

CAROLINA JOURNAL

Statewide Edition
January 2006 • Vol. 15, No. 1

www.CarolinaJournal.com

A Monthly Journal of News,
Analysis, and Opinion from
the John Locke Foundation

www.JohnLocke.org

Roanoke Rapids Projects Tap Public Funds

By DON CARRINGTON
Executive Editor

Economic development officials in northeast North Carolina put a pretty face on the groundbreaking in mid-November of one of three projects planned around Roanoke Rapids. Dolly Parton was there. So was brother Randy. But the stark reality is that state taxpayers appear to be the only ones paying a pretty penny for the projects and that conflicts of interest abound.

ROANOKE RAPIDS



Northeast Partnership Executive Director Rick Watson

Supporters of three recently launched Roanoke Rapids-area projects say the projects will deliver thousands of jobs and provide millions of dollars of economic benefits for the region. But to succeed, each will ultimately depend on a steady stream of customers. Only time will tell whether the customers come and the projects deliver the promised benefits.

Just a few miles north of Roanoke Rapids, off Interstate 95 at Exit 176 is the site of the Advanced Vehicle Research Center, a 625-acre facility with a

3.2-mile test track, designed to attract automotive testing and research companies. A few miles to the south, but also adjacent to I-95 at Exit 171 is the 750-acre site for The Randy Parton Theater and Carolina Crossroads Music & Entertainment District. Three more miles to the south along I-95 at Exit 168 is the 118-acre site for a theme park to be called "Turtle Island: Native America USA."

The vehicle research center is in Northampton County, population about 22,000; and the other two projects are in Halifax County, population about 56,000.

While seemingly different, the projects have much in common. Each project is heavily dependent on public funds to get started. The specific sources of private funds remain a secret.

The Northeastern North Carolina Regional Economic Development Commission, whose headquarters are in Edenton, is a key player in the research center and the Parton project. The General Assembly created the 19-member commission to facilitate economic development in a 16-county region. House Speaker Jim Black, and Senate President Pro Tem Marc Basnight each appoint six members, and Gov. Mike Easley ap-



Country singer Dolly Parton joined her brother, Randy, at the Roanoke Rapids groundbreaking for the Randy Parton Theater (Photo by Don Carrington)

Continued as "Roanoke Rapids" Page 2

Most Partnerships Manage to Avoid Conflicts of Interest

By PAUL CHESSER
Associate Editor

Unlike Rick Watson of North Carolina's Northeast Partnership, some leaders of the state's other regional economic development groups say they cannot imagine situations in which they would seek public money for businesses that they are trying to recruit and or work for. Some of them say they have explicit policies against such conflicts of interest.

RALEIGH

Watson, who has arranged to work for Randy Parton and his Moonlight Bandit production company in Roanoke Rapids while still retaining his head role with the partnership, sought state money for a 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.

"I've had no experience in dealing with that set of circumstances in my ca-

reer," said Don Kirkman, president of the Piedmont Triad Regional Partnership. "Part of the reason may be is that the kinds of projects we are involved in are ones in which there have been no local investment."

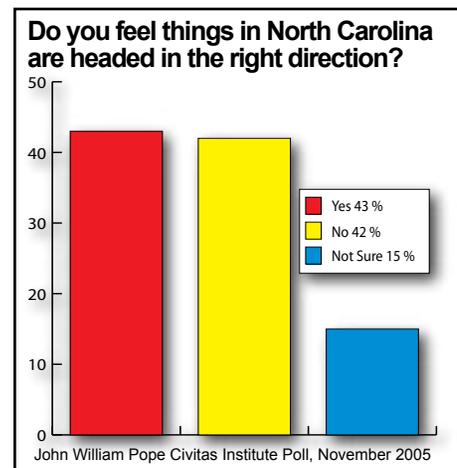
Kirkman said his agency, which receives about 50 percent of its funding from the state, has a policy against conflicts of interest — when it comes to pursuing state money for individual projects or recruited businesses. He said the Piedmont partnership isn't really

in the business of getting incentives for companies. That responsibility is left to the state Department of Commerce and to county and city government agencies.

"We're really just a marketing organization," Kirkman said. "We're not in the transactional side. We just try to market and generate leads."

That mission stands in contrast to

Continued as "Most" Page 3



Contents

State Government	3
Washington Watch	6
Education	8
Higher Education	12
Local Government	16
Books & the Arts	20
Opinion	24
Parting Shot	28

The John Locke Foundation
200 W. Morgan St., #200
Raleigh, NC 27601

NONPROFIT ORG.
U.S. POSTAGE
PAID
RALEIGH, NC
PERMIT NO. 1766

Richard Wagner
Editor

Don Carrington
Executive Editor

Paul Chesser, Michael Lowrey
Donna Martinez
Associate Editors

Chad Adams, Shannon Blosser,
Andrew Cline, Roy Cordato,
Paige Holland Hamp, David Hartgen,
Sam A. Hieb, Lindalyn Kakadelis,
George Leef, Maximilian Longley,
Karen Palasek, Marc Rotterman,
Mike Rouse, R.E. Smith Jr.,
Jack Sommer, John Staddon,
Jim Stegall, George Stephens,
Jeff Taylor, Michael Walden,
Karen Welsh, Hal Young
Contributing Editors

Richard Carney, Travis Fisher,
Guillermo Peña, Brent Lucas,
Jenna Ashley Robinson,
Matt Stephenson
Editorial Interns

Published by
The John Locke Foundation
200 W. Morgan St., # 200
Raleigh, N.C. 27601
(919) 828-3876 • Fax: 821-5117
www.JohnLocke.org

Jon Ham
Vice President & Publisher

John Hood
Chairman & President

Bruce Babcock, Herb Berkowitz,
Jim Fulghum, Bill Graham,
Robert Luddy, Assad Meymandi
Baker A. Mitchell, Jr., Carl Mumpower,
Maria Ochoa, J. Arthur Pope,
Tula Robbins, Thomas A. Roberg,
David Stover, Robert Stowe,
Andy Wells
Board of Directors

Carolina Journal is a monthly journal
of news, analysis, and commentary on state
and local government and public policy issues
in North Carolina.

©2005 by The John Locke Foundation
Inc. All opinions expressed in bylined articles
are those of the authors and do not necessarily
reflect the views of the editors of CJ or the
staff and board of the John Locke Foundation.
Material published herein may be reprinted as
long as appropriate credit is given. Submis-
sions and letters are welcome and should be
directed to the editor.

CJ readers wanting more information
between monthly issues can call 919-828-3876
and ask for Carolina Journal Weekly Re-
port, delivered each weekend by e-mail, or visit
CarolinaJournal.com for news, links, and ex-
clusive content updated each weekday. Those
interested in education, higher education, or
local government should also ask to receive
weekly e-letters covering these issues.

Roanoke Rapids Projects Tap Public Funds

Continued from Page 1

points seven. The chairman, Jack Runion of Littleton, is an Easley appointee. Rick Watson is president and CEO.

The commission's annual funding from the state is about \$1.5 million, but Watson typically seeks and receives additional state grant money from a variety of programs. One organization is apparently not adequate to carry out the commission's mission. Watson and Runion have created and control other organizations to handle money, including North Carolina's Northeast Partnership, Inc.; North Carolina's Northeast Economic Development Foundation, Inc.; North Carolina's Northeast Committee of 1000; and North Carolina's Northeast Partnership for Financing. For simplicity, further references to any or all of these organizations will be as Watson's Commission.

Vehicle Research Center

According to the Advanced Vehicle Research Center of North Carolina press release, the facility will be an automotive proving ground featuring "a high-speed track, ride and handling track, vehicle dynamics area, advanced emissions laboratory, hydrogen and alternative fuel refueling stations, client offices and workshop areas."

The idea was the brainchild of Dick Dell of Raleigh. Northampton County Community Development Director Gary Brown described Dell as a lifetime automotive enthusiast who is retired from IBM. "After retirement he has spent considerable time studying how new products have been brought to the market. He has a huge interest in alternative fuel technologies," Brown told *Carolina Journal* last May.

With a grant from the state-funded Rural Economic Development Center, Dell who is now an employee of the AVRC, authored a feasibility study on his own idea that concluded his project was feasible, and would "realistically have the potential to bring more than 6,000 jobs to North Carolina."

In his study Dell also said the AVRC can pick from a number of business models, "but all of them will probably include for-profit for operation and development and non-profit for ownership responsibility and cooperative university projects."

The bulk of the funding for the AVRC is a \$7.5 million appropriation from the legislature. Documents obtained from the State Budget Office



Northampton County Community Development Director Gary Brown (Photo by Don Carrington)

indicate that Watson initiated efforts to have the \$7.5 million sent directly to his commission instead of to the AVRC.

The \$7.5 million in AVRC funding from the Assembly is not automatic. The 2005-06 budget bill stipulates that before releasing any money, the Office of State Budget and Management must certify that the AVRC has obtained legal title to the property, provided the necessary infrastructure to support the facility, and entered into a contract for use of the facility that will create private-sector jobs. The AVRC is also required to deliver to the governor and legislative leaders a detailed progress report before Dec. 31, 2005. At press time, no report had been received and no funds had been released.

After a public hearing Dec. 5, the Northampton County Commissioners approved spending \$1.8 million to buy 625 acres of land to give to the AVRC, an organization formed in March 2005, and run by three board members, who are also government employees. The

organization's president is Brown. A county employee, his department manages the county's planning and land-use functions. The other two board members are Brown's boss, County Manager Wayne Jenkins; and Vann Rogerson, vice president of marketing for Watson's commission. Rogerson is in a unique position because he is also an employee of the N.C. Department of Commerce based in Edenton.

David Lawrence, a faculty member of the UNC School of Government told CJ that it is not unusual for a county to set up a nonprofit associated with an economic development activity. "But

if someone sets up a for-profit and the county controls it then you run into the issue — can the county run a test track? You have issues whether counties can do that."

Northampton County Commission Chairwoman Virginia Spruill told *CJ* that even though she was not at the meeting, her board approved the arrangement for Brown and Jenkins to establish a nonprofit and become board members. She referred further questions to County Attorney Charles Vaughan. Asked whether the board had approved the arrangement, Vaughan told *CJ*, "I don't know. I had no part in that."

CJ then asked Jenkins for copies of county commission meeting minutes approving his participation as an AVRC board member. He said he would search the meeting minutes and provide the information. Subsequently he responded in writing stating, "There are no such minutes as there was no approval by the Northampton County Board of Commissioners on the issue of the members of the make up of the Board of Directors of the AVRC."

Department of Commerce spokeswoman Alice Garland told *CJ*, "There is no written or email correspondence in the Department pertaining to Vann Rogerson's appointment to the AVRC Board." Runion told *CJ* that he thought the executive committee had approved Rogerson's participation in November. He was vague on other details about the AVRC. "Vann has been handling that project. I really haven't gotten involved," he said.

On Nov. 3 Golden LEAF Foundation awarded a \$1 million grant to Watson's commission to be used for the AVRC. The legislature created the nonprofit foundation in 1999 to receive one-half of the funds coming to North Carolina from the master settlement agreement with cigarette manufacturers. The politically appointed board makes grants to various economic development projects throughout the state. When asked why the money didn't go directly to AVRC, the nonprofit organization that is to receive a \$7.5 million appropriation from the legislature, Golden LEAF President Valeria Lee told *CJ* that Watson "applied for the grant, because the Vehicle Center has not yet received tax-exempt status, but we actually expect the money to go directly to Northampton County for expenses associated with developing the 30-acre site."

The grant application refers to the project as "Project Chapman," which at the time was a code name for Lotus Engineering, a Michigan-based division of the British racecar manufacturer started by Colin Chapman. The grant application stated that Project Chapman will create 790 new jobs and have a taxable investment of \$43 million in North Carolina. The application also

Continued as "Three" on Page 3

Three Roanoke Rapids Projects Tap Public Funds

Continued from Page 2

stated that AVRC has secured "engineering resources" valued at \$3 million that will be donated to the project. Simon Cobb, director of product planning for Lotus, confirmed that his company is part of the project and will be donating engineering services.

When asked how his company became involved in the project, Cobb said, "We worked through a public tender to win that position." He explained that Lotus responded to AVRC's request for proposals. He said he expects that hundreds of people will be hired to work at the facility, but acknowledged that most of the workers would be brought in from other areas.

U.S. Rep. G. K. Butterfield secured \$1.5 million in federal funds for the AVRC. Butterfield spokesman Ken Willis said county commissioners and representatives from the center asked for the money. He said that a Butterfield staff member had read the feasibility study and that "the federal government has some responsibility to be a partner."

Entertainment District

The groundbreaking ceremony for the Randy Parton Theater and Carolina Crossroads Entertainment District was conducted Nov. 11 at the site next to I-95 south of Roanoke Rapids. Parton recently set up Moonlight Bandit Productions to manage the main theater, which will be built by the City of Roanoke Rapids. Parton and his wife are moving to the area from their home near Pigeon Forge, Tenn.

Watson said he initiated the idea for the project and recruited Parton to participate. Watson and other supporters said the project represents an investment of \$250 million and the creation of more than 2,500 jobs.

[Rick] Watson said he initiated the idea for the project and recruited [Randy] Parton to participate. Watson and other supporters said the project represents an investment of \$250 million.

Complete funding details are sketchy, but Roanoke Rapids City Manager Rick Benton told *CJ* that the city will spend \$13 million building a 1,500-seat theater and turn it over to Parton to operate. He said that the NCDOT will spend about \$3 million to modify and improve nearby roads, and that there will be \$2 million in state grant money used for water and sewer extensions. He said he expects the rest of the money to be private.

In early November, Watson received approval from his board of directors to work for Parton's Moonlight Bandit Productions while keeping his current \$165,000 job as the CEO of his commission. His duties and salary with Moonlight Bandit are unknown. He said that he plans to end his commission job in 2007 but continue employment with Moonlight Bandit.

But an apparent conflict of interest has already surfaced. Documents obtained from the N.C. Department of Commerce show that, under Watson's signature, the commission submitted documents to Commerce establishing claim to the \$500,000 in state funds earmarked for the entertainment project. So Watson's Commission would be receiving state funds that are designated for his new employer.

The Commerce Department has balked on releasing the money because the legislation calls for the money to go to the Roanoke Rapids Entertainment Complex. Another holdup is that the

Entertainment District failed to submit a required progress report by Sept. 1, 2005 to the Office of State Budget and Management, the Department of Commerce, and the Fiscal Research Division of the General Assembly. At press time the district had still not released such a report.

Turtle Island

In November 2004 the Golden LEAF Foundation awarded \$100,000 to the Haliwa-Saponi Indian Tribe for pre-development costs for a project called "Turtle Island: Native America USA." Promoters of the project say it will be a Native-American theme park situated on 118 acres in Halifax County off I-95.

It "will serve as a tourism destination and economic catalyst for the area — increasing demand for local agricultural products that will be used at the park; providing jobs for area residents; and, creating benefits for area hotels, restaurants, and businesses." They say the park will also help educate the public about the history and culture of Native Americans.

The Haliwa-Saponi reside primarily in Halifax, Warren, and adjoining North Carolina counties. The majority of the 3,800 enrolled members live in southwestern Halifax County and southeastern Warren County. North Carolina officially recognized the tribe in 1965, and the Haliwa-Saponi Tribal Council

now governs it. The tribe has pursued federal recognition since 1979.

Earl Evans, a spokesman for the tribe, told *CJ* that the tribe has also received \$250,000 from HUD's Rural Housing and Economic Development program, and will be requesting \$1 million from the Assembly for costs of design, marketing, and promotion of Turtle Island. Evans said the tribe had a feasibility study on the project, but he would not make it public at this time.

The first phase of the project is estimated to cost about \$30 million and the tribe expects to raise money from government grants, foundations, and private donations. Evans would not say how much money he expected to come from government sources. He said the tribe has contracted with a Warren County company named BR Associates to create a preliminary design for the park. He said Barry Richardson, who is also a Warren County commissioner, owns the company.

Richardson is closely involved with the tribe. A biography on the tribe's web site says Richardson had served as the tribal administrator, and represents the tribe on the N.C. Commission of Indian Affairs. Among his business interests the bio listed BR Associates, describing it as "a consulting firm specializing in writing proposals, strategic plans and financial management." Asked when his preliminary design work will be finished, Richardson told *CJ*, "I don't have the slightest idea." When asked how much he was getting paid, he said, "I think it is irrelevant. Why should I disclose that?"

The Turtle Island project has not yet received any funds directly from the legislature. If the project gets money, the release of funds will likely be subject to reporting requirements similar to other projects. *CJ*

Most Partnerships Manage to Avoid Conflicts of Interest

Continued from Page 1

the Northeast Partnership, with which Watson repeatedly pursues state money for projects his organization works on. Those include the Parton project and the Vehicle Research Center, as well as his efforts to get Tobacco Trust Fund money for a fingerprint security company and for a defunct biotechnology company in 2002.

Another regional partnership head says his organization doesn't usually seek incentives either.

"We are a straight-up marketing organization," said Paul Butler, director of North Carolina's Southeast, which pursues economic development for 11 counties in the state. "That is the 'block-and-tackle' grunt-work of economic development."

Butler said his agency doesn't have

a conflict-of-interest policy because to be involved with a company he is trying to get public money for is inconceivable.

"I've been in this business a long time," Butler said. "In my entire career I've never had that type of situation brought forth to me."

Charles Hayes, director of the Research Triangle Regional Partnership, said his organization is in the process of developing a conflict-of-interest policy, even though local economic developers mostly handle incentives. The organization's board is large and has many representatives from businesses and industry throughout the state. That makes it more likely that board members could have stocks or mutual funds invested with companies that seek the partnership's help.

The Western North Carolina Regional Economic Development Com-

mission, which conducts its business as AdvantageWest, maintains a detailed ethics policy and code of conduct for its employees and board members. Its ethics guidelines prohibit employees and directors with a "significant financial business interest" in a business from getting consideration for grants from AdvantageWest. Also, employees and board members must disclose their investments in companies that receive consideration from AdvantageWest, and are required to abstain from voting on proposals related to those companies.

AdvantageWest's code of conduct also addresses potential conflicts with organizations that might have contracts with the Asheville-based agency. No agreements with outside interests that "would create a conflict of interest" are permitted, and the policy extends beyond the obvious financial or employ-

ment gain that could result from such relationships.

"Other interests that may create a conflict in producing non-financial gain include the benefit to reputation or prestige in a professional field," the AdvantageWest code of conduct says. "No employee, officer, board member or agent shall accept gratuities, favors, or anything of monetary value from contractors."

Watson did not return a phone message inquiring about the Northeast Partnership's conflict-of-interest policy. *Carolina Journal* requested that a copy of such a policy be provided, but by the publication deadline had not received anything. *CJ*

Paul Chesser is associate editor of *Carolina Journal*. Contact him at pchesser@carolinajournal.com.

Says motive was disgust with unethical conduct

Foe of Black Explains Web Site That Calls for Speaker to Quit

By PAUL CHESSER
Associate Editor

RALEIGH

Former Democratic political consultant Joe Sinsheimer, who in mid-November started a Web site calling for the resignation of N.C. House Speaker Jim Black, says he did so because his disgust with continuous revelations of unethical conduct reached a boiling point.

Sinsheimer, who has twice retired from politics and now runs a venture capital fund that backs a few small North Carolina technology companies, decided it was his duty to speak out about what he believes is overwhelming evidence that Black abused his power by doling out money, jobs, and favors in exchange for political support.

"My outrage just kept going up and up," said Sinsheimer, who has steadily followed news reports from *The News & Observer* of Raleigh and *The Charlotte Observer*. "I sort of said to myself, 'Am I going to be a complainer or am I going to be a doer?'"

The stories motivated Sinsheimer to launch www.jimblackmustgo.com, which links the news reports; explains why he wants Black to resign; chronicles the events involving the speaker's relationship with lobbyist and political aide Meredith Norris and other political supporters; and posts messages from people who have visited the Web site.

Sinsheimer said he only had to invest about \$160 of his own money in the project in the first month, and sup-



"Clearly, I've hit a nerve. It was like setting off a bomb inside the Raleigh political establishment."

Joe Sinsheimer
Former Democratic consultant
Creator of www.jimblackmustgo.com

port had been running favorable by a 30-1 ratio. Of those who have identified themselves as Democrats, he said support runs about 20-1.

"Clearly, I've hit a nerve," he said. "It was like setting off a bomb inside the Raleigh political establishment."

Sinsheimer said that establishment — represented by Democrats he said are linked or dependent on the political and fund-raising machine led by Black, Senate President Pro Tem Marc Basnight, and Gov. Mike Easley — has almost completely rejected or ignored him, failing to return telephone messages or e-mails.

The Democratic support he has received, he said, has come from those outside that system, what he says are the "grassroots" party members.

Sinsheimer said he instantly got media attention with the Web site. He has already accomplished much of what he wants: starting a dialogue within his party about the questionable ethics of its elected leadership.

"I firmly believe that if [Black] doesn't resign, that this will be the campaign issue in 2006 and the Democrats will get slaughtered over it," Sinsheimer said.

He said he hopes the ethics cloud hanging over the party can be set aside before the 2006 campaigns are in full swing, so that Democrats can spend their time focusing on important issues rather than defending themselves against allegations of corruption.

"I'm trying to shake my party's lapels and say we've got to fix this problem," Sinsheimer said. "We have to deal with it now."

"I don't believe ultimately voters care about scandal if it's dealt with. But if it's not dealt with, and it's an outstanding issue in the 2006 elections and every Democratic House member's got to basically defend themselves, and say, 'How much money you've taken from Black, are you going to vote for Black for speaker?'...that's a recipe for disaster for Democrats."

Sinsheimer believes a resignation by Black as speaker — not from his elected office — could go a long way toward alleviating the turmoil surrounding state Democrats. He said that if Black did resign the speakership, Sinsheimer would take down his website.

He disagrees with others in the party, such as state President Jerry Meek, who have said that Black has served the party honorably and that no wrongdoing has been proven. He also thinks it's wrong to wait and see whether the U.S. attorney returns indictments against Black.

"I just don't believe that's the right standard," Sinsheimer said, adding that it could take the U.S. attorney another six months to finish his investigation. "How many more jobs is Jim Black going to give out during that time?"

Still, Sinsheimer said he recognizes that all his fellow Democrats find it difficult to take a public position on the allegations, and he understands why they have been mostly silent. Still, he said he is somewhat disappointed that he seems to be the only one publicly calling for significant changes.

"I know I'm in the minority on this at this point," he said. "There are a lot of people who don't want to step out and take a leadership position, and I think it's unfortunate."

"I would have hoped somebody else would have stepped up. But if they want to do the 'circle-the-wagons' thing, then that's their decision," he said. *CJ*

State Rep. Bill Faison Says He's 'Incidental' Defender of Black

By PAUL CHESSER
Associate Editor

RALEIGH

Democrat Bill Faison, the only state representative from Orange County who's not from Chapel Hill, says he does not consider himself an intentional defender of House Speaker Jim Black, who is the subject of a federal investigation into his relationship with former political and legislative aide, and lobbyist, Meredith Norris.

But because media organizations (including *Carolina Journal*) came calling in search of someone with doubts about the motives of Joe Sinsheimer, the former Democratic consultant who started a website calling for Black's resignation as speaker, Faison stepped forward.

"I don't perceive my role as a role out to defend Black," Faison said in an interview. "I have views and I have observations and I have opinions, and I don't mind sharing those. If that ends up defending or is perceived as a defense of his position, I view that as incidental and not primary."

Faison acknowledged problems

with the appearance of Black's relationship with Norris, and her simultaneous roles as a lobbyist and as the speaker's political consultant and legislative worker, which Faison said "looks bad." He said he thinks the speaker recognized that and took away her political job.

"It appears to me to have a conflict of interest," Faison said. "I'm glad the action [to remove Norris] has been taken."

He also said Norris's failure to disclose her lobbying role for lottery vendor Scientific Games was a problem.

"I don't know what she concealed, but you know, I don't understand why she didn't register as a lobbyist, because it's easy enough to do," Faison said. "It seems like that would have resolved all the issues surrounding her relationship to Scientific Games."

Black appointed Kevin Geddings, who had also done work for Scientific Games, to the N.C. Lottery Commission. Geddings has since resigned from the commission, which Faison said was "appropriate." He said because he's not part of the legislative group that make up

Black's "inner circle," he doesn't know whether the speaker knew beforehand about Geddings's role with the lottery vendor.

As for the state job Black got for former state Rep. Michael Decker, who switched political parties in 2003 to help elect Black as co-speaker, Faison said political patronage exists all over government.

"There are lots of political patronage jobs around, including the U.S. attorneys' positions," Faison said. "If we say that political patronage jobs are bad, then you've got to restructure a whole system."

But Faison, who was first elected in 2004, pleaded ignorance about the details behind legislative "slush funds" controlled by Black, former Cospeaker Richard Morgan, and Senate President Pro Tem Marc Basnight.

Black used part of the money he controlled to create the job for Decker, which has raised questions about separation-of-powers issues between the legislative and executive branches of the state government.

"If there are things that are wrong," Faison said, "if there are things that violate the rules and regulations by which we all operate, then they ought to be changed and they ought to be fixed."

As for Sinsheimer and his website, www.jimblackmustgo.com, Faison said, "It's America. Free speech exists everywhere."

But he said he was skeptical about some of the information Sinsheimer has publicized, including a claim that Black is a "political bully." Faison called that accusation "over the top" and "fundamentally false."

Faison was the only Democrat who failed to support last year's budget bill, and he said if Black was actually a bully, he would have been the one pressured by the speaker.

"It didn't happen to me," Faison said. "I haven't heard anyone come to me and say 'that happened to me.'"

Faison questioned Sinsheimer's motives, and said he wondered whether anyone else is behind the website, which Sinsheimer said has cost him only \$160 to run. *CJ*

Third Ferry Division Employee Pleads Guilty in Dredging Case

By DON CARRINGTON
Executive Editor

RALEIGH
superintendent with the N.C. Ferry Division pleaded guilty on Dec. 15 in U.S. District Court to federal charges that he ordered workers aboard a division workboat to illegally cut a channel in Currituck Sound near Corolla.

According to court records, Billy R. Moore, 60, of Grantsboro, dredge and field maintenance superintendent, committed a felony by ordering the workers to "prop wash" a channel in the sound even though he knew a permit had not been issued by the U.S. Army Corps of Engineers. One of the charges could bring Moore up to three years in prison.

The dredging was done in May of 2004. The channel, which created a berm and a navigational hazard, was about 730 feet long, four to five feet deep, and 120 feet across at the widest point.

Moore pleaded guilty to the charges after he had entered a plea agreement with U.S. Attorney Frank D. Whitney. Moore was project manager for the channel, which was to be used by a new ferry service from the Currituck mainland to Corolla.

The other dredge crew workers, Herbert F. O'Neal, 51, of Aurora, and Douglas A. Bateman, 55, of Aydlett, had pleaded guilty Nov. 21 to misdemeanor charges in federal court in Elizabeth City. All of the men were convicted of violating the U.S. Clean Water Act and the Rivers and Harbors Act of 1899.

After being questioned by the Corps of Engineers about the dredging, Moore lied when he said the channel was created by accident, the U.S. Attorney's Office said. Moore also told another person to create a false statement to the Corps about the dredging.



Slips built onto a dock in Corolla near the Whalehead Club sit in 6 inches of water. The dredging area at issue is at right in this photo, past the end of the dock. (Photo by Don Carrington)

As superintendent, Moore was responsible for making all day-to-day decisions for dredge and maintenance projects to which he was assigned, and for the N.C. Department of Transportation's compliance with permits issued under the Rivers and Harbor Act and the Clean Water Act.

NC DOT planned to establish the ferry service and to build a landing site at Heritage Park inlet, next to the Whalehead Club and near the Corolla lighthouse. In 1996 and 2000 Currituck County officials had applied for permits to dredge a channel at the site.

The permits were denied because of concerns the dredging would harm fish, wildlife, and other aquatic resources.

"Areas such as the one impacted by this unlawful conduct are extremely important to the citizens of North Carolina

in terms of water quality improvement and the protection of aquatic wildlife habitats. Public officials who are entrusted with our state's resources cannot ignore environmental laws designed to protect those same resources, whether motivated by private or other interests," Whitney said.

The U.S. Environmental Protection Agency, the SBI, the U.S. Coast Guard Investigative Service, and the Corps conducted the investigation of the dredging.

Judge Terrence Boyle accepted the defendants' plea agreements. Sentencing for Bateman and O'Neal will be at a later date, but could include up to one year in prison for each man. Stephen G. Smith, another employee charged with participating in the dredging activity, did not appear in court.

Their plea agreements require

Bateman, O'Neal and Moore to fully cooperate with the ongoing investigation and to testify in court if asked.

Both Moore and Ferry Division Director Jerry Gaskill initially said the boats got stuck while marking the channel and accidentally dredged the area. Their claims contradict Bateman's and O'Neal's admissions that the dredging was intentional. Gaskill has not been charged with any crimes.

Proponents of the ferry service said the route was necessary to transport approximately 40 schoolchildren from the Currituck Outer Banks area to the Currituck mainland. The students had previously attended school in Dare County but were forced out because of crowding concerns. They face a lengthy bus ride without the ferry, say ferry supporters.

With Sen. Marc Basnight of Dare County as the driving force, the North Carolina General Assembly appropriated \$834,000 in June 2003 to get the ferry service started. DOT ordered a 50-foot, 49-passenger, enclosed-cabin pontoon boat from a Florida boat builder. The boat could operate in shallow water, but Gaskill had already determined that dredging at the Corolla site would be required, nonetheless.

"Although a pontoon vessel configuration operates in very shallow water, the approach channel into Corolla would still require some dredging," Gaskill wrote in a letter to DOT Secretary Lyndo Tippet in January 2003. "The Ferry Division recommends establishing a channel that is 40' wide by 6' deep. It is important to note that the appropriate CAMA permits be acquired prior to the commencement of the dredging phase of this project. This could be a very lengthy and costly process if environmental impact statements and other documents are required." CJ

Ballance Feted, Then Prison

By DON CARRINGTON
Executive Editor

RALEIGH
Friends of former U.S. Rep. Frank Ballance sponsored a "friendship luncheon" for him, featuring comedian and civil-rights activist Dick Gregory, on Dec. 3 in Murfreesboro. The event took place at Nebo Baptist Church.

In October, Ballance, a Democrat and former 1st District congressman, was handed a four-year prison sentence for personal use of state money, which he had obtained in grants for his non-profit organization, the John A. Hyman Memorial Youth Foundation, while he was a leader in the state Senate. He was scheduled to report to the federal prison in Butner before Dec. 30.

An announcement for the luncheon event appeared in the *Bertie*

Ledger-Advance newspaper. Thelma Adamson of Windsor said the event was sponsored by a group of Ballance's friends, but she would not provide any names. She said one of the friends paid for Gregory to attend.

She said any further questions would have to be answered by the committee, but she refused to identify committee members and hung up the phone. In November 2004 Ballance pleaded guilty to conspiracy to commit mail fraud and money laundering. Nebo's pastor, State Sen. Robert Holloman, did not return a phone message seeking further information.

Holloman was also named in the Ballance indictment, but he has not been charged with any crimes. Holloman was elected in 2002, taking the state 4th District Senate seat vacated by Ballance. CJ

Carolina Journal Online
http://ncjournal.com

SEARCH

Monday, August 22, 2005

Carolina Journal Online

CarolinaJournal.com is Your Daily Launching Pad to the Best North Carolina News, Analysis, & Opinion

- Reports and columns on the legislature, politics, culture, and local government from Carolina Journal editors and reporters.
- Carolina Journal President John Hood's exclusive "Daily Journal."
- Timely links to important stories and editorials from the state's major newspaper, magazines, and other media organizations.
- Instant access to state & national columnists, wire reports, and the John Locke Foundation's other public policy web sites.

See what one Raleigh paper called "Matt Drudge with Class"

NC Delegation Watch

Jones gets challenger

Greg Dority, a Washington, N.C. Republican who twice ran for the state's 1st Congressional District seat, announced last month that he would challenge fellow party member Rep. Walter Jones for his 3rd District office. Dority said he decided to run against Jones because of Jones' stance on the war in Iraq.

"A lot of the genesis of this was the change in position by Walter," Dority told the *Washington Daily News*. "A lot of people feel that he's flip-flopped his position."

Jones in recent months has said that he wants President Bush to make plans and set a date for beginning the withdrawal of American soldiers from Iraq.

"What I do support is a public discussion of our goals and the future of our military involvement in that country," Jones said. "The resolution I am cosponsoring will do no more than call on the president to set a plan and a date to begin reducing the number of troops we have in Iraq."

"I support President Bush 100 percent in the war on terror, in which Iraq is one campaign," Dority said in August.

He ran against Rep. G.K. Butterfield in 2004, and against former Rep. Frank Ballance in 2002.

N.C. Reps Battle Kelo

U.S. Reps Sue Myrick, 9th District, Robin Hayes, 8th District, Patrick McHenry, 10th District, Virginia Foxx, 5th District, and Walter Jones cosponsored the Private Property Protection Act in November.

The Act is in response to the Supreme Court Ruling in *Kelo v. New London*, and would prevent governments from using eminent domain to take private property away from people and businesses in the name of economic development.

"The Supreme Court's ruling in this case was dead wrong," Myrick said. "This bill makes sure the federal government doesn't give a penny to local governments if they steal private property based on this ruling."

"It's time to get back to common sense policies, and this bill is a large step in that direction."

The bill stipulates that if any state or local government violates the Act, they would get no federal economic development funds for two years.

The bill passed the House by a vote of 376-38. CJ

Opinions differ on whether project derailed

Wording of Dole-Burr Letter Distresses TTA

By KAREN WELSH
Contributing Editor

RALEIGH
Triangle Transit Authority Light Rail Transportation officials are disappointed and confused over the negative letter sent by U.S. Sens. Elizabeth Dole and Richard Burr to Carter Worthy, chairman of the TTA's Board of Trustees.

Until July 2004, Dole had supported the 28-mile, \$800 million light-rail project designed to connect Durham, Research Triangle Park, Morrisville, Cary, and Raleigh. "I commend Triangle Transit Authority for securing the funds to improve its operations," Dole had said in a press release. "Expansion of services, particularly the completion of a light rail system, will greatly benefit Triangle residents and local businesses."

Although phone calls to Dole's office in Washington, D.C. and Raleigh were not returned, it appears by the latest letter that both she and Burr are backing down from the proposed transit system.

"The FTA notified us and other congressional offices that the agency had thoroughly examined the rail project and concluded the proposal will have an overall low rating," the North Carolina senators wrote. "This means the initiative does not meet the current required standards, nor the former standards. Due to this determination, FTA informs us that the regional rail project will not receive approval to execute pending contracts, nor will it be eligible for federal funds for construction at this time. For now, these points—combined with FTA's statement that they are not optimistic that these problems are resolvable—means that the rail project is likely not an option for the region; we therefore believe it is time for TTA to explore other possibilities."

In response, TTA General Manager John Clafin said the agency is going full-steam ahead on light rail.

Clafin said he couldn't understand why the missive was sent, since it isn't either senator's responsibility to fund the project.

"We were disappointed with Sens. Dole and Burr came up with this letter," Clafin admitted. "We were confused that they sent the letter, because it's premature. We were also confused because it's the Federal Transit Authority's (FTA) responsibility to fund the project."

Clafin said the TTA is on target in working with the FTA after they were recently notified some of the TTA's data was insufficient, giving the project a low rating, thereby keeping Triangle light rail out of this year's presidential budget.

However, the TTA was given until Sept. 30, 2006 by the FTA to come up with sufficient data in order to be reconsidered for next year's budget.



This Triangle Transit Authority map shows the proposed route of the TTA's light rail project between Raleigh and Durham via the RTP. (TTA map)

Craig Newmark, associate professor of economics at the University of North Carolina, Chapel Hill said that given the data, the senators did the right thing in writing the letter. The evidence and reasoning for not pursuing the light-rail system in the Triangle area is on target, Newmark said.

"With all the research, I believe you can characterize that light rail doesn't work in populations that aren't densely populated like New York City and Chicago," he said. "It's a very expensive proposition, but is only beneficial to a tremendously small group of people. It isn't cost-effective, and I think Sens. Dole and Burr were conveying their skepticism. They were saying think about it before spending the money."

Local political activists Gary Pearce and Carter Wrenn also discussed Dole and Burr's letter on their Talking About Politics website. They said the letter was a strong signal for the TTA to give up on light rail.

"These folks have been burning through taxpayers' money for 10 years and it's time they stopped," Pearce and Wrenn wrote. "Senator Dole and Senator Burr gave the TTA some good advice: Move on. When the federal government, which normally has never seen a pork-barrel project it doesn't like, says your project is a waste of money, it's time to give up. Washington never blinked at \$10,000 commode seats or bridges to nowhere. But now Washington says Raleigh's light-rail project doesn't make financial sense. Mayor (Charles) Meeker, it's time to give it up. Spend the money where it will do some good—like the Outer Loop or new schools."

J. Russell Capps, member of the N.C. House and president of the Wake

County Taxpayer's Association, agreed in an open letter on the Internet.

"When is the proper time to stop a runaway train? Anybody with just a little common sense would say, 'before it wrecks,' Capps said. "Now is the time for citizens to rise up in force and say 'halt' to a system that will end up costing taxpayers billions, and will do nothing to get people where they want to go, reduce traffic congestion, or improve the environment (otherwise) this will be the biggest white elephant the area has ever known and will become a huge sinkhole gulping up massive tax dollars that are badly needed for other essential services."

Clafin said the rail's critics are shortsighted. Once the rail system is built they will love it, he said.

Federal funds the TTA is trying to acquire come from a portion of the gas taxes that North Carolina drivers pay at the pump and the money can be used only for transit systems, he said.

"North Carolina is considered a donor state," Clafin said. "A large share of our gas taxes go to other states to use. If the money doesn't come back to North Carolina, it will go to another state. If we are approved for the funds it will guarantee the money will be distributed back to the state. That means more jobs for us. My argument is, why shouldn't we get \$400 million for our projects here? That money was paid by North Carolina citizens, and right now it is going to other states."

In the long run, Clafin said that a new light-rail project will save on day-to-day operational costs of the TTA and that it will stimulate economic development in the Triangle. CJ

Tweaking Liberal Dominance in Academia is Mike Adams' Forte

By CAROLINA JOURNAL STAFF

Mike Adams is a criminology professor at the University of North Carolina at Wilmington, and writes a popular column for Townhall.com, in which he specializes in tweaking liberal dominance on college campuses. He recently discussed his writings and university life with *Carolina Journal's* Donna Martinez.

Martinez: Since people might not be aware of your work, we should let them know that you are a conservative working in academia, which is dominated by liberal folks on campuses. What is that like — to be that one lone person?

Adams: I like it a lot. I mean people always ask me — how do you survive? And, [the answer] is tenure! Actually, the fact of the matter is, the thing that probably gives me the most protection is the column because I have, quite frankly, a much bigger reading audience than the chancellor. And so that keeps me in there. But the other question is — why do you want to be in there? And the fact of the matter is, I like it. I like being sort of an institutional gadfly, and I've always thought that a public university is not a place where you have a right to be unoffended, or should even have a desire to be unoffended. It should be a place of constant debate and tension.

Martinez: What is it like for you with your colleagues?

Adams: The funny thing about it is that, when I first came out of the closet, if you will, and started writing, and initially wrote some columns for the Agape Press — a small Christian newsletter out of Tupelo, Mississippi, and I am a native of Mississippi. I started doing that a few years ago, and they went crazy when I first started writing the columns. But then over the years, as I started to write for Town Hall or Front Page and for a number of print publications, and started to speak around the country, it has gotten to a point where they couldn't avoid actually reading the columns. And, they are seeing a very consistent theme that is popping up throughout the columns. And that is, that I am sincerely making an effort to expand, not to contract, the marketplace of ideas. So they recognize, well, you know, maybe if I were in trouble and my speech were threatened — which is hardly theoretically possible on my campus if you are a liberal — but they realize that under no circumstances would I try and shut them down, and I might even defend them. So, there is a greater number of liberal readers on my campus. And recently, a funny thing happened where someone actually brought up my column in a department meeting and said something positive about a point that I had made. And, I heard a couple of femi-

nists talking in the office just about a month ago, and one of them was talking about how she didn't agree. I walked up on them during this conversation and she said, "Well, we are talking about you right now. We are talking about your column, and I want you to know I don't agree with a single thing you've ever written, but it's intoxicating, it's fun." And I said, "Yes, isn't that something? Now, do you remember in the era 10 or 15 years ago, before we had speech codes, when we used to debate, how much could be fun if you use a sense of humor and never really lose your temper?"

Martinez: You mentioned feminism, and you see a lot of examples of radical feminism, where in my opinion, it's really just teaching young women some things they're going to find out down the road really are not true.

Adams: That's right.

Martinez: Tell me about some of your experiences with feminism and feminists.

Adams: When I did come out of the closet, if you will, my first free-speech controversy was with the Women's Resource Center at UNC-Wilmington, and I've had some later with the Carolina Women's Center at UNC-Chapel Hill. But my first free speech controversy, which was very minor, was one where I was simply trying to get them to not speak entirely about abortion when it came to feminism. That's almost all that they talk about — reproductive choice — and they talk about it from a narrow perspective. My first encounter with them was trying to get them to add to all of their Planned Parenthood literature on the website and addresses and phone numbers — [I] tried to get a crisis pregnancy center added to the equation.

Martinez: They didn't want you to



Mike Adams, criminology professor at UNC-Wilmington.

be able to do that, did they?

Adams: No, they fought that. And they came up with different rules, and they decided that these crisis pregnancy centers, at least the one we have in town, were overtly Christian. So they shot us down on that basis, and then subsequently started to promote gay web sites, which had essays about Jesus coming back

to Earth as a gay activist in San Francisco. I'm not even joking. They would allow in church advertisements, ads for gay churches. They would allow Christianity to be presented on that website — as long as it was advancing the liberal agenda. So I had one of my first controversies on my campus with the feminists, recognizing that they are willing to do anything — distort the rules, engage in ideological discrimination and religious discrimina-

tion — to keep a situation on campus where they talk about pro-choice by limiting the choices.

Martinez: Ironic, isn't it?

Adams: It is absolutely ironic and hypocritical. And I sort of learned some important lessons working with the feminists on campus, and one of those is that sunlight is not always the best disinfectant, as Justice Louis Brandeis

once said before the United States Supreme Court. The fact of the matter is, sometimes you have to sue.

Martinez: What about this issue of moral relativism? I know that's a frequent theme in your columns.

Adams: Oh, sure, sure it is. It's something that pops up. I'm getting a whole lot of support recently at speeches, from black students, who might have been there thinking, "He's against diversity, blah blah blah." They hear what I have to say, and one of the reasons why I'm starting to get a lot of support from black students is [that] one of the things I talk about in my lectures on

diversity is how it began as a promise to increase black representation on campus. For example, at UNC-Wilmington, we looked at it, our diversity problem, and said, "Well, we have 6 percent blacks on campus. We need diversity initiatives to increase that." After one million of spending down at UNC-Wilmington, the black percentage dropped, after a million dollars, from 6 percent down to 4 percent. And at that time, you looked around and all you saw was that diversity had taken the form, now, of gay activism. They'd switched groups. And what you recognize is, in this shift to a new favorite group on campus — and clearly there is a lot more emphasis on alternative lifestyles today; there used to be a much greater emphasis upon race and there's been a big shift — along with that has been endorsement of a new university religion known as moral relativism.

We're doing some funny things to combat that, and that's been my favorite change in the diversity movement, because it's so easy to debate these people who always call you a liar but don't believe in the truth. For example, I'm going to be running a column soon in conjunction with the Leadership Institute out of Washington, D.C., and we're going to be sponsoring a thing called Marry Anything Day. And this has happened on campus, where we've actually had on some campuses — we've tried this out — where we've had an ordained priest, and someone will come up and say "I want to marry these three people." People say, "I want to marry this dog," and it's funny making fun of this "anything goes" moral relativism, this gay marriage effort that's being promoted on our campus.

Martinez: Haven't you done those similar types of things in terms of racial preferences? You wrote a column talking about how people would be charged a certain amount for a certain product based on whether they were a female or what their race was, or things like that.

Adams: Oh, yeah, I actually had done a column on my new affirmative action grading policy of just giving away points, taking them from whites and giving them to blacks, for example. But I think you're referring to the cookie bake sales that have been disrupted by college administrators all across the country. A couple of the things I'm going to be working on with the Leadership Institute in the future is to get, for example, a National Change Your Ethnicity Day, where people just become the race or ethnicity that they feel like, just like [University of Colorado at Boulder Professor] Ward Churchill, in order to get special benefits. We're going to continue to simply make fun of them constantly and it's really fun to be a revolutionary on campus, but you can only do it if you're conservative.

State School Briefs

Durham buys laptops

Durham school system administrators presented county commissioners with a \$15.9 million budget request increase in the spring, but the commissioners approved \$6.4 million.

One of the items requested by the school district—but not funded by the commissioners—was a \$1.1 million proposal to equip every high school- and middle-school teacher with a laptop computer.

Though they failed to receive the funding for the laptops from commissioners, school officials are going ahead with the idea. In the last few months, the district has bought 572 laptops for middle- and high-school teachers in core academic subjects, and spent \$675,000 in doing so, *The Herald-Sun* of Durham reported.

That's causing a rift with the county manager and commissioners chairwoman, who say the schools will face extra scrutiny when they ask for money in the future.

Mecklenburg looks to Wake

Two counties. Two record school bond votes. Two resounding defeats. Mecklenburg is still struggling to respond to the "no" message county voters sent Nov. 8.

Wake's experiences may provide direction.

In 1999, the *Charlotte Observer* reported, Raleigh-area voters rejected a \$650 million school construction bond package after opponents said it would result in steep tax increases.

Wake school leaders responded by changing how they did business and how they built schools. A year later, voters overwhelmingly approved a \$500 million bond package that shrank the planned schools and cut out computer and technology replacements.

People in both counties say Wake's approach could help Mecklenburg come back from the ballot-box defeat of its \$427 million bond package and build schools more efficiently.

"I think they're an excellent example," Charlotte-Mecklenburg school board vice chairwoman Kit Cramer said. "Evaluating why things didn't go the way you want them to, addressing them and arriving at solutions" make sense, she said.

Wake officials say the voters' rejection forced them to realize they hadn't successfully made their case. CJ

Survey gauges attraction

Charters Create Choices for Teachers, Too

By JIM STEGALL
Contributing Editor

RALEIGH
Charter schools, originally conceived as vehicles for offering more choices to parents, are a boon to teachers who seek professional fulfillment unavailable in the regular public school system. The variety of missions, styles, and educational philosophies featured by the state's 99 charter schools provide some teachers with the opportunity to escape the standardization and one-size-fits-all approach employed by most regular school districts.

So say nearly 100 charter school teachers who responded to an unscientific survey this fall, which sought to gauge teachers' reasons for choosing to ply their trade in charter schools, rather than at traditional district-run schools. The survey was made available to all charter schools in the state, and teachers from at least 18 charters responded. The results show that by an overwhelming margin, the teachers are happy with their decisions to teach at charter schools. Seventy-three percent said their experience exceeded their initial expectations, while only 4 percent expressed disappointment.

In the survey teachers were asked what first attracted them to the idea of teaching at a charter school. The replies were too diverse to categorize neatly. Some were interested in a particular program featured by the school, a favorite curriculum, or the particular educational philosophy outlined in the school's charter. Several teachers reported that they had been recruited to their new schools by other teachers or administrators whom they knew and respected. Others were drawn to their schools by the prospect of smaller class sizes, better student discipline, or the promise of a greater measure of independence in the classroom.

But underlying the specific reasons given was the desire to be part of an educational system that actually works. Comments on the surveys reflect a general belief among charter school teachers that what they are doing was making a positive difference in the lives of their students. This sense of professional fulfillment is a powerful incentive for some, and has convinced many teachers that charters are the way to go.

Melissa Haynor, a teacher at Franklin Academy, wrote that she would "give up teaching and pick a different career before I ever taught at a [non-charter] public school again." Teacher Pat Veenema wrote of her charter school, "This is, by far, the best place I have ever taught. I am not tired at the end of the year! I enjoy coming to work. And, for the first time in my career as a teacher, I am not thinking about changing careers."

Another teacher, Merideth Fisher,

wrote that one of the great things about teaching at her charter school was "being around a bunch of creative professionals who are strictly there for the experience of teaching...." Many others cited the family atmosphere of their charter schools as reasons to stay. "We have real relationships with parents; two of my parents in my prime group came to my wedding," teacher Beth Edwards said.

Of course, not all charter schools are the same. A key idea associated with charters is that each school is organized, staffed, and run according to its own specific educational focus. With such a variety of programs and educational philosophies at work, it is becoming much easier for teachers to find schools that suit their own strengths and interests.

For instance, Union Academy in Monroe has a focus on teaching basics to mastery, using the arts to enrich the entire curriculum, and character education. While that approach appeals strongly to its highly committed staff, it isn't necessarily the place for everyone. Teachers interested in working in a charter school need to examine the school's focus and mission statement carefully before making the decision to join. Tammy Davis, a teacher at Union Academy, warned that prospective charter school teachers "... must make sure that the charter of the school matches your own mission." An Evergreen Academy teacher who identified herself only as "Amy" wrote, "If the charter fits with your philosophy on education, then it is likely to be a very rewarding experience."

The need to attract the right kind of staff to a particular charter school poses a challenge for the charter school administration. Dr. Tony Horning, executive director of ArtSpace Charter

School in Swannanoa, wrote that the teachers he hired when the school was just starting up were "the explorers who could see beyond the horizon" and said that he thought there were better ways to educate children waiting to be discovered. He reports that the school is in its fifth year and that he interviews more potential teachers who have different expectations. "In our advertising, we have found that we must change our strategy to some degree because we are now hiring settlers, who must tame a land already discovered."

Teachers report that the biggest disincentive to joining a charter school staff is lack of money. Some teachers in the survey expressed irritation at the amount of time and effort they must put into helping their schools raise money for buildings and facilities. The state does not provide funds to charter schools for these purposes, so each school must find ways of paying for the necessities on its own. In addition, pay at charter schools is typically less than that at regular schools. Like a private business, each charter school sets its own policies on pay, so the governor's recent teacher pay increase program had no immediate effect on charter school teachers. However, as regular public school teacher pay increases, competitive pressure may build on charter school administrators to offer their own staffs more compensation.

Across the state teachers are starting to realize that more choices for parents can also mean more (and potentially better) choices for them. As teacher Meg Masterman of Thomas Jefferson Classical Academy wrote, "Many public school employees see us as the enemy, but I think this is slowly beginning to change." CJ



*Educational Choice and Empowerment.
Opportunities for All Children.
And the Autonomy to Succeed.*

Charter schools are a movement whose time has come – a fresh alternative to the tired, out-of-date policies governing public education.

NORTH CAROLINA Education
Alliance
NCEducationAlliance.org

Dropping Enrollment Doesn't Bring Decrease in Administrators

By KAREN WELSH
Contributing Editor

RALEIGH

While record school enrollment is making headlines in urban areas of North Carolina, many schools elsewhere around the state are losing students. Most of the schools continue to add top administrative positions anyway.

New positions include superintendents, associate superintendents, managers and officials in public school systems in districts where the student enrollment has either decreased or remained static between September 1997 and September 2004, according to statistics compiled by the N.C. Department of Public Instruction.

A total of 58 out of 115 school districts, mostly in rural or suburban areas, have suffered a depressed economy and decreased population and school enrollment. Thirty-three of the 58 negative growth districts have added both top and regular administrative positions.

Most notably, Roanoke Rapids Public Schools, in Halifax County, experienced a decrease of 300 pupils, or 10 percent, in its small district of 3,000 students from 1997-2004. The number of top administrative positions climbed from five to 12 during the same time period.

Enrollment in Wayne County Public Schools fell from 20,133 students during the 1997-98 school year to 19,535. However, the system added two top administrators to its staff, bringing the total to 24.

Wilkes County Public Schools remained steady in enrollment for the same period, but added eight top administrators to its rolls.

Nash-Rocky Mount Public Schools, with a 2004 student population of 18,353, endured much the same fate, but added 11 top administrative positions since the 1996-97 school year.

Although a larger school system, Buncombe County experienced virtual flat growth from 1997 to 2004, yet the school system, with about 25,000 students, increased the number of top administrators from 14 to 25.

On the other end of the spectrum, the Johnston County Public School System—which experienced a boom from 19,000 students to more than 26,000 from 1997 to 2004—did not add a single top

administrator to its roster.

Despite a thriving business economy and population base, Craven County Public Schools, situated in another rural area in eastern North Carolina, lost about 1,000 students from 1997-98 to 2004-05 school years. The school system added six top administration officials, bringing the total from 18 to 23 during those years.

Craven County has added 200 students in the 2005-06 school year, however, school officials don't know how enrollment will change in the next few years, public relations Director Janet Furman said. "We're kind of atypical," she said. "Our school attendance is based on squadrons in or out of Cherry

Point in Havelock. Our pupil number fluctuation had to do with the military base and the number of squadrons located on the base. Our student population can grow in the hundreds with the additions of new squadrons."

Some schools in North Carolina that experienced a slight growth in enrollment added several administrative positions.

Significantly, that's the case in Durham and Cleveland County Public School Systems.

The Durham County School System, with 31,039 students, grew by only about 500 children from 1997-2004. Yet, 21 top administrators were added to the system.

The Cleveland County School System merged with the Kings Mountain and Shelby City School Systems in 2004. As separate schools they had a collective of 26 top and 57 regular administrators, including principals and associate principals. The merged system now employs 36 top and 66 regular administrators.

Franklin County, having a student body of about 8,000, gained 620 students. The county increased its number of top school administrators from 18 to 28.

Comparatively, Lenoir County, with a school enrollment of 9,987, cut back from five to two top administrators during the same time period.

Despite steady yearly raises in federal, state, and local funding, every district cited for increases in the number of top administrators also increased the percentage of their budgets used for base salaries, while the percentage of student supplies, materials, and instructional equipment declined. CJ

"Our school attendance is based on squadrons in or out of Cherry Point in Havelock. Our pupil number fluctuation had to do with the military base."

Janet Furman
Craven County Schools

Commentary

NCEA Had Productive 2005

As the new year dawns, our thoughts are drawn to the inexorable progression of time. Benjamin Franklin once said of time's passage, "You may delay, but time will not." Fortunately, the new year offers all of us a chance to start anew, to reflect on the past year and prepare for the year to come.

At the North Carolina Education Alliance, a look at 2005 reveals a productive and fast-paced year. As the state's pre-eminent education resource network, the Alliance kept North Carolinians abreast of all the latest K-12 innovations and developments. My weekly journal, sent out electronically to hundreds of educators and activists across the state, and our web site kept people abreast of news about student achievement, teacher quality, education funding, and school choice.

The Alliance also helped frame the education policy debate in our state, through both print media and public forums. In 2005, Alliance editorials promoting education reform were published in a variety of newspapers and magazines, while my monthly *Carolina Journal* column provided valuable information for parents and educators. Alliance speakers addressed school board meetings, civic clubs, and charter schools, and participated in talk radio and television programs and informational workshops.

As the "eyes and ears" of reformers around the state, the Alliance carefully monitored policy developments at the State Board of Education, as well as legislative proposals in the legislature. Alliance staff attended monthly State Board meetings, reporting back on regulations affecting public schools. When Gov. Mike Easley proposed shifting supervisory authority for the Division of Non-Public Education to the Department of Public Instruction, the Alliance moved quickly to inform citizens, activists, and homeschooling parents. This change had the potential to greatly impinge upon the freedom of home or other schools operating outside the governance of the state public school system. Fortunately, the proposal evaporated after an effective mobilization of public dissent.

In addition to tracking legislative proposals, the Alliance

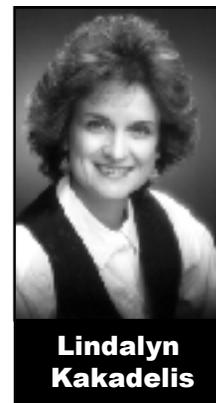
proactively advocated for reform, through expert testimony and research publications. In 2005, I addressed the Joint Legislative Education Committee on the topic of deconsolidation, a practice garnering national attention due to the mammoth size of many school systems. The Alliance also weighed in on the hotly contested issue of education funding.

North Carolina's education funding lawsuit, *Leandro*, (along with media reports) has fueled abundant misunderstandings and misconceptions about school finance. Our new brochure, "Paying the Price: Real Facts about Education Funding in North Carolina", sets the record straight with timely data on our state's financial investment in K-12 education.

What will 2006 bring? We will continue to provide you with the latest education information, through the *Carolina Journal* column, electronic newsletter, and informative web site. In addition, you can expect a range of new reports and events. The Alliance will partner with the Washington, DC-based Institute for Justice to produce a report detailing our state constitution's favorable language toward school choice. Representatives from both groups will canvass the state, disseminating this little-known but vital information.

The Alliance will also weigh in on school bonds. Crowded schools across the state mean voters in many counties must face larger and recurring school bond referenda. We will host an event addressing the financial implications of school construction and bonds, and promoting funding alternatives. We will also continue to monitor legislative activity during the Assembly's "short session," beginning in May.

As we move into the new year, please partner with us to work for change, improving education for all of North Carolina's schoolchildren. There is much still to do. CJ



Lindalyn
Kakadelis

Lindalyn Kakadelis is director of the North Carolina Education Alliance.

School Reform Notes

Reform for CMS Schools

A dramatic set of recommendations unveiled recently says Charlotte-Mecklenburg Schools must become more responsive, less hamstrung by politics, and more focused on learning, the *Charlotte Observer* reports.

A 16-member task force backed by the city's business leaders calls for keeping the Carolinas' largest school system as one countywide district, but dividing it into three or four parts. Each would have the power to hire staff, handle discipline, and decide how to teach kids.

Task force members also want radically different high schools and more stable student assignment.

They're pushing to reform a school board many consider dysfunctional. Among the goals: fewer members, less squabbling, and a new election system where candidates get nominated by districts and selected by voters across the county.

Sex ed? Systems vary

Mark Kadlecik's health classroom at East Chapel Hill High School looks pretty typical, down to the "Your Brain on Cocaine" poster, *The News & Observer* of Raleigh reports. But next semester, Kadlecik will do something that would be taboo in most schools outside the Chapel Hill-Carrboro City School system. Using a model of the male reproductive organ, he will teach 10th-graders the right way to put on a condom.

The condom demonstration is just one way the Chapel Hill-Carrboro school system departs from the state's philosophy on sex education.

School systems in which contraceptives are discussed more openly — the "comprehensive" approach to sex education — also are required to tell students that abstinence is the only foolproof way to avoid pregnancy and sexually transmitted diseases. But when it comes to discussing birth control, abortion and even sexual orientation, teachers in comprehensive sex-ed school systems can be much more direct.

In 1995, the state started requiring all school systems choosing the comprehensive route to hold public hearings and make all lesson material open to parents' review. In the Triangle, only the Durham and Chapel Hill-Carrboro districts have gone through that process. CJ

Does it serve Christian families?

Grassroots Baptists Assess Public Education

By HAL YOUNG
Contributing Editor

RALEIGH

Resolutions introduced at the last two national Southern Baptist conventions calling for a movement toward "thoroughly Christian education" rather than for continued support for public schools have stirred only meager support from Southern Baptist churches.

Cosponsor of the resolutions, Bruce Shortt, a Houston lawyer and Southern Baptist layman, helped found an organization called The Exodus Mandate to encourage parents to reconsider whether public education truly serves the concerns of Christian families. His resolutions praised the contributions of Southern Baptists working in the schools but urged parents to choose "thoroughly Christian education" over purely secular alternatives for their own children.

With more than 4,000 congregations in North Carolina, one might expect Southern Baptist churches to be at the forefront of Christian schools in the state. That's not the case, however.

According to the Southern Baptist Association of Christian Schools, about 600 schools are sponsored by Southern Baptist churches and associations nationwide. Southern Baptists lag far behind other denominations in their effort to expand Christian educational alternatives, the association's executive director, Ed Gamble, said. While there are more than 450 religiously based schools in North Carolina alone, only 30 are listed on SBACS's website, and just 10 of those are members of the organization.

Mitch Cummings, the new executive director of the North Carolina Baptist State Convention, confirms that impression. Like the national Southern Baptist Convention it supports, the state association has chosen to focus more on supporting public schools rather than leaving them, or providing an alternative.

"The independent Baptists and unaffiliated churches are strongly represented in the Christian school movement, though," Cummings said. "There has been a proliferation of church schools, and certainly we want to encourage that, but we don't want to be too critical of the public schools all at once. There are so many Southern Baptists involved with public schools, the convention is not going to go too far or be too critical."

Members of the SBC are calling for a more critical look at public education, though.

The resolutions met surprising opposition, from SBC President Bobby Welch on down, though Shortt says the ensuing discussion is more important than an up-or-down vote.



"For evangelical Christianity, the public schools have become our golden calf—nobody wants to say anything against them," Shortt said. "Our message is that parents have a responsibility to provide a Christian education—and not just occasional attendance on Sunday or Wednesday night."

The head of the denomination's largest seminary, Dr. Al Mohler, agrees. This summer he wrote that "now is the time for responsible Southern Baptists to develop an exit strategy for the public schools," citing cultural and curricular changes that have made schools sometimes hostile to Christian principles and beliefs.

Nevertheless, North Carolina's response has been dismissive. A month before the 2004 convention, the NCBCS issued a statement supporting parental choice in education but reaffirming "the historic value of public schools and those who seek to 'bring salt and light' by participating in them." (The Biblical Recorder, May 21, 2004). The run-up to the 2005 convention in Winston-Salem focused on internal politics and a controversy over churches with liberal stands on homosexuality—but little on education.

SBC President Bobby Welch, who has called the public schools "our largest and best mission field in North America," has opposed the measure, telling The Florida Baptist Witness that taking Christian kids out of the school system "flies in the face of what we need to be doing by reaching this world with the Gospel." He has also said it is unrealistic, because "private education is not practical or affordable for many families."

Shortt said he thinks this logic is disingenuous, pointing to studies that suggest the schools do more to mold students' beliefs than students can do to influence schools with theirs. "You can only say 'salt and light' so many times before it becomes ridiculous," he said.

"[Mission boards] require extensive training and rigorous preparation before they send an adult into a culture hostile to the Gospel. Why, then, do some of us feel that our 7-year-olds are ready to take on a fight which we wouldn't send their parents to?"

He also challenges the financial assertion, saying the SBC has the resources to make these alternatives more attainable. "The theology of this is not complicated; we just don't want to do it," he said.

Though the proposal received only qualified support at the 2005 convention, several state conventions have reported favorably on it this year, including adoption in Texas. "It was a unanimous vote," Shortt said, "totally a non-issue."

Rev. Mark Creech of Raleigh uses the same language, but puts a different spin on it.

"It's simply not an issue," said Creech, executive director of the Raleigh-based Christian Action League. Creech has written his strong support for the resolutions, but in North Carolina Baptist circles, "I seem to be a lone voice," he said, noting that the state convention is not following others states' example.

Indeed, until the convention week itself, neither Exodus Mandate nor NCBCS leaders seemed aware of any effort to promote the resolution here. An attempt to introduce the proposal from the floor was never recognized as the new business session broke up early.

The NCBCS's executive director acknowledged their difficulty.

"We have a certain amount of time allotted for bringing new business," Cummings said. "When that time expires it may not have been possible to present it."

Without a strong direction from the SBC leadership, The Exodus Mandate and SBACS are moving forward to address the need independently. In October, Exodus introduced a "homeschooling family to family" initiative to encourage active homeschoolers to consciously promote home education to other parents. This month, SBACS will start a series of streamlined, two-day seminars called "christian schooling 101" to help churches gain a vision for starting new schools. Part of it is simply to display a small-is-OK perspective to pastors worried about burdensome expectations.

"Somehow we've bought into the notion that a Christian school is supposed to look like a public school," Gamble said. "Nothing could be further from the truth, historically." He said concerns about building and supporting large programs right away is an unnecessary obstacle and doesn't address the real need, anyway. "How many kids are in the average home school?" he asked. CJ

As Arts Education Funding Shrinks, Others Stepping In

By PAIGE HOLLAND HAMP
Contributing Editor

RALEIGH

The North Carolina Symphony, the Carolina Ballet, the N.C. Museum of Art, and hundreds of other arts organizations offer the state's citizens a wide range of high-quality arts. But the arts can also play an important role in educating children.

According to Americans for the Arts, 89 percent of Americans think arts education is a critical component and should be included in school programming. In addition, research shows that children who participate in the arts for at least three hours on three days each week through at least one full year are: four times more likely to excel in academics, three times more likely to be elected to class office within their schools, and four times more likely to participate in a math and science fair.

Numerous studies done by the National Endowment of the Arts, the U.S. Department of Justice, and state and local arts councils have shown that the arts can have a significant impact on student achievement.

Over the past several years as funding for the arts has been cut at traditional schools, parents have sought high-quality arts programming for their children after school and during summer break.

However, sometimes, with high-quality arts comes a cutthroat competitiveness that hinders the educational value the arts offer. Marajen Denman, founder and director of an innovative

performing arts company called Heartbandit Productions, hopes to change that dynamic. Denman founded HeartBandit in 2002 because she saw a need for students to have a performance arena in which to develop poise and self-confidence without being ensnared in the competitive, praise-seeking performing environment that is prominent today.

In addition to Denman's extensive performance experience in concerts and on stage and television, she holds master's degrees in psychology and biblical studies.

"Heartbandit is dedicated to training young men and women to develop and use their God-given gifts and abilities in the areas of music, drama, oral interpretation, dance and speaking for the enjoyment and edification of others and for the glory and pleasure of the greatest of all Heart Bandits...Jesus Christ," Denman said.

Heartbandit is a privately funded nonprofit organization. Denman runs it on a shoestring and, much to her board's chagrin, contributes a significant amount of her own resources to every performance. While she is frugal, she does not compromise the quality of the educational experience for the children who are part of the company. She believes in building on students' individual strengths and sees value in every child.

When asked what creates their strong devotion, Denman said, "I don't know except I love them and am committed to seeing them grow, develop, be all God created them to be. I see more potential in them than I think most adults see. I push them to be what I see each of them can be and it surprises and I think, thrills them. But most kids love people who love them back and believe

What Works Best



From left, Julia Hurst, Lauren Bell and Sarah Hargett in the Heartbandit production, "The Christmas Wish" (Submitted photo)

in them."

The results can be amazing. Children who on the first day of class are so shy they barely interact offstage suddenly find their voice, become a character, and confidently stand on stage delivering their lines. Overbearing children learn to work cooperatively with others. All of Denman's students learn that they can achieve if they are committed.

Denman not only teaches, but also serves as the director and the musical director. She often writes original scripts for the company. "Soon after I created Heartbandit, I realized there was a real dearth in material, plays, musicals, etc., that were a combination of fun, moral, imaginative, thought-provoking and character-building," Denman said. "So, while I was complaining to God one day that someone ought to create such

an environment for kids to learn and develop and write plays that would enhance that development, he said. 'That's what I want you to do.' The rest is history."

Heartbandit's last two productions, "A Christmas Wish" and "Patriots on the Homefront," which was primarily written by one of Denman's students, both present moral challenges that her characters must overcome.

The characters Denman creates have integrity, perseverance, caring, respect, trustworthiness, and a strong faith in God.

Not only do the young actors she works with mount a full-scale production, they do everything from acting to lights, sound, and props. They also learn valuable character education lessons. The scripts are crisp with a balance of comedy and drama. CJ

John Locke
FOUNDATION

WHAT WE BELIEVE

The John Locke Foundation believes that our society must return to our founding principles:

We are a **land of liberty** where natural rights of individuals precede and supersede the power of the state.

We are a **constitutional republic** in which government power is limited and employed for the purpose of providing legitimate public goods rather than for the benefit of insiders and narrow interest groups.

We are a **free market** in which persons, individually or collectively, have the natural right to sell goods and services to willing buyers, and in which the individual pursuit of economic opportunity benefits all.

And we are a **free society** where citizens solve social problems not only through government but also by working together in families, neighborhoods, churches, charities, and other private, voluntary organizations.

For more information, contact

The John Locke Foundation

200 West Morgan St. #200, Raleigh, NC 27601

call us at 919.828.3876, or visit us at

www.JohnLocke.org



Attention City & County Officials

And others with an interest in local government issues

Here are some handy ways to track the latest news and research on local issues.

Updated daily, www.LocalInnovation.org, from the Center for Local Innovation covers such subjects as local taxes and budgets, land-use regulation, privatization, transportation, and annexation. Also, the John Locke Foundation is creating regional pages within www.JohnLocke.org. The first was "JLF-Charlotte" and our newest is "JLF-Wilmington." Both are regularly updated with original articles, links and lively weblog posts and comments by local residents. "The Meck Deck," the weblog on JLF-Charlotte, is fast becoming a community meeting place. "Squall Lines," the weblog on JLF-Wilmington, is continuing that tradition. Other pages are in the planning stages — so stay tuned!

John
LOCKE
FOUNDATION

CHARLOTTE

Course of the Month

Yogi, Boo-Boo and Duke

This month's selection is from Duke University. It was brought to our attention by a former student, who described the course to us as "rather funny and sad," "the only class I am ashamed of taking," and "so absurd!" A history major, the student was deeply offended by this course's "blatant disregard for anything resembling true history or intellectual inquiry."

The course is Religion 161H: Kundalini Yoga and Sikh Dharma, which is about "the yoga of awareness" founded in the late 1960s by "Harbhajan Singh Puri, a Sikh and Kundalini Yoga master, [who] left his lucrative job in India and began teaching Kundalini Yoga and Meditation to hippies in California."

The course syllabus has section titles including "The Glands: Guardians of our Health," "The Digestive System," "The Circulatory System," "The Brain," "The Spine," "The Kidneys," and "Love Your Liver!"

Yogi Bhajan suffered from chronic illness and heart disease before his death in 2004. He was honored post-mortem with a declaration of Yogi Bhajan Memorial Day in New Mexico by Gov. Bill "That Stuff I Said About Being Drafted by the A's Was Just a Boo-Boo" Richardson.

CultNews.com reported that Bhajan "was repeatedly accused of exploiting female devotees and once sued by his personal secretary for 'assault and battery.' The case was quietly settled out of court."

In 1974 Bhajan prophesied the following, "In another 10 years hospitals will have iron windows and people will try to jump out. There will be tremendous sickness. There will be unhappiness and tragedy on earth." He said: "You remember when five years ago I used to say that 1974 would be a lesson, and none of you perhaps believed it? See what 1974 has brought you? It has brought you gas at 69 cents, energy crisis and everybody is getting crazy."

At the conclusion of his 1974 prophecy about what the next 10 years would bring, he said, "Your dead bodies will lie on these roads, your children will be orphans, and nobody will kick them, rather, people will eat them alive! There will be tremendous insanity. That is the time we are going to face." CJ

John Locke Foundation Research Editor Jon Sanders scouts out the Course of the Month.

Congressional Leaders Examine BCS System

By SHANNON BLOSSER

Staff Writer

CHAPEL HILL

Only days after USC and Texas were selected in early December to play in the Rose Bowl to compete for the national football championship, congressional leaders called a huddle to question whether the Bowl Championship Series was the best way to conduct the Division I-A postseason.

The heading was called by the House Committee on Energy and Commerce's Subcommittee on Commerce, Trade, and Consumer Protection and centered on whether the BCS and bowl system included enough conferences and whether the bowl system could be altered to include a NFL-type playoff system without harming academics for the student-athletes. Bowl and conference representatives who testified during the hearing argued that the bowl system was the best system for college football, allowing for nearly 50 percent of the programs to compete in the post season and providing economic benefits to the communities that host the bowl games.

This is the second time a congressional hearing has been conducted to question the Bowl Championship Series, an agreement forged in 1998 between the ACC, Big East, Big Ten, Big 12, Pac-10, and SEC as well as the Fiesta, Orange, Rose, and Sugar bowls to have the top two teams in the BCS standings play in a national championship game each year.

Committee Chairman Rep. Joe Barton, R-Texas, said the hearing, which was inspired after the controversies of last year's BCS selections, was scheduled for earlier in the season but was postponed because of Hurricane Katrina. In opening statements, some committee members on both sides of the aisle questioned why Congress was getting involved in the college football postseason.

"I do think it's important that we are having these hearings," Barton said. "We're not going to introduce a playoff bill after this hearing."

According to the organizers of the BCS, the system will pay more than \$96 million to conferences this season. That includes nearly \$90 million to the six founding conferences and \$5.1 million to smaller Division I-AA conferences. An additional \$1.8 million would be paid to members of Division I-AA conferences.

Economic impact from the 28 bowl games is estimated at \$1.1 billion, Football Bowl Association Chairman Derrick Fox testified.

"The bowls are more than football games during the holiday season," said Big 12 Commissioner Kevin Weiberg. The Big 12 Conference is the coordinating office for the BCS this year. "They are civic celebrations that may center around football games, but include a

2005-06 BCS Bowl Game Payouts

Below is a list of the 2005-06 BCS Bowl Games and payouts per team and conference breakdowns. Payouts per team go to the individual conferences. The Rose Bowl has its own contract with the participating conferences.

Total Revenue: \$96 million

Amount to Be Distributed: \$89.2 million

Base Share: \$14.87 million

Distribution by conference (with representation)

ACC (Florida State) - \$18.32 million

Big East (West Virginia) - \$18.32 million

Big Ten (Penn State, Ohio State) - \$22.28 million

Big 12 (Texas) - \$14.86 million

Independent (Notre Dame) - \$18.32 million

SEC (Georgia) - \$18.32 million

Pac-10 (USC) - \$14.86 million

Source: Bowl Championship Series, USA Today

host of events, including parades, basketball tournaments, and other sporting events, social events, and charitable activities."

One of the criticisms of the current bowl structure is that 48 percent, or 56 Division I-A programs, will participate in bowl games this season. Only 20 percent of college basketball teams, for both men's and women's, advance to the NCAA tournament.

"What is wrong with rewarding winning teams with a post-season trip for the players and fans?" Fox said. "Perhaps Auburn head coach Tommy Tuberville said it best in August 2003: 'I like the bowls because it rewards a lot of teams in college football... I'm totally against a playoff.'"

However, some congressional members, including Rep. Tim Murphy, R-Pa., wanted the system improved to avoid controversial situations and to include more lower-conference teams. Since 1998, Utah is the only school from a non-BCS conference to earn an invitation to a BCS bowl game. The Utes defeated Pittsburgh in the 2005 Fiesta Bowl.

Murphy joked during his remarks, saying he was unsure whether the federal government didn't design the BCS. "I hope this system can be cleaned up so that the best teams can play," Murphy said.

Some of the bowl representatives and college officials who testified focused on the long-standing relationships some conferences have with certain bowls. The main focus of those conversations was the Rose Bowl, which has more than 50-year relationship with the Pac-10 and Big Ten conferences. When the BCS was formed, the Rose Bowl entered into a separate agreement that keeps the Pac-10 and Big Ten champions

in the Rose Bowl unless they are selected to play in the national championship game. That agreement also allows the Rose Bowl to host the game once every four years.

Cliff Stearns, chairman of the Rose Bowl Management Committee, said that a playoff would harm the Rose Bowl and traditions centered around events such as the Tournament of Roses Parade.

"We believe a playoff system with assigned teams would undermine the essence of the Big Ten and Pac-10 champions participating in the Rose Bowl game and will adversely affect the 117 years of tradition of the Pasadena Tournament of Roses Association, both in our presenting America's New Year Celebration and in the economic vitality that it brings to the City of Pasadena and the greater Southern California area," Stearns said. "We would not support any system that would diminish the prestige and the luster of the Rose Bowl game or work toward elimination of our playing the conference champions of the Pac-10 and Big Ten on or about New Year's Day in Pasadena, Calif., each year."

The last point of contention was if a playoff system would hurt academic standards at the institutions that participate in the postseason. Bowl officials said adding games to the season through a playoff would keep students out of classes longer. Most bowl games are played during the semester recess between the fall and spring semesters.

"There are a number of presidents and chancellors who would prefer to terminate the BCS rather than compromise academic integrity, the strong traditions of our conferences, or reduce the importance of traditional bowl games," University of Mississippi Chancellor Robert Khayat said. CJ

Committee Report on President of HCC Expected After Holidays

By SHANNON BLOSSER
Staff Writer

CHAPEL HILL

A committee investigating allegations against Halifax Community College President Ted Gasper is expected to make final recommendations on his future with the school after Christmas and New Year's Day.

The holdup by the committee, a spokeswoman with the North Carolina Community College System said, occurred when the panel tried to interview Gasper. Several interviews were canceled before a three-hour interview was conducted in executive session Nov. 30.

A report has been sent to the state community college system, however, members of the investigative committee are still expected to send an amendment to the report to include the statements made by Gasper during the closed hearing.

"There has been a little lull," the spokeswoman said.

Gasper has been under investigation by the committee since it was formed by the State Board of Community Colleges to examine more than 70 allegations of misconduct. Some of those charges have included using school resources to conduct political activities

and closing school programs without the approval of the Halifax Community College Board of Trustees. Gasper and his secretary, Faye Pepper, have been placed on paid leave of absence while the investigation is conducted.

Portions of the committee's work is expected to include a report in October by the State Auditor's Office that examined some of the allegations made against Gasper and his administration. That audit found evidence of more than \$15,000 in questionable payments made to Gasper for fringe benefits and travel as well as board members at Halifax Community College approving a new college for Gasper without knowing specific details of the contract.

According to the report, Gasper's new contract included provisions that his term of employment be increased from two to four years and increased the buyout amount to \$375,000 should Gasper be fired without cause. Gasper never produced a copy of his contract for board members to examine before they voted on the document.

The audit suggests that board members seek repayment of the \$15,000 of questionable payments. That money included \$12,755 in insurance-related fringe benefits that did not have supporting documentation. CJ

FIRE Releases Thought-Reform Guide

By BRIAN SOPP
Editorial Intern

RALEIGH

Universities routinely threaten students' freedom of conscience, says the *Guide to First-Year Orientation and Thought Reform on Campus* recently released by the Foundation for Individual Rights in Education.

The fifth and final Guide in FIRE's *Guides to Student Rights on Campus* is co-authored by Jordan Lorence, a First Amendment litigator and senior counsel for the Alliance Defense Fund, and Harvey A. Silverglate, a Boston civil rights lawyer and member of FIRE's Board of Directors.

"Censoring speech is bad enough," the authors write in the introduction, "but requiring people to adhere to, and even to believe... in an official, orthodox ideology is completely incompatible with a free society and is the hallmark of totalitarian social control."

The authors contend that colleges and universities often deprive students and professors of their freedom of conscience by imposing policies such as mandatory diversity "training," speech codes, the use of nondiscrimination policies to suppress certain student groups, and mandatory psychological counseling as punishment for offenses.

Lorence and Silverglate write that "mandatory diversity training, in its more extreme forms, as it is done on many campuses today, likely infringes unconstitutionally on a student's individual right to believe." Similarly, the authors contend that limiting discussion and silencing dissent in the classroom "clearly cross the line between education and indoctrination."

The guide informs students of their rights in each of these instances by discussing the judicial history of freedom of conscience. The guide highlights the 1943 Supreme Court decision *West Virginia State Board of Education v. Barnette*, in which a Jehovah's Witness objected to a law requiring students to salute the American flag. The court ruled in that case that the U.S. Constitution protected "the freedom not to believe in, or even mouth agreement with, secular and religious orthodoxies approved by those who happen to be in power at any given time."

ACLU President Nadine Strossen called the *Guide to First-Year Orientation and Thought Reform on Campus* "both groundbreaking and empowering." Paul K. McMasters of the First Amendment Center said the Guide "should be required reading for college officials and faculty everywhere." CJ

Commentary

Mandatory Student Fees Should End

Most people don't like to be compelled to pay for things they don't want. Taxpayers rarely think, "The government sure is taking a lot of the money I earn, but I trust that in the wise judgment of the politicians, the money is being spent for the greatest overall good, so I'm content." Quite a few revolts in history have been sparked by the perception that taxation was mostly funding high living for the favored few.



George C. Leef

Mandatory student fee systems are a subspecies of the taxation beast. Most colleges and universities these days have established a policy of adding on to the tuition, room, and board, and other education-related fees, a "student fee" that provides the school with a substantial pot of money, which is doled out among various student groups on campus.

Exactly how the money is divvied up varies, but the principle is the same as taxation: We'll take your money, and then other people will decide how it's spent.

Over the years, student fee systems have led to plenty of litigation. In the leading case, *Southworth v. University of Wisconsin Regents*, the Supreme Court held that mandatory student fee systems had to be operated on a "viewpoint neutral" basis. That is to say, without discrimination in favor of some political parties or philosophies and against others. And just like the Supreme Court's 2003 decisions on the use of racial preferences in admissions, *Southworth* leaves a vast expanse of gray area for university officials.

Legal gray areas usually lead to disputes and that was the case recently with the student fee system at State University of New York at Albany.

Each student at UAlbany is compelled to pay \$80 per semester into a fund, which is allocated among campus groups according to a student referendum. As a result of the most recent referendum, \$5 of each student's fee went to the New York Public Interest Research Group, a left-wing activist organization. Several UAlbany students

objected to being compelled to fund a group they regard as working against their interests, and the fact that they got to have a "say" in it by virtue of the referendum was no consolation. They sued.

Federal district judge David Hurd decided the case Nov. 10. He ruled that the students were entitled to a refund of that part of their student fee that went to NYPIRG and that the referenda could no longer be used in allocating money to campus groups.

The facts of the case clearly supported Hurd's position. Whereas the leftist NYPIRG received \$106,000 in 2003-04, the conservative group Collegians for a Constructive Tomorrow received \$1,200.

While this decision is a step in the right direction, it still leaves about as much gray area as before. There is a solution to this problem, but it isn't one that the judiciary should impose. The solution is for schools to end their mandatory student fee systems.

The central objection to mandatory student fees is that they encourage student organizations to adopt a socialistic mindset, thinking that they are entitled to support from a coercively obtained fund of money. Mandatory student fee systems are a small-scale version of pork-barrel politics at the state and federal level. It would be much healthier if colleges and universities sent a capitalistic message to students — if you need money for something you want to do, look to your own capabilities.

Student organizations have many ways of raising money. They don't have to wait for the authority in charge of student fees to hand them some cash.

Morally and legally, schools would be making the right move if they abandoned mandatory fees. One of the best lessons they can teach their students is that activities should be paid for voluntarily by people who value them, not by those who have no choice. CJ

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

Mandatory student fee systems are a subspecies of the taxation beast.

Course of the Month

Top 10 Nuttiest Campus Events
in North Carolina in 2005

The holiday season is full of traditions, one of which is the Pope Center for Higher Education Policy's annual Top 10 Nuttiest Campus Events in North Carolina for 2005:

10. A Department of Redundancy Dept. The University of North Carolina at Pembroke wants to build a school of optometry, even though a 2000 study by the American Optometric Society predicted that there would be 3,500 optometrists out of work by 2010.

9. Shut the Door! Public Business Being Conducted. Once again, a University of North Carolina presidential search gets mired in controversy over whether officials violated North Carolina's Public Records Law.

8. Is That Your Final Solution? In October, an adjunct professor listed on the faculty page of N.C. State's African American Studies Department announced on C-SPAN: "We have to exterminate white people off the face of the planet."

7. Fork Over and Shut Up! In March, 71 faculty members wrote a public letter in *The Daily Tar Heel* urging UNC-Chapel Hill to cease negotiations with a donor, the John William Pope Foundation, whom the university approached to fund a Western Civilization program. The letter cited faculty members being left out of the process, worries about donor influence on the university, and the fact that the donor funds conservative critics of the university.

6. Zionists and Neo-Cons and Scares, Oh My! N.C. Wesleyan College's only political science professor, Dr. Jane Christensen, taught a course called "911 The Road to Tyranny," which taught the events of Sept. 11 from a heavily conspiratorial view that the events were orchestrated by the Bush administration, perhaps at the behest of Zionists. Christensen called critics of her course "neo-Nazis" — and declared the Nazi Holocaust "the greatest hoax of all."

5. Presumably the Rest of the Campus Is the Tyranny Zone. UNC-Greensboro designated two spots on campus as "Free Speech Zones" — forgetting that as a

public university, the whole campus is a free speech zone per the Bill of Rights and North Carolina's Constitution.

4. You're All North Carolinians Now! A neat budget provision passed this year would allow out-of-state students on full scholarship to count as "in-state," thus allowing UNC schools finally to circumvent that hated out-of-state enrollment cap — and make athletic scholarship funds last longer, too.

3. You Can NEVER Be Diverse Enough. East Carolina created a new position of assistant to the chancellor for institutional diversity despite already having

an entire Office of Institutional Diversity and diversity offices within three other campus offices. Several UNC schools created more "task forces" for diversity. A political science professor with UNC-Asheville actually said, "Classes are hard to teach because you have only a white perspective."

2. What Do You Mean, Against the Law? WE'RE the Lawmakers. Four candidates for the UNC Board of Governors, including the sole Republican on the list, were removed from the Senate ballot right before the vote, leaving — conveniently — eight choices for the eight slots. The House ballot also had only as many names as there were slots to fill. State law specifies that there must be "at least twice the number of candidates for the total seats open."

1. And Next to UNC Hospitals We Have the New Center for Rehabilitating John Edwards. Three short months after the 2004 election, the UNC-Chapel Hill School of Law announced it had created a "Center of Work, Poverty and Opportunity" and named former U.S. Sen. and losing vice presidential candidate John Edwards as its head. At the time of the announcement, Edwards was in New Hampshire addressing a Democrat fund-raiser. Impressively, UNC officials avoided smirking while telling media that Edwards' selection was not about politics. CJ



Jon Sanders

Jon Sanders is research editor for the John Locke Foundation.

Maloney's Documentaries Expose
Liberal Bias in Higher Education

By SHANNON BLOSSER
Contributing Editor

CHAPEL HILL

Evan Coyne Maloney experienced academic bias in higher education firsthand as a student at Bucknell University in Pennsylvania. At the time, he thought the bias he encountered in the classroom was limited to Bucknell.

That is until he read *Illiberal Education* by Dinesh D'Souza and saw how students at other colleges faced similar situations. Now, 11 years after Maloney graduated from Bucknell, he is educating others on academic bias through a series of video documentaries. The documentaries have received critical acclaim.

Maloney's series on higher education is entitled "Brainwashing." There have been two installments "Brainwashing 101," and "Brainwashing 201: The Second Semester." "Brainwashing 201" recently won the Best Short Film Award at the Liberty Film Festival in October.

In an interview with *Carolina Journal*, Maloney said that he has been interested in higher-education issues since he was an undergraduate.

"I'm a newsjunkie," Maloney said. "I would always follow the different scandals that would occur in higher education."

His successes have also brought with it notoriety as the conservative version of Michael Moore. Maloney said he understands the marketing value of the line used by the media in previous articles about his work.

"I do respect the quality of work that Michael Moore does," Maloney said. "I don't want to be seen in necessarily the same light as him. He occupies his own space and I think he should be left alone in his own space."

In "Brainwashing 101," Maloney opens with a look at what higher education was in America several years and decades ago. Maloney, who narrates the film, discusses how colleges and universities were built on the same traditions and philosophies in which the United States was formed. Then, the video highlights higher education today by showing controversial quotes from various professors in academia.

"Anybody who blows up the Pentagon gets my vote," University of New Mexico professor Richard Berthold said in the moments after the Sept. 11 terrorist

attacks. It's one of the quotes that flash across the screen.

After a few quotes Maloney said, "How did our campuses get this way?"

"It's my perception that the environment in higher education has become more hostile to free speech," Maloney said in the interview.

Maloney said he thinks higher education has always had elements of bias because academia attracts professors who have liberal ideology. He also said recent publicity of controversies in higher education is helping to show that there is a problem.

One of the reasons for more publicity of cases of academic bias, Maloney said, is because of changes in the media environment. The creation of cable news networks and the Internet allows more opportunities to publicize bias in academia, he said.

"Now you get people, like me, that just follow the news as a matter of course," Maloney said.

Maloney said he gets his information about various cases for the documentaries by examining cases that have had some form of litigation. Not all of the cases, he said, have gone to court that he has looked at in the videos.

"You are much more able to say with surety what's going on when there are dispositions," Maloney said. "In some cases it's not possible."

The goal in each documentary for Maloney is to present both sides of a situation and let viewers decide for themselves what to think. He said he has had difficulty in getting some professors and university officials to speak to him on camera.

"That's the problem we face most acutely," Maloney said. "We don't have enough of the perspective of other people."

"I would love to include [the academics'] perspective. If you're willing to give it, I'm willing to put it on film."

Maloney said his work is not intended to force academia to have a perfect balance between the number of conservative and liberal professors on campus. He said he just wants conservatives to be treated fairly. "I don't think there has to be a 50-50 balance or a perfectly representative balance," Maloney said. "It won't bother me if there are more liberals than conservatives as long as the conservatives are treated fairly."

As for the rest of his career, Maloney is unsure how much longer he wants to focus on higher education. "I don't think this is an issue I want to spend my entire career looking at," Maloney said. "There are so many people who have made careers on this issue and understand every nuance of higher education more so than I ever will." CJ



Evan Coyne Maloney, producer/director of "Brainwashing 101"

It didn't work for economies, it won't work for schools

Let's Abandon Any Notion of Using Central Educational Planning

By GEORGE C. LEEF

RELEIGH

Socialism is based on the idea that government officials need to plan the economy. The production and distribution of goods and services can't be left to the supposed anarchy of the free market, but must be deliberately organized by economic "experts." Decades ago, socialist advocates argued passionately that with central planning, the economy would be much more productive, and also much more fair, than if it were left to Adam Smith's invisible hand.

The socialist case for central economic planning is by now pretty much a relic of history. Aside from a few die-hards who have too much invested emotionally to give up on central economic planning, no one with a grasp of either economic theory or history still advocates it.

Like a virus that continually changes to retain its potency, the central planning argument has morphed into new forms and one of them is the idea that governments need to engage in central educational planning. A recently published paper entitled "As America Becomes More Diverse: The Impact of State Higher Education Inequality" (published by the National Center for Higher Education Management Systems with support from the Lumina Foundation) takes this position.

Author Patrick Kelly writes, "For many states, raising educational attainment levels depends upon their ability to address the education needs of particular race/ethnic populations." Kelly would have us believe that state (and national) economic progress is directly tied to "educational attainment" and

that it's not sufficient just to expect that people will pursue their own self-interest and make the educational investment that's best for them. We need active government with programs calculated to ensure that the greatest number of people get college degrees, particularly those in minority groups.

To begin with, Kelly's fundamental assumption is wrong. There isn't any necessary relationship between educational attainment levels and income levels. While it is true on average that people with college degrees have higher incomes than do people without them, it does not follow that if we take someone who didn't go to college and put him through enough courses to get a degree, his earnings will automatically rise. Whether they do depends on what he learns and demand in the labor market for people with his skills.

These days, many students go to college, take a lot of easy courses, and graduate with little educational gain from high school. After getting their degrees, they settle for jobs such as selling video games. The idea that having a college degree guarantees a high- or even moderate-paying job is mistaken. If governments manage to lure kids into college who have little aptitude or interest in academic work, they won't enjoy rising prosperity.

Kelly also repeats the common idea that nothing but menial jobs



with low pay will be available for people who don't have college degrees in the near future. U.S. Department of Labor projections for the decade 2002-2012, however, indicate that there will

highly questionable. The military manages to train high school students (and seldom the smartest among them) to do difficult jobs, often dealing with sophisticated equipment. It's also true that many successful entrepreneurs have weak formal educations. Schools aren't the only places where people can learn things.

Second, there are reasons for those "disparities" that government policies can't do anything about. Kelly briefly notes that "only half of African-American and Hispanic ninth graders are even eligible to enter college after four years because they have not completed high school," but fails to explore why that's the case. Several black scholars, such as sociologist John Ogbu, contend that the trouble lies in black youth culture, where studying is dismissed as "acting white." Ogbu found that there are enormous black-white (including Asians) academic differentials even when the families had the same high economic status.

No government policy can change that. We have set things up in the United States so that academically able youngsters can almost always find the financial support they need for their educations. If, owing to cultural factors, some people are more inclined to take advantage of those opportunities than others, there's no point in implementing governmental policies to bring about equality.

Let's abandon the notion that the United States needs to have central educational planning. CJ

be very large job growth in many fields where a college degree is of no importance. Some of those jobs currently pay quite well — truck drivers, for example. Others don't pay very well — groundskeepers, for example. But people will be hired to fill them, and the pay will be the same whether the individual has a college degree or not.

Most of "As America Becomes More Diverse" concentrates on the "educational attainment gaps" between various population groups. "Hispanics, African-Americans, and Native Americans are under-represented at each stage of the educational pipeline — indicating that most state systems of higher education are doing a poor job addressing these disparities," Kelly writes. And since those population groups are the fastest growing, we must get more of them into and through college. Otherwise, the country will face declining income since we won't have enough well-educated people to keep up with international competition. Or so we are to believe.

First of all, the implicit premise that people are tightly constricted in their ability to perform work by their formal "educational attainments" is

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

Educating Tomorrow's Leaders
Support The NRA Foundation

Your charitable contribution to The NRA Foundation will support firearms safety programs and Second Amendment education through:

- Youth Firearms Safety Programs
- Wildlife Conservation Efforts
- Law Enforcement Training
- Eddie Eagle GunSafe® Program
- Hunter Education Programs
- Women's Programs

To find out more about charitable giving opportunities, call 1-888-467-2363.

Thank you for your generous support!

The NRA Foundation
 Teach Freedom.

www.nrafoundation.org
 The NRA Foundation, Inc.
 11250 Waples Mill Road, Fairfax, VA 22030
 Contributions to The NRA Foundation are tax-deductible to the full extent allowed by law.
 The NRA Foundation tax I.D. number is 52-1710886.

Since 1991, Carolina Journal has provided thousands of readers each month with in-depth reporting, informed analysis, and incisive commentary about the most pressing state and local issues in North Carolina. Now Carolina Journal has taken its trademark blend of news, analysis, and commentary to the airwaves with **Carolina Journal Radio**. A weekly, one-hour newsmagazine, **Carolina Journal Radio** is hosted by John Hood and Donna Martinez and features a diverse mix of guests and topics. The program is currently broadcast on 18 commercial stations — from the mountains to the coast. The Carolina Journal Radio Network includes these fine affiliates:

Albemarle/Concord	WSPC	AM 1010	Saturdays	11:00 AM
Asheville	WZNN	AM 1350	Saturdays	1:00 PM
Boone/Lenoir/Hickory	WXIT	AM 1200	Sundays	12:00 PM
Burlington	WBAG	AM 1150	Saturdays	9:00 AM
Chapel Hill	WCHL	AM 1360	Saturdays	5:00 PM
Elizabeth City	WGAI	AM 560	Saturdays	6:00 AM
Fayetteville	WFNC	AM 640	Saturdays	1:00 PM
Gastonia/Charlotte	WZRH	AM 960	Saturdays	1:00 PM
Goldsboro	WGBR	AM 1150	Saturdays	12:00 PM
Greensboro/Burlington	WSML	AM 1200	Saturdays	12:00 PM
Hendersonville	WHKP	AM 1450	Sundays	5:00 PM
Jacksonville	WJNC	AM 1240	Sundays	7:00 PM
Lumberton	WFNC	FM 102.3	Saturdays	1:00 PM
Newport/New Bern	WTKF	FM 107.3	Sundays	7:00 PM
Salisbury	WSTP	AM 1490	Saturdays	11:00 AM
Siler City	WNCA	AM 1570	Sundays	6:00 AM
Southern Pines	WEEB	AM 990	Wednesdays	8:00 AM
Whiteville	WTXY	AM 1540	Tuesdays	10:00 AM
Wilmington	WAAV	AM 980	Saturdays	1:00 PM
Winston-Salem/Triad	WSJS	AM 600	Saturdays	12:00 PM

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

Town and County

Court rules on zoning

On Nov. 15, the N.C. Court of Appeals ruled on two cases concerning the interpretation of local zoning restrictions. In both cases, the court held that the localities had acted incorrectly because they had misdefined key terms.

In 1997, BellSouth Mobility applied for a permit to put up a cell phone tower in Henderson County. The parcel it wanted to build on was zoned as a "low-density residential district," a classification that also allows for "public utilities" to build "public utility stations." The ordinance did not specifically define either term.

The Henderson County Zoning administrator granted BellSouth Mobility a permit and the company soon erected the tower. Several local residents, however, protested the administrator's decision. The Henderson County Zoning Board of Adjustment ultimately ruled against BellSouth Mobility, finding that it was not a public utility and that cell phone towers were not public utility stations. The Court of Appeals overturned the zoning board's decision.

The Court of Appeals also rejected as "unreasonable" a definition of "façade" the city of Charlotte had used to require an automobile dealership to take down a rooftop sign.

Charlotte's sign ordinance prohibits rooftop signs. Rooftop signs erected before Feb. 1, 1988 may, however, remain in place until there are "[s]tructural or nonstructural alterations excluding routine maintenance and repair of the facade of the principal building that exceed 50% of the facade's area," at which point the sign must come down.

In early 2003, Town & Country Ford, which has had a sign with the dealership's name on top of a large canopy that runs the length of the front of the building since the late 1970s, remodeled. After the work was complete, the city cited the dealership for violating the sign ordinance, finding that the front of the canopy was the building's façade and that more than half of it had been changed in the remodeling.

On appeal, the Court of Appeals found that the city had misdefined "façade." The city relied upon a second definition of a "façade" as being a false front. The court noted that the dictionary definition of "façade" in architectural usage (and the first listed definition in the dictionary the city relied upon) is the face of a building. *CJ*

The Healing Place Provides Road to Recovery

By MIKE ROUSE

Contributing Editor

RALEIGH

It isn't because they can't earn rent money that most homeless people live on the streets.

Nor do they prefer to.

For most street people, choice has been supplanted by addiction. Foolish behavior, usually starting in youth, has sunk them into a way of life that offers little hope of happiness, usefulness, or independence — no hope at all unless they will muster extraordinary discipline and humility.

In Raleigh, an institution called The Healing Place of Wake County brings addicted men together and separates the ones who are willing to try. Then it sets them on an arduous, highly regimented road to recovery.

It starts with temporary refuge. The Healing Place will offer a night's shelter to a homeless man regardless of whether he is drunk, stoned on dope, or sober. Any who want to come will be bused from a pick-up point on Wilmington Street to the Healing Place campus on Goode Street, a mile-and-a-half west of the old business district.

Each morning 153 men, on average, wake up in Healing Place beds. After breakfast, most go back out into the hazy world of deep addiction.

But not all. The Healing Place offers them hope, too, and some of them hang around for a bigger portion of that. If a man sticks with the plan, it will take him at least eight months, and perhaps longer than a year, to shake loose from his addiction.

The Healing Place is for men only, but there are addicted women on the street, too.

The program is based on the 12-step plan of Alcoholics Anonymous, but with a couple of extra hooks. All through the course, a Healing Place resident is encouraged by the lure of nicer chores, more private quarters, more independence.

And the possibility of sobriety is never out of his sight. He is exposed constantly to what might be called upperclassmen working, studying, and resisting the temptation to drink or use drugs.

All of that is by design. Design, in fact, has a large part in the plan. The building was laid out to accommodate the progression of the clients from the time they say yes to the program to the time they advance to graduation.

The progression works like this:

- **Overnight shelter**

This is where they come to spend a night off the streets. They sleep in metal, double-deck bunks with thin mattresses. Thirty-six of these bunks line the walls of a big room.

In the center, there are beds with thicker mattresses, surrounded on three sides by walls that are waist high. These almost-private beds belong to men

who have decided to join the program. They are no longer one-nighters. They have spent three to five days in the Healing Place's own detoxification clinic, and now they are full-fledged residents in the part of the program called:

- **Phase One, or Off the Streets**

Living conditions at this plateau are slightly better than a metal bunk — one of the inducements — but the client who decides to stay for the cure will walk a mile and a half to classes on Wilmington Street. At noon he will walk another mile and a half, and back, for lunch. When classes are over he will walk the mile and a half back to the shelter. That's six miles of walking a day — good exercise and good for helping rid the body of the residue of dope and alcohol.

For these three to four months, he is in a motivational program called Recovery Dynamics, which educates him about addiction. He also must faithfully attend meetings of Alcoholics Anonymous, Narcotics Anonymous, or Cocaine Anonymous.

Responsibility is part of the cure, too. Everybody who lives in the Healing Place has duties — building maintenance, laundry, yard work, or whatever.

Ultimately, assuming he doesn't fail any of the random drug tests and have to start all over, the resident advances to the final stage:

- **Phase Two, the transitional phase**

To get there, a resident must have been sober for six months, and good comportment has its rewards. He now moves to an area of the specially designed building where he can share a suite and bath and can enjoy regular mattresses and box springs.

He spends more time with his family; he begins looking for work; he begins looking for housing on the outside if he needs it.

He also serves as a teacher in the Recovery Dynamics program in exchange for room and board and a weekly stipend of \$50.

This part of the program lasts three to nine months, depending on the client's needs.

Then the ex-hobo will take a last stroll past a circular seating pit in the back yard of the Healing Place, in the semi-surrounded space in the U of the U-shaped building.

As he walks through the center of the building to the front door, he will pass a plaque bearing the names of the people who made the Healing Place possible. It is a Who's Who of corporate Raleigh.

At the top of the list is Wake Med, which gave \$2 million toward the \$4.5



The Healing Place in Raleigh treats addicted men using a three-stage progression that has proven effective.

million cost of construction.

The Healing Place director, Dennis Parnell, says the hospital figures its investment has paid off. The Healing Place has a clinic beside its detox center, and homeless men needing medical help go there, whereas they used to flock to Wake Med's emergency room.

Parnell, a graduate-degree social worker, is an ex-Wake Med staffer. He was a member of its trauma team and was helping put together plans and money for the Healing Place in the late 1990s. The number of homeless people in Raleigh had spiked around that time, and they were putting the squeeze on facilities that had to serve them, such as hospitals and jails.

As some civic leaders were contemplating the problem, a nurse had told hospital officials about something called The Healing Place of Louisville.

The Raleigh folks visited Kentucky to look at it, and they used it as the basis for their own plan — modified with the physical design that became a part of the program.

Parnell was asked to take over as executive director. He and other committee leaders then made a pitch to the hospital and set up lunches with other heavyweights.

On Jan. 15, 2001, the facility opened with no mortgage and with the first year's operating expenses in the bank. Sixty percent of the revenue is from county agencies such as the ABC Board. The rest comes from corporations, foundations, individuals, and churches.

Fund-raising is so successful that the Healing Place goes into each year with money on hand for the entire year. Allen Reep, who has been the development director for nearly five years, says he is working on the 2007 budget.

Movers and shakers have recruited support from other movers and shakers. That's how things have been moved and shaken.

Early advocates of the Healing Center, in addition to Parnell and county human services Director Maria Spaulding, included Fred Barber and Jim Goodmon of Capital Broadcasting, and Goodmon's wife, Barbara, an energetic and forceful community activist. *The News & Observer* of Raleigh has given financial as well as editorial support. *CJ*

'No silver bullet'

Study of Urban Transportation in N.C. Cites Revenue Needs

By MICHAEL LOWREY

Associate Editor

CHARLOTTE

A commission to examine the state's urban transportation needs issued its findings and recommendations in early December. If adopted, the proposals could radically alter how the state addresses its highway needs.

The creation of the Blue Ribbon Commission To Study North Carolina's Urban Transportation Needs was authorized by the General Assembly in 2004. The commission conducted nine hearings across the state before releasing its final report to the legislature Dec. 6. Rep. Drew Saunders, D-Mecklenburg, and Sen. Wib Gulley were the original chairmen of the 26-member commission. Gulley resigned before the commission finished its work.

North Carolina's population is growing rapidly, the commission noted, and the number of miles North Carolinians are driving is growing even faster. A lot faster actually: Miles driven is growing at about 1.4 times the rate of population growth. As an increasing proportion of workers live further from their jobs — more than half of Stokes and Franklin counties' workers, for example, commute to jobs in other counties — urban traffic woes threaten economic growth in the state as a whole.

Unfortunately, the state does not have enough money to address all of its already identified transportation needs. Transportation needs exceed available resources by \$30 billion over the next 25 years. The Triangle's funding shortfall alone totals nearly \$8 billion over the next 20 years.

The commission found that state's transportation problems extend beyond a lack of resources and includes how the state's limited dollars are used.

Most highway money in North Carolina is allocated according to set formulas. The N.C. Department of Transportation does not determine the state's most pressing road needs to then allocate its scarce funds to address them. Rather, the formulas determine the amount of dollars available to specific parts of the state for specific types of activities, with funding boundaries often dividing portions of metropolitan areas into different funding districts. Local and state officials then determine how to spend the dollars available to an area.

The funding formulas themselves do not change over time and often represent political compromises reached in 1989 with the establishment of the Highway Trust Fund and the higher taxes associated with it.

The General Assembly must add projects to be funded through the trust

fund, which often assures work is completed sooner than would otherwise be the case.

Closing the funding gap

The commission noted that closing the funding gap would not be easy and that no single silver bullet existed to do so.

"Given the magnitude of the state-wide funding shortfall, it is clear that no single funding, financing, or policy solution exists to solve all of the challenges facing North Carolina's large and small metropolitan regions. Rather, a host of solutions — implemented in concert in each region, based on the region's unique needs — will be required to prevent a decline in mobility in the State."

Unlike earlier efforts, the commission issued specific recommendations that went beyond merely temporarily shifting money between accounts and amount to more systematic reforms. This includes that the General Assembly "review the components and distribution region boundaries of the current highway funding allocation formula to insure that both urban and rural transportation needs are being met for the near- and long-term." Whether and to what degree the legislature will be willing to address the issue remains to be seen.

The panel also suggested "legislative authorizations for transportation or infrastructure revenue options implemented at the municipal, county or multi-county level." Such new taxes should be directly linked to transportation.

The prospect of additional taxes may be a hard sell and comes as voters nationally have become increasingly unwilling to support major transportation initiatives in recent years. While the most publicized recent example was the failure of efforts to extend Seattle's monorail system, numerous other examples exist. Oklahoma voters overwhelmingly rejected a proposed gas tax increase to pay for road construction in November. Gasoline tax increases were also defeated by voters at the polls in Colorado, Oregon, Missouri, Washington, and portions of Virginia between 1997 and 2002.

Commission members recommended a number of other methods to help the state address its road needs. Toll roads and high-occupancy toll lanes were endorsed as possible solutions to increase capacity in certain corridors. The report also recommends that diversions of funds from the Highway Trust Fund to the state's general fund end. CJ

Commentary

Zoning vs. Planning

In the world of local politics, nothing elicits more confusion among the public than the elaborate bureaucracy of zoning and planning. Economic developers say you have to have it to recruit businesses despite the fact that there is no proof that it's true.

Most North Carolina counties already have it, much to the consternation of property owners who now have to navigate the halls of zoning offices to do anything on their own property.

Vance County has been undergoing the agony of zoning implementation for the past three years.

I say agony, but the truth of the matter is that things were rather calm until July, when a 50-page zoning document was supposed to have been presented to the commission, but wasn't made available for public inspection.

By November, what had been relatively smooth sailing for the staff, county manager, and the commission turned into a cadre of activists opposing the supposed "need" for zoning. In truth, the county already has neighborhood ordinances and could easily enact covenants on a case-by-case basis that would allow for the alleged benefits of zoning (aesthetic appeal, environmental impact, buffers, etc.) without the loss of freedoms to property owners.

I would go on to say that much of the zoning currently in place across the state does more harm than good. Ultimately, entrepreneurs and the free market work out the aesthetic and business issues that lead to success in communities much more readily than city and county planners.

It's important to make a distinction between zoning and planning, as most folks truly don't know the difference. Under state statute each city and county has the authority to plan and control the use of private property through zoning, which regulates where uses and development may locate.

As such, it's easy to see that zoning affects personal freedom. The main selling point of zoning is that it supposedly seeks to protect the health, safety, and welfare of the general public by preventing landfills and chicken houses on

every block.

Planning, on the other hand, is a process that sets the growth pattern in the form of a Land Use Plan and as such, is not an ordinance, but a suggestion. Having a land-use plan in place is a good idea that melds well with potential development without the need for restrictive and costly zoning regulations.

The Center for Local Innovation recently released a survey of more than 600 business leaders from across the state in which they were asked about their perception of regulations in the state. Nearly 81 percent of those leaders viewed current regulations as not being justified on a cost-benefit basis.

We also asked whether they thought that the costs of compliance had risen or fallen over the past 10 years. A total of 82 percent thought that regulatory compliance costs had increased during that time. To be fair, there are far more regulatory compliance issues than zoning alone.

The real issue with zoning is that once in place, it almost always becomes more tedious and complicated. Raleigh, Charlotte, Wilmington, and others have complex zoning ordinances that almost require legal degrees to understand. This complexity becomes even more onerous when one has to deal with a variety of staff that might or might not interpret those codes in the same manner.

There are many nuances within zoning ordinances statewide that defy logic and make little sense. I believe the time has come, or shortly will, when citizens will begin to push for simplification of zoning ordinances.

When businesses consider coming to a town, they want to know about schools, crime rates, neighborhoods, and taxes. If zoning and planning are complicated enough, they might well be more interested in looking elsewhere. CJ



Chad Adams

Chad Adams is vice chairman of the Lee County Board of Commissioners and director of the Center for Local Innovation. Visit www.LocalInnovation.com.

Local Innovation Bulletin Board

Rental Cars New Tax Target

In cities across the country, including Charlotte, motorists who rent cars are getting hit with a slew of new taxes, Avery Johnson writes in *The Wall Street Journal*.

As of August, 44 rental-car tax proposals were pending or approved by local governments, up from three on the books at the beginning of 2004, according to Enterprise Rent-A-Car. At Chicago's Midway Airport, for example, a new charge of \$3.75 per day went into effect Sept. 1.

Overall, the taxes range from 0.8 percent of the bill to \$10 per rental. An extra \$10 per day charge can almost double the cost of renting an economy car in some cases, because base prices are near historic lows and some companies have been running aggressive weekend specials.

The flurry of taxation is partly due to the fact that the rental-car industry's trade association was dissolved in June, leaving it with no effective lobby.

The industry is notoriously fractious, making it harder for companies to jointly combat tax increases. Also, rental cars are considered ripe for taxation because more than half of customers rent at the airport, so lawmakers assume they don't live in the town and can't vote down the proposed fee.

The fees are being levied to pay for trophies such as stadiums, museums — and alternatives to renting a car, such as monorail systems and rail lines.

State and local lawmakers, many of whom operate under balanced-budget mandates, got hit hard by the recent economic downturn and have become more creative about looking outside their constituencies for funding.

Privatization works

New York City succeeded in privatizing many city services under former Mayor Rudolph Giuliani's direction. In his book, *Privatization in the City: Successes, Failures, Lessons*, Professor E. S. Savas of Baruch College cites examples of privatization that have taken place in New York despite challenges and union pressures.

According to Savas, of the 82 privatization initiatives proposed by Giuliani, 66 were carried out; contracting was proposed and carried out on 32 of 40 proposed services.

The city sold tax liens, its radio station, television stations, parking lots and garages, and the city-owned

land under the United Nations Plaza Hotel.

Waste disposal was privatized, private contractors were hired to confirm eligibility for public-housing applicants, and the city contracted with check-cashing companies to allow people to pay municipal bills at these locations.

The city saved \$6.2 billion (\$776 million annually) over Giuliani's eight years in office, amounting to about \$3,296 per family of four.

Giuliani had a firm and unwavering commitment, Savas said. He used a combination of threats and rewards in dealing with large unions, yet there were no layoffs.

Rebuilding old urban areas

Older cities face serious land-use problems. How can a dense urban area revitalize itself if developers have to build one lot at a time?

Should residents of failing cities insist that shopping centers be built only in the far suburbs, displacing farms and increasing suburban sprawl? Must all large housing developments be relegated to the exurbs?

There is a better way to give developers access to sizable plots of land in the city: Allow homeowners to privatize their neighborhoods and sell en masse directly to developers, the Competitive Enterprise Institute said.

It suggests that if a group of urban owners wished to consolidate their properties, they would petition the city. A transfer agreement for streets, parks, and other public services would get worked out. Then if a supermajority of 70 or 80 percent voted to approve, a new private community association, including all the property owners, would be established.

There would be no cram-down eminent domain; the property owners themselves, through a supermajority vote within their association, would approve any sale.

And they would get a price set not by judicial decree but by private negotiation. Proceeds would be divided according to the association's rules.

If the owners preferred to stay in the neighborhood, rather than sell out, their new association would then function much like a residential version of a business improvement district. They could collect assessments, for instance, to sweep the sidewalk. CJ

From Cherokee to Currituck**Wilmington Convention Center On Hold Due to Lackluster Plan**

By MICHAEL LOWREY

Contributing Editor

CHARLOTTE

Wilmington's plans for a new convention center are on temporary hold, after the building's proposed new design failed to inspire local residents. The city hopes to proceed once architects have spruced up the design and found a way to add more meeting space.

In mid-November, a city task force unveiled a revised design for the building, including revisions necessary to bring the cost to within the city's \$50 million budget for the project. The changes included eliminating 10,000 square feet of meeting space and its "green" roof. The plan also provided for a half-acre park on the banks of the Cape Fear River.

"So we're going to build something that looks to be a nice facility but is less than our dreams," Griff Weld, chairman on a committee on convention center design, said at the time to *The Wilmington Star*. "But it's still going to be successful, and it's still going to be good for Wilmington."

The plan for City Council was to approve the design Dec. 7. Following negative public comments, the design never got that far. The architects were told to try again Nov. 29. While the park was a hit, the convention center's design was widely seen as being generic and not the proper statement for the city and site.

"I also want to be sure we do something that's long-lasting and something that the community can be proud of, so we just have to give it our best effort," City Manager Sterling Cheatham said in announcing the re-redesign.

Outer Banks service shortage

Police departments and other government agencies on the Outer Banks are struggling to attract and retain qualified employees. The problem is the high housing cost on the islands, particularly during the tourist season.

"It'll probably be impossible to buy here," Nags Head police officer Brian Kennedy said to *The Virginian-Pilot*. "Without my mother-in-law sharing this house, there's no way we could afford this."

Kenny shares a rented three-bedroom house with his wife, mother-in-law, and two children. Rent is \$1,350 per month; Kennedy, who has five years of law-enforcement experience, makes about \$33,000 per year.

The Dare County Sheriffs Office has five vacancies on a force supposed to number 64, in large part because of



High housing costs on the Outer Banks make it hard for local governments to recruit.

the high cost of living in the area. The openings come despite a substantial recent county pay increase.

The Outer Banks Community Development Corp. notes that at the county's median income of about \$58,000 a year, a typical homebuyer should be able to afford to purchase a home costing \$174,000. Only 7.2 percent of the more than 2,000 houses sold in the county in 2004 went for that price or less.

Privately funded arts center?

A group of Cary residents is pursuing an alternative approach to building a downtown performing arts center. Rather than having the town fund it, they are trying to raise the money themselves for the structure. The facility may seat up to 1,200 and cost about \$30 million.

"It occurred to me a year ago that no matter how much people liked the concept, nobody was going to pay for it," Holly Bankoski, a former IBM consultant, said to *The News & Observer* of Raleigh.

To address that sort of need, Town Council member Jennifer Robinson established the nonprofit Cary Community Foundation. The group selected a performing arts center as its first project. Foundation officials aren't sure yet how much money they can reasonably expect to raise.

"I think it's going to be a new model for the town," Mayor Ernie McAlister said to the newspaper. "I was very pleased in the shift of expectation from, 'The town should build this' to, 'Hey, we all have a stake in this.'"

Cary officials, however, still plan to play a role. They envision the performing arts center in a downtown arts district, which will include a community center, digital media center, parking deck, and a sculpture garden. CJ

Mental Health Reform Rough Going in North Carolina

By SAM A. HIEB
Contributing Editor

GREENSBORO

So far, mental health reform in North Carolina has not gone smoothly.

A report card recently issued by the North Carolina Psychiatric Association said that mental health reform "ran into a 'perfect storm' of adverse events: unanticipated budget problems, shortfalls in Medicaid, increase in population, more medically indigent (non-Medicaid) consumers needing care, less bridge funding than anticipated, community hospital capacity not increasing (and in fact hundreds of beds being closed over the past decade), and the loss of public sector clinicians (especially psychiatrists)."

In a recent two-part series, the *Winston-Salem Journal* painted an equally unflattering picture.

"The massive overhaul of the state's \$2.3 billion mental-health system began with the best intentions," the *Journal* wrote. "But four years into the overhaul, there is little proof that treatment has improved, and there is growing evidence that the state's complex system of care is worse than ever."

In January 2001, state legislation was introduced to reform mental health care by returning its governance and operations to the counties. But the effort to streamline mental health care has only added another layer of bureaucracy.

Many observers think the entire legal, financial, and service structure of North Carolina's mental-health system is being profoundly altered. Nonprofit agencies that offered mental health services to county residents have become local managing entities. Each agency must submit a local business plan to N.C. Department of Health and Human



Services Division of Mental Health, Developmental Disabilities and Substance Abuse Services, after which the state recommends different divestiture offers.

Many of the state's 30 local entities are in a state of confusion as they struggle to make sure it's both economically and clinically feasible to divest themselves. Divestiture of clinical services at the entities is a complicated affair. The entities not only have to ensure private contractors are offering services to patients, but also must deal with matters such as asset transfer and annual leave for employees.

Local management entities were supposed to have received financial assistance to aid in the process as the state began closing beds in psychiatric hospitals, a move that would save about \$50 million, according to the *Journal*. Hospitals are gradually trying to move away from primary care as more advances in

treatments and drugs are made. People with manic depression who would be hospitalized 20 years ago are now able to function in society.

But according to NCPY, admission of adult patients increased by 23 percent since 1999 with a dramatic rise since March 2004. Admissions of child and adolescent patients increased dramatically in August 2003, nearly doubling between in three-month phases in both 2003 and 2004.

In a memo to local-entity directors around the state, J. Michael Hennike, the division of mental health's interim chief of state operated services, let directors know that the spike in hospital admissions would have a profound effect on their budgets.

Based on the increase in admissions, the division said it would not be able to close beds until 2006, a modification that not allow funding for an expansion of community mental health systems.

"We are hopeful that as those programs that have already been funded become operational, admissions to the State hospitals will decrease. As this occurs, we will reevaluate our ability to fund additional mental health community expansion proposals," Hennike wrote.

There's considerable doubt among many that the new 488,000 square-foot Central Region Psychiatric Hospital, scheduled to be completed in 2007, will have enough beds to satisfy demand.

In the meantime, local entities and their private spinoff companies are feeling the financial crunch.

In its series, the *Winston-Salem Journal* reported "on the fate of HopeRidge Centers for Behavioral Health, the spinoff company of CenterPoint Human Services, the mental-health

agency serving Forsyth County and surrounding areas.

In a letter outlining the contractual obligation with Hope Ridge, CenterPoint said it disagreed with legislation to reform the mental-health system because it would "alter the legal, financial and service structure of all area authorities as a reaction, in part, to the failure of some area authorities to meet established performance expectations."

Still, CenterPoint pressed ahead with its local business plan to contract with Hope Ridge and finalized it in April 2005. In September, HopeRidge was bankrupt. Another private contractor, Telecare, informed its client, Crossroads Behavioral Healthcare, that it would no longer be able to treat its patients, who live in Surry, Iredell and Yadkin counties. Officials at Telecare told the *Journal* it had lost \$700,000 treating Crossroads' clients.

"I guess we're also hoping that the state and county will be patient with us, because we're one of the largest providers that's tried, and if we're having difficulties perhaps the issue is the system needs to be adjusted," Anne Bakar, Telecare's chief executive, told the *Journal*. On top of all this the recent budgeting process was kind to local entities. HHS was to adjust the number of local entities to 20, meaning treatment will be further regionalized. Until that goal is achieved, entity budgets will have to tighten to the tune of \$28 million.

When advocacy groups such as the Mental Health Association in North Carolina voiced their opposition, the department backpedaled, saying it will find the \$28 million somewhere else.

MHA/NC officials said that for true mental health-care reform to work, both hospitals and community programs still need adequate funding. CJ

NC SPIN

North Carolina's Most-Watched Political Talk Show Appears on Television Stations Across the State

BUT WHAT IF YOU MISS IT?

Now NC SPIN – featuring Carolina Journal's **John Hood**, host **Tom Campbell**, and commentators from across the political spectrum – is now rebroadcast weekly on many fine radio stations across North Carolina:

Asheville	WZNN	AM 1350	Sundays	9:30 AM
Durham	WDNC	AM 620	Sundays	8:00 AM
Gastonia/Charlotte	WZRH	AM 960	Saturdays	1:00 PM
Goldsboro	WGBR	AM 1150	Sundays	4:00 PM
Greenville	WNCT	AM 1070	Wednesdays	6:30 PM
Kings Mountain	WKMT	AM 1220	Saturdays	8:30 AM
Laurinburg	WLLC	AM 1300	Sundays	10:00 AM
Monroe/Charlotte	WXNC	AM 1060	Sundays	7:30 AM
Outer Banks	WYND	FM 97.1	Sundays	8:00 AM
Raleigh	WDNZ	AM 570	Sundays	7:00 AM 9:00 AM
Rocky Mount	WEED	AM 1390	Mondays	9:30 AM
Salisbury	WSTP	AM 1490	Saturdays	11:00 AM
Smithfield	WMPM	AM 1270	Sundays	5:00 PM
Wilmington	WAAV	AM 980	Saturdays	12:30 PM

More stations are joining the network soon. Visit www.NCSPIN.com for updates.

Purchase Your Copy Today!

Here's Where I Stand
by **Senator Jesse Helms**

Available at your local bookstore
or visit
www.jessehelms.com

Visit www.jessehelms.com

From the Liberty Library

• Promoted as an economist's version of *The Way Things Work*, *The Undercover Economist* is part field guide to economics and part expose of the economic principles lurking behind daily events, explaining everything from traffic jams to high coffee prices. Author Tim Harford punctures myths surrounding some of today's biggest controversies, including the high cost of health care; why certain environmental laws can put a smile on a landlord's face; and why some industries can have high profits for innocent reasons, while in other industries something sinister is going on. Covering an array of economic concepts including scarce resources, market power, efficiency, price gouging, market failure, inside information, and game theory, Harford sheds light on how these forces shape our day-to-day lives, often without our knowing it. Learn more at www.oup.com.

• In *Greatness: Reagan, Churchill, and the Making of Extraordinary Leaders*, Steven F. Hayward — who has written acclaimed studies of both Ronald Reagan and Winston Churchill — goes beneath the superficial differences to uncover the parallels between the statesmen. In exploring these connections, Hayward shines a light on the nature of political genius and the timeless aspects of statesmanship. Hayward shows that the examples of Churchill and Reagan teach what is most decisive about political leadership at the highest level. See www.randomhouse.com/crown for more details.

• Longtime activist, author, and antifeminist leader Phyllis Schlafly is for many the symbol of the conservative movement in America. In *Phyllis Schlafly and Grassroots Conservatism: A Woman's Crusade*, historian Donald T. Critchlow sheds new light on her life and on the unappreciated role her grass-roots activism played in transforming America's political landscape. Based on exclusive and unrestricted access to Schlafly's papers as well as 60 other archival collections, the book reveals the inside story of the Missouri-born mother of six who became one of the most controversial forces in modern political history. It covers Schlafly's political beginnings in the Republican Right after the World War II through her years as an anticommunist crusader to her more recent efforts to thwart same-sex marriage and stem the flow of illegal immigrants. More information at www.pupress.princeton.edu. CJ

Saga of conservative resurgence**Editor Provides Inside Account of *National Review***

* Priscilla L. Buckley: *Living It Up With National Review: A Memoir*; Spence Publishing Company, 2005; 241 pp.; \$27.95.

By MAXIMILIAN LONGLEY

Contributing Editor

DURHAM
In the mid-1950s, the American conservative movement was fragmented, contaminated with kookery, and marginalized by the establishment. Into this environment came the magazine *National Review*, founded by William F. Buckley. *National Review* was a major factor in the intellectual rehabilitation, and the political revival, of conservatism.

Many books have recounted different aspects of the *National Review* story. *Living It Up* is an inside account by Priscilla Buckley, sister of founder William. The book gives something of the flavor of the magazine's early impecunious years, when it was struggling not only to lead conservatism out of the wilderness, but to maintain its own existence in the face of constant financial problems. The author also includes plenty of stories about her non-*National Review* adventures during her time at the magazine.

In addition to seeking out distinguished figures in the conservative movement to join his magazine, William Buckley recruited staff from among his numerous siblings. The author ultimately became managing editor, giving her a vantage point from which she could observe the life of the publication.

The Buckley family was rich, thanks to the oil industry, and this inherited wealth served as a sort of buffer allowing members of the Buckley clan to work low-paying jobs at the magazine. *National Review* in its early years was quite poor. Its subscribers were dedicated but few in number compared to the subscribers of the major newsmagazines. Advertising revenue was low and, unfortunately, wealthy capitalists weren't eagerly lining up to provide subsidies to this pro-free-enterprise periodical. The editors had to seek out potential contributors. Only after the modern conservative movement, of which *National Review* was a major voice, had gone from marginality to establishment status would supporters start to open their wallets in a big way.

A constant shortage of money wasn't the only problem. As the author describes it, potential contributors feared being cast into "intellectual limbo" if the academic and literary establishment found that they were contributing to a conservative publication. This might explain why *National Review* had so many young writers and editors who were at the very beginning of their careers. The author drops names — too many names to enumerate — of prominent figures in the conservative movement



Potential contributors feared being cast into "intellectual limbo" if the academic and literary establishment found that they were contributing to a conservative publication. This might explain why National Review had so many young writers and editors who were at the very beginning of their careers.

who started off as staffers and writers at *National Review* and ended up as prominent figures in government, politics, and the media.

As the author describes it, it was William who, as editor, kept *National Review* afloat during its perilous early years, in the midst of his numerous other activities. One reason *National Review* was able to drag conservatism from the margins of intellectual respectability into the broad sunlit uplands was William's ability to recruit a staff of learned and able conservatives. Getting all these individualistic people to work together was a real challenge, and William is portrayed as possessing the leadership and patience necessary to keep the prickly personalities at *National Review* away from each other's throats and focused on the task of top-notch conservative journalism.

William seems to have possessed a remarkably tolerant and easygoing nature throughout the challenges of editorship, as shown by the fact that the magazine's staff felt comfortable in playing a fairly cruel practical joke on him. While William was in Switzerland, the staff sent for his approval an issue that included a page filled with all the types of errors and idiosyncrasies which he most despised. This "montage of awfulness" had the intended effect, and more: William wrote a memo to the staff expressing his utter shock and sadness. His hurt was so great that the pranksters felt they may have overdone it a bit.

Running a magazine of current events meant having to be constantly on your toes. Stories abound in *Living It Up* of hair-raising incidents in the life of *National Review*. Twice in 1968, the staff had to make last-minute changes in response to the events of that turbulent year. First, the assassination of Martin Luther King required a new cover and the addition of new editorial material.

On a later occasion the assassination of U.S. Sen. Robert Kennedy required that a forthcoming issue be completely reformatted. The planned cover story was a strong denunciation of Kennedy, brother of slain President John F. Kennedy and a candidate for the Democratic presidential nomination. The cover story was highly critical of the senator, and matching the story was a cover picture of Kennedy as a poisonous snake threatening to attack. After the assassination, which the author saw live on TV, the now-inappropriate cover story got ditched in favor of an extended obituary and some additional articles on other subjects. The cover art was replaced, too, and the staff tried to remove "any invidious mentions of Bobby," although the Kennedy-as-snake picture was inadvertently retained in the magazine's promotional inserts.

Living It Up's chapters alternate between descriptions of life at the early *National Review* and accounts of the author's exotic vacations. She describes how she hunted ducks and doves, boated down an English canal in one year and a wild stretch of the Colorado River in another year, visited ancient ruins in Cambodia, sailed the Aegean, accompanied other *National Review* people on an official tour of the Soviet Union, and so forth. The reader also learns of some of the triumphs and tragedies in the Buckley family's life, starting with the death, at a young age, of Priscilla Buckley's beloved sister Maureen.

Living It Up's chapters on the life and times of *National Review* will be of interest to students of the conservative movement. The non-*National Review* material serves to humanize the author, and will probably be of interest to any reader who has a fan's interest in the life of the Buckley family. CJ

Anti-Federalist Willie Jones Was One of Nation's Co-Founders

A man of many titles, including "the Jefferson of North Carolina," Willie Jones (pronounced Wiley) deserves more attention.

Jones (1741-1801) started his political career in 1767 as a representative of Halifax County in the House of Commons. In his early career, he was a die-hard Tory and even battled the Regulators in 1771. Growing disenchanted with British colonial rule, Jones switched sides



Dr. Troy Kickler

not long afterward in 1774. During the Revolutionary War, he served at four of the five Provincial Congresses, on the Council of Safety, in the Continental Congress, and emerged as the foremost leader of "radicalism" in North Carolina.

Although Jones lived an accomplished life and his biography would certainly be entertaining — as a young man he took a vow of celibacy for three years, and as an old deist he declared in his will that no tombstone should be placed on his grave — I will emphasize

his Anti-Federalism.

Many times, Anti-Federalists (who were more federal than the Federalists) have been described primarily as provincials lacking vision and offering nothing but criticisms of the Constitution. Anti-Federalists, however, attempted to settle the tension between seemingly opposite values, such as a republican government and self-governing communities, commerce and civic virtues, and private gain and the public good. They believed, argues political scientist Herbert J. Storing, "the American polity had to be a moral community if it was to be anything, and . . . that the seat of that community must be the hearts of the people."

Believing states' rights and individual rights were intertwined, Jones, in particular, criticized the Constitution as an instrument of centralization and an encroachment of community rule. Only the states, not the federal government, he argued, should have the power to tax and control the time, manner, and place of elections. He feared the Constitution created the possibilities of a standing army, a Supreme Court that overruled state court decisions, and a federal government that regulated the economy to benefit a few commercial interests.

Jones's insistence for an elucidation

of individual rights in the Constitution contributed greatly to the eventual adoption of the Bill of Rights. It was expedient, Jones reasoned, for North Carolina to ratify the Constitution only after certain individual rights were guaranteed.

Jones heeded the advice of Thomas Jefferson: For the sake of the Union, at least nine states should ratify the Constitution, but to ensure that a Bill of Rights was adopted, at least four states should not ratify it. Jones made sure North Carolina was one of the four: "I would rather be eighteen years out of the Union than adopt it [Constitution] in its present defective form."

In 1788 North Carolina passed a resolution (184-84) not to approve or reject the Constitution. Although Jones seldom spoke at the 1788 ratification debates, Federalists resented his presence, for the radical Jeffersonian marshaled the forces of opposition: "We might have carried our point . . ." said Federalist Archibald MacLaine in 1789, "but for Willie Jones."

For a year North Carolina was out of the union. But when Congress passed a Bill of Rights, North Carolina voted for the Constitution (195-77) in 1789. That year Jones remained reticent, knowing his political work was done.

Jones's ideas lived long after his political career, however. They influenced such men as Nathaniel Macon and Thomas H. Hall.

And, the Anti-Federal political tradition continues to inform debate over the nature of American polity and constitutional interpretations; the jurisprudence of former U.S. Supreme Court Justice William Rehnquist has even been described in legal journals as essentially Anti-Federal and Jeffersonian.

All that is said to say this: Although not a framer of the Constitution, Jones co-founded our nation. Next time you walk or drive down Jones Street in Raleigh, remember its namesake, Willie Jones, and his fight to preserve liberty.

See Saul Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788-1828* (Chapel Hill, 1999); Blackwell Pierce Robinson, "Willie Jones of Halifax," *North Carolina Historical Review* 28 (January, April) 1941: 1-26, 133-70; and Herbert J. Storing, *What the Anti-Federalists Were For: The Political Thought of the Opponents of the Constitution* (Chicago, 1981). CJ

Troy Kickler is director of the North Carolina History Project.

Don't Bring a Knife



... to a Gunfight

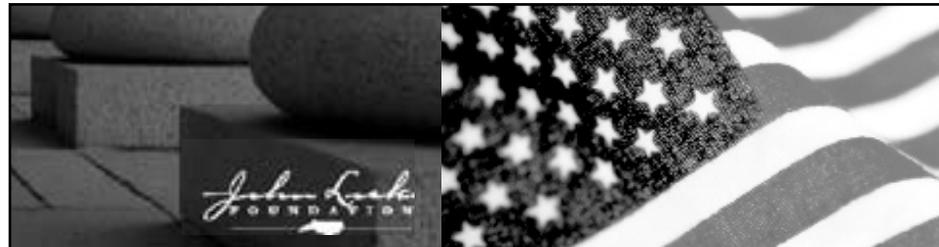
When it comes to protecting your personal or business interests, you need a law firm that is as tough as it is smart. Committed to its clients, Shanahan Law Group provides counsel that is creative, aggressive and results-oriented. Shanahan Law Group — Ready to do battle for you.

SHANAHAN LAW GROUP

207 Fayetteville Street Mall • Raleigh, North Carolina 27601
Phone: (919) 856-9494 • Fax: (919) 856-9499

Administrative, Regulatory and Licensing • Agriculture • Business Advice and Strategy • Civil and Complex Business Litigation Construction • Contracts • Employment • Estate and Trust Litigation Healthcare/Physician Practices • Wills, Estate Planning and Probate

www.ShanahanLawGroup.com



HEADLINER SERIES

DICK MORRIS

AUTHOR AND COLUMNIST

DISCUSSES "WILL HILLARY BE OUR NEXT PRESIDENT?"

NOON, RIVERSIDE HILTON, WILMINGTON

MONDAY, JANUARY 16, 2006

WILLIAM KRISTOL

EDITOR OF *THE WEEKLY STANDARD*

DISCUSSES "THE FUTURE OF CONSERVATISM AND THE REPUBLICAN ROLE"

NOON, THE PIEDMONT CLUB, WINSTON-SALEM

TUESDAY, FEBRUARY 7, 2006

ANNIVERSARY CELEBRATION

THE JOHN LOCKE FOUNDATION'S 16TH ANNIVERSARY BANQUET

FEATURED SPEAKER: WINSTON CHURCHILL III

AUTHOR, JOURNALIST, PARLIAMENTARIAN

6:30 P.M., MARRIOTT CRABTREE VALLEY, RALEIGH

FRIDAY, FEBRUARY 10, 2006

(Phone 919-828-3876 for ticket information)

Short Takes on Culture

Take in 'The King' at the Pond

• "Illusions of the King"
Keith Henderson
www.keithillusions.com

You might think with thousands of Elvis Presley tribute artists (OK, and "impersonators") in the world, that one of the best voices among them might move on from his small-town support and pursue larger gigs and perhaps Vegas, long-term. But that would betray what Keith Henderson is all about.

You see, Keith's "Illusions of the King" shows are genuine family efforts. Wife Sarah books his shows; daughter Lauren (a charismatic and talented voice all her own) sings with him; his grandmother makes his outfits; his mother sews on the studs and gems; and his dad is his stage assistant. They travel with him everywhere he performs, including to a small hall in Duncan, N.C. (just southeast of Fuquay-Varina) called "Linshire by the Pond," where he can be experienced every month or two. The Duncan faithful are an extension of his family and Keith has performed there for eight years.

But back to the voice. Keith won the \$50,000 first prize and the right to perform with The Jordannaires in a national contest in 2002. He won previous national competitions in 1998, 1999, and 2000, and he has earned the reputation as one of the strongest vocalists among the tribute artists.

He's been honoring Elvis with performances since 1978, and now has hundreds of his songs committed to memory. He never knows the next song he's singing until his dad tells him, but you get the idea that all he needs are a few opening chords and he's "on." He never strikes a flawed note and the lyrics are delivered with love, respect, and honor for the King, devoid of any hokeyness. This despite a wealth of humor and anecdotes throughout the show that keep audiences gut-laughing.

— PAUL CHESSE

'Luther' good, but incomplete

• "Luther" (2003)
MGM Home Entertainment
Directed by Eric Till

The 1953 documentary "Martin Luther," starring Niall MacGinnis, is a favorite of our family, a heroic portrayal of the reformer, which is black and white in several ways. Stacy Keach's psychologically tortured rendition in 1974 did nothing to sway us from loyalty to the older film. Joseph Fiennes, however, does

a more credible job in the title role of 2003's "Luther" — though in his case, the story isn't all there.

One of the hallmarks of the new bio is a faster development of Luther from law student to monk, and a longer look at the disastrous peasants' revolt which erupted while he was in protective custody at Wartburg Castle.

The surrounding poverty and superstition are more pronounced in the new film and the portrayals of Pope Leo X and the Dominican indulgence peddler Johann Tetzel are smoother and more ambiguous. But the new biography misses the significance of Luther's rediscovery of the Bible and its translation into the vernacular. There are nods in that direction, but the focus remains on Luther's conflicts, both internal and external, rather than the impact of the Word of God on him and his culture. Since the phrases "sola fide, sola Scriptura" — faith alone, Scripture alone — were mottos of the Reformation, simply brushing past it shortchanges the historical record.

In the balance, we still like MacGinnis's "Luther," but there is much to appreciate in Fiennes's — just not by itself, "sola Fiennes."

— HAL YOUNG

Cheap way to maintain sanity

• *Brain, Child* magazine
www.brainchildmag.com

Brain, Child magazine has a decidedly liberal bent, as the ads for social investing and organic foods attest.

One recent feature article examined why there is no mothers' movement and suggested, "Mothers can begin asking for changes from companies that are working employees longer hours than in any other industrialized nation... (and) agitating against a government that preaches self-reliance and the value of work but forces women with small children and limited means out into the workforce without even providing help for their children."

But reader comments sound like John Galt: "People are individuals and should live and work to serve themselves, not society." Essays and personal stories provide important support against "lactivists" and others who insist on one right way to raise a child. At \$5.95 an issue, it is an inexpensive way to maintain sanity with young children.

— JOE COLETTI CJ

Give laissez-faire the credit

They Made America is 'Stunning'

• Harold Evans: *They Made America*;
Little, Brown; 2004; 496 pp; \$40

By GEORGE C. LEEF

Contributing Editor

RALEIGH

What a stunning book! *They Made America* is a big, glorious coffee-table kind of book that deserves to be picked up and read, not dusted occasionally. What Harold Evans (actually, Sir Harold, the former editor of the *London Times*, was knighted in 2004) has done is to give us a compendium of short biographies on American inventors and innovators that is a marvel. He begins late in the 18th century and continues through to the present. He calls these people heroes and while his portraits are done "warts and all," one cannot help being swept up in Evans' enthusiasm for individuals who have done so much to bring progress to mankind. There's not a politician in the bunch.

Robert Fulton makes it into the book, but the first chapter goes to John Fitch, who actually beat Fulton in the development of a working steamboat by 20 years. Like nearly all early innovators, Fitch was a completely self-made man whose native intelligence more than compensated for his lack of formal education. A near escape from Indians in a war canoe had set Fitch to thinking about the advantages of a steam-powered craft, and he succeeded in building one without ever having heard of James Watt.

All the famous American inventors and innovators are here — Eli Whitney, Charles Goodyear, Thomas Edison, Henry Ford, George Eastman, the Wright brothers — as well as some people whom the reader probably won't know. Sarah Breedlove Walker, for example, was a remarkably successful black businesswoman who rose from abject poverty because of her ability to create and market hair-care products. Evans writes that "she attributed her rise to the virtues of patience, thrift, and the acquisition of practical skills, then being preached by the former slave Booker T. Washington." Her story demonstrates that it was possible for blacks to succeed in business at a time when the political system did all it could to keep them poor and ignorant.

Evans writes of the people who chose to come to America, "[U]nnnoticed

among the millions of these ambitious self-selected risk-takers... were individuals who were exceptionally willing to dare. Their gifts for innovation accelerated America's progress over two centuries.... When they disembarked, blinking in the bright light of the New World, they had no idea what their destinies would be. The magic was in the way they found fulfillment for themselves, and others, in the freedom and raw competitive excitements of the republic."

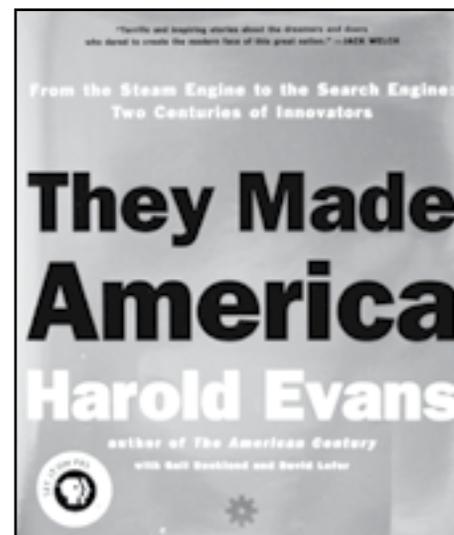
Yes, the individuals about whom Evans writes made America, but they needed the environment of freedom to be able to succeed. One would be hard-pressed to find enough material for a book on, say, Russian innovators. The reason is that innovation can thrive only in an atmosphere of liberty.

A corollary point: Evans correctly says of early America: "Everything turned on individual enterprise. The national government was weak and the laissez-faire ideas of Adam Smith had taken root." In the America of the 21st century, however, the national government is virtually omnipotent and the sphere of laissez-faire has been greatly constricted. Evans includes several "digital age" innovators such as the founders of eBay and Google. Communications is one of the few areas of the economy that are still relatively free of regulation and the question thus presents itself: Are we stifling innovation and progress in the many sectors of the economy that are heavily regulated?

Finally, here's a quibble. Evans wants to distance himself from libertarians and Randians by saying that we need to think about all the ways in which government has stimulated innovation, such as the interstate highway system. Compared to the enormous destruction of wealth that has been caused by our Leviathan through its taxation to support domestic and international meddling, however, any benefits from the state must be microscopic in comparison.

Having said that, I still think the book is a stunner. CJ

George Leef (georgeleef@aol.com) is executive director of the Pope Center for Higher Education Learning Center.



Saving Our Culture Requires Remembering Who We Are

• Tony Blankley: *The West's Last Chance*; Regnery Publishing, Inc.; Washington D.C.; 256 pp; 2005; \$18.45.

By NANCY WINTER
Contributing Editor

RALEIGH

Is it possible the 2008 U.S. presidential campaign could see one candidate endorsing registration and curfews for all Muslims and another running on family values and sharia law? Tony Blankley pieces together plausible events in Europe and the United States that could bring about the "Nightmare Scenario," the title of the first chapter of his new book.

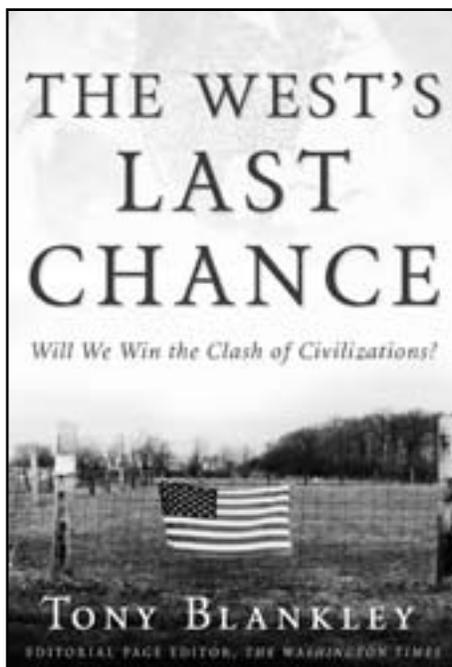
Blankley is the editor of the editorial page of *The Washington Times*; he was press secretary to speaker of the House Newt Gingrich for seven years, and served as a speechwriter and senior policy analyst for President Ronald Reagan. Considering that level of insider information, his assessment of the threat from Islamist jihad must be taken seriously.

"There is no more misleading phrase in the English language than 'if current trends continue,'" he says. He provides examples, instead showing that human history unfolds in more catastrophic changes of course. He writes to shake us from complacency that results because we have forgotten history.

He contrasts the reaction of the British and Americans in the 1940s with our current reaction to the mortal threats of militant Islam. His suggestions include a formal declaration of war against Islamic Jihad (rather than any specific Muslim nation). A formal declaration would permit the use of war powers, which could allow us to use racial profiling, better security at our borders, and more-efficient disaster preparedness.

His suggestion is to sunset the war power legislation every two years. The severity of the restrictions to liberty sound outrageous to our peaceful, tolerant, multicultural society, but few people questioned the usefulness of similar restrictions placed on the citizens of Britain or the United States during World War II.

The West's Last Chance includes a discussion of the forces of secularism and Christianity in Europe and the United States. He provides the following quote from Karl Marx: "Religion is the sigh of the oppressed creature, the heart of a heartless world, and the soul of soulless conditions. It is the opium of the people. The abolition of religion as the illusory happiness of the people is the demand for their real happiness. To call on them to give up their illusions about their conditions is to call on them to give up the conditions that require



[Blankley] gives a thoughtful discussion to the question of whether we still have the survival instinct that allowed us to fight and win in the 1940s, or whether the strength of the West has been compromised.

illusions. The criticism of religion is, therefore, an embryo, the criticism of that vale of tears of which religion is the halo." (Introduction to a Critique of Hegel's Philosophy of Right, 1844)

For the next 150 years, those who thought themselves to be smart and sophisticated bought into the idea that religion was just an illusion without necessarily knowing it came from Marx. Blankley notes that a Christian in a social gathering in Manhattan likely will not declare his belief unless the subject is quietly brought up by another; this is in contrast to a gathering in Mississippi, where an atheist would not be inclined to declare his disbelief. Yet, surveys in both Europe and the United States find that

Jihadists are influenced by the Egyptian intellectual Sayyid Qutb, who was executed by the Egyptian government in 1966. The anti-war, anti-Bush crowd believe that if we appeased Osama bin Laden by ending our support of Israel and the Muslim petro-regimes the Jihad would stop. This is not the case, Blankley says. The loathing of Western values and lifestyles runs deep and influences second- and third-generation European Muslims. The jihadists will keep up their war regardless our activities pertaining to governments in the Middle East.

Blankley discusses other methods to win this war, including: continued globalization, training more citizens to translate Arabic chatter, strengthening our affiliation with Europe, and specifically helping Europeans win their cultural war by reviving the Judeo-Christian leanings that polls show to exist among the majority, despite lack of formal church affiliation.

The text is less than 200 pages, with 30 more pages of supporting notes and a comprehensive index backing up lots of useful historical and cultural data. The author gives a thoughtful discussion to the question of whether we still have the survival instinct that allowed us to fight and win in the 1940s, or whether the strength of the West has been compromised by multiculturalism and political correctness.

Yet he has a hope that if we fully take hold of who we are (Judeo-Christian Western culture) and who is the enemy (Militant Islam), we will increase our chance of winning and saving our freedom-loving culture. CJ

Nancy Winter is a health and human services policy analyst for the John Locke Foundation.

North Carolinians for Home Education

The MISSION of NCHÉ 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 NCHÉ 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 40,000 homeschoolers registered in the state of North Carolina.

YOUR HOME ON THE WEB FOR NORTH CAROLINA PUBLIC POLICY

Creating your own personal **Key Account** at www.JohnLocke.org is a great starting place for tracking the critical public policy issues facing North Carolina.

Each day, your **Key Account** searches a comprehensive database of JLF reports, briefing papers, news articles, press releases, and events notices to display timely information about the issues of your choice. It's an excellent tool for those drafting legislation, researching policy issues, preparing news stories, planning political or lobbying campaigns, or seeking information with which to be an informed voter and citizen.

Visit www.JohnLocke.org and create your personalized **Key Account** today!



Commentary

Yes, Samantha, There Is a God

Editor's Note: With apologies to legendary editorial writer Francis P. Church, of *The New York Sun*, who wrote the classic "Yes, Virginia, There Is a Santa Claus" response in 1897 to young letter writer Virginia O'Hanlon.

Dear Editor:

I am 8 years old. Some of my little friends say there is no God, because just before Christmas a federal judge banned a Pennsylvania school district from mentioning "Intelligent Design" in our class.

But the judge said Darwin's theory of evolution is OK to teach. Papa says, "If you see it in your newspaper's column, it's so."

Please tell me the truth, is there a God?

— Samantha O'Hara

Dearest Samantha, Your little friends — and the judge — are wrong. They have been misled by cynicism of a cynical age. They put their trust in theories because they are "scientific." Still, they are mere theories nonetheless. And yet, amazingly, they turn their backs on faith, because faith comes from God.

They think that nothing can be true unless it can be comprehended by their little minds. All minds, Samantha, regardless of whether they are men's or children's, are little. In this great universe, of which men have managed to explore only one speck, human beings are mere insects, compared with the intelligence that designed the whole of truth and knowledge.

Yes, Samantha, there is a God. He exists as surely as love and generosity and devotion exist. You can prove that existence to yourself: Does the scientific curiosity you experience upon seeing a frog's body pickled in formaldehyde match the pulsating thrill you feel when you follow the boundless adventures of your heart?

Alas! How dreary would be the world if there were no God! There would be no genuine, steadfast faith. For all faith based on human vanity is as fleeting as a drop

of water on steamy summer day. Likewise, theories, manufactured by small minds, can evaporate, comparatively in God's time, in the wink of an eye.

The judge said as much of himself. "To be sure, Darwin's theory of evolution is imperfect," he wrote. "However, the fact that a scientific theory cannot yet render an explanation on every point should not be used as a pretext to thrust an untestable alternative hypothesis grounded in religion into the science classroom or to misrepresent well-established scientific propositions." Why, then, is Darwin's theory to be trusted and God's faith is not? God's continual response to all

of man's drivel has been the same through all the ages. It is written in the Bible, figuratively, that man, like a dog, has been chasing his tail around throughout all of his history. May not we consider what wags the judge?

Not believe in God? You might as well not believe in the beauty of the human soul. For without it, there could be no faith. There could be no beauty in a dreary world that gorges itself on scientific theory. It would be a world devoid of childlike wonder and euphoria. It would be as dreary as though there were no Samanthas. There could be no magical warmth of a mother's love or of a father's pride. There could be no poetry. There could be no romance. There could be no trust and friendship, for they, too, are based on Godlike faith. All emotion, that which makes us human, would be suppressed, surely making this world more barren and frightening than the impenetrable mind of any mad scientist.

No God? Praise be to Him that he lives and lives forever. A thousands years from now, Samantha, nay 10 times 10,000 years from now, he will continue to make glad the heart of childhood—and the truly wisest of men. For without Him and his faith, there would be no world as we know it and trust that it remain—for the sake of all future Samanthas. CJ

Richard Wagner is editor of Carolina Journal.



Richard Wagner



Editorial

Triangle Gets Great News on Rail

The frontpage headline in *The News & Observer* of Raleigh called the federal government's decision not to fund the Triangle's proposed commuter light-rail system "bad news" for the Triangle. But this was not "bad news" for regional, state, and national taxpayers, all of whom would have been on the hook for an \$800 million boondoggle.

Federal officials turned the project down for a number of reasons, primarily based on the project's lack of viability and excessive costs. But these are not the real reasons why light-rail projects such as the Triangle's should be scrapped by not only the federal government but by all levels of government concerned about spending taxpayer money wisely.

This light-rail project and others like it in Charlotte and across the country, do not accomplish their stated goals—they neither reduce traffic congestion nor control pollution.

Here are some facts: Over the last 20 years the cities that have had the largest increase in traffic congestion, adjusted for population growth, all have had regional light-rail systems. The 10 worst metropolitan areas for congestion growth, out of the 75 largest in the country, all invested heavily in light rail, including Portland, Ore. — a supposed success story — which was second.

The reason for this is that transportation dollars that go into trains must be diverted from something, and that something is roads. This point was all but acknowledged by Cary Mayor Ernie McAlister, who was cited in *The N&O* as pointing out that "there will probably be even more focus on finishing I-540 through the southern part of Wake County." McAlister was implying that there was less focus on this alternative because of the prospect of light rail in the area.

Nearly all studies show that the denser the living arrangements the more congested the traffic. All cities with light rail force people to live in higher-density, more-congested developments and this has been part of the plan for the Triangle. The fact is that congested living equals congested driving. Additional traffic delays are caused by train crossings at intersections. In the Triangle there would have been more than 100 intersection crossings per day, tying up traffic on both sides of the track. Delays would have lasted about 60 seconds each.

The second argument, that light rail reduces pollution, is equally vacuous. While it is claimed that all transit systems will reduce pollution, there is no evidence that they actually do. Environmental impact studies assume that the small percentage of commuters who ride transit would otherwise be driving, but most studies show that most would be taking a bus.

Also, the TTA and other train advocates don't account for the increased congestion already noted. Congestion is the biggest cause of auto pollution, not the total number of cars on the road.

Maybe now the Triangle will consider changes that will do more than make light-rail advocates feel good. In addition to building new roads such as Interstate 540 and adding lanes to existing roads, there are several other changes that should be considered. These include "smart lights," better incident management, high-occupancy vehicle lanes and remote sensing to catch persistent polluters.

Federal officials' decision to stop the Triangle's light rail dead in its tracks is great news. Taxpayers' wallets will be heavier and, if state and local governments act rationally, commutes to work can be less-congested and the air we breathe can be cleaner. CJ

Death-Penalty Polls Mislead

Public remains sensible on capital punishment, despite Gallup

One of the most commonly uttered cautions about public-opinion polls is that the wording of questions can shape the answers. This advice is not only common, but also quite good.

Take the death penalty, for example. While public support for capital punishment has been, by polling standards, overwhelming for decades, death-penalty foes are fond of citing a series of Gallup surveys as evidence that their efforts are bearing fruit — that Americans are becoming less willing to countenance the execution of those who commit the most heinous crimes imaginable.

The data do exist. Opponents aren't making up the numbers. Since the 1930s, Gallup has asked this question: "Are you in favor of the death penalty for a person convicted of murder?" The lowest level of support came in 1966, at only 42 percent. But this was an outlier. During the 1970s and 1980s, public support rebounded. In 1994, the highest-ever support came in at 80 percent.

More recently, the percentage answering in the affirmative has been lower than that, in the mid-60s to low-70s. That's still a strong majority. But it does appear to represent falling support

since the mid-1990s.

Here is where appearances begin to be misleading. Unfortunately, Gallup's question is seriously flawed, not only inaccurately measuring public sentiment on capital punishment at any particular point in time but also likely getting further away from public sentiment over time.

Most Americans who favor capital punishment do not favor it for every convicted murderer. Execution is a fit sentence for certain egregious murders — those with special conditions such as extreme brutality, multiple victims, or murdering victims of other crimes such as rape.

To many poll respondents who want such murderers punished with just sentences, the proper answer to Gallup's more-general question is either "no" or "I'm not sure." Indeed, it is likely that over time, respondents have been less likely to reflexively say "yes" and instead to wonder whether they are being asked to apply a sentence they favor in an overly broad manner.

There is no way to spin the result of this polling question in any way consistent with the activists' aspirations. The public remains sensible and resolute on the issue, thank goodness. CJ

Food Fights an Absurd Waste

Costs could not possibly be worth resolution of such issues

Here's a helpful hint for policymakers wondering if they are spending their time — really, our time, since we taxpayers are paying them — in a productive manner. If you find yourself haggling over the proper definition of food, you are wasting time better spent on an issue of greater substance and more relevance to the proper workings of a limited, constitutional government.

The food-definition issue comes up with surprising frequency. For example, during a recent meeting of a tax-reform panel, panelists were regaled with the story of how North Carolina had taken the necessary step of redefining soft drinks as something other than food.

Which is, of course, absurd. Sodas are consumed on purpose by human beings (and possibly other animals, inadvisably). They contain carbs and calories. They are beverages. Are beverages not food? Would such a ruling include juice and milk? On what planet?

More generally, states have struggled for years with the issue of whether to define certain kinds of food — excuse us, edible substances — as "snacks" instead of food so as to subject them to higher taxation. The debates have involved pretzels, chips, cupcakes, and

other munchies.

Here's another example of the food-definition test for whether government is wasting time. According to *U.S. News & World Report*, two federal agencies have begun battling out the pivotal issue of how much meat a "meat product" must have before it is considered a "meat product." The Food Safety and Inspection Service, under the Department of Agriculture, exercises by federal statute regulatory responsibility over meat and poultry products. The Food and Drug Administration, an independent agency, exercise authority over all other food.

The flashpoint of the controversy is the wiener. If we're talking a run-of-the-mill hot dog on a bun, the meaty cylinder is the proper subject of FSIS regulation. If we're talking about a corn dog, same deal. But if it is a bagel dog, the FDA claims regulatory oversight.

The dispute is now the subject of costly meetings and probably potential litigation. The benefits of resolving this issue, however it is resolved, could not be worth the costs of resolution. This is the kind of government time-waster that, from the taxpayers' point of view, just doesn't cut the mustard, frankly speaking. CJ

Commentary

Take Fantasy Out of State Budget

I am all for encouraging active imaginations, believe me. My boys have a wide assortment of hats, weapons, cooking utensils, and toys with which they are encouraged to pretend. We make up stories together using household items visible from our story chair. And being a bit of a sci fi/fantasy nut myself, I fear that I may have passed along to the next generation of Hoodlums an inordinate fascination with hobbits, Klingon birds-of-prey, junior members of the Justice League of America, Martian fliers, sandworms, talking pigs, and Sith lords. (The new Narnia film, viewed recently, gets the highest rating of three Hoods flipped way up, I should mention.)

But there are times when having an active imagination, a less-than-firm grasp on reality, is not a plus. For example — and let me know if you think I'm going too far out on an

Ent's arm with this — I submit that imagination should have little place in fashioning North Carolina's state budget.

Apparently, lawmakers have been making decisions about the state's finances and debt load based on the fantasy that adequate reserves exist to pay for the health expenses for retired and soon-to-be retired state employees. According to a report in *Triangle Business Journal*, North Carolina state government is preparing to comply with a directive from the Government Accounting Standards Board to report more accurately its financial liabilities. Other states are in the same boat, or perhaps even a less-imbalanced one. That doesn't change the fact that North Carolina's liability could end up swamping the ship of state.

The dollar amounts are daunting. Reporter Michael Wagner says that the state is estimating a cost of \$10.4 billion over 30 years to pay the bill for retiree health care. A higher estimate will probably mate-

rialize in another year.

This is a state debt indistinguishable in some ways from that of bonded debts for state buildings. It is an obligation that state government, meaning all of us as taxpayers, will have to satisfy unless we want to accept severe financial, social, and political consequences. It is a debt that should have been reported clearly years ago so that taxpayers could better evaluate proposals to issue billions of bonds for university construction, water and sewer projects, natural-gas lines, and other functions.

Will the listing of the debt change the rating agencies' assessment of North Carolina investment risk? Some budget officials fear it might. "Obviously, we can't fully fund that kind of liability on an annual basis," says State Controller Robert Powell. "How will they look at it in terms of the overall financial rating?"

I agree that this is an important question, but it isn't the most important one. As I have written many times before, the political class has a fascination with debt ratings that has never made much sense to me. Yes, differences in inter-

est rates matter, but the size of the principal matters more. Given the existence of this liability for current employees, should we adjust the benefit package for new employees so that taxpayers aren't paying the entire cost of the retiree-health benefit? Or, alternatively, should the state divest itself of other responsibilities so as to satisfy its current ones without massive new tax hikes now or in the future?

Policymakers can be as imaginative as they like, but they can't wish these issues away. CJ

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



John Hood

Other states are in the same boat, or perhaps even a less-imbalanced one. That doesn't change the fact that North Carolina's liability could end up swamping the ship of state.

Editorial Briefs

Fishing quotas

Fisheries throughout the world are on the verge of collapse because of a classic problem: an open-access resource is being overexploited. The way to save fisheries is with property rights, Ronald Bailey says in *Reason*.

Fisheries are under pressure, because no one has an incentive to protect their health and productivity. Fishermen who leave fish in the water simply give their competitors another fish to catch. Bailey points out the plight of various Alaskan fisheries in the 1990s.

The halibut season was once 10 months long, but because of overfishing, government fisheries managers kept shortening the season as a way to limit catches. It didn't work — by 1997, the halibut season was down to two chaotic 24-hour "derbies," yet the overall catch size was about the same that it had been when the season lasted 10 months. This hurt both fishermen and consumers; with a 48-hour fishing season the market was flooded with poor-quality frozen fish and processors could dictate prices to fishermen.

Eventually, local officials implemented individual fishing quotas. Under the quotas, officials grant fishermen the right to a certain percentage of fish from the "allowable" catch. The rights are tradable.

The results are promising. Under the quotas, the halibut season was expanded to 245 days. Fishermen's safety has greatly increased because boats can stay in port when the weather is bad.

The pressure to overfish is much less because quota holders understand that 1 percent of a bigger pie is better, so they leave more fish breeding in the sea so they can catch more in the future.

The forever stamp

What's a "forever stamp"? It's a stamp that could always be used for the first ounce of first-class postage. It would be sold at the current price of a first-class stamp but would be good for first-class letter postage indefinitely regardless of future postage rates. Sound far-fetched? Thirty nations, including Britain, Finland, Israel, Belgium, and Brazil, have used the stamps. The stamps make sense, Ruth Y. Goldway, a member of the Postal Rate Commission, wrote in *The New York Times*.

With forever stamps, there would be no more last-minute time-consuming trips to the post office when rates go up, forcing customers to stand in long lines to buy new higher-rate stamps or "make up" stamps to add to the old ones.

Individuals might buy large quantities of forever stamps just before a rate increase, but the Postal Service would get the use of the funds until the stamps are finally used.

Postal clerks would make better use of their time than they would selling two-cent stamps.

The forever stamp would do a great deal to help consumers adjust to rate increases, as well as assisting the Postal Service in managing its budget and investing in improvements.

In recent years the service has been working to shed its image as a stodgy, unresponsive government monopoly. Adopting the forever stamp would signal that the Post Office is pro-consumer and ready to enact money-saving reforms, Goldway said. CJ

NEWS ITEM: SEN. JOE LIEBERMAN SAYS, "...IRAQI PEOPLE ARE OPTIMISTIC ABOUT THEIR FUTURE!"



Consumers Dictate 'Creative Destruction'

I have to admit, when I heard about General Motors' decision to close several factories and lay off 30,000 workers, I was sad. I grew up in the 1950s when GM and other U.S. manufacturers dominated the auto market. I remember eagerly awaiting the debut of GM's new cars each fall. I memorized the styles and models and recalled the information for years to come.

For decades, GM symbolized the U.S. economy. In the 1950s, GM President Charles Wilson was reported to have said, "What's good for GM is good for America." Although his actual statement was different ("...what was good for the country was good for GM, and vice-versa"), the point is that the auto industry was one of the largest and most successful economic entities in the country. Almost 10 percent of the national economy was directly or indirectly tied to the auto industry, and American-made cars were the standard around the world.

It's different today. The stock market barely shrugged on the day of GM's announcement. The simple reason was that the domestic auto industry isn't nearly as important as it once was. Its contribution to the total economy is only half as large as in the 1950s. And, in only a few years, a foreign-owned producer, Toyota, will likely overtake GM as the largest seller of vehicles in the United States.

How did this happen? How is it that the once-mighty-giant GM has come to the edge of bankruptcy?

Many answers have been offered. Unsustainable labor contracts, more generous than for many other auto manufacturers, are cited as one reason.

Also, inadequate vehicle models that didn't successfully adapt to the quick-changing marketplace of consumer preferences have been another

problem for GM.

But behind GM's travails is a bigger idea, an idea that economists say really dictates the ebb and flow of the business world. It's the idea that says nothing really stays the same; there's always change on-going. Economists have a fancy name for the idea: creative destruction.

In short, the economic world moves in a series of several steps forward and some steps back. The new replaces the old. Cars took the place of wagons, personal computers ousted typewriters, CDs replaced tapes, on-line shopping takes sales from "bricks and mortar" shopping, and the list goes on and on. Investors and workers associated with the new companies and technologies gain at the expense of those tied to the old way of doing things.

Who dictates the change that comes with creative destruction? It's you and me, the consumer. We decide who wins and who loses because we make the purchasing decisions. We compare alternative products and decide which ones best fit our needs and wallet. In the auto market, foreign manufacturers' reputations for quality and performance have led many American consumers

to favor their products over domestic competitors.

Our economy is bigger than any one company or industry. Companies come and go, and rise and fall, all the time. It's all part of the constant transformation of business. Still, it doesn't prevent me from shedding a tear when a childhood idol, like GM, hits rough times. CJ

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



Michael
Walden

The economic world moves in a series of several steps forward and some steps back.

Musings While on the Metro in Washington, D.C.

To the editor,

During a recent four-day visit in Washington, D.C. I had many excursions on the Metro. It is a marvelously efficient system, surely the equal of any in the world. Its rides are comfortable — if one is able to obtain a seat — its trains are regular, and its arms of service extend into Maryland and Virginia. By counting and observing time intervals, one's musings can determine the maximum capacities and throughputs of a Metro line.

The five intersecting (and overlapping) lines are designated by colors, and I became particularly familiar with a six-mile segment of the Metro "blue" line, along which there were eight stops. The shortest end-to-end transit time, not including the wait for a train to arrive, was 16 minutes. The longest time, in the midst of rush hour and with one other line sharing a portion of the track, was 33 minutes.

Whenever the wait interval between trains on any line was less than eight minutes, the end-to-end time was longer than the minimum. The additional time was spent with longer waits for loading and unloading, slower speeds in the tunnels, and temporary stops in the tunnels. It is the exact parallel to traffic slowdowns on a highway.

The average train speed varies

during rush hour from about 12.5 mph to a maximum of 25 mph when the tunnels are open and the platforms are lightly loaded. Peak train speeds can be estimated as 40 to 45 mph.

The subway platforms can accommodate a train length of six passenger cars. Each car has 88 comfortable seats, and that capacity is easily doubled by those standing during morning and evening rush hours. During rush hour, a six-car train can carry as many as 1,200 passengers. If one allows such a heavily loaded train full access to a subway tunnel, and if eight minutes of separation between trains is the minimum necessary to assure no slowdowns, then the maximum throughput for each train line is about 9,000 passengers per hour at any point along the line. This average time separation of eight minutes for an average speed of 25 mph corresponds to an average distance separation of 3.3 miles. This is necessary, since, if a leading train has a 1.5-minute stop in a station, an incoming train can close the gap by more than one mile.

Observations show that the reduction of time intervals between trains in order to avoid platform crowding cannot increase the throughput beyond that maximum level of 9,000 passengers per hour. The trains may be more closely spaced along the track, but safety requires that their average speeds be decreased.

If the train arrival interval is halved, then the average speed is halved, and the end-to-end time is doubled. The commuter who is traveling eight miles has an overall time, including platform

waiting, for the "blue" line example rise from an average of 20 minutes to approximately 36 minutes during a D.C. rush hour.

If the rush hour were extended or the initial platform waits were allowed to swell and then dissipate by means of a controlled entry to the trains, then the throughput rate of trains could be maintained at the optimum level and all commuters would have the same minimum end-to-end times. The same result would apply to highways if entry volumes could be controlled and maintained at an optimum level. Highways can have more serious delays, and even total jams, than trains only because their entry is virtually unlimited.

A feeder highway into D.C. is Route 35 and each lane of Route 395 can carry a maximum of about 2,800 cars per hour. If this is reduced to 2,300 cars per hour, which increases the safe spacing between cars, and the cars maintain an average speed of 45 mph, then the maximum throughput of three lanes with two commuters per car will be about 13,800 commuters per hour. This 50 percent enhancement in throughput is maintained even if there are slowdowns, since the spacing between autos will be reduced.

I also mused about the TTA rail proposal. The initial \$800 million proposal has 14 cars, with seven cars fully operational on each side of the 28-mile length. If these trains have an average speed of 30 mph, and have a car capacity of 90 passengers, the maximum throughput at any point along the line will be only 700 passengers per hour per track. This

is 13 times less than the D.C. example. The highway example for D.C. applies equally well to the Triangle, and the throughput for a single highway lane is more than six times that for one track of the TTA proposal. Such a train has no notable impact on the scores of highway lanes that currently serve Research Triangle Park. If that \$800 million of initial capitalization costs is averaged over four rush hours a day of 1,400 commuters per hour (two tracks) for 20 years of work days, the amortized round-trip cost per commuter per day is over \$55!

My last musing is this. It is to be hoped that our planners and politicians will be wise enough to recognize the impracticality of a rail system in the Triangle, and will seriously explore dedicated bus lanes. The throughput for a bus lane is nearly an order of magnitude greater than for an auto lane, the system is flexible and expandable, and its costs per commuter are more than an order of magnitude below those for a rail system. Our long-term planners were wise many years ago when they set aside Research Triangle Park, away from the density of a city, as the location for future economic expansion.

William T. Lynch, Ph.D.
Apex, NC

Carolina Journal welcomes letters from its readers. Send your letters to CJ Editor Richard Wagner at rwagner@carolinajournal.com, or mail them to him at Carolina Journal, 200 W. Morgan St., Suite 200, Raleigh, NC 27601.

Going Out to Eat? Let City Government Choose Your Restaurant

The next time you have a family discussion to decide on a restaurant for dinner, imagine whether you were instructed to consult a city bureaucrat, a specialist at the Winston-Salem Office of Small Business and Economic Development, on which restaurant you should patronize.

Far fetched? Not really. As reported recently in the *Winston-Salem Journal*, the city is in the business of attempting to pick winners and losers in the Winston-Salem restaurant market by granting favored eateries low-interest government loans of about \$90,000. Which restaurants are favored with these loans? They are new ones in the city's redevelopment area on Restaurant Row.

Now, if you think that the city government has no business in the restaurant business, you are right — and its track record proves it. Two of four Winston-Salem restaurants that should

be repaying taxpayer-funded loans have closed, defaulting on more than \$176,000 of a total of \$282,000 loaned.



Dr. Michael Sanera

Let's follow the logic. City bureaucrats loan tax money to restaurants, a risky proposition from the start. When the restaurants go broke, taxpayers are left holding the bag. How does the city defend this? Mayor Allen Joines points out that this is not city money, but that the program is financed under a federal grant. As a federal taxpayer — as are all residents of Winston-Salem — that makes me feel a lot better.

Does the city official who made the bad loans suffer any consequences? No. The city official administering the loan program is quoted as saying, "You cannot put a price tag on the revitalization of downtown Winston-Salem." That's an alarming statement. Would this official's loan decisions be different if his salary were cut a certain percentage for every

default? That's how many banks work. A loan officer with a 62 percent default rate would likely have a pay cut or perhaps be fired.

What about restaurants already in the redevelopment area? They are not eligible for \$90,000-plus grants, but they must compete with new restaurants that get grants. Obviously, having that kind of startup capital would give any new restaurant a competitive advantage (though just as obviously the advantage can't guarantee success for a flawed restaurant model or poor execution). It seems that the city government is not as concerned about existing restaurants as it is in new restaurants. Restaurants that make it on their own by satisfying customers are less-deserving of government's attention, apparently, for reasons that are hard to fathom.

When I was a student in grade school, I learned that local government provided essential services such as police and fire protection. But now we live in the "brave new world" of urban redevelopment. A city can take your

house, demolish it, and give the land to a multimillion-dollar corporation. As long as whatever that corporation builds on the property — a new hotel, an industrial park, etc. — would pay more property tax than yours did, many government officials would justify such pilferage as in the public interest.

In this case, the same mentality has led a city to loan taxpayer money to a new restaurant that may either drive Uncle Harry's restaurant out of business or squander scarce funds on establishments doomed to fail.

If Winston-Salem is going to invest in certain restaurants in certain neighborhoods, it would not seem to be much of a leap for city officials to offer an opinion about where you should eat tonight. Is that really what we have local government for? *CJ*

Dr. Michael Sanera is research director at the John Locke Foundation.

Jailhouse Crock: More Political Going-Away Parties (a *CJ* parody)

News Item: Friends of former U.S. Rep. Frank Ballance sponsored a "friendship luncheon" for him, featuring comedian and civil-rights activist Dick Gregory, in Murfreesboro. The event took place at Nebo Baptist Church in December.

By GAREY BALLANCE
Former Court Reporter

MURFREESBORO
The going-away-to-prison party for my dad, former U.S. Rep. Frank Ballance, made such a huge splash that other members of North Carolina's political elite are considering copying the 1st District Democrat's formula for success.

N.C. House Speaker Jim Black has been served with federal subpoenas asking for a variety of records pertaining to Black's former political director, Meredith Norris; the creation of a state lottery; the video poker industry; and former Rep. Michael Decker. A sea of sleaze threatens to engulf Black. Cries for his resignation continue to lap at his feet.

Black apologized to my dad for skipping the Murfreesboro party. But the speaker said he had heard that the former U.S. No. 1 and his friends kicked up their heels so much that, should the

political fortunes of the Mecklenburg Democrat darken, Black also might party hearty his last night as speaker.

Rather than inviting comedian Dick Gregory, though, Black said he would book an Elvis impersonator for the event. "I imagine the theme would be 'Jailhouse Crock,'" Black said. "We could invite former Agriculture Commissioner Meg Scott Phipps and her cellmates, if they could get special leave from Camp Cupcake."

Like Dad, Black said the scandal surrounding him was a "massive right-wing conspiracy."

At his party, Dad wailed, "People who know me don't feel like I let them down because they don't believe — the only conspiracy in this case is the one



Elvis impersonator Don B. Krool is ready and willing to do the Jim Black gig.

put on by the federal government."

Filmed on WRAL-TV, Dad didn't look like he was in a partying mood. "The sad sack was sittin' on a block of stone, way over in the corner weepin' all alone," a prison newspaper reported. "The warden said, 'Hey, buddy, don't you be no square. If you can't find a partner use a

wooden chair.'"

N.C. Senate leader Marc Basnight, who also was a witness called by a federal grand jury in late 2004, did attend Dad's fete. "What, me worry?" Basnight quipped. "Let's rock, everybody, let's rock. Everybody in the whole cell block should be dancin' to the Jailhouse Crock."

Basnight said he wants political

victims in all the state's prisons, "everybody who's been tarred by this radical right-wing federal administration," to be granted temporary leave to party with Democrats bullied by U.S. Attorney Frank Whitney.

"Let the good times roll, just like they do every legislative session," the esteemed senator from the downtrodden eastern part of the state said. "We can throw a lot of bashes with the slush funds we have at our disposal."

Big N.C. No. 3 said to former U.S. No. 1: "You'll be the cutest jailbird I ever did see. Meg sure will be delighted with your company, come on and do the Jailhouse Crock with she. Let's rock, everybody, let's rock. Everybody in the whole cell block will be dancin' to the Jailhouse Crock."

Not to be outdone, Dad's friends planned yet another party before he goes off to the pokey. Picking up the tab for all the parties wouldn't be a problem, the state Attorney General's Office and a legal adviser to Gov. Mike Easley said.

"They can continue to party it up like we're accustomed to in North Carolina government. Just like Black's legal fees, we can find an additional \$30,000 to have a little more fun," Attorney General Roy Cooper said. *CJ*

SOME DEFENDERS OF FREEDOM ARE SO CRUCIAL TO WHO WE ARE,
THEIR LEGACY IS TIMELESS.

PLEASE JOIN US TO CELEBRATE A VERY SPECIAL OCCASION

John Locke
FOUNDATION

16TH ANNIVERSARY

DINNER

FRIDAY, FEBRUARY 10, 2006

RALEIGH MARRIOTT CRABTREE VALLEY
4500 MARRIOTT DRIVE, RALEIGH

6:30 P.M. RECEPTION
7:15 P.M. DINNER
8:00 P.M. WINSTON S. CHURCHILL III
AWARDS CEREMONY



FEATURING...

WINSTON S.
CHURCHILL III

AUTHOR, JOURNALIST,
PARLIAMENTARIAN,
AND GRANDSON OF
BRITAIN'S LEGENDARY
PRIME MINISTER

MAKE YOUR RESERVATIONS NOW
SPACE IS LIMITED

\$50 PER PERSON
OR

\$75 PER PERSON, INCLUDING VIP RECEPTION
WITH MR. CHURCHILL

SPONSORSHIPS ALSO AVAILABLE.

FOR RESERVATIONS, VISIT WWW.JOHNLOCKE.ORG/EVENTS OR CALL 1-866-JLF-INFO.

A special hotel rate has been secured at the Marriott. To reserve your room, call Marriott reservations at 1-800-909-8289 by January 20 and ask for the Locke Foundation's anniversary rate.