

Farm Subsidies Cultivate Socialism, Hogtie the Market

North Carolina farmers
harvested \$1.3 billion
in federal payouts

By KAREN WELSH
Contributing Editor

Both conservatives and liberals are denouncing the 2002 Farm Bill, signed into law last May by President George W. Bush.

The farm subsidies, worth almost \$200 billion, are promising massive payouts to farmers in North Carolina and across the country. The bill will subsidize the growing of cotton, corn, sorghum, barley, oats, wheat, soybeans, oilseeds, rice, and peanut crops over the next six years.

A study conducted by the Environmental Working Group, a watchdog organization based in Washington, D.C., found American taxpayers paid more than \$1.3 billion to 116,668 federal farm subsidy recipients in North Carolina from 1996 to 2001. All information used in the study was compiled from information gathered by the U.S. Department of Agriculture.

The study also found more than 40 percent of the money given to North Carolina went to only 2 percent of the farmers in the state, leaving the average recipient with \$3,183 a year in payments.

During those years, both the number of recipients and amount of expenditures increased dramatically. In 1996, a total of 32,581 farmers in North Carolina alone received about \$75.5 million. In 2001, 103,072 farmers in North Carolina received more than \$331 million.

A socialistic mentality

The steady increase in payments to farmers is detrimental, and everyone stands to lose from farm subsidies in the long run, said Arnold Oltmans, a professor and extension economist in the Agricultural and Resource Economics Department at North Carolina State University.

He said the farm bill creates a socialistic mentality that makes farmers overly reliant on government handouts. "It doesn't help anyone to make them dependent on the government," Oltmans said. "I don't see where (subsidies are) a positive move."

"In my professional opinion, I don't



Carolina Journal photo by Scott Lowe

Rusty Fordham of Jones County harvests cotton from one of his fields.

think the farm bill is a good bill," he said. "I don't think government programs are the answer in the long run. It sends the wrong signals, and it's taking us down bad territory."

Oltmans said the law has no supply limitations and encourages farmers to overproduce many agricultural commodities. He said the overproduction has led to a glut of wheat, corn, and other food commodities on the market.

"You can certainly mess up a market by getting the government too much involved in it," Oltmans said. "Right now, there's more on the market than the market is willing to bear. The commodities will never clear the market. That is the long-term problem and that's not good for the long-term health of the system."

Because of the subsidies, he said, farmers aren't responding to the historical supply and demand indicators in crop production, making them more dependent on gov-

ernment resources. Market prices are low because the market indicates there needs to be a shift in which crops are maintained, and farmers aren't shifting, Oltmans said.

Environmentalists oppose subsidies

Suzanne Fleek, EWG spokeswoman, said the law also creates other problems because it pays farmers by crop yield, encouraging them to till as much soil as possible and providing little, if any, incentive for land or wildlife conservation efforts.

"Really, what it does is give the farmers a blind eye to incentive," she said. "The more land they put into production, the more wildlife areas are lost and the more pesticides and herbicides are used. Now there is no money to reverse that trend."

Fleek also said farm subsidies lead to

Subsidies were introduced
during FDR's New Deal
and became an addiction

By KAREN WELSH
Contributing Editor

The evolution of the current farm bill in the United States dates back many decades ago, when farmers produced more supply than demand, causing a slump in market prices and agricultural profits.

Most of the members in the farming community found themselves facing serious financial difficulties, with many of them losing their livelihood to heavy mortgages and debts.

The time became known as the Great Depression.

The original farm subsidy program was established during this era by then-President Franklin Roosevelt's New Deal plan to help the nation get back on its feet, said Dr. John Brandt, head chairman of the Agricultural and Resource Economics at North Carolina State University.

"(Farm subsidies) go back to the 1930s when the Agricultural Adjustment Act of 1933," he said. "It was meant to be a safety net support for the agricultural community and to assure an adequate supply of food was produced."

In a speech given by Roosevelt on May 14, 1935, he said farm subsidies were a new way of "balancing farm production with demand."

Roosevelt also thought if the farmers of America were suffering, the entire nation suffered along with them.

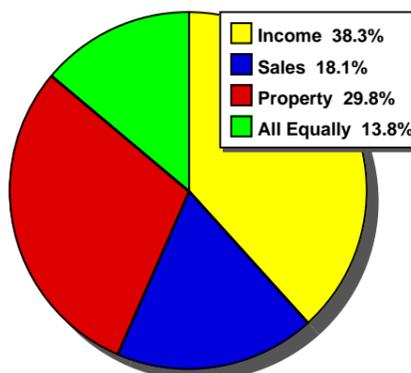
"If the farm population of the United States suffers and loses its purchasing power, the people in the cities in every part of the country suffer of necessity with it," he said. "One of the greatest lessons that the city dwellers have come to understand in these past two years is this: Empty pocketbooks on the farm do not turn factory wheels in the city."

According to a report by the U.S. House Committee on Agriculture, Roosevelt's then-Secretary of State Henry Wallace developed the "New Deal initiative" to assist

Continued as "Subsidies Hurt," Page 3

Continued as "FDR Initiated," Page 3

Which Kind of Tax Do You Dislike Most?



% of N.C. Respondents in Sept. 1998 JLF Poll

Contents

Calendar	2
State Government	3
Education	6
Higher Education	10
Local Government	14
Books & the Arts	18
Opinion	20
Parting Shot	24

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

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

Richard Wagner
Editor

Paul Chesser, Michael Lowrey
Associate Editors

Karen Palasek, Erik Root,
Jon Sanders
Assistant Editors

Thomas Paul De Witt
Opinion Editor

Andrew Cline, Roy Cordato,
Charles Davenport, Ian Drake,
Tom Fetzer, Nat Fullwood,
John Gizzi, David Hartgen,
Lindalyn Kakadelis, George Leef,
Kathryn Parker, Marc Rotterman,
Jack Sommer, George Stephens,
John Staddon, Jeff Taylor,
Michael Walden
Contributing Editors

Hans Hurd, Brian Gwyn
Jenna Ashley
Editorial Interns

John Hood
Publisher

Don Carrington
Associate Publisher

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

Bruce Babcock, Ferrell Blount,
John Carrington, Hap Chalmers,
Sandra Fearington, Jim Fulghum,
William Graham, John Hood,
Kevin Kennelly, Lee Kindberg,
Robert Luddy, William Maready,
J. Arthur Pope, Assad Meymandi,
Tula Robbins, David Stover,
Jess Ward, Andy Wells,
Art Zeidman
Board of Directors

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

©2002 by The John Locke Foundation Inc. All opinions expressed in bylined articles are those of the authors and do not necessarily reflect the views of the editors of Carolina Journal or the staff and board of the Locke Foundation.

Material published in Carolina Journal may be reprinted provided the Locke Foundation receives prior notice and appropriate credit is given. Submissions and letters to the editor are welcome and should be directed to the editor.

Readers of Carolina Journal who wish to receive daily and weekly updates from CJ editors and reporters on issues of interest to North Carolinians should call 919-828-3876 and request a free subscription to Carolina Journal Weekly Report, delivered each weekend by fax and e-mail, or visit Carolina Journal.com on the World Wide Web. Those interested in education, higher education, or local government should also ask to receive new weekly e-letters covering these issues.

ON THE COVER

• Both conservatives and liberals are denouncing the 2002 Farm Bill, signed into law in May by President Bush. The farm subsidies, worth almost \$200 billion, are promising massive payouts to farmers in North Carolina and across the country. *Page 1*

NORTH CAROLINA

• Charter boat operators on the North Carolina coast are sick of losing business to part-time maritimers, and have brought a petition before the N.C. Marine Fisheries Commission asking the agency to help establish a state charter boat license. *Page 4*

• The N.C. House and Senate approved, and Gov. Mike Easley signed, a new budget at the end of September that increases spending by nearly \$600 million over actual spending last year. *Page 5*

• The United States — a symbol of the worldwide triumph of ideals championed by 17th century philosopher John Locke — today finds itself threatened by the “terror masters” of the Middle East, writer Michael Barone says. *Page 5*

EDUCATION

• A new study says NEA/AFT representation is harmful to teachers and inhibits progress in school choice. The report proposes ending the union monopoly on collective bargaining for teachers. *Page 6*

• Education is taking a turn for the classical in some public schools around the country, and in North Carolina as well. *Page 6*

• Case studies reveal some interesting facts about the perspectives of policy reformers vs. classroom teachers. One of the most surprising is that they do not share the same fundamental perspective in areas having to do with reform and innovation. *Page 7*

• Teachers at Arlington Elementary in Gaston County have turned a grade level proficiency of 37 percent into an 89.4 percent proficiency rating. For a low-performing school such as Arlington, the likelihood of such breakthrough success seemed remote five years ago. *Page 9*

HIGHER EDUCATION

• Student and public outcry resulted in hours and services being restored to D.H. Hill Library on the campus of North Carolina State University, school officials announce. *Page 10*

• The American Association of University Professors has announced the formation of a committee to study incidents after the Sept. 11 terrorist attacks that may limit academic freedom. *Page 11*

• The fall semester has started. The war on terror is reportedly about to extend to Iraq. And “teach-ins” have returned to the University of North Carolina at Chapel Hill, with the usual suspects participating. *Page 12*

• George Leef writes that Chancellor James Moeser’s Sept. 4 “State of the University” (of North Carolina at Chapel Hill) address may have had listeners nodding off, but it actually contains a number of points that North Carolinians who pay UNC-CH’s bills should know about. *Page 13*

LOCAL GOVERNMENT

• Counties and cities have been adding their names to a list that are suing the state for withholding local reimbursements. The lawsuit alleges that state Secretary of Revenue Norris Tolson violated the N.C. Constitution when he went along with the governor’s mandate to keep millions of dollars that belong to counties. *Page 14*

• Greensboro civic leaders have presented Guilford County with an innovative plan to build a new stadium for the Greensboro Bats minor league baseball team. *Page 15*

THE LEARNING CURVE

• Dueling reviews by Carolina Journal’s Thomas Paul DeWitt and Erik Root of the book *The Real Lincoln: A New Look at Abraham Lincoln, His Agenda, and an Unnecessary War*. *Page 19*

OPINION

• Editorials about session limits for the state legislature and how best to measure poverty rates. *Page 21*

• Michael Walden says using government edict is not the only way to reduce water usage. Another is the system that’s used to ration virtually every product in our economy: The price system. *Page 23*

PARTING SHOT

• State Democratic Party leaders, inspired by the North Carolina Libertarian Party’s “Ladies of Liberty” calendar, have produced their own “Hardbodies of the Democratic Party” calendar. *Page 24*

Calendar

John Locke Foundation to Sponsor Election Wrapup

Mark your calendar for November 11 to get the best insight on the 2002 election results in North Carolina and the nation. The John Locke Foundation will host an “election wrapup” luncheon featuring Locke Foundation President and Chairman John Hood, Locke Senior Fellow Marc Rotterman, Rob Christensen of *The News and Observer* of Raleigh, and pollster William Lee, of one of the country’s leading polling firms, Tel Opinion Research.

Lee has been professionally involved in political efforts and campaigns for more than 25 years in more than half of the United States, Central America, and Africa.

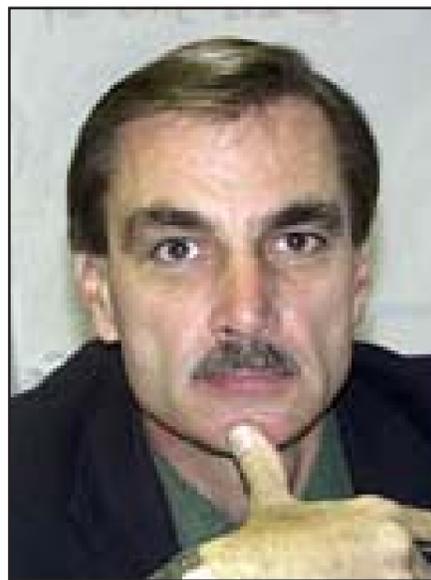
Lee, an expert in campaign planning and strategy, has taught planning, strategy, and other subjects in national conservative or Republican campaign schools, for a variety of professional associations and as a guest lecturer at the Harvard Institute of Politics and American University.

He was involved in several of the Reagan presidential campaigns, as well as in the presidential efforts of Jack Kemp (1988, as senior consultant), George Bush (1992, special projects), Sen. Phil Gramm (1996), and Sen. Bob Dole (political director, Platform Committee). Lee has been the general consultant for a number of successful congressional campaigns and with successful efforts for gubernatorial and senatorial seats.

Lee cofounded Tel Opinion Research, a political and commercial survey research firm. He is also president of the company.

Lee faced Bill Clinton in three gubernatorial contests. He won one, and is the only consultant to have ever defeated him.

His clients have included every major



Bill Lee of Tel Opinion Research

national Republican committee and several major professional associations and corporations.

He is one of the few nominating convention experts, having successfully managed or consulted on conventions in New Jersey, Virginia, North Dakota, Connecticut, and Colorado. He is also the cofounder and first chairman of the National Association of Republican Campaign Professionals.

Lee continues to serve in the U.S. Army Special Forces as a chief warrant officer in the Reserves. He is assigned to Special Operations Command South in Puerto Rico. He was recalled to active duty for Operation Desert Storm, serving with the Army’s Special Forces Command. His background in unconventional warfare and psychologi-

cal operations and knowledge of the Hispanic culture and Spanish language is frequently of use in the political arena.

The luncheon will begin at noon at the Brownstone Hotel in Raleigh. The price is \$20 per person. For more information or to preregister, contact Thomas Croom at (919) 828-3876 or events@johnlocke.org.

R. James Woolsey dinner

R. James Woolsey, former director of the Central Intelligence Agency, will speak at a special John Locke Foundation dinner at 7 p.m. Oct. 30 at the Brownstone Hotel in Raleigh.

Woolsey is a partner in the law firm of Shea & Gardner in Washington, D.C. He returned to the firm in January 1995 after serving for two years as director of the CIA. He has practiced at the firm for 17 years, on four occasions, since 1973.

The theme of Woolsey’s speech will be “America’s Role in the World After September 11.”

Price of the dinner is \$20 per person. For more information or to preregister, contact Kory Swanson at (919) 828-3876 or events@johnlocke.org.

Shaftesbury Society

Each Monday at noon, the John Locke Foundation sponsors the Shaftesbury Society, a group of civic-minded individuals who meet over lunch to discuss the issues of the day.

The meetings are conducted at the Locke offices at 200 W. Morgan St., Suite 200, Raleigh. Parking is available in nearby lots and decks. *CJ*

Subsidies Hurt Small Farmers, Benefit the Millionaires

Continued From Page 1

corruption and create a hostile environment between big farmers and small farmers.

Oltmans said it's bad business for the farm bill to not have supply limitations because it distorts the normal market signals on land that inflates rental prices, and ends up hurting the smaller farmer.

This happened to Kenneth Avery, a small farmer in Trenton, N.C.

On the handshake of a landowner, he cleared 20 acres of land and prepared it for seed. One of the largest farmers in the area took notice, came in, rented the land at a much higher rate, and effectively forced Avery out of a job.

"It's all crooked and messed up," Avery said. "If there's an honest (farmer) left, they'll shove him out. Somebody ought to do something to put it back in line."

Subsidies encourage waste

Liz Moore, also a spokeswoman for EWG, said subsidies mean more government waste, and leave farmers clamoring for a piece of the pie.

The past six years of subsidies have proven that true, Fleek said, and it's only going to get worse for the small farmer. "If you're in the club you're fine," she said. "If you're not in the club, you're at a disadvantage. The farm bill awards the biggest producers in the country, and they have good lawyers and accountants that maximize the system. They end up getting 10 checks instead of two."

In a free society, large farmers using subsidies to put small farmers out of business is plain business, said Charles Moore, professor of the Agriculture and Resource Economics Department at NCSU's College of Agriculture and Life Science.

"It's just like when all the old mom and pop stores were run out of business by the SuperWalmarts and Lowes," he said. "It's just an economic reality."

Bigger problems in the future

Whatever it is, Oltmans said farm subsidies are a mistake, and will create bigger problems for everyone down the road.

"We really have trouble in this country taking the long-term view versus the short-term pain," Oltmans said. "We don't want anyone to hurt. Yet, as in any government program, the more you do, the more you can distort the whole system. There are unintended consequences."

The best thing to do, he said, is to let the free market, with its burden of supply and demand, take its course — even if it hurts a few farmers in the pocketbook.

That is exactly what North Carolina farmer Mike Haddock, of Jones County, is afraid will happen.

At the present time, Haddock said he would rather receive a fair price for his crops in the marketplace, but without the subsidies he's afraid he won't be able to run his large farming operation.

"I don't know what the answer is," he said. "I don't expect to get rich at (farming). I just want to make a living at it. My farming operation is as efficient as it can be, but in order to keep farming I'm going to have to get help somewhere."

Oltmans said the situation is complicated, but he thinks farmers are going to bite the bullet someday.

"This is almost a no-win situation when it comes to writing or talking about it because someone won't be satisfied," Oltmans said. "The reality is, it could really hurt a lot of people, but the free market is still better than government intervention in the long run." *cj*

Top 20 Recipients of Farm Subsidies in North Carolina

(1996-2001)

Rank	Name	Location	Farm Subsidy Total
1	Cox Brothers Farms	Monroe, NC 28112	\$2,569,517.50
2	Amd Farms	Hobgood, NC 27843	\$2,357,650.82
3	Spring Branch Farms	New Bern, NC 28562	\$2,245,327.91
4	Ferebee Iv Partnership	Shawboro, NC 27973	\$2,025,714.03
5	The Williamson Farm	Mount Gilead, NC 27306	\$1,984,120.15
6	Howard Farms	Deep Run, NC 28525	\$1,977,847.16
7	Edward & Kenneth Cherry	Columbia, NC 27925	\$1,628,866.54
8	Whitehurst Farms	Conetoe, NC 27819	\$1,624,443.69
9	Fann Farms	Salemburg, NC 28385	\$1,614,792.73
10	Harrell & Owens Farm	Tarboro, NC 27886	\$1,586,015.72
11	Thomas Allen & Sons	Pantego, NC 27860	\$1,495,072.38
12	Warren Farming Partnership	Newton Grove, NC 28366	\$1,475,476.93
13	Snead Brothers Farm	Laurinburg, NC 28352	\$1,403,340.88
14	Dale Bone Farms Partnership	Nashville, NC 27856	\$1,390,823.15
15	McLain Beef & Grain	Statesville, NC 28625	\$1,390,793.43
16	Sanderson & Son Farming	Kinston, NC 28501	\$1,372,746.94
17	Howell Farms	Pinetown, NC 27865	\$1,342,448.87
18	Anderson Farms	Tarboro, NC 27886	\$1,304,078.73
19	Carmichael Farms	Laurinburg, NC 28352	\$1,299,060.17
20	Harvey L & Sally Rouse	Trenton, NC 28585	\$1,264,953.28

Source: United States Department of Agriculture; Compiled by Environmental Working Group

FDR Initiated Farm Subsidies in New Deal Era

Continued From Page 1

the farm sector by raising and stabilizing commodity prices and the farmer's income through a production reduction of designated commodities, such as cotton, wheat, corn, rice, tobacco, hogs, and milk, making advance payments to farmers who stored crops on the farm, creating marketing agreements between farmers and middlemen, and levying processing taxes to pay for production adjustment and market development.

The report also said the levy processing taxes found in the original AAA of 1933 was declared unconstitutional, and was replaced by the Agricultural Adjustment Act of 1938.

The New Deal plan appeared to many Americans to work. The typical farmer's income increased by more than 50 percent within a few short years. When the Great Depression ended, however, almost 6 million farmers were taking advantage of the economic stability provided through the new federal program, and had become dependent on the income to maintain their

lifestyle.

Despite the ebb and flow of support for farm subsidies over the years, no one president has been successful in weaning American farmers off the payments. In fact, as the decades pass, the price tag continues to climb to higher levels.

Some hoped that the Bush administration would curtail the federal handouts. According to a story written by Mike Allen in *The Washington Post*, Bush originally took a "skeptical view of traditional farm subsidies." However, Allen reported Bush quickly changed his mind after the Sept. 11 terrorist attack against the United States, stating the war against terrorism provided a fresh rationale for continuing New Deal-era subsidies for farms.

At that time, Allen said Bush not only committed his administration to renewing the subsidy, but was determined to raise farm aid to a generous level. "It's in our national security interests that we be able to feed ourselves," Bush said.

Although he admitted the bill had flaws, Bush willingly signed the Farm Se-

curity and Rural Investment Act of 2002, worth almost \$200 billion, into existence last May. "It's not a perfect bill, I know that," Bush laughingly said at the signing. "But you know, no bill ever is."

All kidding aside, it appears the real joke is on the taxpayers, because they are the ones subsidizing the ever-increasing farm bill.

In a recent report to the Committee on Agriculture, Nutrition and Forestry United States Senate, Secretary of Agriculture Ann M. Veneman said it will cost more than \$100 million just to implement the new farm bill. "Farm Bill implementation is a massive undertaking," she said. "The bill includes ten titles and over 400 pages with numerous sections and provisions. At the time of passage, its cost above baseline levels was estimated to be over \$80 billion. We have determined that nearly 100 regulations will need to be issued, and that over 40 reports and studies will need to be prepared over the course of the bill's life."

Veneman thinks that \$100 million isn't enough to complete the task. "Although we are making good progress, I would like to point out that we do face a number of challenges," she said. "The workload is massive and we are doing the best we can with limited resources." *cj*

Bush quickly changed his mind on farm subsidies after the Sept. 11 terrorist attack against the United States.

Around the State

• Moody's Investor Services, the New York investment rating firm that downgraded North Carolina's credit rating in August, has yet to evaluate the Economic Stimulus and Job Creation Act, which will provide millions in incentives to lure or keep businesses in the state. Raymond Murphy, senior credit officer and one of the analysts behind the North Carolina downgrade decision, was not aware of the legislation. "If the legislation becomes law, we would study the matter and issue a comment to the market if the action has a material effect on the credit quality of the state," he said. State Treasurer Richard Moore said he supports the state's economic development efforts but urged caution. "Putting prudent, reasonable limitations on any economic development incentives makes good fiscal sense," Moore said. "We want to provide our economic development folks with the tools they need to make North Carolina competitive... but we do not want to inadvertently injure our overall financial standing with such programs."

• John Merritt, senior assistant for policy and communications for Gov. Mike Easley, denied last month that he threatened New Hanover and Alamance County officials because of their lawsuit against the state to recover tax reimbursements. He said that he called "to tell them when they sued, that it could not be viewed by the state government as a friendly act. I asked them to please think carefully before they did that. I didn't tell them not to do it, and I didn't threaten them." The *Wilmington Star-News* reported Sept. 14 that Merritt said if New Hanover County won its lawsuit, the governor would have to look at state projects in the Wilmington region. Likewise, the *Burlington Times-News* reported Sept. 16 that Alamance County Manager David Cheek received a call from Merritt, who told Cheek that state money earmarked for Alamance might be spent elsewhere. Merritt is also on the board of directors of Golden LEAF, which distributes half the state's tobacco settlement to local interests to promote economic development. Asked whether counties in the lawsuit would be denied his support for LEAF funding for their projects, Merritt replied, "Absolutely not."

• Rachel Mills, Libertarian candidate for North Carolina's House District 31, has won nationwide attention as the brains behind the "Ladies of Liberty" pinup calendar, which features 11 other female candidates in an effort to raise money for their campaigns. Tucker Carlson and James Carville of CNN's "Crossfire" interviewed Mills on Sept. 18. Conservative Carlson told Mills that "I went to your website hoping for nudity, and instead found this," and then he listed a number of "turn-ons" of the North Carolina lady Libertarians, which included "free market economies." He then asked her which ones she favored. "Right now I like Russia," Mills said, "because they just passed a 13 percent flat tax and their economy is soaring." CJ

*Captains fear over-regulation by the state***Rocking the Boat on Charter Licenses**

By KAREN WELSH
Contributing Editor

KINSTON

A growing number of charter boats rolling back and forth off the North Carolina coast and inland waterways has even the saltiest of sea captains feeling queasy.

Many of the diehards — sick of losing business to part-time maritimers located on the Outer Banks, Atlantic Beach, Morehead City, and Wilmington — brought a petition before the N.C. Marine Fisheries Commission in August. The petition asked the agency to intercede and help establish a state charter boat license, said Capt. Ira "Duke" Spencer, a fourth-generation fisherman, charter owner, and an officer of the 150-member Oregon Inlet Guide Association, located on the Outer Banks. "(The petition) was passed around the entire coastal region," he said.

In most instances, Spencer said full-time captains find interested clientele through their web sites or a local marina, which charges boat captains a nominal fee for their reservation services. Part-time captains, however, often rely on tackle shop owners to supply their business and the charter boat operator pays a percentage of the money they charge the passengers.

Capt. Sonny Davis, a charter boat operator for more than 40 years with the Capt. Stacy Fishing Center in Atlantic Beach, said he estimates 50 percent of the charter boats in North Carolina waters are operated by part-time captains.

Up for grabs is a piece of more than \$1 billion contributed annually to the state economy by commercial and recreational activities, says a recent report by the N.C. Division of Marine Fisheries.

Of that, Spencer said the charter industry is the largest money producer business in the state. "There's a lot of money at stake here," he said. "It's such a lucrative business. Our area, the Oregon Inlet, generates millions of dollars a year alone."

Although there are no firm figures at this time, Spencer thinks that part-time operators are coming in and "taking the gravy of the businesses that are already established."

That's why the initial petition suggested stringent rules for a license, including documentation of a captain's license, boat inspections, and liability insurance, as reported in the *New Bern Sun Journal*. The petition indicated the potential licenseholder should be required to prove that 75 percent of his or her income from the past year came from charter fishing or another fishing-related industry.

A legislative storm

Unfortunately, the same fishermen who tried to maximize profits could get caught in a legislative squall, and end up netting more than they bargained for in their appeal for government intervention.

History could end up repeating itself, as other state's actions will attest. Maryland, for example, has already imposed a moratorium on the number of charter boat licenses issued each year. The Gulf of Mexico Fishery Management Council is also considering the same action in order to restrict access to fishing and charter operations off the coasts of Texas, Louisiana, Mississippi, and Florida.

North Carolina had a moratorium on commercial fishing licenses from 1994 to 1999, said Preston Pate, director of the N.C. Division of Marine Fisheries in Morehead City.



North Carolina charter fishing boats await customers at the dock.

He said the Fisheries Reform Act in 1997 changed the moratorium to a cap of at most 8,765 commercial licenses that could be issued in a single year.

Newcomers have to meet certain criteria, Pate said, before they are allowed to enter the eligibility pool. Those with a license are automatically renewed each year, he said, or they are allowed to sell their license to the highest bidder.

Pate said it's too early to determine whether those same potential restrictions might be placed on charter boat licenses in North Carolina, causing a ripple-down effect on both the state's tourism and the charter boat industry.

Petitioners fear backlash

Spencer initiated the petition to stem the influx of part-time charter boat operators. Ironically, he is already having second thoughts about making the proposal to the commission. "It's already gotten further out of hand than we anticipated," he said. "I'm already seeing the handwriting on the wall. We were in a dream world, hoping [government officials] would go by the guidelines we asked for. Now I have a fear that a charter license would be more than I bargained for."

Spencer said state officials in Raleigh are unfamiliar with everything happening on the coast, and may end up making the license unusable. "We feel like we're going to get lost in the rhetoric of the General Assembly and not get what we want," he said. "I have some concerns that the 100 people in the [N.C. General Assembly] will develop something so far out in left field that it would defeat our purpose."

Spencer thinks the fishermen may find themselves in over their heads, having to fill out mandated reports, keep track of catches, and comply with other regulations and restrictions imposed by well-meaning legislators.

Spencer also said government officials who would be in direct control of the license may use it to their advantage. He said they could require charter boat captains to "toe the line" of a certain party if they want to get their license renewed. "It will probably mushroom into more than we want to happen," Spencer said. "There's got to be a better way."

Capt. Brian Horsley, another fisherman with the Oregon Inlet Fishing Center on the Outer Banks, is also a strong backer of the charter license. However, he is also beginning to feel queasy when he thinks about the license getting bungled in red tape.

"That's the downside of it because I could basically work myself out of a job,"

Horsley said. "There's no telling what will happen, because, when left in the hands of legislators, [the license] might come back very different. We're just kind of stupid to ask for government help, because sometimes you get more than you ask for."

"Anytime you regulate yourself you tend to shoot yourself in the foot," Horsley said. "There's always a possibility the license will become a burden. It's kind of a hard thing to do. I'm at a loss, but hopefully we can get something that's not a ticking time bomb."

Commission studies license

Pate said there used to be a charter boat license, but a Catch-22 in the Fisheries Reform Act of 1997 caused its demise. "Most captains run charters in the summertime and then commercial fish during other seasons in order to make a living," he said. "Had the charter boat license stayed in the act, it would have disabled and interfered with the charter boat captains holding commercial licenses. This aspect complicated enough to get (the charter boat license) taken out of the Fisheries Reform Act."

Despite the previous problem, the commission is once again seriously considering the pros and cons of having a state charter

license. "The proposal is in the early stages of review and there's a long way to go with the idea" Pate said. "There has been no effort at this point to invite public comment or input into the debate. There will be ample opportunity for the public to interact and voice their opinion with our committee."

If the request is endorsed by the commission, Pate said it will go to the Joint Commission of Seafood and Agriculture before it is passed as a bill to the N.C. House and the Senate.

Capt. Davis said he would agree with a charter boat license if it would do any good. "There's a lot of people running these boats that don't have anything to do with fishing," he said. "There's a lot doctors, dentists, and lawyers, and right now more than 50 percent of your boats are private-owned boats that charter on the side. If a license could eliminate some of them I'm all for it."

Unfortunately, he said, sea captains already must hold several licenses to sail the seas, and are required to take courses, follow strict guidelines, and undergo random drug testing.

The bottom line is a charter boat license won't work, Davis said, and one more license would only end up costing the fisherman more money and would probably have little effect on the boating population. "It would just be another license for us," he said. "We already have enough licenses." CJ

"Anytime you regulate yourself you tend to shoot yourself in the foot... hopefully we can get something that's not a ticking time bomb."

*Lottery loses in House vote***Bloated Budget: Legislature Raises Spending by \$600 Million**By PAUL CHESSER
Associate Editor

RALEIGH

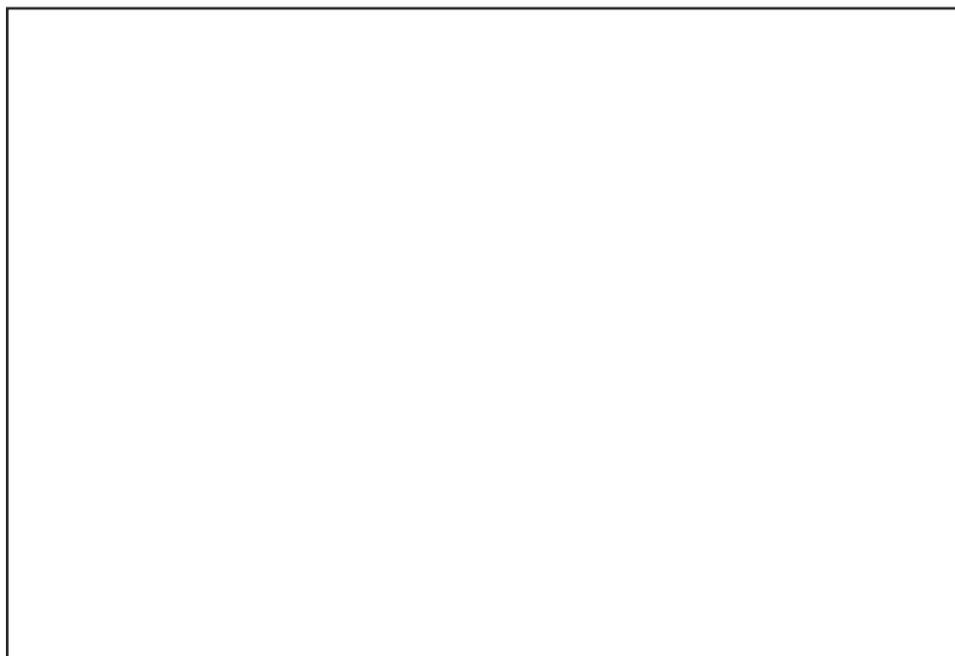
The N.C. House and Senate approved, and Gov. Mike Easley signed, a new budget at the end of September that increases spending by nearly \$600 million over actual spending last year.

Democrat majorities in both chambers reached agreement on a conference report, which represented a compromise between the legislature and the governor. Easley had threatened to veto a plan devised by House and Senate conferees because it lacked funding for class-size reductions and a More at Four preschool program. The House and Senate both passed the budget on consecutive, near-party line votes.

While Easley's signature education programs were preserved in the budget, his desire to fund them through a state lottery was soundly rejected by the House, 69-50. Fourteen members of his own party voted with most Republicans against a referendum that would have sought voter approval for a lottery.

During debate, supporters of a referendum mourned that North Carolinians were spending millions on lotteries in neighboring states — money that could be kept in state with its own lottery.

"Why on earth would we want to have a kind of perverse form of foreign aid?" wondered Rep. David Redwine, D-Brunswick, who said of those other states, "they are taking us to the cleaners."



State employees conducted a rally on Halifax Mall soon after the short session convened.

Opponents, mostly Republicans, said a state-run game for "education" would mislead children.

"It clearly sends a message to young people that there's a way to get something for nothing," said House Minority Leader Leo Daughtry, R-Johnston.

Several liberal Democrats echoed that sentiment, adding that other state lotteries almost always engage in false advertising.

"There is nothing in this bill that will guarantee this will go into education," said

Rep. Martin Nesbitt, D-Buncombe, who also said those who played would be throwing their money down "a rat hole."

"What business does government have encouraging people to do that?" he said.

The budget that the House, Senate, and Easley approved spends more than any of the plans the three entities proposed separately. Republicans who opposed it complained that it contained too much new spending, was out of balance, and preserved pet projects of the Democrat leadership.

"I guess this is a political document, and not a budget for the people," said Rep. Art Pope, R-Wake.

The plan restores \$80 million in tobacco settlement money for Golden LEAF, which both the Senate and House had partially or entirely diverted to the general budget in their individual proposals. Republicans also took exception to the continued funding of international travel for legislators; \$4 million in incentive money for Easley's use; and allowing the UNC system to keep "overhead receipts" that the federal government pays universities for research projects.

Despite the funding for Easley's new education programs, the budget cuts \$41 million from the Public School Facility Fund. While cutting 817 positions in state government, it adds 1,050 new positions for education. GOP members complained that cuts to local governments would harm education also. Cities and counties lose \$334 million in reimbursements they formerly received from the state, which had replaced repealed taxes.

"We've left our cities and counties hanging out to dry," said Rep. Larry Justus, R-Henderson.

Officials of county and municipal governments converged on the state capital Sept. 23, as the legislature again considered allowing them to raise a half-cent sales tax. The House had rejected the proposal in July but approved it by a narrow margin, thus replacing \$188 million of the withheld revenues with higher sales taxes. *CF*

*John Locke Foundation luncheon***Mideast 'Terror Masters' Threaten 'Lockean Nation,' Barone Says**By RICHARD WAGNER
Editor

RALEIGH

The United States — a symbol of the worldwide triumph of ideals championed by 17th century philosopher John Locke — today finds itself threatened by the "terror masters" of the Middle East, writer Michael Barone said Thursday.

"One of the things we've seen in our lifetimes, our adult lifetimes, was a victory of the Lockean model worldwide against the Hobbesian model," of absolute monarchy espoused by philosopher Thomas Hobbes, said Barone, keynote speaker at a luncheon sponsored by the John Locke Foundation. Since the downfall of communism over the last decade, no "competitive ideas" to the Lockean model of natural rights, limited government, respect for property, and respect for human liberty, have arisen anywhere in the world, the senior writer for *U.S. News & World Report* said.

America's free society today is threatened by "a group of people who hate us and hate our way of life and... who have gained access to weapons that are capable of destroying very large numbers of people. And they are trying to use those weapons to destroy this happy ending, or this Lockean civilization," Barone said.

Citing President Bush's speech to the U.N. Sept. 12, Barone said the "terror master" nations of Iraq, Iran, Syria, and Saudi Arabia, which supports terrorists, are waging war against the United States. "The question we obviously want to ask is: Why is Bush now going against Iraq?" Barone said. The answer: "We couldn't go against Iraq last winter because we were too busy in Afghanistan; we couldn't take military ac-



Michael Barone speaks at a Raleigh luncheon.

tion in the spring because we lacked sufficient numbers of precision weapons; we couldn't take action in the summer because it was too hot in that part of the world, and now it's about to unfold," he said.

Bush made a strong statement to the U.N. by challenging the organization to enforce dozens of resolutions that Iraqi leader Saddam Hussein has violated since the Gulf War, Barone said. "There has been a lot of debate in Washington and around the world, a lot of talk about American being 'unilateral,' taking action on our own," Barone said. But Bush knew that the only way to motivate the U.N. to punish Iraq was to threaten unilateral action by the United States if the organization failed to do its job. "If you want U.N. action, threaten to take action without the U.N., as Bush did in that speech," Barone said.

Barone said he thinks Congress will decide what to do with Iraq before the legislature adjourns in October. "I think we'll probably not see military action until after the election, based upon my conversations with people who are in some position to know what's going on in the Pentagon," Barone said. *CF*

We Want Less!

Concerned About Issues Such As Taxes, Regulations, Property Rights & Patient Choice in Health Care?

Thousands of your fellow North Carolinians are, too — that's why they have joined **North Carolina Citizens for a Sound Economy** to fight for less government, lower taxes, and more freedom. They are making their voices heard.

Fighting for the People's Agenda

North Carolina Citizens for a Sound Economy holds politicians accountable for their votes on taxes, regulations, and other issues. Its aggressive, real-time campaigns activate a **grassroots army** to show up and demand policy change.

And it gets results. CSE has helped to **defeat three large tax increases** in North Carolina and defended property rights, parental choice, and individual freedom before the state legislature, county commissions, city councils, and elsewhere.

Here's what some are saying about Citizens for a Sound Economy:

- "They have been doing a great job all over the country educating people."
— President George W. Bush
- "CSE is a great organization . . . The hundreds of thousands of volunteer activists that are members of CSE are vital to this country's economic prosperity."
— U.S. Rep. Richard Burr of Winston-Salem
- "You guys are everywhere! CSE is a great organization. CSE, thanks."
— Sen. John McCain



North Carolina CSE members protest state tax increases at a rally in Raleigh.

**Get Involved!**

Join North Carolina CSE and Make a Difference!

115 1/2 West. Morgan St.
Raleigh, NC 27601
www.cse.org
1-888-446-5273

Teacher Stats and ABC's

• The Department of Public Instruction, which issued its initial report on teacher turnover in May, has revised the study, according to a news brief released in September by DPI. While the original study reported a turnover rate of 21 percent to 22 percent, the new study reports much lower rates for the two most recent school years.

The recalculated rate for 2000-01 was 14 percent. For 2001-02, turnover was 12.5 percent, the DPI says.

The original reports, issued with the N.C. School Report Cards by the governor's office and the DPI, double counted some teacher turnover, Human Resources Director Kathy Sullivan said. In the original version, human resources counted all turnover in teaching staff, whether the individual left one school in a district and entered another in the same district, or left the school district entirely. Intradistrict turnover, officials said, is significantly different, and higher, than districtwide or statewide turnover rates.

Cecil Banks, manager of the Center of Recruitment and Retention at the DPI, thinks intradistrict reporting is more informative for parents and students because it reveals which schools lose teachers more often. The more aggregated districtwide or statewide measure masks those distinctions. Parents and students have a more difficult time evaluating individual schools in that case, since low-turnover districts will often have some high-turnover institutions.

The most often-cited reason for teachers to leave a school on recent surveys was retirement, a significant problem for some districts. But a weak economy in North Carolina may have proven to be a boon to teacher retention. Scarcity of nonteaching opportunities apparently has encouraged some would-be job seekers to stay put. Lack of alternatives applies not only to teaching staff, but to administrators also.

DPI officials, in claiming that the difference between a 21 percent average teacher turnover rate and one of 12.5 percent is statistical, have implicitly refocused on aggregate data in their reporting. The revamped techniques will generally improve reported rates. From now on, only teachers who leave the district entirely will be counted. Those who shift schools within the district will no longer be considered part of the turnover. *Reported by the High Point Enterprise.*

• *The ABC's of Public Education*, issued annually by the N.C. Department of Public Instruction, reports a shrinking number of low-performing schools and more high-performing schools than ever before.

The ABC's is designed to measure growth in student achievement and number of students at grade level. Grade-level proficiency is measured by scores on the end-of-grade tests or on high school end-of-course tests.

This year all but two of the ABC's category definitions changed. Unchanged were the "schools of excellence" requirements and the "low-performing schools" criteria.

According to DPI, the number of schools of excellence, the highest-performing level, increased to 13.9 percent of all schools. Low-performing schools represented 0.8 percent, or 18 schools, in North Carolina in 2002. *CJ*

Competition in Collective Bargaining

Teachers' choice of representation would lower costs, promote options, analysts say

BY KAREN PALASEK

Assistant Editor

RALEIGH

A new report says NEA/AFT representation is harmful for teachers and inhibits progress in school choice. The study, released by the Cato Institute, proposes ending the union monopoly on collective bargaining for teachers. Teacher representation is the exclusive right of the National Education Association and American Federation of Teachers. The study argues that introducing competition into teacher representation would not only benefit teachers, it would also improve the prospect of school choice for families.

Problems with NEA and AFT

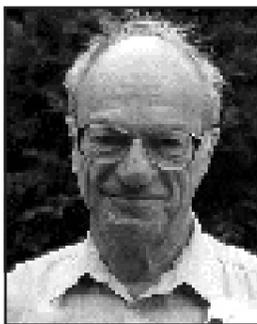
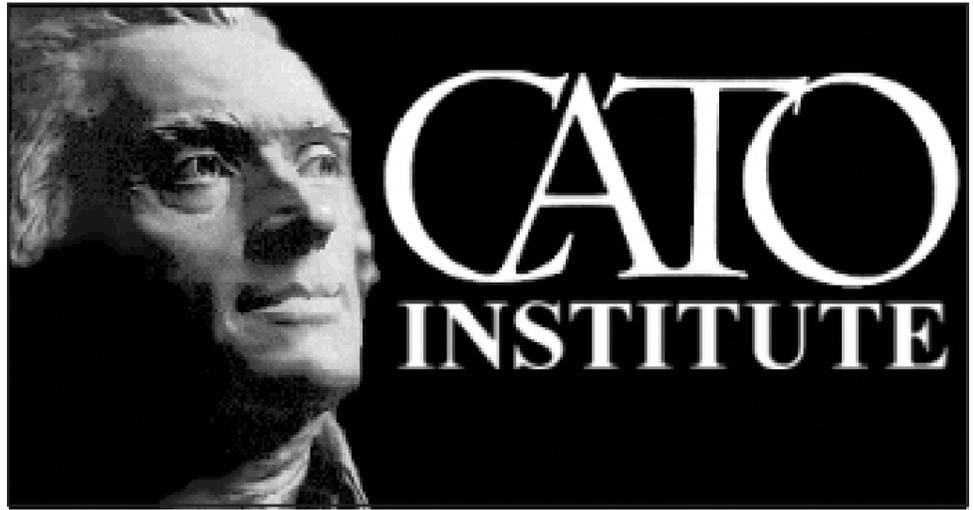
Myron Lieberman, senior research scholar with the Social Philosophy and Policy Center, Bowling Green State University, and chairman of the Education Policy Institute, wrote the report, which was titled *Liberating Teachers: Toward Market Competition in Teacher Representation*. It outlines areas in which teachers are harmed or served poorly by the NEA-AFT collective bargaining monopoly. These include higher costs of negotiating services, lack of choice in negotiating services, and the ability to hinder market innovations in school choice through union activities or legal barriers.

Lieberman thinks there are specific legal changes that will make the introduction of market forces both possible and beneficial. As a consequence, the study suggests that school choice will be enhanced, basically because teachers will have less incentive to oppose it.

Lieberman's study presumes a continuation of collective bargaining in contract negotiations for teachers. It also assumes that collective bargaining will take place through some monopoly, though not necessarily union, bargaining agent. With this in mind, *Liberating Teachers* summarizes what is wrong with the union-dominated bargaining system now in place.

Monopoly by the NEA and AFT results in consumers (teachers) who are poorly served by their bargaining representatives. The textbook monopolist takes advantage of its customers by raising the price and reducing the quantity or the quality of services offered. With no competitors, they have little reason to behave differently.

Lieberman's paper illustrates examples of how NEA and AFT have acted to increase prices charged to union members for dues, and chiefly to nonunion members as "agency fees." Agency fees are fees that nonmembers of the teachers' unions must



Myron Lieberman

pay the union for services it provides. Regardless of union membership, all teachers are represented by NEA-AFT in the collective bargaining process.

Agency fees are either allowed or required in 21 states. Lieberman's study reports that over time the NEA and AFT have increased agency fees, with fees closely approximating membership dues. Added to the fact that nonmembers experience inconvenience when they do need representation, the NEA-AFT strategy increases the likelihood that teachers will join the union rather than remain outside.

Lieberman also reports that agency fees have been increased "by grossly inflating the amounts allegedly spent on collective bargaining." Total revenues collected by NEA-AFT, including both dues and agency fees, typically exceed the cost of negotiations, according to the *Policy Analysis* study. The author argues that allowing nonunion providers, whether individuals or firms, to compete for exclusive representation rights, will force prices into closer alignment with costs.

NEA general counsel Robert Chanin justifies the high fees collected by the organization by describing them as a kind of prepaid service, collected at the national level and spent at the local level. Because the information has not been made publicly available, however, it is difficult to know what percentage of NEA's collections go to helping local affiliates. Neither the author's claims nor the NEA's numbers could be verified in the study.

Legal reform and rivalry

Lieberman recommends specific reforms to overcome the disadvantages associated with union monopoly in services. State laws that govern a bargaining unit, defined by specific job positions, must

change. The current system, Lieberman argues, could be made more flexible first of all if elections took place when 10 percent of those represented express an interest. Currently, 30 percent must concur before a new election can take place.

A second change must allow individuals or organizations (for-profit or nonprofit) to compete for teacher representation rights. Collective bargaining would still be provided by a monopoly under the revised plan Lieberman describes. When the term expires, competition for that service would reopen.

The third recommended change would allow all those represented in bargaining, whether union members or not, to vote on issues affecting them. The NEA-AFT arrangement now in place limits voting rights to union members. Eliminating this restriction removes the incentive to stay in or to get into the union. This change would open choice to teachers without fear of punitive disadvantages.

According to the study, the effects of increased competition are potentially significant. Teachers should be able to get the same services at lower cost.

Peripheral costs such as union pressure, lack of access to meeting space, and no lack of voting rights could be eliminated. Long-term benefits include the right to change the monopoly service provider if teachers are dissatisfied.

A final potential benefit suggested in *Liberating Teachers* addresses teacher resistance to school choice. If teachers see how competition can work for them, they may be less likely to oppose school choice, according to the author. If he is correct, revising collective bargaining laws for teachers would have a positive impact on the movement for school choice and reform.

Lieberman argues persuasively when discussing the positive effects of added teacher choice in representation. While teachers may welcome competition in bargaining, it is unclear whether they will welcome it on their own turf. *CJ*

Classical Education Offers New Appeal in State

By KAREN PALASEK

Assistant Editor

RALEIGH

Education is taking a turn for the classical in some public schools around the country, and in North Carolina as well.

Noted more for trendiness in education strategies than for techniques that date to the 5th century B.C., classical techniques include the reintroduction of great books, the Socratic method, and seminars into the classroom.

The classical curriculum that is appear-

ing in modern public schools is largely based upon a model designed by Mortimer Adler in the 1980s. Adler published three books discussing the paideia (Greek for education) or upbringing of the child.

With the Paideia Group founded in 1985, Adler's 12-principle, three "columns of learning" method involves teacher-centered instruction, guided practice, and seminars in each subject. Students progress from acquiring basic knowledge to mastery of skills and to understanding abstract ideas.

Paideia programs are offered in North

Carolina public schools from elementary through high school, but not all schools include this approach as part of the curriculum. Schools are explicit when they do.

J.H. Rose High School in Greenville, N.C. has designed World History and Literature as a paideia program.

Moore Square Middle, a museums magnet school in Raleigh, aims to use paideia principles in every grade for every subject.

Comprehensive programs like Moore Square's are more likely to be found in magnet than in non-magnet schools. *CJ*

*State policy and the quality of teaching***Center's Study Shows the Disconnection Between Policy Reformers and Teachers**

By KAREN PALASEK

Assistant Editor

Why doesn't educational reform in practice often match the vision of educational policymakers, and why do teachers perceive the effectiveness of reforms so differently than do the reformers?

The Center for the Study of Teaching and Policy has examined the problem in its new study *Understanding How Policy Meets Practice: Two Takes on Local Response to a State Reform Initiative*.

Curriculum reform

Case studies reveal some interesting facts about the perspectives of policy reformers vs. classroom teachers. One of the most surprising is that they do not share the same fundamental perspective in areas having to do with reform and innovation.

Michael Knapp, author of the study, describes the policy reformer's perspective as an outside-in approach. It represents a critical separation from the teaching approach because there is little eye-level view of what goes on in practice in the classroom, and often little perception of how reform policy in general is and should be translated into classroom practice. Knapp is not suggesting that policymakers prescribe exact procedures, but is noting a potentially significant disconnect in understanding between the groups.

The same policy changes in California were used to look at the difference that point of view can make. California revised its California Mathematics Framework in the 1990s. While the reform policy is not recent, perceptions of how well it worked reveal blind spots in evaluating the effect of curriculum reform, so it remains relevant.

One of the objectives of the reform was to be sure that fourth-graders learned the concept of place value. Teachers could be using manipulation or other means of their choosing in the classroom to help accomplish learning goals. The California case demonstrates how reformers understood the policy, in contrast to teacher perception of the same policy objectives.

Differing perspectives

The outside-in view of teaching policy focuses on incentives, accountability, control, and expectations. Presumably, teachers and schools are rewarded for meeting measurable expectations, documenting their progress, and following prescribed guidelines for change.

Inside-out perceptions are classroom-centered and focus on particular practices. This involves a detailed look at the procedures that will be changed, dropped, or adopted under the new plan. The teacher perspective is more narrow and practical, less focused on broad reform ideals.

The teachers in the California mathematics reform study practiced new policies in their classrooms, and from their vantage point, revamped their teaching to conform to the new policies.

The reform vision for math de-emphasized computation algorithms and stressed basic concepts, reasoning, and application instead. The policy represented a significant departure from earlier mathematics guidelines. Once the math curriculum was revised, policymakers expected improved test results and better conceptual learning by schoolchildren. They used interviews, questionnaires, and other outside-the-classroom means to determine how effective the new curriculum was. The revisions identified broad goals and themes; teachers were supposed to work out the details.

According to Knapp's study, putting reform policies into practice does not necessarily mean that teachers have

RALEIGH

really captured the underlying meaning of a new plan, even though new procedures are in place. The vision of problem-solving, understanding, and concepts that stretch beyond simple arithmetic was clear to those constructing new math guidelines. Teachers took the guidelines and tried to align them with classroom practice as they understood the guidelines' intent. A look at the result reveals the disconnect that occurs when the each party views the situation only from its own perspective.

Policy meets practice

One fourth-grade teacher was observed by teams several times, to get an idea of exactly how she was translating the new state mandates into her lessons. By her account, the policy reforms had caused her to revolutionize her approach to math pedagogy.

In lessons designed to teach the concepts of place value, observers watched the teacher lead the class through a series of exercises, using cups filled with 10 beans as "cat's eyes." "When you get a cat's eye (10 beans in the one's cup, thus equalling one bean in the 10's cup), put all the beans in a paper cup, and move them over."

Students successfully completed the exercise, in the teacher's view, because they could repeat the chant and the activity of filling one cup with 10 beans, followed by the action of moving one bean into the next cup. The chant repeated the activity instructions, going through a series of additions to the 10's cups, with claps and chants. Students were asked each time to "read" the cups.

Few kids seemed to grasp the 10's concept as a result of the exercise, meaning few could actually read the combination of bean-containing cups as numbers. Nevertheless, they were reminded to continue to feel the beans and move their arms, clapping and chanting the instructions.

Observers concluded that the math teacher simply assumed the big concept would become apparent to the students through repetition of a physical exercise, and prolonged chanting. Most children never got the idea that a bigger concept was involved. They, too, probably thought that they were successful in their math lesson.

Conclusions

The primary source of information on policy-practice interface comes from the Educational Practice and Policy Study, and inside-out view. The Mathematics and Science Implementation Study gives a different, and more outside-in view.

What is clear from inside observation is that the vision of elevated understanding and broader horizons in math was not realized for these students. Their fourth-grade teacher was considered by her peers to be a good teacher. She herself didn't grasp the point of the new guidelines, and wasn't able to relay a broader understanding to her class.

Whether her own beliefs about learning, knowledge of the subject matter, or commitment to teaching were limited, a disconnect between the promise of reform and mastery in the classroom had occurred.

From inside-out, the teacher observed in the study had succeeded in changing her program. From outside-in, the teacher exhibited weakness in conceptual understanding and communication ability. Evaluation teams concluded that her lessons had lost sight of "the whole."

Knapp's study suggests that the view of what a policy can and should produce requires input from both perspectives. In this way it may be possible to avoid either overpromising results from the policy perspective, or undervaluing the conceptual goals of policy in favor of minutiae that don't advance understanding. This recommended approach allows both sides to develop a deeper understanding of events that lie *between* policy and practice. *cj*



Education researcher Michael Knapp

How does policy meet practice—in what forms, under what circumstances, and with what consequences for whom?

Playing Word Games In Education Polls

Surveys and polls can use the same research procedures, be conducted at about the same time with the same margin of error, yet yield profoundly different results. Those results can depend on how the questions are framed.

During my term as a member of the Charlotte-Mecklenburg Board of Education, a survey was taken on student busing. One question was posed using the word "segregation." It immediately brought to mind visions of the Charlotte school system returning to a Jim Crow atmosphere. The response was overwhelmingly negative.

Rephrasing the question has a remarkable effect on the outcome. Ask whether children ought to have the opportunity to attend a school close to home, regardless of race, and the majority of responses are favorable.

The wording of the question makes all the difference, which is why smart individuals consider not only the topics in the poll, but how questions may be skewed. Sometimes questions create a predisposition toward particular answers and outcomes.

Two recently released polls investigated school choice opinions, with very different results. The Phi Delta Kappa-Gallup poll and the Center for Education Reform-Zogby poll both posed questions on school choice.

Phi Delta Kappa's survey phrased the two school choice questions in a way that suggests respondents either want to improve existing public schools, or they want to expand alternatives outside the public school system. Based on the PDK-Gallup poll, 69 percent supported improving the current system, and 52 percent opposed choice in school "at public expense."

The poll is not designed to reflect the views of those who think both avenues are worth pursuing. Misunderstanding by the news media and members of the public persists. Most people have not seen the questions behind the survey results.

A largely unreported poll by the Zogby organization on behalf of the Center for Education Reform took a much less biased view. The Zogby poll also looked for opinions regarding school choice.

Instead of phrasing the poll question in the context of public money for private education, Zogby asked whether tax dollars for scholarships aimed at low-income students met with public approval. In the context of the Zogby poll, 76 percent of respondents favored the school choice concept, and 63 percent would agree to tax-supported scholarships for students in low-income families.

An interesting feature of both polls is that school choice is increasing in popularity with the American public. People who learn more about what educational choice can offer are not swayed by the education establishment's rhetoric against any form of education that they do not control. Suggesting that the opportunity for choice hurts public schools, which educate 90 percent of the nation's students, attempts to use fear to bias response in favor of the status quo.

The Phi Delta Kappa survey has been asking questions on choice since 1995, and since then there has been a 13-point increase in the number of those who favor taxpayer-supported choice, despite the "public expense" language.

Recently the education establishment has become more vocal about the "harm" associated with choice of all varieties. Like the PDK-Gallup poll, those of the establishment start from the assumption that the existing system needs improvement, and that the public is sensitive to the limited range of current option.

Intelligent consumers investigate the evidence directly, so interested readers can go directly to the web sites for a first-hand look at the polls. For the PDK-Gallup poll, go to www.pdkintl.org/kappan/kpo19909.htm. For Zogby-CER's poll go to www.edreform.com/press/2002/choicepoll.htm. *cj*



Lindalyn Kakadelis

School Reform News

Despite the fact that the No Child Left Behind Act signed into law by President Bush allows families to seek better public school alternatives for their children, few have exercised that right this year.

Children attending failing public schools can choose to apply for slots in better-performing schools, according to the federal law. Education officials, though, reported few parents trying for the transfers.

School superintendents think parents are reluctant to send their children to more distant, unknown schools.

But since slots are scarce, and 3.5 million children qualify for transfer under the law, maybe the slow response will give school systems some breathing room.

The law left insufficient time for school systems to adjust, and inadequate budgets with which to do so, said Paul Houston, director of the American Association of School Administrators.

The law requires that transportation as well as space be made available to transfer students, which means realignment of support staff as well.

School systems fear that Title I funding may be jeopardized if they fail to meet demands from parents. Many school systems report little or no leeway, however.

Baltimore's system can accommodate 194 transfers this year, but 30,000 students are eligible to transfer under the law. Chicago has 1,170 slots for 145,000 potential candidates, and Los Angeles reports no slots within the public school system for 223,000 eligible children.

Madeline Talbot, of the Association for Community Organizations for Reform Now, calls the transfer provision a sham because there are no good public schools for children to go to. She opposes privatizing public schools and vouchers to help pay for private schools.

The Center for Education Reform's Jeanne Allen blames local response to the federal law, and not the law itself. Center for Education Reform does support vouchers as part of a range of school choices for parents.

The definition of a failing school is variable, and is likely to remain so. States may continue to set their own proficiency standards under the federal law, which can give rise to variations in expected performance.

States with tougher proficiency standards may have more failing schools but less reason for kids to transfer. The state with the highest number of failing schools in the nation is Michigan, is also known for having high standards. Arkansas and Wyoming, which are not noted for having demanding standards, report none.

States with tough standards are in a bind because they face potential penalties due to higher academic expectations. Like Michigan, they have identified a larger number of failing schools because of their high standards.

A perverse incentive to reduce standards may be the result in states like Michigan.

Reported in the New York Times.cj

How well are American students learning?**Brookings Study Critiques Charter Performance**

By BRIAN GWYNN

Editorial Intern

RALEIGH

Charter schools are falling behind comparable public schools in student test scores, a study by the Brookings Institution says.

Tom Loveless, director of the Brown Center on American Education at the Brookings Institution, gathered data from 376 charter schools to be used for comparison. Tests were used from 10 states dating between 1999 and 2001. According to the study, charters scored on average in the 41st percentile on their states' reading and math tests. The report notes that each school's scores were adjusted to account for racial and socioeconomic background.

"One possible explanation for the lower test results is that the charter schools are not doing a very good job. But an equally plausible explanation is that charters attract large numbers of students who are struggling academically in public schools before ever setting foot on a charter school campus," Loveless writes.

The study also reports that certain "selection effects" could have affected the schools' performance. Parents choose to have their children attend charter schools, making them fundamentally different from children who attend traditional public schools, the study said. The finding could mean that the students were not performing well in their previous schools or that they are lucky enough to have parents actively involved in their education. Each case could potentially have an effect on student performance that has little to do with the quality of the charter schools.

Due to these concerns, Loveless says the intent of the study is not to address why the charters are performing poorly.

"This study aggregates charter schools' scores across 10 states and looks for patterns in their performance," Loveless writes.

The Brookings study revealed several other findings as well. One such result was that new charters have lower scores during their first two years, reaffirming claims of charter advocates. In the third year, the newer charter schools seemed to be on pace with the older schools. This fluctuation could be for several reasons, Loveless writes. Schools are hard-pressed to find facilities and resources, making the first years somewhat hectic. Also, the students are shifting to a new school, which can have an adverse effect initially as well.

"Prior research has shown quite convincingly that student mobility depresses test scores," Loveless writes.

Charter advocates react

The Center for Education Reform, a Washington-based nonprofit organization, says the Brookings study is inconclusive at best. Even though the report announces its shortcomings, the overall data suggesting low charter performance can be misleading to the public.

One major flaw CER points out is that the study does not track student performance, which would show how students improve from year to year. The study merely grouped together composite scores of reading and math achievement from each state for the entire three years.

Each state's public school average score was compared with the average score over the three-year period for the selected charter schools. CER points out that this type of comparison is erroneous because charters have no firm baseline data to compare with their students' performance.

Charter schools are not able to indicate



Brookings Institution policy forum examined new research on charter school performance.

the specific ability levels of their students upon entering the schools, which could dramatically affect their test scores after the three-year period. CER says charter performance should be measured by student growth rather than average performance.

CER cites a study by the Mackinac Center on Public Policy, a Michigan think tank, to show that many charter schools are in fact boosting student achievement. According to the Mackinac study, students at charter schools are improving their scores on the Michigan Educational Assessment Program much more rapidly than students at traditional public schools.

Between 2000 and 2001, fourth-grade students meeting state reading standards increased by 43 percent at Michigan charters, while only increasing by 10.1 percent at the state's public schools. In math, charters exceeded public school increases 28.3 to 0.5 percent, respectively.

Charters in North Carolina

North Carolina charter schools are facing performance questions as well. Charter advocates have called for the lifting of the 100-school cap put into place by initial charter school legislation. Organizations such as the North Carolina Association of Educators and the North Carolina Center for Public Policy Research have been outspoken critics of lifting the cap, citing research that apparently shows N.C. charter schools are not measuring up.

A study published in *North Carolina Insight* by the N.C. Center for Public Policy Research shows poor performance by charters during the 2000-01 school year, saying that six of the worst 10 schools in the state were charter schools. However, CER, which reviewed this study as well, notes that it has many of the same shortcomings as the Brookings report. The Public Policy Center report, which was published first, leaves out consideration of the fact that charters serve a higher proportion of students with academic difficulties. In the 2001-02 year, 32 charter schools did not meet expected growth. However, in 11 of those schools students in exceptional programs, because of some type of learning disability, account for 20 percent or more of the population. Only 15 percent of all traditional public school students in North Carolina are in exceptional-children programs.

Of the schools studied during that

school year, 13 were in their first or second year of operation, which has been shown to correlate with lower test scores. With the sorts of caveats that must be attached to studies criticizing charter schools, and given the parental satisfaction with the new approach to education, some think there is no reason to slow charter expansion.

"Everybody needs to step back and look at the big picture," said Roger Gerber, director of the League of Charter Schools. "Those best able to judge the success or failure of a particular school are parents and students. They have the most to win or lose."

Charter facts

As independent public schools, charters are designed and operated by a group of founders, such as parents, community leaders, or educators. Founders obtain a charter from an authorizer established by the state. Authorizers can be colleges, a charter board, or a local school board.

The intention of enabling legislation is that charter schools be more accountable to parents and students than has generally been required of regular public schools. The charter school has always had the prospect of closure as a consequence if it fails to live up to standards.

Charters offer more choices within public education than do traditional schools in other ways. They may offer just one grade, or a nontraditional range of grades within a single school, broadly-focused or specialized curriculum, or other special features as desired.

The one test that every charter must pass is the test of the market, since they are not guaranteed a clientele. Parents and children can elect not to attend any particular charter, opting for the regular public schools or other choices instead. The financial health and educational survival of each charter school requires that it fulfill its mission in the eyes of the education community and with parents.

Because they can offer nontraditional approaches, charters appeal strongly to families for whom traditional schools have not worked well.

According to America's Charter School Finance Corporation's charter information brochure, "nearly half of all charters serve a population in which more than 40 percent of students are considered at-risk or are former dropouts." cj

"This study aggregates charter schools' scores across 10 states and looks for patterns in their performance." — Loveless

School Innovation Spotlight

Application, Attitude: Doing Whatever It Takes to Create Success

By KAREN PALASEK
Assistant Editor

RALEIGH

Teachers and administrators at Arlington Elementary have turned a grade level proficiency of 37 percent into an 89.4 percent proficiency rating, creating a Lighthouse Award School in the process. For a low-performing school such as Arlington, the likelihood of such breakthrough success seemed remote five years ago.

Arlington serves 330 Gaston County students from pre-K through fifth grade. Eighty-nine percent of its student population is needy. More than half are minority students. Given these statistics, the progress the school has made is remarkable.

Causes and cures

The unlikely transformation that took place at Arlington cannot be explained by additional funding, corporate sponsorship, new faculty, innovative educational theory, or cutting-edge classroom technology. According to responses to the N.C. Education Alliance survey of teachers and administrators at the school, progress at Arlington has everything to do with attitudes and expectations.

Translating attitudes and expectations into practices is what Arlington Principal Reynolds and her faculty are all about. When asked for their thoughts on teachers who claim that C's are "good enough," one faculty member wrote, "If parents and teachers accept and expect C's from an elementary school student, this will become his ceiling. Then he will find it nearly impossible not to slip lower into D's and F's as the work gets harder..."

What differentiates Arlington from other low-performing schools with similar makeup was its willingness to embrace a do-what-it-takes attitude, and to embrace it with enthusiasm. To say that Reynolds was excited about the scores showing 89.4 percent at grade level would understate the case. According to one Arlington teacher, Reynolds waved the score sheets from her car window on learning of the school's success.

A mission to succeed

Using input from successful teachers, Arlington's faculty members have developed strategies that allow them to commit



Arlington Elementary School is located in one of Gastonia's poorest neighborhoods.

to teamwork and to high standards. Phonics, daily guided reading, small flex groups, basal readers, and tutorial help are methods used to improve language skills at the school. Students and parents are both responsible for participation and progress, and expectations are high.

Arlington practices what are known as "lighthouse" principles, characteristics of successful schools that have been identified by the North Carolina Lighthouse Project as methods for school improvement. Concentrating instruction on student performance, creating an inviting learning environment, and guiding students through energetic leadership create the backdrop for success. Student learning is the

end product that counts.

In the upper elementary grades, subjects are taught through departments. Teachers at Arlington respond favorably to departmental teaching, since it allows them to spend time teaching in their area of expertise. Saxon texts, recognized for their excellence in basic, thorough pedagogy, are used for parts of both the math and reading programs.

Teachers emphasize that Arlington's approach is to prioritize the curriculum, protect instruction time, and use data from student progress as a means of fine-tuning plans for the next step. Nonessential items are put aside in favor of essential curriculum and skills.

Review and reinforcement are pursued

level, Arlington's culture involves basic educational values.

Arlington Elementary is located in one of Gastonia's poorest neighborhoods. Donations of school supplies and achievement awards by local businesses and churches connect the students to a community support network. They also interact through mentoring and other activities.

Lasting school reform

The Lighthouse Project identifies three dynamics of successful school reform. It must first tie instruction to student performance, employing structural changes such as flex scheduling, regrouping, or other adjustments. It must inspire teachers and students alike. And school leadership must be a model of enthusiasm and energy for everything that goes on.

Success in these areas allowed Arlington to merit a Lighthouse School Award in 2001.

Application and attitude

Changes and attitudes must find their way into each classroom. A mission statement is essential, but Arlington's principal has made it clear to all — their mission is to do what it takes to get the job done. Changes and attitudes must find their way into each classroom. Success critically depends upon keeping educators, parents, and students focused on the goal. *CF*

Advertisement for John Hood's Book

CAROLINA JOURNAL

Weekly Report for Executives

Carolina Journal Weekly Report for Executives is your antidote to watered down media coverage of state politics and policy. North Carolina has hundreds of newspapers. But from those hundreds of papers, only a handful of reporters are assigned to Raleigh. And how many of them do you think write from a free-market frame of mind?

In Carolina Journal Weekly Report, you get unfiltered weekly coverage of state government from experienced reporters who have actually read the *Federalist Papers*. Our reporters attend committee meetings and interview lawmakers face-to-face, so you get the stories first-hand. To subscribe, email cjwr@johnlocke.org or call (919) 828-3876.

Bats in the Belltower

What is abstinence, anyway?

Student Health Services at North Carolina State University has a handy web page for students who want to know what is sexual abstinence.

How would one define abstinence to a college student? Here is how N.C. State defines it:

- *okay. (emphasis in original)*
- *choosing the right person, time and place to have sex.*
- *hugging and kissing without sharing body fluids.*
- *intimate caressing without sharing body fluids.*
- *all actions except intercourse (vaginal, anal, or oral) that involve no risk of coming in contact with your partners' body fluids.*
- *a personal choice based on your values, futures, and relationship.*

Apart from sounding like they were written by *Dr. Strangelove's* Gen. Jack D. Ripper, the latter four definitions are probably basically how one would explain abstinence if one cared to go beyond, "Simple. Don't have sex. *Ab-stain*. Abstinence: the action or habit of abstaining."

But those first two — given only them, one would wonder why the abstinence message offends anyone. Abstinence is OK; now go plan where, when, and with whom to copulate.

Don't abstain from great art

Meanwhile, in September, two North Carolina university art centers brought some shows on campus.

A lecture entitled "Para-Economics of Desire: 'Dead' Technologies and Queer Feminist Practice" opened an exhibit at the Allcott Gallery at the Hanes Art Center at the University of North Carolina at Chapel Hill. The exhibit, called "Theft in the Doll's House," by visiting artists Jill Casid and Maria DeGuzman, features enlarged Polaroid pictures of store mannequins.

The artists explain that while photographing the mannequin displays in stores in numerous cities, they were "escorted promptly out of several." Naturally, they attributed being tossed out of the stores to a sort of civil disobedience in the face of "commodity culture" as opposed to, say, rudeness or the storeowners being unnerved by the sight of two people just snapping pictures all over the store.

"Window shopping has been, since the 19th century, a way of participating in commodity culture and yet resisting its final goals," they said. "But with the taking of these images, we stepped over an invisible line from window shopping without buying to an interruption of the flow of commodities."

Duke University's Museum of Art, meanwhile, hosted works by Tammy Rae Carland under the title "Reinserting Myself into a History: Academic Eye III." According to the *Independent*, the featured pieces were "from her 'Lesbian Beds' series, which [curator Cathy N.] Davidson describes as 'powerful landscapes of tantalizing, if abstract, desire.'" CJ

Libraries receive \$1 million gift

N.C. State to Restore Library Services After Protest, Legislative Budget Report

By JON SANDERS
Assistant Editor

RALEIGH

Hours and services will be restored to D.H. Hill Library on the campus of North Carolina State University, school officials have announced. Public pressure, student activism, work between library officials and the provost's office, and the state legislature's joint conference committee budget report all contributed to a restoration of library services, which will be effective Oct. 16.

As reported in *CAROLINA JOURNAL*, N.C. State laid off library personnel (including all security personnel), cut back on expenditures and acquisitions, and reduce library hours, eliminating overnight (N.C. State was the first major library to offer full services overnight) and Saturday access.

The changes shocked the academic community because so much had been done to build the N.C. State libraries up over the past decade. With help from students, alumni, faculty, and administration, N.C. State Libraries had improved from 101st out of the 105 member libraries of the Association of Research Libraries in 1991 to 35th last year. Also last year, the ARL awarded its first Excellence in Academic Libraries Award to N.C. State.

Protest at chancellor's home

On Sept. 12 an estimated 500 N.C. State students participated in a "read-in" at D.H. Hill, held as the library's new closing hours set in. They proceeded to the home of Chancellor Marye Anne Fox, protesting the library cuts on her doorstep at 1 a.m.

According to *Technician*, N.C. State's student newspaper, Fox addressed the students, telling them, "As soon as we get a budget, it's our first priority to restore the library hours. I can pledge that to you."



D.H. Hill Library at N.C. State University.

Fox fielded questions from the protesting students for over an hour.

As the read-in portion of the protest extended beyond the library's new hours of operation, students raised more than \$200 to reimburse library staff members forced to continue working.

The reason for the protest, as Matthew Spence, a member of N.C. State's student government, told *Technician*, is "because the library is a vital part of what we do as a Research institution."

More money found

Under a plan worked out by library staff and the provost's office, D.H. Hill will resume overnight services Sunday through Thursday, close at 10 p.m. Friday and Saturday, and have two security guards.

In announcing the restoration of ser-

vices, Provost Stuart Cooper cited the "strong belief that the NCSU Libraries are a central and vital resource for our students and faculty."

N.C. State Libraries had received other good news recently. In August the library became the recipient of a charitable remainder trust worth more than \$1 million, donated anonymously by a couple in North Carolina. The trust, one of the largest gifts ever received by the libraries, will fund an unrestricted endowment for the libraries.

The libraries also received two grants, worth \$175,000. One, from the National Endowment for the Humanities, worth \$124,900, is for preserving and building collections in rural life and agriculture, focused on documents from 1820 to 1945. The other, from the State Library of North Carolina, worth \$50,000, is for developing the history of forestry. CJ

Minority Enrollment Increases at Florida Public Colleges Despite Governor's Ending of Raced-Based Preferences

By JON SANDERS
Assistant Editor

RALEIGH

Minority enrollment has increased at public universities in Florida despite the end of race-based admissions policies there. The policies, under the rubric "affirmative action," ended in accordance with a 1999 decision by Gov. Jeb Bush and subsequent vote by the Board of Regents of Florida's public institutions.

Although minority enrollment declined over the past year at some of Florida's 11 public institutions, minority enrollment increased at others — including the flagship, the University of Florida. Overall, minority enrollment rose from 35 percent of total enrollment last year to 36 percent this year.

The use of race in university admissions was outlawed by Bush's "One Florida" plan, which also outlawed the use of race and gender in contracts. The plan's "Talented Twenty" section guaranteed admission in one of Florida's public universities for every high school student in the top 20 percent of his graduating class and complete 19 college-preparatory classes.

Critics of Bush's plan likened him to a dictator and accused him of attempting to divide Florida along racial lines. Even the U.S. Commission on Civil Rights piled on, criticizing the "stealth agreement" and calling it "segregation." While campaigning for president, Vice President Al Gore said Bush was "dead wrong" in rolling back race-based preferences.

Bush, on the other hand, said his plans would actually increase enrollment for minorities and improve diversity in higher education. He said the increase would happen because the plan also included increased outreach efforts for minorities so that they would not be shut out of education and contract opportunities.

Bush saw the recent news as justification for his plan.

"The critics said the world would come to an end, that there would be dramatic drops in the number of minority students attending our university system," he said in the Fort Lauderdale *Sun-Sentinel*. "What I said was there would be more African-American and Hispanic students attending our university system. Promise made,

Minority Enrollment in Fla. Universities, 2001-02 Change

<i>Institution</i>	<i>Change</i>
University of Florida	19.41%
Florida State	2.94
Florida A&M	-9.71
South Florida	8.23
Florida Atlantic	13.41
West Florida	-17.65
Central Florida	3.69
Florida International	12.97
North Florida	8.33
Florida Gulf Coast	58.24
New College of Florida	-6.25

* Includes Asians, Blacks, Hispanics, and Native Americans

Source: Florida Office of Planning, Budgeting and Policy Analysis

promise kept."

Critics said it was too early to call the governor's plan a success. CJ

UNC-Chapel Hill 'Koran requirement' uproar cited

Professors' Organization to Investigate Erosion of Academic Freedom After 9/11

By JON SANDERS

Assistant Editor

The American Association of University Professors has announced the formation of a committee to study incidents after the Sept. 11 terrorist attacks that may limit academic freedom.

The special committee will be led by Robert M. O'Neil, director of the Thomas Jefferson Center for the Protection of Free Expression. O'Neil has previously served as president of the University of Virginia and the University of Wisconsin.

Cases prompting the AAUP's concern were, according to *The Chronicle of Higher Education* news of Sept. 11, 2002:

- The uproar over the University of North Carolina at Chapel Hill's Summer Reading Program requirement of Michael Sells' book, *Approaching the Qur'an: The Early Revelations*

- The controversy that erupted over Colorado College and the University of Colorado's invitation of a Palestinian activist, Hanan Ashrawi, to speak at events intended to commemorate the Sept. 11 terrorist attacks

- Violence between pro-Palestinian groups and pro-Israel groups at San Francisco State University

- A proposal from a Minnesota legislator to remove state support from the University of Minnesota Press in wake of its publication of *Harmful to Minors: The Perils of Protecting Children from Sex*, by feminist Judith Levine, a book that posits that sexual encounters during childhood are positive and that the current societal fear of pedophiles is unfounded, a projection of parents' own erotic desires

- The Missouri legislature's removal of \$150,000 in appropriations to the University of Missouri after the station director of the university system's public TV station in Columbia banned personnel from wearing flag pins on camera, and also in response to work published by a professor in Kansas City, Harris Mirkin, wrote "The Pattern of Sexual Politics: Feminism, Homosexuality, and Pedophilia"

'Controversial speech and teaching'

According to the *Chronicle*, the committee will study "responses by academic leaders and politicians to controversial speech and teaching; restrictions proposed by the federal government on university research that is considered sensitive but not classified, particularly in microbiology and bioterrorism; renewed concerns about conducting classified research at universities; and restrictions on foreign scholars and students."

The cases listed above fall under the first category of study, "responses by academic leaders and politicians to controversial speech and teaching."

One incident in North Carolina is receiving the AAUP's scrutiny, the UNC-CH "Koran book" controversy. AAUP General Secretary Mary Burgan used the UNC-CH issue in her Sept. 6 *Chronicle* op-ed as an example of, "in a number of ways, how much the independence of public colleges and universities may be in jeopardy."

Another incident involving "controversial speech" in a UNC institution, however, so far hasn't appeared on the AAUP's list.

As reported in *CAROLINA JOURNAL* and elsewhere, UNC-Wilmington officials plundered Criminal Justice Prof. Mike Adams' email after receiving a complaint from a student, Rosa Fuller, about Adams' response to her campuswide email blaming the Sept. 11 attacks on the United States, the world's "main source of oppression." Adams replied to all the recipients of the original email from Fuller, saying it was "an intentionally divisive diatribe."

Ironically, Adams duly noted that "The Constitution protects your speech just as it has protected bigoted, unintelligent, and immature speech for many years" and concluded with a hope that "your bad speech serves as a catalyst for better speech by others."

Nevertheless, not only was Adams' privacy invaded by campus officials going through his email correspondence, but also Adams was criticized publicly in a university classroom by UNCW counsel Harold M. White Jr.

Adams told *CAROLINA JOURNAL* that no one at the AAUP has contacted him about the invasion of his privacy by university officials.

Thor L. Halvorssen, director of the Foundation for Individual Rights in Education (www.thefire.org), a nonprofit education foundation that works to protect individual rights on college campuses, welcomed the AAUP's special committee.

"FIRE encourages the participation of all university-focused groups in the defense of academic freedom and freedom of speech," Halvorssen said. "We note with alarm and incredulity that, for the most part, the AAUP has been noticeably absent in the defense and even the discussion of these issues in the last two decades. We do hope they speak up for faculty and student rights and that they do so without regard to the politics of those involved."

"Where have they been the last 20 years?"

Cases that FIRE has gotten involved in (including Adams's) are not discussed by the AAUP. A few of those cases include:

- Orange Coast College suspended Prof. Kenneth W. Hearlson when Muslim students complained about his lecture in his contemporary politics course when he argued that silence on crimes against Christians and Jews in the Middle East was consent to terrorism.

• An Arab-speaking international student at San Diego State University was formally admonished by that institution after he overheard two Arab students laughing about the Sept. 11 attacks and challenged their positions on it.

- Duke University shut down Prof. Gary Hull's website after he posted an article on it calling for a strong military response to the terrorist attacks. Duke later reinstated the web page, but required Hull to add a disclaimer that the views expressed in the article did not reflect the views of Duke, something the university had not previously required of any professor's web pages.

- University of New Mexico President William C. Gordon announced he intended to "vigorously pursue" disciplinary action against Prof. Richard Berthold for the professor's bad joke in a class about the terrorist attacks that "Anyone who can bomb the Pentagon has my vote," for which he apologized.

- A professor at Pennsylvania State University was informed in a letter from the university's vice provost for academic affairs, Robert Secor, that the comments on the professor's web site were "insensitive and perhaps even intimidating" — and Penn State policy considers "intimidating speech" ground for dismissal.

Those examples are only a few of the cases of speech restriction on universities that FIRE has worked on since Sept. 11.

Nevertheless, the AAUP has so far not expressed any interest in highlighting any of them as examples of academic freedom's erosion after Sept. 11.

Halvorssen welcomes the AAUP to the debate even though the group's interest in it seems to be in only a few cases involving the political left.

"It is very sad that the AAUP is only concerned about free speech and academic freedom rights in cases with an unmistakable ideological hue," Halvorssen said.

"It's great that they are finally going to become involved, but where have they been for 20 years? Where were they when FIRE was fighting with the UNC administration in the case of Mike Adams? In the case of Orange Coast College's Ken Hearlson?"



UNCW Professor Mike Adams

Let Provocation Rule at UNC-CH

University of North Carolina at Chapel Hill Chancellor James Moeser recently told the National Press Club in Washington that the university would continue to pick "provocative" books for its infamous Summer Reading Program. No one asked, "Provocative to whom?"

A survey conducted this year of several departments at UNC-CH by the student independent magazine *Carolina Review* found that more than four-fifths of faculty are registered Democrats. A similar survey conducted in 1996 by *The Daily Tar Heel* found 91 percent registered Democrats.

In his "state of the university" address last year, Moeser said, "We must have the courage and the fortitude to stand by our beliefs and act upon them," suggesting an *alignment* rather than a diversity of beliefs. He later asked, "Is it not time that we reclaimed the words 'character' and 'values' from the extreme right and put them back into the mainstream of secular, public higher education?"

Moeser "spoke of 'we,' presumably meaning the left-leaning academic community, as opposed to an undefined 'extremist right,'" a former UNC-CH vice chancellor for development and public relations, Arch T. Allen, wrote in the October 2001 *CAROLINA JOURNAL*.

Moeser also said UNC-CH has "a moral responsibility to our state and our nation to bring to the public square the great issues of our day." Having "provocation" as a goal of the Summer Reading Program provides UNC-CH one good way to meet that responsibility. Moeser also said, "Diversity is a vital component of our vision." If that's so, surely UNC-CH should value the diversity of ideas by provoking "our convictions" inside the university as well.

It would not be too difficult to compile a reading list provocative to those inside UNC-CH — after all, what they find provocative makes headlines. Here are a few suggestions to further diversity in the reading program's provocation:

- *Militant Islam Reaches America*, by Daniel Pipes (which goes where this year's provocation doesn't).

- *What's So Great About America*, by Dinesh D'Souza.

- *First Principles: The Jurisprudence of Clarence Thomas*, by Scott Douglas Gerber (Thomas's speech at UNC-CH last March was publicly boycotted by five members of UNC-CH's law faculty).

- *Creating Equal: My Fight Against Race Preferences*, by Ward Connerly.

- *To Be a Man: Letters to My Grandson*, by Charlton Heston. (When conservatives tried to bring Heston to speak at UNC-CH a few years ago, Student Congress repeatedly withheld funding for the event until Heston canceled.)

- *Uncivil Wars: The Controversy over Reparations for Slavery*, by David Horowitz.

- *Gianna: Aborted... and Lived to Tell About it*, by Jessica Shaver. (Last year's antiabortion exhibit on the UNC-CH campus by the Genocide Awareness Project created great anger in many campus circles.)

- *Beer and Circus: How Big-Time College Sport Is Crippling Undergraduate Education*, by Murray Sperber. (In Washington, Moeser joked that "Carolina's religion remains basketball.")

- *Slander: Liberal Lies About the American Right*, by Ann H. Coulter. (Possibly the most provocative of the lot, this book would be especially valuable to journalism students.)

The above suggestions are made on the assumption that the mores and values of the great "we" of Moeser's speech are not above provocation. After all, no truly "great university" would fear the light of its own critical inquiry. How refreshing it would be if UNC-CH examined all "the great issues of our day," and not just the ones that don't upset the mortarboards within.

Course of the Month

**I'm OK, You're a Rapist —
and Our Culture Is to Blame**

This month's installment features a health program at North Carolina State University. It is a voluntary program with an admirable goal, one whose message, manifest in a recent *Technician* editorial by one of the program's coordinators, is unfortunately smothered in a hash of leftist twaddle.

Here is how N.C. State's web page of volunteer opportunities describes it:

The Men's Program is for men who want to become campus leaders in an effort to end sexual assault and other forms of violence against women. Men interested in becoming trained facilitators can earn three hours of academic credit. Acceptance into the program is by recommendation or by application. Training starts at the beginning of each semester.

In the Aug. 27 *Technician*, Men's Program coordinator and "facilitator of a class on rape, sexual assault and masculinity" Bryan Proffitt wrote an op-ed entitled "Violent Certainty" urging readers "to start getting honest about men's roles in ending this violence." Proffitt's article gives discouraging insight into how this program apparently works.

"Men commit rape," Proffitt writes telescopically, after having said he was "100 percent sure at least one rape has occurred on campus since school started" (which was two weeks prior) and "99 percent sure that a man committed it." This leads Proffitt to ask: "But if accepted statistics claim that 99 percent of rapes are committed by men, why don't we ask questions about our culture and why it makes men think that we have the right to control, or damage, someone else's body?"

Perhaps CM should have warned about all the assumptions flying about pell-mell in that statement. Last time CM checked, rape was still illegal in every area in which "our culture" is instituted. What makes Proffitt think — and use the inclusive "we" in expressing it, no less — that "we" men actually think we have the right (something granted by law) to rape? He certainly hasn't considered why people collect statistics on rape in the first place (hint: because our culture views rape as a *crime*, not a right).

So in seeking a method to stop rape, why would one choose "ask[ing] questions about our culture," question-asking not usually considered a deterrent to any crime? The answer must be because one is an addlebrained leftist, since blaming our culture is the reflex response of such people to any issue of societal import. That way they can abuse a legitimate social problem by using it to piggyback all their pet socialist causes: *We're all concerned about Legitimate Social Problem X, and I say the root cause of that problem is Non Sequitur Socialist Pet Causes A, B, C, ...*

Or, as Proffitt put it,

Rape is part of a larger system. Look around you right now. You will probably see a sexualized image of a woman selling a product that has nothing to do with her or her breasts. Despite the fact that women are the backbone of the U.S. workforce, they receive only \$0.73 on the dollar that men receive (worse for women of color). Despite being frequently courted by politicians from east

to west, women in the United States still hold very little political power. This is a system, not a coincidence. Rape is part of this system.

Later, Proffitt expands upon what "our culture" teaches men, who are, you will note, totally passive receptacles of the message of the Larger System That Rape Is Only a Part Of: "We are told what it means to be a man. Many of us don't develop friendships as deeply, we don't take care of our bodies well enough and we don't have access to our full emotional and sexual selves."

Then Proffitt makes the (contextually ironic) statement, "Rape can be ended, but only if we face the facts of male violence," which he uses to introduce a bizarre example about "Tim and Jessica," who are playing a game in which Jessica smashes glasses with a hammer and Tim must decide how to keep the glass shards off the floor. Tim ought to, Proffitt argues, "take her hammer, and eliminate the possibility of any more glasses being shattered." Not by hitting Jessica with it, of course — rather, the point of the example seems to be to argue for "invest[ing] our energy in taking away the hammer of violence that so many men are wielding."

The hammer, despite its obtuse Freudian implications, isn't given further delineation by Proffitt, who instead offers more light on this Larger System:

If we look deeper, we will see that the racist violence that killed James Byrd in Texas, the homophobic attack that murdered Matthew Shepherd and the nihilistic rage that saw Columbine teens play target practice with their classmates are all connected by their male perpetrators. No, men are not predisposed to violence. But something about our culture is making us think that it's OK.

Again, where is Proffitt getting the idea that male violence — or any of those specific examples of violence — is condoned by our culture? Those examples are well-known, after all, specifically because they *so horrified* the nation. No doubt there are approaches to ending rape that exist beyond the realm of law enforcement, but this foolishness surely isn't one of them.

America, after all, values women's rights more highly than anywhere else in the world. Proffitt's approach would be far more effective in such countries as Jordan, where families murder female family members suspected of having sex, call it an *honor* killing (three happened in the first week of September alone), and celebrate it by giving gifts of sweets to the neighbors; or Pakistan, where a teenage girl was sentenced to be *gang-raped* by the men in her village for her younger brother's crime of walking unchaperoned with a girl; or Nigeria, where a woman was sentenced to death by stoning for "adultery" because she had been raped.

Nevertheless, CM offers the sincere hope that the program can somehow help meet its goal, but we (that is the editorial *we*, not including Proffitt) suspect it will do so only after it finds a *practical* message, one not gratuitously drenched in socialist sloganeering. CJ

**UNC-CH Groups Resume Events
To Criticize Anti-Terror Campaign**

By JON SANDERS

Assistant Editor

RALEIGH

The fall semester has started. The war on terror is reportedly about to extend to Iraq. And "teach-ins" have returned to the University of North Carolina at Chapel Hill.

A Sept. 23 event, hosted by three left-wing campus groups (including the Progressive Faculty Network), drew 250 attendees to "teach" students about "the ethics and politics of an invasion of Iraq." Two days later, a more official forum, co-hosted by two UNC-CH agencies — the General Alumni Association and the Curriculum on Peace, War, and Defense — offered up little in the way of varied opinion.

UNC-CH history professor Richard Kohn served as the moderator for the latter event. "The panelists had varying perspectives and disciplines," he told the *Daily Tar Heel* afterward. "Overall, they expressed deep skepticism of whether it is in the national interest of the United States to engage in a pre-emptive war against Iraq without congressional and (United Nations) sanction."

The Sept. 23 teach-in featured Rania Masri, "on the effects of war on the Iraqi people"; Stan Goff, "on the U.S. military"; Ajamu Dillahunt, "on race, war, and needs at home & abroad"; Ganesh

Lal, "on the global wartime situation"; and Lenore Yarger, "on religious conscience and civil disobedience."

Masri is coordinator of the Iraq Action Coalition. She has told UNC-CH students that the U.S. has killed half a million children in Iraq since 1991 — blaming the U.S. for the U.N. sanctions, conveniently ignoring the fact that the sanctions don't prohibit food and medicine, and exculpating Saddam Hussein, who has reportedly given \$10 million to families of Palestinian terrorists. Last year in Chapel Hill she said Bush's speech before Congress was "so full of crap I could pick it up with a shovel."

'Afghanistan doesn't lose wars'

Goff is a member of "Veterans Teaching Peace in Schools," an organization whose "Talking Points" for the war on terror included this caution against the engagement in Afghanistan: "Afghanistan doesn't lose wars. They beat Alexander the Great. They beat Genghis Khan. They beat the British—three times! They beat the Soviets. And now we're going in, somehow thinking we're going to do better."

Goff's message is that the "military-petroleum regime" of the Bush administration planned before the Sept. 11 terrorist attacks to invade Afghanistan to tap oil reserves there and exert U.S. control over South Asia. "I can't help but conclude that the actions we are seeing put in motion now are part of a pre-September 11th agenda," Goff has written. "I'm absolutely sure of it, in fact... This administration is lying about this whole thing being a 'reaction' to September 11th."

In October Goff told an audience at N.C. State that the U.S. was really in Afghanistan to build an oil pipeline from the Aral Sea to the Indian Ocean, and also because "the CIA needs the heroin from Afghanistan to fund its global operation."

The hidden-economic-agenda-behind-the-war is a message Goff, a Marxist, has

recycled since the U.S. intervened in Yugoslavia. As a member of the "International Committee to Defend Slobodan Milosevic," Goff has put forth the notion that the well-documented July 1995 Srebrenica massacre was a "giant hoax" orchestrated by the U.S. in order to wage "economic warfare" — that "Milosevic is no war criminal" nor "a dictator," and that there "was never any coordinated campaign of genocide or ethnic cleansing by Serbs, no massacres at either Racek or Srebrenica, and never any such thing as Serbian 'rape camps.'"

Dillahunt is a member of the socialist group Black Workers for Justice. At a June 19 rally at the State Capitol, she compared the plight of workers in America today to the plight of antebellum slaves. Dillahunt is also a member of the Black Radical Congress, serving on its organizing committee. This group holds that America maintains "control over Black people" by "state repression and police violence in the form of racial profiling, police brutality and murder, and the public assault on workers

rights' to maintain and improve job pay, benefits, and security."

As the *Independent* noted in 2000, Dillahunt and her husband traveled to Tanzania to get "a close-up look at Tanzania's experiments in African socialism under Julius Nyerere, particularly its attempts at

building a collective economy that would be self-reliant, rather than dependent on foreign aid." Nyere's Tanzania was marked by brutality, totalitarianism, children encouraged to spy on their parents (and strip girls wearing mini-skirts or wigs), racial persecution of the Masai and Asians, and famine — but conditions in the U.S. States are what receive Dillahunt's condemnation.

Lal, of the International Socialist Organization, is another Marxist who posits that the United States concocts hoaxes to legitimize war. In the July-August 2002 issue of the *International Socialist Review* she writes that reports of al Qaeda forces in Kashmir "have likely been planted in the media by the Indian and U.S. governments. India seeks to undermine Musharraf's credibility, and the U.S. seeks legitimacy for extending its war on terror. al Qaeda's alleged presence in Pakistani Kashmir allowed [U.S. Defense Sec. Donald] Rumsfeld to float the idea of deploying U.S. troops in previously unthinkable South Asian locations — as the 'war on terror' has already licensed the U.S. to do in Central Asia."

Yarger, of the Silk Hope Catholic Worker, wrote in 1999 that "I had reached my tolerance for young, White, war-mongering males in fast cars screaming, 'Kill 'em all!'" She spoke at UNC-CH at a teach-in last year where she decried what over the years the U.S.'s "peace and security means for the rest of the world: It means poor neighborhoods destroyed by U.S. troops in countries like Panama, and Palestinian homes wrecked by U.S.-backed bulldozers; it means local South American and African economies decimated by unforgiven debt from multilateral lending institutions controlled in part by U.S. financiers," and "wars that reversed land forms in Vietnam and elsewhere that would have redistributed wealth."

Like Masri, she blamed the U.S. and not Hussein for the death of Iraqi children, who died, she said, "in order to secure for us a steady and relatively cheap flow of oil." CJ

Issues in Higher Education: The mission of a public university

A Vision of UNC-Chapel Hill As the Tiger Woods of State Universities

By **GEORGE C. LEEF**
Contributing Editor

First they're expected to read a vapid book on Islam, then they have to sit through Chancellor James Moeser's "State of the University" speech. The poor students. Hey, kids — don't go home yet. Things will probably get better.

Moeser's Sept. 4 "State of the University" (of North Carolina at Chapel Hill) address may have had listeners nodding off, but it actually contains a number of points that North Carolinians who pay UNC-CH's bills should know about.

First and foremost, the chancellor wants to make UNC-CH America's "leading public university." Rah, rah, rah. Just what would that mean, though? To be the leading professional golfer means winning the greatest amount of prize money in tournaments. We have an objective way of measuring that, and Tiger Woods has been leading for several years. But how would we know if we in North Carolina really had ourselves the leading public university in the whole United States? And would it be such a great thing if we did?

One indication of what Moeser means by "the leading public university" is found in his last year's speech, which he quoted. Leadership means being "willing to take a stand on the critical issues of the day... We must have the courage and the fortitude to stand by our beliefs and act upon them."

I have no problem with individual members of the faculty or administration of the university expressing their ideas on critical issues. I do not, however, think that it is the function of UNC-CH (or N.C. State or Duke) to instruct the state as to what its policies should be on "critical issues."

Professor X may have some ideas worth hearing on, say, capital punishment, and Professor Y's ideas on mass transit may be sensible, but that's different from saying that UNC-CH has some institutional prerogative to figure out what's best for the rest of us.

In his 2002 speech, Moeser then gave an example of current leadership by UNC-CH. Regarding the controversial choice of the book *Approaching the Qur'an* for incoming freshmen to read, he said, "We chose a book because we believed it to be the right book for the right question. We started a na-

tional conversation about American values in the age of terrorism. We are leading."

Oh, please. That book was just a waste of the students' time. Far from "starting a national conversation," suggesting to about 4,000 freshmen that they ought to read and write a little something (for no grade or credit) about a book on some of the nonviolent beliefs of Islam, was a pathetic exercise in one of liberalism's favorite delusions: That conflict would go away if people just tried harder to understand each other. American students have prodigious gaps in their knowledge of our own history, culture, economic system, and so on. Why not plug some of them?

Another way in which the chancellor would measure UNC-CH's "leadership" is in trying to maximize the quality of the learning environment. Sounds good, but what's in mind? He suggests that we measure that by the percentage of students engaged in study abroad, but it's not clear how the size of the exodus from Chapel Hill tells us much about the learning environment there. He also suggests that the quality of the learning environment is somehow

tied to "gains in improving the racial and ethnic diversity of our student population."

That is the excuse du jour for maintaining admission policies that choose students based on characteristics other than their aptitude for and interest in serious academic work, but instead of enhancing quality, such

policies reduce it. Trying to manipulate the student body and faculty so that they are perfect cross-sections of all the different groups in America detracts from the university's assessment of individuals based on qualities that are relevant to higher education. If UNC-CH were to abandon the notion that there is some special merit in having "diversity," it wouldn't necessarily become the leading public university, but it could become better.

Moeser is also worried that UNC-CH won't be "the leading public university" unless it gets more money to spend on fac-



ulty compensation. He speaks of "a mounting struggle to fend off raids of our best people from other institutions." Sounds like the settlers trying to fight off marauding bands of Indians. The settlers really had something to worry about, but

do average North Carolinians need to worry about "raids" on UNC-CH faculty? I think not.

Suppose that Professor Smith decides to give up his position at UNC-CH because Harvard, with its endowment of almost \$20 billion, makes him a more lucrative and attractive offer. UNC-CH will have to conduct a search for a replacement for Smith, in which it will no doubt be deluged with applicants, many of them excellent scholars. Smith will be replaced with another fine, experienced professor. "Losing" Smith might cost UNC-CH slightly in the prestige rating game that *U.S. News & World Report* fuels with its annual college rankings, but all that is perfectly meaningless to the citizens of the state.

There were some good ideas in the speech, though. Moeser stated that he favors "tracking the outcomes of a Carolina education." At least it would be good if someone did that. If the university itself sets

out to monitor its effectiveness, the result is sure to be colored by self-interest. Moeser wants to go beyond "obvious" measures such as graduation and retention rates (which in any case do not necessarily indicate that students are benefiting from their courses) and "look at the number of significant awards earned by our graduates and their placement into prestigious graduate and professional programs."

No, that won't do. The implicit assumption in the chancellor's suggestion is that a UNC-CH education is the cause, or at least a causative factor in, all those instances of success. However, graduates who win "significant awards" or get admitted to "prestigious" postgraduate schools usually do so because of their own ambition and ability. They probably would have done as well if they had attended another school.

Instead of looking at the results of the most successful graduates, why not look at the other end? Taxpayers might like to know what happens to the students who enter UNC-CH with relatively low scores. Do they become highly productive members of society for all the investment taxpayers have made in their education? Or do they find that they need to learn something useful after getting their degree?

Maybe picking on Moeser's rhetoric is unfair, like dissecting such silliness as Al Gore's "lockbox." If we take his talk about being the "leading public university" seriously, though, I see more reason to worry than to get excited.

How would we know if North Carolina really had the leading public university in the U.S.? And would it be such a great thing if we did?

cartoon goes here



A New Web Site Providing a State Perspective on 9/11 and the Current International Crisis From the John Locke Foundation

Recent Articles and Columns Spotlighted on NCAatWar.com Include:

¥ Military historian Victor Davis Hanson argues that the Western way of war and Western notions of freedom and civilization are proving their worth.

¥ Moderate Muslim clerics preach peace in Durham and Greensboro while a former Black Panther leader calls First Lady Laura Bush a murderer at Duke.

¥ North Carolina's economy, hurt further by wartime deployments, awaits help from Washington, where disagreements about tax cuts block a stimulus bill.

¥ Dr. Andrew Taylor, NCSU Political Scientist, on the likely impact of the war on North Carolina politics and the U.S. Senate race.

¥ As U.S. Marines from Camp Lejeune participate in military action near Kandahar, Seymour Johnson airmen prepare for deployment to the Mideast.

¥ Gov. William Yarborough, former head of Special Warfare Center at Ft. Bragg, distinguishes terrorism from legitimate armed resistance.

¥ Locke Foundation President John Hood argues that North Carolina short-lived anti-war movement unknowingly exposed its own fallacies.

For the latest news, analysis, and commentary on the war on terrorism, visit what National Review once named its Cool Web Site of the Day located at www.NorthCarolinaAtWar.com or www.NCAatWar.com.

Town and Country

Charlotte Transit to Cost \$3 Billion

The Charlotte Area Transit System has released its vision for the Charlotte-area's public transportation future. The plan will cost nearly \$3 billion and involve commuter rail, light rail, dedicated busways, and street cars.

In 1998, Mecklenburg County voters approved an additional half-cent sales tax to fund an expansion of the local transit system. While the transit proposal was then projected to cost just under \$1 billion (see *CAROLINA JOURNAL* September 2002), many key details, including the mode of service and exact routes, were not specified at the time.

With the announcement, Charlotte transit officials have filled in the details.

Under the plan, CATS would operate upgraded services along five key corridors from Uptown Charlotte: south (South Boulevard area to Pineville); north (connecting Uptown Charlotte to various towns in northern Mecklenburg and southern Iredell counties); southeast (following heavily traveled Independence Boulevard to Matthews); west (airport and Wilkinson Boulevard areas), and northeast (UNC-Charlotte and University Research Park area, and eventually Concord Mills Mall).

The focus of much public interest has been the choice of the type of service for each corridor. Even under the most optimistic financial projections, CATS would have only enough money to offer rail service along three of the five corridors.

In the end, CATS decided to build a light rail link to the UNC-Charlotte area by about 2017, with a dedicated busway to Concord Mills Mall to be added by 2025.

The north corridor would receive commuter rail service within the next 10 years.

The airport and Independence Boulevard corridors would receive dedicated busways within the next 10 to 15 years.

CATS had previously decided to build a light rail line to Pineville. Construction on that route is scheduled to begin next year and be completed by 2006.

One surprising aspect of the plan is the possible inclusion of streetcar services along two additional routes. Under the proposal, streetcars would run along Central Avenue to Eastland Mall within the next 15 years. A second streetcar route would be along Beatties Ford Road to Johnson C. Smith University. The streetcars would use the right lanes of existing streets.

CATS' plan presumes the system will receive \$1 billion in federal money over the next 25 years.

As expected, reaction by local residents depended largely upon which transit mode was selected for use in their area. Rail service is generally regarded as much more appealing than upgraded bus service.

The CATS proposal now goes before the Metrolina Transit Commission for final approval. A decision is expected on Nov. 20. *CJ*

Localities Sue State for Reimbursements

Easley, Tolson allegedly violated constitution by withholding revenue

By RHETA BURTON
Contributing Editor

RALEIGH

Recently, counties and cities have been adding their names to a list of counties that are suing Gov. Mike Easley for withholding local reimbursements.

The lawsuit, headed by Boyce and Isley, PA, alleges that state Secretary of the Revenue Norris Tolson violated the N.C. Constitution when he went along with the governor's mandate to keep millions of dollars that belong to counties.

The governor withheld about \$209 million from counties and municipalities in February. In the new fiscal year Easley is expected to withhold an additional \$330 million in reimbursement to the localities.

The law firm started the lawsuit when some rural counties and towns began calling to complain about their reimbursements being withheld.

"We got all these phone calls and decided to look at what was going on and look to see whether the governor violated the law by taking the money away," said Dan Boyce, a partner in the firm. "The local governments were furious that their leaders weren't doing anything about this."

"We tried to settle the lawsuit with the state attorney general by having the state give back 85 cents on the dollar and we would waive the attorney's fees. When that didn't work, we decided to go forward with the lawsuit," Boyce said. "We are not trying to embarrass the governor here, we are fighting to get back what rightfully belongs to the local governments."

Seven counties, three cities sue

Seven counties have added their names to the lawsuit. They are Alamance, Cabarrus, Stokes, Caldwell, Davidson, Davie, and New Hanover. Three cities, Valdese, Garner, and Yanceyville, have also joined. "We have many more counties and municipalities looking to join the lawsuit," Boyce said.

The state decided on the idea of reimbursements in the early 1990s when both the inventory property tax and the intangibles tax were repealed. Since then, the state has given local governments reimbursements to fill in the gap. Municipalities also rely on state-collected local taxes on utility franchises and beer and wine sales.

Cabarrus County Commissioner Coy C. Privette was one of the commissioners who suggested that Cabarrus join the lawsuit. The board voted unanimously for the measure in August. "I feel very good about the lawsuit," Privette said. "The governor had no right to take our funds. That is just wrong."

Privette also said that it wasn't fair that the governor wrecked local budgets in order to balance the state budget.

Easley withheld \$42,000 from Yanceyville. Town Manager Steve Smith said the town has had to cut needed services.

"We have cut our police force from five officers to three, we cut our administration by one-third, and we cut out the money that went towards water and sewer. This is a dire situation that we are in. We can't cut from our budget anymore and expect to provide the services to this town," Smith said.

The Yanceyville Town Council unani-



Secretary Norris Tolson is being sued by local governments for withholding reimbursements.

mously decided Sept. 3 to join the lawsuit.

"The problem with this is that the League of Municipalities has not supported us on this one bit. We got criticized from them when we decided to join the lawsuit," Smith said.

League of Municipalities Disagrees

Ellis Hankins, executive director of the League of Municipalities, said that even though the league wasn't in favor of it, members were allowed to join the lawsuit. However, he wrote a letter to the localities criticizing them for joining the lawsuit and stating that the firm had political motivations for filing the lawsuit.

Boyce said that both Republicans and Democrats were filing the lawsuit because Easley's and Tolson's action violated the law, not because of partisan politics. "The threats were absurd," Boyce said. "The counties and towns wanted us to do something about this." Later, Hankins apologized.

"The fact of the matter is that we need our money back. We are in a cry for help. We did this not out of partisan politics, but because we need the money to help provide services. The money is rightfully ours," Smith said.

Garner also joined the lawsuit when the Town Council passed the resolution Sept. 10. Town Manager Mary Lou Todd said localities' only hope of getting back the money was to join in the lawsuit.

"Already, we have had to tighten our belts. We have frozen travel and cut our expenditures by 12 percent. We haven't reduced staff or basic town services, but we have had to put off programs like building a new community park and renovating the auditorium," Todd said.

The General Assembly voted Sept. 24 to give the counties an option on whether to raise local sales taxes by one-half cent. New Hanover County Commissioner Bill Caster told the *Wilmington Morning Star* that, "The state is just passing the buck to counties. We wouldn't need a tax if they would just give us what they owe. Raising taxes is not the way to raise revenues." New Hanover County has already lost \$4.6 million in reimbursements.

Boyce said the local sales-tax increase won't affect the local government's law-

suit. He said revenue from the sales tax would not fill the gap caused by the state's seizure of the reimbursements. "The lawsuit will go on as planned," Boyce said.

Earlier in the year, some counties made two budgets, one for including the local reimbursements and another budget without the money. Most local officials agreed that making two budgets was ideal since no one knew when or how much money they were getting back.

Most counties have scaled back plans involving buildings, schools, and parks. County officials said that their No. 1 goal is to have enough money to provide basic services.

Other projects have been postponed, they said. Some counties also increased garbage collection and water and sewer fees.

Todd McGee, communications director of the N.C. Association of County Commissioners, said the NCACC didn't join the lawsuit; members were allowed to join at their own discretion.

"Our lawyers told us that we were unlikely to win if we were to pursue in the lawsuit.

From there, our board decided not to join in the lawsuit," McGee said.

Threat from Easley?

More fuel was added to the fire when Alamance County Manager David Cheek received a phone call from Easley aide John Merritt. Merritt told Cheek that the Easley administration was not taking the lawsuit as a friendly act. Merritt told Cheek that if Alamance County proceeded with the lawsuit and won, the state wouldn't be able to help fund projects for roads and other projects.

Merritt also conveyed the same message to New Hanover County officials.

"I was kind of stunned," Cheek said. "I passed on the information to our commissioners and our lawyer and I think that just made them angrier and more resolved to go forward with the lawsuit."

Easley spokeswoman Cari Boyce said that the governor did not ask Merritt to make the calls and that Merritt was simply informing the counties and local governments that the lawsuit would be a drain on the state's resources.

State Sen. Hugh Webster, R-Alamance, filed a complaint with the N.C. State Bar after receiving word of Merritt's phone calls to counties and local cities.

Webster asked the Bar to investigate unethical and possible illegal practices by the governor. *CJ*



Sen. Hugh Webster

"I feel very good about the lawsuit. The governor has no right to take our funds. That is just wrong." — Commissioner Coy Privette



The Greensboro Bats currently play at 76 year-old War Memorial Stadium

Private group offers to build new baseball stadium

Guilford County Gets Free Pass on Ballpark

By MICHAEL LOWREY

Associate Editor

GREENSBORO
Greensboro civic leaders have presented Guilford County with an innovative plan to build a new stadium for the Greensboro Bats minor league baseball team. Under the proposal, an organization called Action Greensboro would swap land with the county, build the new baseball field, and help the county pay for replacement office space. The proposal would reportedly come at little or no cost to county taxpayers.

Action Greensboro is an economic development group formed by six local foundations that aims to redevelop and vitalize Greensboro. Shirley Frye, a volunteer leader of Downtown Greensboro Inc., a nonprofit working closely with Action Greensboro, told the *News & Record* of Greensboro, "Our master plan for revitalization is built around the concept that downtown must be Greensboro's nucleus for entertainment, cultural events and recreation. A baseball stadium located downtown is pivotal in creating this nucleus."

The proposal

Under the proposal, Action Greensboro would acquire part of the county's Health and Social Services Center on Eugene and Bellemeade streets, demolish it, and build the baseball field on the site. In exchange for the land, Action Greensboro would provide \$4.5 million toward the county building a replacement building at a different location. The county's share of the cost of the new building is also estimated to be \$4.5 million.

The plan offers substantial benefits for the county and team. While serviceable, the 30-year old existing health center is not regarded as a state-of-the-art facility. The county would receive the fair market value of the building. Replacing part of the health center complex, has not, however, been high on the county's list of priorities.

For the Bats, a New York Yankees class A farm club in the South Atlantic League, the proposal is a welcome development. The team's current home, War Memorial Stadium, dates back to 1926 and is the fourth oldest ball park in use in the minor leagues. While, again, being serviceable, it lacks many of the amenities for both fans and teams of more modern facilities.

The proposed ballpark would also be large enough to accommodate a Class AA baseball team. The Bats' ownership has no current plans to pursue obtaining a team in the higher classification. The Bats averaged 2,662 spectators per game during the 2002 season; the proposed new stadium would seat 6,000 to 6,500.

The path forward

Action Greensboro and county leaders are completing details of the deal, including who would be responsible for covering any cost overruns on the replacement county office building. The package will then go before the county commission for final approval.

The heavy private involvement comes in marked contrast to many other new baseball stadiums being built at

both the major league and minor league level. In Charlotte, for example, the Class AAA Charlotte Knights are trying to get city help for a new ball field near downtown. The Knights currently play across the state line, near Rock Hill, S.C. The Knights' proposal involves the city putting up \$25 million and purchasing land.

The funds would come from Charlotte's hotel-motel tax receipts, which must be used for tourism-related projects. With the city also pursuing an expansion NBA team to replace the recently departed Hornets, the city has been noncommittal. If the NBA returns to Charlotte, finding funding for a new stadium for the Knights as well as building a new basketball arena would likely prove difficult.

Not a done deal

While the Action Greensboro proposal is unusual in that it involves little if any public money, significant opposition still exists. Many residents of both the neighborhood where the Bats currently play and would move to oppose the plan and are mobilizing to defeat it.

For residents of the Aycock community, in which War Memorial Stadium is located, the concern is what happens to the stadium if the Bats leave. Local leaders fear the site will fall into disrepair or be abandoned entirely, becoming an eyesore and, in general, weakening the community. They would rather see War Memorial Stadium be upgraded to Class AA standards. Two community organizations are funding a \$75,000 architectural study of such a renovation. The cost of such a remodeling was previously estimated at \$16 million. Who would pay for any renovations is unclear.

In addition, some residents of Bellemeade are concerned about the traffic and noise the new stadium would bring.

The petition drive

While Greensboro's city government would have virtually no involvement in the deal, an unusual feature in its ordinances makes defeating the new stadium plan far easier than might otherwise be

the case. Under the city's initiative petition law, if enough registered city voters sign a petition in favor of a proposed ordinance, the matter automatically goes before city council. If the council approves the petition, it becomes law. If it rejects or modifies the proposed ordinance, the original proposal is automatically placed before city voters for an up or down vote.

Opponents had originally planned on petitioning to prohibit the closing of a block of Lindsay Street, which is needed for the ballpark project. Street closings are typically not matters addressed by ordinances; opponents have instead now suggested the city simply prohibit baseball stadiums in its downtown.

Given the city's current population, more than 6,000 valid signatures would be needed to get the matter before the city council. Opponents of the stadium were out in force during the Sept. 10 primary, hoping to collect enough names. Give the limited amount of time before November's general elections, a referendum on the ballpark, should one prove necessary, would come in 2003. *CJ*

Sierra Club Headed For a Train Wreck

It is nothing new for the Sierra Club to oppose roads, so it should have come as no surprise that its latest sprawl report concluded that the Outer Beltway should not be built. It is also nothing new for the Sierra Club to be wrong.

The Sierra Club, which fails to understand that the fundamental causes of sprawl are growing populations and growing incomes, expresses concern that the roadway will encourage sprawl. The lack of beltways did not keep Las Vegas, Austin, Denver, or Phoenix from sprawling. The Sierra Club signs on to the "maternity wards create babies" logic that the Outer Beltway will itself create new traffic. This is absurd. Triangle residents do not sit with their engines idling waiting for new roads to open, and the traffic will come, with or without the beltway.

The Sierra Club cites projects it considers to be more effective than the beltway. One is a car-sharing program that has attracted only 1,000 participants — out of the more than two million people in the Portland area. This is hardly a rousing success in a community where car sharing within the household is at best a transitional affair if there is enough money for a second or third vehicle.

Then there are the obligatory urban rail projects. The Sierra Club claims that light rail lines in Houston and Charlotte will reduce traffic congestion, something that not even the technical reports on these projects contend.

The news out of Charlotte is not good. In the last few weeks local officials announced major cost escalation for the voter-approved light-rail system because of "things left out of the plan." This tracks with experience in St. Louis, where cost escalation transformed four promised lines into one; Los Angeles, where 11 lines became four; Dallas, where the system sold to voters was significantly scaled back, and Seattle, which began two years before Charlotte and has had both cost escalation and line segments canceled.

The "things left out" of projects such as these were characterized in a recent international study by Danish professors by a technical term as "lying." Expect announcements in the next year or so about line segments being canceled in Charlotte, or the need for a new tax to deliver the failed promises of the first.

Both the economy and the life of the Triangle will suffer if the traffic congestion problem is ignored, as the Sierra Club recommends. Over the last 10 years, average work-trip travel times increased more in Raleigh-Durham than in any other major metropolitan area in the nation. Something must be done. That something must involve solving problems. Playing with trains won't do.

In fact, in the Triangle and all across the nation, planning authorities concede that personal vehicles, automobiles, and SUVs will represent virtually all new travel demand. The question is not cars versus trains, it is whether the roads will be provided to accommodate the traffic that will come in either event. Things can get much worse. Just visit any of the large European cities with their superior transit systems alongside their world-class traffic congestion.

Or visit Atlanta, which has some of the nation's worst traffic congestion because it has not invested sufficiently in roads. Atlanta can take little comfort from having spent more than \$4 billion to build the nation's second longest new subway system.

Fortunately, Raleigh-Durham does not have to follow Atlanta. Most freeways in the area have sufficient right of way for one or two additional lanes in each direction. These freeways should be expanded, and the Outer Belt completed. *CJ*



Wendell Cox

Wendell Cox is a senior fellow of the Heartland Institute, and member of the Amtrak Reform Council.

Local Innovation Bulletin Board

Murder Rates and 911 Calls

U.S. murder rates began a dramatic decline beginning in the early 1990s. The usual statements given to explain this good news included more police and better policing, more prisons, and the aging of the population, including the graying of criminals.

But one factor often overlooked has been the improvement in emergency responses.

A study led by Anthony R. Harris, of the University of Massachusetts at Amherst in the journal *Homicide Studies*, draws attention to the role the 911 number and improved trauma care have played in saving the lives of victims of attempted murder.

Homicides peaked in 1991 at 24,700 and then dropped throughout the decade to 16,000 last year.

Without better emergency care, the 1999 total of about 15,500 homicides might have been more than four times that high, nearly 70,000, the researchers estimate.

The study concludes that slow and steady annual declines — averaging 2.7 percent for deaths by knifing, 3 percent for deaths by firearms, 4.4 percent for deaths by poisoning and other means — all contributed to the precipitous decline overall.

"Let's say it's 1960 and you're shot during a botched robbery. During much of what we call 'the golden hour of trauma,' you might just lie there bleeding and the chances of you seeing even one physician with trauma experience is extremely low" said Dr. Stephen H. Thomas, author of the study.

In contrast, today a shooting victim is likely to receive much more immediate attention through a call to 911, which did not exist in 1960. Emergency medical technicians or paramedics are likely to provide treatment today before a victim even arrives at a hospital, where a fully informed trauma team would be standing by.

Reported in the *New York Times*, Aug. 25, 2002.

Decreasing 911 demand

A new study suggests the burden on the nation's 911 systems would be lessened significantly if there were a decrease in the number of incoming non-emergency calls and false fire and burglar alarms. Researchers recommend establishing a market of private alarm response providers.

They argue that consumption of the alarm response private goods would be restricted to those who pay, and service providers would adjust their pricing to adequately cover the service. Salt Lake City implemented such a policy in December 2000.

In the preceding year, Salt Lake police responded to 8,213 false alarms, at a direct cost of \$492,780 and an average response time of 40 minutes, though occasionally it took as long as 2.5 hours.

Only 12 percent of the city's residences and businesses had alarm sys-

tems; 88 percent of the population subsidized a private service to a small, well-defined group of people.

Those costs dissipated significantly following the December 2000 ordinance because police were no longer the primary responders to burglar alarms. Instead, seven security companies began offering initial response services for fees ranging from \$15 to \$35 an incident — rates that were substantially less than the \$60 average cost to the police.

Security companies' response times ranged from six to 15 minutes, with most responses under 10 minutes.

The Salt Lake City results could be replicated elsewhere, researchers say. If other areas were to adopt similar policies, many private security firms would enter the market to provide services.

Also, a private market for initial alarm response reduces the number of false activations, reduces taxpayer costs, and allows police to concentrate on the apprehension of criminals.

Researched by Erwin A. Blackstone, Simon Hakim and Uriel Spiegel, "Not Calling the Police (First)," *Regulation*, Spring 2002, Vol. 25, No. 1, Cato Institute.

Emergency immunizations

Although the federal government has beefed up its drug and vaccine stockpiles to respond to a bioterrorism incident, many local health departments lack the facilities, trained staff, and ability to deliver vaccines and other basic health service to deal with such an incident.

That is the picture that emerged yesterday from the first meeting of the Health and Human Services Secretary's Council on Public Health Preparedness.

Smallpox can be prevented with vaccinations, even a few days after exposure.

The government now has enough vaccine to protect 155 million people — and the capability to ship vaccine to every U.S. city.

During the past 11 months, the federal government has delivered \$1.1 billion to states to rebuild public health services that had withered from years of neglect.

Council members said the investment has already paid off in states coping with West Nile virus.

Government officials reported that West Nile has also served as a useful test of systems established to combat bioterrorism.

But regarding smallpox, many cities aren't prepared to provide the shots, screen out those who may be harmed by the vaccine and educate millions of people about the vaccine's risks, experts told committee members.

"Our strength has got to be at the local level," said D. A. Henderson, chairman of the committee, which is advising HHS Secretary Tommy Thompson on issues the nation in preparing for bioterrorism attacks.

Reported in *USA Today*, Aug. 28, 2002. CJ

The government now has enough vaccine to protect 155 million people — and the capability to ship vaccine to every U.S. city.

Beth Saine, Longtime Resident, Commissioner of Lincoln County

By RHETA BURTON

Contributing Editor

LINCOLN COUNTY

CJ: What is your background?

Beth Saine: I was born in Cleveland County and moved to Lincoln County when I was about 5 years old and have been a resident ever since. I have been married for 35 years and have two children.

I went to school at Catawba Valley Community College in Hickory and got my degree there in Applied Science. I have owned my own professional secretarial service for over 30 years and I have been an appraiser for about 27 years. My professional secretarial services included helping doctors and lawyers and other businesses type letters, filing, data entry, stuff that secretaries would do. I also work as a Realtor part-time. I have worked in all types of businesses like furniture, fabric, and hosiery places. I have also worked in physicians' offices and in hospitals as a medical data clerk.

CJ: What kind of community activities have you been involved in?

Saine: Well, I am a lifelong member of the Episcopal Church here in Lincoln County. I have been the church clerk and a youth group adviser. I was also secretary and president of the band boosters, since my children were in the band at the time. I use to help out the majorettes in the band a few time a week. Even though my kids have long since grown up, I am still involved in the band boosters. I still go to the games and enjoy taking part in community activities. I am also a member and served as secretary of the Lincoln County Board of Realtors.

CJ: Why did you decide to become a county commissioner?

Saine: I think that the citizens of Lincoln County need to be treated fairly. They choose to live in Lincoln County for a reason and I want to help them in the best way I can. I think we need less government and less rules and regulation. I want to make this a better home for people in Lincoln County to live.

CJ: When did you first get elected?

Saine: I was first elected in 1996, and I was re-elected for a two-year term in 2000. I will finish this term in December of 2002.

CJ: What kind of accomplishments do you feel that you have made during your time as county commissioner?

Saine: I feel that I have had a great relationship with the citizens of Lincoln County and with the school board.

I was the first female elected to the County Commissioners in Lincoln County. I feel that one of my accomplishments has been to keep our county safe. I also worked hard to help lower taxes.

For example, when I was first elected, we had to put together the county budget and I made the suggestion that we get all the budget recommendations and make across-the-board cuts by 2 percent. Some people didn't like that. Nobody had ever done that before. In fact, some departments made even steeper cuts than what we asked for. But, I think we did the right thing.

We also had a vote come up one time

where we had to vote on an 11 percent tax increase. I voted against the tax increase. I suggested to them an alternative budget that would cut out wasteful spending and still get the money to the schools and other departments. I believe that we can run the government without raising taxes through the roof.

While I was on the board, we also increased spending per student, meaning that we would spend more money per student rather than having that money go towards other administrative costs. We wanted to increase that amount to what the state spending average was per pupil. It is important that when we give money to the schools, it goes to help benefit the students.

Another accomplishment that I feel good about is the fact that we have hired more police officers to help keep our streets safer and we have hired resource officers in the schools to help out students and to make our student feel safe. I feel very strongly about taking action in keeping our community safe.

We also helped to repair some of the schools and add additions to them.

We even built new EMS stations in the eastern and western part of Lincoln County to help make the EMS more efficient and cut down on the time it takes to respond to patients.

We also gave county employees more days off during Christmas time. Usually, they got only Christmas day off, but we decided to give them two or three days before or after the holiday so they can be with their families more.

CJ: It sounds like you have been busy.

Saine: Well, I am just trying to make Lincoln County a better place to live for citizens.

Apart from the budget drought that the state has, I have also worked with others in Lincoln County on the water drought problem. I have worked in trying to get cities and municipalities connected together to the same water system so that in case one city runs out of water, they can have a backup.

CJ: What do you think about the governor withholding the funds to county governments?

Saine: I am not sure the governor is making sure that the money is getting into the hands of county governments. I think that if the county governments have to cut spending, then state governments need to do the same thing.

I believe the state needs to be accountable of its spending. I know that the state has money that is going unused, so we need to make sure that they are spending the money in the right place. I think we need to be more watchful of government spending and hold our leaders to some sort of accountability.

CJ: When looking back on your term as Lincoln County commissioner, how have you felt?

Saine: Serving as Lincoln County commissioner has been very challenging, but very rewarding. There is not a day that went by where I didn't learn something. I enjoy working with the citizens of Lincoln County. I have had a good working relationship with the Lincoln County School Board and with other people working for Lincoln County. CJ



Beth Saine

From Cherokee to Currituck

Minority Contractors Block Traffic in Protest Against Charlotte

By MICHAEL LOWREY
Associate Editor

CHARLOTTE

Charlotte motorists experienced an unusual traffic delay during rush hour on a recent Friday: construction equipment and dump trucks parked in two Uptown intersections in a protest against the city's contracting rules.

The action by the Metrolina Minority Contractors' Association is the latest act in a yearlong dispute over the city's contracting practices.

Charlotte had for several years used preferences that essentially required that a certain percentage of work go to minority or female-owned subcontractors if subcontractors were used on a project. The requirement was challenged in court in January. Upon the advice of the city attorney — who advised that the city had little chances of prevailing in court — Charlotte City Council decided to suspend the policy and settle the lawsuit. The council also voted to develop a replacement policy to help minority contractors that could survive legal scrutiny.

The minority contractors, unhappy about the slowness with which the city drew new regulations, sent a letter asking the city to adopt 12 specific items. The group requested a response by Sept. 6. When the contractors did not receive a response, its members parked a tractor-trailer carrying a bulldozer at an intersection in Uptown Charlotte the evening of Sept. 6. A second intersection was blocked by three trucks.

"We're trying to make the city make good on what they promised us. This is one of many steps we plan to take to get their attention" MMCA President Nathaniel Jones told *The Charlotte Observer*.

The protests have divided the MMCA. Some members of the organization opposed the protest. City officials said they are trying to adopt new rules as quick as practicable.

In response to the action, Charlotte Mayor Pat McCrory told *The Charlotte Observer*, "It is the city's responsibility to follow the law of the United States in enforcing our policies. And it is also their responsibility to follow the law. We're taking the blocking of the streets very seriously, especially in light of 9/11."

The police eventually towed off the construction equipment. Parking tickets were also handed out.

Kayaking to the Carolinas?

The organization that selects and trains American whitewater athletes for the Olympics, USA Canoe & Kayak, is considering two sites in North Carolina as possible locations for its headquarters. Charlotte, and Raleigh are on the group two finalists. The USACK had also looked at Asheville, Columbia, S.C. and Everett, Wash. The organization currently has its headquarters in Lake Placid, N.Y.

USACK officials are interested in the Southeast because the region is near the centers of whitewater activity in the United

States — Atlanta, Washington D.C., and the Nantahala River.

The announcement comes as Charlotte Whitepark, a nonprofit organization, is trying to build a whitewater park in Mecklenburg County (see *Carolina Journal* August 2002).

The group recently approached a county advisory panel about rezoning a 307-acre tract of land along the Catawba River. The park would cost \$12 million to build.

Urban drought relief?

The N.C. League of Municipalities is working with Gov. Mike Easley to obtain federal disaster relief funding for the state's urban areas.

"What we are dealing with is a disaster, not a lacking of planning" Statesville City Manager Rob Hites said at a recent drought brainstorming session in his hometown. Statesville has been especially hard hit by the four-year-long exceptional drought, and the city has lost more than \$7,000 a day since mandatory water restrictions were imposed.

Immediate federal help is considered unlikely. While farmers may qualify for aid, federal programs typically do not help municipalities deal with the financial effects of disasters. League officials hope, however, that the federal government might be willing to help pay for future capital projects to deal with the drought.

League officials are documenting the effects of the drought on cities and towns

before presenting their case to Washington.

Elizabeth City denied grant

Elizabeth City failed to win a grant this year to redevelop parts of its downtown. The city had applied for \$1,148,329 in federal TEA-21 funding for work on Water Street. The N.C. Department of Transportation, which administers the program in the state for the federal government, noted that Elizabeth City's request had been "deemed ineligible for consideration."

The N.C. DOT's criteria for awards this year specifically noted that projects that had previously been funded would not be eligible this year. Elizabeth City was awarded \$400,000 in TEA-21 funds last year to redo Main and Water streets. The project, however, cost more than was originally forecast; and the 2001 grant money will only be cover the work on Main Street.

"Naturally, we're disappointed we didn't receive the grant," City Manager Steven L. Harrell told *The Daily Advance* of Elizabeth City. "It slows the process (revitalization) down, but doesn't eliminate it."

Cumberland economic development

Cumberland County has increased the amount of funds it allocates for economic development by nearly 40 percent to \$363,110. Fayetteville is considering a similar increase. The extra funds will be used to increase advertising, improve downtown, and establish a Good News bureau. *cj*

CAROLINA
JOURNAL

ONLINE

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

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

See what *Spectator* magazine called "Matt Drudge with Class" And Get Informed About Your State — At CarolinaJournal.com

**Center for
Local
Innovation**



New Ideas for Governing North
Carolina's Cities and Counties

200 W. Morgan St., Suite 200
Raleigh, North Carolina 27601

Hon. Thomas Stith
Director, Center for Local Innovation
Member, Durham City Council

Can local governments deliver good
quality services without raising taxes?

North Carolinians looking for the answer to that question need look no further than the **Center for Local Innovation**, headed by Thomas Stith. Its mission is to identify and promote efficient, effective solutions to problems in local government using such tools as competition, new technologies, and activity-based costing.

To obtain more information about CLI, and subscribe to *Prism*, its weekly e-letter, call Erik Root at 919-828-3876.

National Review Ad

From the Liberty Library

• Syndicated columnist Michelle Malkin is the author of *Invasion: How America Lets Terrorists, Torturers, and Other Foreign Criminals Right Through the Front Door*. Her book reveals how immigration authorities have granted citizenship or legal permanent residence to America-haters and criminals. Malkin also explains how misguided policies and over-worked officials have encouraged criminals to enter the country, abuse its systems, and attack its citizens. Based on exhaustive research and interviews with dozens of current and former immigration officials, *Invasion* shines light on how the INS, Congress, the State Department, big business, and ethnic special interests "value criminal alien rights over American lives." Further details on the Internet at www.regnery.com.

• J. Martin Rochester has written *Class Warfare: Besieged Schools, Bewildered Parents, Betrayed Kids and the Attack on Excellence*, which offers a first-hand account of the Great American Education War being waged from coast to coast, including the reading wars, math wars, testing wars, and other schoolyard scuffles reported almost daily by the nation's media.

Rochester takes the reader on a field trip that begins with his own upper-middle class suburban school district in St. Louis and then moves on to inner-city locales and some of the best private schools, in showing how "pack pedagogy" has steam-rolled parent resistance in promoting disasters such as whole-language, fuzzy math, multiple intelligences theory, teacher-as-coach, the therapeutic classroom, and all the other latest fads found in today's schools. Find out more at www.encounterbooks.com.

• *Global Warming and Other Eco-Myths: How the Environmental Movement Uses False Science to Scare Us to Death*, reveals that according to a number of leading scientists from around the world, members of the environmental movement are guilty of twisting—sometimes manufacturing—the facts in an effort to frighten people into joining their cause. Author Ronald Bailey of the Competitive Enterprise Institute interviews some of the most respected researchers in the country, who explode the myths behind much of the doom and gloom of today's environmental movement. He says the hysteria about global warming, overpopulation, mass extinctions, imminent famines, biotechnology, and energy shortages are grounded in false science. See www.primapublishing.com for more information.

• *Out of Bounds, Out of Control: Regulatory Enforcement at the EPA* measures the enforcement activities of the Environmental Protection Agency and finds that environmental regulation is so detailed and obscure that no one can identify all relevant mandates, let alone ensure compliance. The EPA maintains broad discretion to define violations and resists any checks. Discretion is exercised retroactively or arbitrarily. Published by The Cato Institute and written by James V. DeLong, learn more at www.cato.org. CJ

Music Review

Philharmonia Strikes a Resounding Blow for Mahler

• Gustav Mahler, *Symphony No. 6, "Tragic";* Benjamin Zander, conducting; Philharmonia Orchestra; Telarc; \$17.90

By JON SANDERS
Assistant Editor

I first heard of Benjamin Zander in Michael Steinberg's book *The Symphony*. Specifically, Steinberg mentioned Zander in a footnote illustrating how a conductor handled an unclear direction in the score for Mahler's Sixth, that being Mahler's description of the effect he wanted for the "hammer-blows" of fate that figure so prominently in the finale: a "short, powerful, heavy-sounding blow of nonmetallic quality, like the stroke of an axe." Zander, Steinberg wrote, used a wooden timpani crate bashed with a lead plumber's pipe.

My interest piqued, I ordered that recording (with the Boston Philharmonic Orchestra), but owing to less-than-desirable sound quality, that effect wasn't as impressive as I desired. I was duly impressed, however, with Zander's treatment of the symphony's soothing Andante, which I consider the most ethereal among all the recordings of it I have heard.

Zander records Mahler series

Zander has begun recording a Mahler series with London's Philharmonia Orchestra, having already recorded stellar performances of the Fourth, Fifth, and Ninth. Now, at long last, Zander has produced a recording of the Mahler Sixth — one especially for those of us who find that work fascinating, compelling, even terrifying.

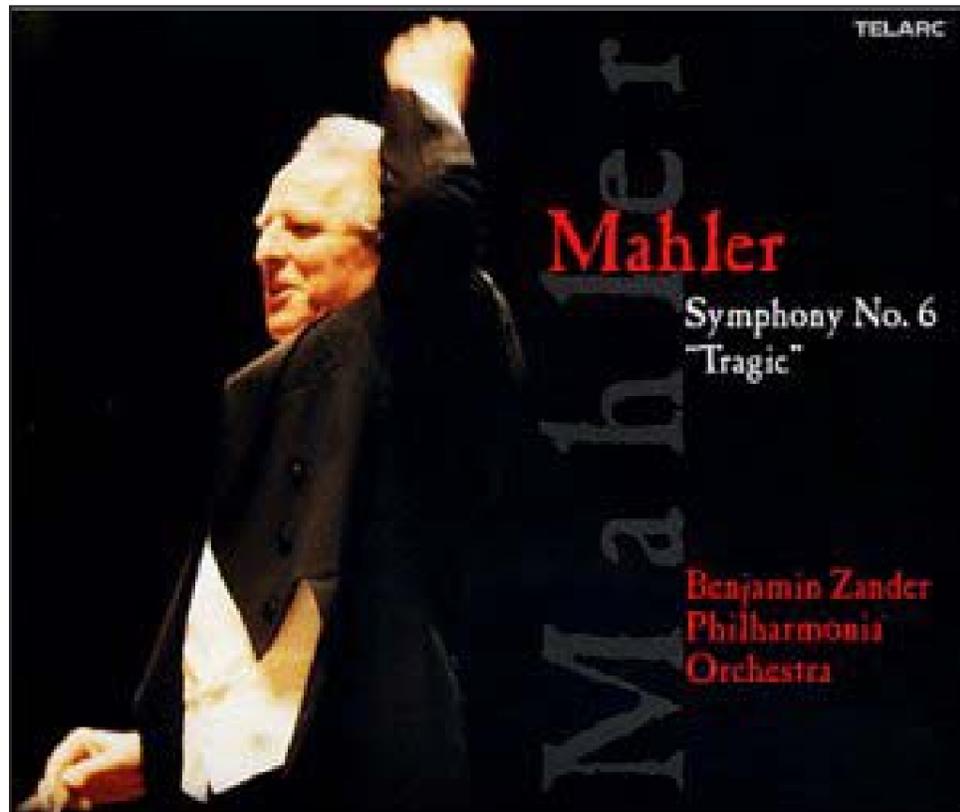
As with his other Mahler recordings (and his feisty recordings of Beethoven's Fifth and Seventh Symphonies) on Telarc, Zander includes a "bonus disk" featuring his lecture on the symphony. Even if the recordings were bland and lifeless, Zander's absorbing, informative lectures would be worth the purchase of the discs. They further the listener's appreciation of the music, its issues, its craftsmanship, its history, and as far as can be gleaned from the composer's writings and the testimony of those around him, its intents.

Of course the recordings are neither bland nor lifeless; far from it. This Mahler Sixth is a lusty rendition, from the oppressive inevitability of the opening march to the fatal, concluding blare of the Fate motif. The quality of the recording is top-notch; one keen on hearing the wealth of contributions of the background instruments will not be disappointed.

The opening march

Zander takes the opening march at a slower pace than I've heard in other recordings, but that pace tends to underscore the inescapable grip of this opening march as it plunges inexorably toward its rendezvous with grim Fate, depicted musically with pitiless timpani and a hope-sapping chord that slides from major to minor. Zander's lecture discusses the array of motifs contained in these brief moments and their importance to the remainder of the symphony. The contrasting "Alma" theme is here given its lyrical due, a flowering optimism amid the tramping feet of doom.

As Zander discusses in the accompanying lecture, there are basically two Mahler



Sixths — one, the original by "Mahler the composer," and the other, revised by the "Mahler the conductor," at times dissatisfied with his initial conception of the symphony and at times frightened by his own creation. One of the changes Mahler made was the rearrangement of the internal movements.

Performing the Scherzo, Andante

Here the Scherzo precedes the Andante, as it did in the symphony originally conceived by the composer (Zander suggests that CD programming technology allows those who prefer to hear the Andante first to do so with little difficulty). It too opens with a pounding rhythm, in the same key (A minor) as the first movement. Zander says the effect is "like a trap, from which there's no escape," and it's hard to disagree. The pace is quicker, more insistent. It is offset by a light, rhythmically asymmetric Trio, containing many changes of meter. Zander argues that this music represents

the zigzagging gambols of children at play (Mahler was a father of two daughters at the time he wrote the symphony), using Alma Mahler as a source and further arguing for a possible allusion to the "Childlike play; parental happiness" tone-poem from Richard Strauss's *Symphonia domestica*.

The Philharmonia under Zander's baton perform both of these sections with verve, as well as that curious passage just before the return of the Scherzo, an eerie jaunt imbued with an almost Iberian flair, which Zander called "ghoulish" and full of "erotic morbidity" and "decadence."

The Andante is realized with utmost reverence. Words cannot describe the sublime beauty of this movement, the balm of the symphony. It is hallowed ground. It can only be justly described by virtue of a just performance, and the Philharmonia's performance here is Solomonic.

Mahler bows to superstition

The other major change Mahler made in this symphony was eliminating the third

hammer-blow of fate, the fatal blow to the conquering hero.

Mahler identified strongly with this work, and the trifold blows he personally experienced shortly after finishing this work — his directorship of the Vienna Opera taken from him, his elder daughter's death of diphtheria, and the diagnosis of his fatal heart disease — contributed to Mahler's superstition over the work.

In this release Zander provides both finales, Mahler's original (with the rare, third hammer-blow) and the now more-familiar revised version with the fatal blow suppressed, but he argues in favor of reinstating the third hammer-blow "since Fate cannot any longer be felt to stand threateningly over the composer." (Incidentally, for the hammer blows, Zander's timpani crate had succumbed to the repeated blows, so for this recording he had a large wooden box constructed, open at one end, to receive the blows from the lead pipe.)

A tour de force for the finale

The Philharmonia's performance of the finale is worthy of this monumental movement. The spectral introduction carries the hero away from the peaceful solitude of the Andante back into the wailing maw of the Fate motif.

By sheer force of will he mounts up and makes his charge, with vigorous march movements marking his progress, until Fate cruelly intercedes.

Zander's open-ended box resounds forcefully with the blow. The hero redoubles, the marches return, Fate strikes again, and the process is repeated.

The Philharmonia depict these episodes magnificently, through the hero's apparent triumph, the ironic third blow, fatal and unlooked-for, and the mournful dirge and the menacing, all-minor, final sneer of Fate.

Zander compares this tragic ending with King Lear, who weathers daughters Regan and Goneril's betrayals, but not the death of his beloved daughter, Cordelia. It is an apt analogy, and it is a good example of the insight Zander gives in his lectures.

But despite the value of the lecture, it is a "bonus"; the performance of the symphony itself is our chief concern. And in this concern Zander and the Philharmonia perform excellently, presenting a powerful interpretation of this fascinating work. CJ

Book Review

The Real Lincoln: Does It Exposes a Constitutional Renegade . . .

• Thomas J. Dilorenzo: *The Real Lincoln: A New Look at Abraham Lincoln, His Agenda, and an Unnecessary War*, Prima Publishing, 2002, 333 pages, \$24.95

By THOMAS PAUL DE WITT
Opinion Editor

RALEIGH
Every so often, a book brings up questions often ignored because of their lack of political correctness. For too long Abraham Lincoln has been exalted as a great American president. While *The Real Lincoln: A New Look at Abraham Lincoln, His Agenda, and an Unnecessary War* has substantial flaws its thesis is on the mark. Whatever the myths and adulatory rhetoric about Lincoln, a substantial argument may be made that he is among the worst presidents in American history.

His subversion of the republican ideal, of the word and nature of the Constitution, and the rule of law is bad enough. The fact that Americans have exalted such a constitutional renegade simply confirms how adrift is our populace from the roots of the American founding.

Dilorenzo is more than a little reckless in the citations of his documentation for much of what he attributes to Lincoln in particular circumstances. But the spirit of his critique is on the mark and true to the ethos of the age in which Lincoln operated.

If one believes that our republic is predicated on the approval of sovereign states then one must recognize also that a nationally oriented union that must exert force to demand adherence to itself subverts the premise of its founding. America was initially and properly considered the creation of its sovereign parts as duly constituted by the citizens of its various prospective states. And just as one may voluntarily join a compact, one may voluntarily leave such a compact.

Compacts are synonymous with contracts and covenants. Such enterprises by definition include escape clauses whereby one party, feeling violated, betrayed, or otherwise severed by the actions of the other party retains the rights inherent in their sovereign disposition. But, as Dilorenzo, in his less-than-focused fashion exemplifies, Lincoln's passion was directed less toward the sovereign essence of the various states than to his disposition to retain the Union at all cost. This is Lincoln's greatest failing and it is what makes him a failed president. Dilorenzo, despite his faults, gets the essence of the argument correct. And, in his own way, he proves the failings of Lincoln as an ethical, prodigious, or admirable president.

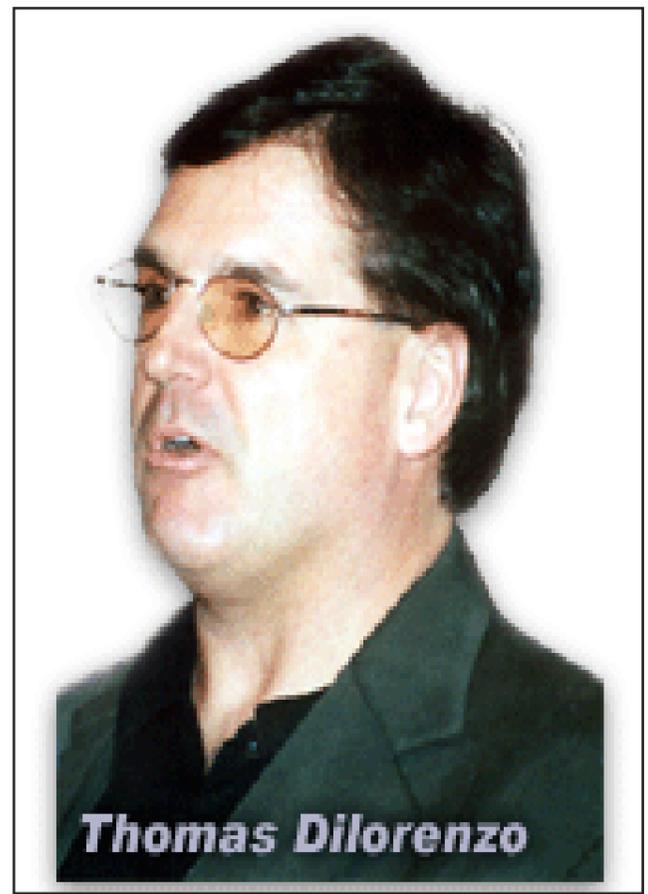
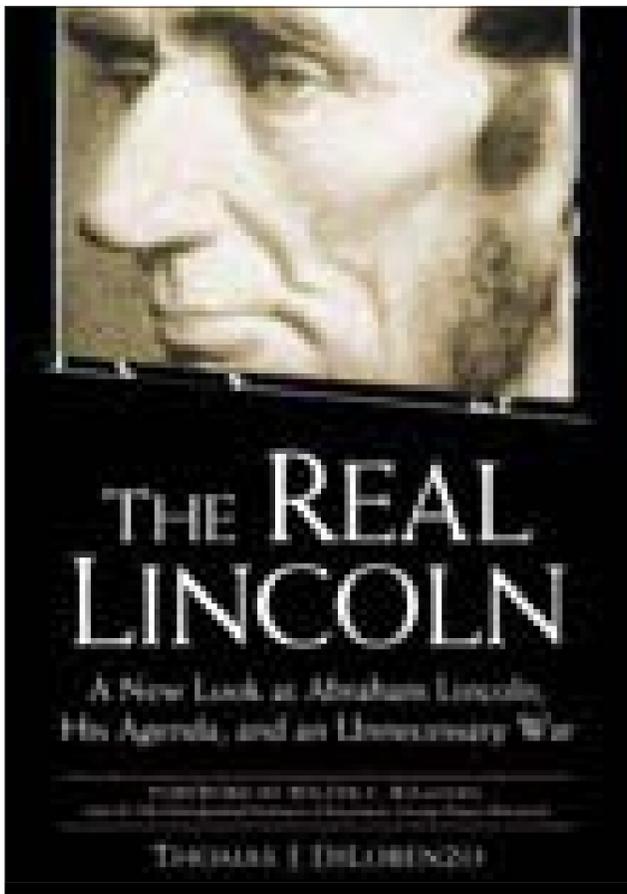
Standing in popular stature only with FDR and Martin Luther King, Lincoln is credited with saving the Union and freeing the slaves. Further, many make the argument that Lincoln had to violate the Constitution to save it. Indeed, as Dilorenzo demonstrates, Lincoln was deeply adherent to the founding principles of the Republican Party — centralized government, mercantilism, and a disregard for constitutional law. One may argue that Lincoln, a central figure in the founding of the Republican Party from the ashes of the Whigs, promoted state capitalism.

Whatever Lincoln's motivations in attacking and invading the Confederacy, motivations highly suspect in their sincerity, there is no question that he was also integral to the abolition of slavery. Whatever the cultural justifications for that sordid institution, it is also clear that Lincoln was more interested in asserting the dominance of the industrial North over the agrarian South. This is the central reason Lincoln pretended to offer salvation of the southern black man at the same time that he extended their servitude in the North through the Emancipation Proclamation. Dilorenzo documents the truth of Lincoln's disposition for any who wish to recognize it.

High tariffs to combat Southern agrarian success, national banking, and government subsidies for big business were the essence of Whig mercantilism, all of which Lincoln so deeply believed in. As a disciple of Henry Clay, Lincoln plied the ground for a national political party that to this day adheres to the same ideology.

Essentially, Dilorenzo hurts his cause through reckless citation. Nonetheless, this does not detract from a sensible discussion of the right of secession, the fraudulent predications of the theory of compact, or a recognition that, despite its most convenient detractors, the Constitution remains a document of voluntary association.

To the extent that it does not, the American experiment has failed. To suggest otherwise is to admit our surrender to an acceptance of subjugation. Whatever his faults, Dilorenzo takes an admirable stab at painting Lincoln as he truly was and not a tabula rasa for the dreams of unitary, nationalistic, and historically blinded ideologues. CJ



Thomas Dilorenzo

A fraudulent portrayal of Lincoln**. . . Or Properly Belong on the Fiction Shelf?**

By ERIK ROOT
Assistant Editor

RALEIGH
The *Real Lincoln* purports to expose myths about Abraham Lincoln. Author Thomas Dilorenzo argues that Lincoln cared not a wit about slavery but that he was "almost single-mindedly devoted to an economic agenda" called "mercantilism." Like many Marxist professors, Dilorenzo has engaged in revisionist history.

The fact is this book is fraudulent.

Whatever Dilorenzo's credentials concerning economics, he is no scholar of Lincoln, history, or political philosophy. Even though he claims that his is a new look at Lincoln, the arguments he parrots are not new. Since the Declaration Foundation revealed several instances where Dilorenzo misquotes or simply fabricates material to corroborate his thesis, this review will focus on two passages yet examined closely.

The fundamental problem with Dilorenzo's unreal Lincoln is that he does not comprehend the distinction between natural rights and social-political rights. He writes that Lincoln "adamantly opposed[ed] 'social and political equality' of the races [and] took the contradictory position of defending — at least rhetorically — the natural rights of all races to life, liberty, and the pursuit of happiness...But blacks could never in fact achieve equality if they were denied all the other rights that Lincoln would deny them." Dilorenzo's evidence springs from Lincoln's speech in the "First Joint Debate" with Stephen Douglas on Aug. 21, 1858:

I have no purpose to introduce political and social equality between the white and black races. There is a physical difference between the two, which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality; and inasmuch as it becomes a necessity that there must be a difference, I as well as Judge Douglas, am in favor of the race to which I belong having the superior position. I have never said anything to the contrary.

Dilorenzo references Lincoln to erroneously collapse political rights wholly into natural rights. Yet the Founders, and Lincoln, understood this distinction, which comes from Aristotle's *Nicomachean Ethics*: Natural right is a part of political right. The difference is evident in the remainder of Lincoln's words. Dilorenzo abruptly deletes the remaining passage above and replaces a period for the original

comma that appears after the word "contrary."

but I hold that, notwithstanding all this, there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration...I hold that he is as much entitled to these as the white man. I agree with Judge Douglas he is not my equal in many respects — certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without the leave of anybody else, which his own hand earns, he is my equal and the equal of Judge Douglas, and the equal of every living man.

The positive law of slavery that Dilorenzo holds so dear not only denied the slaves their natural rights but also had a practical effect. In many parts of the slave South, laws prohibited them from an education. This meant the slaves lagged behind a more skilled free population. It is for this

reason that they could be denied some political rights — slavery had denied them the opportunity of the proper edification of their faculties.

The author also blames Lincoln for not freeing the slaves like "the rest of the world" through "compensated emancipation." Dilorenzo appears ignorant of the Virginia experience of 1831-1832, where precisely this idea was debated. Virginia was the first (and last) slave state to openly debate slavery. Those debates were followed closely not only by Virginians (who packed the House of Delegates) but by other states. Newspaper coverage was widespread. Of such importance was this 1830s debate that Rep. Roger Pryor spoke about it in the House in 1859. Nevertheless, slaveholding eastern Virginia (which numerically controlled the House) had already begun to harden their hearts and refused such proposal as a violation of property rights. The Virginia debates represented a growing trend, midway between the Declaration and Civil War, that the slave states would never submit to emancipation, gradual or otherwise. This debate also marked the nascent public utterances of the positive good thesis that blacks deserved to be enslaved.

It is troubling, to say the least, that s-called libertarians such as Dilorenzo defend a system that enslaved human beings. Indeed, these "scholars" who defend "freedom" are the ideological heirs of modern rationalism and nihilism. Contrary to Dilorenzo's thesis, it was the quandary over slavery, not a mercantilist agenda that precipitated the war. *The Real Lincoln* is not a scholarly work. It is pedestrian, and it belongs on the fiction shelf. CJ

It is troubling...that so-called libertarians such as Dilorenzo defend a system that enslaved human beings.

A Revolting Way To Run a State

As North Carolina emerged from the clutches of British mercantilism with its sister colonies, it rebelled against several presumptions. There was the nearly monolithic angst generated by tax policies. But this also fed, particularly in North Carolina, an antipathy to the arrogant exercise of power from afar. For today's local government leaders in our state, the rebellion has begun anew due to Gov. Mike Easley's seizure of hundreds of millions in combined local funds.

Aside from the governor's sheer audacity, he is also in apparent violation of the state constitution.

A simple review of Article III, Sec. 5(3) and Article V, Section 7(2) at least gives solid standing to localities to file suit against Easley's financial shuffling.

At this writing seven counties and at least three municipalities have sued Revenue Secretary Norris Tolson. He was named the defendant because the law makes him respon-

sible for dispensing the money to local governments.

The funds involved in the controversy consist of two separate streams: 1) local tax sharing and 2) local tax reimbursement. In the former case, about \$180 million come from such sources as local utilities and alcohol taxes collected as a convenience by the state. The state is required to return the revenue to localities, similar to the responsibility of any collection agency. The other \$333.4 million in local tax reimbursements is money the state owes the localities for prior local revenues the state forbade them to collect.

None of this is news. But it is a travesty and it also is emblematic of Easley's operating style. It seems as though he's always trying to seize money for the state to which it has no legal right or he throws it down a rat hole by engendering mammoth, costly lawsuits. What's more, these are lawsuits that could have been settled at minimal cost.

Yea, pride goeth before the fall. As Attorney General, Easley battled a series of lawsuits filed against the state by Raleigh attorney Gene Boyce. The first regarded income taxes illegally collected from state and federal government retirees. The second was over the loss of disability benefits for teachers and state employees and three others were over improper treatment of intangibles taxes.

Boyce handled each of these cases. The state could have settled them by paying little back and simply agreeing to minor legal agreements to make things right. Easley turned them down every single time and instead forced the state into the hole to the tune of more than \$1 billion.

Yet the politicians in Raleigh, either ignorant of what was going on in these cases or inattentive to their revenue consequences, went on a spending spree and raised taxes. Whatever the outcome of the latest legal action by the localities it is perhaps time to reconsider our political parties along the lines of 1760 North Carolina.

At that time, the Prerogative Party promoted centralized and royalist power. It was headed by the governor and his council. The Popular Party, generally chaired by the speaker of the Assembly, stood for citizens' rights against the imperium of the Prerogatives. Then-Gov. Arthur Dobbs observed that this challenge to the power of the crown, and its attendant controversies, "ran through the events of the period not like a silver thread but like a knotted cord."

It may be we do need such turbulence. It may not. But we certainly need true leadership that is not characterized by the current arrogance and thugery that envelops us. CJ



Thomas Paul De Witt

Editorials

A YEAR OF SHAME

What budget crisis? N.C. extends spree

With the state budget passed Sept. 19 North Carolina sank to a new low. With our state's credit rating downgraded, a useless lottery dead, the leviathan yet lives. Long past its legally designated deadline for passing a budget by the first of the fiscal year, now three months past at this writing, this is a year of shame for the history books.

With Gov. Mike Easley's questionable diversion of \$543 million from local government and highway trust funds, he and our legislators also passed — surprise! — a \$343 million dollar tax increase.

Just last year, the legislature passed \$690 million in new taxes on income, retail sales, and other items. It is inevitable that, because the governor and the legislature have budgeted for this year \$800 million in recurring expenses with nonrecurring revenue, we will be faced again next year with an abominable state budget dilemma that is burdened with higher spending and unknown sources of the revenue required to cover it — with no reasonable way to justify it or to pay for it. No doubt, those who want something for nothing are a strong and resonant crowd. Those who want to pay their own way and be left alone are the sadly silent majority.

One item for which we might be thankful is that the final state budget provides for \$59 million less in revenue from tax increases than Easley sought. It also excludes assumed revenue from a nonexistent lottery. Yet, after a related bill authorized — read "compelled" — localities to pass another huge sales tax hike, the expected revenue will still fall short, leaving local government with an unfunded \$145 million hole.

By contrast, the alternative budget proposed by the John Locke Foundation would have resulted in \$439 million in savings also contained in Easley's original budget plus additional net savings of \$1.2 billion.

Any way one wishes to stew this dish, it doesn't taste good, it doesn't taste good at all. How did North Carolina come to this pass? Well, among losing lawsuits under Atty. Gen. Mike Easley, a painfully timed recession, and massive hurricane damage, there is no question that our state's budget has suffered. With the economy also hammered by the loss of textile and tobacco jobs it gets worse.

But here's the real problem: government growth. Instead of setting people free, our state government has seen the solution to our dilemma in nostrums proven wrong. More government. Higher taxes. State-financed economic "development" and the myth that only government can pull up our bootstraps and help us. With one of the worst unemployment rates in the nation, with some of the highest taxes in the region, and a downgraded credit

rating it should come as no surprise that North Carolina is suffering economically.

The loss of business, the withering of enterprise — these are part and parcel of an oppressively taxed and oppressively regulated state. And even though, for now and thankfully, the lottery is a dead issue, our current condition and the passage of the new state budget are deeply complementary.

But Easley won on several points he held important. While he didn't get his state-sponsored gambling operation, his shafting of local governments was ratified. He got higher taxes to the tune of at least \$188 million by allowing localities to implement a new half-cent sales tax Dec. 1. To cover the remainder in revenue loss, local governments have raised local property taxes for the 2002-2003 fiscal year by \$75 million. By comparison, the legislature gave approval to nearly 97 percent in the taking of nonrecurring revenue from the state's Highway and Highway Trust Funds. And the legislature gave Easley 85 percent of the tax-increase amount for which he asked.

By contrast, the alternative state budget plan drafted by the John Locke Foundation proposes \$1.6 billion in total savings and \$530 million in tax cuts. This would relieve the economic burden on both business and taxpayers in North Carolina and free up substantial resources for economic growth and the creation of vital and productive jobs.

After being hit so hard in the past two years with tax increases — \$343 million in the 2002-03 fiscal year and \$690 million last year, the legislature will next year be faced with at least \$800 million in recurring expenses in the current fiscal budget. Can anyone realistically doubt this will mean another massive tax increase in 2003?

Whether the final result is higher sales and/or local property taxes, the pinch may turn into a hammer blow against North Carolina's local governments and the distress felt so deeply in some of our poorer communities, especially down east and in some struggling mountain municipalities.

But North Carolina simply cannot afford \$1 billion per year tax increases to finance constitutionally suspect activities. As it is, our state is struggling to pay for constitutionally mandated programs.

There is little to be gained and much to be lost by going down this road. As we have previously noted, sales taxes are easily subsumed by the fact that they are paid in drips and drabs. This insulates the consequences for politicians because there is no dramatic immediacy to them and it softens the perceived pain.

In 1933 North Carolina Gov. J.C. Bulcher Ehringhaus called the sales tax "generally unsound." Commissioner of Revenue A. J. Maxwell called it "a tax on poverty." It is the hidden tax and is usually supported as an alternative to property tax increases that obviously, in dollar terms, disproportionately affect those with more property.

We now live in the highest-taxed state in the Southeast — with rather dire immediate fiscal prospects. As a solution we are offered the seizure of revenue originally required for other purposes in addition to higher sales and property taxes. Is this sensible policy? We think not.

SESSION LIMITS GO

Again, sensible reform is trashed

For two full sessions, the General Assembly has dissembled and bumbled its way through mediocrity and incompetence. Of course, that's just the last two sessions in a row. One could delve into the deeper recesses of North Carolina history and complement the derogation with more inestimable levels of failure. For now, we have enough on our plate to slake the palate. It makes one sad at the lack of achievement.

The good Lord knows that the politicians on Jones Street have served up more than a bit of rancid pork and viddles at the public trough than we might consume at one sitting. Perhaps that is just as well. And while it suggests more need than ever for session limits, the action of the House on Sept. 4 also points to the institutional inertia of our state legislature.

On that date, a year after the longest assembly in state history, our state elected officials — with a vested interest in their systemic duration — disallowed the people of North Carolina from consideration of a state constitutional amendment to limit the length of legislative sessions. The proposition was to limit sessions to 180 days in odd-numbered years and 90 in those even-numbered. In the extreme, any year's session could be extended by 20 days only once. As it is, the politicians, with their daily stipends and unjustified salaries, have decided that no limits are necessary. After all, such limits would impede both their power and their income.

We have suggested for many years that North Carolina should adopt the Virginia model of 60 days for long sessions and 30 days for short ones. As it is, the measure voted on the General Assembly would have offered a far less stringent limit. While we disagree with the particular calibration, we agree with both its final intention and direction. It remains three steps short of the ideal.

With the growing, and seemingly interminable, length of North Carolina's legislative sessions it is arguable that the quality of our legislators is declining. For two years in a row, legislative sessions have exceeded any constitutionally or deliberately respectable boundaries. As simply one state, regardless of our relative size, it is inexcusable that we must continually abide the political truncheon of institutional incompetence. Yet abide it we do. Through no fault but our own.

One question in the debate regards whether session limits would shift power away from the legislature and into the hands of the executive. Perhaps. And of this we should be aware. We now have a governor prone to overreaching.

Yet we should also be cognizant of the repeated failure of the legislature to adhere to its legal obligations with respect to fiscal-year obligations. At least as important as freezing the current balance of government powers is to ensure that our rights are respected, our tax dollars are wisely expended, and our public officials constrained to carry out only their constitutional responsibilities.

The bill for session limits needed a three-fifths majority to pass. It failed in the House on a 54-59 vote. Where to now?

As the nation trends toward limits on state legislative sessions, we yet engage the suffrage of even "conservatives" who disdain such limits. We offer roses and petals of acclamation to House Majority Leader Phil Baddour for his comment that "human nature says when we have goals, we organize and work toward the completion of those goals within the time allotted."

Ladies and gentlemen of the Assembly, your time has been allotted and although a budget at this writing has been passed, you failed to pass it on time. In school, even an A essay gets an F if handed in late. Session limits or no, you have earned an F. Let us, now, place some limits.

POOR NUMBERS

New measure needed to address poverty

Earlier this year, the release of poverty rates for North Carolina and for specific communities within our state caused many public officials and commentators across the political spectrum to weigh in.

Many on the left cited the fact that poverty rates, particularly for families with children, hadn't fallen during the past decade of economic growth as proof positive that

we needed higher minimum wages or more generous programs of public assistance.

On the right, many pointed to the same trend to show that past "investments" in government anti-poverty programs had manifested failed.

Before we can have a serious public policy debate about poverty, however, we must find a useful, factual place to start. Simply looking at official poverty rates doesn't suffice. The federal government's poverty measurement began decades ago as a proposed point of departure but has since solidified into a widely used but fundamental flawed indicator of real, long-term destitution.

The basic problem is that it measures the wrong thing.

If poverty is to mean something absolute — not relative, since some people will always earn more than others in a free society — then it must pertain to what people have and consume, not what they report as income. After all, there are huge incentives not to report income accurately to the taxman or to government offices that determine eligibility for welfare programs like TANF, Food Stamps, or Medicaid.

Simply substituting a measurement of consumption for income can have significant effects. A 2000 study by Dr. Daniel Slesnick of the University of Texas found that a consumption-based measurement reduced the poverty rate by about half.

Another study for the U.S. Bureau of Labor Statistics found that while the reported income of nonpoor families (\$55,000 on average in 1993) was more than six times the reported income of poor families (\$8,500), the multiple shrank to three-to-one when the measure was reported consumption of nonpoor families (\$37,000) vs. poor families (\$12,000).

The issues go beyond the propensity to report income. Lower-income families often receive non-cash benefits from governments (such as free health care or subsidized housing) and from their relatives (such as free child care). These don't show up in income data.

At the middle-income level, some families are measured as poor for a year due to a job loss or other economic emergency, and yet live a middle-class lifestyle by drawing down savings, borrowing against home equity, or seeking help from family and friends.

Income mobility matters

When considering North Carolina's recent experience with poverty, we must also remember that the composition of those in the bottom of the income scale isn't stable over time. Most people measured as having incomes in the lowest quintile in any given year will rise into the middle-class within 10 years. Others fall into the lowest quintile from the middle, some temporarily and others due to retirement.

In the latter case, their reported incomes will be low, but their living standards are often better than that because they have accumulated savings and other assets, including homes and cars they now own outright. Indeed, nearly half of households classified as "poor" own their own homes and more than two-thirds own cars.

In virtually no other country would such individuals, whatever their financial obligations, be called "poor."

The related quirk in North Carolina's poverty data is immigration. We have seen substantial increases in foreign-born residents; North Carolina had America's largest percentage gain in Hispanics during the 1990s.

Yes, their reported incomes may well be at or below the poverty level, but they have usually experienced a substantial improvement in their standard-of-living by moving to the U.S. Their presence is good news, at least for them, though it appears as bad news in the official poverty data.

Understanding poverty's causes

Lastly, poverty is rarely a random event that just happens to a person, like catching a disease. It is strongly correlated with personal choices.

Individuals who finish high school, wait until marriage to have children, and either work full-time or marry someone who does have very low rates of poverty, and virtually no chance of being chronically poor (that is, poor for more than a temporary period, say after a job loss or major illness).

We're not saying that people actively choose to be poor, of course, and many of these destructive decisions occur when individuals are young and immature. But addressing these destructive behaviors is clearly the key to solving the problem in the long run.

North Carolina does need a realistic and affordable strategy to improve economic opportunity for all of our citizens. But it must be based on an accurate picture of who is poor and why.

Wrong Direction on Judicial Elections

The 2002 session of the North Carolina General Assembly has tossed around a lot of horrible ideas. Some, like big tax increases, became law. Others, like a state-run lottery, did not. Having kicked up so much dust, lawmakers have managed to advance one of the worst ideas of the year while attracting little public attention.

The legislature has passed a bill that would provide public financing for judicial candidates through checkoff boxes on our income tax forms. Although this has the potential to set a destructive precedent — advocates of the bill clearly want the proposed voluntary system to become a more coercive system of taxpayer financing — the most objectionable part of the legislation would make the state's appellate court races nonpartisan.

The change is cloaked with exalted rhetoric about removing politics from the judicial system. Don't believe a word of it. The main purpose of the bill is to make judicial elections less competitive and to keep as few conservatives as possible from becoming judges.

Republican lawmakers furiously denounced the bill as partisan. In the past several election cycles, GOP candidates have made steady gains in appellate races — capturing the majority on the North Carolina Supreme Court in 1998 and expanding it to a 5-2 split in 2000. Democrats have viewed the decline and fall of their judicial supremacy with consternation, if not outright anger.

I have no doubt that partisan motivations are at work here. But it isn't the entire story. I suspect that the underlying issue is ideological. Simply put, liberal interest groups — including but not limited to trial lawyers — are increasingly concerned that conservative jurists will restore and reshape constitutional jurisprudence in our state.

Such fears are present across a variety of issues, from tax policy to the death penalty, but I'm betting that it was brought to a head by this year's redistricting litigation. Repeated decisions by the GOP-controlled Supreme Court not only turned back an attempted gerrymander but also signaled a willingness to enforce constitutional rules that have long been ignored. Can't have that. So now we have legislation that would strip the Republican label off the candidates, which appears to offer a modest advantage in lower-ballot races. Left with virtually no information with which to choose, many voters will not make a selection — thus magnifying the power of those who care passionately about judicial policy, to be found disproportionately among the aforementioned interest groups.

The bill would also impose spending limits on candidates who take the public financing — again heightening the importance of interest groups.

This is a good example of when a supposedly centrist "middle way" is the worst possible course to take. There happens to be a persuasive case against electing judges in the first place. I think that an appointive system, including either legislative confirmation or retention elections or both, is worth serious consideration.

Apparently, there is not enough of a constituency for this idea in the General Assembly. Perhaps they believe North Carolinians would resent losing their right to elect judges. But if we are not to have an appointive system, then we should stick with the current system. Statewide elections without party labels are pointless. They give the average voter virtually nothing to go on, except maybe, for some, a faint hint of name recognition.

Frankly, that is a far more objectionable basis than partisanship for selecting the judges that decide our state's most important legal issues. CJ

John Hood

Editorial Briefs

Study dismisses auto inspections

More than 60 million registered motor vehicles in 20 states are subject to mandatory periodic safety inspections. The economic argument for mandatory inspection relies on the idea that vehicle maintenance reduces the accident rate and therefore provides external benefits. However, a new study in the *Southern Economic Journal* suggests this is not the case.

The study finds that inspections do not significantly decrease the number of old cars on the road. Moreover, inspections do not significantly increase the amount of revenue that repair companies earn.

Putting these two observations together, the researchers conclude that inspections do not improve the quality of vehicles on the road. If inspections did improve quality, then either old cars would be pulled off the road because of safety failures or people would need to spend more money on repairing their automobiles. Since neither occurs, inspections fail to reach their goal.

The authors suggest that oversight of inspectors is weak. A *Washington Post* investigation found that in a recent year, about 600 out of 4,300 inspection stations in Virginia issued no rejection stickers.

Steel tariffs ripple through the economy

Many economists forecasted that serious economic dislocations would arise from the Bush administration's steel tariffs imposed in March. Now the proof is in. Steel prices have risen by 30 percent to 50 percent.

And at an aptly named hearing, "Unintended Consequences of Increased Steel Tariffs on American Manufacturers" before the House Small Business Committee, owners of small steel-using businesses outlined woes caused by the tariffs and the threats posed to their continued operations.

They reported they are unable to obtain the kinds of steel they need to manufacture their products.

The shortages are forcing them to lay off workers — many of whom, ironically, are members of the United Steelworkers of America.

They face steel price increases of up to 54 percent, meaning not only higher prices for American consumers, but also less-competitive prices overseas on the products they make for export.

Economist Laura Baughman testified that eight times as many jobs will be lost in steel-consuming businesses as may be saved among steel producers. She and Joseph Francois of the Consuming Industries Trade Action Association estimated that 5,000 to 9,000 steel industry jobs might be saved by the tariffs — but at a cost of about 36,000 to 74,000 other jobs.

They estimate the economic loss of each job saved in steel manufacture at more than \$400,000.

Housing bubble? Prices skyrocket

Investors and others are engaged in a spirited debate over whether the nation's housing market resembles a bubble about to burst. With stock equities tumbling, many Americans have chosen to put their money in real estate, adding to inflated home prices. Perhaps only time will tell if they have been right.

But there's no denying prices are soaring.

The National Association of Realtors reports that home prices rose nearly 30 percent on New York's Long Island during a recent 12-month period.

The increase was more than 21 percent in San Diego. Prices in Washington, D.C. jumped by nearly 21 percent over 12 months — to a median \$249,700.

Nationwide, median home prices rose 8.1 percent in the first quarter of this year, cooling to a 7.4 percent rise in the second quarter.

Despite the talk of price bubbles, most economists don't expect home prices to tumble as far or as fast as did stocks.

Instead, they predict, prices in the most expensive areas may simply stagnate, or slow to a more normal rate of appreciation. *CJ*

Beyond Mary Tyler Moore and the Roar

By DONNA MARTINEZ

Guest Contributor

When Minneapolis honored the fictional TV character Mary Richards recently, it took me back to growing up during the height of the feminist movement. I was a teen-ager in the mid-'70s and the "Mary Tyler Moore Show" was gospel to me.

Just like Mary

Mary Richards was my role model. She was smart, funny, and nice, the woman men wanted to take home to mom and the girl other women wanted as their best friend. But most importantly to me and the National Organization for Women crowd, she was the feminist poster girl for: a single woman who didn't need a man, a woman working in a business dominated by men, a woman who was making it after all. She may as well have had "The Time Is NOW, Ask Me How" tattooed on her forehead.

I loved Mary and wanted to be just like her. I couldn't imagine how any woman could be satisfied with doing anything other than having a career. Staying at home watching kids? How boring, how unsophisticated.

Every woman's magazine told me I was right to pursue a career instead of marriage and family. Women who didn't make the right "choice" were made fun of, criticized, and snickered at. I bought the whole story and was convinced I was oppressed because I was female. End of discussion.

So, like millions of other women, I launched into my first professional job thinking my life would be an episode of "Mary Tyler Moore." I was ready to claim victory and eagerly awaited my first day of clever office banter and delightfully eccentric co-workers.

But instead of victory, I got my first battlefield scars.

My boss was as grizzled as Lou Grant, but more like Sue Ann Nivens: witty with an uncanny ability to leave me feeling insulted. Soon I realized work wasn't going to be anything like the WJM newsroom.

And I was always tired. Work was hard work. Mary always seemed to be having fun or involved in some wacky situation. After a day at my office, I was too exhausted to share laughs and ice cream with a quirky girlfriend up-

stairs.

There was one aspect of life I shared with my role model. Getting a date was next to impossible and my girlfriends and I commiserated endlessly over margaritas. We were smart, attractive, and available. What in the world was wrong with these guys, we asked, growing more and more convinced they were idiots.

Silencing the roar

It was years before I realized the guys weren't the problem. It was us, the Mary Richards wannabes, who put every prospective date through a prickly and defensive "I Am Woman Hear Me Roar" routine. Looking back, I wouldn't have asked me out, either. A day at the dentist was more fun.

Within a few months I was ready for a vacation and wondering when the heck my happy-go-lucky life as a single career woman was going to kick in.

Thankfully it did, and slowly but surely I moved beyond the I Am Woman mantra as I got more comfortable with me and less defined by Mary. I liked the new me and, to my surprise, so did other people, including men. They seemed less like idiots and more like nice guys who had good things to offer.

Marriage and a happy life

Before long I met the man who changed my life. I became a step-mom to a teen-ager and now a grandmother as well. Marrying was the best choice I ever made, even though Mary and the NOW gang would have considered it much too traditional. Now I stay at home managing our household, volunteer for causes

I believe in, and soon will begin a job I once thought I would never undertake: substitute teacher.

Looking back I wish I could apologize to the women I dismissed because they didn't buy into the feminist doctrine. They were much smarter than the '70s elite and certainly much smarter than me. They realized that happiness comes from choosing the path you want, regardless of conventional wisdom. I chose what's right for me. To my surprise and delight, I'm not Mary Richards. I'm June Cleaver.

I bake cookies, hear me roar. *CJ*

Donna
Martinez

Should the Government Tell Us How Much Water to Use?

By MICHAEL L. WALDEN

Contributing Editor

The four-year drought in North Carolina has reduced water supplies in most communities. Local governments have dealt with this situation by rationing water usage through various kinds of restrictions, such as limits on daily watering and banning of sprinkler and irrigation watering.

But such rationing by government edict is not the only way to reduce water usage. Another way is the system that's used to ration virtually every product and service in our economy. It's called the price system. Let's contrast the two methods.

Does government know best?

Government-dictated rationing has often been used during economic crises. In World War II, certain foods, gasoline, and other commodities were rationed. Households were required to present government-issued coupons to purchase rationed products. In the gas shortage of the 1970s, the government rationed gasoline by limiting the days on which motorists could buy gasoline.

One of the appeals of rationing is it is viewed as "fair." Everyone supposedly shares equally in reduced consumption. The rich can't "buy their way out" of reduced consumption and use the scarce products for "nonessential" uses while the poor have trouble obtaining enough of the commodity for "essential" uses.

Yet there are several problems with rationing. To be effective, it must be enforced, and this means government expenditures for enforcement. Enforcement includes surveillance, documentation of cheating, and punishments for infractions. Many households may have issues with this level of government intrusion into their daily lives.

But more fundamentally, rationing assumes the government knows the value each consumer places on the rationed commodity. For example, rationing assumes the government knows the value John Doe puts on using a gallon of water in bathing versus using a gallon of water in irrigating a vegetable garden, and, furthermore, the government knows the value John Doe puts on these uses versus the value Sally Smith does. In short, rationing requires government micromanagement of the rationed commodity's uses.

There is another way. It's to allow the price of the product to reflect its scarcity, and then let each consumer decide how much to use of the product, and in what ways.

RALEIGH



Fairness of the price system

Sound familiar? It should, because this is how our economy operates most of the time. In our economic system, price is used to ration the supply of products. There is a limited supply of every product and unlimited uses for them. The price of the product communicates the relative scarcity of it to consumers. Higher prices indicate greater scarcity and motivate consumers to use the product more frugally.

Additionally, a major advantage of the price system is it allows each consumer to individually decide how much to change consumption when price changes.

There is no "one size fits all" as there is with rationing by government edict. Consumers who place more value on a product will reduce consumption less when the product's price rises than consumers who don't value the product as much. Under the price system, consumption is allocated to those who most value the product.

So drought managers have two alternative approaches to dealing with scarcer water supplies: a rationing system micromanaged by the government, or the price system in which consumers voluntarily change usage in line with changes in prices. I recommend the price system, and here's why.

First, the price system allows consumers free to decide how and how much to reduce water consumption when

water becomes scarcer. When droughts occur, water systems will increase price enough to reduce aggregate consumption to the desired level. Each consumer, however, decides how to do this, deciding what water uses are most and least important to her.

Second, higher prices for any increasingly scarce commodity ultimately motivate producers to supply more of the commodity. In the case of water, this can occur in two ways. Water can be transported and stored, so higher water prices will motivate enterprising business people to deliver more water to our state. Water trucks transporting out-of-state water to storage drums and facilities in North Carolina could become a common sight in drought years.

Also, higher water prices paid to public water systems could provide funds for construction of new water reservoirs.

Balancing the needs of consumers

There is one potential problem with using the price system when water becomes scarcer. Critics will claim poorer households won't be able to afford the higher water prices, while richer households can.

This is the classic tradeoff between efficiency (higher prices encourage frugal use when increased scarcity occurs) and equity (those with more resources can always afford greater consumption). It can be addressed by using some of the proceeds from higher water revenues to public systems to supplement the income of low-income households, perhaps through the provision of "water stamps."

Water is usually so plentiful that we forget it is a scarce resource in our economy. Rather than going down the complex road of having government try to decide who can use water for what, and how much, during times of increased

scarcity, we can use a simple method that is already in place — the price system.

Some will say water is too important to allow price to dictate its use.

I say just the opposite — the importance of water means price must be used to guide its use. *CJ*

Another way is the system that's used to ration virtually every product and service in our economy. It's the price system.

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

Bowles Blowing Smoke Over Social Security 'Trust Fund'

By DR. ROY CORDATO

Contributing Editor

It appears that proposals to reform Social Security are and will continue to be an important part of this year's campaign for U.S. Senate between Erskine Bowles and Elizabeth Dole. Unfortunately, this is an easy issue for demagoguery and misrepresentation.

North Carolina Democrats have been taking full advantage of this. They are claiming in television and radio ads that proposals, supported by Dole, to allow individuals to keep part of their withholding taxes and invest the money for their own retirement, will drain the Social Security "trust fund" of \$1 trillion. The big lie in this ad stems from the fact that there is no trust fund, there never was a trust fund, and there never will be a trust fund. In this instance the term "trust fund" is nothing more than a euphemism for a bundle of IOUs from the U.S. Treasury that are being held by the Social Security system.

Currently, Social Security is taking in more than \$160 billion more in taxes each year than it is paying out in benefits. The surplus is expected to rise to more than \$300 billion by 2011. The image that is portrayed is that this extra money is being put aside into a "lock box." In the year 2016, when Baby Boomers begin to retire and payments into the system are not enough to pay these future retirees, the lock box will be opened and the trust fund will be tapped. The

RALEIGH



Dr. Roy Cordato

fact is that nothing is further from the truth. All future retirees, no matter how much is in the so-called trust fund, will be paid out of the tax base at the time the benefits are doled out.

In order to see this we must follow the money. When the Social Security system collects revenues in excess of its obligations to recipients it is required by law to purchase U.S. Treasury bonds with the extra funds. In other words, the money is loaned to the Treasury and used for spending on other government programs. It is never actually set aside. In return, the Social Security system gets a note, that is an IOU. Every excess

dollar ever collected by Social Security has been transformed into a dollar's worth of IOUs.

By the year 2016 the Social Security system will hold more than \$5 trillion in IOUs from the U.S. Treasury.

Here come the Baby Boomers

Here's the rub. When Baby Boomers begin to retire they will want cash — not IOUs — for their retirement benefits. This means that the Social Security system will have to go to the Treasury and cash in the IOUs. And where will the Treasury get the money to pay off these trillions of dollars in obligations? That's right, from our children, who

will have to pay higher taxes. What politicians are fraudulently calling the Social Security trust fund is nothing more than a bundle of claims on future taxpayers. The way the system is set up, every dollar that is paid out must come out of taxes that are paid at that time. There is no other way it can work.

The big lie in this ad stems from ... there is no trust fund, there never was a trust fund, and there never will be a trust fund.

What this means for current proposals to "privatize" a portion of Social Security is that, since there is no real trust fund, there would be no negative impact on the government's ability to pay future recipients out of revenues from the fund. The money that people would be allowed to keep and invest for themselves would come out of today's excess funds and not funds that are being paid to current recipients. This means that there would be a reduction in the amount

of money the Social Security system lends to the Treasury and would therefore reduce the dollar value of the IOUs held by the system. Since the returns on these private investments will reduce the future obligations of Social Security they would have the happy effect of reducing the tax burden on our children.

If the only way the Democrats can counter proposals that would give citizens ownership rights to their retirement funds is to lie about how the Social Security system works, then the Bowles campaign must be in much worse shape than anyone is letting on.

Roy Cordato is vice president for research and resident scholar at the John Locke Foundation.

No Sniggering Allowed at the P.O. Types

Shades of '1984': Teacher falls victim to tripwire when she uses an 'N' word in her fourth-grade classroom

By JON SANDERS
Assistant Editor

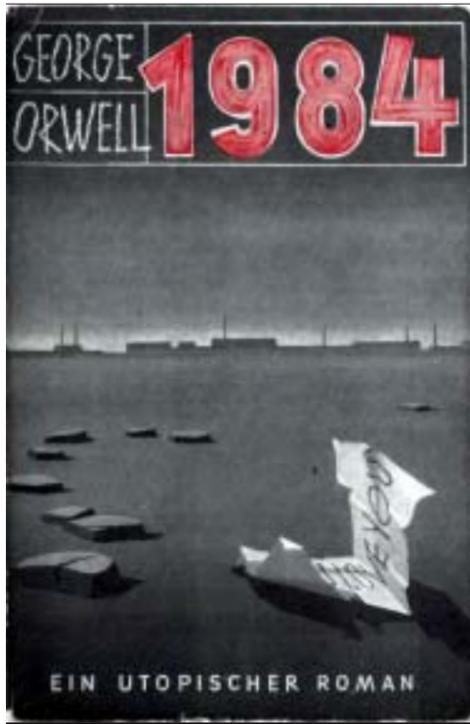
RALEIGH

Poor Stephanie Bell. Unwittingly she ran afoul of the Perennially Offended types (P.O.s) when she used the word "niggardly" in her fourth-grade classroom. It'll be scant comfort for her, but she isn't the first person, not even the first teacher, to set off this niggling little tripwire.

David Howard, a white aide to Washington Mayor Anthony A. Williams, said the sounds-like-the-N-word in 1999, and the mayor asked for his resignation. He was later reinstated. Also in 1999, a black student at the University of Wisconsin accused her professor, Standish Henning, of racial insensitivity for describing a character in *The Canterbury Tales* as "niggardly," brushing aside Henning's explanation that the word was valid. Henning further infuriated her the following class session by discussing the meaning of language.

Tip-toe around offensive words

It is clear from these instances that Americans aren't aware enough of all the potentially offensive terms out there. Our language is too diverse. The P.O.'s are listening to every word we say, and they're apparently hard of hearing, so it's best to avoid words that even sound like offensive words. Whether the term is offensive or simply similar to an offensive term is of no



consequence — offending someone is the vice of the day, and once you explode that mine, no matter your intentions, you must bear the scars. Ask Stephanie Bell.

The problem for those of us, like Bell, not accustomed to walking the verbal minefield is, how does one know what not to say? We are facing a dilemma previously imagined only in fiction, and that is how

speakers of a shrinking language are to forget words. We face the paradox of having to remember an ever-growing list of forbidden words we mustn't know.

It was a dilemma Winston Smith, the writer-protagonist in George Orwell's *Nineteen Eighty-Four*, faced with the imposition of Newspeak by his government, Ingsoc. A conversation Winston had with Syme, the Ingsoc lexicographer in charge of "a beautiful thing, the destruction of words," illustrated the difficulty.

"You haven't a real appreciation of Newspeak, Winston," Syme told him. "Even when you write it you're still thinking in Oldspeak." Why that was a problem, of course, was that Newspeak sought "to narrow the range of thought," to "make thought-crime literally impossible, because there will be no words in which to express it."

But words are hard to eliminate, as Winston and even Syme demonstrated. At the time, Syme was meticulously destroying adjectives, all the while stubbornly clinging to them in conversation.

Syme ironically called his work "fascinating," a word choice that signaled to Winston that Syme himself would one day be vaporized.

At least Ingsoc had an official dictio-

nary of acceptable terms. No one has yet compiled a list of acceptable terms remaining in our language. But as Syme said, "The Revolution will be complete when the language is perfect." At this stage in our sensitivity progression, perhaps we could help the perfection of our language by compiling terms that are primed to become unacceptable.

So it is in the interest of furthering diversity by limiting discourse—and not, I stress, of being gratuitously offensive—that I offer this partial list of words that might be offensive to the P.O.'s: niggling, negligee, negligent, neglect, negate, nagger, knickers, nickel, neckerchief, snigger,

It is clear from these instances that Americans aren't aware enough of all the potentially offensive terms out there.

snicker, query, quarry, choir, flag, fad, fang, fragment, homeowner, hominy, homogenize, dike, thespian, lexicon, Lebanese, batch, pitch, kite, kick, speak, speck, engine, wobble.

This is only a start. More submissions are sorely needed, for the sake of all our feelings. Nevertheless, now that you've learned these words not to say, you must unlearn them.

Ignorance is strength. Remembrance is forgetting. Or, in Syme's words: "Orthodoxy means not thinking — not needing to think. Orthodoxy is unconsciousness." *— CJ*



Host Tom Campbell Chris Fitzsimon Barry Saunders John Hood

Whether it's politics, education, taxes, growth, or the legislature, the issues that affect North Carolina are important to you, so...

Get the correct spin on NC SPIN!

THE NC SPIN NETWORK

Every week, hundreds of thousands of North Carolinians watch NC SPIN for a full, all-points discussion of issues important to the state. Politics. Education. Growth. Taxes. Transportation.

A recent poll showed 48% of North Carolina 'influentials' — including elected officials, lobbyists, journalists, and business leaders — watch NC SPIN, with 24% saying they watched the show 'nearly every week.'

NC SPIN has been called 'the most intelligent half-hour on North Carolina TV' and is considered required viewing for anyone interested in state and local politics and public policy issues.

If your organization has a message for CEOs or government and education leaders, NC SPIN's statewide network is the place for you to be! Call Rudy Partin (919/696-3599) for advertising information.

- WLOS-TV ABC Asheville **Sundays 6am**
- WWWB-TV WB55 Charlotte **Sundays Midnight**
- WJZY-TV UPN46 Charlotte **Sundays 6:30am**
- WRAZ-TV FOX50 Raleigh-Durham **Sundays 8:30am**
- WRAL-TV CBS 5 Raleigh-Durham **Sundays Midnight**
- WILM-TV CBS Wilmington **Sundays 6:30am**
- WXII-TV NBC Winston-Salem **Sundays 11am**
- Cable-7 Indep. Greenville **Sundays 7am**
- Mountain News Network Boone **Fridays 8pm**
- Tuesdays 6:30pm**
- Saturdays 9am**
- Sundays 9:30am**
- Mondays 7pm**