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Will TTA Use Eminent Domain?

Use of procedure out of question, interim director says

By PAUL CHESSER
Associate Editor

RALEIGH

The Triangle Transit Authority, having forgone its pursuit of federal funds for a proposed commuter rail system, instead is planning to work with a developer creating businesses near its 12 planned train stations.



George Autry questions why his clients must be uprooted for a project that might never happen.

Private-property advocates wonder whether TTA could seize land because North Carolina law allows eminent domain when "it is useful for the purposes of public transportation."

But TTA's interim director, Wib Gulley, ruled out the possibility that the agency

would take any land for private development.

"That's not something I think is lawful or appropriate," Gulley said, "so it's not going to happen."

TTA in August gave up its effort to obtain Federal Transit Administration money to help pay for its planned \$810 million commuter train project, which was planned to connect its rail stops over 28 miles through Durham, Research Triangle Park, and Raleigh.



Dillon Supply in downtown Raleigh, acquired through eminent domain, is the site of what TTA hopes will be one of its 12 rail stations in the Triangle. (CJ Photo by Don Carrington)

TTA could not provide ridership and cost estimates for rail that FTA officials would support. Original plans had the FTA paying for 60 percent of the project's cost, with state and local government providing the remaining money.

Now TTA is planning a public-private partnership with a developer. The consortium would construct residences, stores, and offices to create public demand for commuter trains near proposed rail stops.

The mixed-use communities would finance, through increased local tax revenues, construction of the transit system.

TTA is in the final stages of negotia-

tions, Gulley said, with Raleigh-based Cherokee Investment Partners, a private equity firm that acquires environmentally damaged properties - brownfields - and restores them. The company rehabilitates blighted areas, and local governments often help them expedite their work through quicker permitting and public redevelopment funds.

Carolina Journal obtained a draft copy of the agreement between TTA and Cherokee, which at press time was expected to be discussed, and possibly voted on, by TTA's trustees Sept. 27.

"Cherokee accepts projects that traditional investors often reject," says

Tall Ships Event: Success or Failure?

Sponsoring organization won't share information

By DON CARRINGTON
Executive Editor

RALEIGH

Saying that the financial records of his organization are private, a cochairman of the Pepsi Americas' Sail 2006 - which was bolstered by public funds - refuses to say whether the tall-ships event in Beaufort and Morehead City in early July made or lost money.



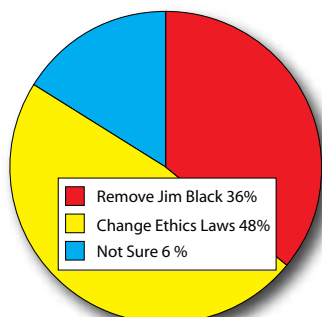
Pepsi America's Sail 2006 LLC was set up in June 2005, with the Pepsi name included for a major sponsor - the Minges Bottling Group, a Pepsi franchise based in Greenville. But the New York-based organization that sanctioned the Beaufort tall-ships event said it is planning legal action against the North Carolina organizers, alleging that the group failed to share revenue according to a contract.

James Kelly, a Winston-Salem lawyer and cochairman of Pepsi Americas' Sail 2006, said that it was "a wonderful event" and that the "contract dispute has nothing to do with the event" itself.

William Wendler, president of

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What should be done to clean up the ethics scandals in state government?



John William Pope Civitas Institute Poll, September 2006

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Tall Ships Event: Success or Failure?

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Americas' Sail of Glen Cove, N.Y., said Pepsi Americas' Sail LLC has not paid his organization according to the terms of a contract. Wendler said his organization was to be paid 20 percent of the gross ticket-sale revenue July 6 based on a contract between the groups.

But Kelly disagrees with Wendler. "We entered into an agreement with Americas' Sail. We have already paid them \$50,000. Part of the agreement states that they would provide advice and assistance. They did very little. They gave us some bad advice that I cannot discuss because of likely arbitration," Kelly said.

Americas' Sail is not the only entity trying to collect money from Pepsi Americas' Sail. Town of Beaufort Financial Officer Betsy Gilchrist said that as of Sept. 19, Pepsi Americas' Sail still owed the town \$14,145 for law-enforcement services and \$2,148 in reimbursement for barricade materials.

An annual report filed in April 2006 lists five member-managers for Pepsi America's Sail. They are: Kelly, Vern Mettin of Beaufort, Marshall Gurley of Raleigh, Kurt Fickling of Greenville, and David Nateman of Beaufort. Nateman is the director of the N.C. Maritime Museum, managed by the N.C. Department of Cultural Resources.

Pepsi America's Sail received revenue from ticket sales and sponsorships. A statement on the organization's web site said the "event attracted more than 150,000 visitors to Beaufort and Morehead City, including more than 30,000 who bought tickets to tour the ships." Proceeds from the event are to go to the development of the 36-acre Olde Beaufort Seaport, a project of the N.C. Maritime Museum.

Even though Kelly would not disclose financial information, some of Pepsi Americas' Sail financial records may eventually become public.



The Meka II, based in Beaufort, was one of the tall ships featured at the Pepsi Americas' Sail event. (CJ Photo by Don Carrington)

Jeffrey T. Lawyer, Kelly's law partner who filed the Pepsi Americas' Sail articles of organization with the N.C. Secretary of State, said it was a single-member limited liability company for income tax purposes. All income and expenses will be included in the tax return of the only member — Friends of the Museum.

The Friends of the Museum organization is classified as an IRS 501(c)(3) organization and contributions are usually tax-deductible. It is required to file an annual IRS Form 990, Return of Organization Exempt From Income Tax, and to also make copies of the annual form available to the public on demand.

Friends of the Museum Executive Director Brent Creelman provided *Carolina Journal* a copy of his organization's 2005 tax return. As of Dec. 31, 2005 the Pepsi Americas' Sail event had earned \$350,597 but incurred costs of \$436,710. That would have left a net loss of

\$125,577. Creelman said he did not know whether the museum's board of directors would make public detailed financial information about the event. He said, however, that some of the information will be included his organization's 2006 tax filing.

Government support

In addition to private funds raised for the event, public funds were also involved. The General Assembly appropriated \$1.65 million from last year's budget to "enhance transportation infrastructure for the Friends of the N.C. Maritime Museum/Tall Ships Event in Beaufort." The N.C. Department of Transportation provided several documents to CJ that show most of those funds went to a Vienna, Va.-based company, Transportation Management Services. But it was the Department of Cultural Resources that selected TMS and agreed to administer the \$1.25 million contract. For that amount, TMS brought in buses from North Carolina and other states and managed parking lots.

A \$300,000 Golden LEAF grant was made to the Friends of the N.C. Maritime Museum to support the staging and promotion of Pepsi Americas' Sail. Cultural Resources Secretary Libba Evans is a member of the 15-person Golden LEAF board, which is set up to distribute tobacco settlement funds.

The Gam, a weekly newspaper based in Beaufort, published several news stories that raised questions about the event's finances. The Department of Cultural Resources spent \$225,000 assisting the festival, the newspaper reported. Some of the money reportedly was paid to pirate re-enactors.

Several media reported a \$30,000 party for public officials sponsored by the N.C. Ports Authority that was conducted on a boat borrowed from the N.C. Department of Transportation Ferry Division. CJ

Will TTA Use Kelo-Style Eminent Domain?

Continued from Page 1

the company's Web site, "and actively looks to transform communities where urban blight and environmental contamination impede economic growth and community redevelopment."

One project Cherokee redeveloped was the North Hills Mall in Raleigh. The investment company purchased the decaying property in 2001, cleaned up asbestos and groundwater contamination around its site, and turned it into an open-air "town center style" shopping center.

Now that the company is on the verge of an agreement with TTA, can it count on the agency's power to condemn private property to help it seize the land it

wants for development? Gulley said the issue was discussed with Cherokee.

"We told Cherokee that's not something that's even going to be considered," Gulley said.

Tom Darden, Cherokee's chief executive officer, failed to return phone messages left by CJ.

Does it have the power?

Property rights advocates, however, are concerned. TTA has the authority to condemn property, which it has exercised in acquiring rights-of-way and sites for rail stations. But whether it could continue to do so in a partnership with a developer — for purposes other than the direct use by the transit system

— is another question.

Private property rights advocates say North Carolina's eminent domain laws open the door for TTA, or similar quasi-government entities, to seize property for economic development — or for any other reason the agency deems appropriate to its mission.

"It is a concern of our group for sure," said Kieran Shanahan, a Raleigh lawyer who heads the North Carolina Property Rights Coalition. "I think they're going to have to rely on some takings for this."

The state law that outlines acceptable reasons for eminent domain does not appear to be limited to public "use,"

Continued as "Will Triangle," Page 3

Will Triangle Transit Use *Kelo*-Style Eminent Domain?

Continued from Page 2

or a public "purpose," by a transportation authority. North Carolina law (G.S. 160A-601) defines a "public transportation system" as a combination of types of property, "without limitation," that is "used or useful for the purposes of public transportation." A public authority running the transportation system, according to the state law (G.S. 160A-610), is allowed to acquire private properties through eminent domain "which are useful for the Authority's purposes...."



Kieran Shanahan of
NC Property Rights
Coalition

The word "useful" is one legal term that troubles property rights advocates. In a policy paper released in September, John Locke Foundation legal and regulatory policy analyst Daren Bakst wrote that "'useful' specifically does not mean 'used' for public transportation reasons. In other words, the property that the TTA seizes likely can be used for non-transportation functions, such as malls, hotels, residences, office buildings, and other businesses—as long as it is 'useful' for public transportation."

A vague "useful" definition and a "without limitation" degree of control, Bakst said, concocts a recipe for unchecked power by an unelected body.

"The words 'without limitation' certainly seem to mean that the TTA has an unlimited ability to take as much property as it wants that is 'useful' for public transportation purposes," Bakst wrote.

Another area of the public transportation authority statute, which delineates the powers of the authority, could enable TTA to acquire land for specific development. The law, in addition to allowing the acquisition of property by a transportation agency, grants the authority "to enhance mobility within the region and promote sound growth patterns through joint transit development projects...."

The statute also permits TTA "to enter into development agreements with public, private, or nonprofit entities to undertake the planning, construction, and operation of joint transit development projects."

David Lawrence, a professor of public law at the University of North Carolina's School of Government, said the idea of "sound growth patterns" might enable TTA to wield eminent domain for economic development.

"Those look like particularly expansive concepts," he said, but adding that he "would be surprised if there is room for them to build anything beyond

a train station."

Real estate speculation?

The law also authorizes a transportation authority to "transfer (or dispose thereof) [its property] whenever the same is no longer required for purposes of the Authority, or exchange same for other property or rights which are useful for the Authority's purposes...." Just as TTA has the ability to seize private property, with compensation, so also may it sell property it has taken that it decides it no longer needs.

"TTA should be able to seize property for transportation systems that clearly have the 'green light,'" Bakst said. Because the hoped-for funding from the FTA fell through, any land that TTA might take would largely be speculative, because the agency's rail project is in limbo, he said.

"The TTA should not be able to seize private property because it might be able to use the property in the future," Bakst wrote.

But whether TTA uses eminent domain, it clearly plans to develop projects with Cherokee that it hopes will force the need for a rail system.

According to the draft agreement between the two, Cherokee Investment Partners would serve as "Master Developer" of all 12 rail stations in the TTA's plans, as well as the authority's sole partner in development surrounding the stations.

Under the agreement, TTA and Cherokee would form two Limited Liability Companies for each rail site. The first LLC at each rail location, created by TTA and Cherokee, would own and develop the "Core Property," which would be the footprint of the rail station plus necessary parking areas, walkways, drop-off points, and other amenities. The core development LLC would own any property contributed, and already owned, by TTA to the entity, "plus any property hereafter obtained by TTA for the station sites...."

The second LLC at each site, called a "Peripheral Development Entity," would be formed as the owner and developer of property nearby, but outside, the core property, but "functionally related to the Core Property...and within 1/4 mile of the Core Property...."

Only Cherokee would form the peripheral development LLC. Most or all of the properties to be owned by the peripheral entities would be acquired after the agreement between TTA and Cherokee is signed, according to the agreement.

The agreement also calls for both TTA and Cherokee to contribute additional capital on an equal basis to each development entity, determined on an as-needed basis. TTA would be allowed to make financial contributions to peripheral entities, in order to enjoy what the agreement calls "Profits Interest." But TTA could not participate in the management decisions of any peripheral entity. Cherokee would have first rights to manage all the development entities, whether core or peripheral.

TTA's seizures so far

George Autry, a Raleigh lawyer who represents several property owners in eminent domain cases against TTA, questioned why a nearly defunct rail system would require additional resources. While TTA has suspended condemnations, its pending agreement with Cherokee shows it plans to continue pouring money into the rail project.

TTA has already seized, or is on the verge of acquiring, nearly 240 acres of land

along the proposed rail lines for stations and right-of-way. Gulley told *The News & Observer* of Raleigh in August that the land TTA owns at station sites, to be core property, is worth \$28 million. The money would represent the authority's initial investment in its partnership with Cherokee. The newspaper also reported that TTA "might acquire additional property if the rail project moves forward."

Autry questioned why his clients' lives must be uprooted for a project that might not happen. He said the prospect of more condemnations for a speculative rail system is worse. He mentioned, for example, the pending purchase of right-of-way from the North Carolina Railroad, which TTA is scheduled to close Jan. 1, for \$15 million.

"Why are we going to spend \$15 million of taxpayer money," Autry said, "when the TTA themselves say the project is not going to happen in the foreseeable future?"

Autry, with his wife and law partner Stephanie, represented Dan Wilson, who owned a parcel in downtown Raleigh near several lots once owned, and also condemned by TTA, by Dillon Supply Co. The site has attracted the interest of developers, who want to build condominiums, restaurants, and offices.

If any of the property seized through eminent domain were used for anything other than the rail station, it would be tantamount to a taking for economic development—similar to the

Kelo v. New London Supreme Court decision last year.

"[The Wilson taking] was happening all around *Kelo*," Autry said. "People were saying we don't have that in North Carolina. We saw this coming."

Ellis Hankins, executive director of the N.C. League of Municipalities, said in February that what happened in Connecticut is not possible in North Carolina. "North Carolina law does not allow our cities, counties, or local governments to do what New London did," Hankins said.

The *Kelo* decision addressed a situation in which a local economic development agency, with powers of eminent domain given to it by the city, sought to condemn the properties of nine owners of 15 homes in the city of New London.

The agency planned to obtain the land and turn it over to a private developer, who would build offices, a hotel, and a health club. The 5-4 court decision allowed government agencies to seize private property from one owner and to give it to another private owner for economic development purposes, and led to a grass-roots backlash across the nation.

While Autry couldn't ascertain that TTA took only property for the rail right-of-way and stations, he did say the authority's approach was different from that of the Department of Transportation, which takes only enough private property in order to construct roads and highways. Autry said, in contrast, that TTA has taken entire parcels. TTA officials told him that his clients' properties were for the footprints of the rail stations only.

"You're not supposed to take any more land than what you need for your project," Autry said. "If they are taking extra for development, that's not right."

Gulley said that the property designated "core" that has been taken through eminent domain will be used only for the direct needs of rail stations. He said that businesses could be built on the core properties, but that such development would be "vertical."

Still, North Carolina grants TTA powers that encompass a broader purpose, as shown in terms such as "without limitation," the "usefulness" of a project; and permission to engage in "joint transit development projects."

"Could the TTA take 10 blocks of property and transfer it to a private developer to develop a shopping mall and luxury condos because it would help a rail system?" Bakst wrote in his report. "How about taking 40 blocks for a subdivision if it could be shown that it may help increase the number of passengers? The answers to these hypothetical questions are unclear."

What is clear is that TTA—regardless of whether it builds a rail system—is getting into the economic development business.

Once-Terminal Agency Now Thrives By Buying Advertising

By PAUL CHESSER
Associate Editor

RALEIGH

Four years ago, in the dire time of revenue shortfalls for North Carolina's budget, the state's Agency for Public Telecommunications was barely alive. Positions funded in the budget were whittled from 18 to 12, and by October 2002 only six of the jobs remained filled. Executive Director Leila Tvedt was one of the casualties.

Gov. Mike Easley recommended that the agency be eliminated.

But today, APT appears to be thriving. The staff is back up to 11 employees (according to its Web site). Funded by receipts from other state agencies that enlist their help, as well as a budget stipend from the state, APT's budget has grown from a low of \$1.13 million in fiscal 2003-04 to more than \$4.5 million this year. This is despite the fact that APT's state appropriation has been nearly halved since 2001, from \$1.07 million to its current \$575,216.

Last year APT surpassed its legislated budget target of \$3.5 million by taking in \$4.9 million in receipts, for work for outside public agencies. In the most recent fiscal year (which concluded June 30) the budgeted target for receipts was nearly \$4.6 million. Actual revenues

were \$5.4 million.

How did the turnaround happen so rapidly? What converted this throw-away on the discard pile into a treasured gem among state agencies in the eyes of legislators?

"We've had a focus on a new line of business," said Fred Hartman, executive director of APT. "We decided to get into the business of media buying."

That, and the recognition that APT offers competitive-quality work at a significant cost savings for fellow government entities.

APT provides media production services mostly for state, but also local and federal, government agencies. It produces a weekly cable access public affairs program, "OPEN/net," and also makes radio and television public service announcements for other agencies. APT also can handle teleconferences for government and produces educational and informational videos like those for state and local museums.

But Hartman said in mid-2003 APT expanded its services to include media

buying — that is, purchasing airtime on broadcast outlets for the PSAs it produced. He said most similar private agencies include ad placement as part of their bundled services, so it made sense for APT to do so also. The agency keeps 5 percent of all media buys on behalf of its government clients to cover its own expenses related to producing and placing the ads.

"We felt like media buying was a natural fit," Hartman said. "The bulk of what you see [in revenues] is pass-through funds."

Today's relatively good times stand in contrast to four years ago. In early 2002 lawmakers and Easley asked state departments for recommendations on budget cuts.

Within the Department of Administration, where APT is housed, then-Secretary Gwynn Swinson considered the media agency as one of her proposed cuts for state appropriations and sought to determine whether it could continue on receipts revenue alone.

According to board meeting minutes, Swinson said that despite APT's

efficiency and cost savings, it did not provide a core function of government. Both the governor and the Senate recommended elimination of APT's appropriation in the mid-2002 budget adjustments. In July that year, then-executive director Tvedt and other staffers lost their jobs.

But having survived in the final budget, the APT board was searching for a new executive director by January 2003. Hartman, a former press secretary for Easley, was chosen.

Later in the year he and his staff developed a plan to bundle the marketing of all APT's services, which had previously been advertised separately.

As a result, many of its clients had gone elsewhere for certain services, which Hartman said could have been provided by APT at a more competitive rate.

For example, APT reported that in its first year of media buying (2003-04), the agency handled \$3.3 million in advertising placements and said it saved other state agencies \$300,000 compared to what private vendors would have charged.

A study by the Office of State Budget and Management in 2004 determined that APT should be included in the bid process for all state agencies that seek media services. CJ

"We felt like media buying was a natural fit."

Fred Hartman
APT Executive Director

Agency Accountability in Limbo

By PAUL CHESSER
Associate Editor

RALEIGH

The General Assembly in the waning days of the short session at the end of July passed legislation that purports to hold the state's seven regional economic development agencies more accountable.

But the bill, sponsored by Sen. David Weinstein, D-Robeson, replaced a bill that he introduced in May that would have ended the practice of the agencies contracting with outside non-profit organizations to "carry out their powers and duties."

The legislation that was approved by legislators at press time awaited Gov. Mike Easley's signature but includes no such provision. Current law allows the agencies to use outside nonprofits, which the N.C. Northeast Economic Development Commission exploited by creating the N.C. Northeast Partnership to carry out its duties during the past 12 years.

Had Weinstein's initial legislation passed, it would have banished the practice of contracting with outside organizations to do the agencies' work. He did not return a phone message seeking comment.

Northeast Partnership officials, including former president Rick Watson and vice president Vann Rogerson, had claimed the partnership was a private organization and therefore not subject

to the state's public records laws. The partnership received nearly all of the commission's annual appropriations from the state and then shielded details about its activities from the public.

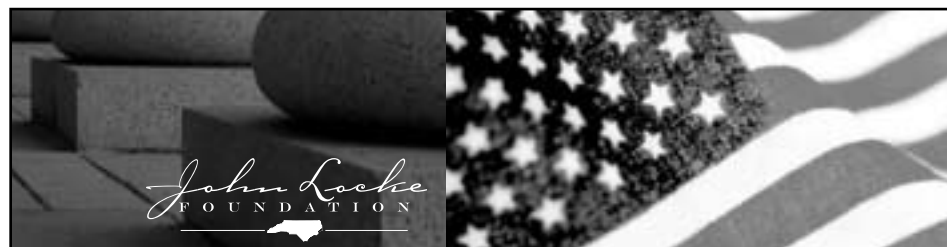
In April, State Auditor Les Merritt released a report on the activities of the partnership and commission, alleging that both organizations' directors "relinquished too much authority" and insufficiently exercised "their fiduciary responsibilities."

Weinstein's initial bill would have required all the regional commissions to be subject to the state's Public Records Law and Open Meetings Law as a condition for receiving state funds. Also, each agency would have been required to create and implement a written conflict-of-interest and ethics policy, to be approved by the N.C. Board of Ethics.

The legislation that did pass requires all seven regional economic development agencies to report their activities and accomplishments, and to provide an itemized list of expenditures of state funds, as a condition for receiving annual appropriations.

It also requires the establishment of uniform standards for all the agencies related to accounting procedures, personnel practices, and purchasing and contracts procedures.

Board members of all the commissions would be required to receive training on their duties and responsibilities and ethical behavior. CJ



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N.C. Ranks Eighth in U.S. Study of Highway Lane-Miles Needed

By MITCH KOKAI

Associate Editor

RALEIGH

North Carolina needs to spend more than \$12 billion to clear congested urban roads and prepare for traffic growth in the next 25 years. That's a key finding in a national study (www.reason.org/ps346/) released recently by the Los Angeles-based Reason Foundation.

The study also describes traffic congestion in Charlotte and the Triangle as "severe." The numbers suggest new traffic lanes would be less expensive and more effective than public transit in fighting congestion.

"North Carolina ranks eighth out of 50 states and the District of Columbia in terms of most lane-miles needed to deal with congestion," said David Hartgen, the study's lead author. "The state also ranks 11th in the total cost of those improvements."

But investment in more than 4,350 new "lane-miles" of road could have major benefits for the state, Hartgen said. "If the state made these improvements, it would save 68 million hours per year that are now wasted in traffic jams."

Hartgen is professor of Transportation Studies at the University of North Carolina at Charlotte, and he is an adjunct policy analyst for the John Locke Foundation. He and his colleagues examined traffic congestion across the country.

Their 54-page report, *Building Roads to Reduce Traffic Congestion in America's Cities: How Much and at What Cost?*, finds that traffic delays will increase by 65 percent across the United States by 2030. The number of congested lane-miles will increase by 50 percent.

Los Angeles faces the worst news, as researchers found that the city with the nation's worst traffic delays will keep



Many more lane miles, like these under construction in Wake County last year, will be needed in North Carolina in the next 25 years. A national study by the Reason Foundation says Greensboro, Wilmington, Gastonia, and Concord face traffic similar to Pittsburgh and Cleveland today. (CJ file photo)

that dubious honor. By 2030, drivers in 11 other metro areas will face traffic jams as bad as the clogged Los Angeles roads of today. Those metro areas include Atlanta, Baltimore, Miami, and Washington, D.C.

No North Carolina city should expect Los Angeles-style traffic delays. But drivers in Charlotte and Raleigh-Durham will see longer commutes if there is no major investment in new lane-miles, Hartgen said. "The Charlotte and Raleigh-Durham areas are the 26th and 42nd most congested regions in the United States."

Charlotte has a Travel Time Index of 1.31, Hartgen said. That means driving times during peak traffic hours are 31 percent longer than during off-peak times. The Triangle's TTI is 1.19, with a 19 percent disparity between travel times in peak and off-peak times.

The situation is bound to get worse, Hartgen said. By 2030, Charlotte drivers can expect delays during peak driving hours to double, lasting 62 percent longer than off-peak trips. That means Charlotte's average off-peak trip time, 20 minutes, will be 32 minutes long in

peak hours. Triangle drivers can also expect delays to double during peak hours, lasting 37 percent longer than off-peak trips.

"For an idea of how severe these levels of congestion would be, projections for Charlotte show traffic delays comparable to today's Chicago, and those for Raleigh-Durham will be like present-day Baltimore and San Jose," Hartgen said.

Charlotte has looked to light rail to help address congestion. New road capacity would prove much more effective, Hartgen said. "About 1,070 lane-miles are needed to deal with this congestion, costing about \$2.9 billion over 25 years," he said. "That's about half of what we want to spend on the transit lines."

"In other words, for half of that transit cost, we could actually reduce Charlotte's present and predicted congestion."

The Triangle Transit Authority recently gave up plans to seek federal funding for a 28-mile commuter train line. Like Charlotte, the Triangle would benefit more from new lanes, Hartgen said.

"For Raleigh, the estimate is 1,204 lane-miles at \$4.1 billion," he said. "The cost per delay-hour saved — \$12.92 — is considerably below the minimum of \$20 required by current federal guidelines for rail starts."

The study shows less severe congestion levels for other North Carolina cities. Fayetteville's TTI would increase from 1.05 to 1.15 by 2030. That means peak-hour trips that now last 5 percent longer than other trips would last 15 percent longer than trips during non-peak hours.

Winston-Salem would see its TTI increase from 1.05 to 1.11. No other North Carolina city would see its TTI grow above 1.10. "However, the relative increase in delay projected over the next 25 years for these cities is quite high, ranging from 75 percent to 200 percent," Hartgen said.

In other words, cities with little traffic congestion now will begin to notice a difference. "Such a significant increase will be sharply felt by local commuters in these smaller cities," Hartgen said. "Cities like Greensboro, Wilmington, Gastonia, and Concord are facing future traffic delays similar to those currently experienced in much larger cities like Buffalo, Pittsburgh, and Cleveland."

Drivers in all metro areas could benefit from additional lane-miles of road, Hartgen said. "This investment would save an estimated 68 million hours per year that are now lost sitting in Tar Heel traffic, at a cost of \$7.23 per delay-hour saved," he said. "This does not account for additional benefits including lower fuel use, reduced accident rates, and lower vehicle operating costs."

Hartgen is now conducting for the John Locke Foundation a more detailed study of the state's congestion and methods of dealing with it. CJ



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NC Delegation Watch**Border case upsets Jones**

In a letter Aug. 21 to President Bush, U.S. Rep. Walter Jones, R-NC, expressed concern over the Justice Department's "unacceptable prosecution" of two U.S. Border Patrol agents for doing their jobs to protect the nation.

"Agents Ignacio Ramos and Jose Alonso Compean should have been commended by our government for their actions last year in attempting to apprehend a Mexican drug smuggler who brought nearly 800 pounds of marijuana across our border," Jones wrote. "But because of an incomprehensible prosecution by the U.S. Attorney's Office — including granting full immunity to the smuggler so he could testify against our agents — these men now face 20-year prison sentences for firing shots at the fleeing smuggler, who they believed carried a gun.

"I strongly urge your Administration and the Department of Justice to reopen the case against agents Ramos and Compean."

Etheridge criticizes waste

The U.S. House of Representatives Homeland Security Committee released a report in August requested by U.S. Rep. Bob Etheridge, D-NC, that detailed billions of dollars of wasteful spending on contracts awarded for the recovery and reconstruction after Hurricane Katrina. The report, "One Year Later: Katrina's Waste," found that the Department of Homeland Security "has still not made changes that would protect the American people and prevent this kind of waste in the future," Etheridge said in a press release.

"The Administration's failed leadership puts lives at risk and these irresponsible contracting processes have cost taxpayers billions of dollars," said Etheridge, the ranking Democrat on the homeland security subcommittee on investigations.

"Congress must exercise its oversight of FEMA and the Department of Homeland Security to reform the contracting process. This is not only about saving taxpayers money: it's about ensuring that FEMA gets the job done. A year after Hurricane Katrina hit, the damage is still not cleaned up in the Gulf Coast, and these contracting processes are partly to blame." *CJ*

N.C. Dems and GOP**Differing Views of Success of 109th Congress**

By HAL YOUNG

Contributing Editor

RALEIGH

In August, the *Fayetteville Observer* reported U.S. Rep. Bob Etheridge of North Carolina told a Cumberland County group, "Congress has done so little I can cover it all." As the 109th Congress begins its final sessions, how much has the state's congressional delegation of nine Republicans and six Democrats brought to the national debate?

Through the current two-year term, the state's congressional representatives offered nearly 200 resolutions, bills, and amendments. By the Labor Day recess, only a few dozen had passed in their original form. Many were simple declarations in recognition of sports championships, community heroes, and historic events; some were legislative maneuvers or statements of principle.

The North Carolina delegation took leading roles on a number of major issues, although some were more in evidence as supporters than authors. The question remains how much will pass before the session ends in December.

A typical record

Etheridge, as one example, sponsored nine measures, including a name for the Smithfield postal facility (now the "The Ava Gardner Post Office"), a commemoration of the founding of the Town of Garner, reduction or suspension of duties on five imported pesticides, and "an amendment to allocate \$38,000,000 for the Public Safety Officers' Death Benefits program."

The last was offered this summer as an amendment to a Department of Justice appropriations bill, intending to point out DOJ's lack of action on the Hometown Heroes Survivor Benefits Act. The 2003 law recognized emergency workers who die of coronary or stroke in the line of duty, but Etheridge said the act, which he sponsored in the 107th and 108th Congresses, had stalled waiting for DOJ regulatory approvals.

After making his point on the House floor, Etheridge withdrew the amendment. The DOJ issued its regulations later in the month, and the act went into effect Sept. 11. It was the only legislation sponsored primarily by Etheridge in 2006.

His record was not unusual for North Carolina's delegation. Democrats averaged nine bills each, while Republicans averaged 19.

On the other end of the spectrum from Etheridge was the 9th District's Rep. Sue Myrick, representing major parts of Mecklenburg, Union, and Gaston counties. Myrick introduced 48 measures. Howard Coble of the 6th District authored 25.

Myrick's cornerstone issue was illegal immigration and border security.



Seven measures submitted by Myrick aimed to improve information sharing among federal, state, and local authorities on immigration issues, increase penalties for hiring illegal aliens, and tighten identification requirements. Shortly after Labor Day, the House voted to fund construction of 700 miles of double fence along the weak spots of the Mexican border, part of a bill cosponsored by Myrick.

"Immigration is the number one issue we hear about from constituents," she said. "These are common-sense pieces of legislation, things which should already be on the books."

Chemicals pad the numbers

If sheer numbers denoted impact, the issue of the session would appear to be chemical import duties. Myrick offered 34 bills relieving tariffs on industrial and agricultural chemicals with esoteric names. She was joined by Democratic Reps. Etheridge, McIntyre, and David Price and fellow Republican Reps. Howard Coble and Robin Hayes, who introduced bills for 65 chemicals.

Manufacturers that depend on chemicals with no domestic supplier routinely contact congressmen and ask for relief on import duties. The bills are all referred to the Ways and Means Committee, which rolls them into a single omnibus bill after confirming no U.S. companies make the chemicals in question.

Honors abound

There were plenty of bills in honor of individuals, groups, and towns. Coble, with Democrat Brad Miller of the 13th District as a cosponsor, introduced

a resolution honoring the June 2006 centenary of the National Society of the Sons of the American Revolution; both congressmen are members of the SAR. Etheridge sought to honor the centennial of Garner, while Myrick remembered the Mecklenburg Declaration.

Price's resolution congratulating the University of North Carolina men's basketball team on its 2005 National Championship was referred to the subcommittee on 21st century competitiveness, but his praise for the Stanley Cup champion Carolina Hurricanes fared better, passing on a voice vote in June.

Three post offices received new names. Besides Smithfield, the town of Badin now boasts "The Mayor John Thompson 'Tom' Garrison Memorial Post Office," courtesy of Hayes, and Belhaven's post office is now "The Floyd Lupton Post Office," as proposed by Rep. Walter Jones.

Three of Jones' 22 bills addressed Congress itself, including measures to bar former congressmen from entering the House as lobbyists, stripping congressional pensions from legislators convicted of a felony, and directing that congressional travel disclosures be posted on the Internet. It was Hayes, however, who proposed a cut in pay for congressmen.

More than meets the eye

Staffers pointed out that not all the legislators' work showed up as sponsorship on bills.

"We don't always introduce things," said Myrick spokesman Andy Polk. "Some of the best work we do is policy work, which could be any kind of program that we might get involved in, not just legislation."

Etheridge's press secretary, Joanne Peters, said he had worked on a number of recent bills behind the scenes, such as the Bioenergy Innovation, Optional Fuel Utilization, and Energy Legacy Act, of which he was an original cosponsor. His press release in May said that bill, which was sponsored by Rep. Stephanie Herseth, D-S.D., would increase production, expand markets and distribution, and double the percentage of biofuels sold in America.

Myrick tried to secure an immigration court for North Carolina. Of the top 10 states for immigrant population, only North Carolina lacks its own court; illegal aliens apprehended in the state are sent to Atlanta, and legal immigrants with documentation problems have to make the same trip.

Polk expressed guarded optimism that House members would be back to work in a more focused mood for the final weeks. "Once the elections are over, there should be less concern about re-election and more willingness to really work on legislation," he said. *CJ*

Historian McClay Discusses Loyalty, Institutions and Constitution

Historian Wilfred McClay recently delivered a Headliner lecture to the John Locke Foundation on the topic "The Complex Roots of American Patriotism." He also discussed the topic with *Carolina Journal* associate editor Mitch Kokai. The interview also aired on Carolina Journal Radio. (Go to <http://carolinajournal.com/cjradio/> to find a station near you or to learn about the weekly CJ Radio podcast.)

Kokai: The title of your discussion implies that there is a difference between American patriotism and other forms. Is there a major difference?

McClay: Yes, I think one way of getting at it is to think about a distinction that George Orwell made between patriotism and nationalism. Patriotism — as he defined it in that context — was strictly an affection for one's own country, for one's own locality, for the land, for that which was in propinquity to one's self — and with connotations that he didn't really draw out, but one could — of a kind of blood-and-soil loyalty to that land, to one's ancestors, and so on.

Nationalism, on the other hand, he saw as a fundamentally ideological commitment to the nation, to the nation-state. And very often, particularly in the European context, one has had to choose between the two.

And this something that goes back a long way, even in the Roman Empire — and of course in Rome the family was extraordinarily powerful. The loyalty to Rome had to — in both legal and customary ways — supercede the loyalty to the family. It's an either-or [choice], and very often in European history, local affiliations have had to give way to help make strong nation-states. In those countries — Italy being one of the best examples one could think of — where those local

loyalties really haven't been marshaled to the nation-state, the nation-state doesn't work too well.

In America, we have managed — partly by intention, partly by our good fortune — to evolve or devise a way of being patriotic that doesn't require one to make those choices. Our local affiliations and our national affiliations are not only balanced; the one feeds into the other ideally.

Our local patriotism — our sense of loyalty to local institutions, to families, to these more proximate venues — is not held at the exclusion of our national loyalty. In fact, one form of loyalty seems to support and reinforce the other.

One of the things I stress is that in some respects — particularly for people who are sort of on the right side of center, but maybe for all of us — the area that we really tend to neglect is not so much the nationalistic but the patriotic in Orwell's distinction. That is, the non-ideological sources of national cohesion and patriotism, I think, are things that we need to give more attention to.



Historian Wilfred McClay speaking at a John Locke Foundation Headliner luncheon in Raleigh Sept. 18. (CJ photo by Don Carrington)

One of the ways to give attention to it is to give attention to history — to the specific history of the United States, of our institutions. And this might be a good point to say something about the Constitution because the Constitution is not just a document that was created in order to legitimize a kind of endlessly contested battle in American society over what will stand and what will fall, what will endure and what will not

endure. The Constitution establishes some very specific parameters for our national life that are not really subject

to constant review. So this notion of America as a kind of open-ended experiment in which everything is provisional and all sorts of transformations are thinkable, this is not the mindset of the founders. This is not the outlook of the Constitution. Part of its great strength is in the fact that it does establish some fairly well-defined structures within which

change is supposed to take place. I think it's particularly appropriate to say on this occasion that the Consti-

tution is not just to be looked at, so to speak, rationally. I don't mean that you should look at it irrationally. But I mean that part of the Constitution's standing in our culture is that it is an object of veneration — as much as the Washington monument and the Capitol building and the national parks and these other symbols of the nation.

We value things like critical thinking and critical discourse so much in this country and so much especially in academia. Critical thinking, that's the motherhood and apple pie issue in academia. "Are you being critical?" That's not the only thing that's involved in being a civilized human being — the ability to be critical. Memory is involved — the memory of those who've come before, a sense of gratitude to those who came before who are in some sense a source of our very being. I see this as partly having a religious grounding, but I don't think one necessarily has to [agree] — simply a recognition in human terms of the fact that the things that we have owe a great deal to those who've preceded us.

This is one of the roots of patriotism that I talk about — this cultivation of memory, of the ability to have a historical consciousness, a consciousness of the present as being grounded in and connected to the past. This is a very subtle kind of thing. It doesn't tend to raise anybody's blood pressure on Capitol Hill or in think tanks — left and right. But I think it is at the core of what it is to be a civilized human being. And I think it's something we neglect at our peril.

One of the things I think we need to do periodically is express our veneration of our Constitution, which is a remarkable document that has survived a very long time. I mean in one sense we're a very young country and in another sense a very old country because of the longevity of our Constitution. CJ

"One of the things I think we need to do periodically is express our veneration of our Constitution, which is a remarkable document that has survived a very long time."

Wilfred McClay



Conquering Traffic Congestion in the Capital City: More Effective Solutions Than Light Rail (Regional Brief by Christopher Goff)

Spend and Tax: A History of General Fund Crises in N.C. and How to Prevent Them (Policy Report by Joe Coletti, John Locke Foundation Fiscal Policy Analyst)

Wake County's Edifice Complex: Extravagant School Buildings Do Not Lead to Higher Student Achievement (Spotlight #295 by Terry Stoops, John Locke Foundation Education Policy Analyst)

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State School Briefs

Too few flags for the pledge

A shortage of flags, questions about patriotism, and confusion among teachers have greeted a new state law requiring public-school students to recite the Pledge of Allegiance in the classroom, the Associated Press reports.

Some teachers said they were unprepared for the requirement and not sure what directions to give students. For many, the biggest issue has been a shortage of flags.

Wakefield High School in North Raleigh improvised during the first few days of school. Its students in classrooms without flags faced the front of the school, where the outdoor flag flies. Student leaders have since been leading the pledge on classroom television monitors, with an image of the flag in the background.

Flags in the Chapel Hill-Carboro district are being provided by organizations such as the American Legion, PTAs, and the schools. Until this year, North Carolina law only encouraged schools to display flags in classrooms and recite the pledge.

Flocking to private schools

More of Mecklenburg County's better-off families are putting their kids in private schools, according to a *Charlotte Observer* analysis of new census data.

Last year, 36 percent of these children attended private schools. That's up from 26 percent in 2000. These households earn more than five times the poverty level — at least \$78,000 for a family of three; \$99,000 and up for a family of four.

Today, the county's private school students are more likely to be white. They're more likely to live in the suburbs, where last year, residents pushed to break away from Charlotte-Mecklenburg Schools and mounted the strongest opposition to a bond package that was defeated.

The rise in private-school enrollment does not signal a widespread exodus from CMS. For example, the district held on to 88 percent of the county's middle-income students (whose families earn between two and five times the poverty level). That percentage did not change from 2000.

But the overall number of those students dropped, leaving children from lower-income homes as the largest single group in CMS — at 41 percent. Over the same period, private school enrollment inched upward. *CJ*

\$10 billion needed over five years

Leaders Discuss Statewide School Construction

By DAVID N. BASS

Editorial Intern

RALEIGH

Amid burgeoning population growth across North Carolina, more than 90 community leaders and government officials met recently to discuss challenges surrounding school construction and finance needs.

Dubbed "County Pressures: The Realities of School Construction Demands," the one-day conference Aug. 30, at the Exploris Museum sponsored by the N.C. Association of County Commissioners was attended by officials from more than 30 counties across the state. The central question: how to meet school capital requirements and overcome hindrances that prevent counties from keeping pace with increasing demands for school space.

"Education is at the heart of our economic success," said Tony Gurley, chairman of the Wake County Board of Commissioners. Wake County alone is growing by 7,000 new students each year, Gurley said, and the county's overall population is expected to double in the next five years.

According to a preliminary report by the State Board of Education and Department of Public Instruction, the number of K-12 students statewide will grow by 15.2 percent the next 10 years. Total facility needs will be almost \$10 billion over the next five-year period, most of those funds being devoted to school construction and renovations and additions to schools. That number is up by 57 percent since the Facility Needs Survey in 2000.

The SBOE/DPI study attributed this mammoth budget to estimated student population growth. "The most common justification for reporting needs for new schools, renovations, and additions is to accommodate projected enrollment growth," the report stated. "Easing current crowding and replacing obsolete facilities are also major factors in the need for new construction on campuses throughout North Carolina."

Much of the growth is also fueled by a massive influx of immigrants, both legal and illegal. According to Gurley, 2,000 of the 7,000 new students each year "can be attributed to undocumented immigrants." Wake County commissioners plan to investigate the financial implications of the immigration flood by the end of the year, Gurley said.

In addition to outlining challenges facing the state, a lineup of panelists offered various suggestions for solving im-



State leaders say a lot more construction like this project at Panther Creek High School in Wake County last fall will be needed in the next five years. (CJ file photo)

pending school construction needs. One of the topics discussed was increasing the amount of public-private partnerships, a process that typically involves a contract between a school district and a private developer to build a school and lease it back to the school system.

"We have to figure a way to provide a smorgasbord of options for people in their communities," said Sen. Vernon Malone, D-Wake. Malone also touted public-private partnership legislation approved during the last session of

the General Assembly. S.B. 2009, Public-Private Partnerships for Schools, passed overwhelmingly in both the state House and Senate, is designed to allow capital lease financing for public schools in North Carolina.

Another option put forth by

panelists was the organization of blue ribbon committees. Composed of community leaders, the committees are designed to examine the adequacy of school infrastructure and to weigh potential solutions for improvement. According to Gurley, recommendations by Wake County's chapter included re-evaluating school design, increasing the cap on charter schools, expanding public-private partnerships and increasing the amount of year-round schools.

Frank Holding, a representative from the Wake County Blue Ribbon Committee, reported that the 65 members of Wake's group had fairly common growth assumptions for future population and school needs. They also agreed on how those assumptions translated into actual infrastructure requirements for the county. But Holding conceded that "when it came to determining where the money would come from," commit-

tee members "could not agree on what to tell politicians" was required.

"We are going to face some real hurdles in the coming years," Holding said. "We will be in a crisis unless change happens. We will have to deal with these issues in 'crisis mode.'"

Despite past assurances that proceeds from the N.C. Education Lottery would help solve the state's school construction needs, panelists were reluctant to tout the cure-all benefits of the numbers game. "The lottery is going to solve everything, right?" said Ben Matthews, director of School Support Services for DPI. "Absolutely not. Many people in the public mistakenly thought that it would."

Since the lottery is a new source of revenue, it is difficult to be certain of the exact amount each county will receive for school construction, said panelist Vance Holloman, deputy treasurer of the State and Local Finance Division. Just \$160.5 million in lottery funds have been earmarked for school construction, constituting less than 2 percent of the estimated five-year budget.

David Salvesen, of the UNCC Center for Urban and Regional Studies, suggested the implementation of adaptive reuse as a way to overcome obstacles to state and local school construction. Vacant malls, warehouses, or big-box retail spots could be converted into schools, Salvesen said.

A similar plan of adaptive reuse has been successfully used in Wake County. In 1998, Wake's school district converted the vacant American Sterilizer Company, a 150,000-square-foot facility near Apex, into Lufkin Road Middle School. The school site was needed to house 800 displaced ninth-grade students.

One major advantage of this option was the expedited construction process: The facility was converted in only one year, while new school construction would have taken two to three years to complete, increasing the overall cost to taxpayers. *CJ*

"We have to figure a way to provide a smorgasbord of options for people in their communities."

Sen. Vernon Malone
D-Wake

Teacher-Recruitment Measure Too Late for This School Year

By JIM STEGALL
Contributing Editor

A half-million-dollar pilot program to recruit scarce math and science teachers to poor counties made it through the General Assembly this summer, but not in time to help with teacher recruitment. With the school year now well under way, State Board of Education members hope that the money that would have been used to pay recruitment bonuses will be used instead to persuade newly hired teachers to stay on the job.

The Salary Supplement for Math and Science Teachers Pilot Program was authorized by a special provision in the state budget signed into law July 10. Under this program, the State Board of Education was to designate three school districts to receive extra funds to pay \$15,000 bonuses each to as many as 10 newly hired teachers in shortage areas. The idea was to use the money as an incentive to draw hard-to-find math and science teachers into low-performing districts.

The measure's sponsor, Senate President Pro Tem Marc Basnight, wanted the program to be in place before the start of the school year so that the chosen districts could use it as a recruiting tool. But while the legislation made the money available, it left it up to the board to determine which school districts would receive the funds and which teachers would be eligible for the bonuses. That process took much longer than Basnight anticipated, with the result that the teacher recruiting season came and went before the board was able to act.

Unfortunately, competition for teachers of certain disciplines causes school districts to begin recruiting efforts in early spring, before new teachers have graduated from college. Job fairs are usually conducted in May or June, and by mid-July most of the highly sought-after math, science, and special-education teachers that are in short supply have already committed to a district.

While the board knew that Basnight's provision was in the budget document as early as June 30 and thus very likely to pass, there was little in the way of preparation the staff could do. According to Philip Price, associate superintendent for business and financial services, it doesn't make sense for the staff to work on proposals that have

not actually been ratified into law. If they did, he said, "We would be working on a lot of items that would not move forward."

Price said that once the budget bill was ratified the board formed a committee to review the special provision and make policy recommendations, and that the recommendations were approved at the second meeting of the full board (Sept. 6) after the legislation was passed. With respect to the staffing and vetting process, "It was not possible to obtain appropriate feedback by the August meeting," Price said.

The provision authorizing the differential pay pilot program was included in the Senate's version of the budget bill (SB1741), which cleared that chamber May 25. The House initially stripped the special provision out of its version of the budget, but when the two bills went to a conference committee June 19 it was back on the table.

During the conference committee meetings, the provision sparked a number of questions, most of which centered on the stipulation that the bonuses be paid to "newly hired teachers." Legislators wanted to know whether that meant that only those teachers new to the profession could receive the extra pay, or if it included experienced teachers from other states or districts. One legislator asked whether teachers already serving at one school in the district would be able to transfer into a position at another school to become eligible. Several members expressed uneasiness about a policy which seemed to pit schools and districts against one another in teacher recruitment, and with the idea of paying two teachers in the same field at the same school different salaries.

The only answer given during the hearings was that the state board would develop implementation guidance that clearly defined what was meant by the term "new teacher." The final negotiations over the conference committee report were conducted in secret, and when the final version of the budget bill was submitted to both chambers June 30, the pilot project had survived intact, virtually assuring its passage into law.

The governor's signing of the bill July 10 put the ball officially in the state board's court. With less than seven weeks before the school year was to begin the board had to act fast if it was to take advantage of the opportunity to use the program as a recruiting tool. CJ

"It was not possible to obtain appropriate feedback by the August meeting [on the staffing and vetting process]."

Philip Price
DPI Associate
Superintendent

Commentary

We Need Testing Transparency

Who gets to decide what schools teach? Is the federal government the final arbiter of what students learn, or should that responsibility rest with the states? According to the 10th Amendment of the U.S. Constitution, powers not delegated to the United States are reserved to the states themselves or to the people. Since the Constitution never mentions education, the task of providing it presumably falls to states.

Yet during the past 25 years, political leaders have increasingly thrown constitutional caution to the wind. In 1979, President Jimmy Carter created a new Cabinet-level Department of Education, ushering in an era of unprecedented federal oversight of education.

President Bush has made K-12 education his top domestic priority. Education spending is now at an all-time high: Between 2001 and 2006, the federal education budget ballooned from \$42.1 billion to \$88.9 billion. Bush's No Child Left Behind Act of 2001 has put sweeping accountability measures into place. States must develop standards and tests, publicize results, close racial and economic achievement gaps, and participate in the National Assessment of Educational Progress, known as the nation's "report card." If states fail to make required achievement gains on state tests, the federal government mandates sanctions.

But after five years of federal accountability measures, American standards are still in a shambles. A recent study released by the Fordham Foundation, "The State of State Standards 2006," found a great variation in standards and academic rigor across the country. According to this report, 26 states earned a "D" or an "F" grade overall for their standards, while only nine states received an "A" or "B."

What's going on? During this time of intense federal scrutiny of test results, many states have dumbed down their standards in a desperate bid to inflate proficiency scores. Federal accountability relies on a state's tests and proficiency levels, providing both opportunity and incentive for states to game the system. Low standards help explain the frequent and glaring discrepancies between state proficiency scores and those on NAEP.

When it comes to false ad-

vertising, North Carolina is one of the worst. In their 2005 *Education Next* article assessing congruence between NAEP standards and state standards, Paul Peterson and Frederick Hess gave North Carolina an "F." It's no wonder, in 2005, 87.9

percent of eighth graders were proficient in reading on state tests, compared to just 27 percent on NAEP.

Where do we go from here? First, real accountability must extend beyond the tests themselves. As Chester Finn Jr., president of the Fordham Foundation, said: "While debates over testing get more attention, a state's standards exert

tremendous influence over what actually happens in its classrooms." High test scores are meaningless if they don't reflect mastery of age-appropriate academic content.

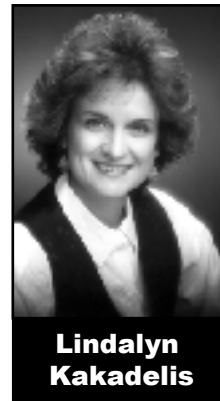
Next, and more fundamentally, we need to resolve the simmering argument over who sets standards. Policymakers on both sides of the political aisle are pushing for the federal government to develop and enforce national standards and tests. That's a quick fix, and it might even make expectations uniform. But increased federal involvement is a slippery slope.

Who would write the standards? Politically correct revisionism would surely be rampant. Certainly, the national history standards debacle in 1995 serves as a cautionary tale. Who wants the federal government setting proficiency levels?

An alternative to national standards and tests would be greater transparency across the board. State standards and tests should be easier to compare, not just to one another but also to NAEP. Such a proposal, called "sunshine and shame," is one of several options put forth recently by the Fordham Foundation to resolve our standards imbroglio.

This makes good sense. Academic standards, however messy, need to see the light of day. As Justice Louis Brandeis once said: "Sunlight is said to be the best of disinfectants." When it comes to American testing standards, clean-up is clearly in order. CJ

Lindalyn Kakadelis is director of the North Carolina Education Alliance.



Lindalyn
Kakadelis

School Reform Notes

CMS reforms

Superintendent Peter Gorman and the Charlotte-Mecklenburg School Board unveiled reforms Sept. 12 that aim to reward success, fix failure, and help parents grasp how well their schools work, the *Charlotte Observer* reports.

Policies introduced call for Gorman to:

- Create a school rating system that is clear to the public.
- Give principals more power to hire and fire.
- Beef up rewards for schools that boost student achievement and penalties for those that don't.
- Be ready to transfer teams of effective principals and teachers into the latter.

Gorman described the policies as "huge," the result of intensive talks the board launched two years ago. Gorman contributed as soon as the board hired him in April.

"All of them need to lead to urgent and dramatic reforms," he said.

Gorman said he'll announce details of his reform plan in early November.

Board members won't vote on the policies until October, but they have already agreed on the direction they want to take, Chairman Joe White and Vice Chair Molly Griffin said.

School prepared for violence

For two days last year, several faculty and staff members from Orange High School trained for a crisis. As a final exercise, they were given an assignment to respond to the worst possible scenario: an "active shooter" enters the school and opens fire, *The News & Observer* of Raleigh reports.

When a similar scenario became frighteningly real Sept. 6, the school was ready to react.

But like many schools, Orange High could do little to stop someone with the means and resolve to cause violence.

Alvaro Rafael Castillo never made it inside the school, but he was able to drive onto the campus, take two guns and ammunition from his van, and begin firing at the school. Two students were slightly hurt before the 19-year-old graduate was confronted and stopped by a campus sheriff's deputy and a teacher, halting an incident that could have been far worse.

Still, Orange High's brush with wanton violence was a sobering reminder to schools that none are invulnerable. CJ

The perfect storm

Construction Costs Nail Guilford School Board

By SAM A. HIEB

Contributing Editor

GREENSBORO

The perfect storm.

That's the phrase Guilford County Schools chief financial officer Sharon Ozment used to describe the system's capital outlay budget during a recent school board meeting.

"I described our capital outlay situation the last time we met as the perfect storm, and the seas continue to rage," Ozment said. "I think this year will be a year when we will continually have to look at prioritizing and reprioritizing our capital outlay dollars as they become available."

Much prioritizing and reprioritizing has already taken place as construction problems continue to plague GCS. Cost overruns on various projects have busted the system's capital budget and eaten up the majority of funds from a \$300 million bond passed in 2003.

In the center of the so-called perfect storm is the Board of Education, which continues to seek answers, often unsuccessfully.

The board is grappling with two major problems: the cost of fixing structural problems at three middle schools and the cost of renovations at two "academies" that will offer specialized programs to small groups of students at Smith and Andrews high schools.

Costs have increased considerably on both projects. In the case of the structural problems at Eastern, Hairston, and Kernodle middle schools, a final cost still isn't known.

Whatever that cost, it's considerably higher than the \$1.8 million originally estimated to fix structural problems in the gymnasiums of the three middle schools. That's because structural problems were discovered throughout all three schools.

"We had no idea the extent of the work that had to be done," Chief Operating Officer Kevin Lear told the board. "The welding in one wing of one school was more welding than goes on in an entire school construction project."

Lear estimates repairs will cost \$8.5 million, though he hesitated to provide any firm numbers because he "just didn't know yet." That figure is up from the \$7.2 million estimate GCS staff provided the board a few weeks ago, which itself was a considerable increase from the original \$1.8 million estimate.

"I don't think it will go much higher," Lear said.

Blame for the structural problems appears to fall on engineer Hermon Fox, who worked with Greensboro-based TFF Architects on the three middle schools. GCS has said it would seek remuneration for the faulty work, but no legal action has been officially announced.



"I described our capital outlay situation the last time we met as the perfect storm, and the seas continue to rage. I think this year will be a year when we will continually have to look at prioritizing and reprioritizing our capital outlay dollars as they become available."

Sharon Ozment
Chief Financial Officer
Guilford County Schools

GCS wants the Guilford County Board of Commissioners to release \$5.4 million in capital outlay dollars to begin covering expenses for the structural problems. As the final numbers come in, along with, hopefully, more money, GCS will "need to revisit and revise our regular capital outlay budget and perhaps some project ordinances as well," Superintendent Terry Grier wrote in a memo to the board.

Ozment told the board that GCS could be receiving up to \$10 million in state lottery money, which would go toward construction projects. She added, however, a more conservative short-term estimate would be \$5 million to \$6 million.

Board member Anita Sharpe asked whether there was a possibility GCS might not receive any lottery money.

"I've not heard anything that would lead me to believe we won't receive any of it," Ozment said.

As it turns out, the board was about to revisit two project ordinances quickly. Later in the meeting, Grier and his staff brought before the board requests to seek \$5.7 million for the construction technology academy at Smith and \$2.2 million for the culinary arts academy at Central. Both amounts were more than the original estimates of \$3.85 million

and \$1.9 million, respectively.

The academies are GCS' response to recommendations by Wake Superior Court Judge Howard Manning as he presides over an ongoing lawsuit. Central to Manning's recommendations are creating smaller academies offering specialized courses within larger high schools that are struggling academically.

At Smith, the difference in cost was related primarily to the need for a new air-conditioning system, a new fire protection system, and resulting mechanical, electrical, and roof overhauls.

Sharpe said she was concerned that staff members had not done their homework when purchasing property for the academy, an office building that formerly served as headquarters for Oakwood Homes.

"We had a very short window to move on that facility," said GCS facilities consultant Joe Hill. "There's not a lot of opportunity in that area to acquire real estate."

With such constraints, Hill said he relied considerably on the owner's assessment of the building's condition when negotiating the purchase.

"[So] we took the owner's word on the building," Sharpe said.

"In the time frame that we had to make the decision, we did," Hill replied.

Board member Marti Sykes echoed Sharpe's concerns.

"I don't like what we've done," Sykes said. "We've jumped the gun, and now we're in deep. But are we going to let those students down?"

But board member Dot Kearns defended the purchase, saying she believed "it was a good buy, and we're going to have a very good program there."

At Andrews, students at the culinary arts academy were using the school cafeteria as a lab until two labs and a kitchen could be completed in a separate building. Complicating matters is the fact that Central is a closed campus, meaning the cafeteria feeds all 1,500 students every day.

Grier said that if funds were not provided, "the culinary arts program is going to die."

After discussing various options, board member Darlene Garrett made a motion to hold funds for the academies until the final cost to fix the middle schools is known.

After further discussion, board member Susan Mendenhall made a substitute motion to request the release of additional funding for the academies.

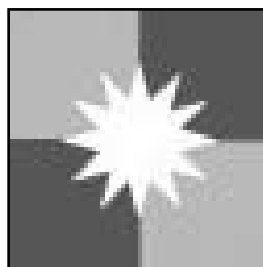
The motion passed by a 6-5 vote, with Mendenhall, Kearns, Sykes, Amos Quick, Walter Childs, and Deena Hayes voting yes and Sharpe, Garrett, Nancy Routh, Kris Cooke, and board Chairman Alan Duncan voting no. CJ

Children's Scholarship Funds Make Dreams Reality

By JIM STEGALL
Contributing Editor

RALEIGH
The most recent session of the General Assembly did nothing to advance the cause of school choice. But that hasn't stopped proponents of school choice from forging ahead on their own. More than 400 children from low-income families in Mecklenburg County are attending private or parochial schools this year, thanks to tuition assistance provided by the Children's Scholarship Fund of Charlotte, a local affiliate of the national Children's Scholarship Fund.

CSF was founded in 1998 by Wal-Mart heir (and Vietnam War special forces veteran) John T. Walton and Wall Street financier Theodore J. Forstmann. According to its Web site, its purpose is "to maximize educational opportunities at all income levels by offering tuition assistance for needy families and promoting a diverse educational environment." Its board of directors includes an eclectic set of luminaries from the worlds of politics, education, business, and high finance. Former Sens. Sam Nunn and Tom Daschle serve alongside the Rev. Martin Luther King III; Peter Lynch of Fidelity Management and Research; and



"They realize that education is the way to break the poverty cycle."

Nan Clark
Executive Director
Children's Scholarship Fund
Charlotte

Tom Freston, chairman and CEO of MTV Networks. Henry Kissinger is a member, as is Roger Staubach.

CSF-Charlotte is one of 30 local affiliates that together have helped more than 70,000 children from low-income families attend schools of the parents' choosing. Mecklenburg County families with children in the appropriate age range (entering kindergarten through eighth grade) apply for the scholarships and are selected by a lottery held in November. To be eligible, families must demonstrate financial need in accordance with standards that are similar to those used in the federal school lunch program. Once a family is selected for and accepts the scholarship, all eligible children in the family receive tuition

assistance for up to four years.

Families choose the school or schools that are appropriate for their children and apply for admission, said Nan Clarke, executive director of CSF-Charlotte. Holding the lottery in November allows parents time to check out various schooling options and for their children to complete the application process at their chosen school.

Of the 450 families that typically apply for scholarships each year, only about 50 are selected because of budget constraints. All the money for the scholarships comes from grants and private fund-raising events, several of which are conducted throughout the year.

A formula that factors in family income, number of children, and tuition payments at the selected schools is used to determine how much assistance is given. CSF-Charlotte usually pays about half of the tuition bill, and the families pick up the tab for the rest, Clarke said. Last year that totaled more than \$4,000 per family on average, although there is a cap of \$2,150 per student for grades K-8.

Families that chose to home school may also receive assistance. CSF-Charlotte will reimburse a scholarship family up to \$500 for books and other learning materials needed for home schooling.

Results of the program have been impressive. The Farley family is one example of what the program is trying to achieve. The Farleys had been home schooling their seven children and applying for three-and-a-half years before finally winning the lottery. Their eldest daughter, Charis, 20, was entering the eighth grade when the family was selected for assistance. After a stellar academic career at Charlotte Christian High school, she is now a sophomore at Appalachian State University majoring in communications and international business.

The other Farley children have also taken advantage of CSF's tuition assistance to further their education. Son Keenan, 18, is a freshman on a basketball scholarship at Covenant College. He also won awards for his poetry at Charlotte Christian and credits the teachers there with awakening his academic potential. Three other Farley children are attending private schools with help from CSF-Charlotte.

Michael Pratt, headmaster of Victory Christian Center School in Charlotte, said his CSF students "excel in the smaller environment" of his predominantly black parochial school. One woman recounted that in the years before being selected for assistance, hearing about the program was an inspiration to the family. She called it "a catalyst for our family to even be able to think about private school."

Nan Clarke agrees. She said that in her experience, the program "gives them hope to know such a program exists." The most common sentiment expressed to her by the parents of families chosen for assistance is that they want better for their children than they had. "They realize that education is the way to break the poverty cycle," she said. *CJ*

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Course of the Month

Our Instructors, Ourselves

The new movie "Accepted" is about a kid who sets up a fake college to hide the fact from his parents that he couldn't get enrolled in a real college. He tricks other students, too, however. So he proceeds with his college where "the students are the teachers."

At the flagship university and "public ivy", the University of North Carolina at Chapel Hill, the students can be the teachers, too. Course of the Month has previously discussed the "C-START" program that allows students to set up their own courses to teach (the acronym is for Carolina Students Taking Academic Responsibility through Teaching), highlighting a course on "The Post-Modern Comic Book" and a course on lobbying the state legislature for more money for ... UNC-Chapel Hill. The latter course, it turned out, gave students academic credit just for signing the registration form. (Course of the Month regrets missing the Spring 2005 course "The MTV Generation: Why Do We Want Our MTV?")

Spring 2006 saw the student-led C-START course about the collegiate topic, "Introduction to Intimate Relationships."

According to the student-taught class' syllabus: "We want this to be a fun, enjoyable class with brief assignments that do not create much stress or anxiety." Assignments were light: "You are required to write 7 reaction papers to pass this course. ... These papers should be 1-2 pages long, double spaced, and should address your reactions to the class material."

Students were expected to "review scientific research findings" to prepare for the classes. But not to worry; the class also reviewed clips from the movies "Pretty Woman," "There's Something About Mary," "The Fifth Element," "Legally Blonde," "Kinsey," "Unfaithful," and "Newlyweds."

The final assignment for the class was a doozie, though: "find a self-help book of your choice that gives specific advice on how to behave in a romantic relationship. You will write a 3-5 page paper, double spaced, on whether you agree or disagree with this advice. You must use research discussed in class to support your argument." CJ

John Locke research editor Jon Sanders tracks down the monthly college course outrage.

Analysis

UNC Student Fee System Sets Bad Example

By GEORGE C. LEEF
Contributing Editor

CHAPEL HILL

The new college school year has begun and the many student groups either have conducted or soon will conduct their initial meetings. There is nothing objectionable about students with like interests getting together to pursue them, any more than for residents of a subdivision who like playing bridge, for example, to get together for a few hands. Unfortunately, student groups don't rely entirely on money that comes from willing participants, and there is something objectionable about that.

At each of the institutions of the University of North Carolina system, students are assessed, in addition to their payments for tuition, mandatory "student activity fees." Some of the money thus collected goes toward the expense of running the student union, student TV and radio stations, and similar services that are available to all and would be difficult to charge for on an individual basis. The rest of the money is distributed by the school's student congress to various campus groups that have requested funding.

So why complain? The reason is that this system runs contrary to something that is far more genuinely American — personal choice.

The distinctive feature of personal choice is that you pay for what you want and are not compelled to pay for things you don't. In a political system, however, while you might still be able to pay for what you want, you can't avoid paying for many things you don't want. Substituting politics for personal choice is a bad idea, for several reasons.

The most obvious reason is that it needlessly makes individuals subservient to the dictates of the political majority. At one time in the early United States, all citizens were taxed to support an official church. That was true, for example, in Virginia. In the Virginia legislature, Thomas Jefferson fought for the repeal of the system of politicized religion, arguing, "It is sinful and tyrannical to compel a man to furnish contributions of money for the propagation of ideas he disbelieves in."

At UNC-Chapel Hill, the mandatory fees yield a fund of about \$350,000. The amount is allocated to requesting student organizations by the student government. The money goes to an array of groups, ranging from the non-political: American Red Cross Club, UNC Ballroom Dance and Carolina Music Outreach; to the overtly political: Campaign to End the Death Penalty, Feminist Students United, Student Environmental Action Coalition, Conference on Race, Class, Gender and Ethnicity, Carolina Students for Life, and College Republicans.

In the allocation of funds, politically left groups do better than do

The problems with the student fee system are a microcosm of the problems the United States suffers for having become a highly politicized society.

politically conservative groups by a ratio of more than 3-2. That difference, however, is probably not enough to trigger the Supreme Court's standard of "viewpoint neutrality." In the case *Southworth v. University of Wisconsin Regents*, the Supreme Court held that the allocation of student fees must be done in a manner that does not blatantly favor some political views and ignore others. Even if the allocation of money were perfectly equal, however, that still would not resolve the problem Jefferson identified. If some of your money is taken to support a group you disapprove of, it is no comfort to know that some of your money is also taken to support other groups that you might like.

True, the amount of money doled out is small per student. Pro-life students, for example, lose less than a dollar of their fees to pro-choice organizations; pro-choice students lose less than a dollar of their fees to pro-life organizations. It isn't the amount that matters, however, but the principle.

Would it be possible for student groups to exist if they did not receive handouts from student government?

Yes. They have the ability to raise funds on their own from students and outsiders who approve of what they do. Competing for the voluntary support of people is far more wholesome than competing for political patronage, whether it's from the U.S. Congress or student government.

Furthermore, the politicized system of funding necessarily becomes bureaucratic. A review of student fee decisions in the UNC system recently done by analysts at the Foundation for Individual Rights in Education reveals some absurdities. For example, a student group at UNC-Charlotte had to petition the student government for permission to transfer small amounts of money from printing and postage to travel. Such red tape entanglements and the time they waste would be avoided if campus groups were self-reliant.

The problems with the student fee system are a microcosm of the problems the United States suffers for having become a highly politicized society. Our vast political game of trying to make off with as much money that has been confiscated from taxpayers as possible leads to enormous waste and corruption. The prevailing system of mandatory student fees and student government allocations is a training ground for that game. It sets a bad example by telling students that it's all right to get what you want by making others pay for it, as long as the process is overseen by governmental authority.

These mandatory fees and political allocation of the funds ought to be ended. CJ

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

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Students Fight UNC Speaker Bias

By BRIAN SOPP
Editorial Intern

CHAPEL HILL

Despite the rude reception given former U.S. Attorney General John Ashcroft and other conservative speakers at UNC-Chapel Hill recently, there are indications that the effort to get conservative voices on campus is making progress.

One liberal student even complained in a local paper recently that the star power of conservative speakers now outshines liberal speakers.

Leftist and liberal students on the UNC-Chapel Hill campus have kept up their tradition of heckling, disrupting, and walking out of speeches given by conservatives, most recently when Ashcroft appeared on campus last month.

In *The Chapel Hill Herald* on Sept. 9, Tom Jensen, a 2006 graduate of UNC-CH and a former liberal student activist, said: "During the past four years, there has been no comparable roster of

speakers from the left side of the spectrum." While conservative speakers during that time have included Ann Coulter, Ben Stein, Alan Keyes, David Limbaugh, and John Stossel, Jensen said that the only high-profile liberals to come to campus were Paul Begala and Paul Krugman.

"Liberal groups can get student fee money just as the conservative ones do," Jensen wrote. "But raising that extra \$10,000 to \$25,000 to cover the rest of the costs of bringing a speaker usually has proven to be too high of a hill to climb."

John Ashcroft's \$25,000 honorarium, for example, was paid for by \$10,000 in student fees and outside donations from groups such as Young America's Foundation.

Luke Farley, a conservative student and the speaker of the UNC-CH Student Congress, said that while more conservatives may be appearing on campus by invitation from conservative groups, the administration, when it invites speakers, does not attempt ideological balance. "Whenever there is an official event and the university gets involved, the speaker is usually liberal," Farley said.

As for the ability to get more outside funding for conservative speakers, Farley says he thinks he knows why. "That's because our ideas are better," he said. "They allow people to prosper. Those people in turn have money to donate to conservative causes."

But when it comes to getting student fee funds, Farley said that conservatives have a difficult time. "Being

speaker, I have seen that conservative speaker requests get more scrutiny, especially the pro-life group," Farley said.

Ashcroft's Sept. 12 appearance was part of a continuing effort by campus conservatives to bring political balance to UNC-CH. The Committee for a Better Carolina and the Federalist Society, two conservative student organizations, sponsored his appearance. About 1,000 came to hear him speak.

His speech was interrupted several times in Memorial Hall by hecklers who shouted slogans and questions during his talk. In the middle of the speech, about 50 students walked out of the auditorium together.

"Whenever there is an official event and the university gets involved, the speaker is usually liberal."

Luke Farley
Speaker
UNC Student Congress

Before and after the speech, protesters stood outside Memorial Hall and held signs with slogans such as, "Stop this racist war now" and "Ashcroft stop your terrorizing."

The former attorney general was the most recent in a string of high-profile conservative speakers to come to campus in recent years.

But the reception Ashcroft received was a clear indication that some students at UNC-CH are far from making a shift to the political right.

In 2001 about 150 students walked out during a speech by author David Horowitz. In 2003 controversy arose over the use of student fees to fund a speech by Coulter.

In 2005 a woman threw a pie at speaker Patrick Guerriero, president of the Log Cabin Republicans. She then pulled the fire alarm where the event was being conducted.

Ashcroft stressed the importance of the United States preventing terrorist attacks rather than responding to them. He said, "Security exists only to guard liberty."

Referring to the perpetrators of the Sept. 11 attacks as "individuals who resented our freedom and what it means," Ashcroft was interrupted when someone shouted, "the Bush administration you mean?" While Ashcroft touted the freedoms protected in the Constitution, another attendee shouted, "Then why do you disregard them?"

Shaddi Hasan, a freshman who attended the event, said in a letter to the editor Sept. 14 in *The Daily Tar Heel*, "Like most people I have met on this campus, John Ashcroft is not exactly my hero," Hasan writes. "Yet when I went to hear him speak on Tuesday night, I would have been embarrassed to associate myself with many of those in opposition to him." CJ

Commentary

UNC Governance Scrutinized

In one of his earliest political speeches in 1964, Ronald Reagan said, "No government ever voluntarily reduces itself in size. Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this earth."

Reagan's point was that governmental structures hardly ever are abolished. That is pertinent when considering the University of North Carolina Board of Governors. At 32 members, it is the largest state university governing board in the nation.

Last year, the Pope Center for Higher Education Policy, in conjunction with the American Council of Trustees and Alumni, released a study written by Phyllis Palmiero, an expert in the administration of higher education. That paper, "Governance in the Public Interest," concluded among other things that the UNC BOG is too large and ought to be selected by the governor rather than through the legislative process.

Last month, a new study on UNC governance was released by the North Carolina Center for Public Policy Research titled "The Statewide UNC Board of Governors: Its Selection, Powers and Relationship to the 16 Local Campus Boards of Trustees." Independently, the study arrived at some of the same conclusions that Palmiero did.

Central to the governance problem is the method by which the BOG is elected. Both reports say the political nature of the system is undesirable. The NCCPPR reported that between 1995 and 2000, BOG members gave \$425,720 to candidates in legislative races, suggesting money and influence trump knowledge about higher education. Many members are lobbyists in their professional careers.

"However, over the last four legislative sessions, the process has increasingly been marked by squabbles between the two political parties and by an increasing desire for control of the process by the Senate and House leadership that leaves little role for the Senate and House as a whole or their committees," the NCCPPR report says.

During the 2005 appointment process, leaders in both chambers circumvented state laws outlining how members to the BOG are to be

elected.

"Governance in the Public Interest" suggests that the governor make all appointments to the BOG as well as campus boards of trustees. That is how the system works in many other states. Explaining her position, Palmiero wrote, "The governor is elected by all the people of the state and it is his responsibility

to put forth a coherent vision of the needs of the state. As a single elected official, he can be held accountable."

The NCCPPR report differs in its recommendation, advocating that the governor appoint 24 of 32 members, with the state House and Senate confirming the governor's appointments. Still, the

governor would be in a position to choose a majority and fill those seats with people who are committed to his vision.

There is also a question about the size of the BOG. Palmiero favors a reduction to 15 members. She says the large number of board members gives committees on the board excessive power, and as a result, makes the full BOG meeting a "rubber stamp" of committee decisions. "A smaller board would facilitate a focus on central issues, allow thorough discussion, and increase each member's accountability," she wrote.

NCCPPR does not want to reduce the size of the BOG. In fact, it wants to give voting status to the student representative, thereby increasing the effective size of the board. NCCPPR says doing so would "assure a connection between the Board and its chief customers or consumers—the more than 190,000 students in the 16-campus system." It's questionable how valuable adding the student vote to the BOG would be.

With these reports on the table, is it possible that we will see some changes made by the General Assembly in January? Under the current structure, the legislature has all the power—appropriation, oversight, and appointment. No matter how persuasive the case for change, it is hard to see the legislators relinquishing some of their authority unless they are strongly pressured to do so. CJ

Shannon Blosser is an associate editor of Carolina Journal.



Shannon Blosser

Bats in the Belltower**What Can We Do To Bring More Liberals to UNC?**

In mid-September, several conservative groups at the University of North Carolina at Chapel Hill sponsored a talk by former U.S. Attorney General John Ashcroft. The Committee for a Better Carolina teamed up with the Federalist Society and the Young America's Foundation to bring Ashcroft to speak at UNC-CH.

As was to be expected, the event led to several protests. Signs were scrawled, slogans were chanted, comparisons to terrorists were made, buckets were drummed, and tutus were donned. When the fun was over, about 1,000 people had heard Ashcroft speak, and the campus had witnessed a rollicking political debate with an accompanying freak show.

To be sure, not everyone was pleased that Ashcroft had come to Chapel Hill. Many were quite displeased with having had a hand in bringing him in, by virtue of having paid student fees, a portion of which went to cover Ashcroft's speaker fees through the student groups. *The Daily Tar Heel* of Sept. 14 reported that \$10,000 of Ashcroft's \$25,000 fee came from student fees.

The *DTH* also reported that student fees would be used to pay for other political speakers: "\$18,570 will go to the Gay Lesbian Bisexual Transgender-Straight Alliance for speakers including comedian Margaret Cho, basketball player Sheryl Swoopes and writer Bell Hooks; \$9,375 to the College Republicans for Walter E. Williams; and \$6,000 to the Black Student Movement for Stogie Kenyatta."

Those complaining have a point. Why should they participate in funding speech they disagree with? Should it blunt their concern that they're also made to pay for speech that they agree with? Wouldn't they rather keep the money? If "both sides" are howling about paying to bring in speakers that offend them, maybe they're both right.

Amid the Ashcroft festivities, another concern cropped up. This one happened amid local leftists upset that a "radical right" type could come to campus to speak. For money. A lot of money. Money,

they said, that leftist groups on campus couldn't raise.

They registered their concerns online in a post on the "Orange [County] Politics" blog titled "How to bring more prominent liberals to UNC." Notwithstanding the observation that such a concern would be like wondering whether there were ways to bring more Catholics to the Vatican, the chief worry was that "Liberal groups can get student fee money just as the conservative ones do."



Jon Sanders

Respondents argued over how little a "liberal" speaker could take for a speech. That is, they discussed what the minimal amount would be to get someone to take the time to travel to Chapel Hill to speak rather than find other uses of his

time. One found a large speaker's fee "disgusting"; another said that the "bozo" liberal who required a huge speaking fee "would be putting money ahead of taking some personal responsibility for stopping our impending societal train wreck." Others tried to determine how much a "progressive speaker" should receive.

What became apparent from the discussion was that even "prominent liberals" understand free-market principles and opportunity costs when it comes to their own capital — in this case, their time, speaking ability, ideas, and celebrity — and that they have a revealed preference not to give those things freely to their fellow travelers in Chapel Hill, who apparently felt entitled to them (to each according to his needs, from each according to their, well, speaking ability).

It turned out, however, that the leftists' concerns were premature. While hands were wringing over how to bring more prominent liberal speakers to UNC-Chapel Hill, the university was finalizing an agreement with the next commencement speaker: former U.S. Secretary of State Madeleine Albright. CJ

Jon Sanders is research editor for the John Locke Foundation.

High Cost of College Textbooks Pinching Students' Budgets

By BRIAN SOPP
Editorial Intern

CHAPEL HILL
UNC-Chapel Hill freshman Austin Fowler spent about \$500 this semester on textbooks. His classmate Andrew Wein spent about \$400.

"On top of that, Student Stores didn't have a CD I needed," Wein said. "They only had used copies, which don't work because they are made so that they can only be activated once."

Wein is not alone in his frustrations about the cost of textbook prices for college students. A report released in 2005 by the Government Accountability Office found that "college textbook prices haven't risen at double the rate of inflation for the last two decades."

The increased costs add more to the ever-increasing cost of tuition for many students. During the 2003-04 school year, "first-time, full-time students paying in-state tuition at 4-year public colleges or universities were esti-

imated to spend 26 percent of the cost of tuition and fees on books and supplies, or \$898," the report said. During the same period, "2-year public colleges estimated that their first-time, full-time students would spend about \$886."

Why are textbook prices on the upswing? The report claims that bundling, a process by which a textbook is "only available at the bookstore in combination with some other course material" is one possible cause. Fowler, for example, spent \$150 on a bundle of materials for an introductory Italian class.

Another part of the problem is that professors sometimes change books unnecessarily or do not assign the least expensive textbook. Publishers often offer incentives, such as bonus materials, to professors for using a particular book.

"I don't know of specific professors being influenced by incentives," said John Jones, director of UNC-Chapel Hill Student Stores. "But professors will admit that it goes on. Mostly departmental incentives in the form of study aids."

The increased textbook prices have caught the eye of some within the UNC system. In February, the Board of Governors approved recommendations for campuses to cut textbook costs for students. Among the recommendations were for each campus to establish deadlines for faculty members to order books, which would help bookstores get discounts and lower shipping costs.

Another idea that came out of the recommendations was to create a systemwide buy-back consortium, which would allow textbooks to be sold among

the various institutions.

UNC President Erskine Bowles also suggested the implementation of a textbook rental program that would be modeled after one at Appalachian State. At Appalachian State, students pay, on average, \$209 each year for textbooks.

However, the rental program is not without its faults, some say.

"The rental program has shown statistically to save students money," said Glenn Ellen Stilling, chairwoman of the Appalachian State University Bookstore Committee. "But it does limit the faculty's ability to choose."

Faculty members have criticized the program in recent years and passed a resolution in December 2004 to end the program. To address faculty concerns, the University Bookstore Committee was established and asked to study the rental program and come up with recommendations that would maximize faculty flexibility while continuing to save students money.

In February 2006 the committee released a report recommending that the rental program continue with a few changes. For example, the committee recommended that individual instructors choose the books they will use. In the past, departments and committees chose the books instructors were allowed to use in their courses.

According to the report, this was one of the main reasons the faculty Senate wanted to abolish the rental program.

The effectiveness of rental programs keeping costs down has also been questioned. "Some studies have shown that the amount a rental program saves students is not going to be less than a buy-back program," Jones said.

As part of their annual tuition requests to the BOG, each school must analyze whether a textbook rental program would work on their campus.

Regardless of their conclusions, the BOG expects that individual campuses will make an effort to reduce costs. In February, Bowles said that if he did not see some progress on curbing textbook prices, the BOG would consider creating requirements for the UNC system campuses rather than recommendations.

This resolve offers some hope to UNC students trying to protect their wallets. For the country as a whole, however, the GAO believes that "because the cost to students may not be the primary factor considered when publishers are developing textbooks that students are ultimately required to buy, the rate of textbook price increases is not likely to slow." CJ



Study finds lack of intellectual diversity

What Diversity?: The Intellectual Monoculture of Higher Education

By **GEORGE C. LEEF**
Contributing Editor

It just won't do to have an all-white university," Harvard's President Derek Bok said several years ago, attempting to justify the policy of favoring nonwhite applicants. The rallying cry for "diversity" proponents has long been that our institutions should "look like America" — that is, to mirror the composition of society with regard to racial, ethnic, and other classifications of individuals. Taking them at their word, what about diversity of philosophy? What about intellectual diversity?

In education, you would think that diversity of ideas would be at least as, if not more, important than skin color or sexual preferences. But when it has been pointed out that college faculties tend to be very homogeneous when it comes to their beliefs on socio-economic questions, the response from the higher-education establishment has mostly been that it's a threat to academic freedom even to discuss the matter. Many academic departments are intellectual monocultures, with hiring preferences by those in authority filtering out any new professors whose opinions are much different from the norm. They think that is perfectly fine.

A recent study by Professor Daniel Klein of the economics department of George Mason University and Charlotta Stern of the Institute for Social Research at Stockholm University strongly supports the idea that American higher education is short on intellectual diversity. Their paper, "Professors and Their Politics: The Policy Views of Social Scientists," is descriptive; they want to find out what

professors in several branches of social science (anthropology, economics, history, political-legal philosophy, political science, and sociology) think about a wide array of political philosophy questions.

They don't try to explain why we have an academic monoculture or declare that it's a problem calling for action. What they do show is that the American professoriate is overwhelmingly drawn from a narrow band of the political spectrum.

First, the survey asked about voting and found that 80 percent generally support Democrats, 9 percent Republicans, and 1 percent each for Green and Libertarian. (The remaining 9 percent consists of no answer, "other party," and "don't vote" responses.) The ratio of Democrats to Republicans was highest in anthropology and sociology, where it exceeds 20-1, and is lowest in economics, where it is less than 3-1.

Then the survey turned to a series of 18 questions on public policy issues. Among the issues were protective tariffs, minimum-wage laws, federal regulation of workplace safety, antidiscrimination laws, prohibition of the sale and use of "hard" drugs, laws against gambling and prostitution, increasing control over immigration, the use of the American military abroad to promote democracy, and foreign aid. What did Klein and Stern find?



One conclusion they drew is that the Democrats and Republicans generally fit the "liberal" and "conservative" types. The faculty Democrats tend to support strongly government policies

that ostensibly help the poor and control the economy, whereas the small coterie of Republicans is friendlier toward free enterprise and market forces. Surprisingly, however, the policy disagreements are less pronounced than one might expect. Klein and Stern find that both Democrats and Republicans are generally in favor of interventionist policies.

Resorting to a musical analogy, it's as though we have one group of musicians who want to play Bach and another group who wants to play Handel. We have few musicians who would rather play Beethoven or Stravinsky or jazz or reggae.

To the extent that personal policy views end up in class discussions (as they frequently do), students are apt to hear mostly "mainstream" opinions from their professors. There certainly are some who hold to radical views and would probably challenge their students to examine the conventional wisdom, but not many.

For example, on the issue of the minimum wage, Democrats might be inclined to advocate a substantial increase and Republicans to advocate no or only a small increase, but how many

would get their students to think about whether it's wise to dictate wages and prices through politics?

Based only on their own opinions, probably not many. Of course, some professors do attempt to fairly present views that are opposed to theirs and play devil's advocate to encourage students to consider them carefully. Klein and Stern did not attempt to find out how often that is the case.

What is particularly arresting is the authors' analysis of the academic monoculture we now seem to have:

Spaulding and Turner (1968) suggested that the social sciences and humanities were dominated by the left by virtue of their courageous willingness to criticize the status quo. This "critical thinking" explanation constantly resurfaces in debates over academic bias. Four decades after Spaulding and Turner's research, however, it seems that there is now a "status quo left" on campus. The establishment left and the progressives differ little and dominate the social sciences and humanities. Even the tiny contingent of conservatives differs only moderately from the establishment left.

Klein and Stern are not demanding that academic departments begin to write their job postings with language such as "Libertarians and other intellectually under-represented minorities encouraged to apply." If colleges and universities are really interested in diversity, though, perhaps they should. *CJ*

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

North Carolinians for Home Education

The MISSION of NCHHE is to:

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



The IDEALS of NCHHE are:

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

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

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



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Town and County

Raleigh fights vice

As Raleigh police prepare a new approach to removing drug dealers from city streets, they must overcome the skepticism of residents who have seen past efforts fall short.

Statistics show that crime has dropped in southeast Raleigh during the past two years. But in neighborhoods where sexual favors and drugs are sold openly, people don't feel safe, *The News & Observer* of Raleigh reported.

"People are not ... satiated by police statistics," said Nicole Sullivan, a state employee who lives in southeast Raleigh. "We want to see that prostitute that walks up and down our street gone. We want the drug dealers on the corner gone."

Police Chief Jane Perlov said the new project, based on one in High Point, aims to rid neighborhoods of outdoor drug markets and build trust between citizens and police.

This spring, Sullivan heard criminologist David Kennedy speak about the new initiative and thinks it has promise.

But Kennedy and those who witnessed the change in High Point say success cannot be measured by whether drug dealers get jobs or finish high school. The main goal is to end the violence and chaos that go with outdoor drug markets.

Asheville fights for transit

Asheville officials are asking North Carolina's senators and their local congressman to intervene to help ensure the city keeps federal transit operating subsidies, the *Asheville Citizen-Times* reports. The move comes after federal officials adjusted how they defined the Asheville metropolitan area for transit purposes.

Under federal rules, cities can use certain federal funds to cover the operating costs of their transit system. Once cities and their associated metropolitan areas exceed a population threshold, currently 200,000 people, the federal dollars can be used only for capital expenditures.

Federal transit officials recently redefined the Asheville area to include several outlying areas such as East Flat Rock and Waynesville, which the Asheville transit system does not serve.

At stake is about \$500,000, or 13 percent of the system's operating budget.

"All of a sudden, they were allowed to connect disparate pockets of density," Asheville Transit Director Bruce Black said. "It just doesn't pass the common-sense test." CJ

Speed-Hump Research Contains Many Flaws

By RANDAL O'TOOLE
and KATHLEEN CALONGE
Contributing Editors

BANDON, Ore.

A recent paper purporting to show that speed humps make residential streets safer for children actually shows nothing of the kind. In fact, the study's data could be interpreted to mean that humps make streets more dangerous.

Speed humps are annoying and potentially dangerous to drivers and can cause deadly delays to emergency service vehicles. But an Oakland, Calif. study (see <http://www.ajph.org/cgi/content/abstract/94/4/646>) claims to show that speed humps make streets 50 to 60 percent safer for children.

The study used a database showing when and where 1,600 speed humps were installed on Oakland streets between 1995 and 2000. Ideally, the researchers would have compared accident rates on those streets before the speed humps were installed with rates after, but they did not. Or they could have compared accident rates on those streets with rates on streets that did not have speed humps, but they did not, at least not directly.

Instead, the study used emergency room data to identify 100 accidents in which a child under 15 years old was hit by a car in those years. Forty-nine of those accidents were on the same street and block on which the child resided and of those, six had speed humps.

As a "control," for each accident the study examined two "randomly selected" nonautomobile-related emergency room visits that took place on the same day as the auto accident involving a child living on a residential street of the same age and gender as the one in the auto accident. The only point of this was to estimate what share of children lived on streets with speed humps, the answer being about 24 percent.

If 24 percent of Oakland children live on streets with speed humps but only 14 percent of child-auto accidents took place on streets with speed humps, the authors conclude that this proves that streets with speed humps are safer.

In addition to the above 49 accidents, the authors found another 51 accidents in which children who were hit by cars lived on streets with speed humps. But these accidents did not take place on the streets the children lived on — the streets with the speed humps — but on other streets within a quarter mile of the children's homes.

Curiously, the researchers found that having a speed hump in front of your home reduces your child's chances of being hit by a car a quarter mile away from your home by the same percentage as they reduce the chances of being hit in front of your home. The study does not say how a speed hump in front of your home protects your children when they are a quarter mile away. This



Proponents of speed humps, like the one above on a Durham residential street, say they protect children, but the methodology used in the research that makes this claim is questionable, say some experts. (CJ staff photo)

strange finding should have signaled to the authors that something was wrong with their methods.

In fact, there are numerous problems with their methodology. First, about 85,000 children under the age of 15 live in Oakland, yet the authors base this study on just 49 accidents (100 counting the accidents on streets other than the streets on which the children live). The size of that sample is far too small to be reliable.

Second, the study uses a "control" group to find out the share of children who live on streets with speed humps. The study claims that the control group was "randomly selected," yet first the authors had to identify each child's age, sex, and residential location (because only children who lived on residential streets were considered). With such a small sample, their selection could easily have biased the result.

There are far more reliable methods of estimating what share of children live on streets with speed humps. One way would be to simply count the residential streets in Oakland and determine what share of those streets had humps, adjusting for the population density in each neighborhood. Another way of doing the study is to measure accidents on streets before and after installation of speed humps. A Portland study that used this method found that speed humps reduced accidents by only 5 percent, which the researchers said was too small to be statistically significant.

The problems with small samples can be seen in the statistical data reported in the Oakland paper. The paper says that children living on streets with speed humps are 40 percent as likely to be hit by cars on their street as children on streets without speed humps. But a table in the paper says that the "confidence interval" for this number ranges from 15 percent to 106 percent.

In statistical terms, this means the authors are 95-percent certain that streets

with speed humps could be anywhere from 85 percent safer to 6 percent more dangerous than streets without speed humps. This broad confidence interval means there is no certainty at all, demonstrating that the sample size was too small.

To top it off, the paper relied on data showing when speed humps were installed on Oakland streets after 1995. Yet, in correspondence, the authors admit that an unknown number of Oakland streets, at least 125, had speed humps installed before 1995. Since these were not in their database, any accidents on those streets would have been counted as accidents on streets without speed humps. This error could easily account for the differences, statistically insignificant though they may be, estimated by the paper. The authors also did not verify whether the speed humps in their database actually existed.

Naturally, the authors made no attempt to look at the other side of the question, which is whether speed humps caused any safety problems by delaying emergency service vehicles. How many houses burned more than they might have because of delays to fire crews? How many people, including children, may have died because of delays to paramedics? How many burglars got away because of delays to police?

In a city with 85,000 children, the authors could find only a few dozen pedestrian accidents over a six-year period involving children on their street of residence. Considering that other studies have already shown that problems caused by delays to emergency service vehicles completely dwarf the benefits of speed humps (see <http://www.lib.utexas.edu/pal/2000/2000/b8858.html>), advocates of speed humps and other traffic-delaying devices will need better research using more data addressing the full range of the impacts of these devices before anyone can conclude that speed humps are a good idea. CJ

Court: Covenants Have Limits

By MICHAEL LOWREY
Associate Editor

In a potentially significant ruling, the N.C. Supreme Court has restricted the power of homeowners' associations to amend their covenants. In a decision, the court held that any revisions must be "reasonable," given the purpose of the original declaration of covenants.

The ruling, on Aug. 18, came in a case involving an association that gave itself unlimited authority to impose assessments despite the original covenants providing for only limited powers for the association.

In 1988, the Vogel Development Corporation started work on the subdivision The Ledges of Hidden Hills. Situated in Henderson County, the Ledges eventually consisted of 49 lots. The plat does not include common areas or amenities. Vogel established a homeowners' association before

any lots were sold primarily to relieve it from having to administer the subdivision's architectural control covenants. There was no provision in the original declaration of restrictive covenants for the collection of dues or assessments.

Sometime later, Vogel decided to put in a lighted sign at the entrance to the subcommunity. Not wishing to pay for the electricity indefinitely, the company amended the covenants to have homeowners split the cost via an assessment.

The homeowners' association adopted bylaws in 1995, and soon amended its covenants to include a provision for placing a lien on properties that did not pay their assessments.

Assessments were \$80 to \$100 a year. The association was doing more than merely paying for power to light a sign; it also paid for mowing along the roadside of the main street, despite it being private property, and for snow removal, despite all streets in the development being state-maintained.

In June 2003, a property owner, Vivian Armstrong, challenged the propriety of the assessments for items beyond the light, requested a refund, and asked that the matter be placed on the agenda for the association meeting.

In response, the association changed its bylaws, giving it greatly expanded authority.

In October 2003, Robert and Vivian

Armstrong and two other homeowners sought a declaratory judgment to, among other things, prevent the association from enforcing its recent bylaw changes.

A month later, the association went further, and amended the association's covenants to include a general provision allowing assessments for "common expenses" that "shall be used for the general purposes of promoting the safety, welfare, recreation, health, common benefit, and enjoyment of the residents of Lots in The Ledges as may be

more specifically authorized from time to time by the Board." Among other changes, the revised declaration prohibited rentals for periods of less than six months.

The Armstrongs and others amended their lawsuit, and asked that the new covenants be declared unenforceable.

In October 2004, Superior Court Judge J. Marlene Hyatt sided with the Ledges. The N.C.

Court of Appeals also ruled against the Armstrongs, holding that the declaration could be amended in any manner as long as the majority of homeowners in the subdivision approved.

The Armstrongs asked the Supreme Court to hear the case. Under state law, the high court is not required to take a case if the decision by the three-judge Court of Appeals panel, as it was in this case, is unanimous. The Supreme Court agreed to hear the case, and in its ruling established a new standard for determining the appropriateness of covenant amendments.

"In the same way that the powers of a homeowners' association are limited to those powers granted to it by the original declaration, an amendment should not exceed the purpose of the original declaration," Justice George Wainwright wrote for the court.

The Supreme Court also cited with approval a portion of the Nebraska Supreme Court's holding in a 1994 case called *Boyles v. Hausmann*: "The law will not subject a minority of landowners to unlimited and unexpected restrictions on the use of their land merely because the covenant agreement permitted a majority to make changes in existing covenants."

The case is *Armstrong v. Homeowners Assoc.* (<http://www.aoc.state.nc.us/www/public/sc/opinions/2006/640-05-1.htm>) CJ

"In the same way that the powers of a homeowners' association are limited to those powers granted to it by the original declaration, an amendment should not exceed the purpose of the original declaration."

Justice George Wainwright
N.C. Supreme Court

Commentary

Incentives Are For the Lazy

Communities across North Carolina spend an inordinate amount of time focusing on economic development. It has become the desperate exercise of rural towns and urban areas to escalate the arms race of incentives as a proxy for making better communities.

The desire for job growth has taken a back seat to dealing with the real issues that affect quality of life. If we're not careful, the long-term effects of incentives over substance might cost us far more in the future.

Economic developers will tell you that the cornerstones (there are literally four) of corporate recruiting are: infrastructure, health care, crime, and education. That sounds simplistic, but this axiom is backed up by chambers of commerce, EDC documents, and almost every study published on the subject.

So, why would economic development corporations, city councils, and county commissioners focus so much on incentives? Another simple answer, because it requires very little work: If we cut the tax rate for the guy with lots of jobs, then we don't have to worry that our schools aren't great, that the crime rate is abysmal, or that the water and sewer systems are in need of redesign. The creation of jobs is a quick fix, grabs headlines, and feels good.

Instead, I propose a greater vision, or challenge (depending on your perspective), for localities statewide. Embrace, at the community level, the need to address the cornerstones, and job creation will beat a path to your door. Now, lest you think I have delusions of grandeur, it can be done.

Let's start with health care. Many of the communities across North Carolina do have good health care. Some even have great health care or proximity to it. Look around your community, do you have good doctors and proximity to a good hospital? As more folks hit retirement age over the next few years, this is a huge factor. If retirees are moving to your area, this can be a boom for the housing market. Fewer schools must be built, because retirees have empty nests.

Then we look at crime. Wilmington has been an amazing story on the crime front. Having been one of the most unsafe cities in the state, city officials hired a charismatic police chief, who involved citizens, went on the warpath educating folks about crime, and turned Wilmington into a safer community. That is great news for folks with families looking to move or start a business.

Then there's infrastructure, and that's problematic for many communities. Roads are a start. If you're not near a metro area, you should hope your water and sewer systems are well-designed and can handle growth. The better-managed and more-efficient you are on this

front, the more likely you will be able to accommodate a growing business's needs. Overall, North Carolina's roads have fallen into national disgrace, going from fifth best in the nation to 45th, according to some recent reports.

One of the most challenging issues statewide is education, both primary and secondary. Primary public education is in shambles statewide even though expenditures, after adjustment for inflation, continue to rise. Community colleges often produce more GEDs than high schools produce diplomas. There is no simple answer here, but community leaders should aspire to be better. We need to stop thinking government can solve this by itself. Deciding at the community level to promote volunteerism in the schools, to get citizens involved, and to refuse to tolerate failure would be a start.

In the end, the casual ease with which we dole out incentives does little to improve communities. It does not strengthen schools, hospitals or solve crime. But dealing with those issues is the greatest economic development foundation any community can make, and the citizens will be better for it. CJ



Chad Adams

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

Local Innovation Bulletin Board

Politics of Home Prices

Despite record-setting home prices, the nation as a whole has no real shortage of affordable housing. It's just that the cost of land and homes in certain areas has gone through the roof, mainly because zoning and other land-use restrictions have made usable land scarcer, Joel Miller writes in *Reason* magazine.

Economist Edward L. Glaeser and Wharton real estate and finance professor Joseph Gyourko explored the problem in a paper prepared for the Federal Reserve Bank of New York. Examining 45 metropolitan areas around the country, they found that in the areas where zoning is strict and approvals are slow, prices increase considerably.

Permit delays of six months can add nearly \$7 per square foot to the price of a house. That's more than \$10,000 added to the cost of a 1,500-square-foot home — double that for a 12-month lag.

It's not just zoning and growth restrictions, Miller says. Environmental impact laws raise the purchase price of homes as well. A February 2005 study by the U.S. Department of Housing and Urban Development identified complex environmental regulations as one of the factors raising home prices. Specific factors include a proliferation of national mandates, the increasing complexity of urban environmental regulations, local environmental laws, and the proliferation of impact fees, permit costs, and utility hookup fees.

Houses built to burn

This summer by July alone, more than 60,000 wildfires have consumed four million acres. Yet those counties in Colorado and New Mexico afflicted in recent years by the worst wildfires are also among those with the greatest influx of new residents, Roger G. Kennedy, director of the National Park Service from 1994 to 1997 says in *The New York Times*.

This land rush into the tinderbox makes no distinction between safe and unsafe neighborhoods or appropriateness of the building materials used. But then, neither does the federal government, which endorses indiscriminate acceptance of fire risk by subsidizing it indiscriminately.

This is madness, Kennedy

says.

The reinsurance industry knows precisely, ZIP code by ZIP code, mailbox by mailbox, where, and how severely, people are at risk in fire-prone states; the industry does not purposefully deny this information to the public, but few know where to find it.

Efforts to reduce taxpayer subsidies that urge people into danger should begin with access to the facts; few families would put their lives and possessions in firetraps if they were fully informed of the risks (most migrants to the fire-prone West are told only that it's been hot and dry — lately).

We need a National Flame Zone Atlas detailing the country's relative exposure to fire; based on that information, subsidies for homebuilding and infrastructure in specific locales should be granted or withheld.

A good way to beat traffic

A number of states have proposed leasing major toll roads to private companies. By doing so, the companies can raise billions of dollars the government can't, helping make road improvements and easing the growing problem of congestion on America's highways, *USA Today* says.

The Indiana Toll Road was leased for \$3.8 billion — more than anyone expected — to privatize it for 75 years. The state also wants to finance construction of a new portion of Interstate 69 south from Indianapolis by offering it for lease when finished.

Texas plans to raise \$7.2 billion from a lease, which is just the first part of an ambitious plan to sink \$180 billion into road and rail projects that otherwise would be politically unthinkable.

Similar proposals involving new or existing highways are sprouting up from New Jersey to California. They have many selling points. They raise enormous amounts of money, making up for tax increases politicians won't impose.

The higher tolls that private companies will charge are likely to prove unpopular, but unless the laws of supply and demand are applied to road capacity, say toll road proponents, drivers will pay in the form of lost productivity while waiting in traffic. CJ

From Cherokee to Currituck**Winston-Salem On the Grow**

By MICHAEL LOWREY
Associate Editor

WINSTON-SALEM

A large-scale annexation should move Winston-Salem among the United States' 100 largest cities and make it the fourth largest city in North Carolina. The city added 20 square miles of land and an estimated 20,727 people Sept. 30.

Local officials estimate Winston-Salem's population after the annexation to be 227,727. That would make it the 77th largest city in the country. Before the annexation, Winston-Salem came in at 110. Among North Carolina municipalities, Winston-Salem would trail only Charlotte, Raleigh, and Greensboro, with Greensboro being a few thousand people larger. The annexation is projected to move Winston-Salem ahead of Durham.



The newly annexed areas are expected to bring the city about \$5 million per year in property tax receipts. In addition, Winston-Salem will receive more money from a variety of taxes whose distribution state or countywide is determined by funding formulas that include population.

Winston-Salem officials hope the higher population ranking will increase investment in and business relocation to the city.

"Sometimes companies will look at that. You [the city] can use it in your advertising," Mayor Allen Joines said to *The Winston-Salem Journal*. "I think what will get noticed is the rapid move up the rankings. Somebody might look at that and say, 'Hey what's going on in Winston-Salem?'"

Camden grocery store?

Nearly a year after it was announced, the prospects of a Food Lion grocery store — which would be Camden County's first large retailer — actually being built remain uncertain. Food Lion is now demanding additional incentives, in the form of a share of the sales tax revenues the store would generate, to proceed.

"That wasn't exactly what was envisaged," Camden County Commissioner Carolyn Riggs said to *The Daily Advance*.

"The problem is that they want the sales tax and the county does, too. [The store's proposal] hasn't been absolutely dissolved, but it is being questioned."

When the project was announced

by Rep. Bill Owens, D-Pasquotank, he noted that Food Lion's store in Corolla generated more sales tax revenues than all of Camden County.

Two other county-controlled items might also be influencing Food Lion's actions. When originally announced last November, the suggestion was that construction could begin as soon as the county extended sewer service to the site. The sewer work was then expected to start in January 2006. The county awarded the contract in July. In addition, the county adopted a moratorium on new subdivisions.

"I think the moratorium probably has a little bit to do with it," said Camden Planning Director Dan Porter. "Any retail business needs rooftops and a sewer. Until we can get those things taken care of, it's hard to get commitments from people."

Section 8 and Charlotte

The concentration of local-income families that rent housing via the Section 8 program in limited parts of Charlotte is raising concerns, *The Charlotte Observer* reported.

In recent years, government policy has shifted away from building public housing units toward providing needy families with vouchers so they could rent apartments or small, older houses. Under the Section 8 program, participants pay 30 percent of their adjusted gross income toward rent. The government picks up the remaining cost up to a limit. For Charlotte, the limit is \$680 for a two-bedroom apartment. As recently as 2002, it was \$765.

Between 2001 and 2005, the number of Section 8 participants in Mecklenburg County increased by 34 percent. The newspaper's analysis found that about eight in 10 Section 8 families were concentrated in one-third of Mecklenburg county's 30 zip codes. Nearly one-fourth of participants live in just two zip codes.

"In the 1990s there was concern about concentrating the poor," said Charlotte City Council member Anthony Foxx. "[Section 8] is taking us right back where the government said we don't want to be."

Residents of older neighborhoods with smaller (by current standards) houses in east Charlotte have complained that the influx of Section 8 renters is pushing down their property values and driving middle-class families from already struggling neighborhoods. CJ

80-foot Building Stirs Citizen Passion in Hendersonville

By DONNA MARTINEZ

Associate Editor

HENDERSONVILLE

Usually, obtaining a zoning variance for 16 feet isn't a big deal. But in Hendersonville, a developer's request to build a downtown condominium project 80 feet high — 16 feet taller than zoning laws allow — has touched off a citizen revolt that could fundamentally determine who has the final say on municipal decisions.

Citizen dissatisfaction with the project is so deep that the General Assembly stepped into the issue. This past session, lawmakers approved legislation that nullifies the variance the Hendersonville City Council gave to developer Ed Hernando, who wants to bring luxury condominiums to downtown Hendersonville.

Instead, the legislation mandates that Hendersonville voters decide the matter through a special referendum Nov. 7. The legislation was proposed by Sen. Tom Apodaca and Rep. Carolyn Justus, both of whom represent the Hendersonville area in the legislature. It was attached to a routine height-restriction bill for Kure Beach, which those officials had sought.

The zoning referendum might not be the only governance question Hendersonville voters will decide at some point. Save Our City, a grass-roots organization opposed to Hernando's Carolina Grand project, is championing a petition drive to amend the Hendersonville city charter to give voters the right to recall their elected officials and repeal ordinances.

None of this pleases first-term Mayor Greg Newman, a Hendersonville native who steamrolled into office less than a year ago with 69 percent of the vote. Newman voted to ease the 64-foot



"Will the General Assembly intercede every time a group of citizens gets involved?"

Greg Newman
Mayor of Hendersonville

height limitation for Carolina Grand.

"We have referendums; they're called elections," Newman said. "We'll have a city election next year. I never told the folks that the city would stay still. If they [recall supporters] think what we're doing is so egregious, let them run for election. Let them try and balance a family, a job, and do this."

"They" includes Eva Ritchey, a 31-year resident who is going house-to-house collecting recall signatures. A Democratic activist and Henderson County Commission candidate, Ritchey said she has never seen so many politically disparate people unite behind one issue.

For Ritchey, the issue isn't so much the variance approval itself, although she opposed it. Her bigger beef is with how it was granted. She said Hernando, who heads SSEA Development, knew the parameters set forth in the zoning ordinances and chose to put forth for approval a noncompliant building. When the planning board didn't grant Hernando a variance, his organization went to the City Council. To those who opposed the project, the subsequent council approval left many questions unanswered, such as the impact on traffic and green space.

Particularly galling to those opposed to Carolina Grand is what they view as Hernando's dismissal of the

core value behind the 64-foot height limit — to keep the Henderson County Courthouse at the center of Hendersonville's architectural skyline. The base of the courthouse dome is 64 feet above ground.

The height of the proposed structure is the sole reason Mayor Pro Tem Barbara Volk voted against the Carolina Grand variance. She said the limit exists because in the past, a building taller than that was constructed, and city leaders thought it was too high. She said a lot of development is taking place within the 64-foot limitation. "I didn't feel there was any need to change that height limit," she said.

But the chance to scale down Carolina Grand through a voter referendum doesn't excite her. She says referenda aren't compromise-friendly, and that's a major reason she dislikes them.

"I'm not a proponent of initiatives and referenda. There are too many issues involved for some decisions, such as ordinance changes, to have a yes-or-no vote," Volk said. "There are a lot of legal issues involved. Sometimes compromises can be made during a discussion in a city council meeting."

Despite the perceived imperfections, Ritchey said a referendum option is vital to keeping citizenry engaged and elected officials in check. "When you take the by-the-people piece out of

government," Ritchey said, "then you basically take people's empowerment and interest in the government."

Newman and Volk both indicated the council was blindsided by the local delegation's state legislation. The first time Newman knew of the move was when he was informed of it by a reporter.

Newman views the move as an end-run around the elected representatives the majority of the people have entrusted to conduct Hendersonville's business. Legislators cannot possess detailed knowledge to make informed judgments on the issues confronting Hendersonville, he said. Legislators, Newman said, responded to the squeaky wheel and established a precedent.

"Will the General Assembly intercede every time a group of citizens gets involved?" he asked. "More importantly, what is the criterion? Who gets a referendum and who doesn't?"

Newman also fears a referendum would be used to stop growth completely. He said many newcomers have come to Hendersonville with established financial resources of their own, and consequently have little interest in seeing the town become more economically viable. "They found a sleepy little town and they want to keep it that way," Newman said.

Others view the Hendersonville newcomer population as more savvy than selfish. In a story published June 16 at realestatejournal.com, Steve Caraker of the Hendersonville Preservation Commission commented on debate over the project.

"Our base of population is retirees, most of them college-educated and financially successful. They are not dummies and they are not going to get steamrolled," he told the paper. *CJ*

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Squall Lines is the JLF's blog in Wilmington. Zeb Wright keeps folks on the coast updated on issues facing that region of the state: <http://wilmington.johnlocke.org/blog/>

From the Liberty Library

- Taking advantage of holes in America's defenses, terrorist organizations and enemy nations such as China, North Korea, Russia, and Cuba — not to mention some so-called friends — are infiltrating the U.S. government to steal vital secrets and use them against us, says Bill Gertz in *Enemies: How America's Foes Steal Our Vital Secrets — and How We Let It Happen*.

Gertz uncovers the truth about the threat to national security and America's failures to address the danger. Gertz's access to the U.S. intelligence and defense communities allows him to tell the whole story, based on previously classified documents and dozens of interviews with senior government and intelligence officials. He takes readers inside the world of intelligence and counterintelligence—a world filled with moles burrowing within the FBI, the CIA, the Pentagon, and even the White House. Learn more at www.randomhouse.com/crown.

- Two great patriots. Two giants of the battlefield. Yet one became our greatest hero, and one became our most notorious traitor. In *George Washington and Benedict Arnold: A Tale of Two Patriots*, military historian and former superintendent of West Point Dave R. Palmer shows how and why Washington became the father of our country while Arnold became a man without a country. While Washington rose above his enemies, Arnold became embittered by them. With a character less stoic than Washington's, in pain from his battlefield wounds, and with slow twists of mind, heart, character, and decision, Arnold, in charge of Fortress West Point, finally committed himself to betraying the cause that he had previously served so well. Available at www.regnery.com.

- David Limbaugh, author of *Bankrupt: The Intellectual and Moral Bankruptcy of Today's Democratic Party*, backs his thesis by saying Democrats are "bankrupt" when it comes to new ideas, or to defending America, or to doing anything more than protecting their own narrow political interests -- adding that he is hardly exaggerating.

Limbaugh shows how far the Democratic Party has fallen, and why there is little prospect of redemption. He describes liberal activist judges who want to rewrite the Constitution; left-wing moral relativists who want to overturn traditional morality in the name of liberal "values;" unrepentant left-wing racism; and economic ideas that are no more than tired class warfare. Also from Regnery. CJ

Book Review

Business Book Offers Lessons For Other Areas

- Marcus Buckingham: *The One Thing You Need to Know: ... About Great Managing, Great Leading, and Sustained Individual Success*; Free Press; 2005, 304 pp.; \$29.95.

By **GEORGE C. LEEF**
Contributing Editor

RALEIGH
The best business books can be summed up in a page, usually with a bullet list, and get their length from the anecdotes and other supporting material. It also helps when the insights are given pithy phrases that aren't immediately clear but can mark one as an insider after reading the book. Jim Collins gave us eight traits of companies that went from *Good to Great*. Steven Covey gave us *Seven Habits of Highly Effective People*.

Marcus Buckingham ups the ante with his title, but those looking for the one thing may be disappointed to learn that there are actually three one things in the book. Each is related to the others and builds on the themes from Buckingham's earlier books *First, Break all the Rules* and *Now, Discover Your Strengths*.

Buckingham starts the book with the one thing that is common to all successful marriages. The husband sees more of his wife's strengths than she sees in herself, and vice versa. While undoubtedly true, I am skeptical that these traits can be learned or practiced, rather than being inherent in the relationship. It was almost enough to close the book right from the start. But one theme of Buckingham's work is that not everything is learned. There is no way to become a great manager if you do not recognize that people have different strengths, weaknesses, motivations, and passions. Similarly, there is no way to have a great marriage unless you see the positives in your potential spouse.

The marriage research also reflects two other major themes. First, what we think of as essential to a role sometimes just describes actions, not reasons. Second, realism is often the enemy of success. If a wife is realistic about her husband, she sees the imperfections, but those are not what she thinks of. One of the findings from research is that "Realism hinder[s] performance, whereas unrealistic self-assurance foster[s] it."

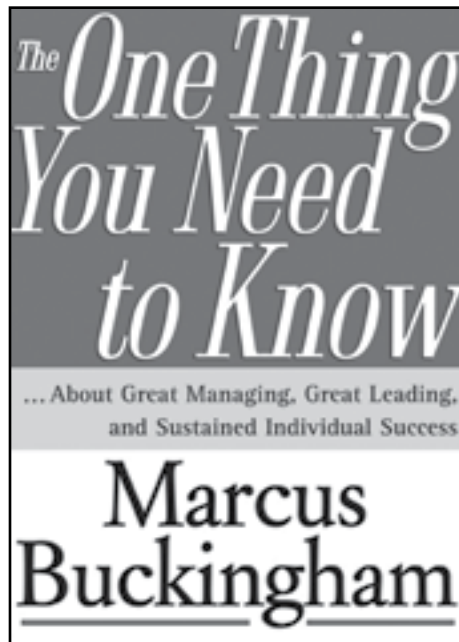
So what are the one things?

- Great managers focus on what makes an individual unique.

- Great leaders focus on the universal truths that unite us.

- Successful individuals learn what they don't like to do and stop doing it.

Some policy implications become immediately apparent. Government cannot manage the economy because the rule of law requires some sense of commonality and unity. Only the market allows individuals fully to use their unique talents.



Government leaders should focus on broad policies that enhance life for everyone. Low tax rates are universal, special tax breaks for specific industries or companies are not. Basic funding of education that follows the child instead of going to the school makes schools meet the needs of individual students while recognizing the universal value of education to citizenship in a democracy.

The lessons of successful individuals may not translate as readily to policy. Consider economic development. North Carolina has seven economic development regions, 100 counties, and hundreds of municipalities competing to attract companies and jobs with incentives. State government also has an arsenal full of additional incentives from targeted tax credits under the William S. Lee Act to cash incentives through the One North Carolina Fund.

Ask any politician her thoughts on these incentives and she will tell you that she doesn't like them but they are necessary to compete with China and Singapore in addition to South Carolina and Virginia. If our state and local politicians stopped throwing money and tax breaks at companies, they might discover the real strengths North Carolina has to offer businesses that locate here. Small communities might stop chasing the big project and the Global TransPark might become a privately owned development instead of a drain on public coffers.

Even if politicians could still not discern the state's strengths, or create strengths such as a lower tax system for individuals with a fairer tax system, the simple act of stopping the money chase would ease some of the burden on state and local budgets. Wilmington had a film industry before the state provided tax credits. Kannapolis would have a biotech campus without state money because that was the best way for Dole CEO David Murdock to preserve the value of his adjoining land.

Incentives are not good management—they do not recognize the unique traits of individual persons and companies. Incentives are not good leadership—they undermine against the universal qualities that unite all North Carolinians. Incentives do not lead to sustained success — our economic developers do not like to provide them and wish they could stop.

The one thing you need to know about great business books is that you can apply their lessons in other areas without losing anything in translation. Marcus Buckingham has crafted another great book. Gov. Mike Easley might benefit from a copy. CJ



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OCTOBER 12, 2006, NOON, MARRIOTT EXECUTIVE PARK

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OCTOBER 14, 2006, 8 A.M., HOLIDAY INN BROWNSTONE

MATTHEW CONTINETTI (RALEIGH LUNCHEON EVENT)
OCTOBER 23, 2006, NOON, HOLIDAY INN BROWNSTONE

A SPECIAL EVENING (EVENT AT DUKE)
ERWIN CHEREMINSKY, MIKE MUNGER, MICHAEL WALDEN AND
WILLIAM SCHLESINGER ON "DO PUBLIC INTELLECTUALS COUNT?"
OCTOBER 25, 7:30 P.M., ROOM 116 OLD CHEM, DUKE UNIVERSITY

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What is Western Civilization, And Is It Worth Preserving? Pt. 1

Obviously one must be able to define the West before defending or attacking the civilization. But few can define it.

In this small column (part 1 of 2), I ambitiously try to give a cursory history of the Western civilization course and offer

a prelude to my next column in which I will define and defend Western civilization. I attempt this because defenders of the West should be able to define Western civilization

and understand the underpinnings of their opponents' arguments. I also think defenders of the West should understand how Western civilization courses can be used to condemn the West and how many times an abstract definition of the West unwittingly undermines the preservation of an identity worth preserving.

The term "Western civilization" didn't exist before 1900, and Western civilization courses started at the University of Chicago during World War



Dr. Troy Kickler

I. Before then, what we call Western civilization was called Christendom, or simply Europe, and European and U.S. history courses filled the role of the 20th-century Western civilization class. But because the West almost committed suicide during World War I, as Oswald

Spengler writes in *The Decline of the West* (1918), scholars sought a way to unify curriculum and knowledge so that Europeans and Americans might be reminded that

they should preserve their intellectual and cultural inheritance. In hopes that a barbaric world war never occurred again, scholars offered a Grand Narrative that presented the West as a linear story of progress, birthed in reason. But World War II happened, and the West seemed illogical and insensible and even hypocritical.

Accepting the grand narrative's premises, post-war scholars (namely postmodernists) denounced where reason had led the West and claimed that universal and metaphysical truth did not exist. To them, Western civi-

lization was an ideological construct full of inconsistencies and therefore should be debunked. In the birthplace of democracy, Ancient Greece, for example, there were slaves; the Church had acted hypocritically more than a few times; and reason led to the horrors of Holocaust

and the nuclear bomb. Today, the second part of many Western civilization courses is devoted to presenting the West as a story of a supposed economic

exploitation.

Critics have many times rightly pointed out the West's hypocrisies, but for the wrong reasons. To start with, the anti-Westerners accept an abstract definition of the West — the grand narrative — and ironically use Western concepts of immorality to vilify Western civilization. Plus, few mention that the West is the only civilization that actively criticizes itself and has eliminated evils, such as slavery, from its midst.

But back to the point: A big part of the problem is that the Western

civilization course unwittingly fosters a negative interpretation and lack of appreciation among anti-Westerners. Erroneously defining the West as a moralistic and universal idea and thereby implying that newness is better cultivates such criticism. By presenting the West as abstract instead of a familiar and particular place or culture, defenders of the grand narrative make it too easy for anti-Westerners to criticize the shortcomings of Western civilization. By presenting the West as a story of almost inevitable progress, many Westerners also lose traditions that are essential to preserving their identity.

If the West is presented solely as an idea of reason and progress that lasted 2,500 years and outside historical events of the Middle Ages only to reappear in its perfect form during the Enlightenment, the conflicts that produced niches of liberty are misunderstood and Western identity is obscured. As historian David Gress argues, "History is strong drink, and the Grand Narrative turned it into soda pop." CJ

Dr. Troy Kickler is director of the North Carolina History Project.

Critics have many times rightly pointed out the West's hypocrisies, but for the wrong reasons.

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Short Takes on Culture

'Terror' Exhibit Worth Seeing

• "The Enemy Within: Terror in America"
Exploris Museum, Raleigh
Through Nov. 26

If visitors have only one impression while viewing "The Enemy Within: Terror in America" exhibit at the Exploris Museum in downtown Raleigh, it is that political, religious, and philosophical ideas have consequences.

Sponsored by the International Spy Museum, the exhibit provides a chronology of all terrorist activities in the United States since 1776. Mainly focusing on violence from the 20th century onward, the exhibit has displays on the mail bombings during the early part of last century and the resulting Palmer Raids in which 300 immigrants were deported from the country under the 1918 Sedition Act. Also covered are the Japanese internment camps during the World War II; acts by Communist front groups during the first half of the 20th century; the Oklahoma City bombing; and the Sept. 11 attacks. Additionally, the exhibit includes a display on the racial and antiwar protests during the Vietnam War and a chilling presentation on the Ku Klux Klan.

Although keeping a moderately unbiased tone overall, many of the displays contain politically correct innuendos and phrases, such as a display linking an increase in membership among militias (called "hate groups") to paranoia after the Sept. 11 terrorist attacks. The exhibit also fails to address many core questions surrounding terrorism, such as ethnic profiling.

Despite the shortcomings, "The Enemy Within" still provides an interesting snapshot into both historical and contemporary acts of terrorism in the United States.

— DAVID N. BASS

• "Snakes on a Plane"
New Line Home Video
Directed by David R. Ellis

Aboard a flight over the Pacific Ocean, an assassin, bent on killing a passenger who's a witness in protective custody, lets loose a crate full of deadly snakes.

If it took itself seriously, "Snakes on a Plane" would be a ridiculous concept, a ridiculous movie, and a total flop. The good news is, it doesn't. From all the stereotypes about flying to Samuel L. Jackson's tough-as-nails character, everything in "Snakes on a

Plane" is over the top.

But "Snakes on a Plane" isn't for everyone. Would-be viewers who are deathly afraid of snakes should probably refrain from seeing this movie, as should anyone who dislikes suspenseful situations: There are many instances in the movie wherein the wily reptiles emerge quickly from unexpected places. But, qualifiers notwithstanding, "Snakes on a Plane" is fantastic fun.

The movie has it all: sarcasm, drama, humor, action, Samuel L. Jackson, and, of course, snakes. Anyone with a well-developed sense of the ridiculous (and an immunity to lots of foul language) should see "Snakes on a Plane."

— JENNA ASHLEY
ROBINSON

• "Great Hotels" & "Passport to Europe"
The Travel Channel
Various times daily

I get kidded about this every time I mention it to friends: I like Samantha Brown's shows on the Travel Channel, both of them, "Passport to Europe" and "Great Hotels."

While most of my friends dislike Brown's perky style, I find her sense of humor refreshing (she is a former member of a sketch comedy troupe, by the way), especially when compared to the pro forma presentations of other travel show hosts.

"Passport to Europe" is a special favorite because, well, I love Europe. I also like that she travels to places in the off-season. For instance, she'll go to Gstaad in summer and Antibes in the winter. Often there are valuable insights to be gleaned in this contrary approach. She's also not afraid to say what she doesn't like. When she visited Berlin, for instance, you could tell she couldn't wait to leave.

Her other show, "Great Hotels," showcases hotels of the United States, some greater than others.

The modern spa-resort and mega-hotels I just delete from my DVR, especially the ones in Hawaii. They all look the same. But her visits to the truly great hotels—the Willard, the Mayflower, the Hay-Adams, the Mohonk Mountain House, the Sagamore, the Fairmont—are what make this show enjoyable.

If you're a fan of really great old hotels, you'll find a gem about every third episode. And, hey, give Samantha a chance. She'll grow on you.

— JON HAM CJ

Book Review

Two Very Different Great Men

• Steven F. Hayward: *Greatness: Reagan, Churchill & The Making of Extraordinary Leaders*; Crown Forum; 2005; 203 pp; \$22 hardcover.

By MITCH KOKAI
Associate Editor

RALEIGH

They towered over the 20th century.

One rallied the West to turn back the Nazi threat in World War II; the other forced the world's only Communist superpower to crumble and land "on the ash heap of history."

But Winston Churchill and Ronald Reagan exercised their statesmanship in different times and different countries. We don't necessarily link them in our historical memories.

This volume suggests there's value in undertaking a closer examination of the links between the titans. Author Steven F. Hayward has examined both men in previous books, and his extensive research for a second volume on Reagan prompted him to write *Greatness*.

"I thought it worth four or five paragraphs to explore Reagan's frequent use of Churchill (he quoted Churchill three times as often as any other president) and what that told us about his style of leadership," Hayward writes. "Five thousand words later I was still going, having discovered while working through the material that the extensive parallels between Reagan and Churchill were profound and important."

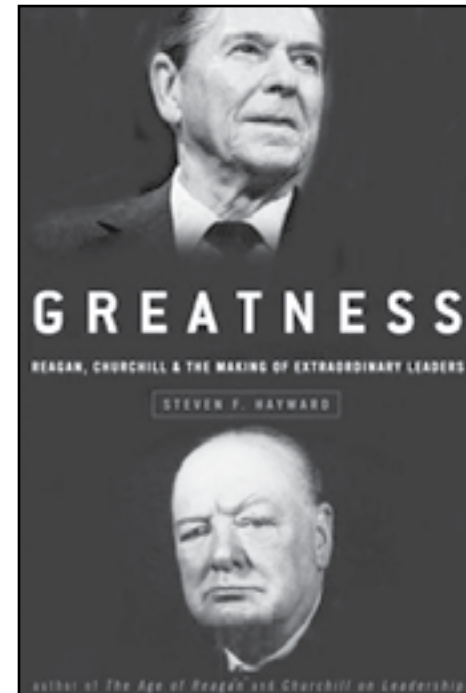
Churchill was the son of privilege, a man of tremendous ego, and a character beset by occasional bouts of depression. In contrast, Reagan rose from the ranks of the poor, displayed his humility, and expressed optimism. Churchill's Britain was declining as a world power as Reagan's America was rising.

Hayward still finds a number of links between the men. First, there's the acknowledged respect Reagan had for Churchill's ideas.

"Reagan quoted or mentioned the example of Churchill more than 150 times during his presidency — more than three times as much as any other president," Hayward writes. "Beyond the direct references, one finds that Reagan discussed many political issues in the same terms, and with the same vocabulary, as Churchill."

Consider their statements about the welfare state. Reagan — who started his political life as a New Deal Democrat — took office as a Republican president in 1981. He pledged to cut government social programs, while preserving a "safety net."

"This was uncommon language," Hayward writes. "A computer text search of the presidential papers stretching back more than fifty years to Herbert Hoover shows the term 'safety net' had been used less than a dozen times. Re-



gan used the term more than seventy times during his presidency.

"Liberals hated the term 'safety net,'" Hayward adds, "and it received derisive treatment in the news media. No one recalled that it was also Churchill's language."

Hayward draws the closest parallels between Reagan and Churchill in their attitudes about the Cold War with the Soviet Union.

"Both men thought the Cold War could be ended peacefully, even as most of their contemporaries thought the Cold War was a permanent condition that could only be 'managed,'" Hayward writes.

Without using the term "Cold War," Churchill nonetheless proclaimed the conflict in 1946 during his Iron Curtain speech in Fulton, Mo. Thirty-six years later, Reagan quoted directly from that speech while speaking to Churchill's successors in the British House of Commons. "The inevitable collapse of Communism became an early and persistent theme of his presidency," Hayward notes.

Reagan foreshadowed that collapse during a later speech, when he called on Russian leader Mikhail Gorbachev to tear down the Berlin Wall. "Reagan's Berlin Wall speech stands as a rhetorical bookend with Churchill's Iron Curtain speech," Hayward writes. "Churchill's speech in Fulton signified the Iron Curtain coming down; Reagan's speech heralded its lifting, and represented the culmination of his rhetorical offensive on behalf of the West."

The similarities between Reagan and Churchill would offer little more than interesting historical trivia, if we took them at face value. But Hayward turns back to his book title — *Greatness* — to argue that the personal characteristics that generated those similarities offer us useful examples for the future. CJ

Review: Taking a Page From Jefferson's Notebook

• Oliver Van DeMille: *A Thomas Jefferson Education: Teaching a Generation of Leaders for the Twenty-First Century*, second edition; George Wythe College Press; 2006; \$26.95 hardcover

By HAL YOUNG
Contributing Editor

RALEIGH

When naval aviator James Stockdale parachuted from his stricken fighter into five years of captivity at the Hanoi Hilton, he reflected to himself, "I'm leaving the world of technology and entering the world of Epictetus." Stockdale was a leader known for ruthless self-examination and learning from the great minds of the past. The future admiral would have approved of Oliver Van DeMille's *A Thomas Jefferson Education*, newly revised this year from its original 2000 edition.

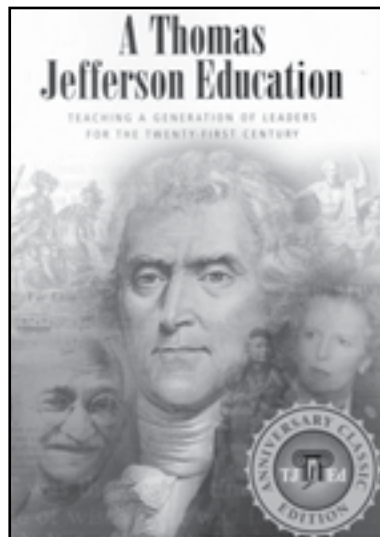
The title could be misleading. While the education is the one Thomas Jefferson received, the educational process was that of his mentor, George Wythe, a signer of the Declaration of Independence and a delegate to the Constitutional Convention. From his law office, Wythe was the mentor for two future presidents, two Supreme Court justices, and nearly two dozen senators, governors, and other officials.

Unlike some proponents of classical education, DeMille did not start with a desire to perpetuate Western civilization or emulate Oxford-style scholastics. Instead, he began by studying the educational experience of the Founding Fathers and other key leaders in history, asking what made their training different than others'. He summarizes it in two words. "Find a great leader in history," he writes, "and you will nearly always find two central elements of their education—classics and mentors."

DeMille's definition of a "classic" is broader than one might expect. In his view, a classic is any work of enough value to read again and again with benefit. While a student of "Jefferson education" would be expected to drink deeply of Plato and Shakespeare, his reading list would also include modern authors such as C.S. Lewis and Alexander Solzhenitsyn and even classics of more popular genres, including Stephen Covey's *The Seven Habits of Highly Effective People* and Western fiction by Louis L'Amour.

This open definition applies particularly in math and science. DeMille said in a telephone interview, "The truth is that any field has its own set of classics. All the great scientists have their works," he said, such as Newton's *Principia* and Euclid's *Elements*. "In fact, even some textbooks fit my definition," he said. "The Saxon math program, for example, has a very classical methodology; it has students working out their own problems and reasoning through the concepts, and that's very good."

"If you have only the textbooks,



you're missing out, but you're also missing out [on the most current information] if you only have the classics. I don't think that you can get it all from the classical method nor from the textbook approach, but I think the student gets a much better grounding in the [scientific] fields if he's read the classics like Newton and Euclid, too."

Homework is for the teacher, too.

However, reading alone is not enough. Students should be writing intelligently about what they read and debating the meaning and application of it. Wythe did all of this and more, notably engaging his

students in moot courts and sending them to listen to the debates in the Virginia legislature; DeMille likewise emphasizes the need to take the academic learning and to apply it to real life, through simulations, field experiences, and active participation.

He also calls on the teachers to engage the same classics and spend time in study, writing, and debate. It's a matter of example, he explains, and keeps the material fresh for the mentor as well as the student.

DeMille calls homeschoolers "the

true entrepreneurs of education" but he has plenty of criticism for all forms of education; he should know, since his own children are distributed between public, private, and homeschooling. The worst case, he says, is the "conveyor belt" model used in institutional schools, forcing artificial schedules and deadlines on the students with a false promise of certifiable educated status at the end of a 12-year process. He notes that any educator, even homeschoolers, can fall into this trap, and likewise, a true education is potentially possible in any venue.

"There are great teachers and great parents supporting their children in all kinds of settings," he said. "Education will always have its set of challenges. The problem with the conveyor belt education model is it tries to fit everybody into a preset mold, and everyone is not born that way."

While the first edition leaned somewhat toward the homeschooling market, the new edition expands more on how to apply these principles in the classroom. DeMille acknowledges that might be a difficult sell to administrators and principals.

In the second edition, DeMille offers his memories of the morning of Sept. 11, 2001, a year after the first publication of *A Thomas Jefferson Education*. One of the key lessons of the day, he writes, was the need to develop leadership in our young people now, and not simply trust that some will rise to the occasion when the need erupts. Although wisdom is expected from the elderly, he notes that often the young are the ones forced to lead.

The Jefferson education model has worked before. The question might be whether we all have the discipline to apply it again. CJ

DeMille ... emphasizes the need to take the academic learning and to apply it to real life, through simulations, field experiences, and active participation.

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Choice
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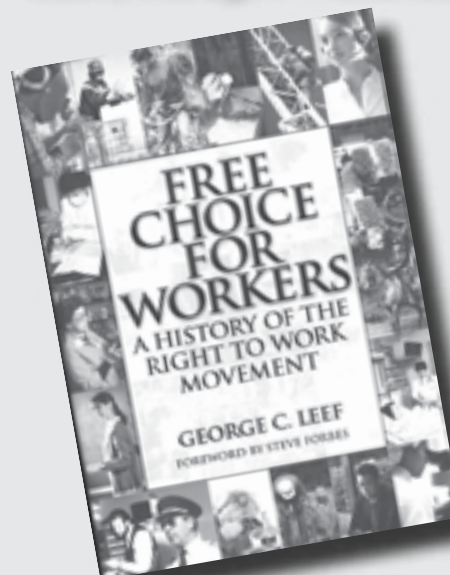
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Commentary

Why Is it So Hard to Govern?

My first newspaper job was covering the city government of Columbus, Ga. It was an exciting time for a young journalist interested in local government because Columbus had just become one of the few consolidated city-county governments.

That sea change for Muscogee County, Ga., meant many good stories with lots of what makes stories good: conflict, egos, power grabbing and turf battles.

The biggest hurdle, as it always is in consolidation efforts, is what to do with the sheriff. In Muscogee County's case, they made him pretty much a bailiff, with deputies keeping order during trials and serving papers.

I didn't know it during the time I was covering City Hall in Columbus, but that was a pretty efficient bunch of folks. In retrospect, City Manager Franklyn Lambert was super-human. He managed to keep that city/county government moving like the proverbial well-oiled machine, and he did it with only one assistant city manager, three secretaries and the traditional number of department heads.

Over the years, as I covered local governments in three other states, I came to admire Lambert's abilities and to see them as truly remarkable.

For instance, if the City Council decreed that some issue be studied and reported upon, Lambert and his staff simply did the research themselves and got back to the council in a matter of days. If a major study needed to be done, instead of spending \$50,000 on a consultant to take six months finding answers, Lambert's crew would suck it up and spend a couple of months coming up with the answers.

I thought this was the normal way of doing things in local government until I moved to other newspapers in other places. Suddenly, sometime around the late-'70s, government employees seemed to quit having any expertise at all. Most non-routine work suddenly had to be farmed out to consultants or other "experts." Whereas Lambert was a certifiable expert in almost everything involving local government, the later city and county managers I covered seemed to be able to do nothing more than push

papers and delegate to consultants.

This change, perhaps coincidentally, accompanied the arrival of public administrators with advanced degrees. I don't even know if Franklyn Lambert ever went to college. If he did, he never mentioned it. And down in South Georgia, if you went to college you pretty much let everyone know it during football season.



Jon Ham

But somehow he managed to get everything done, and done well. Not so this new breed of public administrator, who always seem to be in some kind of crisis.

No matter what the issue, the answer seems to be, "We need to raise taxes," rather than "We'll manage our way out of it, make

some cuts, do a little sacrificin'." Nowadays, if there is a problem, the first instinct of constituents and, sad to say, some public officials, is to mobilize some victimized group to protest or march or otherwise blow the problem out of proportion.

Believe it or not, there was a time when city and county governments and local school systems just sort of chugged along without being noticed. If there was a problem, it usually was solved before it became a news story or an excuse for candlelight vigils or effigy burning.

The most prevalent management technique of government bureaucrats and some elected officials these days is blackmail. "If you don't give us more money, we'll [insert alarmist Armageddonist consequence here]."

The folks in Wake County, who fear year-round schools are familiar with this technique. The first response is never to try to find a way to solve the problem with current resources *before* deciding to add people, equipment and buildings.

Not only has government's reliance on outside consultants increased dramatically in the past 30 years, but the number of government employees has likewise increased alarmingly during that time. Has governing become too complex or have the governors become more inept?

I'm just asking. CJ

Jon Ham is vice president of the John Locke Foundation and publisher of Carolina Journal.



Editorial

Party Does Make a Difference

You've heard the talk about bitter partisanship on Capitol Hill. Democrats and Republicans have staked out their stances on major issues. And the key element in both political platforms seems to be: Don't work with the guy (or gal) across the aisle.

That's especially true now—about a month before voters across the country decide which party will control Congress for the next two years.

"But, wait!" you say. "That doesn't sound like my congressman. I shook hands with him at the 4th of July parade. He's a regular guy like me. He wouldn't put up with that silliness."

Would he? How can we tell?

One way to get a good handle on the relative partisanship of a particular congressman is his "liberal" or "conservative" rating. Several groups on both sides of the political divide track controversial, divisive votes and award points to the lawmakers who support their views.

In a recent issue of *National Review*, Byron York examined ratings from the American Conservative Union and the left-leaning Americans for Democratic Action. The results probably won't surprise you.

In 2005, ADA awarded perfect scores — 100 points — to 65 of the 202 Democrats in the U.S. House of Representatives. That's about a third of the Democratic caucus. And 143 Democrats — more than 70 percent — earned ratings of 90 or higher.

On the other side of the fence, the ACU awarded just 38 perfect scores among the 232 Republicans. That's 16 percent. And just over half of the GOP caucus — 126 representatives — earned conservative scores of 90 or higher.

Without spending too much time on the numbers, it's safe to say the left-leaning watchdog group is slightly more pleased with Democratic voting

patterns than the right-leaning group is with Republican votes.

What about North Carolina? We have seven Republicans and six Democrats in the U.S. House. Do they "play well with others," or do they stick with the party line?

Let's start with the Democrats. North Carolina has voted Republican in every presidential race since 1980, and the state has two GOP senators. Washington insiders would call us a red state. You might assume Tar Heel Democrats score a little lower in ADA rankings than those in solidly blue states.

You would be wrong. Three N.C. representatives — Brad Miller, David Price, and Mel Watt — earned perfect 100 scores. ADA gave Bob Etheridge a 95. Only one Democrat earns a ranking lower than 85. That's Mike McIntyre, who earned a 70 in the military-heavy 7th District.

What do national conservatives think about our Republicans? Two of the seven GOP representatives earned perfect ACU scores in 2005: freshmen Virginia Foxx and Patrick McHenry. Three others scored 92 or higher. None scored lower than 80. (If you're curious, both Republican senators scored higher than 90.) Rankings on both sides of the aisle suggest North Carolina doesn't stray too far from the national pattern. Washington groups lump most of our Democrats among congressional liberals, and the watchdog groups peg most of our Republicans as pretty strong conservatives.

No matter your political philosophy, that's good information to keep in mind when congressional candidates seek your vote. The voting patterns suggest our lawmakers are likely to vote the party line in most hard-fought legislative battles. That's not always the message incumbents try to share when they meet with the "folks back home." CJ

Year of the Charge Card

2007 looking to be a year of mountainous debt for the state

Depending on economic factors and the results of the 2006 elections, 2007 could turn out to be the Year of the Charge Card in North Carolina government.

While politicians, activists, and journalists may be focused on hot-button, symbolic issues this fall, there is a substantial bloc of the state political class that will be dreaming of debt — mountains of debt, in the billions of dollars, that they believe North Carolina taxpayers should incur to finance infrastructure critical to the continued success of a growing state.

They are misguided. Going along with this agenda will perpetuate practices, such as poor priority-setting and short-term thinking, that have repeatedly gotten North Carolina state and local governments into fiscal trouble.

The objects of the debt-peddlers' wistfulness aren't all frivolous. Indeed, few would doubt that rapid growth and poor maintenance have conspired to create legitimate needs for new schools, roads, and psychiatric hospitals, for example. But the list of proposed bonds includes arts facilities, open-space preservation, affordable housing, and another round of ornate buildings throughout the University of North Carolina system.

These are either questionable as proper state functions or, in UNC's

case, more appropriate for private or user financing.

Given that responsible public officials of both parties have recognized an upper limit to North Carolina's borrowing capacity — and we're not far from that now, particularly given the Council of State's approval of another \$200 million in certificates of participation this week — it is imperative to put public dollars and debt to their highest-priority use.

The General Assembly should use any spare General Fund dollars next year to eliminate 1) the counties' share of Medicaid funding, freeing up hundreds of millions of property-tax dollars to finance school-construction bonds, and 2) the transfer of hundreds of millions of additional dollars from the Highway Fund and Highway Trust Fund to general state operations, freeing up those dollars to speed up needed highway improvements, perhaps via a statewide bond.

Lawmakers have demonstrated a disturbing tendency in recent years to use debt as a way to placate spending lobbies without having to levy sufficient taxes in the short-run to deliver on their promises.

Out of sight, out of mind. It is imperative that advocates of fiscal responsibility bring these hidden obligations back squarely into public view. *CJ*

Incentives Blowback Coming

Local governments and business community to feel the brunt

Durham County is awarding \$400,000 in incentives to the American Institute of Certified Public Accountants, which announced last year that it was moving its headquarters to the Bull City. The project, estimated at \$5.3 million and 120 jobs, also received state grants and credits worth nearly \$7 million.

As befitting an association of 350,000 accountants, AICPA certainly managed its own financial situation with aplomb. The \$400,000 in county incentives includes a reimbursement for relocation expenses and training subsidies for each Durham-based employee (up to a cap). But on the government side, sound accounting and clear thinking appear to be lacking. County Commissioner Chairwoman Ellen Reckow insisted that the incentives grant reflected a "hard-nosed business decision" that is guaranteed to make the county more than it cost. "We don't just give our money away," she stressed.

Well, let's test her assertion. First, the local incentives were granted almost a year after AICPA announced its new Durham location. Temporally, could those incentives have determined the location decision? County officials and

senior AICPA executives insisted that Durham's package was promised last year, and thus played a decisive role. The latter had emphatically to put that cat back in the bag this week because back in July, an AICPA spokesman had first let it out by saying that the local incentives were not a major factor in the relocation.

Longtime students of the economic-development business will recognize the pattern. Repeatedly in the past, reporters have called company executives and spokesmen after an incentives announcement, been told that the decision was really made on business fundamentals, and then later the record has been "corrected" to emphasize the incentives' role. Economic-development professionals train on how to word these statements to meet legal tests and avoid embarrassing disclosures. Unfortunately for them, the training doesn't also encompass everyone, allowing certain inconvenient truths to leak out.

Local governments are losing the battle against corporate welfare, with the consequences likely to be dire for taxpayers and for the broader business community who will eventually suffer the blowback. *CJ*

Commentary

The Sleeper Issue

I've been saying for years that traffic congestion and transportation problems constituted a sleeper issue in North Carolina politics. Of course, sleeper issues are supposed to wake up at some point. So far, it seems that voters keep hitting the snooze button.

At the risk of being the stopped clock that is never right on this, I will restate my view that the local or state politician who makes traffic a key issue, and finds an effective message that promises realistic solutions, will gain significant traction among voters in most of North Carolina.

The political geography of our state is changing. Truly rural areas are shrinking in relative importance. The major urban centers are surging in relative importance. More to the point, the suburbs of Mecklenburg, Wake, Guilford, Forsyth, and other populous counties have become pivotal electoral battlegrounds. They are now being joined in this category by exurban communities in counties such as Alamance, Johnston, Harnett, Franklin, Davidson, Davie, Gaston, Brunswick, and Henderson. Voters in many of these communities are simultaneously more Republican than the average North Carolinian and more moderate than the average North Carolina Republican. They lean towards GOP candidates on national security, taxes, and cultural concerns, but they often trust Democrats more on issues such as education and health care. Depending on which issues are foremost in their minds, many of these voters will swing back and forth.

On transportation issues, I believe, a large number of suburban and exurban voters are both frustrated and confused. The frustration comes from rising congestion on major arteries and secondary roads. It costs them time and money. Right now, the frustration is tinged with concerns about immigration, as well as the run-up in gas prices over the past couple of years, which has elevated public concern about the portion of that price attributable to gas taxes and how it isn't being effectively spent on building and maintaining highways.

In polls I've seen of American voters generally and North Caro-

linians specifically, transportation rarely makes it to the top tier of voting issues. Terrorism, gas prices, the economy, the war in Iraq, and public corruption rank high. But here is where I think the confusion sets in. Who is responsible for traffic woes? Many voters associate

the issue with their city or county leaders, but in reality local government, particularly in states such as North Carolina, play a modest role at best in making the pivotal decisions. State government sets most of the priorities and raises most of the revenue, from gas taxes, car taxes, and perhaps increasingly from tolls.

The federal government's role is largely destructive — its congressional earmarks unraveling whatever useful priorities states are setting, and its transit formulas rewarding not a serious effort to move people and freight efficiently but instead the communities that build the most costly, grandiose choo-choo systems.

Candidates should promise that their criteria for divvying up transportation dollars will be easing traffic flows and improving safety. Highway-budget earmarks or setting aside discretionary pots of money for legislative leaders to tap should be viewed as invitations to corruption. Using highway-related taxes to fund trains should be viewed as tantamount to theft.

Recent research has demonstrated that far from being an intractable problem, traffic congestion can be combated by setting firm priorities, embracing innovative ways to build and operate roadways, encouraging telecommuting, using small buses and vans to meet legitimate transit needs with efficiency and flexibility, and clearing aside zoning and regulatory underbrush that reinforces artificial divisions between where we work and we live — thus forcing commutes to be longer.

We know what to do. We know what not to do. Let's see some politicians discover the right words and the required courage to lead on the issue. *CJ*

Hood is president of the John Locke Foundation.



John Hood

Editorial Briefs

Alaska taxing you

Alaska is the only state that can fund government services by exporting its tax burden via energy taxes to other states, the *Wall Street Journal* reports. About 85 percent of the revenue Alaska collects comes from oil severance taxes, a levy applied to the 850,000 daily gallons of North Slope oil that travels via pipelines such as BP's to the rest of the nation. As a result, Alaska is only one of nine states without a state income tax, and one of only two with no income or statewide sales tax.

And here's the political rub, the *Journal* says: Alaska is also the largest state recipient of federal spending earmarks. The Tax Foundation says Alaskans receive nearly \$2 of income transfer from the taxpayers of the other 49 states for every \$1 they pay in taxes each year.

Ron Utt of the Heritage Foundation calculates that Alaska gets \$5 of federal highway spending for every \$1 in gas tax money it pays to the federal trust fund, twice as much back as any other state.

Year after year the 49th state manages to secure federal dollars for skating rinks, sea otter recovery grants, berry research, the Arctic winter games, native-Alaskan museums, and miles upon miles of roads through deserted areas of the state. The reason: the state's congressional delegation has so much seniority that they sit on the thrones of the most powerful spending committees.

Fuel standards are half-baked

Corporate average fuel economy (CAFE) standards, which mandate an average fuel-economy number across the car and truck fleets of automakers, has had the exact opposite effect of its charter, says Henry Payne, a freelance writer in Detroit.

The standards were designed in response to the oil shocks of the 1970s. It was supposed to reduce oil consumption by raising mileage standards, first to 18 miles per gallon in 1978 (17 for trucks), and then to 27.5 miles per gallon (20.5 for trucks) in 1987. Already on the rise before the standards went into effect because of advances in engine technology, average fuel economy peaked at 22.1 miles per gallon in 1987, then fell to 21 miles per gallon last year.

Why? It's because the standards didn't account for the massive consumer switch to light trucks (in part because of the standard's forced downsizing of cars, while the market still demanded larger vehicles).

Contrary to federal estimates that the standards would force a 30-percent decline in oil consumption, energy consumption increased by about 30 percent between 1978 and 2000, economist Paul Joskow said.

How did federal officials get this so wrong? They estimated that vehicle miles traveled would increase by 38 percent by 2000; in fact, miles traveled increased by 150 percent. Joskow attributes this to more-efficient vehicles overall, as well as more trucks, inexpensive gasoline, and an increase in vehicles per capita as Americans' incomes have risen. CJ



Where Has the U.S. Middle Class Gone?

There's a commonly held view expressed by many that America's large middle class is disappearing, much like the typewriter, rotary phone, and, dare I say, VCR. In their place is left the poor and rich, with little social glue in-between.

One problem with determining whether this is true is simply defining middle class. Although scholars, journalists, commentators, and politicians all talk about the middle class, there's actually no official definition of the group. So if we can't define middle class, how do we know if it's changing?

One way around this issue is to look at what's happened to households of different income levels over the decades. Recently some new Census data were released that allowed such an examination for 1967 to 2005.

The Census data are valuable because they allow apples-to-apples comparisons. The Census data are divided into nine income categories, from low to high, where the incomes in each category have the same purchasing power over time. In looking at the percentage of households in each category in 1967, and then again in 2005, the Census analysts found some major shifts in the distribution of income, but perhaps not in the way you might expect.

There was a lower percentage of households in each of the three lowest income categories (household incomes up to \$15,000 in today's purchasing power). The percentage of households in these three groups dropped from 21 percent to 15 percent between 1967 and 2005.

There was also a lower percentage of households in each of the three middle-income categories (household incomes between \$15,000 and \$50,000 in today's purchasing power), with the collective percentage falling from 51 percent to 39 percent. These three income groups constitute one definition of the middle class, so by this calculation, the middle class did shrink.

The biggest surprise, at least to this economist, is what happened to households in the higher-income categories. The percentage of households in each of the upper three income groups (household incomes above \$50,000 in today's purchasing power) increased. Some did substantially.

Statisticians would call what's happened to household incomes an "upward shift in the income distribution." More households have moved up the income ladder, and those at the top end (upper three income categories) now outnumber those at the lower end (lowest three income groups) by 3-1.

Yet there are also fewer households in the middle, and with this has come an increase in income inequality. With fewer middle-class households, the gap between the upper-income and lower-income groups has increased. Other Census data show upper-income households have experienced much bigger income gains than lower income households in recent decades. The reasons for this are varied, but a big one is the larger impact that education has today on earning power, and higher-income workers tend to have the most education.

So, three conclusions can be drawn from this number crunching. Yes, the middle class has gotten relatively smaller, if middle class is defined as those in the middle of the income distribution. But this is because more households have moved up the income ladder in the last 40 years than have moved down. And, although there is a smaller percentage of households in the lower-income groups, the difference in incomes between them and those at the upper-income levels has widened. CJ



Michael Walden

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

Newt 'Cinderella Man' Gingrich is Off the Canvas

If you have not seen it, there is a wonderful movie titled "Cinderella Man," directed by Ron Howard and starring Russell Crowe as James J. Braddock, the boxer who was a contender for the heavyweight championship of the world in 1929.

It is a moving story of Braddock, who was on top of the world until the stock market crash of 1929. Like many Americans, Braddock lost his home and fortune when the market collapsed.

To make matters worse, Braddock broke a hand boxing and lost his ability to earn a living for his family when his boxing license was revoked.

Braddock was pronounced "down for the count" by the boxing world. Forced to sell everything they had, Braddock and his family ended up living in a root cellar.

Although Braddock found sporadic work as a stevedore on the docks of New York, he was eventually forced to go on public assistance in order to feed and shelter his family.

Lighting struck when, on a day's notice, Braddock was given a "one time" chance — a last-minute substitution to fight on the heavyweight card at Madison Square Garden.

To the surprise of all the prognosticators Braddock won the bout. Braddock went on to fight in a round-robin elimination that earned him the right to fight for the championship.

The rest, as they say, is history.

Nicknamed in 1935 the Cinderella Man by Damon Runyon, Braddock was a 10-1 underdog and was thought to have little or no chance of defeating the champion, Max Baer. His victory, in a 15-round decision, ranks as one of the biggest upsets in sports history. (Oh, and by the way, Braddock gave the government back every dime he'd received while he was on public assistance.)

Which brings me to Newt Gingrich...

Similar to Braddock, in 1998 Gingrich was written off by some of his peers. The Washington political elite pronounced him down for count.

Gingrich, who had led the GOP out

of the wilderness in 1994 and into the majority in Congress for the first time in 40 years, was said to be finished.

As Mark Twain once said (and I paraphrase) the reports of Newt's political death have been greatly exaggerated.

Newt is back.

In addition to writing three best-sellers and being a FOX News channel political analyst, in recent months Newt has appeared on "Meet the Press" twice, as well as numerous other public affairs shows. In this election cycle he is one of the most sought-after speakers by the grass-roots activists and GOP candidates. In a year when the Inside the Beltway crowd is defending the status quo, Gingrich is driving the issue agenda for conservatives and the GOP.

Instinctively, Gingrich understands that there is a real danger of Republicans losing the House and the Senate this fall because Republicans have stopped listening to the concerns of the American people.

Gingrich believes that Republicans should spend the next two months focused on 11 straightforward issues about which Americans have clearly defined beliefs.

Some of these issues will make Republican elitists uncomfortable, but as the former speaker points out, these were the same elitists who were uncomfortable with President Ronald Reagan and who ridiculed the Contract with America and rejected its bold proposals. In a nutshell, these are the policies Gingrich is advocating for GOP victory:

1. The House should pass a bill making English the language of government, abolishing multilingual ballots, and reaffirming that new citizens should be required to pass a test on American history in English.

2. The House should immediately pass a narrowly focused bill to ensure that the United States can control the border. Americans overwhelmingly want that bill, and conservative Republican senators should move every day to bring it up in the Senate.

3. Congress should take steps to preserve the right to say "one nation under God" in the Pledge of Allegiance. This is supported by 91 percent of Americans. Americans feel deeply that the Declaration of Independence is right in saying our rights from our Creator are inalienable. The courts have waged a 43-



Former U.S. House Speaker Newt Gingrich speaking at a John Locke Foundation function in Charlotte on June 29.

year war on the core values of American liberty. It is time to return to a balanced Constitution.

4. Americans overwhelmingly support having a voter ID card so we can be sure only legal citizens are voting. Passing a bill to require this in all federal elections would be a big step toward more honest elections.

5. Americans have consistently supported repeal of the death tax, and the House should pass it once a week and attach it to various Senate bills to force the Senate to deal with it again.

6. Americans are deeply opposed to local politicians being able to seize their homes or their businesses and sell them for a profit to the city or county. The decision on eminent domain is one of the most unpopular the Supreme Court has made in recent years and also one of the most dangerous. Members of the House should pass a powerful bill returning the law to the pre-court rules and blocking the Supreme Court from reviewing it.

7. The country is eager for a straightforward energy strategy for national security, environmental, and economic reasons. The combination of \$3 gasoline, watching Iran, Venezuela, Saudi Arabia, and Russia get more of our money, and concerns about global warming come together to require real change. The House should meet that need starting with Rep. Jim Nussle's bill on renewable fuels.

8. The House should pass new budget legislation to control spending, leading to a balanced budget in seven years (1995 model). Let the country see who is really committed to smaller government with lower taxes and who is committed to bigger government with higher taxes.

9. A major result of the "No Child Left Behind" legislation has been the revelation that a number of school systems are crippling and destroying children. When the Detroit school system graduates only 21 percent of entering freshman on time, the children are being cheated. Americans strongly support reforms designed to save the children. The first step would be to insist that federal funds go only to school systems that require teacher competency and accountability.

10. Terrorism is a real threat. Congress should hold hearings on the Canadian, British, Moroccan, and other terrorist activities. The House should move bills that strengthen our security from terrorists with increased powers for surveillance, an overruling of the disastrous Hamdan decision, and a series of other steps.

11. Americans are prepared to believe we face extraordinary threats from nuclear weapons developed by North Korea and Iran. Any actions in Iraq need to be recast in terms of their impact on Iran. A weak America in Iraq will be unable to stop Iran. Congress should hold hearings on the scale of the Iranian and North Korean threat. The Santorum Iranian Democracy Bill should be forced out of the Senate in the context of these threats. Everything about Iraq should be debated within this larger and much more dangerous context.

Gingrich believes that the House has the potential to set the agenda for the fall and to define the issues in terms which will have overwhelming support from the public.

It is too early to tell whether Gingrich will run for president in 2008. But one thing seems clear — and that is that Gingrich is up and off the canvas, in top condition, and ready to help forge a Reagan Center-Right Coalition for the GOP. CJ

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

Readers Thank Both Rhino Times For Carrying Carolina Journal

Dear Editor,

I just found your Web site [carolinajournal.com], thanks to *The Rhino's* directing me to it in its

Letters
to the
Editor

9/7/2006 edition.

I am very familiar with JLF and in fact attended its Newt Gingrich luncheon in Charlotte recently.

You guys do great work, and I appreciate all that you do. Kudos to Jeff Taylor for his excellent "Special to the Rhino" re: CMS.

Thanks!

John Kemp
Matthews, N.C.

Dear Editor,

I received the Triad Edition with yesterday's *Rhinoceros Times* and I really

enjoy reading this publication. I found "Mark D. Trail"'s parody regarding the fictional Carolina Regional Adventure Park ("C.R.A.P.") particularly amusing. I look forward to the next issue.

Kenneth S. Reedy
Greensboro, N.C.

Human Relations Agency to Launch Online Dating Site (a CJ parody)

By TABATHA VAN BUREN
Lifestyles Writer

RALEIGH

The N.C. Human Relations Commission, an agency in the Department of Administration, has long tried to deal with large societal problems. But it has, in the process, neglected one major human relations problem at the micro level: lonely, cubicle-bound state employees.

But not anymore. Lonely, single state government employees will soon have a state-operated way to meet each other for friendship, romance and sharing the latest issue of *Governing* magazine. The Human Relations Commission, taking its cue from the success of such sites as eHarmony.com, has created NCpublicsingles.com.

The commission has been working on the project for the past two years and the site is expected to be operational by Feb. 1 of next year, DOA Secretary Britt Cobb said. "We want to get it ready for all those Monday holidays so employees can enjoy three-day weekends with their new love interests," he said.

"Our research shows that the bar scene and meeting people in church doesn't always work. Internet meeting sites are more effective," Cobb told

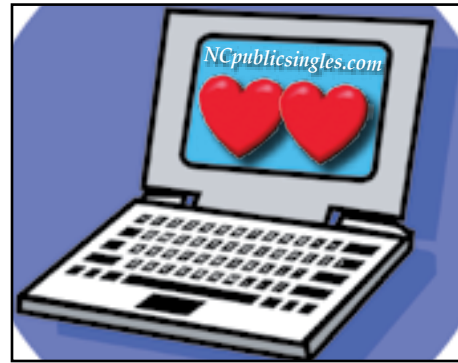
Carolina Journal.

He said the initiative was in response to Gov. Mike Easley's mandate to find inexpensive ways to improve the lives of public employees. The commission has been conducting focus groups among single and married state employees, he said.

"For the most part, they were all receptive. The married ones know that they may eventually be single and would need an effective way to get hooked up again," Cobb said. "And the single ones said they needed more opportunities to put their computers to better use in the workplace."

Single employees may fill out their profile online. They are encouraged to include a digital photo. The Department of Motor Vehicles has volunteered its services for employees who don't have a recent photograph. Profiles with photos receive 10 times as much traffic, Cobb said. The commission staff will review profiles and photos to make sure everything conforms to sensitivity regulations. Any improper or crude material will be deleted before posting and the offending employee sentenced to lengthy sensitivity training before being allowed to use the service, he said.

One concern the commission had,



Cobb said, was how to prevent married employees from using the site.

"We have safeguards in place to keep this from becoming an easy way to cheat on your spouse," Cobb said. "A few may slip through the cracks and gain access, but we are installing a new piece of security software called Adultery Shield 2.0 that we hope will catch most of them."

In keeping with the commission's mission, the match function will be a little different from other online meeting services. People will be matched with diversity, sensitivity and mind-broadening in mind. For example if a guy doesn't like art galleries or yard sales, he will be paired with a girl who does, he explained. And if a woman doesn't like latte, she will be paired with a guy,

probably from Carrboro, who hangs out at coffee shops and enjoys performance art at Weaver Street Market.

The goal, Cobb said, is to create a more enlightened kind of North Carolinian, the kind that won't eschew \$2.5 million in public art by Frenchmen.

If users do not like their automated matches, they will be encouraged to accept them anyway. "Mandatory diversity is good for everyone," Cobb said, "whether they know it or not. That's always been the Human Relations Commission's belief."

Unlike most new public projects, this one is expected to operate with no public funds even though the commission received a \$3 million startup grant from the Golden LEAF Foundation, which Cobb insisted was not public money, even though it came from North Carolina's lawsuit settlement with tobacco companies.

The commission will collect revenue from advertisers, as well. Other revenue will come from stalkers and other maladjusted people who will be able to buy profiles of the objects of their desire for \$99 a month.

"We think this is going to set a trend in the area of employee morale enhancement," Cobb said. CJ



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WFMY-TV CBS Greensboro	Sundays 6:30am
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