

**Both sides  
battle over  
N.C. sea-  
level projec-  
tions/2**



# CAROLINA JOURNAL

A MONTHLY JOURNAL OF NEWS, ANALYSIS AND OPINION  
FROM THE JOHN LOCKE FOUNDATION

North Carolina	2
Education	7
Local Government	10
From Page 1	13
Higher Education	17
Books & the Arts	20
Opinion	24
Parting Shot	28

March 2012 Vol. 21 No. 3

STATEWIDE EDITION

Check us out online at [carolinajournal.com](http://carolinajournal.com) and [johnlocke.org](http://johnlocke.org)

## DHHS Defends Lunch Inspections

Hoke County school still supplementing kids' brought lunches

BY SARA BURROWS  
Associate Editor

RALEIGH

Even though government officials admit mistakes were made in the way a Hoke County preschool program handled lunches students brought from home, they continue to enforce the regulations that caused a nationwide uproar.

A story initially broken by *Carolina Journal* Feb. 14 lit up talk radio, the blogosphere, and cable news shows. It led two members of North Carolina's congressional delegation to demand an explanation from federal regulators. A state legislator may convene a hearing in the General Assembly on the nutrition policies.

And, according to the mother of the 4-year-old who first objected to the school's inspection of her homemade lunch, the school continues to give her daughter milk every day, against her wishes.



It was a lunch identical to this one — turkey-and-cheese sandwich, banana, potato chips, and apple juice — that was deemed not to meet USDA nutritional standards at West Hoke Elementary school. (CJ photo illustration by Don Carrington)

The NC Pre-Kindergarten program at West Hoke Elementary School was cited Jan. 26 for an "infraction" of the NC Star Rated License System, the grading program for preschools in the state.

Department of Health and Human Services regulations on Pre-K nutrition issued in August 2011 say: "Sites must provide breakfast and/or snacks and lunch meeting USDA re-

quirements during the regular school day. The partial/full cost of meals may be charged when families do not qualify for free/reduced price meals. When children bring their own food for meals and snacks to the center, if the food does not meet the specified nutritional requirements, the center must provide additional food neces-

Continued as "DHHS," Page 14

## Obama mandate on contraception would supersede North Carolina law

BY DAVID N. BASS  
Associate Editor

RALEIGH

For the past decade, North Carolina has operated under a contraception mandate for private health insurers that hasn't caused much uproar. It contains a broad exemption that allows faith-based employers who are opposed to birth control as a matter of conscience to opt out, and frees insurers to charge co-pays for the coverage.

But new federal guidelines from the U.S. Department of Health and Human Services would supersede the exemption. The regulations would narrow the opt-out to force some religiously affiliated charities and organizations to buy contraception coverage, without a co-pay or deductible, in violation of their faith's teachings.

The Obama administration's birth-control mandate, which takes ef-

Continued as "Obama," Page 13

## 'Green' Jobs Estimates Cost Taxpayers Millions

Feds spend \$8 million, states \$48 million, to produce job estimates

BY DON CARRINGTON  
Executive Editor

RALEIGH

Sometime in March, the U.S. Department of Labor's Bureau of Labor Statistics will release its first report estimating the number of "green" or "clean" jobs in the nation. The \$8 million BLS project follows \$48 million worth of stimulus grants that the Labor Department had made to individual states to produce their own



green job definitions and estimates.

North Carolina received \$946,000 from the 2009 American Recovery and Reinvestment Act for its study. While most states released their green job reports last year, North Carolina's project is behind schedule.

The Tar Heel State's report now is scheduled for publication in March, which may or may not come out before

the national BLS survey.

Green jobs generally are thought of as jobs associated with products and services that use renewable energy resources, reduce pollution, or conserve natural resources. But as Rick Clayton, manager of the BLS green jobs project, noted in an October 2010 presentation, there is "no widely accepted definition" of a green job.

The BLS survey may provide some clarity to the definition, but that report will come on the heels of separate state projects, also funded by the federal government, that have attempted to measure green jobs. Since BLS does not allow states to set up categories and classifications of jobs that

Continued as "Estimating," Page 15

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

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



# CAROLINA JOURNAL

Rick Henderson  
Managing Editor

Don Carrington  
Executive Editor

David N. Bass, Sara Burrows  
Mitch Kokai, Michael Lowrey  
Associate Editors

Chad Adams, Jana Benscoter  
Kristy Bailey, Kristen Blair  
Roy Cordato, Becki Gray  
Sam A. Hieb, Lindalyn Kakadelis  
George Leef, Karen McMahan  
Donna Martinez, Karen Palasek  
Marc Rotterman, Michael Sanera  
Tara Servatius, Barry Smith,  
George Stephens, Michael Walden  
Dan Way, Karen Welsh  
Hal Young, John Calvin Young  
Contributors

Ziyi Mai, Baxter Rollins  
Daniel Simpson, Alissa Whately  
Shane Williams  
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  
Charlie Carter, Jim Fulghum  
Chuck Fuller, Bill Graham  
Robert Luddy, Assad Meymandi  
Baker A. Mitchell Jr., Carl Mumpower,  
J. Arthur Pope, Thomas A. Roberg,  
David Stover, J.M Bryan Taylor,  
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.



©2012 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  
Report, delivered each weekend by e-mail,  
or visit [CarolinaJournal.com](http://CarolinaJournal.com) for news, links,  
and exclusive content updated each weekday.  
Those interested in education, higher educa-  
tion, or local government should also ask to  
receive weekly e-letters covering these issues.

## Opponents Battle Over Sea-Level Projections

By SARA BURROWS  
Associate Editor

RALEIGH

State officials are pressuring local governments to plan for a 1-meter sea-level rise by 2100, even though many independent scientists have argued the rise is highly unlikely if not impossible.

Although a state advisory panel no longer recommends regulations based on the 1-meter projection, local government officials worry that state regulators will try to implement those rules. Such a policy, they say, would have a devastating impact on coastal economies, property values, and citizens' ability to secure financing and property insurance.

In a 2010 report, the Coastal Resources Commission's Science Panel said the sea level is likely to rise 1 meter by 2100. Now the commission is drafting a policy "encouraging" coastal communities to consider accelerated rates of sea-level rise in local land-use and development planning.

A group of independent scientists has challenged the panel's report, forcing the CRC to revise its draft sea-level rise policy so that its regulations read more like suggestions, and the 1-meter benchmark no longer appears.

There's nothing scientific about the way the Science Panel came up with its 1-meter projection, said John Droz, a physicist and environmental activist. Droz, with the help of more than 30 other scientists, wrote a critique of the panel's "N.C. Sea-Level Rise Assessment Report."

Droz's first complaint is that the panel based its 1-meter projection on a review of scientific studies, but the review excluded studies concluding that sea-level rise is not happening.

"They never mentioned this," he said. "These people are either totally incompetent, or they're just totally dishonest."

Droz also criticizes the broadness of the range of possible scenarios the panel came up with.

The report states that the panel has not attempted "to predict a specific future rate or amount of rise because that level of accuracy is not considered to be attainable at this time." Instead, the panel predicts a "likely range of rise" between 15 and 55 inches, and settles on 39 inches (1 meter) as the "amount of rise that should be adopted for policy development and planning purposes."

The panel conceded "an accurate future prediction is unattainable," Droz said, "yet they make a future prediction that they expect North Carolina to use for development and planning purposes."

He also takes issue with the tide gauge measurements the panel relied on. Of the eight measuring stations in North Carolina, the panel said it "feels most confident in the data retrieved from the Duck gauge," which shows the highest measurements of all eight stations and which has been collecting data for the fewest number of years.

The Duck station's 24 years of data show an average rate of sea-level rise at 16 inches per century. By contrast, a measuring station in Wilmington with 67 years of data shows an average rate of 8 inches per century.

Additionally, Droz calls the tide gauge measurements too crude to provide useful data. The report says that "a tide gauge can be as simple as a long ruler nailed to a post on a dock."

Droz said some scientists believe the sea is not rising at all. He points to a recent British newspaper profile of Nils-Axel Morner, former head of the Paleogeophysics and Geo-

dynamics Department at Stockholm University and former head of the INQUA International Commission on Sea Level Change.

"Despite fluctuations down as well as up, the sea is not rising," Morner said. "It hasn't risen in 50 years. If there is any rise this century, it will not be more than 10 centimeters (4 inches), with an uncertainty of plus or minus 10 centimeters."

Droz said he asked Morner what he thought of the science panel's prediction. "Sorry, simply physically impossible," Morner wrote. "It is, for sure, not rising by 1 meter by year 2100. Our best estimate for 2100 is 5 centimeters with a 15-centimeter margin of error, and that is nothing to worry about."

### Damage control

After circulating his critique, Droz was invited to make a presentation to state lawmakers, who put pressure on the CRC to change the language in their sea level rise policy draft.

Because of Droz's work, the North Carolina Office of Emergency Management now is studying the impact of a range of potential levels in sea rise from zero to 15 inches by 2100, instead of 15 to 55 inches.

"We brought it down after talking with Droz and other individuals," said John Dorman,

director of the flood mapping program for the Office of Emergency Management. "We believe, as Mr. Droz says — and I'll give him credit for that — that it needs to be based on science. None of us know what's going to happen in the future. The more we thought about that, the more we decided that while there's value in showing what potentially could happen, when you get way outside the bounds of reason, it becomes more of a detriment than a benefit."

Dorman said his department met with Droz and Tom Thompson of NC-20, a coalition of 20 coastal counties formed to protect their economic development interests from what they consider unreasonable environmental regulations.

"I agree with Tom Thompson and John Droz. You don't want to put something out there that could

impact North Carolina in a negative way, especially if it's not based on science," he said.

Coastal Resources Commission Chairman Bob Emory said he still is comfortable with the 1-meter prediction and that his agency plans to continue "encouraging" local governments to use the benchmark in their land-use plans.

After local government officials expressed "some real heartburn" over the 39-inch benchmark, Emory says it was deleted from the CRC's official policy. However, he said, it still will be used for "education purposes."

"It's too soon to take a regulatory approach," Emory said. "I don't think people are ready for that. But it's something they should start incorporating into their thinking."

Carteret County Commissioner Doug Harris said coastal counties are being pressured to plan for a significant rise.

"Unfortunately, state bureaucrats are convinced that the presently not-increasing rate of sea level rise will increase rapidly in the future, and, ignoring the second-guessing within the science panel, both the Division of Coastal Management and Sea Grant are aggressively educating and manipulating local government officials to impose 39-inch-sea-level-rise land planning immediately," Harris said. CJ



# Do Democrats Have Reason To Smile About GOP District Maps?

BY DAVID N. BASS  
Associate Editor

RALEIGH

The last six months have given Republicans plenty of reasons to celebrate.

In November, a set of redistricting maps approved by the GOP-led General Assembly passed a major hurdle when the U.S. Justice Department determined that the new boundaries don't infringe on federal civil-rights protections. It was the first time in decades that the federal government had OK'd North Carolina's redistricting plan without a hitch.

More good news for the state's Republicans came two months later when a state court declined to postpone the Tar Heel State's election schedule while lawsuits against the redrawn maps proceed, meaning that districts favorable to Republican candidates will be used in the 2012 election.

## Democratic retirements

Inciting even more glee in Republican circles, Democratic incumbents in North Carolina have been jumping ship in droves. The highest-profile retirement came in late January when Gov. Bev Perdue announced that she wouldn't stand for re-election. Neither will Democratic U.S. Reps. Heath Shuler, of the 11th Congressional District, and Brad Miller, of the 13th Congressional District.

As of mid-February, 18 Democrats in the state legislature had announced either retirement or plans to seek another office.

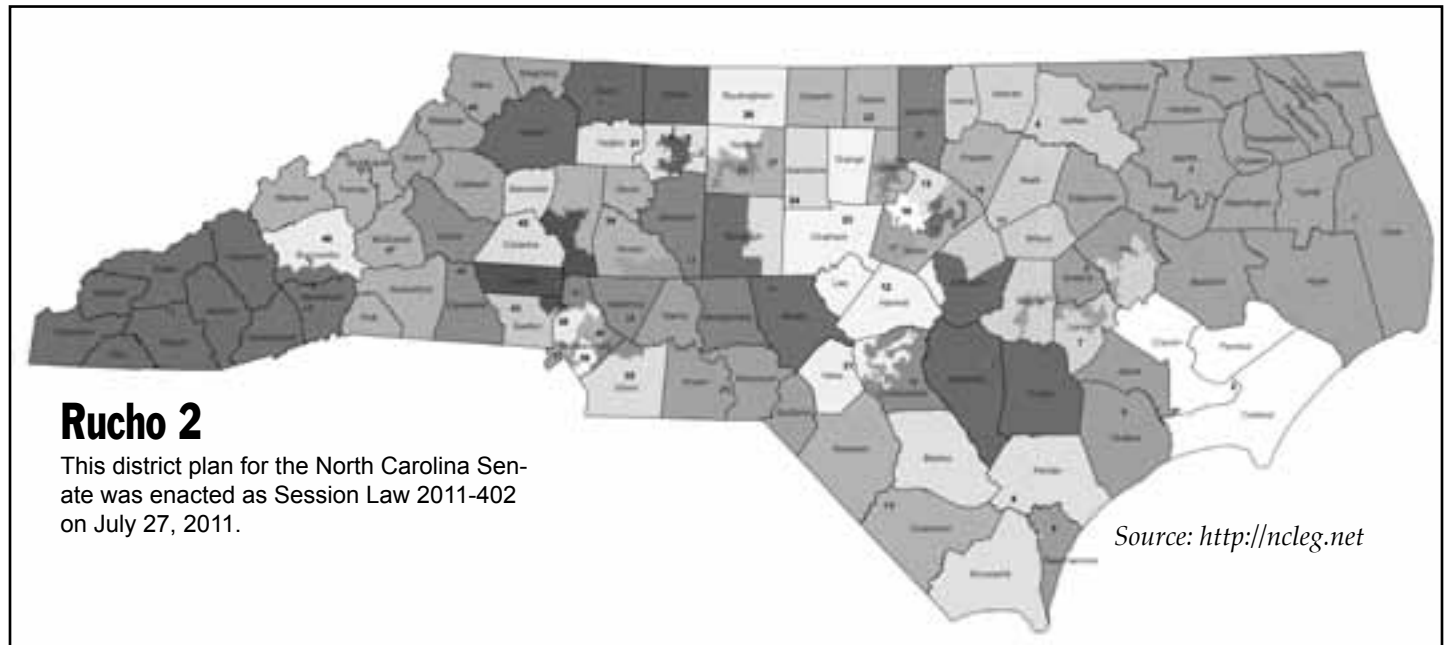
Given that troubled political atmosphere, do Democrats have cause for optimism? Several political analysts say yes. The reason: The impact of a gerrymandered redistricting plan diminishes over time as political and demographic factors shift. That presents opportunities for the political party not in power — in this case, the Democrats — to make inroads.

"It's very difficult to predict what's going to happen" in the future, said Andrew Taylor, a political science professor at North Carolina State University. "Changes in population, people moving out of the state, people moving into the state, people moving within the state, and issues cropping up nationally and at the state level."

## A national tide

For instance, Republicans made historic gains in the state legislature in 2010 under a set of district maps created by Democrats after the 2000 census. A national tide hostile to Democrats, along with favorable dynamics at the state level, swept the GOP into power, notwithstanding the Democratic gerrymander from the past decade.

"Once you get two or three cycles out from the redistricting decision, the



## Rucho 2

This district plan for the North Carolina Senate was enacted as Session Law 2011-402 on July 27, 2011.

Source: <http://ncleg.net>

effects wear off, and it becomes much more difficult for the political parties to plan," Taylor said.

Political analyst Michael Shear echoed that view in a November *New York Times* article. "Redistricting does not determine the outcome of every race," he wrote. "Campaigns still have to be waged, and strong candidates can still defeat poor ones, even in districts with voting histories that would suggest the stronger candidate has an uphill battle."

## Republican gerrymander

That's not to underestimate the value of the redrawn maps to the GOP's political fortunes. District data compiled by the conservative Civitas Institute and the pro-business N.C. FreeEnterprise Foundation show that Republicans drew themselves a decided advantage in the new district boundaries.

Under the old maps in 2010, Civitas split the partisan advantage almost evenly between the parties in the state Senate — 27 seats went to Republicans and 23 seats to Democrats. But under the new plan, Republicans have a 32-17 advantage. One district ranks neutral.

On the House side, Civitas gave Republicans a 63-54 edge in 2010, with three seats neutral. In 2012, that advantage has grown to 78 seats for Republicans and 42 seats for Democrats. None are neutral.

Similarly, NCFEF's rankings under the old plan put 24 Senate seats in either the "strong" or "lean" Democratic categories, and 21 seats in either the "strong" or "lean" Republican categories. Five seats were considered swing. Under the new plan, the

partisan edge shifted in favor of Republicans by a 27-18 advantage. Five seats are swing districts. In the House, NCFEF gave Democrats a 56-50 leg up under the old maps (14 seats were swing districts). That shifted to a 66-44 edge for Republicans in the new plan (10 seats are swing districts).

## 'Dummymander'

Even with that built-in advantage, a long-term Republican majority isn't guaranteed. Particularly in a repeat of an anti-GOP election cycle like 2008, Democrats could pick up swing and Republican-leaning districts, putting a legislative majority within reach.

That raises the chief paradox of redistricting: In order to maximize the number of winnable districts, partisan map-drawers distribute favorable votes as broadly as possible in hopes of winning by a small margin in many districts and losing by a substantial margin in a few.

That strategy could backfire in a poor political year for the majority party, a development tagged by political scientists as a "dummymander."

A prime example is North Carolina's 13-district congressional delegation. In 2010, NCFEF identified two congressional seats as "lean" Republican and four as "strong" Republican. But under the new lines, 10 seats are "lean" Republican; none fall into the "strong" category.

"You're planning on your people winning by a little and losing by a lot," Taylor said. "Therefore, if you plan on winning by a little, and you get a national tide, that could be problematic."

Two specific examples are the 3rd and 6th congressional districts. Republicans have dominated the two

districts for more than 15 years, but political experts say that could change in the future.

"In a good year for Democrats, where they have the wind in their sails because of some national momentum advantage, a strong Democrat could very easily defeat a mediocre or weak Republican in those two districts," said John Davis, a Republican political consultant in Raleigh.

## Retirement opportunity

Retirement is another factor that could lead to Democratic gains in the future. A reverse of that scenario cropped up in 2010, when Democrats still controlled the General Assembly. A number of key Democrats in the legislature, particularly the Senate, chose retirement rather than face a rough-and-tumble re-election campaign.

The retirement of Democrat R.C. Soles, the longest-serving member of the state Senate, cleared the way for Bill Rabon to win the district for Republicans for the first time in more than three decades. Even more, Rabon won by a sizable margin — 64 percent to 36 percent — over his Democratic opponent, former state House member David Redwine.

Tony Rand, another stalwart of Senate Democrats, retired in 2009. The following year, Republican Wesley Meredith snatched the seat from Rand's appointed replacement, Margaret Dickson.

Also in 2010, Democrat David Hoyle opted not to seek a 10th term in the Senate. Republican Kathy Harrington won the seat by beating her Democratic opponent, Jim Long, 70 percent to 30 percent.

Even longtime legislators who didn't retire in 2010 faced a brutal time at the polls. Republican challenger Rayne Brown thrashed then-House Majority Leader Hugh Holliman of Davidson County, 57 percent to 43 percent. Holliman had served six terms in the House.

Gerrymandered districts don't always benefit those who created them



## State Briefs

## WCPSS sells Black's land

The Wake County Public School System has reached a tentative agreement with the Town of Matthews in Mecklenburg County to sell property once owned by convicted former N.C. House Speaker Jim Black, the *News & Observer* of Raleigh reports.

The school system agreed to sell the two parcels of land for \$338,000. Matthews had offered \$295,427 for the property in January, but the school board rejected the deal and made a counteroffer at the higher figure.

The sale closes the book on an agreement that critics contend was a sweetheart deal for Black. The former House speaker surrendered the land to WCPSS in 2009 to settle half of a \$1 million fine that was part of his state sentence on corruption charges. Black had paid the first half of the fine in cash.

At the time, supporters of the deal claimed that the parcels of real estate would fetch at least the \$500,000 still owed by Black. But critics pointed to tax assessments from 2003 which put the value of the land at \$149,000.

Matthews plans to build a park on the property.

## JLF: Center a 'money pit'

The Raleigh Convention Center continues to rely on deep discounts to get business — knocking \$569,000 off the room prices for meetings scheduled over the last six months of 2011, according to the John Locke Foundation's top expert on local government.

Forty of 52 convention center contracts included these special breaks from July to December 2011. The average discount knocked 54 percent off the room's listed price.

"Like other cities across the country, Raleigh rushed to 'save' its downtown several years ago by forcing taxpayers to pay for an expensive, deficit-producing convention center," said report co-author Michael Sanera, JLF director of research and local government studies.

Sanera and JLF research intern Kevin Munger found that the discounts offered during the last six months of 2011 fit in with the pattern of discounts awarded during the convention center's opening months.

"During the Raleigh Convention Center's first 10 months of operation in 2008 and 2009, discounts totaled \$555,000. The average discount was 58 percent off the list price," Sanera said. CJ

## Tax Cuts Improve N.C.'s Business Rating

By SARA BURROWS  
Associate Editor

RALEIGH

North Carolina became friendlier to business in the past year, but it still has a lot of room to improve, according to the Washington, D.C.-based Tax Foundation.

The Tar Heel State ranked 44th on the nonpartisan foundation's State Business Tax Climate Index, making it the seventh-worst tax climate for business in the country. But that's better than last year, when North Carolina was ranked fifth-worst.

The state's ranking improved because the General Assembly's budget allowed two temporary taxes to expire. Gov. Beverly Perdue wants to reinstate much of the revenue from those expired taxes.

The index is designed to assess the business friendliness of tax policy in each state based on principles of neutrality, simplicity, broad bases, and low rates. It evaluates the state in five categories: personal income taxes, corporate income taxes, sales taxes, unemployment insurance taxes, and property taxes, all as they relate to businesses.

North Carolina improved its ranking in 2011 because the sales tax rate fell from 5.75 to 4.75 percent and its 3-percent income surtax on people making more than \$150,000 expired. Together, these changes improved the state's rank from 46th to 44th for the 2012 fiscal year.

The budget passed by the Republican-led General Assembly allowed those two tax changes to take effect as scheduled July 1. Perdue vetoed the budget and wanted to keep 0.75 percent of an expiring 1-percent sales tax hike. The legislature overrode the veto, but Perdue has said her final budget will include that 0.75-cent tax hike.

Even with the expiration of those taxes, sales tax and personal income tax are the two categories where North Carolina scores the worst.

## Sales tax

While the 1-cent sales tax cut helped boost North Carolina's score, the state still suffers from high sales taxes, said Tax Foundation economist Mark Robyn.

That's because it allows localities to levy their own sales taxes on top of the statewide 4.75 percent. Local governments charge on average a little more than 2 percent, making the overall burden nearly 7 percent.

North Carolina also gets penalized for allowing local jurisdictions to define their own sales-tax base, meaning they get to decide what is and is not taxable.

"This creates two sales tax systems," Robyn said. "You've got a state system with its own rate and its own



list of things that are taxable, and you've got local tax systems — which can be different all around the state — each with their own rate and list of things that are taxable."

"That adds a lot of complexity," he said. "It's a big compliance issue not only for brick-and-mortar stores, but especially for online stores."

A state's sales tax can hurt the business climate because, as the rate climbs, customers make fewer purchases or seek out low-tax alternatives, Robyn writes in the report.

The effect of a higher sales tax rate is apparent when a traveler crosses city or state lines to go shopping, he continued. "Typically, a vast expanse of shopping malls spring up along the border in the low-tax jurisdiction."

## Individual income tax

The expiration of the 3 percent surtax on individuals making more than \$150,000 per year also did a lot to help North Carolina's business-climate score, Robyn said.

While North Carolina's corporate income tax is comparable to most other states, its individual income tax

is higher than most.

The individual income tax is important because about half of businesses aren't incorporated, and, therefore, report their income through the individual income tax code, Robyn said.

The number of individuals filing federal tax returns with business income has more than doubled over the past 30 years, from 13.3 million in 1980 to 30 million in 2009, he said. "Taxes can have a significant impact on an individual's decision to become a self-employed entrepreneur."

Another important reason individual income tax rates are critical for business is the cost of labor, Robyn said. Labor typically constitutes a major business expense, so anything that hurts the labor pool hurts business.

## Laws of attraction

Evidence shows that states with simple, neutral, broad-based, low taxes will be attractive to new businesses, Robyn said.

Too often, he said, state lawmakers "are tempted to lure business with lucrative tax incentives and subsidies instead of broad-based tax reform."

He cited North Carolina's attempt to lure Dell Computers to the state with \$240 million in incentives. Dell closed its plant after only four years of operation.

"Lawmakers create these deals under the banner of job creation and economic development, but the truth is that if a state needs to offer such packages, it is most likely covering for a woeful business tax climate," Robyn said.

It's more effective to improve the tax climate across the board, he said. CJ

## BOOKS AUTHORED BY JLF STAFFERS



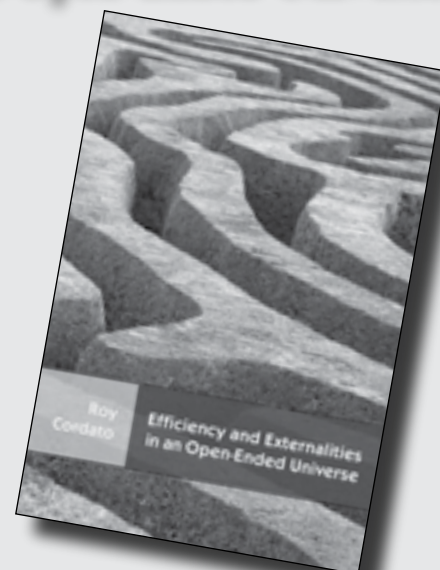
By Roy Cordato  
Vice President for Research  
John Locke Foundation

"Cordato's book is a solid performance, demonstrating impressive mastery of both the Austrian and neoclassical literature."

Israel Kirzner  
Cato Journal

[www.mises.org](http://www.mises.org)

## Efficiency and Externalities in an Open-Ended Universe





# 'Casino Jack' Abramoff Urges Draining D.C. Corruption Swamp

By DAVID N. BASS  
Associate Editor

RALEIGH

A crowd of North Carolinians stepped into the mind of a master government manipulator in mid-February when notorious lobbyist Jack Abramoff came to town.

Those familiar with Abramoff's past might have found his soft-spoken, nervous demeanor surprising. The infamous influence peddler became the poster boy for political corruption in Washington, D.C., during the first years of President Bush's second term.

But since leaving federal prison in 2010, Abramoff has become a crusader for draining the corruption swamp — and an apologetic one, too.

"In the course of wanting to win, in the course of pushing the envelopes, I pushed over lines in the sand that I stopped caring about. And ultimately, I allowed the ends to justify the means," Abramoff said during an appearance Feb. 9 at William Peace University in Raleigh meant to promote his new book, *Capitol Punishment: The Hard Truth About Washington Corruption From America's Most Notorious Lobbyist*.

## The scandal

Abramoff was sentenced on state charges in 2006 and federal charges in 2008 arising from his lobbying activities — defrauding Indian tribes in connection with casino operations, bribing elected officials, and evading taxes. The scandal, which observers have dubbed the most significant since Watergate, reached all corners of the executive and legislative branches of government.

Abramoff's road to becoming



Former lobbyist Jack Abramoff, now out of prison, is working toward repairing a system in Washington that he says has lured him and many others into corruption. (CJ photo by David N. Bass)

one of the most successful lobbyists on Capitol Hill began when the Republicans reclaimed control of Congress in 1994. His next-door neighbor, a managing partner in a law firm that advocated for Microsoft's interests, solicited him to become a lobbyist for GOP causes.

"Over a period of 10 years, I figured out the lobbying business — unfortunately for me, a little too well — and built what wound up being a pretty large lobbying practice," Abramoff said. "Slowly but surely, I slipped into a quagmire, personally and systemically."

Abramoff said that he built his practice into a powerhouse of 40 lobbyists, reaping billions of dollars in benefits for his clients and earning tens

of millions of dollars for himself.

"The irony is that I thought I was a moral lobbyist, I thought I was a good lobbyist," Abramoff said. "Why? Because my clients always won, and if they didn't win, I'd give them their money back. To me that was the metric of morality."

## Incriminating emails

Abramoff faced the beginning of the end when the U.S. Justice Department launched a probe into his conduct. His emails — about 850,000 written during his decade-long career in lobbying — were subpoenaed and became front-page news.

"I became the poster child for that old adage, 'Don't write anything in your email that you don't want to

read on the front page of *The Washington Post*,'" Abramoff said.

Abramoff says he spent 1,299 days in federal prison. While there, he became determined to work toward repairing the system, not to clear his name — a feat that he says is impossible — but to make a positive difference.

"Most people show up [in Washington] wanting to do good," Abramoff said. "They want to reform the system, they want to be OK. But the system ultimately gets to them."

On specific reforms, Abramoff recommended repealing the 17th Amendment to the U.S. Constitution, which established that U.S. senators be elected by popular vote rather than selected by state legislatures.

"These races have become targets and magnets for people like I was, to come in with big money," he said. "If the senators are elected as they were originally intended to be — by their state legislators — you are removing massive federal corruption."

Abramoff said that public financing of campaigns isn't practicable because Republicans will never agree to it, and that a three-party system isn't feasible, either. But he did promote a ban on lawmakers serving as lobbyists after leaving office, and he backed term limits.

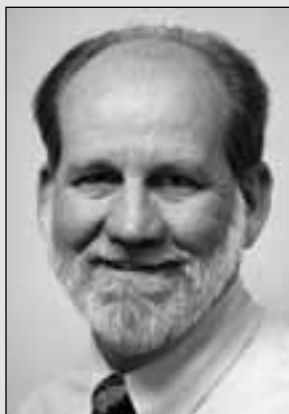
"Term limits is important because it's rare, if not impossible, to find a member who, over time, doesn't descend into some sort of corruption," Abramoff said. "Even if they are convincing themselves that they are OK, in essence they are taking money from lobbyists, they are getting involved with special interests, they are putting through programs that are spending money in ways that are probably inappropriate." CJ

## Subscribe to JLF's Research Department Newsletters

Go to [http://www.johnlocke.org/key\\_account/](http://www.johnlocke.org/key_account/) to sign up



Vice President for Research Roy Cordato's weekly newsletter, **Environment Update**, focuses on environmental issues, and highlights relevant analysis done by the John Locke Foundation and other think tanks, as well as items in the news.



Director of Research and Local Government Studies Michael Sanera's weekly newsletter, **Local Government Update**, provides analysis and commentary on North Carolina city and county policies based on their proper role in a free society.



Director of Education Studies Terry Stoops's weekly newsletter, **Education Update**, focuses on the latest local, state, national, and international trends in pre-K-12 education politics, policy, and practice.

# Federal Election Reform Commission Advocated Voter Photo ID

By KAREN McMAHAN  
Contributor

RALEIGH

Critics of requiring voters to present a photo ID at the polls say the practice would disenfranchise minority voters, and some even accuse proponents of being motivated by racism. They don't mention, however, that a 21-member bipartisan Commission on Federal Election Reform, co-chaired by former President Carter, advocated just such a policy in 2005.

The commission, also co-chaired by former Secretary of State James Baker, called voter identification one of "five pillars" that would "build confidence" in the integrity of federal elections. Only three of the 21 commission members voted against requiring photo identification of voters.

## Important in close elections

"The right to vote is a vital component of U.S. citizenship, and all states should use their best efforts to obtain proof of citizenship before registering voters," the commission's report stated. "In close or disputed elections, and there are many, a small amount of fraud could make the margin of difference."

Far from seeing a photo ID requirement as a negative, the commission said it could become a path to even greater access to the ballot.

"To prevent the ID from being a barrier to voting, we recommend that states use the registration and ID process to enfranchise more voters than ever," the executive summary of the commission's report states. "States should play an affirmative role in reaching out to nondrivers by providing more offices, including mobile ones, to register voters and provide photo IDs free of charge. There is likely to be less discrimination against minorities if there is a single, uniform ID, than if poll workers can apply multiple standards."

The commission urged "procedural and institutional safeguards" to ensure that citizens' rights are not abused and that no voters are disenfranchised. It also proposed that voters not in possession of a photo ID be allowed to cast a provisional ballot until they are verified.

## N.C. bill vetoed by Perdue

The voter ID battle heated up in North Carolina last year when the Republican-led General Assembly passed House Bill 351. Critics in North Carolina, including Democrats, left-leaning groups, and many media columnists and editorial writers, concluded that the bill's goal must be to suppress votes by minority, elderly, disabled, and low-income residents.

A blog post at the website of the



The 2005 report of the Commission on Federal Election Reform, the cover of which is shown above, supported the idea of voter photo ID laws.

left-leaning Democracy NC group said the provision "would mostly affect voters [Republicans] don't like" and that the issue was "tinged with racism."

Along with Democracy NC, organizations opposing the voter ID requirement include the League of Women Voters of North Carolina, the North Carolina Chapter of the NAACP, and NC Policy Watch. These and other progressive groups mounted a vigorous campaign to defeat the bill, accusing conservative lawmakers and their supporters of trying to make it harder for people to vote.

The General Assembly attempted to override Perdue's veto but fell short. The measure was left open for reconsideration, however, and Rep. Tim Moore, R-Cleveland, one of the bill's primary sponsors, told *Carolina Journal* that lawmakers could take up the override in this year's short session.

CJ contacted several North Carolina groups that oppose the photo ID bill to see if they were aware of the federal commission's report, and whether they would characterize members who supported its voter ID recommendation as racist or extremist.

Bob Hall, executive director of Democracy NC, admitted that he didn't think members of the commission were racist for recommending photo ID, but maintained they went along with it only because of the report's other recommendations, especially those dealing with increasing accessibility for voters.

## Democracy NC reaction

"Will you mention in your story that the commission supported using the REAL ID card for photo ID, since

you conservatives and libertarians opposed that?" he asked. "Are you going to include all the other recommendations, like improving voter registration lists? Are you going to mention the report said there's been little evidence of voter fraud?"

The commission pointed out several times that the level of voter fraud is immaterial to discussions of photo identification for voters. "There is no evidence of extensive fraud in U.S. elections or of multiple voting, but both occur, and it could affect the outcome of a close election," the report states. "The electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters."

The commission's members overwhelmingly supported the photo ID provision. Only three of the 21 objected to it: former U.S. Sen. Tom Daschle, D-S.D.; former president of the National Council of La Raza Raul Yzaguirre; and George Washington University law professor Spencer Overton.

Hall disputed the commission's findings that photo ID requirements, properly administered, will not suppress voting. He said that many North Carolinians do not have a government-issued photo ID and cannot afford one, and making voters come back a second time with a photo ID if they show up to vote without one would disenfranchise many honest voters.

Jo Nicholas, president of the League of Women Voters of N.C., told CJ her organization opposes photo ID because it would take \$25 million to implement in the first three years. She also made the argument, countered by the commission, that such a law is unnecessary because there's almost no

voter fraud in North Carolina.

Moore said cost figures cited by the bill's opponents for providing free photo IDs to those who don't have one are inaccurate, and that the General Assembly's Fiscal Research Division concluded the cost would be much lower.

## Doesn't reduce turnout

Hans von Spakovsky, senior legal fellow in the Center for Legal and Judicial Studies at the Heritage Foundation and a former federal prosecutor who focused on election fraud, said photo ID laws do not reduce voter turnout, but they do help prevent fraudulent voting.

"Georgia and Indiana already have two of the nation's strictest laws on voter ID," von Spakovsky said, and "all claims made by opponents of photo ID laws today were made six years ago when Georgia passed its bill, and none of those claims has proven true."

In testimony last September before the U.S. Senate Judiciary Committee's Subcommittee on the Constitution, Civil Rights, and Human Rights, von Spakovsky said actual election results in both Georgia and Indiana confirm that voter ID does not hurt minority turnout, since both Georgia and Indiana experienced record turnout in the first presidential elections held after their photo ID laws went into effect.

More than twice as many as voters turned out in Georgia's 2008 presidential primary than in 2004 when the photo ID law was not in effect. "The number of African-Americans voting in the 2008 primary also doubled from 2004," von Spakovsky said.

## Turnout up in Georgia

In the 2008 general election when President Obama was elected, von Spakovsky testified that Georgia had the largest turnout in its history, and "Democratic turnout was up an astonishing 6.1 percentage points."

As for opponents' claims that photo ID is costly and onerous, especially for the poor, von Spakovsky pointed to federal laws that anyone receiving welfare or Social Security benefits must prove citizenship and have a photo ID.

"Putting in only security measures that are 100 percent effective is not a valid rationale for not requiring a photo ID," said von Spakovsky. He compared that claim to saying screening passengers at airports or installing computer virus software was useless because these measures don't work in all cases.

"We just feel North Carolina's photo ID bill would disenfranchise voters, and there are better places to put the money, like education or reducing the state's budget deficit," Nicholas said. CJ

# Despite Spending, N.C. Schools Trail World Peers in Performance

By CJ Staff

RALEIGH

International comparisons show North Carolina public school students struggle to match the performance of economic competitors around the globe, despite spending levels that rank among the highest in the world, concludes the John Locke Foundation's top education expert.

"Despite ample resources, public school students in North Carolina fail to meet or exceed the performance of students in economically competitive European and Asian nations, who easily outperform students from the Tar Heel State," said Terry Stoops, JLF director of education studies, writing in a Spotlight report. "Simply put, the state has failed in its goal of producing 'globally competitive' students. That failure is cause for serious concern."

The solution is not higher spending on the state's public schools, Stoops said. Instead his report recommends four immediate reforms.

"First, develop a comprehensive performance pay system for teachers and administrators," Stoops said. "Second, adopt high-quality tests and curricula that can yield comparisons with other states and nations. Third, promote transparency and decisions driven by data. Fourth, raise teacher quality by reducing barriers for would-be teachers and strengthening teacher accountability."

Long-term reforms include expanding public and private school choice and focusing on student-centered funding, Stoops added.

These recommendations follow Stoops' examination of the evidence. Among his key findings: Per pupil spending on North Carolina public school students rates a top-10 ranking among the world's industrialized nations.

"North Carolina elementary schools rank No. 6 in the world in per pupil spending, using the latest available data, and the rank climbs to No. 5 for students in secondary schools," he said. "So what does our significant investment in public education yield? Not much."

Multiple studies that link North Carolina test results to those compiled in economically competitive nations show Tar Heel students "hovering around the international average" in reading and math, Stoops said.

"There are no easy ways to compare academic achievement in North Carolina to student performance in other nations since this state does not

participate in international testing programs," he explained. "Still, researchers have found statistical techniques that lead to reasonable comparisons. Those comparisons paint a disappointing picture for North Carolina."

Creating a peer group of 10 mostly European countries with similar enrollment to the North Carolina public schools, Stoops found that seven outperformed Tar Heel students in math, while four surpassed North Carolina students in reading.

"Meanwhile, of the nine nations with available spending data, three spent more per pupil than North Carolina, and six spent less," he said. "Students from the Czech Republic and Hungary had similar math performance to North Carolina students, yet both countries spent about half of what this state spent per student. Nations on the list with the highest spending did no better than nations spending a fraction of the money on students. There was a very weak relationship between student expenditure and student performance."

Stoops found other factors with a much better link to student success. "Researchers have found that consistently improving school districts have such features as world-class standards, curricula, and tests," he said. "Those districts also focus on raising the quality of school teachers and administrators."

Wide variations in benefits, supplements, and other compensation make teacher salary comparisons difficult from nation to nation, Stoops said. Different marginal tax rates also limit the usefulness of comparing average teacher pay in North Carolina to salaries offered in higher-tax European nations.

"There is one piece of the salary puzzle that is worth considering," he said. "A majority of the world's highest-performing nations offer teachers performance pay. A handful of North Carolina school districts have implemented pilot performance pay programs, but the state does not have the kind of system that appears to be commonplace throughout the world."

Many nations with high-performing students also offer some kind of public or private school choice option to parents, Stoops said. "Countries like Australia, Belgium, Chile, and Denmark divert a substantial percentage of school expenditures to private schools, and these countries have a high percentage of students who attend schools similar to our charter schools." CJ



## COMMENTARY

# Redeeming 'The Dropout Year'

Across the K-12 spectrum, student vulnerability manifests itself in myriad ways. Some troubled kids act out. Others drop out. Some do both. But one student is particularly at risk: the ninth-grade boy. High school's naive newbie, he often traverses a road riddled with academic and behavioral potholes.

According to newly released data from North Carolina's Department of Public Instruction, fully 30 percent of dropouts in 2010-11 were ninth-graders; 60 percent of all dropouts were boys. DPI's crime and violence numbers tell a similar tale of woe: "Reportable acts were most frequently committed by students who were ninth-graders and male." Not surprisingly, ninth-graders received far more short- and long-term suspensions than any other grade. Boys were two to four times more likely to be suspended than girls.

Widely known as "the dropout year," ninth grade represents — for too many unruly, disengaged boys — the point of no return. *What* is going on during this critical stage of schooling? Why do age and gender coalesce so powerfully into a perilous kind of double jeopardy?

Johns Hopkins University research scientist Ruth Curran Neild, writing in *The Future of Children*, indicates that ninth-grade failure is best explained by two factors. First, freshmen arrive on campus unprepared for the academic rigors of high school. Then, high school organization — with its fragmented school day and constantly shifting parade of teachers — "can leave students feeling anonymous and alienated."

Author and boy expert Richard Whitmire agrees that poor preparation sets boys up for failure. In a recent issue of *The Chronicle of Higher Education*, Whitmire wrote, "Incoming ninth-grade boys unprepared for the college-track rigors of high school get slammed and held back for a repeat 'experience.'" Many would-be repeaters simply give up and head home.

How can we stanch the flow of ninth-grade dropouts? I've

extolled the benefits of ninth-grade academies before. Such academies offer students the opportunity to learn in a smaller, nurturing "school within a school" context, or even on a separate campus. Dropout data show these academies are making a difference.

Parental support also is essential. Many parents disengage in high school, reasoning that freshman boys are mature enough to guide themselves academically. They're not. That big-boy body still houses an impulsive and inexperienced mind. Additionally, parents need to ensure boys cross that school threshold every day; poor attendance is the most frequently cited reason for dropping out.

Finally, we need to reach back — far back — into the years preceding high school. Ninth-grade dropouts often send red alerts for years before dropping out. In fact, Neild's colleague, Robert Balfanz, has found that future dropouts can be identified as early as sixth

grade. Students at greatest risk demonstrate behavioral or attendance problems, or fail English or math.

In Durham, Duke University research scientist Ann Brewster is using Balfanz's dropout predictor tools to identify at-risk sixth-graders at three low-performing middle schools. Students will be followed over time. At one school, Brewster is working on pilot interventions for kids who are on a possible dropout trajectory.

Effective dropout prevention, Brewster told me, has "a lot of components": data and interventions matter, but so, too, do partnering with schools and "taking inventory of what works and what doesn't." Ultimately, Brewster said, "It's important to have a greater vision for how all of these pieces fit well together."

Can we cast such a vision? Clearly, some of our finest minds are doing just that. And that's great news for all the boys whose futures just might depend on it. CJ

Kristen Blair is a North Carolina Education Alliance Fellow.



**KRISTEN  
BLAIR**



# N.C. Jumps in ALEC Rankings, But Still Manages Only a 'C' Grade

By KAREN WELSH  
Contributor

**N**orth Carolina saw its ranking improve dramatically in the most recent edition of a national report card on education performance, though the state still could manage only a grade of C.

In the 17th "Report Card on American Education" of the American Legislative Exchange Council, a Washington, D.C.-based nonpartisan organization that focuses on state legislatures, North Carolina's C placed it seventh out of the 50 states in 2011 in achievement and gains among low-income students. The state was ranked 41st the previous year, meaning North Carolina's jump in this category marked the largest improvement nationally.

Dave Myslinski, director of the Educational Taskforce at ALEC, said the state has made consistent gains throughout the many years of ALEC research. "North Carolina jumped quite a bit, a full grade level over the past eight years," he said. "It's the seventh-best performing state in the nation's K-12 education system."

Notwithstanding recent gains, the report card and its sponsor face criticism from disparate sources. Terry Stoops, director of education studies at the John Locke Foundation, thinks the C grade was inflated. Meantime, left-leaning groups believe ALEC is pushing a dangerous political agenda.

Stoops said he was happy to see progress from North Carolina schools. But the grade is "misleading," Stoops said. "The C gives North Carolina too much credit. We are still struggling in key education areas."

Although North Carolina has

made incremental gains and some improvements, he said education reform in the state has far to go.

For instance, he said the state increased the rigor of its standardized tests, though they are not much more rigorous than in past years. "It is a stretch to say we have made our academic standards rigorous," Stoops said.

"There is no evidence of that. The report card gives us credit for that, and the C was a little generous, as our standards aren't all that rigorous compared to other states. We are more in the D range for academic standards."

In another portion of the report, the state was given a poor grade in the Teacher Quality and Policies section, including the D+ grade assigned to the state's efforts to expand the current teaching pool.

"That is a product of not having alternative teacher certification programs," Stoops said. "Our state needs to start allowing organizations to pro-

vide the means for alternative certification for those that have the practical experience, but don't have a teaching degree."

Stoops said experienced leaders who seriously consider joining the teaching profession are often discouraged from making the switch because it takes three years to complete the certification process.

"Here we have highly skilled, potentially great teachers, but the state makes it very difficult to get credentials," he said. "Right now it takes significant time and money to get state certification. It is discouraging. What we need is a lateral-entry process, and fast-track those qualified in the private sector within six months."

Meantime, ALEC continues to face criticism from left-leaning organizations that question the organization's policy agenda. Lisa Graves, executive

director of the Center for Media and Democracy, is skeptical of ALEC's assessment of public education and wary of the report card's validity. She said the report card interferes with the political system and pushes legislators to adopt the organization's conservative programs.

"It certainly has the effect for states to modify their policies," Graves said. "It drives legislative agenda."

She said the public should remain vigilant in the event state lawmakers attempt to implement items on ALEC's legislative agenda. "It's worth a closer look if a state is looking to adopt one or more of ALEC's policies," Graves said. "Citizens have a duty to understand the consequences of those policies."

Stoops said there's nothing deviant or deceptive about the report card. ALEC openly supports federalism, free markets, and limited government. "The report is exactly what you would expect," he said. "The idea that it is some sort of conspiracy or a plot to destroy public schools is absurd."

Myslinski said there have been misunderstandings on how ALEC determines grades and rankings. He said the empirical evidence used in the report card grading comes from National Association of Educational Progress data, and the grading criteria are derived from components found in a Harvard University study.

"We are not pushing an independent agenda, but rather the best education possible for students," he said. "You will find we are for all students having access to high-quality education in every state."

The ALEC Report Card on American Education is available online at <http://www.alec.org/>. CJ



## BOOKS AUTHORED BY JLF STAFFERS



By Roy Cordato  
Vice President for Research  
John Locke Foundation

"Cordato's book is a solid performance, demonstrating impressive mastery of both the Austrian and neoclassical literature."

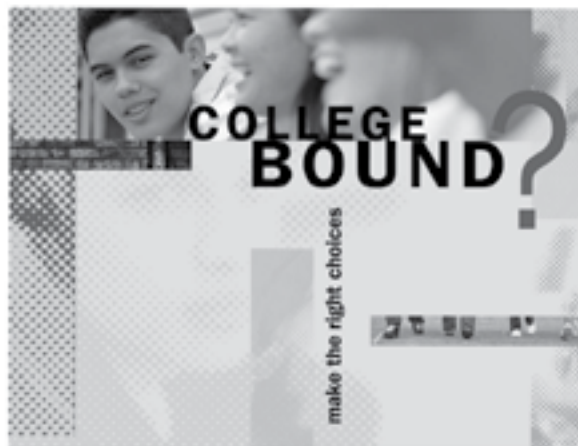
Israel Kirzner  
Cato Journal

[www.mises.org](http://www.mises.org)

### Efficiency and Externalities in an Open-Ended Universe



## If you know high school students considering college . . .



then "College Bound? Make the Right Choices" is for you!

Should they go?

How will they pay?

What will they study—or will they party?

The John William POPE CENTER  
FOR HIGHER EDUCATION POLICY

To receive a free copy, call  
919.828.1400 or email  
[shaw@popecenter.org](mailto:shaw@popecenter.org)

Visit the Pope Center online at [popecenter.org](http://popecenter.org) for additional reports and studies



# Panel Queries State Official on School Lunch Fraud

Officials in Georgia and Illinois get aggressive in rooting out fraud

BY DAVID N. BASS  
Associate Editor

RALEIGH

Is cheating in the national school lunch program fact or fiction? That was the question probed by Republicans during a mid-February hearing at a joint legislative committee.

In recent months, the question of fraud in the federal government's second-largest nutrition entitlement has reached critical mass in Illinois and Georgia, where school officials are trying to weed out cheaters. In North Carolina, the response has been more hushed, although some lawmakers are skeptical of the current structure that relies on applicants' honesty in reporting their income to qualify for the program.

"In the state of North Carolina last year, were there any prosecutions for fraud for getting free and reduced-price lunch when you were not eligible?" asked House Majority Leader Paul "Skip" Stam, R-Wake, during the committee meeting.

"I'm not aware of any prosecutions," replied Lynn Harvey, section chief for Child Nutrition Services at the State Department of Public Instruction.

Administered by the U.S. Department of Agriculture at an annual cost of \$10 billion, the free and reduced-price lunch program is meant for low-



In times of tighter state budgets, more states are becoming interested in rooting out fraud in their free and reduced-price lunch programs. North Carolina, however, has not yet joined Georgia and Illinois in their aggressive approaches. (CJ file photo)

income families. Children living in households at or below 130 percent of the federal poverty level (about \$31,000 for a family of four) qualify for free meals at school; those in households between 131 percent and 185 percent (up to about \$43,000 per year for a family of four) qualify for reduced-price meals.

The catch: Because parents or guardians are required only to self-report their income on applications, and no proof of earnings is necessary, there is room for accidental mistakes or purposeful fraud. As a small remedy, federal law requires school districts each year to verify the incomes of roughly 3 percent of participants considered "error prone," meaning households whose reported earnings are within \$1,200 of the yearly income eligibility

limitation.

The USDA has threatened to cut off school-lunch subsidies to districts that perform audits beyond the 3-percent requirement, a step that left Stam puzzled. "Why would any government bureaucrat want to limit the number of verifications?" he asked.

Harvey answered that school districts can verify for cause if officials believe that a particular family is cheating. She encouraged lawmakers, or their constituents, to contact local school officials if they believe a participant is ineligible to receive the benefits.

As *Carolina Journal* has documented, targeted reviews of applicants enrolled in the program suggest that fraud does exist, potentially on a widespread basis. The problem is confounded by the fact that schools and school districts benefit monetarily from having more students in the program, providing an incentive to enroll more students.

## Cheaters arrested

Outside the Tar Heel State, the question of school-lunch fraud is heating up. In Albany, Ga., two employees of Dougherty County schools and one spouse have been arrested for putting allegedly falsified information on applications for free and reduced-price lunch.

In November, elementary school principal Gloria Baker "was suspended without pay after she was arrested for failing to report her \$90,000 salary on school lunch forms," reported WALB-TV in southwestern Georgia.

Baker's husband also was arrested.

More recently, Dougherty County school board member Velvet Riggins faced one felony and two misdemeanor counts for falsifying information on school-lunch applications.

## 'Ripe for fraud'

Meanwhile, in Chicago, a report by the school district's inspector general reported that 15 public employees falsified applications at one high school, leading to the conclusion that cheating "is a serious, and possibly systemwide, problem."

"[It] is clear that the meal application process is ripe for fraud and abuse," the report found.

The findings prompted U.S. Sen. Dick Durbin, D-Ill., to write a letter calling on the USDA to work more closely with school districts to reduce cheating.

"Unfortunately, some adults abuse the [school lunch program] by intentionally submitting false information in order to enroll their children into the program," Durbin wrote. "In light of the strained local, state, and federal budgets, it is critical for the USDA not only to ensure eligible children participate in the [school lunch program], but also to identify and address fraud in the program."

## Foot-thick regulations

Congress had an opportunity recently to shore up federal guidelines and allow school districts to conduct more thorough audits of the lunch program, but lawmakers punted. Instead, they reauthorized the entitlement for another decade, at an additional cost of \$4.5 billion, and expanded the pool of eligible students.

At North Carolina's education oversight committee meeting, state Sen. Dan Soucek, R-Watauga, told Harvey that he was concerned about all the red tape in the program.

"One thing that struck me from the very beginning, as you were introducing the slides and going through the regulations and the bureaucracy and reports, it took almost two minutes to just describe the system," Soucek said. "It really did show the size of government and the size of the bureaucracy here."

"I glanced at the regs before I walked out of the building and assessed them to be about 12 inches in depth," Harvey replied. CJ

## Locke, Jefferson and the Justices: Foundations and Failures of the U.S. Government

By George M. Stephens

Preface by Newt Gingrich

"This book is about American politics and law; it is also about the roots of the Contract with America. A logical place to find the intent of the Founders is in Locke, [and] Stephens makes a contribution to highlighting this."

Newt Gingrich  
Former Speaker  
U.S. House  
of Representatives

One factor may be that schools benefit by having more students in the program

## Town and County

## Wilmington baseball?

The city of Wilmington has entered into an agreement with the Atlanta Braves that could lead to the major league baseball team's Class A affiliate playing in the port city. A tax increase of some sort likely would be needed to fund a stadium if the deal is finalized, reports the *Wilmington Star-News*.

The Wilmington City Council voted to enter into talks with the Braves and Mandalay Baseball Properties about relocating the Lynchburg, Va., Hillcats to Wilmington. The location, size, and cost of the stadium in Wilmington are unknown. The city would build the stadium with the baseball team paying just 12 percent of debt service costs. The city has six months to come up with a plan.

"I would have to weigh all those options if I were to move forward with some sort of whatever we're going to do to the tax rate," said Wilmington Mayor Bill Saffo.

Even without specifics, opposition to the proposal exists.

"This city council has arrogantly ignored the reality that tax-funded stadiums result in a long-term debt liability for taxpayers," said former city council candidate Ben McCoy.

## Cary and chickens

Cary may allow homeowners to keep chickens. On two occasions in recent years, the Cary Town Council has rejected allowing residents to own live chickens, reports the *Raleigh News & Observer*.

In February, council members Gale Adcock and Don Frantz asked to reconsider the issue. A majority asked town staff to draft an ordinance, including setbacks from neighboring yards.

Under Adcock and Frantz's framework, residents could apply for a \$10 annual permit that would allow them to keep up to eight hens. The keeping of roosters would not be allowed, nor would backyard slaughter.

"I do not want chickens. I really hope my neighbors do not get chickens. But if they do, who ... am I to say 'no'?" Frantz, who previously opposed allowing chickens, wrote on his blog. "Just make sure you keep those things closer to your house than mine, and if your chicken flies into my yard and my dog eats your chicken, that's on you." CJ

## Charter School Opponents Called Ideological

By DAN E. WAY  
Contributor

DURHAM

A citizen watchdog says the Durham County school board's rush to oppose a science and technology-based charter school in Research Triangle Park has deprived the public of sufficient review and input regarding the proposed school.

"They just seem to have such a social agenda instead of focusing on getting an education that's most appropriate for the kids," said Richard Ford, a publishing industry retiree who volunteers as a tutor for at-risk students and is an advocate of charter schools. Ford also is chairman of the research committee for the Durham County Republican Party.

Notwithstanding widespread support the Research Triangle High School has received from academics, entrepreneurs, and educators, the school's supporters note that the Durham County school board objects to public charter schools on ideological grounds, suggesting that charter operators' goal is to establish a "separate" system of public schools, segregated by race, that deprives traditional schools of funding and other resources. Charter advocates say they are baffled by such imagery.

Research Triangle High School would provide so-called STEM learning — Science, Technology, Engineering, Math — that would tap into the deep talent and resources of Research Triangle Park. It would be located in RTP and would open with 160 students in grades 9-12, with enrollment increasing to 420 in year five. It would have 570 students by year eight if a middle school is added in year six.

The Durham Public Schools Board of Education discussed a board resolution opposing state approval of the charter school at a Jan. 24 retreat and approved it at a Jan. 26 board meeting.

The State Board of Education could decide the school's fate as early as March 1, after press time.

The school board's decision "just got my dander up," Ford said.

A vote on the resolution was not announced on the Jan. 26 printed agenda, it was not discussed at any work sessions prior to the retreat, school officials had not told him when notice of the special meeting was published, and there was not ample time for public feedback, Ford said.

"It really seemed to me ... kind of demonizing people on the other side. In one of the private messages I got a school board member, who I won't identify, said very coyly this is a Republican attempt to start two school systems," he said.

The N.C. School of Science and Mathematics, UNC School of Education, and Research Triangle Foundation already have submitted letters of support for the charter school. In the Biogen Idec Foundation's letter of support, it said the proposed school would have "a transformative effect on science education in North Carolina."

In a Jan. 27 email to Ford, school board member Leigh Bordley said "sometimes agenda items are added at the last minute" and aren't on the agenda. She defended the board's resolution. "We do not believe that public funds should be used to support schools that are not open to all members of the public," she wrote.

"Everything that we talk about ... doesn't have to come through a work session" or a working committee process, said school board Chairwoman Minnie Forte-Brown. Notice "was published in the paper that we would be discussing a resolution regarding charter schools at our retreat. We aren't doing anything illegal."

The school district actually posted notice of the Jan. 24 meeting on the school board calendar of its Web page on Jan. 18, school officials said.

Pamela Blizzard, founder of the Raleigh Charter High School and the RTP-based Contemporary Science Center, which has applied to open the new charter school, said the school board's resolution is deeply skewed and "inflammatory."

Among other things, it states the charter "will function effectively as a de facto private school supported by taxpayers," lack commitment to poor students and children of unemployed parents, and "will promote racial and economic segregation" through various admission standards.

"The resolution is very, very obviously not based on what they read, it's based on what they want the public to believe," Blizzard said.

Indeed, the school's application emphasizes it must enroll any qualified student and it will abide by all state and federal laws. The state has evaluated the charter application as "excellent" in its admissions policies.

Blizzard notes that RTP has a diverse population, the school would be located near low-income and minority communities, and in open houses held to date, "between 25 and 60 percent of the interested families that have come are from nonwhite or non-Caucasian backgrounds."

"We've been very frustrated that the conversation is all about diversity and transportation, and none of the conversation is about what we're going to do" based on years of research and developing innovative best practices for improved teaching and learning through the Contemporary Science Center, Blizzard said.

Ford wonders, with a school board election looming, if the rush to pass a resolution amounts to political

grandstanding. He noted that the left-wing People's Alliance organization has posted on its website an expectation of Durham charter schools that closely mirrors Durham Public Schools' positions.

The school district already submitted an impact statement to the state, so the more recent resolution is duplicative, he said. Forte-Brown disagrees.

"The follow with the resolution actually indicated this school [Research Triangle High School]," Forte-Brown said. "The impact statement is not so much what Research Triangle High School would do, but what charter schools in general would do."

The impact statement written by Durham Public Schools Superintendent Eric Becoats and forwarded Nov. 14 to the State Board of Education broadly but briefly discusses overall charter school impact on the school system. Mostly it highlights STEM offerings that currently exist in the district. But it makes clear it is in response to Research Triangle High School.

"In conclusion, Durham Public Schools requests the State Board of Education deny the charter school application of the Contemporary Science Center for a new STEM school, Research Triangle High School," Becoats wrote.

While opposing the application, the impact statement cites as district STEM strengths the lesson plans, field trips, and research of the Contemporary Science Center.

"It's just not surprising that a local school district wants to retain those students, but, clearly, in North Carolina we have decided that at all levels we need to do something different, and I believe that's what Pamela Blizzard and that board are trying to do," said Eddie Goodall, executive director of the Charlotte-based N.C. Public Charter Schools Association. CJ





# BRAC Growth Expectations Fall Short For Fayetteville

By MICHAEL LOWREY  
Associate Editor

RALEIGH  
The 2005 round of U.S. base closing hearings resulted in a large number of military positions being moved to Fayetteville's Ft. Bragg. Many local officials presumed that the transfers of the Forces Command and U.S. Army Reserve Command would result in even broader economic growth, as defense contractors moved into the region. So far, the reality has not lived up to the hype, reports the *Fayetteville Observer*.

Soon after the Base Realignment and Closure moves became official, a local task force predicted that 1,000 defense contractors would set up shop in Fayetteville "to maintain their close proximity to key Army decisionmakers." With the military relocation now complete, that hasn't happened. Three new business parks that were planned to serve the hordes of defense contractors that were projected to come to Fayetteville sit nearly empty.

The base realignment also was expected to help push Cumberland County's population up to nearly 400,000 by 2013. The latest state estimates put its current population at nearly 325,000.

UNC-Chapel Hill professor John Kasarda argues that the original projections of BRAC's impact were overly

optimistic.

"There's always a lag. This is not at all surprising," Kasarda notes. "You may see movement in a year or so, but BRAC won't fully manifest itself for another five to 10 years."

N.C. State University economist Mike Walden warns that future impacts may be muted as defense spending is reduced.

"You want to have a diverse economy," he said. "You don't want to have a one-company town."

## Buncombe garbage fee?

Buncombe County is studying whether to impose a fee for garbage collection in unincorporated portions of the county. It remains to be seen whether the county will proceed, reports the *Asheville Citizen-Times*, and even if it does what sort of fees it would change and what sort of service it would offer.

Just over half of residents hire a private company to collect their garbage. Another 10 percent take their garbage to the county landfill or a transfer station themselves. Much of

the remaining garbage is dumped or burned illegally.

More than half of the state's 100 counties impose a garbage fee for residents in unincorporated areas. How the fees are structured and how much service is provided vary by county.

"You're required to pay it because it's basically your contribution to having a solid waste system in the county," said Chad Parker, public works director in Jackson County, which charges a fee that varies from \$63 to \$125 depending on the number of bedrooms in a dwelling.

Counties in western North Carolina that charge a fee generally provide service by placing garbage collection sites throughout their jurisdiction. Residents may also hire a private hauler if they want their garbage picked up at home.

That model may be more difficult to implement in more densely populated Buncombe County, though. More people to serve would create the need for more collection stations but also a greater likelihood that neighbors would object to having a facility near

them. Land is also more expensive in Buncombe County.

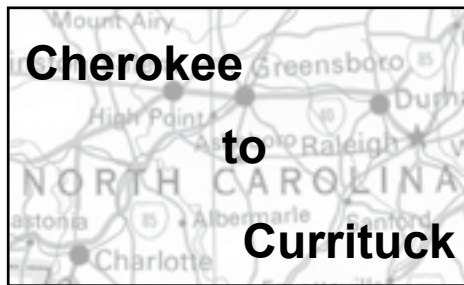
Curbside service would be the other possibility if Buncombe decides to proceed.

## Durham rental inspections

The city of Durham is the latest municipality to consider adopting a rental inspection program. If adopted, the program would concentrate on six troubled neighborhoods, reports the *Durham Herald-Sun*.

Last year, the General Assembly established guidelines for local rental inspection programs. Cities no longer can require a periodic inspection as a condition of a unit being offered for rent. Instead, city inspectors must have a "reasonable cause" to think violations exist before conducting an inspection. Examples of a reasonable cause include a landlord's history of code violations, a complaint filed with the city, an inspector's personal knowledge of code violations, or code violations that are obvious from the street. Cities also are allowed to require inspections in areas designated by a city council.

Neighborhood Improvement Services director Constance Stancil wants the city to adopt an ordinance that focuses on six neighborhoods that have high crime rates and/or a history of housing-code violations. *CJ*



# Report: Wake County Transit Plan 'Not Economically Feasible'

By DAVID N. BASS  
Associate Editor

RALEIGH  
An expanded transit plan for Wake County that would grow bus service and create commuter and light rail lines "is not technically or financially feasible," according to a report authored by two transit experts.

The report, funded by the John Locke Foundation (publisher of *Carolina Journal*), concludes that expanded transit is inappropriate for the Triangle region and that few commuters would take advantage of the new system.

"The basis for our finding is that the plan contains numerous optimistic assumptions, errors of fact or omission, and calculations that are at variance with standard practice in the transit industry," wrote David Hartgen, emeritus professor of transportation studies at the University of North Carolina at Charlotte, and Thomas Rubin, an Oakland, Calif.-based consultant specializing in public-sector accounting in projects involving transit, highways, and schools.

The authors criticized Wake County officials for failing to factor in the cost of the current transit system, which they said would raise the bill by

\$2.1 billion. They also concluded that, under the proposal, the average time it would take a commuter to travel by train was "well over double" the time required to travel by car.

"Given that most of the current Wake County transit riders do not have access to automobiles for their transit trips, while the service expansion is primarily to areas where there is now little or no transit — and the vast majority of people in these areas do have access to automobiles — it is difficult to see why most people would give transit serious consideration in the new service areas," Hartgen and Rubin wrote.

Wake County's plan — presented as draft recommendations to county commissioners in November — is split between two stages. The first phase would expand bus service and create a 37-mile commuter rail line running from Garner to Durham, at a combined cost of \$2.6 billion through 2040.

The second phase — called the "enhanced transit plan" — would establish a 14-mile light rail connecting downtown Cary to northeast Raleigh. The estimated tab: \$1.1 billion.

The expanded bus and commuter rail service would be financed exclusively through local funds; the light rail expansion would rely on federal and state funds that might never materialize.

To bankroll the plan, planners would rely on a half-cent sales tax increase, a \$10 per-car hike in the annual vehicle registration fee, increased vehicle rental fees, transit bonds, and higher rider fares. Wake County voters would have to approve the sales-tax increase at the ballot box.

The sales tax could appear on the ballot as early as November. In 2011, Durham voters OK'd a half-cent sales tax increase for transit, but Wake and Orange counties would have to follow suit to fund the regional transit system.

**Critics: Plan contains optimistic assumptions, errors, and omissions**

Supporters of the recommendations say the proposed transit system would reduce congestion, improve air quality, and boost economic development.

"This plan is a practical plan," wrote Wake County officials in the plan's executive summary. "It is fiscally conservative, and it is reasonable and realistic. In it, we don't promise more than we can deliver, based on funding sources that will be decided by voters and elected officials."

Critics disagree, citing the Hartgen-Rubin report. "This report raises significant questions about the viability of Wake County's transit plan," said Michael Sanera, the John Locke Foundation's director of research and local government studies. "Wake County officials owe it to taxpayers to address these serious issues before committing significant resources to a plan that appears unlikely to work."

Proposals to expand Wake County's transit infrastructure have languished for years due to the poor economy and scarcity of federal transit dollars. In 2006, plans for a light-rail transit line fell through after local officials failed to secure the necessary federal funds. *CJ*

## COMMENTARY

## The Kudzu Of Transit Projects

In January, Iredell County commissioners unanimously found wanting a proposal to build a \$452 million, 25-mile commuter rail line from the center of Charlotte through Huntersville, Cornelius, and Davidson, to near Mooresville.

The proposed Red Line, as it is called, certainly constitutes a questionable use of scarce transportation dollars. The fact that the idea has come this far offers a good insight into the politics of transit.

The basic formula for building rail lines in North Carolina is straightforward: The state picks up a quarter of the construction costs, locals pay another quarter, typically through a dedicated local-option sales tax for transit, and the federal government pays the remaining half.

But with the Charlotte-to-almost-Mooresville Red Line, projected ridership is so low that the Charlotte Area Transit System realized several years ago that there was approximately zero chance that the feds would pony up half the construction costs — even during the pro-transit Obama administration.

Undeterred, CATS has kept on trying. The funding plan for the Red Line has changed. The idea now is to expect development along the proposed line to pick up what would have

been the feds' share. In other words, build it and they (developers) will come. Some local officials are so confident that this will happen that they describe the proposal as being "riskless."

The Iredell County Commission does not agree, and said so by a 5-0 vote. Commissioners worry that the rail line would go over budget, as often happens with rail lines, and that they would be forced to raise property taxes to finish the project. Iredell commissioners also question whether the development that's necessary to fund the line will happen.

David Hartgen, emeritus professor of transportation studies at the University of North Carolina

at Charlotte, thinks that's a valid concern.

"There are only about 50 parcels of land along the 25-mile corridor," Hartgen said. "The tax on each of those parcels would have had to be huge to generate the \$250 million needed."

The parcels would have to be worth more than \$4 billion to generate that tax value, he said. "There's no way there's \$4 billion worth of property in that corridor, even if there were a demand to develop it."

Hartgen says a better use for the money CATS wants to spend on the Red Line would be to improve congested Interstate 77, which in places runs only about a mile from the proposed rail line route. Ridership on the Red Line in 2030 is projected at only 5,600 a day — 2,800 round trips. The need to widen the highway remains.

So why does a dog of a project like the Red Line even get this close to being approved? Many liberals reflexively think that any transit project must be wonderful. Local media's unwillingness to ask challenging questions plays a role as well.

More fundamentally, though, the Red Line is simply a necessary byproduct of the process of originally selling a then-\$1 billion transit plan to Mecklenburg County voters in 1998. Before voters could be persuaded to support a tax

increase for transit, something had to be offered to citizens throughout the county.

In the case of northern Mecklenburg County, that something was the prospect of commuter rail service to Uptown Charlotte. Whether that something would be affordable was beside the point. Iredell County's rejection of the proposal won't end the matter. The board that oversees CATS gives Huntersville, Cornelius, and Davidson a vote, making the Red Line the transportation equivalent of kudzu — something that is virtually impossible to kill off. CJ

Michael Lowrey is an associate editor of Carolina Journal.



MICHAEL  
LOWREY

How does a  
dog of a project  
like the Red Line  
get this close  
to approval?

## Court Rules Against Cumberland County Firearms Training School

By MICHAEL LOWREY  
Associate Editor

RALEIGH

In a unanimous decision, the North Carolina Court of Appeals has ruled that a facility that offers firearms training might not be considered a "private school" under local zoning codes. If the ruling stands, the future of a private training facility that works with military and law enforcement personnel could be in jeopardy.

TigerSwan Inc. leased about 1,000 acres in rural Cumberland County to build what it described as a "firearms training facility." The company wished to use the land to offer instruction to military personnel from Ft. Bragg, law enforcement, and security personnel on topics including weapons training, urban warfare, and convoy security operations. It also would offer courses on topics like first aid, firearm and hunting safety, and foreign languages for adults and children.

In addition to classroom facilities, the site plan included several firing ranges surrounded by berms to contain the noise and stray ammunition. Beyond the berms would be "surface danger zones," open areas of land subject to "ricochet hazards" that "may endanger nonparticipating personnel, or the general public" if present.

Several neighboring property owners objected to TigerSwan's plans, arguing that it would impact the enjoyment of their land and their property values adversely. They also contended that the use was not allowed under the county's zoning ordinance. TigerSwan's land is zoned as an A1 Agricultural District.

Under Cumberland County's zoning scheme, A1 Agricultural Districts are intended to permit all agricultural uses but be free of most urban uses except for large-lot, single-family homes. A limited number of "convenient commercial uses" are allowed to ensure essential services to residents.

Another approved use includes the operation of a "school, public, private, elementary, secondary." Cumberland County's zoning administrator determined that the training facility was a "private school" and approved TigerSwan's site plan.

To override the zoning administrator's approval requires a vote of four-fifths of the Cumberland County Commission. The commission's 3-2 vote overturning the zoning admin-

istrator's decision was not enough to keep the site plan from going forward.

The landowners then went to court, again contending that what TigerSwan was proposing was not consistent with the zoning of the land. After a Superior Court judge ruled in TigerSwan's favor, the landowners brought the matter before the Court of Appeals. TigerSwan opened the facility in 2010 and was allowed to continue operating until the legal dispute was settled.

On appeal, exactly what "school, public, private, elementary, secondary" means was the center of contention between TigerSwan and its neighbors.

The landowners argued that the phrase should be read to mean that only public elementary schools, private elementary schools, public secondary schools, and private secondary schools qualified. TigerSwan countered that each word offset by a comma should hold its own meaning — and that thus public schools, private schools, elementary schools, and secondary schools are permitted. It further argued that its training facility qualified as a "private school" and was therefore a permitted use under the ordinance.

"Applying these rules of construction to the ordinance at issue, we conclude the inclusion of 'elementary or secondary' in the description of permissible schools was intended to exclude other types of 'schools,' whether they be private or public," wrote Judge Robert C. Hunter for the appeals court.

"It would be illogical for the drafters to provide that all public and all private schools are permitted in addition to elementary and secondary schools." (Emphasis in decision.)

The court found that TigerSwan's reliance on the testimony of Cumberland County's planning director, who had stated that the intent of the zoning classification was not to prohibit schools similar to those TigerSwan was proposing, was misplaced. The N.C. Supreme Court has previously held that the intent of legislation cannot be established in this manner.

Because the ruling by the three-judge panel of the appeals court was unanimous, the N.C. Supreme Court is not required to hear the case should TigerSwan appeal.

The case is *Fort v County of Cumberland*, (11-758). CJ





# Obama Contraception Mandate Supersedes North Carolina Law

Continued from Page 1

fect fully in August 2013, has drawn condemnation from the Catholic Church, evangelical Christians, Republicans, and some Democrats. Critics say that the guidelines empower the federal government to coerce the faithful to violate their consciences, abridging the constitutional right to religious freedom.

After criticism from religious organizations and some political leaders, the administration tweaked the birth-control policy in what it billed as an accommodation for religious groups. Under the revision, religious employers still must purchase insurance, but the insurance company would offer the birth control benefits directly to insured employees in a separate agreement.

Critics assailed the concession as a distinction without a difference. Hannah Smith, an attorney with the Becket Fund for Religious Liberty, said that President Obama's announcement doesn't change anything.

"It's really just an accounting shell game," Smith said. "[The] announcement was not really a compromise, because it just shifted attention away from the religious employer and onto the insurance company, when in reality the religious employer will still be paying for these policies, and probably be paying higher premiums because the insurance company will not be paying for these services as an act of Christian kindness."

## Federal mandate

North Carolina's state-level mandate hasn't generated as much attention or controversy as the one pushed



Catholic Church officials say their churches would be exempt from the contraception mandate, but their schools and social services would not be.

by the Obama administration. Enacted in 1999, the statute specifies that all private health insurance plans that cover prescription drugs also must cover contraceptives. The religious exemption appears to cover all organizations in North Carolina that might want to opt out.

David Hains, a spokesman for the Roman Catholic Diocese of Charlotte, said that his organization informs new employees that their insurance policy won't cover prescription contraceptives.

"We believe the North Carolina law clearly allows us to do what we currently do, which is not to offer the

stuff," Hains said.

That wouldn't be the case under the new federal mandate, though.

"Our churches would qualify for the new HHS exemption, but our schools and our Catholic social services would not," Hains said.

Smith said that many religious organizations choose to opt out by self-insuring under the federal ERISA law governing employer-provided benefit plans. "There are lots of ways that religious organizations, even in states with a contraception mandate with no express exemption, have been able to opt out," she said.

The federal mandate, however, offers no such protections.

## N.C. law

Twenty-eight states have a contraception mandate for private health insurance plans, according to the National Conference of State Legislatures. Nine of those states don't have a conscience clause. Of the states that do, only three have a religious exemption as narrow as the one pushed by the Obama administration.

North Carolina's statute applies to any contraceptive approved by the U.S. Food and Drug Administration, excluding the abortion drug RU-486 and forms of emergency contraception.

The Alan Guttmacher Institute, a national research organization formerly tied to Planned Parenthood, ranks North Carolina's religious exemption as "broader," meaning it "allows churches, associations of churches, religiously affiliated elementary and secondary schools, and, potentially, some religious charities and universities to refuse [coverage], but not hospitals."

In contrast, the Obama administration's exemption applies only to churches and houses of worship. Religious hospitals, charities, and schools would have to buy the coverage. Then, the insurance company would contact each employee and offer contraception benefits.

In addition, the federal mandate would require insurers to cover abortion drugs specifically outlawed by the North Carolina statute, such as RU-486. Sterilization also would be covered.

## 'Close loopholes'

"The whole point of the federal mandate is to close any of the loopholes that are now available for religious organizations to opt out of these state-level mandates," Smith said. "The federal mandate would seek to require these organizations to cover these drugs and services."

Under the Tar Heel State's exemption, qualifying employers must provide written notice to all participants in the plan that prescription contraception drugs aren't included. The statute defines "religious employer" as an entity "organized and operated for religious purposes and is tax-exempt," one in which the "inculcation of religious values is one of the primary purposes of the entity," and one that "employs primarily persons who share the religious tenets of the entity."

The N.C. Department of Insurance couldn't confirm how many employers have requested the exemption under North Carolina's law.

"There is no requirement that insurers report to DOI employer groups that request an exemption from the mandate, nor does the department collect that information," said Kerry Hall, a spokeswoman for the department.

## State employees covered

Last summer, lawmakers in the General Assembly tussled over a revision to the N.C. State Health Plan, which covers state employees and public school teachers, that removed coverage for elective abortion, which is one deemed medically unnecessary. Under the revamped plan, abortions are covered only "when the life of the mother would be endangered if the unborn child was carried to term or the pregnancy is the result of rape or incest."

The State Health Plan covers birth control for both men and women, including "oral medications, intrauterine devices, diaphragms, injectable contraceptives, and implanted hormonal contraceptives." It also covers sterilization and infertility and sexual dysfunction services. It doesn't cover artificial means of conception, such as in vitro fertilization.

CJ

## Help us keep our presses rolling



*Publishing a newspaper is an expensive proposition. Just ask the many daily newspapers that are having trouble making ends meet these days.*

*It takes a large team of editors, reporters, photographers and copy editors to bring you the aggressive investigative reporting you have become accustomed to seeing in Carolina Journal each month.*

*Putting their work on newsprint and then delivering it to more than 100,000 readers each month puts a sizeable dent in the John Locke Foundation's budget.*

*That's why we're asking you to help defray those costs with a donation. Just send a check to: Carolina Journal Fund, John Locke Foundation, 200 W. Morgan St., Suite 200, Raleigh, NC 27601.*

*We thank you for your support.*



# DHHS Defends Policy of Inspecting School Lunches

Continued from Page 1

sary to meet those requirements.”

Similar guidelines were spelled out one year earlier in the North Carolina Administrative Code, the state’s book of regulations. The regulations remain in effect.

The violation, according to a Jan. 27 letter sent by principal Jackie Samuels to parents of preschoolers, is that lunches children had brought from home “did not meet the requirements of the [U.S. Department of Agriculture] Meal Guidelines, which include: 1 serving of milk, 2 servings of fruit/vegetable, 1 serving grains/bread, 1 serving meat/meat alternative.”

The Division of Child Development and Early Education at the N.C. Department of Health and Human Services supervises the NC Pre-K program. If a parent sends a child to school with a lunch that lacks any of the listed items, “The rules require that the provider supplement a lunch with any missing components. How a provider chooses to do that is up to them,” DHHS spokeswoman Lori Walston wrote in an email.

The letter from Samuels warned of that possibility.

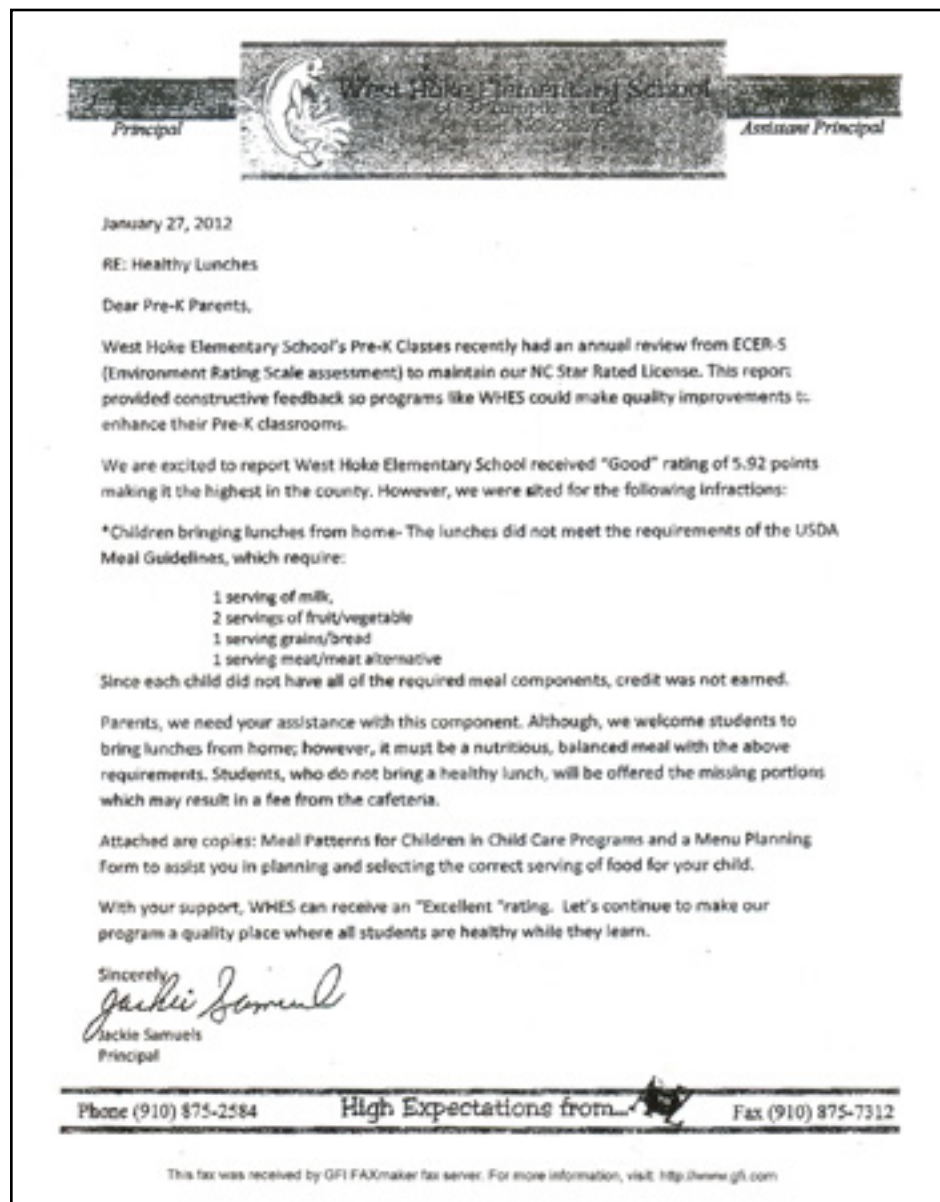
“Parents, we need your assistance with this component,” the letter continued. “Although, we welcome students to bring lunches from home; however, it must be a nutritious, balanced meal with the above requirements. Students, who do not bring a healthy lunch, will be offered the missing portions which may result in a fee from the cafeteria.”

The Jan. 26 infraction was noted by Cecelia Ellerbe, a child care consultant who works for the DHHS division. Walston told *CJ* Ellerbe “observed the lunch routine” at the preschool, which “would typically include walking through the cafeteria area. She could have seen any items that had been placed on tables, but might not have seen all lunches,” Walston said.

The following Monday, Jan. 30, the incident reported by *CJ* occurred. A teacher offered a 4-year-old girl a cafeteria tray with chicken nuggets, a sweet potato, bread, and milk to replace the turkey and cheese sandwich, potato chips, banana, and apple juice her mother had packed for her.

When the girl got off the school bus with her untouched lunch box that day, her mother wanted to know what happened. “She came home with her whole sandwich I had packed, because she chose to eat the nuggets on the lunch tray, because they put it in front of her,” her mother said. “You’re telling a 4-year-old, ‘Oh, your lunch isn’t right,’ and she’s thinking there’s something wrong with her food.”

The mother, who wishes to remain anonymous, contacted state Rep. G.L. Pridgen, R-Robeson. He has been



West Hoke Elementary School principal Jackie Samuels sent this letter home with students on Jan. 27, explaining they may be billed for items added from the cafeteria to bring lunches up to government nutritional standards.

in talks with DHHS and is considering holding a legislative hearing to determine whether the agency has the authority to enforce the nutrition standards.

*CJ* learned about the incident from Pridgen’s office. And since the initial story ran Feb. 14, a number of other media outlets have reported on various aspects of it.

A second mother – Diane Zambrano – with a child in the NC Pre-K classroom at West Hoke Elementary has come forward to Glenn Beck’s website *The Blaze*, saying her daughter’s salami-and-cheese sandwich and apple juice were replaced with chicken nuggets as well.

When Zambrano complained to the teacher, as the first mother had, she was told “an official had come through that day to inspect students’ lunches and that those who were lacking certain food groups were sent to the caf-

eteria,” according to *The Blaze*.

Zambrano’s daughter Jazlyn “was told to put her homemade lunch back in her lunchbox and set it on the floor,” the article says.

Pridgen told television station WTVD he had learned a number of lunches were rejected on Jan. 30, and that perhaps every student who brought a lunch from home was given cafeteria food.

In a segment aired Feb. 21, school officials told WTVD that three children were sent through the cafeteria line, and that doing so was a “staff error.”

Since then, according to Pridgen’s office, the school has given

the anonymous 4-year-old girl vegetable soup on at least one occasion, although the mother has requested repeatedly that the school stop giving her daughter any food other than what’s in her lunch box.

*CJ* also has been told that the school gives the preschooler milk ev-

## Timeline of events surrounding the lunch controversy

- **Jan. 26:** DHHS consultant Cecelia Ellerbe “observes the lunch routine” at West Hoke Elementary School and finds that at least one lunch brought from home lacks items required by USDA guidelines. A teacher “direct[s] the child to get a tray from the lunch line.”

- **Jan. 27:** West Hoke principal Jackie Samuels sends letter home with students, instructing parents to pack lunches with all items on the USDA list and warning them they may be billed.

- **Jan. 30:** Teacher discovers at least two 4-year-olds brought lunches from home that did not have all the required items; DHHS officials say the only missing item was milk, but the teacher gave the children cafeteria trays with chicken nuggets, a sweet potato, bread, and milk. One of the 4-year-olds ate only the nuggets. Both brought the lunches they packed home uneaten.

- **Early February:** The mother of one 4-year-old contacts state Rep. G.L. Pridgen, who starts asking questions about the incident.

- **Feb. 14:** *CJ* publishes initial story; other media outlets follow up. Pridgen says as many as 20 student homemade lunches were flagged.

- **Feb. 16:** A USDA press release says the incident involved “a state-run nutrition program, and USDA had no involvement.”

ery day against her mother’s wishes. School officials say the cheese on her daughter’s sandwiches does not satisfy the USDA’s dairy requirement.

It is unclear if parents will be billed for the items the school says are missing from students’ homemade lunches. School officials told parents initially they could be charged \$1.25 a day for the items.

WTVD also reported that school officials said the “staff has received additional training about nutrition regulations and procedures. They also say appropriate personnel action has been taken, but they did not elaborate.”

*CJ* has left voicemail messages seeking clarification with principal Samuels and the school district’s superintendent, Freddie Williamson. At press time, those messages had not been returned. *CJ*

Officials, initially reluctant to discuss the incident, have now confirmed it



# Estimating 'Green Jobs' Costing Taxpayers Millions

Continued from Page 1

do not match federal definitions for other purposes, such as tracking employment, it's unclear what value any of the state surveys will have to anyone other than elected officials and civic boosters.

Carolina Journal asked Clayton, who also heads the BLS Division of Administrative Statistics and Labor Turnover, if the BLS job estimates would make surveys developed by individual states obsolete. "We feel that each state is free to develop their own needs and collect the data they need," he said.

Even so, one state employment agency acknowledged the difficulty of developing a meaningful definition of green jobs. From the preface to "Green Jobs and the Ohio Economy," prepared by the Ohio Department of Job and Family Services:

"Unfortunately, green advocacy has generally occurred within a context where little has been done in respect to benchmarking, whether in the form of clear and precise definitions of green, or how we measure work force and economic aspects of green."

As a result of this lack of precision, some of these definitions encompass jobs that have a very loose connection to green initiatives:

- The Indiana green jobs study concluded that the top five "Green and Growing Occupations" were truck drivers, industrial engineers, mechanical engineers, sales representatives, and maintenance workers.

- The Hawaii report lists construction and government as the state's two largest green industries.

- The Iowa study concluded that the state had 17,059 green jobs, or 3 percent of total statewide employment. Included in that total are 1,007 construction laborers, 603 landscaping workers, and 570 heavy truck drivers.

- The Washington state study listed greenhouse workers, electricians, construction laborers, and carpenters as the categories with the most green jobs.

- Several states have classified trash collection workers in the green job family.

Paul Bachman, director of research at the Beacon Hill Institute at Suffolk University in Boston, told *CJ* that national enthusiasm for green job programs peaked shortly after Barack Obama became president.

Bachman, who co-authored a 2009 report titled "Green Collar Job Creation: A Critical Analysis," said the BLS green jobs report "may be useful for politicians, but I see no other practical use."

## Selling green jobs

President Obama said in early 2009 that he was committed to dou-



Some definitions used by different states encompass jobs that have only a loose connection with green initiatives. Some studies are classifying refuse and recyclable material collectors and drivers in the green job family. (CJ photo by Don Carrington)

bling America's production of renewable energy. "In the process, we'll put nearly half a million people to work building wind turbines and solar panels; constructing fuel-efficient cars and buildings; and developing the new energy technologies that will lead to new jobs, more savings, and a cleaner, safer planet in the bargain," he said.

Many governors followed the president's lead. "Developing our green economy is a cornerstone of my vision for North Carolina's economic future," Gov. Bev Perdue said in May 2009. "Creating green jobs and businesses is a key part of my JobsNOW initiative, and the energy reforms I am implementing will lay the foundation for North Carolina to lead the nation in green energy. The state that gets green right will own the next 50 years. I intend for North Carolina to be that state."

The goal of the BLS green jobs initiative is to provide information on the number of green jobs and trends over time; the industrial, occupational, and geographic distribution of these jobs; what green jobs pay; and related career information.

The green job initiatives in 2009 run through the Labor Department's Employment and Training Administration totaled \$500 million, of which \$435 million went to green job training programs.

## Measuring jobs

BLS will release a green job estimate for the nation and the individual states by major industry group, and plans to update that information peri-

odically. The estimates will be developed from surveys issued to a sample of employers.

But measuring green jobs is a new and complex undertaking, and a clear national goal regarding green jobs has yet to materialize.

The Brookings Institution, a Washington, D.C.-based public policy research organization, released its own green jobs study in July 2011. Brookings referred to a separate "green economy." The Brookings study concluded that in 2010, 2 percent of the nation's jobs were part of the "Aggregate Clean Economy."

In many cases, Brookings' green jobs estimates differ greatly from estimates produced by individual states. For example, Brookings estimated that in 2010 Georgia had 83,707 green jobs, while the federally funded study by the Georgia Department of Labor estimated that the state had approximately 40,000 green jobs.

For California, Brookings came up with 318,156 green jobs; the federally funded California Employment Development Department study estimated the state had 432,840 green jobs. For Indiana, Brookings estimated 53,684 green jobs, while the Indiana Department of Workforce Development estimated the state had 46,879 green jobs.

## Green initiatives take a hit

Green job programs received significant negative publicity last year. The failure of the Solyndra solar project drew plenty of headlines, but problems with the programs went much deeper.

"Federal and state efforts to stimulate creation of green jobs have largely failed, government records show. Two years after it was awarded \$186 million in federal stimulus money to weatherize drafty homes, California has spent only a little over half that sum and has so far created the equivalent of just 538 full-time jobs in the last quarter, according to the State Department of Community Services and Development," reported *The New York Times* in August 2011.

"A \$38.6 billion loan guarantee program that the Obama administration promised would create or save 65,000 jobs has created just a few thousand jobs two years after it began, government records show. The program — designed to jump-start the nation's clean technology industry by giving energy companies access to low-cost, government-backed loans — has directly created 3,545 new, permanent jobs after giving out almost half the allocated amount, according to Energy Department tallies," reported *The Washington Post* in September 2011.

One of the most scathing criticisms came from the Labor Department's Office of Inspector General, also released in September. That report found that ETA's \$435 training initiative had failed to reach employment targets. It had targeted 80,000 trainees for placement in green jobs but so far had placed only about 8,000 workers, or 10 percent. The report recommended that more than \$300 million in unspent funds be returned and used for other purposes. *CJ*



# Leeson: Pirates Largely Orderly and Rational Economic Actors

BY CJ STAFF

RALEIGH  
**W**ith all of their gambling, drinking, fighting, and thieving, pirates still had time to make rational economic calculations. Dr. Peter Leeson, BB&T professor of the study of capitalism at George Mason University, makes that argument in his book *The Invisible Hook: The Hidden Economics of Pirates*. While at Campbell University recently to speak with students, Leeson discussed key themes from the book with Mitch Kokai for Carolina Journal Radio. (Head to <http://www.carolinajournal.com/cjradio/> to find a station near you or to learn about the weekly CJ Radio podcast.)

**Kokai:** Why study the economics of pirates?

**Leeson:** There are several reasons. The first reason I think why we want to study the economics of piracy is that pirates were economic actors. They were ultimately businessmen. They were criminal businessmen, which led to some rather unusual features of the kind of piratical enterprise, as it were. But it was a business nonetheless. They were interested in maximizing profits. And so for the same reason that we'd want to look at a legitimate firm in terms of economics, we would also want to look at a pirate "firm," if you will, in terms of economics.

The other reason I think that we want to think about pirates economically is that pirates are known for having engaged in some rather unusual practices — flying the pirate flag, the Jolly Roger; torture, for example. And as some people know, pirates had what's commonly called a "pirate's code," a kind of system of constitutional democracy, in fact. And in order to get a handle on why it is that pirates might have engaged in these unexpected practices, the economic way of thinking, or the rational choice theory as we call it, provides us some insight into those questions.

**Kokai:** Did pirates really think about economics?

**Leeson:** They were certainly thinking in terms of increasing their bottom line. People got into piracy out of legitimate merchant marine activities and into piracy in large part because piracy offered the prospect for higher incomes. So in that sense they were certainly thinking in dollars-and-cents terms. Having said that, it's rather unlikely that pirates had in their mind the kind of framework, the economic theories that an academic economist would bring to studying them playing in the back of their mind as they were

*"I think the most important takeaway from the economics of piracy is the idea of self-governance. It's common to think about social rules, some system of law and order, as only being capable of being provided by a state, by a government, a monopoly on the use of force. And pirates give us pause to rethink that conventional wisdom."*

Peter Leeson  
 George Mason University



engaged in these activities. So in that sense pirates were very much like everybody else. Most people, a random person you talk to on the street, doesn't have the perfectly competitive model in the back of their mind. And nonetheless, economists think that model is probably a good way of describing certain types of economic activities, including economic activities that those individuals are engaged in.

**Kokai:** What's the most important thing we should know about how pirates acted economically?

**Leeson:** I think the most important takeaway from the economics of piracy is the idea of self-governance. It's common to think about social rules, some system of law and order, as only being capable of being provided by a state, by a government, a monopoly on the use of force. And pirates give us pause to rethink that conventional wisdom, because pirates as outlaws, of course, couldn't rely on the formal apparatuses provided by the state as a way to produce social order among them. And yet if you think about it, just for a few seconds, it's pretty obvious that in order to be successful in their pirating enterprises, in order to work together on their ships, for example, pirates had to produce some means of law and order themselves. They needed to provide some kind of governance. And the way that they did that was through a kind of system of private institutions which were voluntarily adopted and adhered to by pirates, quite independent of any monopoly on force like the government.

**Kokai:** Members of our audience are probably saying, "Wait a minute. You're telling me pirates, a bunch of drunken, crazy thieves, actually lived

by rules? Amazing."

**Leeson:** Yeah, it's really largely what attracted me to the economics of piracy, to pirates in general, and it is quite remarkable. It's not only that they had rules, they had very specific, detailed rules — rules that were surprisingly, at least for pirates anyway, rather puritanical. For example, it appears to be the case that on some pirate ships at least, drinking was quite restricted. Bedtimes were restricted; they had an early bedtime of 8 o'clock on one ship. Gambling was prohibited. Allowing women [was] prohibited on pirate ships.

It makes us wonder why would pirates, these supposedly debauched and raucous fellows, who are criminals at that, why is it that they would adopt those kinds of rules? And the answer, in a nutshell, is that those kinds of rules are necessary to provide the social order on a pirate ship required for the pirates to make any money. If the ship degenerated into fights constantly because of gambling conflicts, for example, or fights over women, if pirates didn't have strict rules that regulated their alcohol intake such that they were drunk all the time, if there weren't laws that regulated theft and violence among pirates, then pirate ships would devolve into a kind of a Hobbesian jungle, a sort of *Lord of the Flies* scenario, and that is not good for the bottom line. Nobody makes money when that happens because the pirate firm gets torn apart.

**Kokai:** So is our mental image of the crazy pirate ship wrong?

**Leeson:** Well, in some ways, the image that we have of a pirate ship is right, you know. The way that they're depicted in movies is roughly accu-

rate in the sense of what an early 18th-century merchant ship would look like in many cases, which is what pirates were sailing. They simply stole the vessels that they used to pirate with. But in terms of the kind of ambience that existed on a pirate ship, I think there's a good deal more entertaining aspects to what happens in the movies than probably prevailed on a pirate ship.

It certainly seems to be the case that a pirate ship had much more order, much more law and order, than is depicted in the movies. Well, that's not saying a lot because in the movies, pirates are necessarily depicted as ... anarchic, devil-may-care fellows. And there's reason for that image of pirates. Incidentally, pirates played no small part in contributing to an image of themselves, a kind of devil-may-care attitude, because that also actually helped them to make money. We can use economics to understand that choice as well. But there was a surprising degree of order on pirate ships.

**Kokai:** I understand that you believe Blackbeard was a great marketer.

**Leeson:** The first thing to note about Blackbeard is that among pirates he's one about whom we'd like to know much more than we do. Pirate historians — or historians of piracy, I should say — are not even certain about what his real name was, although the kind of conventional wisdom is that his real name was Edward Teach. And what you're referring to is the fact, I think, that Blackbeard, it appears, actually never killed anybody himself. And the reason that he didn't have to makes sense from an economic perspective, because he, as you noted, invested in creating a terrible reputation, a reputation as someone who shouldn't be trifled with.



# UNC Group's Case Spurs Faith, Conscience Issues

BY ANTHONY DENT  
Contributor

RALEIGH

A controversy at the University of North Carolina at Chapel Hill involving a Christian cappella singing group could result in faith groups having to accept members who actively oppose their views, tenets, and standards of conduct, should an appointed task force so rule.

The singing group Psalm 100 voted a gay member out of the group last August, citing the member's views on homosexuality — action permissible under the existing university policies. Current policies separate one's belief from one's status, allowing the group to require its members to believe homosexuality is a sin, but not allowing them to discriminate against a member just for being gay.

The legal foundation for the current policy is the 2006 case *Alpha Iota Omega Christian Fraternity v. Moeser*.

In 2003, Alpha Iota Omega refused to sign a nondiscriminatory statement as ordered by the university, since the member's Christianity was the fraternity's reason for existing in the first place. The fraternity dropped the case once UNC, under then-chancellor James Moeser, relented, and allowed student groups to deny membership to those who oppose their defining beliefs.

Critics of Psalm 100's action assert that the organization kicked the student out specifically because he was gay. If true, this would not be permitted under the school's nondiscrimination policy, as it prohibits exclusion based on personal characteristics, such as race, religion, gender, or sexual orientation.

In the subsequent investigation, university administrators found that Psalm 100 did not violate the existing nondiscrimination policy. The administration's decision angered many in the university community, and the school acquiesced to their demands by establishing a task force consisting of students, administrators, faculty, and leaders of campus organizations.

According to a student member, the task force has three options: implement an "all-comers" policy, in which belief-based groups cannot take prospective members' beliefs into account when considering them for membership; implement a modified all-comers policy, in which a student group can take prospective members' beliefs into

account, but none related to "personal characteristics," or make no change.

Proponents of the first two options appeared to be in the majority at the task force's first meeting on Feb. 1. They questioned whether a separation of one's belief from one's personal characteristics is still relevant, given that one's beliefs are inextricably intertwined with who one is. Terri Phoenix, Director of the UNC LGBTQ (Lesbian, Gay, Bisexual, Transgender, and Queer) Center, asked, "Is it harmful to disentangle belief from status?"

If the university indeed decides to implement an all-comers policy, it could have implications for some smaller student groups. One such organization is the conservative publication *Carolina Review*, which has just 25 staff members. It has had experience with hostile actions, such as having issues stolen and magazine stands taken, with those who

oppose its political views. If the current policy were to change, it would be possible for a large contingent of liberal students to join the publication and eliminate the conservative voice of the *Review*.

The recent spate of mischief began with a 2010 Supreme Court case, *Christian Legal Society v. Martinez*. At the heart of *Christian Legal Society* was whether a Christian group at the University of California's Hastings Law School could continue to require that its leaders be Christians. In a 5-4 vote, the court ruled that schools can force religious and political student organizations to accept members and leaders who do not share the group's values.

Other schools are taking advantage of that decision to impose conformity on student organizations. Vanderbilt University, for instance, is undergoing a campuswide debate after university administration implemented an "all-comers" policy.

But Vanderbilt's Christian groups actively are challenging the administration on its new policy. The U.S. Supreme Court gave groups who oppose the policy a ray of hope in the recent case of *Hosanna-Tabor v. EEOC*, in which the court affirmed a group's right to exclude based on beliefs. CJ

*Anthony Dent is a senior economics major at UNC-Chapel Hill and the chief executive officer of the Carolina Liberty Foundation.*

At issue is whether groups may discriminate based on faith and beliefs

## COMMENTARY

### Less Is More

The University of North Carolina has figured out a cure for its growing pains: stop growing.

For the second straight year, the number of students attending UNC system schools is down slightly — quite a change from the recent past, when enrollment outpaced both state population and GDP.

We congratulate UNC's leadership on its shift in direction. The end to enrollment growth is a welcome development at a time when the system's resources are strained due to the prolonged economic slump.

UNC has long made access to higher education one of its highest priorities. Its leaders have wanted to make sure that every qualified person in North Carolina can get an education. But the constant push toward higher enrollments has meant that our universities have attracted many students who should not be there.

Any faculty member can tell you that most classrooms have a group of bored, disengaged, or unprepared students. Frequently, those students drop out with few additional skills, thousands of dollars of debt, and a feeling of failure.

UNC's past focus on access led to explosive growth. Between 2002 and 2009, enrollment grew 26.8 percent, while the state's population grew only 13 percent. New programs, centers, and institutes proliferated.

Now the rubber is hitting the road. With budget cuts for 2011-12 totaling more than \$400 million, class sizes have risen, students complain that they cannot get the necessary classes, and prize faculty are leaving.

Now the number of students, both full- and part-time, has dropped from a peak of 222,322 in the fall of 2009 to 220,305 in 2011. If the leveling off of enrollment continues, many of these problems should sort themselves out over the next few years.

At first glance, readers may assume that the declines were caused by the recession and the rise in tuition. Those factors may

have played a small role, but higher academic standards seem primarily to be responsible.

The system gradually has been raising admissions standards. This fall, the minimum standard for admission to a UNC school was a 2.3 high school GPA and a 750 combined verbal and math score on the SAT. By focusing on quality instead of quantity, 12 of the 16 universities in the system saw a rise in average SAT scores for incoming freshmen this past fall.

At Elizabeth City State the freshman class was 190 students smaller than in 2010, while average SAT scores rose from 841 to 864. At the Jan. 12 Board of Governors' meeting, ECSU Chancellor Willie Gilchrist said that an increase in the minimum SAT score requirement was largely responsible. Roughly 700 applicants who would have met the school's acceptance criteria in previous years were refused admission for the fall of 2011.

Overall enrollment also declined at N.C. Central University because the school set stricter standards for continuing students. N.C. State University saw a tiny decline of 71 students, reflecting a deliberate decision to put the lid on enrollment. For a flagship like N.C. State, limiting enrollment and boosting the quality of its student body improve its reputation.

Making UNC schools more selective does not mean denying access to higher education. Gilchrist said that he hoped students who weren't admitted to ECSU would enroll at a community college and make themselves more college-ready.

In sum, there was good news for UNC this fall: a return to a system that expects its freshmen to enter prepared and to stay in school and graduate. Sometimes less is more. CJ

*This article is adapted from one that appeared in the Raleigh News & Observer on Jan. 26. Jay Schalin is director of state policy for the John W. Pope Center for Higher Education Policy, and Jane S. Shaw is its president.*



JAY SCHALIN



JANE SHAW

## Campus Briefs

This year, 15 colleges and universities around North Carolina celebrated Feb. 14 in an unconventional way. With the help of the V-Day Initiative, schools recognized Valentine's Day with performances of "The Vagina Monologues" instead of with the traditional flowers and chocolates. Nationally, "Vagina Warriors" at more than 1,000 universities participated in the unusual festivities.

According to the website of the V-Day organization — an activist movement to end violence against women and girls — the "V" in V-Day stands for Victory, Valentine, and Vagina. The group has raised millions in its fight to end rape, battery, incest, female genital mutilation, and sex slavery.

While V-Day's mission may be laudable, V-Day's signature event, "The Vagina Monologues," is not. A play by feminist Eve Ensler, "The Vagina Monologues" is based on interviews conducted with hundreds of women regarding their experiences with "intimacy, vulnerability, and sexual self-discovery."

But instead of educating audiences about serious threats to women's safety, the play calls attention to female sexuality, shuns traditional values, and promotes alternative lifestyles and promiscuity. While the V-Day organizers claim the play empowers women, it actually focuses on the idea that a woman's identity and image are wrapped up in her sexual organs.

Scenes in the play (the ones that aren't explicit) have titles like "My Short Skirt" and "Because He Liked to Look at It." One of the "monologues" describes a 24-year-old woman using alcohol to help her seduce a 16-year-old girl: statutory rape. Another scene, which describes the details of two lesbians having sex, verges on pornography.

The play was performed by campus theater companies at Appalachian State University, Davidson County Community College, Duke University, Elon University, Guilford College, Lees-McRae College, Meredith College, Salem College, UNC-Asheville, UNC-Chapel Hill, UNC-Wilmington, Wake Forest University, Warren Wilson College, Western Carolina University, and Winston-Salem State University. CJ

Compiled by Jenna Ashley Robinson, outreach coordinator at the John W. Pope Center for Higher Education Policy ([popecenter.org](http://popecenter.org)).

## Are Colleges and Universities Predatory Lenders?

BY GEORGE LEEF  
Contributor

RALEIGH

Last year, the higher education policy world saw the publication of a blockbuster book — *Academically Adrift* by Richard Arum and Josipa Roksa. It was a blockbuster because it put a granite peak of data on the mountain of anecdotal evidence that many young Americans graduate from college without learning much.

The message from colleges to families, and the public at large, is that they deserve support because they are vital to "investing" in the next generation of human capital. *Academically Adrift* proves that claim to be at best a considerable stretching of the truth.

Arum and Roksa have now published a follow-up study. They surveyed nearly 1,000 students from their original cohort to learn about their post-college experiences.

What they found isn't surprising. Students who learned little in college (as evidenced by low scores on the College Learning Assessment) were three times as likely to be unemployed as were students who scored in the top quintile, and were twice as likely to be living at home.

Those findings throw cold water on the smiley-face idea that going to college is necessarily a good "investment." Even some of the top graduates were unemployed and living with their parents, and a much higher number of low-performing graduates were. Unfortunately, the study didn't show how many of those graduates were "underemployed" in jobs that high schoolers could do.

Another finding was that employers pay little attention to what students majored in and how good their academic records were. The authors write, "That nearly two-thirds of these recent graduates' employers did not require them to submit transcripts speaks to the perceived limited value and trust employers currently place in this traditional record of achievement in higher education." If employers are simply using possession of a college degree as a screening device, that behavior makes perfect sense.

A company that needs to hire

someone to handle a car-rental desk might insist on a college degree as evidence of trainability, but not think it worth the added cost of checking to see how he did in college. Whatever education might have been absorbed is irrelevant; all that matters is the credential itself.

What is to be done?

Arum and Roksa write that their findings "reinforce the importance of rigorous educational experiences as well as the

commitment of practitioners and policymakers to focus on improving the quality of higher education."

Sounds good, but how do we get there?

Falling standards in college aren't a new problem. Profes-

sors have been complaining about the declining levels of ability and interest in their students, as well as the pressures to water down their courses to keep them content, for years.

Moreover, administrators at the huge number of colleges and universities that will accept just about any applicant realize that a return to academic rigor would mean losing a lot of their "customers." Current incentives lead college officials to pay lip service to educational excellence while turning a blind eye to the fact that, for many students, college is just a five-year party.

Here is an idea that could be a game-changer: What if colleges that accept federal student aid money had to bear some of the risk that students they have enrolled will default on government loans? Alex Pollock of the American Enterprise Institute recently advocated exactly that.

Pollock argues that just as the housing bubble arose due to the fact that mortgage originators bore none of the risk of default, so too with higher education.

Colleges, he observes, "are the effective originators, the promoters, and the chief financial beneficiaries of student loans. It is their rising costs which result in ever more debt and more risk of default for student borrowers and for taxpayers."

One ingredient Pollock doesn't mention is their low academic standards. As Arum, Roksa, and others show, students who breeze through college without learning much are more likely to have trouble finding employment that pays enough for them to handle their repayment obligations.

What if colleges that accept funds from federal student loans had to maintain a 10 percent first-loss share in those loans? Thus, when a student defaulted, the school would take the loss rather than the taxpayers.

The way for administrators to reduce their risk would be to become more selective as to the students they admit and to shift their focus away from merely granting as many credits as possible toward ensuring that credits were granted only for serious work. CJ

George Leef is director of research at the John W. Pope Center for Higher Education Policy ([popecenter.org](http://popecenter.org)).



Looking for the perfect college?

The Pope Center for Higher Education Policy can assist you with its new, interactive website, NC College Finder.

Visit today!

**NCCollegeFinder.org**

Visit the Pope Center online at [popecenter.org](http://popecenter.org) for higher education news.



Opinion

# Free Market Developments Can Only Improve Higher Education

In recent conversations, we have heard the view that while free markets can provide most goods and services, education is “different,” and a free market in post-secondary education would hurt students.

We think that it would *benefit* all students.

In post-secondary education, a free market means the following:

First, government policy wouldn't subsidize any particular kinds of education (as it does now), and, second, government policy would no longer inhibit any educational options. Government would stop giving or loaning money to students to enroll in approved post-secondary institutions, and it would stop getting in the way of alternatives to traditional or current educational institutions (through government-approved accreditation, for example).

People (students and their parents) would buy the services they want from educational entities of many different kinds. Education would be a service purchased the way we purchase legal services, financial consulting, or auto repair.

In markets where buyers and

sellers are free to choose what they want, competition drives costs down, improves quality, and gives each individual the widest range of choices.

Many markets have attracted government intervention, but let's look at a few examples in which a free market still operates.

One is the market for physical fitness. Consumers who want to improve their health and physique have a great array of choices, ranging from memberships in health clubs and purchasing expensive fitness equipment to buying sports shoes and inexpensive exercise DVDs.

Fitness clubs are disciplined by the availability of alternatives, which include both other fitness clubs in the region and individuals' other opportunities for exercise, such as walking or jogging or exercising at home.

Viewed from the utopian perspective, the results are imperfect. Some people are in great physical condition despite spending little on fitness stuff; others are in mediocre-to-poor condition even though they spend plenty. But that is because people are making choices.

Another example of a free market is music education. Those who want to learn to play (or want their children to learn) have an array of options: individual teachers, local music schools, self-instruction materials, famous conservatories. Government doesn't mandate, regulate, or subsidize anything. Consumers choose the



kind of instruction that best suits their needs. Overwhelmingly, they're satisfied.

The market for post-secondary education could be every bit as open, diverse, and consumer-friendly

as those markets.

Wouldn't the price be too high? No. Without government financing, those who want a college education would become more cost-conscious because they'd be paying the full cost. As a result, prices — tuition — would go down.

For students who cannot pay for school, even at the lower prices that would be inevitable, “human capital contracts” are likely to spring up, by which wealthy individuals sponsor promising students in return for payments later on. The Acton Business School does something similar already with its scholarships. When students have completed the program, they repay the scholarship by paying 10 percent of their salary until they have repaid the full amount.

Keep in mind that some people really don't want a college education. What they want is a good point of entry into the labor force. A free market would provide that, too. A young man who doesn't care for academic studies but can work with his hands might be far better off by learning a craft like welding rather than struggling to get a B.A. in some soft field, then competing for an entry-level white-collar job.

It is true that for those willing to spend four years studying in college, the resulting diploma has been an

important credential for entering the labor force. Today, however, the value of a degree is increasingly uncertain due to declining academic standards and grade inflation.

Other ways to signal competence are needed, and the market is already doing so through certification programs.

A good example is the National Career Readiness Certificate program that has been developed by ACT (the organization that created the pre-college skills test that is an alternative to the SAT).

The National Career Readiness Certificate is catching on with students and employers. More and more employers now recognize the certificate and use it to assess potential employees.

The NCRC is designed to convince employers that high school graduates have the talent and skills to be excellent employees. A private company, StraighterLine, is about to do the same thing for college students by allowing them to take exams to demonstrate critical thinking ability.

Until recently, it was difficult for new entrants to compete against existing colleges and universities because they are protected by government subsidies, accreditation, and regulations.

But the advent of new technology — education via the Internet — is shaking up higher education and will ultimately loosen the grip of the government. CJ

*George Leef is director of research for the John W. Pope Center for Higher Education Policy, and Jane S. Shaw is its president.*



**GEORGE LEEF**



**JANE SHAW**

## Do universities really make the local economy stronger?



Pope Center's senior writer, Jay Schalin, explores this topic in the report “**State Investment in Universities: Rethinking the Impact on Economic Growth.**”

Topics include SAS in Cary, Silicon Valley in CA, Route 128 corridor in MA, and Research Triangle Park in NC.

To receive a free copy, call **919.828.1400** or email [info@popecenter.org](mailto:info@popecenter.org).



Visit the Pope Center online at [popecenter.org](http://popecenter.org) for additional reports and studies

## A primer on how to donate wisely to your alma mater

Learn how to make your wishes known when you donate to your college by reading the Pope Center's latest report, “**Games Universities Play: And How Donors Can Avoid Them,**” written by Martin Morse Wooster.

*A fascinating report!*

To request a free copy, call **919.828.1400** or email [info@popecenter.org](mailto:info@popecenter.org).



Visit the Pope Center online at [popecenter.org](http://popecenter.org) for additional reports and studies



## From the Liberty Library

• Over the last two decades, the West has witnessed a slow erosion of its civilizational self-confidence. Under the influence of intellectuals and academics like Susan Sontag and Noam Chomsky, and destructive fashions from postmodernism to multiculturalism, free societies have lost all security in their own values, and are surprisingly incapable and unwilling to defend those values against aggressive challengers across the globe.

In *Why the West Is Best*, Ibn Warraq, an Islamic scholar and a leading figure in Koranic criticism, offers a frank and authoritative defense of the West from the outside looking in. Warraq examines the strengths and freedoms often taken for granted in the West and contrasts them with the stunning lack of freedoms in the majority of societies in the world, tackling taboo subjects of racism in Asian culture, Arab slavery, and Islamic imperialism along the way. More at [www.encounterbooks.com](http://www.encounterbooks.com).

• When it comes to America's flailing economy, everyone is quick to assign blame. Liberals blame corporate greed, conservatives blame federal regulations, but no one blames the true culprit: financial terrorism. So writes Kevin D. Freeman in his new book, *Secret Weapon: How Economic Terrorism Brought Down the U.S. Stock Market and Why It Can Happen Again*.

In this shocking exposé, Freeman, a world-renowned financial expert who has consulted for top government agencies, explains how our foreign enemies are waging economic warfare on America. Using our own financial infrastructure against us, these enemies triggered the stock market collapse of 2008 — and are now planning their next attack. More at [www.regnery.com](http://www.regnery.com).

• In what we tell ourselves is an age of reason, increasingly we are behaving irrationally. More and more people are signing up to weird and wacky cults, parapsychology, séances, paganism, and witchcraft.

In *The World Turned Upside Down: The Global Battle Over God, Truth, and Power*, Melanie Phillips explores the basic cause of all the unreason: a steady loss of faith in God. We tell ourselves that religion and reason are incompatible, but in fact the opposite is the case. It was Christianity and the Hebrew Bible that gave us our concepts of reason, progress, and an orderly world. Learn more at [www.encounterbooks.com](http://www.encounterbooks.com). CJ

## Book review

## Rasmussen: Leaders Don't Care What People Want

• Scott Rasmussen, *The People's Money: How Voters Will Balance the Budget and Eliminate the Federal Debt*, New York: Threshold Editions, 2011, 278 pages, \$26.

By SAM A. HIEB  
Contributor

GREENSBORO

I realize this will come as a shock to most of you, but here goes: The so-called Political Class in Washington is out of touch with the rest of us.

I'll admit that most of us rely on anecdotal evidence to make that case. However, Scott Rasmussen provides us with concrete evidence in his book *The People's Money: How Voters Will Balance the Budget and Eliminate the Debt*.

Rasmussen was chairman of the John Locke Foundation and JLF's first contract pollster before he founded Rasmussen Reports, one of the nation's most respected opinion polling firms. Rasmussen uses polls he's gathered through the years to craft a plan, as the title states, to balance the budget and eliminate the debt. It's a crucial read heading into the November election, when the country's massive debt and runaway spending will be the overriding campaign issue.

Who better than a respected pollster to gauge the true feelings of the American public toward core issues such as defense spending, Social Security, Medicare, the tax system, and corporate welfare?

Hard to believe (insert sarcasm), but the majority of people who earn our trust while campaigning for public office either have no idea what "we the people" really think or simply don't care.

If anything, Rasmussen maintains, the Political Class "wants to govern like it's 1775, a time when kings were kings and consent of the governed was irrelevant.

"The key facts are fairly straightforward: American voters have, for the last four or five decades, consistently elected candidates who promised to reduce government taxes and spending. Despite that clear directive from the voters, government spending has gone up every year since 1954," he writes.

So while voters have been duped time and again, Rasmussen definitely does not contend that we're a country populated by simpletons. To the contrary, he believes the American people "have good, sound, positive instincts and are far more interested in moving the nation forward rather than settling old scores."

With that in mind, Rasmussen's book is most definitely nonpartisan, forming a policy plan based on his polling over the years, which brings to bear those "sound, positive instincts" of the American people.

Take, for example, the three biggest challenges facing our country: national defense, Social Security, and Medicare.

"It would be a mistake to sacrifice the nation's defense just to balance the budget," Rasmussen argues, "but by aligning the military mission with popular opinion it is possible to save trillions of dollars over the coming decade."

And what is popular opinion regarding America's military mission? First and foremost, Americans desire a "sense of balance" when it comes to national defense. While

60 percent of Americans still believe the United States should remain involved with the United Nations, reaction toward military intervention on the international scene is more tepid.

While Iraq and Afghanistan provide startling examples — an August 2011 poll found that 59 percent of Americans want troops brought home — only 33 percent of voters believed we should lend additional military support to one of our strongest allies, South Korea, if it came under attack.

As for Europe, a startling two-to-one margin — 55 to 28 percent — believe the United States should withdraw its troops from Europe. Similar numbers support withdrawing U.S. troops from Japan.

As for Social Security and Medicare, Rasmussen makes no bones about the fact that both systems as they currently exist are unsustainable. Meanwhile, the Political Class hides its head in the sand, "acting as if the only issue at all is an accounting question about how to balance the long-term income and expense streams of the trust fund."

The overwhelming majority of Americans believe the Social Security trust fund should not be scrapped, with 89 percent believing it's important for the trust fund to collect enough in taxes so that all promised benefits could be paid.

But Social Security — as Rasmussen quotes Dallas Federal Reserve Bank president Richard Fisher — "is but the tip of our unfunded liability iceberg."

Lurking beneath the surface is Medicare, which currently costs more than \$500 billion annually, with costs expected to continue to rise for years to come.

Americans remain wary of any changes to Medicare — 64 percent want any changes to Medicare approved by voters. Even so, only 31 percent supported a federal policy providing "free" health care for all, such as a single-payer system, if it meant abandoning their current health care in favor of a government program.

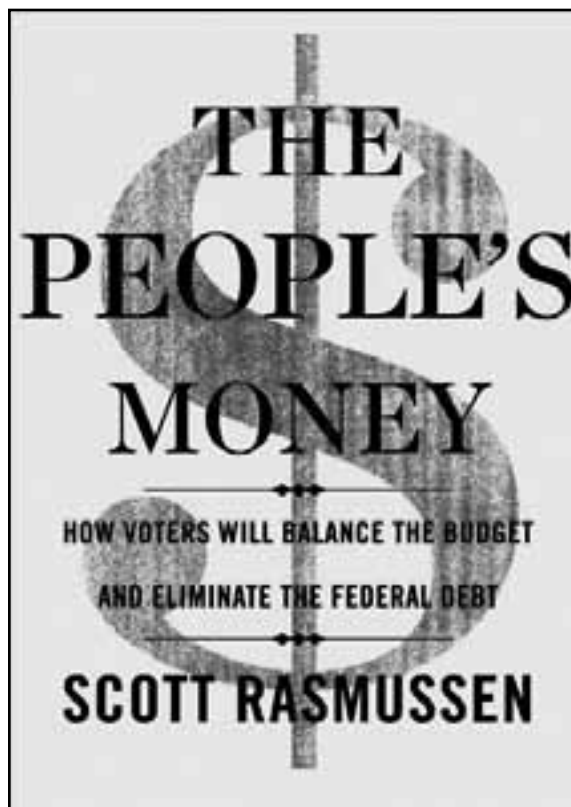
The polls appear to show that Americans want to have their cake and eat it, too, but it's not quite that simple. While the solutions to these problems are indeed complex, Rasmussen's polls show Americans have some sound ideas to ease our fiscal bind, most of which involve providing more flexibility when receiving government benefits.

As for a Balanced Budget Amendment — a conservative talking point that 56 percent of voters support — Rasmussen offers a word of caution, saying it "would make sense to pass a BBA only after major reforms have been implemented. ... The BBA should be viewed more as a tool to help keep spending under control, rather than a tool to get it there in the first place."

The BBA would have to go before voters for approval, and Rasmussen is big on putting many revolutionary reforms directly to the people.

"Voters are the solution, not the problem," Rasmussen writes. "There is a way out of the fiscal crisis: their way. It's the path the Political Class won't want to take, but voters shouldn't be too concerned with what the politicians want."

Imagine such a world. It's not too late to make it reality, but pardon me if I have the feeling that the timeline to do so is growing shorter every day. CJ





# Linda and Keith Blalock: A Strange Love Story of the Civil War

Recently, I visited Bentonville Battlefield. On farms and woods on sandy, flat land in Johnston and Wayne counties, approximately 60,000 Billy Yanks clashed with roughly 21,000 Johnny Rebs from March 19-21, 1865.

While visiting the battlefield, I was reminded that much has been written about the War Between the States. Even so, a lot remains to be learned.

Sarah Malinda "Linda" Pritchard Blalock, for example, provides a fascinating yet little-heard Civil War story. In that bloody conflict, she fought for the Confederacy disguised as a man. She later fought for the Union as a guerrilla.

An Alexander County native, Linda Pritchard was born March 10, 1839, and reared in Watauga County. There, she attended a one-room schoolhouse and initially met William "Keith" Blalock.

Despite a 150-year feud between

the Blalocks and the Pritchards, a 17-year-old Linda Pritchard married a 27-year-old Keith Blalock in 1856. The couple resided on Grandfather Mountain, where mountaineers were divided regarding secession and impending war. As calls for war became louder, and conflict seemed imminent and inevitable, the North Carolina mountain region grew increasingly divided.

The Blalocks were Union sympathizers and feared that the Confederate Army might conscript Keith. So Keith conceived a plan: Enlist with the Confederate Army, join a unit being sent to Virginia, and when in the Old Dominion, defect to the Union Army. On March 20, 1862, he joined Company F of the 26th North Carolina Regiment.

Unbeknown to Keith, Linda devised plans to join him. She cut her hair, dressed in her husband's clothes, and enlisted in Lenoir as 20-year-old "Sam" Blalock, a brother to volunteer Keith. This act made Linda Blalock one of only two women known (to date) to have served in any North Carolina Confederate regiment.

After the 26th North Carolina began marching, the Blalock couple

found each other — rather, Linda located her husband. The 26th marched not to Virginia, but to Kinston. The initial plan for desertion to Union lines had been foiled. Even so, Linda remained in disguise and lived and trained among the Confederates. If anyone suspected her of being a woman, nothing was reported.

In April 1862, the 26th regiment was engaged in a nighttime firefight. Most escaped unharmed, including Keith. Linda was not as fortunate — a Union bullet lodged in her shoulder. "Sam" was treated at the camp hospital. When prepping for the removal of the bullet, the surgeon discovered the true identity of "Sam." When Linda recovered from the surgery, she was discharged.

Never wanting to be in the Confederate Army, and now desperate to be reunited with his wife, Keith soon devised another plan. He walked into the forest, stripped off his clothes, and rolled around in poison ivy. The next morning, his skin was inflamed and covered with blisters, and he suffered a persistent fever.

Keith tricked doctors into believing that a highly contagious disease plagued him. Fearing an outbreak,

doctors discharged the mountaineer.

Eventually, the couple reunited. Confederate agents in Watauga County learned that Keith was healthy and ordered him to re-enlist. The couple fled and started hiding out with other draft dodgers. In a few months, the couple joined Union Col. George W. Kirk, a former Confederate deserter, and became Union raiders in the Appalachian Mountains.

While fighting for the Union, Keith lost an eye. After the war, the bold young couple moved back to a Watauga County cabin to resume their lives. They had five children.

On March 9, 1903, at age 64, Linda Blalock died in her sleep of natural causes and was buried in the nearby Montezuma Cemetery in Avery County.

A heartbroken Keith Blalock subsequently moved in with his son in Hickory. Ten years older than his wife, Keith lived another 10 years. He died in 1913 in a railroad accident and was buried beside his wife. *CJ*

*Dr. Troy Kickler is director of the North Carolina History Project (northcarolinahistory.org).*



**TROY  
KICKLER**

## Visit the John Locke Foundation's Regional Blogs

In addition to our statewide blog, The Locker Room, the John Locke Foundation has five regional blogs that keep an eye on local officeholders, watch for waste of taxpayers' money, and search for incidents of public information being kept from the public's eye. Be sure to visit the one that covers your region.

**RIGHT ANGLES**

The Triangle Blog: <http://triangle.johnlocke.org/blog>

**The Meck Deck**

The Charlotte Blog: <http://charlotte.johnlocke.org/blog>

**Piedmont Publius**

The Triad Blog: <http://triad.johnlocke.org/blog>



**THE WILD WEST**

The Western N.C. Blog: <http://western.johnlocke.org/blog>

**Squall Lines**

The Wilmington Blog: <http://wilmington.johnlocke.org/blog>

## Short Takes on Culture

## 'Grey' Not a Feel-Good Movie

• "The Grey"  
Directed by Joe Carnahan  
Open Road Films

Liam Neeson returns to his role as the quiet Alpha. When a plane crashes on its way back to Anchorage, Alaska, Neeson finds himself as the leader of a small group of survivors. The men are degenerates and criminals who have no other place in the world other than an oil mining facility located so far north that normal people will never share the displeasure of their company.

After witnessing several disturbing scenes after the crash, the men must band together to figure out a way to make it back to civilization. If navigating through miles and miles of frozen wilderness did not seem daunting enough, the men are confronted immediately by a pack of wolves that do not take kindly to the survivors' encroachment on their territory.

One obstacle after another must be overcome while the unrelenting pack of wolves waits for an opportunity to pick off each man who falls behind. There are several moments, by a fire or huddled together, in which you get a small insight into the nature of each man, but the movie could have explored this further.

Essentially, this is not a feel-good movie. Leaving the theater does not make you want to call a friend and chat. Instead, you are more likely to grab a beer and let your body decompress.

—JOEL GUERRERO

• J.C. Raulston Arboretum  
4415 Beryl Road  
Raleigh, N.C.

Nestled on 10 acres of land off Beryl Road in Raleigh is the J.C. Raulston Arboretum. The Arboretum's website says it is a "jewel," and it is.

Named in honor of its late director and founder, J. C. Raulston, who created it in 1976, the arboretum has evolved from a barren piece of land into a nationally acclaimed garden that features over 5,000 plants from 50 countries.

Part of the Department of Horticulture at N.C. State University, the arboretum is a working research and teaching garden. It is largely built and maintained by NCSU students, faculty, staff, and volunteers.

The arboretum is not just for gardeners. It is a mecca for bird and butterfly watchers, photographers, and artists. There are colorful plants

on display year-round, so it is a wonderful place for a family outing in summer or winter.

Visiting the arboretum is free, and there are year-round educational programs for children and adults. Most of these programs are free. Some require a fee, but the cost is usually minimal. Parking is free in the arboretum's lot and along Beryl Road.

The Raulston Arboretum offers membership opportunities that include many perks, including special plant sales and advance registration for workshops. The arboretum is a jewel that should not be missed.

—MELISSAMITCHELL

• *It Is Dangerous to Be Right When the Government Is Wrong: The Case for Personal Freedom*  
By Andrew P. Napolitano  
Thomas Nelson

Those who attended the John Locke Foundation's 22nd anniversary dinner will recognize this book's content: Judge Andrew Napolitano of Fox News devoted much of his headlining speech in Raleigh to themes explored in more depth here on the printed page.

Napolitano wants readers to fear centralized government power and raise their voices against it. He cites history to help make his case, including St. Augustine's *libido dominandi*, "the lust to dominate."

"Our politicians, though they may claim to have our best interests at heart, are corrupted by this human desire for power," Napolitano writes. "Moreover, a position of power only facilitates *libido dominandi*, because one can so easily forget that he is supposed to be the servant of the people and not their master. An excellent example of this corruptive nature of power is the Alien and Sedition Acts; although our Founders enshrined a right of free speech, those same men later enacted an outrageous law punishing those who criticized the government, a direct contravention of that right. Thus, even the men who promised future generations liberty in perpetuity were not immune from *libido dominandi*."

Those unfamiliar with Napolitano's guiding philosophy should prepare for a down-the-line libertarian treatise, more libertarian than many conservatives are used to reading. In Napolitano's world, all taxation is theft, government should set zero limits on immigration, and most regulation tramples freedom.

If you agree, you'll likely rule in favor of the Judge's latest case.

—MITCH KOKAI CJ

## Movie review

## Don't See 'Woman In Black' Alone

• "The Woman in Black," directed by James Watkins, Hammer Films, 95 minutes, released Feb. 3.

By DAVID N. BASS  
Associate Editor

RALEIGH

Reminiscent of the classic horror films of Hollywood's golden era — when the production code prohibited gratuitous violence, and moviemakers relied on the harrowing nature of the unseen and imagined — "The Woman in Black" is refreshing.

Created by Hammer Film Productions (the popular production company from the 1950s and 1960s), the film expertly relies on that most powerful medium of horror: What the human mind can conjure.

If you have any affinity for haunted houses and classic ghost tales of the Victorian and Edwardian periods, this moody film won't disappoint. Teenagers will doubtless flock to the theaters on Daniel Radcliffe's star power alone. (Radcliffe played the title character in the Harry Potter film series). But there is much to enjoy here independent of the cast.

In a role that stretches him well beyond his 22 years, Radcliffe stars as Arthur Kipps, a young lawyer and grief-stricken widower whose wife passed away in childbirth. His lone remaining joy in life is his 4-year-old son, a relationship ultimately threatened by the film's namesake, the woman in black.

At the beginning of the story, Kipps is assigned to order the estate of Alice Drablow, a recently deceased widow who owned Eel Marsh House on the northeast coast of England. Drablow lived there with her husband, her adopted son, and her sister, Jennet Humfrye.

Kipps soon discovers that all is not right in a nearby village. The adults are paranoid because their young children have been committing suicide in various tragic ways. The villagers blame the vengeful ghost of Jennet, who is enraged because something very precious was taken from her before she died. She is bent on inflicting the same type of pain on other parents. Kipps dismisses the villagers'

concerns until he begins experiencing direct encounters with the woman in black herself. His only ally in the village is Sam Daily, a role that is a perfect fit for the long-faced, ominous-looking Irish actor Ciaran Hinds. Daily is at first disbelieving of the woman in black until Kipps convinces him to help in putting things right.

The film's location is a treat. The haunted dwelling, Eel Marsh House, is on an island by night because high tide erases the causeway leading to it. The grounds are a tangled mass of looming trees and overgrown shrubbery,

shrouded in mist. Inside the house, each room drips with creepiness. Boredom could set in easily for the viewer, given the amount of screentime that director James Watkins devotes simply to following Radcliffe as he walks around the house. But it never does.

Nineteenth-century kids' toys are innately creepy, and the director uses that reality to chilling effect. Much of the film is the stuff of children's ghost stories: Rocking chairs that rock by themselves, spectral shapes faintly seen in mirrors or on the periphery of the screen, doors that open and close without natural reason, stairways that shouldn't creak but do, and ghostly handprints on windows.

There is very little blood, no gore, and no inappropriate language or sexual content. But the film is thick with tension, and jump scenes abound. That, mixed with the constant spectral presence, makes it a chorus of chills not for the faint of heart.

Like most ghost stories, the film presents a muddled picture of spirituality and the afterlife. Kipps' deceased wife is seen several times as an angel-like being, so the viewer assumes that she won the afterlife lottery. The woman in black, on the other hand, wanders the estate — along with the innocent children she prompted to suicide. That said, few of us go to ghost movies expecting realism, so willing suspension of disbelief isn't too hard.

There is no tidy ending, making the film a poor fit for some viewers, and the plot isn't original. But "The Woman in Black" is a spook fest in the vein of the best creepy thrillers of the black-and-white era. I was glad I wasn't alone in the theater. CJ





## Book review

# Ameritopia Not An Easy Read, But Well Worth A Reader's Time

• Mark R. Levin, *Ameritopia: The Unmaking of America*, New York: Threshold Editions, 2012, 270 pages, \$26.99.

BY MELISSA MITCHELL  
Contributor

RALEIGH

It is not often that a book hits the top of the best-seller lists within 24 hours of its release, but Mark Levin's latest, *Ameritopia: The Unmaking of America*, did just that and has remained at or near the top of every best-seller list weeks later. Along with the publicity Levin has given the book on his own syndicated radio show, it certainly hasn't hurt that Rush Limbaugh has highlighted the book on his program.

Levin's purpose is to contrast the visions of the most influential utopian thinkers with those philosophers whose concepts of liberty and individualism inspired the American Founders and our republican form of government.

In Part I of *Ameritopia*, Levin provides an historic insight into the origins of utopianism, which he equates with tyranny. He notes that the first concepts of creating a perfect utopian society originated in antiquity. Levin's historic journey begins in 380 B.C. with Plato's *Republic*, noting its influence on subsequent philosophers, including the inspiration for what we now know as Marxism. Levin then moves through time to 1516 and Thomas More's *Utopia*, Thomas Hobbes' *Leviathan* (1651), and finally to Karl Marx and Friedrich Engels' *Communist Manifesto* in 1848.

Each tried to articulate a form of utopian society where everything is equal. Unfortunately, in every one of

these authors' scenarios, the government controlled every aspect of life. In their quest to form the perfect society, government authorities make all of the decisions for everyone. The government decides where you live, what you eat, how children are educated, and what type of job you do.

Without exception, there is the element of class warfare within the utopian societies. Whether the class struggle is against royalty or, in the case of the *Communist Manifesto*, the bourgeoisie (capitalists), society is divided until the utopian ideal is achieved.

Levin's book shows how many of the leaders of communist countries became far worse than the previous rulers they replaced. He also notes that, during the communist era, all of the major advances in manufacturing, transportation, agriculture, and technology occurred in capitalistic countries like America, rather than in communist countries.

The chapter on the *Communist Manifesto* is a frightening look at how the principles of this ideology are influencing our elected officials and creeping into our laws. Levin lays out 10 of these tenets that should be read by every American.

In Part II of *Ameritopia*, Levin turns to the writings of John Locke and his influence on the founders and the writing of the Declaration of Independen-

dence. Next, he shows the influence of Charles de Montesquieu on the framers of the Constitution. Levin then turns to Alexis de Tocqueville and his travels and his positive observations about democracy in America.

For readers who haven't tackled the extensive writings of Locke, Montesquieu, or de Tocqueville, Levin provides a snapshot of each man's thought and writing and how it has influenced America.

Unlike the utopian writers who dehumanize the individual and control every aspect of the individual's life, Locke celebrates individualism and property rights, which is a fundamental aspect of America's success. The separation of powers in our government is the direct result of Montesquieu's writings. Levin also notes that Montesquieu "explicitly rejects" Hobbes' views in *Leviathan*.

In the chapter "Ameritopia," Levin explains his fears about the threats to the American way of life. "There are those who are hypnotized by the utopian message." Levin feels that "politicians, judges, and bureaucrats have become America's version of Plato's philosopher-kings and guardians."

Levin does not understand the appeal of this hypnosis and states, "Looked at another way, the utopian models of Plato's *Republic*, More's *Utopia*, Hobbes' *Leviathan*, and Marx's

*Communist Manifesto* could not be more repugnant to America's philosophical and political foundation."

Americans often hear that the Founders and Framers were just a bunch of old white guys who wrote for a different era, so the Declaration of Independence and the Constitution have no relevance today. But Levin's book illustrates that the utopian writers also were old white guys writing for a different era.

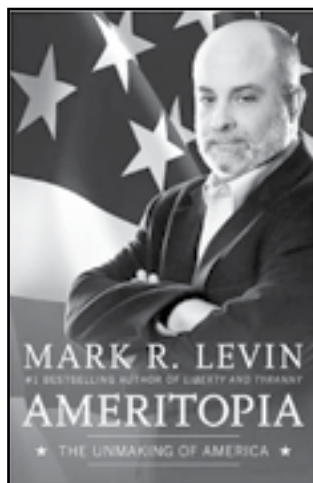
Levin points out that while the American constitutional republic has survived and flourished for more than 200 years, a true utopian society never has been established, and communist societies never have flourished or lasted very long.

In the epilogue, Levin restates his reason for writing the book and what he sees as the "growing tyranny of government." "Tyranny, broadly defined, is the use of power to dehumanize the individual and determine his nature, political utopianism is tyranny disguised as a desirable, workable, and even paradisiacal governing ideology," says Levin.

Levin ends his book with an excerpt from President Reagan's 1981 inaugural address: "I do not believe in a fate that will fall on us no matter what we do. I do believe in a fate that will fall on us if we doing nothing," the president said.

Levin then challenges his readers. "So, my fellow countrymen, which do we choose — Ameritopia or America?"

This book was not an easy read, but the time and effort it took to read was well worth the effort, and provided a wealth of vital information. CJ



## BOOKS AUTHORED BY JLF STAFFERS



By John Hood  
President of the  
John Locke Foundation

### Selling the Dream Why Advertising is Good Business



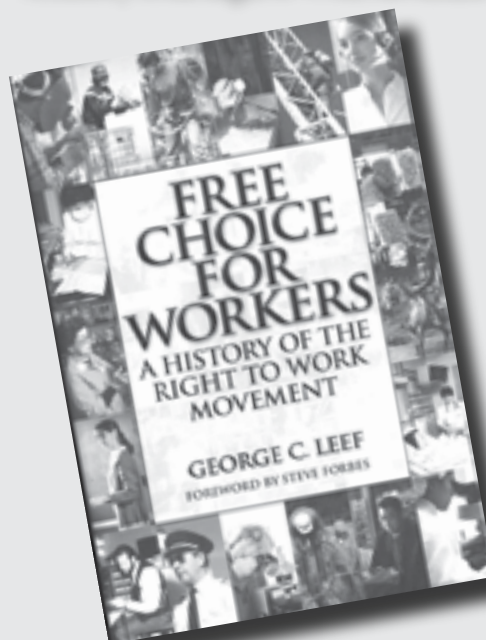
"[Selling the Dream] provides a fascinating look into the world of advertising and beyond ... Highly recommended."

Choice  
April 2006

[www.praeger.com](http://www.praeger.com)

## Free Choice for Workers:

A History of the Right to Work Movement



By George C. Leef  
Vice President for Research at the  
John William Pope Center for Higher  
Education Policy

"He writes like a buccaneer... recording episodes of bravery, treachery, commitment and vacillation."

Robert Huberty  
Capital Research Center

(Call Jameson Books, 1-800-426-1357, to order)

## COMMENTARY

## Special Interests Shouldn't Select Judges

There's an ongoing debate about the best way to select judges in North Carolina. Some people prefer partisan elections. Others prefer gubernatorial appointments. Still others want to see a system mixing appointments with retention elections. The list of possible scenarios could grow even longer.

But a recent development related to judicial vacancies outside of the election process should concern everyone interested in good government.

The North Carolina Constitution gives the governor exclusive power to fill judicial vacancies that arise between elections. Through a recent executive order, Gov. Bev Perdue effectively has placed this appointment power in the hands of special-interest groups and partisan insiders.

The governor created an 18-person commission that will nominate three candidates for each judicial vacancy. The governor, regardless of whether she agrees with the slate of nominees, must select one nominee to fill the vacancy. Because Perdue is required to choose one of the commission's nominees, unelected and unaccountable special-interest groups and insiders will be picking judges, not the governor.

The commission's composition is completely political in nature. Eight special-interest groups nominated three attorneys each, one of whom the governor was required to pick for the commission. She chose the 10 remaining members herself. While there's nothing unusual in a governor being influenced by partisan interests in performing her duties, she shouldn't formally abdicate power to her political allies.

This is akin to the governor issuing an executive order compelling her to let special-interest groups pick three bills, one of which she must veto, or to let special-interest groups identify three prisoners, one of whom she must pardon.

In these situations, the governor is delegating away her express power to private and unaccountable interests. Citizens would not accept the governor passing the buck on those types of important decisions, and they should be even more outraged at Perdue's attempt to avoid

accountability for the selection of members of our judiciary.

If the commission merely made recommendations that the governor could accept or reject at her pleasure, there wouldn't be a problem. Instead, Perdue is compelling herself by law to pick one of the commission's appointees. This shows a lack of confidence in her own abilities and a disrespect for the state Constitution that has given her, and not anyone else, especially private parties, the power to execute the governor's powers.



**DAREN  
BAKST**

The executive order is just one part of an ongoing attack on our judicial system. The N.C. Bar Association has been pushing to amend the state constitution and implement a comparable commission model as a way to eliminate completely the citizens' right to select appellate judges.

Under the proposed amendment, the governor would be forced to select one of two nominees appointed by a judicial nominating commission. The only person who could challenge the appointee in a subsequent election would be the other individual nominated by the commission. Either way, the commission gets a person it wants. The public would have no say as to who would be eligible to sit on the bench.

The proposed scheme would be far more political than our current election system because it would encourage — and, in fact, require — behind-the-scenes lobbying as opposed to transparent elections.

As with the executive order, the people making critical decisions about who will serve as judges would be unaccountable to the public.

There may be reasonable questions as to whether judicial elections better serve North Carolinians than judicial appointments. However, even if a judicial appointment process were adopted, it should involve the governor making nominations and the legislature playing a confirmation role, not unlike the federal model. CJ

*Daren Bakst is director of legal and regulatory studies at the John Locke Foundation.*



## EDITORIAL

## What's For Lunch? Bureaucracy

The story, initially broken by *Carolina Journal*, of a Hoke County preschool rejecting a 4-year-old's homemade lunch caused a nationwide furor for a host of reasons.

For starters, government officials questioning parents' competence evoked nanny state fears, as did an adult authority figure telling a young child the food she brought from home was — for whatever reason — not good enough.

Federal, state, and local officials offered confusing and sometimes inconsistent accounts of the incident, which occurred in late January. Questions still remain, and we'll continue to explore these and other implications of the incident and the larger school-lunch policy over the coming weeks.

But this story also offers a lesson about the blind faith bureaucrats have in their ability to modify behavior.

The problem is more than good intentions gone awry. It's the unflagging notion that by "designing better choices," as President Obama's regulatory czar Cass Sunstein has put it, regulators can "nudge" every person to make decisions that "improve their lives" — at least from the bureaucrats' perspective.

Sunstein has called this philosophy "soft paternalism" or (get this) "libertarian paternalism" because it pushes rather than coerces people into making the "right" choices.

But as the Hoke preschool fiasco shows, assuming that bureaucrats not only know best, but also that they can guarantee how individuals will behave, is sheer folly.

The lunches served at that school — and every facility that participates in the NC Pre-Kindergarten program (once known as More at Four) — must

follow U.S. Department of Agriculture nutrition guidelines. Fair enough. Food provided at school should be healthy.

But lunches that kids bring from home have to meet those guidelines, too. And the regulations those meals must satisfy are notoriously inflexible.

Take the lunch from the 4-year-old that was deemed inadequate: a turkey sandwich with cheese on whole wheat bread, a banana, apple juice, and a bag of chips. While that lunch appears to include items from each of the classic "four food groups" — dairy, protein, fruits/vegetables, and grain — it doesn't meet the USDA rules.

The government says fluid milk must be served at every meal. Cheese isn't an adequate substitute, say the bureaucrats. Nor is yogurt or cottage cheese. If a child is lactose-intolerant, she has to notify the teacher and ask for an exemption.

To satisfy the USDA's guidelines, and ensure the school checks all its bureaucratic boxes, school personnel must "supplement" any missing items from kids' lunch bags. A teacher must place a carton or pour a glass of milk in front of each child who doesn't have it. And if the child doesn't drink the milk, it's poured down the sink.

Moreover, schools have the option of charging parents for missing items.

Such a mandate may satisfy the bureaucrats' desire to provide what they see as the right choices. But it does not guarantee that those choices will be taken, or that parents — who have much more intimate knowledge of their children than any outsider — can, or should, agree with those options. CJ



## EDITORIALS

## Jobs Debate

*Some lessons from the 19th century*

Remember when the Republican-crafted North Carolina budget passed over Gov. Bev Perdue's veto last summer? Liberal activists predicted economic disaster. By failing to extend a sales-tax increase, and by balancing the state's General Fund with budget savings rather than tax increases, the General Assembly supposedly had damaged North Carolina's job market by shoving tens of thousands of workers into unemployment.

For a couple of months, Democratic politicians and their allies scoured the monthly jobs reports looking for evidence consistent with their dire predictions. Haven't heard much about this lately, have you? That's because the employment numbers have become inconvenient politically.

From June 2011 to December 2011, the raw (or not seasonally adjusted) figures show that North Carolina experienced net job creation. During the same six-month period in 2010, 2009, and 2008, North Carolina experienced net job losses. Here are the raw numbers: 11,100 jobs created during the last six months of 2011, vs. 3,400 jobs lost during the same period in 2010, 26,500 jobs lost in 2009, and 69,700 jobs lost in 2008.

It is too early to draw firm conclusions, or to celebrate victory. North

Carolina is still down hundreds of thousands of jobs from its 2007 peak of 4.2 million jobs.

Here are some lessons worth absorbing:

- **Look before you leap.** Grabbing one or two months' worth of data and making sweeping pronouncements may be politically tempting, but it's a temptation you'd be wise to resist.

- **Look for what is initially unseen.** It may be easy to identify the individuals adversely affected by, for example, reducing the size of government agencies. But what of the individuals who will benefit from lower taxes that allow them to keep more of their own money to spend or invest?

The 19th century French economist Frederic Bastiat's observation remains true: "There is only one difference between a bad economist and a good one," he wrote. "The bad economist confines himself to the visible effect; the good economist takes into account both the effect that can be seen and those effects that must be foreseen."

North Carolina's new fiscal restraint is not solely responsible for our recent, slight improvement in employment. But it likely helped a bit. And the apocalyptic claims of the Left proved baseless. *CJ*

## The Real N.C. Budget

*General Fund is only 39 percent of the total*

If all you know about North Carolina's state budget is what you get from the mainstream media or left-wing policy analysts, you don't know enough. They want to focus on the General Fund — the share of state spending paid for by North Carolina's income tax, statewide sales tax, and a few other sources.

But the General Fund, which totals nearly \$20 billion this fiscal year, only represents 39 percent of North Carolina's state budget of about \$51 billion. In 1989, the General Fund accounted for 60 percent of state spending.

One big change has been in Washington's role in North Carolina's fiscal policy. In 1989, federal funds made up about 20 percent of the state budget. In the 2011-12 fiscal year, federal funds make up 36 percent of the state budget, primarily Medicaid, social services, education, and unem-

ployment benefits.

So, of the \$51 billion state budget, \$20 billion comes from the General Fund and \$18 billion from federal funds. The remaining \$13 billion in state revenue comes from fuel taxes, motor vehicle registration fees, tuition at educational institutions, and other fees for state services.

If you look only at the General Fund, you are looking at far less than half of what North Carolina state government does every year. You are undercounting what gets spent on major programs such as education, health care, and transportation.

North Carolina's state budget this year is \$51 billion, not \$20 billion. Even that doesn't include fiscal liabilities that will be accrued this year but don't show up on the budget, such as the future cost of paying future benefits to current state employees.

Does that sound like a lot to you? It should. *CJ*

## COMMENTARY

## A Center-Right Economic Agenda

Almost everyone in the North Carolina political debate agrees that the state's stagnant economy is the No 1 issue. But that's where the agreement ends.

Many different solutions have been proposed, but some common themes are evident. Indeed, there are three distinct schools of thought about how best to promote economic growth in the state. I'll give them the familiar political labels of Left, Center, and Right.

The Left, steeped in Keynesian demand-side economics and the politics of envy, believes inadequate consumer spending caused the recent recession and weak recovery. They favor taxes and government transfer programs to redistribute income from the wealthy to the poor and unemployed, who are most likely to spend it and thus prop up "aggregate demand."

The Center believes that North Carolina's economic woes are primarily the result of inadequate investment in public capital such as government schools, colleges, and infrastructure. They point to overcrowded classrooms, congested roads, and ailing water and sewer systems as major impediments to business creation and growth.

The Right believes that North Carolina's economic woes have resulted primarily from inadequate investment in private capital such as plants, equipment, technology, and innovation. They point to the state's relatively high marginal tax rates on savings and investment, an adverse regulatory climate, and other factors that reduce the projected rate of return on investment in North Carolina, thus chasing private capital elsewhere.

Over recent decades, these three groups have pulled and tugged on leaders of both major political parties. Past governors and legislators have embraced the Center by approving major capital campaigns to build roads, schools, power lines, and other infrastructure, sometimes with new, dedicated revenue streams. They have acceded to the demands of the Left by expanding Medicaid and extending unemployment insurance benefits. And occasionally they have turned Rightward to reduce tax rates and regulatory costs, most recently during the 2011 legislative session.

But the days of trying to molli-

fy everyone are over. The taxpayers simply can't afford it, and competition from domestic and international rivals makes investment elsewhere attractive. Carolina's leaders are going to have to make some tough decisions. They are going to have to choose the strategies with the greatest likelihood of creating jobs and economic opportunities.

My guess — and my preference — is that policymakers will eschew the backward, counterproductive policies of the Left and opt for a blend of the Center-Right.

The Left's fascination with manipulating consumer demand to tame the business cycle is about 50 years out of date. Its model doesn't account for the role of incentives. The model assumes that raising taxes won't change the behavior of

investors, entrepreneurs, and highly productive professionals, and it assumes that increasing the value of government cash and noncash benefits won't change the behavior of recipients.

In other words, the Left lives in Fantasyland. Must be fun, but someone actually has to leave the amusement park and get back to work.

The good news is that the Center and the Right together vastly outnumber the Left. Here's a common agenda for their consideration:

- Lighten North Carolina's tax and regulatory burdens to increase the profitability of investment in North Carolina businesses.

- Reduce unwise government subsidies supporting immediate consumption (Medicaid and unemployment insurance, for example) to free up resources for investment in both public and private capital.

- Use consumer choice, competitive contracting, and other innovative mechanisms to increase the payoff from government spending on education and infrastructure. Invite private investment as well.

North Carolina's economic problems aren't temporary. Their solutions lie in permanent policy changes that raise the productivity of capital invested in North Carolina, not more Keynesian manipulations and quick-fix stimulus schemes. *CJ*

*John Hood is president of the John Locke Foundation.*



**JOHN HOOD**

## EDITORIAL BRIEFS

Convention Center  
Madness

The convention business has been in decline for years. Even so, cities continue spending money to build more convention space while coming up with new justifications for the expenditures, writes Steven Malanga of *City Journal*.

In 2007, Destination Marketing Association International described the convention business as a “buyer’s market.” With the onset of the Great Recession, things have gotten worse. In 2010, conventions and meetings attracted 86 million attendees, down from 126 million a decade earlier. The amount of available convention space, meanwhile, was 70 million square feet, up from 40 million square feet two decades earlier.

Boston is a prime example of the obsession with convention centers. It spent \$230 million renovating its existing convention center in the late 1980s. When that failed to draw enough conventioners, the city spent \$800 million on a new convention center. That drew well below projections, too, so now city officials want to spend \$2 billion to double the size of the facility and add a hotel. The director of Boston’s convention center proclaims the project will generate “tourism impacts” beyond the economic impact of convention attendees.

“The main value of such nebulous concepts seems to be to obscure the failure of publicly sponsored facilities to live up to exaggerated projections,” says Malanga.

“As far as city officials are concerned, that failure is nothing that hundreds of millions of taxpayer dollars can’t fix.”

## Traffic congestion

As the economy slowly recovers, traffic congestion is worsening again. While most people see this as a problem, some urban planners actually favor more traffic congestion. They are mistaken, argues Samuel Staley of the Reason Foundation.

Salon.com writer Will Doig argues that congestion encourages nonautomobile forms of transportation like walking and bicycling. Rod King leads a group hoping to reduce the speed limit in London to 20 miles per hour, contending this leads to “peripheral advantages” like safer roads, less government spending, and reduced pollution.

“The slow cities King and Doig are advocating are missing a critical element — the economic repercussions of slowing people down,” writes Staley. “The time spent stuck in traffic or on a slower commute or journey is time not spent shopping, eating at home with family, playing, or working.”

There are other economic consequences as well.

“Longer commutes limit the size, scope, and depth of labor markets. Firms have less access to workers because workers generally don’t look for jobs far from where they live. And it’s well-established among urban economists that workers will accept lower-paying jobs in order to avoid too long of a commute.”

Studies also have shown that economic growth is lower in cities with badly congested roads.

CJ



## A Manufacturing Comeback?

You’ve perhaps read some headlines, or seen some news stories, saying U.S. manufacturing has made a comeback. But is it true? And if so, why, and what does it mean? Is manufacturing headed to being a dominant part of our economy, as it was years ago?

First — the major question — has national manufacturing rebounded? By two broad measures, the answer is an unqualified “yes.” In terms of the quantity of manufactured products, U.S. factories set a record in 2011. The amount we made was 9 percent higher than before the recession and double the level of 20 years ago.

We get the same result looking at the dollar value of manufactured goods. The sales value (after eliminating general price inflation) of manufactured products was at an all-time high in 2011, and was 10 times higher than after World War II.

Exports are a big part of the reason behind the manufacturing boom. Sales of U.S. manufactured products to foreign countries have surged. For example, from 2005 to 2010, sales of U.S. manufactured exports increased three times faster than our purchases of manufactured imports. Yes, we still face a trade deficit, but it has been cut tremendously.

There have been several factors at work moving domestic factories in a positive direction. First is a trend toward a lower-valued dollar on the international stage. While this gets negative headlines, it does make our exports relatively less expensive in other countries and encourages foreign buying of those exports.

Of major importance has been an improvement in the relative competitiveness of U.S. manufacturers against their foreign counterparts. One positive from the recession is it made our factories “leaner and meaner” — meaning they’re getting more output from their inputs. Many U.S. factories are now engaged in a major upgrading of their technology and equipment, which will provide them a further competitive boost in years ahead.

A third factor is the rising cost of manufacturing in some key foreign countries. China is seeing an uptick in its labor costs, and Japan is experienc-

ing cost impacts from the tsunami last year and the resulting disruption to its energy market.

All these trends and statistics may sound good, but many of you may be asking — what about jobs? Have manufacturing jobs also been returning, and could we get back to a situation like 50 years ago, when a person could come out of high school and go into the factory for a good paycheck?

There are about 400,000 more manufacturing jobs in the nation today than there were at the bottom of the recession two years ago. That’s the good news. But the bad news is that there are still almost 200,000 fewer factory jobs now than before the recession hit in late 2007. It’s unlikely we’ll ever return to an economy in which almost one out of three jobs is in the factory.

Why? Simple: How we manufacture things has changed dramatically. Today’s factories use much more technology and modern equipment — and fewer workers — than in decades past. This is how our factories can churn out more output with fewer workers.

In fact, we’ve seen this movie before, in farming. Farm output today is three times greater than 60 years ago, yet the number of farmers and farm workers is down 80 percent over the same period. Farmers are using better technology, methods, and equipment, and substituting these for physical labor. The same is happening in manufacturing.

So what’s the “takeaway” from all these numbers and trends about manufacturing? Perhaps the most important conclusion is to recognize the U.S. manufacturing sector is not dead — but it has changed significantly. We can produce more with fewer workers, and this trend will likely continue in the future.

This also means you shouldn’t look for manufacturing to be the big employer it once was. Nonetheless, if the sector continues to produce more and increase sales, manufacturing will generate growth for the economy.

So, to paraphrase an old auto ad, this isn’t your father’s factory!

CJ

Michael Walden is a William Neal Reynolds Distinguished Professor at North Carolina State University.

MICHAEL  
WALDEN



# Inequality and Lack of Mobility As Issues

The big issue of the last election year, 2010, was the debt and deficits. It is a testament to both the multiplicity of our problems and short attention spans that inequality is emerging as the country's focus in 2012 — a year when the debt has exceeded the size of the entire national economy and the annual deficit is projected to remain over \$1 trillion. Both Republicans and Democrats need to understand the change to be successful.



**ANDY  
TAYLOR**

Democrats must resist their obsession with unequal outcomes. We certainly have these. The Gini coefficient that measures the dispersion of income across a country's population is, at around .47 in the United States, the highest ever recorded here and considerably greater than in other advanced industrialized democracies — such as Canada, France, and the United Kingdom, where it is in the low .30s, and Germany and the Scandinavian countries, where it is in the .20s.

Most Americans, however, are not particularly upset by this. In a

December 2011 Gallup poll, 54 percent of respondents believed income inequality is an "acceptable part of our economic system." The same poll found that 82 percent felt it was "extremely" or "very" important for the government "to grow and expand the economy," whereas only 46 percent felt the same way about reducing income differentials between the rich and poor. According to International Social Survey studies, on average about 70 percent of citizens of foreign countries believe "it is the government's responsibility to reduce differences in income," whereas about only one-third of us share this sentiment.

What does concern Americans is the decline in mobility, or the fact that an individual's place on the economic ladder is determined more by an accident of birth than his or her talent and industry. Today, the Economic Mobility Project estimates that about half of the advantages of being born of parents with high incomes are passed directly on to children.

Put differently and in comparative perspective, when measured against the economic standing of their parents, Germans are 1.5 times more mobile than today's American working adults, Canadians nearly 2.5 times more mobile. Economic mutability is an obvious indicator of dynamic and competitive societies.

Americans want the chance to get ahead. The December Gallup poll found that 70 percent believe it is important for the government to expand opportunities for personal advancement. They also increasingly attribute stagnation to a government run by the wealthy and connected for the wealthy and connected.

According to a January Pew Research Center poll, more Americans now believe the rich are where they are because they "know the right people or were born into wealthy families" rather than work hard and acquire skills. The assessment may be inaccurate and a function of "class envy," but it should not be ignored.

A lack of mobility grates on American sensibilities. For those of us who believe this should be the most meritocratic society on the planet, it is tremendously worrying that the station into which you were born is increasingly the one you leave when you die. It was to prevent such stratified outcomes, for example, that the Founding Fathers wrote in Article I, Section 9, that "No title of Nobility shall be granted by the United States."

Immobility is a national economic problem because it reduces greatly the incentives for productive and socially valuable behavior. We all understand how regulation and taxes discourage investment and cause

businesses to spurn opportunities to generate wealth. Social ossification has a similarly nefarious effect. If what you can do with your life is largely predetermined, then what is the point of getting out of bed in the morning?

The presidential candidates of both parties should take note. Americans desire a fluid, transparent, and competitive society. President Obama seems frequently to value simplistic and punitive redistribution and, as such, embraces a different vision. More regulation and higher taxes on some do not increase the chances of advancement for all. If the Republican nominee truly embraces individual liberty and abundant opportunities, he must think of the status quo as an institution that, like government, can impede personal freedom and squelch socially valuable and wealth-creating behavior.

Barriers to entry and exit into jobs must be reduced. We need to reward people for what they can do, not who they know and what they look like. The election is likely to be won by the candidate who convinces the public he is a meritocrat, not a protector of privilege or social engineer. *CJ*

*Andy Taylor is a professor of political science in the School of Public and International Affairs at N.C. State University.*

## Ask Candidates the Right Questions

The 2012 election season is officially under way. The filing period closed Feb. 29 with record numbers of concerned citizens throwing their hats in various rings, hoping to represent our interests in different levels of state government.

On May 8, many of us will head to the polls to vote in the primary election that will determine the candidates who will represent their parties in the Nov. 6 election.

We'll soon be hearing from these candidates. In 2010, state legislative candidates alone spent almost \$30 million to introduce themselves to us. It won't be long before this process starts again, with forums, debates, interviews, mailers, meet-and-greets, television and radio ads, tweets, and robocalls. They'll be telling us plenty about themselves and, no doubt, the shortcomings of their opponents.

But what should we be asking them?



• Have you read the North Carolina Constitution? It is the rulebook for how state government is supposed to work. Without understanding the limitations set forth in our constitution, it's impossible to understand what government *should* do, not necessarily what it *can* do. Read it, study it, and keep it handy.

• What is the role of government? Is it to provide core services that we as individuals cannot provide alone? Those core functions include providing roads, infrastructure, and education, ensuring public safety, and taking care of those who cannot take care of themselves. Trying to provide everything for everyone, or taking wealth from one person and giving it to another, are none of the government's business.

• How do you create jobs? Is it government's job to create jobs? Or is it government's job to get out of the way and let individuals keep more of their money so they can start and grow businesses and hire workers, fuel the economy, and create jobs?

• What is the right size of government? We've heard complaints from the Left that recent budget cuts

would put tens of thousands of state employees out of work. Turns out that those numbers were a gross exaggeration, but the complaints show the question should be how many state workers are needed to get the job done, not how big should government grow.

• How much education spending is enough? We spend 56 percent of the state budget on education, on average more than \$9,300 per student in K-12. One-third of those students do not graduate high school in four years. We subsidize each in-state student in our university system by an average of \$10,000 annually, but only 36 percent graduate in four years, and only 59 percent in six years. Measuring performance instead of how much we spend would get us to rethink education delivery.

• Would you support a taxpayer protection act that would limit the growth of government to the increase in population with an adjustment for inflation? General Fund growth has outpaced population growth for decades. An amendment to limit spending would instill fiscal discipline to restrain unsustainable growth of

government.

• Should transportation dollars be used for buses and rail or to build and repair roads and bridges? Should the distribution of transportation money be determined by congestion needs, or should it be distributed equally across the state?

• How long do you plan to serve? Recent trends and criminal convictions suggest the longer someone is in power, the greater the desire to hold on to that power. Would you agree to term limits? Would you support tightly written rules for redistricting to prevent gerrymandering and to promote competitive elections in congressional and state legislative races?

Why would we want competitive elections? It serves us well to have lots of candidates from whom to choose, to have a real voice in who will lead and what kind of government we will have, instead of having elections with a predetermined outcome. But then it's up to us to ask the right questions. *CJ*

*Becki Gray is vice president for outreach at the John Locke Foundation.*

# Joint Effort Results in Combat-Ready Wienermobile (a CJ Parody)

BY RICKY BOBBY  
Motorsports Correspondent

RALEIGH

The North Carolina Department of Commerce released photos Feb. 26 of one of the first combat-ready hot dogs, dubbed the "Wiener Warrior" by those involved in the project.

The Wiener Warrior, using Oscar Mayer's famous Wienermobile as a base, is the first project developed as a result of the strategic partnership between North Carolina's motorsports industry and the U.S. Army's Special Operations Command based at Fort Bragg.

The partnership took only a week to produce a fully functional Wiener Warrior out of the Wienermobile, an automobile shaped like a hot dog and bun that has been used to promote and advertise Oscar Mayer products for the past 75 years. The quick turnaround may be a record in the world of military vehicle development, but such quick development is not unusual in the motorsports industry.

"The Wiener Warrior is designed to confuse the enemy, who will think it is just another hot dog on wheels," said Derek Chen, director of motorsports development for the Commerce Department. "Instead, it is a fully armored amphibious fighting sausage, capable of reaching 85 mph on land



The Wiener Warrior, developed jointly by the U.S. military, NASCAR, and Kraft Foods, is put through testing at a secret base recently in California. (CJ spoof photo)

and 40 mph in the water."

North Carolina is home to the largest concentration of U.S. special forces units in the country, as well as the largest concentration of motorsports teams, so the fit was a natural, according to Chen.

Gov. Bev Perdue, NASCAR president Mike Helton, and Army officials announced the collaborative effort Feb. 18 at a news conference at Florida's Daytona Motor Speedway. The initiative was the brainchild of Chen and

Lance DeSpain, executive director of the N.C. Military Foundation, a non-profit established by Perdue in 2006 when she was lieutenant governor.

The signatories to the memorandum of agreement are the Department of Commerce, the N.C. Military Foundation, the N.C. Motorsports Advisory Council, and USASOC Mobility, according to a press release from Perdue's office. Perdue said it was "a historic partnership that will produce dynamic synergies with worldwide

implications."

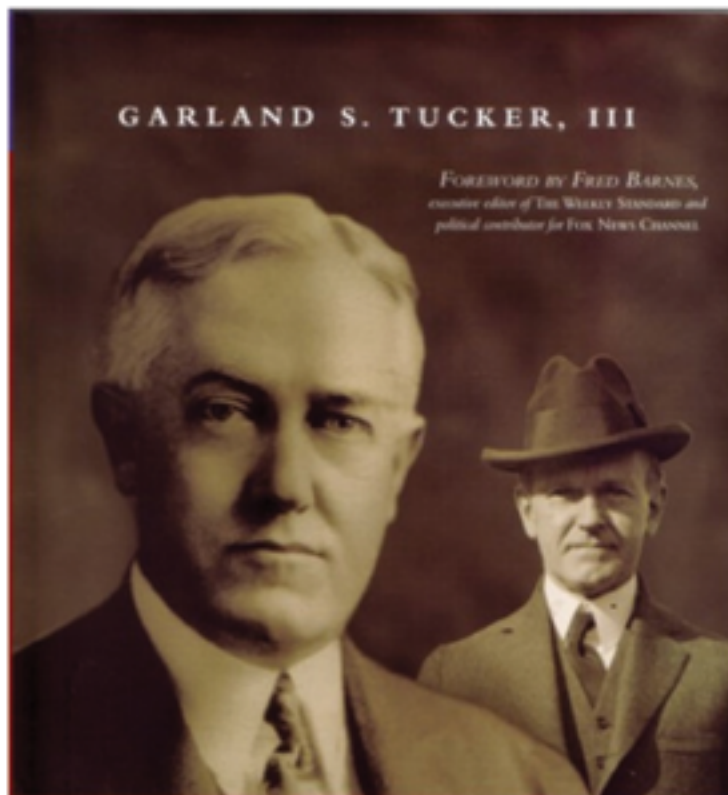
"Racing involves making cars lighter, faster, more durable, or safer," Chen told *CJ*. "A lot of the technologies that put us at the forefront of racing can be applied in a form that a lot of our troops are using," he said.

The Wiener Warrior is designed to carry a crew of four. It will have sleeping accommodations, a bathroom, kitchenette, and extensive communications gear. It also will be armed with a 125-mm cannon, two 50-caliber machine guns, and a flamethrower mounted in the rear. All weapons systems will be hidden while the vehicle is in normal touring mode, but can be deployed in a matter of seconds when it's time for battle.

The unveiling of the Wiener Warrior coincided with the tour of the regular Oscar Mayer Wienermobile. The vehicle was in Raleigh from Feb. 20-23, appearing in several grocery store parking lots. It also made a stop at the governor's mansion.

Oscar Mayer is a division of Kraft Foods. A spokesman for Kraft told *CJ* that the Wiener Warrior project will be the capstone of the company's 2012 advertising and marketing campaigns.

Moreover, the spokesman said the company hopes to boost its bottom line with contracts it lands from the military as part of the development of the Wiener Warrior. *CJ*



## THE HIGH TIDE OF AMERICAN CONSERVATISM

DAVIS, COOLIDGE, AND THE 1924 ELECTION

## A Perfect Guide to 2012

"Anyone seeking clarity about what's at stake in the run-up to 2012 needs to know what happened to our politics in 1924. It wasn't complicated, it was very exciting, and it worked. And Garland S. Tucker III's book is a perfect guide."

— *The Wall Street Journal*

"With *The High Tide of American Conservatism*, Garland Tucker has made a splendid contribution. Here is a well-researched, well-structured narrative of conservative principles in action at the highest levels of politics. Along the way we get thoughtful pen-portraits of two great American gentlemen, men of the highest honor and integrity." — *The National Review*

"The contest between Coolidge and Davis was unique. It was the last time the Republicans and the Democrats chose conservatives as presidential candidates to run against each other. Tucker is justified, I think, in calling the election 'the high tide of American conservatism.'" — *Fred Barnes, The Weekly Standard*

"Those dismayed by American politics today will find solace and perhaps inspiration in reading of this election. Author Tucker has written a fascinating account of a contest we won't likely see replicated again." — *Steve Forbes*

Available from local bookstores and Internet booksellers in hardcover and electronic format



GARLAND S. TUCKER III is CEO of Triangle Capital Corporation, a publicly traded, NYSE listed specialty finance company located in Raleigh, NC. He is a graduate of Washington and Lee University and Harvard Business School and a lifelong student of history.