxpayers from realizing how much government costs them over the course of a year.

Other iterations of the OPM myth pervade state political debates. For example, there is a major move afoot in Raleigh right now to convince state lawmakers to put some costly bond issues on the November ballot. Water and sewer needs will cost North Carolina localities \$7 billion in just the next half-decade, the argument goes, and "they" can't afford it all. "State government" should pick up at least \$1 billion of the cost in a new statewide bond.

Of course, North Carolinians liable for state taxes are also liable for county and usually for municipal taxes, too. They aren't different groups of people. If what water-bond supporters really mean is that Charlotteans and Ashevilleans and Wilmingtonians ought to pay for their own water as well as the water used by people in Kinston and Murfreesboro, they should just say so. And it might be wise not to mention what has happened to previous statewide bond issues predicated on similar assumptions.

Along the same lines, for some of its advocates the Leandro litigation was about making "the

state" pay for educational offerings that local communities — be they rural counties in the East or West or urban counties beset by high costs and inner-city troubles — could not and should not have to afford on their own. I've always

wondered what this was supposed to mean in practice. Is there a category of North Carolina suburban counties whose residents can obviously afford to pay for their own schools as well as the schools of city and countryside? Does that category include suburbanizing counties such as Union, Cabarrus, Davidson, and Johnston? If not, which ones?

The OPM problem isn't limited to issues of on-budget expenditure. Millions of people believe that their employers "give" them health care coverage, so if current changes in tax and regulatory policy result in more individual ownership of health plans and savings accounts, they won't be "given" their health coverage anymore. This is poppycock. Take it from an employer who knows: the dollars paid to workers in the form of health benefits are simply part of the total cost of compensating those workers.

Perhaps workers rationally prefer to receive non-wage benefits rather than cash — either because of the tax advantages or the presumed comparative advantage of employers as bulk purchasers of insurance products — but that doesn't change the fact that benefits and cash are substitutes.

That is, employers do not buy health insurance and "give" it to workers. They resell the insurance to the workers in exchange for the workers' productive output.

Beware of those who promise you can gain some benefit or advantage by the costless expropriation of "Other People's Money." The "others" to whom they refer include, well, you. CJ



John Hood

John Hood is president of the John Locke Foundation and the author of *Selling the Dream: Why Advertising is Good Business*, available from Praeger. Contact him at jhood@johnlocke.org.

Editorial Briefs

Strategic Petroleum Reserve

The U.S. Strategic Petroleum Reserve has been touted by politicians and energy economists as one of the best means to protect the nation against oil supply shocks, but studies have found that there is little evidence for the proposition that government inventories are necessary to protect the country against supply disruptions, Jerry Taylor and Peter Van Doren of the Cato Institute say.

SPR, a federally owned and operated stockpile of 700.1 million barrels of oil in Texas and Louisiana, has been used only three times since it was created in 1975. In each of those instances, the releases were too modest and, with the exception of the 2005 release during Hurricane Katrina, too late to produce any significant benefits. The cost associated with SPR have been larger than the benefits, Taylor and Van Doren said.

A conservative estimate finds that SPR has cost taxpayers at least \$41.2 billion to \$50.8 billion (in 2004 dollars), or \$64.64-\$79.58 per barrel of oil deposited. Accordingly, the premium associated with the insurance provided by SPR is high, relative to market prices for oil, even during 2005.

SPR's insurance policy is unlikely to pay off in the future either, since major oil supply shocks are much rarer than many believe, the executive branch has been unwilling to use the reserve as quickly and robustly as economists recommend and the benefits from a release are overstated. Policymakers should resist calls to increase the size of the reserve and instead sell the oil and eventually terminate the program, Taylor and Van Doren said.

Studying development aid

Bill and Melinda Gates have been pouring billions into programs designed to help the health of residents in poor nations. To determine the return various projects generate, Gates helped finance a World Bank investigation into the efficiency of measures to improve the health of the world's poor.

The World Bank studied the results of programs meant to help the poor and found that even programs designed to reach poor people often end up instead helping the better-off.

In almost all of the more than 20 countries surveyed, the richest 20 percent of the population received more, or as much of, the government's subsidized maternal and child health-care services as the poorest 20 percent. Studies of Cote d'Ivoire, Ghana, Guinea, Kenya, Madagascar, South Africa, and Tanzania all have shown that government spending on health supports upper-income groups.

The World Bank remains optimistic that such programs for the poor can be made to work. On the other hand, the World Bank was founded almost six decades ago and only now is releasing reports showing that some of the most promoted programs for the poor in the history of the world are more likely to benefit the rich, says author James Peron in *TSC Daily*. CJ

WE DON'T WANT
THE MILITARY ON
CAMPUS BECAUSE
IT DISCRIMINATES
AGAINST HOMOSEXUALS.



WE ALREADY HAVE THE
TALIBAN HERE FOR THAT.



For Some Time, Oil Will Be In Our Future

In this year's State of the Union address, President Bush challenged the country to end its addiction to oil, particularly foreign oil. Oil supplies 40 percent of the nation's energy needs, and foreign oil accounts for 60 percent of all our oil usage, up from one-third 20 years ago. As is well known, a significant part of foreign-supplied oil comes from regions that have political and security issues.

Yet remember the well-used phrase, "If it was so easy, it would have already happened." Unfortunately, this comment applies directly to our oil usage. There are no other fuels readily available today that provide the versatility and cost advantages of oil. Simply put, oil and its derivatives have no immediate viable alternatives.

But wait, wait — what about fuels such as ethanol, battery packs, and solar power? It's technically possible to power a significant part of our economy with these sources. So why can't we begin to move away from oil and gasoline toward these home-grown fuels?

We probably will, in small steps. But don't look for the alternatives to supplant a major share of the petroleum market for one basic reason — economics. Even with hefty public subsidies and today's prices of oil and gas, when up-front as well as operating costs are considered, the alternatives still aren't cheaper for the large majority of consumers. One study estimated that ethanol becomes competitive only when gas hits \$3.50 a gallon and stays there.

Advocates of energy alternatives don't take this analysis lying down. They say alternatives do measure up, in dollars and sense, when the full costs of oil are considered. Specifically, they argue that oil and gasoline are under-priced!

Their reasoning is that oil and gas prices don't account for two "external costs" created by the fuels. One is pollution, the cost of which, they say, is

not reflected in the price of gasoline.

Second is the claim that some of the country's military and foreign aid expenditures are directly related to ensuring foreign oil supplies from unstable regions, and these costs are also not included in the price of oil-based products.

When these two costs are estimated, and I must quickly add there are several important assumptions that make the calculations open to debate, they suggest gasoline may be under-priced by as much as \$1 to \$1.50 per gallon. In other words, the full cost of gasoline, including both pollution and national-security expenditures, would today be between \$3.25 and \$3.75 a gallon!

Still, at these prices there wouldn't be a mass exodus from the gas pumps. Research shows oil usage would drop about 15 percent.

So, this leaves an unpleasant realization. Barring some technological breakthrough, independence from foreign oil will not be achieved quickly and

without cost. We can tax gasoline substantially more in order to motivate people to use non-oil alternatives, but in the interim suffer the stress this would put on family budgets.

Or, we can heavily subsidize energy alternatives through government grants and programs so that the price that consumers pay for the alternatives is in line with the price of oil-based fuels. However, the costs of these government efforts are ultimately borne by either today's or tomorrow's taxpayers.

Either way, energy independence from oil, which most desire, won't come anytime soon. Once again, there's no free lunch. CJ



Michael
Walden

Michael L. Walden is a William Neal Reynolds distinguished professor at North Carolina State University and an adjunct scholar of the John Locke Foundation.

'Green Dorms' Waste Resources; Headline Was In Error

To the editor,

Maybe I'm missing something, but in the "Renovated Dorm Uses Green Heating" story (CJ Feb. '06) it seems to me the headline ought to be "Solar-Powered Hot-Water System Wastes Human Energy."

Perhaps some facts were missing in the story, but if \$446,455 was used to save an estimated \$11,275 per year in hot-water bills the result is a rate of return of 2.5 percent. (Given the nature of the grants I assume they supplemented, not replaced, funds for a standard heating system.) In comparison, the current prime rate of 7.5 percent, less inflation of 3.5 percent, gives a minimum required return in the neighborhood of 4 percent to break even on the interest cost.

If we make a truly heroic assumption that the solar system will last 30 years, then there is a \$14,882 amortization (or \$22,323 for 20 years) of the principal investment to contend with. No doubt, maintenance costs will require skilled labor, too.

In any case, the first year "sav-

ings" of \$11,275 is overwhelmed by the minimum to cover interest of \$17,858, let alone the \$14,882 (or will it be \$22,323?) amortization. Taxpayers pay an extra \$21,465 for this hot water, an amount that must accrue onto the initial investment ad infinitum — a true waste of human resources.

Allen T. Hyde
Newland, N.C.

Letters to the Editor

To the editor,

I am the victim of your [online] story bylined March 20, 2006 which bears the headline "Woman with Dementia Backs Moore; Contribution from 96-year-old given by nephew without her knowledge."

As a conservative who normally votes Republican, and never voted Democrat, I need to set the record straight by repeating exactly what I told your reporter, Mr. [Don] Carrington, in the two conversations I had with him.

In the 2004 Presidential run-up I prevailed upon my brother-in-law and friend, Allen G. Thomas, a registered Democrat from Wilson [N.C.], to make a significant contribution to the Bush-Cheney re-election campaign because I was one of the sponsors for Mrs. Bush's

visit to Florence [S.C.]. He made that donation out of friendship and affection for me although, I am sure, it must have entailed some embarrassment among his North Carolina Democrat friends.

In the fall of 2005 Allen asked me for a contribution to a candidate, or former candidate, in North Carolina of whom he thinks well. I reminded Allen that I do not support Democrats, but because of the former favor he had rendered me I did say that I knew people who were not ashamed to support Democrats and that I would do what I could to help him raise some campaign contributions for his candidate. My aunt Lorraine knows Allen very fondly and is aware that Allen and his brothers have been very kind to members of Lorraine's family. Lorraine is a 96-year-old, keenly intelligent and quite gracious woman who had a successful career. She does have some short-term memory loss, but is very aware of the objects of her affection. When I asked her if she minded making a contribution to the North Carolina Democrat for whom Allen was soliciting, she readily agreed.

All of Lorraine's bills and purchases are paid for her pursuant to a lawful, valid, binding, and recorded power of attorney. Her contribution to Mr. [Richard] Moore was effected in the

same way. End of story.

As you can see, I did not make a contribution to Mr. Moore. Nor was the contribution made without Lorraine's knowledge.

I fully support almost all of the objectives of the John Locke Foundation, having held it in high regard for several years. It would be thoughtful and kind if you would issue a correction. I write simply to set the record straight by repeating what I actually told Mr. Carrington.

Yours very truly,
Reynolds Williams
Florence, S.C.

[Editor's note: The article to which Mr. Williams refers appeared on CarolinaJournal.com on March 20, 2006. It originally had the erroneous subhead correctly quoted in his letter. That subhead, originally written online based on a description of the story, was changed almost immediately to read: "Contribution from 96-year-old given in her name by nephew."

Mr. Williams had not seen that change at the time he wrote his letter. However, CJ offered to run his letter in its print edition for clarification and Mr. Williams agreed.

Carolina Journal regrets the error.]

Upcoming Elections: Problems, Challenges and Opportunities

Can we talk? I hope so, because I believe it's time for a frank discussion within the Republican Party and the conservative movement about the upcoming elections and the direction in which we're headed.

To set the stage going into the 2006 elections there are several recent polls that I would like to share with you.

According to the RealClearPolitics website, which averages the major surveys on the opinions of the American public, President Bush has a job approval rating of 37 percent.

A recent ABC News/Washington Post poll found that only 39 percent of Americans approved of the president's handling of the war in Iraq.

A Time Magazine Survey, taken in late January, found that 61 percent of Americans disapprove of the job Bush is doing when it comes to illegal immigration and securing America's borders.

One final survey taken by CNN/USA Today and the Gallup organization asked the question, "What is your party preference in the upcoming congressional elections?"



Marc
Rotterman

The American people at this point in time by a margin of 53 to 39 percent would prefer that the Democrats take control of Congress.

Let me point out that in 1994 when Republicans took control of the House for the first time in 40 years, these were the same types of margins that Republicans were enjoying before that election.

So how does the president and the Republican Party find themselves in this dilemma?

Let me briefly identify some of the front-burner issues.

Issues: The war in Iraq, the handling of Katrina, the illegal-immigration issue, federal spending, and the Dubai ports fiasco.

Make no mistake about it, the president's legacy is on the line in Iraq. The outcome of the war in Iraq will mainly be dictated by events on the ground. The political will of the president, the American people, and their elected representatives will also influence the end result.

If, on Election Day, Americans think that the Iraq War is headed in the right direction and that our troops will be home in a timely manner, then fate may well smile on the Republican Party. If not, it might be a long night for Republicans.

With respect to the devastation and the handling of the aftermath

of Katrina, the Bush administration and the Republican Party should not underestimate America's disappointment with the lack of response to the disaster. For the first time many in America questioned whether the Bush administration was "up to the task" in time of crisis.

As the polls indicate, many people think that the president is not dealing effectively with the crisis on the Mexican border. By not doing so, I believe he risks alienating his conservative base and those Reagan blue-collar Democrats who historically helped create the Republican electoral majority.

To date, and to the great dismay of many conservatives, Bush has yet to veto a single spending bill. Our national debt is more than \$8 trillion.

Then there is the Dubai Ports deal, which by any measure was a political nightmare for the Bush administration and the Republican Party.

Many were asking how the Bush administration, which had been so disciplined, could suddenly be "politically tone deaf."

But as they say, the game isn't over until the fat lady sings. We must adjust and find solutions to the problems that currently confront the nation.

First and foremost, FEMA must be seen as capable of "stepping up

to the plate" and responding should another disaster strike America. The bureaucratic problems that transpired after FEMA became a part of the Homeland Security Administration must be fixed, and fast.

At this time there has been an ever-increasing disconnect between the American people and the "inside the beltway" crowd with regard to illegal immigration. In a time of war securing our borders must be a top priority.

The president needs to demonstrate the same leadership he exhibited after Sept 11.

Perhaps he should consider doing something bold, such as:

- * Putting troops on our borders.
- * Keeping Congress in session until the tax cuts are made permanent and the estate tax is eliminated.
- * Vetoing a major spending bill.
- * Making staff changes in the White House

As outlined above, this is a time of both peril and great opportunity for America. The party that deals with the tough questions will win the voters' confidence. CJ

Marc Rotterman is a senior fellow of the John Locke Foundation and Treasurer of the American Conservative Union

A Funny Thing Happened on the Way to the, er, Schoolhouse (a *CJ* parody)

By KAREN WELSH
Contributing Editor

With apologies to Stephen Sondheim, Larry Gelbart and Richard Lester, not to mention Zero Mostel, Phil Silvers and Buster Keaton:

Act I—One School Night

Teacher: Parents, I bid you welcome to my classroom. This is my domain, where we worship tests, tests and more tests. I am pleased to announce another round, so sharpen each child's pencil, there's testing tomorrow, no homework tonight!

Children: Something familiar, something peculiar, something for everyone in sight. Testing tomorrow, no homework tonight!

Something appealing, something mind-killing, nothing portentous or polite; testing tomorrow, no homework tonight!

Nothing to stress me, nothing to stretch me, weighty affairs have to take flight. Testing tomorrow, no homework tonight!

Nothing too formal, everything's normal, no recitations to recite! Testing tomorrow, no homework tonight.

Act II—The Next Morning

Teacher: Slaves, er, I mean students! We are about to start our testing. Stop cringing and fetch your pencils.



Pseudolus: I've often thought, I've often dreamed.

Pseudolus?

Pseudolus: Yes, Teacher?

Teacher: What is THAT book you are reading?

Pseudolus: It's an educational book my mother gave me on historical Roman culture.

Teacher: Is that information

on the test?

Pseudolus: No, teacher.

Teacher: Then, by all means, give it to me. I'll burn it. You know it doesn't belong in MY classroom. And, tell your mother she's on detention.

Act III—The Next Afternoon

Pseudolus: Mother, I have a note from Teacher. You're in trouble again.

Mother: Tell me dear son, you didn't bring the book I gave you to

class?

Pseudolus: I'm sorry, Mother. The book makes me dream of being a Roman, of being free!

Mother: Pseudolus! People do not go about freeing students, especially in the public school system!

Pseudolus: I could be the first! I could start a fashion!

Mother: You could be free?

Pseudolus: I've often thought, I've often dreamed. How it would be, and yet I never thought I'd be.

Mother: Free.

Pseudolus: Could you see me like a Roman with my head unbowed? Like a Roman, having rights, and like a Roman proud. Can you see me as a student learning graft and vice? Why I'd be so conscientious that I might learn twice!

Act IV—The Next Morning

Pseudolus: Teacher?

Teacher: Why are you parading into my classroom this early in the morning?

Pseudolus: I wasn't parading, I was walking. Now that we're alone, may I tell you I've been feeling very strange? Either something's in the air or else a change. I think I know the cause, I hope I know the cause. From everything I've heard,

there's only one cause it can be.

Teacher: Learning, I hear, makes you sigh a lot. And I hear, leaves you weak. I have a confession. I saved your book from the circular file.

Pseudolus: Thank you!

Administrator: (overhearing the conversation) Teacher! What is this? Your teaching methods are becoming remiss!

Teacher: I was only...

Administrator: Silence. Stand back. Do you think this student is free born? To learn? Seize him! This cannot be.

Pseudolus: Careful, I'm a bleed-er.

Teacher: This quivering student is blameless. It is I, and I alone who have caused this grief. I thought of more than the test, much to this student's relief.

Pseudolus: Before I can think no longer, I must know. What is the moral? Tell me before I go.

Administrator: Here is the moral, right or wrong: Teaching to the test is the short of it...and long.

Children: No royal courses, no Trojan Horses, and a happy ending, of course! Goodness and badness, Administrator in madness, this time it turns out all right!

Testing tomorrow, no homework tonight!

CJ



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