

# grassroots editor



*A journal  
for newspeople*

**Published by the  
International Society  
of Weekly Newspaper Editors**

## 2002 Golden Quill & Golden Dozen Awards



Editorial skills and courage exemplified by winners  
of the ISWNE contest

**and the**

## **The 27th Annual Gene Cervi Award**

**volume 43, no. 2 • summer 2002**

# grassroots editor



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International Society  
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# 2002 Golden Quill Contest

Like father, like son.  
Paul MacNeill, publisher of *The Eastern Graphic* in Montague, Prince Edward Island, and president of Island Press Ltd., is the 2002 Golden Quill winner. His late father, Jim MacNeill, won the prestigious award in 1994. The Golden Quill recognizes North America's best non-daily opinion writing.

Paul MacNeill grew up in the weekly newspaper industry. As a child he delivered copies of *The Eastern Graphic*. Later he worked various jobs at the family-owned operation and ultimately became a reporter after receiving his education at Holland College in Charlottetown, PEI. For seven years he worked for *The Halifax Herald* and became the first reporter in the paper's more than 150-year history to earn a National Newspaper Award nomination for enterprise reporting.

In 1996 he returned to PEI to work with his father and assumed the role of publisher of the company's four papers following Jim MacNeill's death in 1998. He has won numerous regional and national awards for his reporting and editorial writing. For the past four years he has been named a member of ISWNE's Golden Dozen. He is the current president of the Atlantic Community Newspapers Association and a member of the board of directors of the Canadian Community Newspapers Association. He is married to Jeanne and has two daughters, Erin and Katie.

The 2002 Golden Quill was presented to MacNeill on June 28 at the International Society of Weekly Newspaper Editors' summer conference at Missouri Southern State College in Joplin.

ISWNE received 113 Golden Quill entries this year. The 12 best are gathered together as the Golden Dozen. The summer issue of *Grassroots Editor* traditionally contains these editorials along with comments from the judge. It is an opportunity to see the quality of commentary in the weekly press.

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# Golden Quill Winners

1961-2002

- 1961 Hal De Cell**  
*Deer Creek Pilot*, Rolling Fork, Miss.
- 1962 Don Pease**  
*Oberlin (Ohio) News Tribune*
- 1963 Hazel Brannon Smith**  
*Lexington (Miss.) Advertiser*
- 1964 Mrs. R.M.B. Hicks**  
*Dallas (Pa.) Post*
- 1965 Robert E. Fisher**  
*Crossett (Ark.) News Observer*
- 1966 Owen J. McNamara**  
*Brookline (Mass.) Chronicle-Citizen*
- 1967 Alvin J. Remmenga**  
*Cloverdale (Calif.) Reveille*
- 1968 Henry H. Null IV**  
*The Abington Journal*, Clarks Summit, Pa.
- 1969 Dan Hicks Jr.**  
*Monroe County Democrat*, Madisonville, Tenn.
- 1970 Richard Taylor**  
*Kennett News & Advertiser*,  
Kennett Square, Pa.
- 1971 Edward DeCourcy**  
*Newport (N.H.) Argus Champion*
- 1972 C. Peter Jorgenson**  
*The Advocate*, Arlington, Mass.
- 1973 Robert Estabrook**  
*Lakeville (Conn.) Journal*
- 1974 Phil McLaughlin**  
*The Miami Republican*, Paola, Kan.
- 1975 Betsy Cox**  
*The Madison County Newsweek*,  
Richmond, Ky.
- 1976 Peter Bodley**  
*Coon Rapids Herald*, Anoka, Minn.
- 1977 Rodney A. Smith**  
*Gretna (Va.) Gazette*
- 1978 Robert Estabrook**  
*Lakeville (Conn.) Journal*
- 1979 R. W. van de Velde**  
*The Valley Voice*, Middlebury, Vt.
- 1980 Garrett Ray**  
*Independent Newspapers*, Littleton, Colo.
- 1981 Janelou Buck**  
*Sebring (Fla.) News*
- 1982 Albert Scardino**  
*The Georgia Gazette*, Savannah, Ga.
- 1983 Francis C. Zanger**  
*Bellows Falls (Vt.) News-Review*
- 1984 John McCall**  
*The SandPaper*, Ocean City, N.J.
- 1985 William F. Schanen III**  
*Ozaukee Press*, Port Washington, Wis.
- 1986 Henry G. Gay**  
*Shelton-Mason County Journal*,  
Shelton, Wash.
- 1987 Ellen L. Albanese**  
*The Country Gazette*, Franklin, Mass.
- 1988 Michael G. Lacey**  
*The New Times*, Phoenix, Ariz.
- 1989 Tim Redmond**  
*Bay Guardian*, San Francisco, Calif.
- 1990 Bill Lueders**  
*Isthmus*, Madison, Wis.
- 1991 Stuart Taylor Jr.**  
*Legal Times*, Washington, D.C.
- 1992 Hope Aldrich**  
*The Santa Fe (N.M.) Reporter*
- 1993 Michael D. Myers**  
*Granite City (Ill.) Press-Record*
- 1994 Jim MacNeill**  
*The Eastern Graphic*, Montague, PEI, Canada
- 1995 Brian J. Hunhoff**  
*The Missouri Valley Observer*, Yankton, S.D.
- 1996 Patricia Calhoun**  
*Denver Westword*, Denver, Colo.
- 1997 Tim Giago**  
*Indian Country Today*, Rapid City, S.D.
- 1998 Gary Sosniecki**  
*Webster County Citizen*, Seymour, Mo.
- 1999 Jeff McMahan**  
*New Times*, San Luis Obispo, Calif.
- 2000 Jeff McMahan**  
*New Times*, San Luis Obispo, Calif.
- 2001 William F. Schanen III**  
*Ozaukee Press*, Port Washington, Wis.
- 2002 Paul MacNeill**  
*The Eastern Graphic*, Montague, PEI, Canada

# The Judge's Comments

By **Kenneth Starck**  
University of Iowa

Playwright Arthur Miller once said a good newspaper is a community talking to itself. This won't come as a surprise to the editorial writers who submitted entries in this year's Golden Quill competition. They talk to their communities. Importantly, they also listen. While this active sharing and exchanging of opinions often highlights community differences, the conversation inevitably forges stronger, more resilient communities.

A good editorial page focuses on opinions. It shares and exchanges opinions as only a community newspaper can. This hasn't always been the case. Editorials and editorial pages have only been around since the 1850s, according to journalism historian Frank Luther Mott. "Editors in the smaller towns," he wrote in *American Journalism* (rev. ed., 1950, p. 296), "were just as definitely expected to discuss national politics at length as the preachers were to expound on eternal punishment; it was a function of their calling."

"A function of their calling."

ISWNE's 2002 Golden Quill entries affirm that community newspapers, as champions of neighborly and thoughtful discourse, are fulfilling that function and not limiting themselves to national politics. In today's communities, issues abound. Government. Schools and education. Health. Sports. Terrorism.

And much more.

While weather may be the main topic of chit chat along many main streets, government clearly takes the spotlight on the opinion pages of ISWNE-member newspapers. Editorials primarily emphasizing some aspect of government — city, county, state, etc. — accounted for 30 (or 27 percent) of the total 113 entries.

Further, of this year's 113 entries, 19 (or 17 percent) dealt primarily with schools and education. Collapsing editorials focusing primarily on schools/education into the "government" category yielded nearly half of the entries — 49, or 43 percent. The terrorist attacks of Sept. 11 produced 16 editorials, or 14 percent of the total.

These numbers and percentages, by the way, can't be very precise because topics often cross categories. After making the tabulations above, I decided to check to see how many of the final dozen I chose focused on government. The number was eight. There could have been more. In fact, given the quality of the work, I was tempted to make it at least a baker's dozen.

In the interests of full disclosure, here's how I went about the task of deciding on the Golden Dozen. I began with the criteria provided by the ISWNE office: "Entries should reflect the purpose of the ISWNE: Encouraging the writing of editorials that identify issues that are or should be of concern to the community, offer an opinion, and support a course of

action." On that basis and after an initial reading, I wound up with about 80. At that rate, I thought, I might finish the judging by the time of the 2003 ISWNE conference.

Back to the drawing board.

I decided to flesh out the criteria: In addition to dealing with topics of local significance and containing a clearly stated opinion and course of action, prize-winning editorials should exhibit elements of clear organization, writing and research and display originality in topic selection and in the writing. One more element came into play: Courage. Since we often deal with unpopular causes, courage of conviction has to be a consideration.

Another read through. The number of survivors began shrinking. Another read through. Again, fewer survivors. A read through again. The number now is down to 22. Process repeated. Voila. There are now 14. A week passes. I decide to review all 113 entries. Two re-emerge from the discarded stack. Two drop from among the 14. So I'm still left with 14 finalists. How about stretching that baker's dozen!

I enlist an outside reader who reads the editorials in question. In competition that parallels the tenths and hundredths of seconds separating Olympians, the Golden Dozen emerged. Early on there was little doubt about the selection for the Golden Quill.

A final thought: There are many more winners among the communities where the 113 entries came from than are reflected in these Golden Dozen.

## About the Judge

Kenneth Starck cut his journalistic teeth on *The Windsor* (Colo.) *Beacon* around the time glaciers helped sculpt those Rocky Mountains outlined in *The Beacon's* nameplate. Actually it was when the Macy family operated the newspaper and where Starck got his first page one byline as a high school student. (Blair Macy in 1976 received the first Eugene Cervi Award.)

Starck went on to become a reporter for the *Decatur* (Ill.) *Review* and *The Memphis* (Tenn.) *Commercial Appeal*, along the way picking up academic degrees from Wartburg College and the University of Missouri. In the late 1960s he joined Long's Legions (that's Howard Rusk Long, founder of ISWNE) at Southern Illinois University (SIU), altering his career path forever. After getting a Ph.D., he taught at SIU, later moving to the University of South Carolina and then the University of Iowa where, after 17 years as director of the school, he now teaches courses in journalistic reporting and intercultural journalism.

In the ISWNE tradition, Starck has a keen interest in

journalism that transcends national borders. He has held Fulbright professorships in Romania and China and three years ago taught a seminar at the University of Dortmund, Germany. He also taught a year in Finland and has lectured in Japan, Iceland, Canada, Ukraine, Great Britain, Hong Kong, Korea, Norway, Sweden, Denmark and Australia. He is author of *The Dragon's Pupils: A China Odyssey*, co-author of several other books and has published in many academic and professional periodicals.

Starck is past president of the Association for Education in Journalism and Mass Communication and the Association of Schools of Journalism and Mass Communication. Two years ago the Iowa Newspaper Association recognized him for Distinguished Service to Newspapers.

In February 1997 he returned to the newsroom on a consulting basis as news ombudsman for the *Cedar Rapids* (Iowa) *Gazette Company*.



**Kenneth Starck**

# Golden Quill Winner



**Paul MacNeill**

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**June 20, 2001**

## Are Gordon Campbell's robes tainted?

**T**he appointment of Gordon Campbell to the PEI Supreme Court is a mockery to the judicial system he now serves.

The Charlottetown lawyer, who boasts impeccable Liberal pedigree, was appointed to the prestigious position last week by the federal Liberal government. But before he hears even one case, Justice Campbell's robes are tainted.

The question that must be asked is: Does Campbell's past actions render him unfit for the job?

Don't take my word for it. Take the word of justices of the Supreme Court of Canada — the highest, most respected court in the country. The week before Campbell's appointment, the court issued a ruling that although not directly related, is relevant to Campbell's appointment.

In a strongly worded 7-0 decision, the Supreme Court ruled the government of Quebec had the right to fire a judge for lying on his judicial application. As a young law student, Judge Richard Therrien was convicted of helping to hide four FLQ supporters. He served one year in prison and in 1987 received a pardon, effectively wiping the conviction from his record.

He applied for a judicial appointment on five occasions. Initially he admitted the conviction when asked: "have you been in trouble with the law?" All were rejected. On a subsequent application he made no mention of either the conviction or the pardon. His application was accepted and he was appointed a judge.

The Supreme Court ruled the Quebec government had the right to fire Therrien for not including his conviction and pardon information on his successful application.

To be fair to Gordon Campbell, we don't know how he answered the "have you been in trouble with the law" type question. A request of both him and the federal justice department to release his judicial application has gone unanswered.

The Supreme Court, however, went further than simply deciding whether the Quebec government has the right to fire a judge. The court spoke strongly about the need for judges to conduct themselves in a "virtually unapproachable" manner — including before accepting a judgeship.

"What is demanded of the (judge) is something far above what is demanded of their own fellow citizens," Justice Gonthier wrote in his decision. "The judge is in 'a place apart' in our society and must conform to the demands of this exceptional status ... The public will therefore demand virtually irreproachable conduct from anyone performing a judicial function."

He went on to add. "...Judges also play a fundamental role in the eyes of the external observer of the judicial system. The judge is the pillar of our entire justice system, and the rights and freedoms which that system is designed to promote and protect. Thus, to the public, judges not only swear by taking their oath to serve the ideals of Justice and Truth on which the rule of law in

Canada and the foundations of our democracy are built, but they are asked to embody them."

How is this relevant to Gordon Campbell? Well remember his history.

Gordon Campbell is a Liberal operative, past president of the PEI Liberal Party, legal defender of the Prime Minister in the pie-throwing incident of last summer and the primary beneficiary of a highly criticized court ruling.

In 1993 Gordon Campbell was the subject of a CBC story that alleged he used his connections within the then Liberal government to obtain work for a woman who had previously worked at his law firm. She was given a provincial government job even though the government was cutting back, not hiring at the time.

When the story aired, Campbell was enraged. He went to the CBC studio and punched producer Geoff Hussey in the face. He was charged and pleaded guilty to assault.

Justice Gerald Fitzgerald, who heard the case, granted Campbell an absolute discharge — meaning Campbell's record would not be blotted by the assault. He continued his legal career with minimal interruption.

The ruling outraged many Islanders who perceived it as proof that there are two tiers of justice on PEI — one for those with connections and one for everyone else. In the year following the Campbell ruling, Island judges did not grant any absolute discharges for assault convictions.

Given the benefit of hindsight, it can be argued the absolute discharge was a good ruling. There have been no other incidents. Campbell's been an active and energetic member of the community, including in many non-political activities. That still does not make him worthy of a seat on the PEI Supreme Court, Trial Division.

Islanders still recognize him as the "lawyer who slugged the guy at CBC."

The bottom line legacy of Campbell's punch is he received a sentence few Islanders receive. Now he's in the position of having to render punishment.

What will Campbell do when similar assault cases appear before him? Will he throw the book or will he offer the same type of soft-landing sentencing that he himself received. Either way virtually any assault related decision of Justice Gordon Campbell is open for valid, public criticism.

That's not what Islanders demand of Supreme Court judges. Nor is it what members of Canada's Supreme Court contend should be the image of members of the judiciary. In its written decision the Supreme Court wrote past criminal convictions might be relevant because of the unique position in society held by judges.

Wrote Justice Gonthier: "The personal qualities, conduct and image that a judge projects affect those of the judicial system as a whole and, therefore, the confidence that the public places in it."

Given Gordon Campbell's history, it's impossible for him to meet those high expectations.

**FROM THE JUDGE**

A punch to the face of a broadcast producer wound up bruising a Canadian judge and bringing this editorial to the top of the 2002 Golden Dozen class.

This is an extraordinary editorial that yielded an extraordinary outcome. In a way, two editorials encompass this entry, though either would stand on its own merits as the Golden Quill recipient. The editorial reprinted here

utilized investigative methods, including computer-assisted research, to present an argument as to why lawyer

Campbell should not have been appointed to the Prince Edward Island Supreme Court. By usual standards, it is a lengthy editorial (some 1,100 words). It certainly is a complex topic. Nonetheless, the logistics of laying out the material — organization, writing, clarity — is next to flawless. The appointment is a

“mockery,” we read in the first paragraph. Next come details of another similar case offering a powerful rationale for questioning this appointment.

Then we read the particulars of the case against Campbell’s appointment, namely, he got preferential treatment from a judiciary he is expected to serve. The editorial concludes that Campbell simply cannot meet the high expectations of the judicial system, as determined by the judiciary itself.

It’s a gripping tale. Not only did it require a lot of time and effort, the editorial took courage. But there’s more.

Judge Campbell responded. Unprecedentedly and voluntarily, he released to the newspaper part of his confidential 13-page application for the judiciary. A subsequent editorial recounting this event commends Campbell for the disclosure and concludes that for now at least Campbell “has earned the benefit of the doubt.”

## *An explanation from the winner*

**T**he genesis of this column started about a week before Gordon Campbell’s judicial appointment when a brief report on the Supreme Court of Canada’s Therrien decision appeared in our provincial daily paper.

I took little notice of the decision until days later when Campbell was appointed to the PEI Supreme Court. To my amazement Island media made no mention of Campbell’s own run-in with the law eight years before.

I was outraged the media failed to mention that our newest justice had received an almost unheard of absolute discharge for assault. Campbell’s appointment demanded comment. That is when I remembered the Therrien ruling, which transformed my column from a rant to something more substantive.

Thanks to the Internet I obtained a copy of the 47-page ruling and was amazed at the strong language the Supreme Court of Canada used to describe its vision of judicial integrity. While the ruling did not deal directly with Campbell’s appointment, the parallels were significant.

All attempts to interview Campbell or federal officials involved in his appointment were rebuffed. The first column was published. While friends within the legal community tell me it caused a minor furor, it had no impact on Island media. When Campbell was officially sworn in, a second round of positive stories were aired and published that again failed to make any reference to either Therrien or Campbell’s well-documented previous legal problems.

I was determined to write another column and proceeded to contact as many of the players involved as

possible. I called officials in Ottawa. I contacted members of the local committee that vetted Campbell’s application. I called the provincial Attorney General and several justices including the Chief Justice of the PEI Supreme Court.

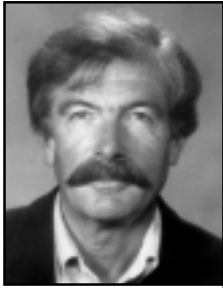
When calls weren’t returned, I phoned again. Those who did take my calls referred me elsewhere. Others simply refused to talk to me. However, I believe I made myself a big enough pest that Gordon Campbell was forced by his peers to deal with the issues I was raising.

On the Friday before publication I was driving 30 miles to Charlottetown for a meeting when my cell phone — which is rarely turned on — rang. “Mr MacNeill, Justice Campbell is mailing a letter to you this afternoon,” the secretary said. “Can he fax it. I don’t want to rely on Canada Post,” I said.

I cancelled my meeting and headed back to the office. Waiting for me was the letter from Justice Gordon Campbell. It included a portion of his private application for the judiciary showing he did disclose his previous brush with the law. I was stunned, not because he disclosed his background, but because he voluntarily released that information to me.

Immediately I knew I could no longer write what I had first anticipated — a piece highly critical of the silent acceptance of Campbell’s appointment. With one simple disclosure Gordon Campbell had gone a long way toward meeting the spirit of the Therrien decision. That disclosure deserved to be recognized. The second column was published.

As a result our readers received information available nowhere else and Justice Campbell removed a question mark from his appointment. Not a bad result, eh!



**William F. Schanen III**

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**December 13, 2001**

**FROM THE JUDGE**

**I think that I shall never see  
An editorial lovely as a tree ...  
Editorials are made by  
fools like us,  
But only God can make a tree.  
— with apologies to  
Joyce Kilmer**

**The author of this editorial didn't plant a tree, but the author did plant an idea, an important idea, namely, that the city should take better care of its old trees. This is an ordinary topic — saving trees — yet conceived in such an original way that it merited a spot among the Golden Dozen. True, the author doesn't really go out on a limb — ugh, delete that — but then the topic branches out — that's enough of that — into several directions. The editorial compares the case of a tree slayer in Milwaukee to the felling of a healthy, 3-foot-thick, silver maple at a local school. In Milwaukee, the fellow wanted a better view of Lake Michigan. In Port Washington, the maple came down so a fence could go up. The editorial makes its point clearly, dispassionately and interestingly.**

# The Hill School maple

*The city should do more to care for its mature trees — including letting these stately old-timers live*

**I**n Milwaukee, a fellow who chopped down trees on public property to improve the view of Lake Michigan from his home is facing charges. There is no question that he did the ugly deed, but he's basing his defense on the claim that an ancient document guarantees his view and gives him the right to kill the people's trees, and he just might get off. If he doesn't, we hope a tree-loving judge throws the book at him.

In Port Washington, no charges have been filed against city officials who ordered the felling of a beautiful silver maple tree in Hill School Park last week. That's because the city had every legal right to do it. The tree was on city property; it was quite old, and there was a suspicion that it was getting sick. Besides, there was talk that it would interfere in some way with a decorative fence being built around the park.

A cursory post mortem revealed that the tree was pretty healthy. Its 3-foot diameter trunk was sound and solid. There was some decay in its upper branches (which should have been pruned long ago) and some question about the long-term prospects of its root system, which had migrated under sidewalk and street. Nevertheless, indications were that the tree would have lived many years more had it not had its unfortunate encounter with a public works department chain saw.

Regret over this tree should not be written off as the sort of arboreal sentimentality that ignores the reality that some trees just have to go. This tree didn't, and its loss is nothing less than a waste of a precious resource.

The maple that once shaded the children of the Hill School playing at recess had years left to provide shade for the children who each summer play in what is now a park. It could have continued to spread its great branches and towering canopy of leaves over the sidewalk and Grand Avenue too, still lending its grace and natural dignity to one of the city's busiest intersections and providing a green frame for the distant view of the lake. Now, where it stood there is a void in the sky.

Do any city officials, we wonder, see the irony in

installing a new fence to make the park more attractive while at the same time destroying a tree that was one of the park's most attractive features?

When they're caught up in public works projects, trees have a hard time getting respect here. Down on Chestnut Street, the common council did the right thing by ordering the rerouting of a big sewer pipe that was going to pass within three feet of a house. But the aldermen took pains to point out that their action was not taken to save the stately trees on the homeowner's lot that would have been destroyed by the sewer project, but to protect the foundation of the house.

No doubt the councilmen were trying avoid the appearance of setting a precedent that would empower tree-huggers to make a fuss every time a tree is threatened by a city project. But it could be argued that it would have been worth the \$16,000 it will cost to reroute the sewer just to save the trees. It takes 50 years or more to grow a tree to the magnificent state of maturity of those that would have been sacrificed for the sewer, which makes them priceless.

These trees are on private property, but in a sense they are public — their beauty belongs to all who see them, and their survival ought to please every resident.

It's not that the city government doesn't like trees. It has done good work planting new trees all around Port Washington — in parks and parkways, even downtown. In a couple of generations, this ought to be a marvelously leafy, shady city — if the chain saws can be kept at bay.

What is lacking is proper respect for mature trees. None should be cut down simply because they're old; if they have even a few years of life remaining, they should be treated as a resource that, in terms of the human life cycle, is irreplaceable. Money should be budgeted for the proper maintenance of older trees on public property.

As for the Milwaukee lakefront's tree butcher, if he's found guilty, an appropriate punishment would be to sentence him to live for, say, six months in a place where there is not a single tree. Cruel and inhuman punishment perhaps, but deserved.

# Children, do you know where your parents are?

**A**lcohol. Again. Look what it's done to this town in a single weekend. Look what it's done to you.

Oh, yes, you. And me. Even if we didn't have a drink, alcohol has smeared us with its stain. It has spattered us with the blood of three young men, the tears of a dozen families and the muck of our basest human instincts.

You think this is simply a rare, bizarre case of shock television come to life on Main Street Shelby, Montana? An incredible coincidence that one man on a streaking motorcycle, tore into a pedestrian Saturday morning at tavern closing time, severing the young man's leg? Or that it's a chance in a million that not quite 24 hours later, another man on a motorcycle left another tavern and never made it home alive?

Think again. The math is all too predictable.

According to the Montana Highway Patrol, alcohol is found in drivers in one of every two fatal crashes. But this isn't a simple story of numbers. It's about lives.

Snap your fingers, and just that quickly alcohol took away from those men all they were and all they were ever going to be, to paraphrase a line from *Unforgiven*.

But alcohol is a greedy drug. Insatiable in its wantonness, it couldn't be satisfied with killing and maiming. It had to wreck other lives in turn as phone calls and somber visitors broadcast the devastation to wives, parents, brothers, sisters, children, cousins, co-workers and friends, breaking hearts one by one.

Alcohol left the streets strewn with broken glass and soiled with gore, leaving witnesses nightmares enough for a lifetime. And guilt for a dozen lifetimes: What if I had kept him home? What if I had sent him home? What if I had driven him home?

Alcohol struck at our institutions, too. One of our law enforcement officers was driving the motorcycle that struck the pedestrian. All eyes are on the Sheriff's Office. The Highway Patrol. The Attorney General. The Montana Criminal Investigation Bureau. The courts. The press.

Alcohol has slung its mud on our small-town way of life. Is ours a culture of drinking? Of addiction? Of shame? Look into your soul and answer these questions for yourself: Is alcohol too much a part of me? Is it my lover, my mistress, my life?

Only you can judge the truth of your answer. If it helps, I'm writing this at 10:30 p.m. Monday. Outside, Main Street is mostly empty. All but the most serious drinkers have stayed home tonight, perhaps in shock, but probably in shame, one of alcohol's signatures.

Finally, this story of alcohol's destruction has sullied our humanity. Rumor after rumor has raced its way through town from end to end. Accusations, gossip, conspiracy theories. Ghastly: details factual and fictional, have eaten away at simple decency like locusts.

It's only the beginning, of course. These kinds of tragedies are carrion for the scavengers both inside and outside the town, and times like this I hate my job.

I hate it that alcohol did this to us without lifting a finger, killing the way it always does, by proxy, by getting somebody else to do its dirty work. By degrees, killing its victims softly with its lovely, lethal seduction: You can drive, baby. I'll be right there with you.

This is not to excuse men of personal responsibility for their actions but to direct your attention to how things are made worse by alcohol. Think of those mangled bodies and shattered lives. Those wounded families. The children, my God, the children.

Sit awhile as you think about it. Have a drink. Toast the dead, the dying, the maimed, the mourning, the ruined, the wracked and the wrecked. Shed a tear in your beer. Lift your merlot. Toast the children.

Wouldn't have to be the children of the victims of last weekend's mayhem, by the way. Raise your glass to our own kids. They've been watching. They see the difference between what we say and what we do. We might get away with lying to ourselves about alcohol's hold on us.

But our children know.



**James V. Smith, Jr.**

Editor,  
*Shelby Promoter*

PO Box 610  
Shelby, Montana 59474

June 28, 2001

## **FROM THE JUDGE**

**Who hasn't written an editorial against the evils of alcohol? Well, maybe not everyone. But whether you have or haven't, how do you get readers to pay attention to such an everyday topic? Alcohol, after all, saturates our very existence. What you can do is what this editorial writer did: Wait for the right (read "tragic") time in your community, do your research (example: get data from the highway patrol), then present your case as powerfully as you can. In this winning editorial, that means reaching out and touching readers' lives poignantly yet forcefully. This is one editorial you won't want to drink to.**



**Bill Haupt**

**Editorial Writer,  
The Lodi Enterprise**

PO Box 16  
Lodi, Wisconsin  
53555-0016

**March 1, 2001**

**FROM THE JUDGE**

**Amidst talk of combating drugs at schools with drug sniffing dogs, this editorial argues for a better understanding of the issues before implementing any measures. First, we have to find out the dimensions of the problem, the editorial says. If it's determined there's a problem, then action is in order but preferably "an approach that relies on education and public health policy" rather than "punitive action." It is a cautionary message to the public: Be careful what you ask for because you'll probably get it. The editorial presents its own views clearly by expressing concern over ethical and constitutional questions. At the same time and in a constructive vein the editorial applauds school officials' efforts in seeking student and citizen input on the issue and urges readers to contribute to the dialogue.**

## Do we really want drug sniffing dogs In Lodi schools?

**T**he Lodi School District will host a series of informational sessions beginning next week concerning the possible introduction of drug sniffing dogs in our school buildings. It's a potentially volatile and divisive issue that demands thoughtful consideration and input, from parents, students, community members and school staff.

School administrators claim illegal drugs are a growing problem in the Lodi School District and are interfering with the educational mission here. They support the utilization of the Columbia County Canine Unit as a proactive approach to reinforce the message that illicit drugs will not be tolerated in school.

Some members of the community and school board have already publicly voiced their concerns about the employment of a police force in the school environment. While they recognize the hazards associated with illegal drugs, they also fear the message of distrust this sends to students and the violation of personal liberties and civil rights that Americans accept as their birthright. Supporters of the dogs feel that drugs are such a pernicious evil that the ends justify the means.

Given this background, two questions deserve serious study before we initiate any policy related to illicit drugs: 1) What are the specific dimensions of the drug problem in Lodi schools? 2) If illicit drugs are a legitimate problem, are we better served addressing the situation through punitive action or an approach that relies on education and public health policy?

District Administrator Chuck Pursell says that about 80% of the district's 11 to 15 expulsions during the last several years have been drug-related. In essence, we're expelling about 10 kids each year among a student population of nearly 1600 for drug

offenses. While this is hardly an epidemic, it does suggest the roots of a problem.

How deep and varied are the roots? The answer to that question is important. Are we talking about hard drugs such as cocaine, crack cocaine, heroin or methamphetamine? Or "softer" recreational drugs such as marijuana, ecstasy or "date-rape" pills? Should we be concerned about the dangerous abuse of steroids or painkilling drugs by high school athletes? Or is the real concern related to prescription drugs such as Ritalin, Prozac and Percodan that enjoy black market demand? We must accurately define the problem before we can address it.

If we can define the problem, how do we best attack it? Drug dogs are an ally in the criminal assault on a public health problem. It is a shame-based approach that results in arrests, suspensions, expulsions, humiliation and criminal records. Tragically, it doesn't begin to address the scream for help that a 15 or 16-year-old student may be articulating through an unhealthy reliance or recklessness concerning illicit drugs. Only parental or mentor involvement, education, counseling and love will meet those needs. Which approach is truly in the best interests of the "sick" students in Lodi?

Everyone agrees that illicit drugs do not belong in our schools. But if we justify the use of police dogs to sniff our personal belongings, do we signal the future acceptance of metal detectors, urine tests and strip searches to fortify our moral indignance in the school environment? These are shaky ethical and constitutional questions that we will invite.

This is a complicated issue with a host of perplexing questions. To their credit, school officials are seeking widespread student and community response before any plans are implemented. Please share your input with them — we need an honest and meaningful dialog on this important subject.

# Adopt-A-Highway denial is wrong

**A** request by a regional group to participate, in South Dakota's Adopt-A-Highway program has been denied because, the South Dakota Department of Transportation says, the group is an advocacy group.

The Sioux Empire Gay and Lesbian Coalition applied to do what scores of other groups across the state have done for years — offered to pick up trash along the ditches of South Dakota's highways.

The DOT said the group could do that, but would be denied the opportunity to have the area identified by a sign like other organizations.

The SEGLC is upset at what appears to be discriminatory action by the DOT.

The American Civil Liberties Union of the Dakotas calls the denial unconstitutional and says it reflects an anti-gay bias.

It certainly looks like it.

The Adopt-A-Highway program operates with the involvement of church groups, 4-H clubs, service organizations, businesses and, agencies reflecting the diversity of the population.

Freeman groups participating in the program include the Lions Club and Freeman Community Hospital and Nursing Home.

The thinly-veiled argument from the DOT — no

advocacy groups allowed — pales in the light of a closer examination. It's pretty hard to specify the exact motivation for the existence of any business or organization.

And then there's the fact that among the organizations listed as Adopt-A-Highway sponsors in South Dakota is Animal Rights Advocates of South Dakota.

It doesn't get much plainer than that.

It appears that what is going on here is discrimination based on some people's discomfort with the Sioux Empire Gay and Lesbian Coalition.

While one must respect the position held by some that homosexuality is unnatural or unbiblical, homosexuality is certainly not illegal.

And any attempt to restrict the SEGLC's involvement in the Adopt-A-Highway program is shameful and wrong and a violation of the First Amendment. And that, of course, is illegal.

With the precedent set nationally — other states include the Ku Klux Klan and gay and lesbian groups, for example — there's little doubt a court challenge would rule in favor of the SEGLC.

It should never come to that.

The DOT should accept the offer, afford the SEGLC the same opportunities it has given other organizations and apologize for the poor judgment that has made this an issue.



**Tim L. Waltner**

**Publisher,  
Freeman Courier**

PO Box 950  
Freeman, South Dakota  
57029

**August 10, 2001**

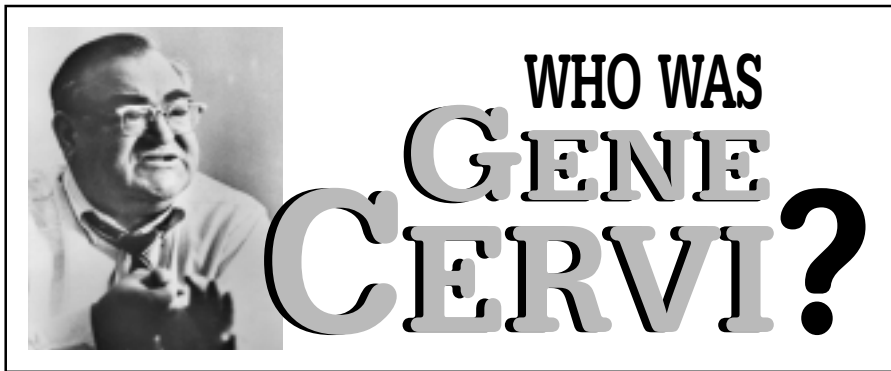
## **FROM THE JUDGE**

**Minority groups in society often have a difficult time being heard let alone being treated fairly. They represent a special responsibility for news media, which must be concerned not only with issues of free expression but also justice. Such was the case in South Dakota where the state Department of Transportation (DOT) denied a gay and lesbian group's request to adopt a highway, that is, to pick up trash along highways. The group is an advocacy group, claimed the DOT. Unconstitutional, said the American Civil Liberties Union of the Dakotas, to which the editorial added, "It certainly looks like it." The DOT, the editorial continued, ought to accept the group's offer and "apologize for the poor judgment." It's a strong editorial, crisply written, punctuated by short sentences like "It doesn't get much plainer that." Doubtless, the editorial writer took some flack for championing a group that doesn't enjoy widespread acceptance. But there's comfort in being right rather than popular.**

# The 27th Annual Eugene Cervi Award

The Eugene Cervi Award was established by ISWNE to honor the memory of Eugene Cervi of the *Rocky Mountain Journal*, Denver, by recognizing a newspaper editor who has consistently acted in the conviction that “good journalism begets good government.”

The award is presented not for a single brave accomplishment, however deserving, but for a career of outstanding public service through community journalism and for adhering to the highest standards of the craft with the deep reverence for the English language that was the hallmark of Gene Cervi’s writing. The award also recognizes consistently aggressive reporting of government at the grassroots level and interpretation of local affairs.



In 2001, Gene was among the “original 100 business luminaries” elected to the Business Journalism Hall of Fame.

The ISWNE Cervi Award also recognizes “consistently aggressive reporting of government at the grassroots level of interpretation of local affairs.” Gene took

BY RICK FRIEDMAN

## Gene Cervi: The conscience of journalism, ISWNE

**T**he other day, a large flatbed pulled by a cab passed my car. On its back were mud flaps that said “Ford Mack” with renderings of bulldogs on each of the flaps.

I thought of Gene Cervi and the 27th annual award that will be presented in his name by the International Society of Weekly Newspaper Editors in June. When the award was first handed out in 1976, the Ford Mack Truck bulldog golden hood ornament went along with it. The bulldog looked like Gene Cervi.

Would Gene have minded that we thought of him that way? My guess? He would have loved it. He was weekly newspaper journalism’s golden bulldog.

I got to know Gene Cervi before I ever met him in the early 1960s. New to *Editor & Publisher* out of New York City, I quickly learned that there was a lot of self-censorship by the staff of this “Bible of the Newspaper Industry.” The old-timers there assumed that the conservative *E&P* wouldn’t publish anything that went against the grain of a traditional orthodoxy so they didn’t even try. My attitude was that I’d write a story the way it dropped and *E&P* could choose whether to run it or kill it altogether.

They kept running what I wrote and Gene Cervi out in Denver noticed. I got a note from this man and newspaper I wasn’t yet familiar with that said: “When *Editor & Publisher* fires you, come out here. I’ll have a job for you.”

When I did meet Gene Cervi in person, he represented every criterion that the Eugene Cervi Award later set up in 1975 for judging a worthy recipient. Such as: “A career of outstanding public service through community journalism and for adhering to the highest standards of the craft with the deep reverence for the English language that was the hallmark of Eugene Cervi’s writing.”

Gene once told me that the secret of his success in starting a newspaper in Denver combined the best elements of both the *Wall Street Journal* and the *New Yorker* magazine. He did both extremely well. In 1949, his was the first weekly in the country devoted to business news. He combined news, statistics and government records and filing that were must reading for the Greater Denver business community, some of whose inhabitants hated his guts but had to read his newspaper for the information in it.

He single-handedly forced the *Denver Post*, which loathed him, and the *Rocky Mountain News*, both dailies, to pay more attention to business news. He opened the door to an entire industry of weekly business journals across the United States.

In 1995, Gene was elected to the Denver Press Club Hall of Fame for “giving Denver a source of timely business and economic news,” along with public policy and informed opinion “that would chronicle the entrepreneurial spirit and growth that would put the city on the map.”

that to a highly personal level in his newspaper, particularly on his editorial page. His newspaper wasn’t called the “*Rocky Mountain Journal*,” as the ISWNE award states. It bellowed out “*CERVI’S Rocky Mountain Journal*” (the caps are mine) on the nameplate and masthead.

His editorials were always signed, “Gene Cervi.” Gene frequently attacked the very corporations and industry leaders who had to subscribe to his newspaper for the business news he supplied them.

Gene told me, “I want them to know exactly who to curse out or sue when I write something that gets them angry.” He once carried this to the extreme when Palmer Hoyt, the publisher of the *Denver Post*, said publicly there wasn’t a name bad enough to call Gene Cervi. Gene responded by starting a contest in his newspaper, “Name that bastard, me” and made Hoyt the judge. He told readers not to call him “Scurvy Cervi” because he had already been called that many times.

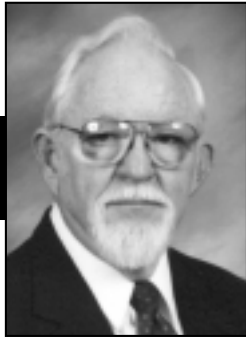
Could he be intimidating? You bet. Gene never suffered gladly from those he saw as dishonest blowhards. At one ISWNE conference at Pere Marquette State Park in southern Illinois somebody from the Federal Reserve Bank of St. Louis was the guest speaker. Gene kept challenging him in that rolling thunder voice of Gene’s when he was told that the next time he did so he would be thrown out of the room.

A few minutes later, Gene stood up again and

continued on page 13

# This Year's Winner

Is...



## Bill Meyer

President, Hoch Publishing Co., Inc.  
Publisher, *Marion County (Kan.) Record*

Graduated with BS in Journalism, University of Kansas, 1948  
News editor, *Marion County Record*, 1948-1967  
Editor, publisher, 1967-  
Purchased *Marion County Record*, 1998  
Purchased *Hillsboro Star-Journal*, 2000  
Purchased *Peabody Gazette-Bulletin*, 2001  
Editor, 99th Infantry Division Association (veterans group), 1971-  
President, 99th Inf Div Assn, 1998-99  
Life member, permanent board member, 99th Inf Div Assn  
Lecturer in media law, Wichita State University, 1985  
Political interviewer, KPTS-TV, Wichita, 1983-91  
Past president,  
Marion Board of Education,  
Marion County Hospital District.  
Board of directors,  
Marion Manor Nursing Home,  
Kansas State Historical Society,  
Marion Chamber of Commerce, Marion Country Club  
Trustee, past president, William Allen White Foundation, Lawrence  
Life member, KU Alumni Association  
Board of Directors, Central National Bank  
Kiwanis life member (president of Marion club in 1957)  
Member Shriners, Masons  
Kansas Press Association  
weekly membership chairman  
legislative chairman  
president 1982-83  
Boyd Community Service Award, 1979  
Clyde Reed Master Editor Award, 1998  
Gaston Outstanding Mentoring Award, 2000  
With U.S. Army 1943-45, ETO (Battle of the Bulge)  
Married to Joan, 52 years  
one son, Eric, professor at University of Illinois  
one grandson, Nate

# GENE CERVI AWARD WINNERS

- 2001 **Marg Hennigar**, *Lighthouse Publishing*, Lunenburg, Nova Scotia
- 2000 **Allan A. Seiler**, *The Pike Press*, Pittsfield, Ill.
- 1999 No award given
- 1998 **Jack Authelet**, *Foxboro (Mass.) Reporter*
- 1997 **Carol Wilcox & Cary Stiff**, *Clear Creek Courant*, Idaho Springs, Colo.
- 1996 **Charlotte & Marvin Schexnayder**, *Dumas (Ark.) Clarion*
- 1995 No award given
- 1994 **Jim MacNeill**, *The Eastern Graphic*, Montague, Prince Edward Island
- 1993 **Bob Bliss**, *The Montgomery County News*, Hillsboro, Ill.
- 1992 **Robert Trapp**, *Rio Grande Sun*, Espanola, N.M.
- 1991 **Henry Gay**, *Shelton-Mason County Journal*, Shelton, Wash.
- 1990 **Karl Monroe**, *Collinsville (Ill.) Herald*
- 1989 **William Rotch**, *Milford (N.H.) Cabinet*
- 1988 **Bruce Bruggmann**, *San Francisco Bay Guardian*
- 1987 **James Russell Wiggins**, *Ellsworth (Maine) American*
- 1986 **Rollin McCommons**, *Athens (Ga.) Observer*
- 1985 **McDill (Huck) Boyd**, *Phillips County Review*, Phillipsburg, Kan.
- 1984 **Richard McCord**, *Santa Fe (N.M.) Reporter*
- 1983 **Homer Marcum**, *The Martin Countian*, Inez, Ky.
- 1982 **Kieth Howard**, *Yellow Springs (Ohio) News*
- 1981 **Edward DeCourcy**, *Newport (N.H.) Argus Champion*
- 1980 **Robert Estabrook**, *Lakeville (Conn.) Journal*
- 1979 **Houstoun Waring**, *Littleton (Colo.) Independent*
- 1978 **Tom Leathers**, *The Squire*, Kansas City, Mo.
- 1977 **Charles & Virginia Russell**, *Dewitt County Observer*, Clinton, Ill.
- 1976 **Blair Macy**, *Keene Valley Sun*, Kennesburg, Colo.



Hennigar



Seiler



Trapp



McCord



Estabrook

# A few words from Bill's supporters:

## Bill Meyer IS Kansas journalism

When reading the letter announcing the invitation for nominations for the Eugene Cervi Award, I immediately thought of Bill Meyer.

The accompanying letters by Donna Bernhardt and Tom Eblen talk in far more detail about the merits of Bill's nomination, but let me add to their comments by simply saying Bill Meyer IS Kansas journalism.

To list Bill's accomplishments would require far more space than I have here, but I can sum them up by saying that Bill truly is one of the deans of Kansas journalism. He epitomizes what a weekly newspaper publisher and editor should be. Even at age 76, he remains as fiery, as progressive and as devoted — though he doesn't move as fast as he used to — as he was when he started out in this business more than 50 years ago.

Some may call Bill stubborn, but one thing is certain: you know where he stands. He won't back down from a fight and he is unwavering in his convictions, regardless of threats or the business impact on his newspaper. Even his critics respect him, which is perhaps the ultimate compliment.

Given what I know about the Eugene Cervi Award and what it represents, I can't imagine a more deserving candidate than Bill Meyer. Thank you for your consideration of this newspaper giant.

— Jeff Burkhead, Executive Director, Kansas Press Association

## Meyer: 'grand old man of Kansas journalism'

I am pleased to nominate the grand old man of Kansas journalism, Bill Meyer of the Marion County Record, for the Eugene Cervi Award.

Bill would say that 76 really isn't old, and for him it isn't. At age 75, he expanded his holdings from Marion, Kan., to nearby Peabody and Hillsboro. Not bad for a guy who weathered the Battle of the Bulge in World War II.

I have known Bill as a fellow editor and, for the last 15 years before my retirement as a journalism faculty member at the University of Kansas, as the exemplar of all that is good in the glorious business of community journalism. One of the field trips I have used in the last 15 years to demonstrate the richness of Kansas journalism has been to Marion, where Bill has run the weekly newspaper since not long after World War II.

For some time, the Marion County Record had a bullet hole in its front window, and Bill Meyer wasn't about to repair it. A couple of years ago a disgruntled reader blew out the entire window with a shotgun, and Bill had to replace it. But he still calls them as he sees them.

The bullet hole captured the attention of my visitors from South and Central America, from Eastern Europe and from the Far East. With eyes wide open, they listened to Bill Meyer on a drive through his community. His litany of newspaper-supported improvements ranges from nursing home to hospital to football stadium to a restored downtown hotel to a dike surrounding the town and protecting it from flooding for 40 years.

Bill Meyer is mighty proud of his hometown, and he is proud of his newspaper. The bullet holes and shot-out windows? Well, that doesn't scare him. He'll just keep calling things the way he sees them.

— Tom Eblen, (Retired) General Manager & News Adviser,  
*University Daily Kansan*



## Meyer loyal to 'fire in belly' journalism

I cannot think of anyone more deserving of the Eugene Cervi Award than Bill Meyer, publisher-editor of the Marion County Record, Marion, Kansas.

Meyer is a well-known and respected member of the Kansas journalism community. He has served on the Kansas Press Association board of directors and was president of the association in 1982. He has been the recipient of the Boyd Community Service Award, the Victor Murdock Award, the Clyde Reed Jr. Master Editor Award, and was the first in Kansas to receive the Gaston Outstanding Mentor Award.

He has been a mainstay of the Marion County Record for 54 years. In that time he has dedicated his life to making the community a better place to live. It is nearly impossible to drive through the city of Marion without seeing some landmark or facility that does not have Bill Meyer's thumbprint.

The local nursing home and low-income housing facility, Hilltop Manor, Marion Stadium, the dike and diversion ditch around the city — all were projects in which Meyer was instrumental.

When Marion was about to lose its hospital, Bill worked to organize a district and form good administration to run the hospital. He was elected the first president of Marion County Hospital District No. 1.

Meyer filed the paperwork to have the Elgin Hotel recognized as a National Historic Landmark. He also led a drive to remodel and restore the old stone Hill School building, the oldest school building in continuous use in Kansas. It is listed on the National Register of Historic Places.

Meyer has never avoided controversy when he deemed a project worthy of consideration. A prime example of this was the campaign to consolidate the Marion and Florence school districts.

Not only has Meyer weathered the storm of controversy on various issues, he has been the victim of violence and vandalism because of his convictions. Meyer's newspaper office has been painted with graffiti, had the windows shattered by shotgun pellets, and suffered tire slashings on company vehicles. He continues to stand tall for issues and projects in which he believes.

A few years ago Meyer bought two more newspapers in the county - the Hillsboro Star-Journal and Peabody Gazette-Bulletin. All three newspapers uphold high standards of community journalism. An innovative leader among journalists, Meyer's tireless loyalty to the craft and "fire in the belly" journalism is the key to his success and the growth of Marion and Marion County.

I truly believe Bill Meyer is a worthy candidate of the Eugene Cervi award. Thank you for your consideration.

— Donna Bernhardt, General Manager, Hoch Publishing Co., Inc.

# Who Was Gene Cervi? *from page 10*

barked, "I HAVE ONE MORE THING TO SAY AND THEN I'LL THROW MYSELF OUT OF THE ROOM." He did and he did.

Long-time ISWNE member Garrett Ray remembers that Gene Cervi: "In 1961," he recalls, "the *Littleton* (Colo.) *Independent* got a press ticket to some big fund-raising dinner in Denver. Houstoun Waring, my boss at the *Independent*, sent the new reporter — me. Although I don't recall what the occasion was, I can clearly see and hear Gene Cervi, who sat beside me at the press table at dinner. I knew his reputation as curmudgeon and I was intimidated the minute I saw him.

"But he could not have been more gracious and interesting to me. He spent the evening telling me in his gravelly growl about each big shot in the room: 'Now there is \_\_\_\_\_. She comes from one of the big society families in Denver, but she doesn't pay her bills. See that man who just came in? He's close to the mayor. I wouldn't trust his word on anything.'

"I suspect that Gene was pleased to have the chance to share his prejudices while educating a young reporter. He was also nice to me because he was a great admirer of Hous Waring."

Liam Bergin, the late, great editor of the *Carlow Nationalist* outside of Dublin, was an Irish member of ISWNE who attended the conference many times. In the 1960s, Liam took a bus trip across the United States to better write about our country. He contacted various ISWNE members he knew along the way. One was Gene Cervi.

When Liam got back to New York City, where I was working at the time, he told me of a similar experience to the one Garrett had with Gene. As Liam ate lunch with Gene in a Denver club, Denver shakers and movers would walk past their table. Gene would greet each person with something like, "Who are you robbing now?" And, "Whose pocket is your hand in?"

The dignified Liam, whose father had been in the IRA, and who had covered the rise of Nazi Germany during the 1930s, told me that he had never encountered in a long lifetime anybody like Gene. Liam saw Gene as living proof of a free-thinking, outspoken, fearless America.

Garrett again: "The official annual meeting of the Colorado Press Association takes place during the convention each February in Denver. This is customarily a routine meeting, devoted to a review of last year's advertising income, a moment of silence for recently departed CPA members and unanimous passage of a resolution thanking the Brown Palace Hotel for its hospitality.

"They weren't always that way. When I began attending CPA conventions in the late 1960s as editor of the *Independent*, we sometimes got to enjoy the spectacle of Gene Cervi in full bay. One of its antagonists was Kenneth Bundy, another pugnacious editor and publisher of a Denver suburban weekly. I remember one marvelously noisy shouting match. The words and issue are long forgotten. I retain only the image of the two feisty editors, waving fingers and bellowing at each other while the crowd cowered, grinning, beneath the rockets' red glare."

One of the most rewarding nights a handful of us

ever spent at Pere Marquette was in Gene's room. For a couple of hours, he did all of the talking. And, as a heavy man, a lot of sweating. He kept us spellbound with his account of Denver-area journalism and industry and the rogues who contributed to its rich history. That night, for those of us in that room, Gene became the conscience of ISWNE. You sold out as journalists, you sold out Gene Cervi.

One of the editors, now retired, who was in Cervi's room that night, was Burt Freireich, of the *Sun City* (Ariz.) *News-Sun*. "I ran a photo in my newspaper of Gene when he lectured at Southern Illinois University," Burt recently recalled. "I cut it out and put it on the door of my newspaper office. I wrote above it: 'This is what a great editor looks like.'

"I admired him so much. He once had an argument with a guy from Alabama. Gene admired somebody who could stand up to him and come out with some valid points. They were on opposite ends of the pole and became fast friends.

"He once ran an article under a headline, 'Cry-baby Millionaire Publishers.' That was when they had the Tucson, Ariz., deal whereby two newspapers could go into a joint plant under the Failing Newspaper Act. I republished it on my editorial page.

"Gene was short, pretty squat and had some problems which translated into difficulty in walking. He walked with a cane. When he got in these discussions, he was so involved, he would take the cane and poke the other guy in the belly with it.

"In 1969, I was in Taiwan during the ISWNE trip to Asia. Great treasures had been taken away from China when Nationalist China fled there after the 1948 Communist China take-over. We visited this wonderful museum of natural history. There was stuff there 5,000 years old. Gene bumped into somebody he knew. He introduced me to this fellow. 'This is the reason I'm here,' Gene said. 'He's one of my advertisers.'

"Gene and his wife would visit Phoenix in the winter. Ursula, my wife, and I would meet them at the race track. One time, he said to me, 'I want to write an article for your editorial page. I'm going to lambaste Phoenix.'

"When he came down to Phoenix, he had a big argument with Avis. It was so bad that Avis told him to go to Hertz. Gene was so pissed off he wanted me to write this expose."

Jack Blum, a Washington, D.C., lawyer in private practice during the 1960s, was a great friend and frequent guest speaker and attendee at the ISWNE Pere Marquette summer conferences. He came to the meetings first as chief counsel for the Senate Anti-Trust Committee and later as chief counsel for Sen. Frank Church's Subcommittee on Multinational Corporations.

Jack recently told me, "Gene Cervi was one of the most fascinating people I ever met. He came from a family of Italian immigrants who had come to Colorado to work the mines. His mother was a devoutly religious Catholic, his father was a socialist. The deal his parents had was that the girls in the family would be named after saints and the boys in the family would be named after socialists. He was named

'Eugene Debs' Cervi, after the great American socialist, who was jailed on sedition for opposing the First World War. Before he started *Cervi's Rocky Mountain Journal*, Gene had worked for the *Denver Post*.

"I remember Gene most for his personal courage. He wasn't afraid to stand anybody down. And in any given situation, to stand up and bellow. When both of us were on the 1969 ISWNE tour of the Philippines and Taiwan, a PR guy from the Marcos government in the Philippines was trying to tell us was a great guy Marcos was.

"Cervi is listening to all this stuff about business development, blah, blah, blah and stands up. 'Are you selling out the country to these companies?' he demanded to know. 'What a mistake that is.' He ripped the guy apart.

"That's the kind of guy Gene was. He would run things on the front page of *Cervi's Rocky Mountain Journal* such as 'Safeway Fixes Prices. Attention Safeway. If you think this is wrong, sue me. Here's where to serve the summons.'

"That's how he ran his newspaper. Everybody understood that you had to read *Cervi's Rocky Mountain Journal* for, at the minimum, to find out if your name was in it. People who hated him had to read it to see if they were mentioned that week.

"When I was working for the Senate Anti-Trust Committee or Church's subcommittee, there were times when he would call me to inform me about something I should know about; there were other times when I talked to him about various stories."

One of my own fond memories of Gene Cervi took place in a small Canadian town. In 1967, I flew from New York City into Chicago's O'Hare Airport to cover for *E&P* the ISWNE 10-day tour of southeastern Canada and end up with them at Expo '67. Gene Cervi boarded the same connecting flight that would take us both into Canada. I was delighted to have him as a traveling companion.

We got into the Canadian town, whose name I can't remember, on a Sunday evening. We had eaten dinner on the plane. We sat down at a restaurant. I ordered coffee, Gene ordered an alcoholic drink. The waitress told us there was a law on Sundays that prohibited serving alcoholic drinks unless you ordered a dinner.

Gene pointed to somebody at another table and bellowed to the waitress: "I'll pay for his dinner. Now give me my drink." She did.

Jack told me: "I was thinking about him this weekend. He was a mentor to me. He taught me that it was right to stand up and say, 'Hey, this is bullshit! I'm not going to stand for it! You don't take crap from anybody!' He made you understand that was one way you could stand up on your hind legs and fight the good fight."

Gene Cervi died on Dec. 15, 1970, from injuries suffered in an automobile accident. He was 64. In more than 40 years of journalism, I never met anybody quite like him. He remains my journalism conscience.

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June 21, 2001

**FROM THE JUDGE**

Few issues generate more intense public discussion than schools. You can imagine the uproar in Shelton over a proposal to hire an undercover drug detective to investigate drugs at the high school. Maybe it's happened in your community. This proposal seems to have been launched without much consideration of how it would be done or of the ramifications throughout the school and community. Like a laser beam, this editorial identifies key issues involved, not the least of which is creating a secret-police atmosphere. This well-organized editorial first provides context for the situation in Shelton, then explores possible infringements on fundamental freedoms (of speech, of association) and asks the community a series of pertinent questions ("Is the community willing to accept this police proposal because it cares about its kids or because it doesn't care about them?"). It's a well-reasoned, straightforward editorial that aims between the eyes as well as between the ears.

# Hidden agenda

**S**helton School District officials should think long and hard about whether to approve last week's proposal to have a drug detective attend local schools posing as a student.

Shelton Police Chief Terry Davenport warned school board members that ramifications could be widespread. He was referring to the fact that a full-scale investigation by an undercover cop could lead anywhere, including to arrests of staff members and students.

Shelton High School Principal Mellody Matthes and Superintendent Joan Zook were both cautious enough not to endorse the concept immediately. While she sees value in such an operation, Matthes said it would take control out of the hands of her school's administration, and she described the proposal as "frightening." Zook termed it a complex and sensitive issue and said the school board needed time to think about it.

We'd like our community's children to be able to attend school without drugs floating around campuses, but an end-justifies-the-means argument for an undercover cop gives us the creeps. The community already has decided it needs policemen in its schools. It already has authorized drug-sniffing dogs in its schools (although we found out last week that the threat never panned out). How Orwellian is it willing to go, how much is it willing to poison the nurturing, educational atmosphere with shades of a police state for its kids?

An institution trying to teach honesty and truthfulness shouldn't practice deception. Admit it: It's spying. It would foster distrust and suspicion.

So, the cop would be someone who could pass as a student, a newcomer at school. It is not easy for transfer students to fit in when they start at a new school. Sometimes they're shy, and sometimes they're unaccepted. How would you like to be a newcomer at Shelton High School after the announcement has been made that there's an undercover cop working on campus?

What would happen to students' freedom of speech and association? Not their freedom to make drug deals, but their freedom to talk to friends and acquaintances on campus and hang out with them without fearing that they are being watched because someone they're associated with is suspected. Should a student have to fear making alliances with the new kid in school because he could face retribution when it becomes clear his friend was the undercover cop?

Would the policeman simply collect information, infiltrate networks and eventually make arrests, or would he initiate a sting operation? That is, would he

do something that was illegal to try to get a student to do something illegal? Suppose the undercover officer was a young woman and a boy was gaga over her and she knew it. Then suppose this dish asked the boy if he could get her some drugs. (This is probably the weakest of our arguments, since a 16-year-old's infatuation rarely leads to irrational or dangerous behavior.)

Parents who are so all-fired sure they are raising an angel might be surprised at what an undercover cop could dig up. They might think about whether they would rather get a call at work from the school asking them to come to the principal's office to discuss a suspension or a call from the police asking them to come to the jail for a booking on a possible felony.

The proposal for an undercover cop is the result of frustration. School officials know there's a drug problem, and the drug users at Shelton High have been brazen in the way they've used and sold on campus. The frustration shouldn't lead to a point where we all throw up our hands and say, "Bring in the National Guard."

The community has to stop making the schools responsible for arresting every social problem. It hands the schools drug education, AIDS education, sex education, life-skills education and more nonacademic subjects that take time away from what schools are supposed to do. The community seems relieved that this education is being done but ignores the fact that the schools aren't the best place to do it. The demand for drugs should be stopped at home, not at school.

A reader recently sent us an essay by the president of a college who was arguing for the abolition of high school because it is "a failure not worth reforming." One of the most interesting statements was his contention that "adults should face the fact that they don't like adolescents and that they have used high school to isolate the pubescent and hormonally active adolescent away from both the picture-book idealized innocence of childhood and the more accountable world of adulthood."

Is the community willing to accept this police proposal because it cares about its kids or because it doesn't care about them? Putting a spy into the classroom would not be something it would do for its children; it would be something it would do to its children. There's barely any innocence left in the younger generation forced to grow up too fast in a culture where anything goes. The community wouldn't want a secret-police atmosphere for itself. Why would it want one for its children?

## City budget meetings, municipal government at its best

**F**or more than a week now the City of Leduc has been demonstrating open municipal politics at its best. Unfortunately, almost no one from the public has taken advantage of the opportunity to see it in action.

For anyone who has ever wondered where tax dollars go and how their municipal dollars are handled the city's open, public budget meetings are the perfect time to see the process in action.

With an open invitation to anyone from the public, the City of Leduc began its round-table-type forum Nov. 20. The group consists of about 25 people including councillors, administration — who stand ready to address any concern regarding the budget and budget process posed by tax payers and other interested or affected parties.

Presentations from community groups and different administration departments help shape the budget for years to come. Beginning last year — 2001 budget year — council developed a 10-year budget forecast projecting city needs, projects, revenues and expenses out for the coming decade. This approach allows for real continuity in the planning process and assures a clear direction to the city's development. It takes the city beyond the short term horizon set by the life of any single council.

But besides those at the table and those making the presentations, few members of the public have taken the time to come in and see the process at work.

While dividing the dollars might not be everyone's cup of tea, Steve Murphy, director of finance for the city, says anyone who has a question, even from the public gallery, will get an answer. It's not formally part of the process but Murphy says if anyone needed more information, the city would gladly provide it. And that's government at its best. Nothing is hidden or forbidden.

A wealth of information is available from the tiniest detail of how Leduc flooded this summer and what plans are in place to alleviate future occurrences to why certain roads are upgraded before others.

It might interest ratepayers to know the city has in place a debenture program which ensures money is borrowed from the city itself and money is paid back to the city's reserve funds. (In short the city has begun to borrow from itself more and more, freeing itself from the reliance on the banking system to finance projects.) Or that the city is normally under budget each year and maintains strict fiscal standards for itself adhering to a non-deficit, no-debt guideline.

After this *Rep* publishes, there will still be two public sessions left: Dec. 4 and 12. If you're curious at all about how municipal government works or where your tax dollars are going take a few minutes to drop in and see the process at work it's well worth the time. Meetings begin at 7 p.m. and take place in council chambers in the Civic Centre.



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**November 30, 2001**

### **FROM THE JUDGE**

We're usually eager to criticize public officials for their shortcomings. Rightfully so. But occasionally, yes, occasionally, they get it right, and the public gets it wrong. That's what happened in the City of Leduc. This editorial applauds the openness with which city officials are conducting the public's business, but that the citizenry doesn't appear interested. Gently yet firmly the editorial chastises the public for its lack of interest, points out specific issues that ought to be of interest and urges attendance at one of two remaining meetings.



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**March 21, 2001**

**FROM THE JUDGE**

**There's not much about birds in this editorial. And nothing about bees. It's mostly about us and how too often we resort to foul — that's not "fowl" — language.**

**The author vigorously defends freedom of speech but asks, "Do we have the right to offend, degrade or embarrass others in the process?" The charm of this editorial lies in its playfulness. Birds, after all, do speak fowl — that's not "foul" — language. At the same time, the editorial makes a serious argument, and even the casual reader finds the editorial hard to resist.**

# Birds don't do it

**O**ur fine feathered friends do not use foul language. If anything their native tongue is fowl. Which makes the point, if birds use fowl language why do people opt for taking the foul route in their conversations with others? This shouldn't be the native tongue for humans because they have a multitude of verbal options at their disposal. Birds don't.

Profanity or gutter talk seems to have become the speakease of the times. You hear it in restaurants, retail and service outlets, in public places like arenas and curling rinks and even on the streets. And it isn't only the male of the species who utter these profanities. Females in some cases display even greater expertise at spewing four letter words.

What is even more disgusting is the fact they have no shame using this type of language in front of children, women and older people. It not only displays a lack of responsibility and maturity on the part of the offenders, but it shows a lack of respect for other people.

Those with gutter mouths also reveal to others their insecurity and ignorance. Secure people do not have to resort to profanity to get the message out.

At one time signs were posted in bars and other public places which prohibited the use of profane language. Patrons who chose to ignore this signage were asked to leave and in some cases fined for their potty mouths.

Rather than progressing as a society we are regressing in terms of how we conduct our verbal communications. As a result, signs are being posted at the Polar Palace to try to put a stop to profanity on the premises. This is likely just the beginning. Don't be surprised if the anti-profane sign forest spreads to other establishments or to social events.

For example, what is funny about a comedian who is so limited in his humorous repertoire he or she has to resort to four letter words. Sure, we've all heard them before but do they really improve or embellish a comedy routine?

It's a sad commentary about the state of society when profanity becomes a second language. For some of us it is our first language.

Yes, we do have the right to express ourselves in any way we choose. It's called freedom of speech. But do we have the right to offend, degrade or embarrass others in the process? If we do then it means we're trampling on the rights of others who do not appreciate profanity. It's not as if there is a shortage of words at our disposal in the English language or in any other language for that matter.

Those who simply have to let it out, why not trek to the back forty and scream your obscenities in privacy. Likely the only life you'll disturb would be the birds. But then, they use fowl language so it won't matter.

# Workers can't wait

**I**f we all subscribed to the same ethics and followed through with our beliefs, we wouldn't need laws.

If all employers had their workers' best interests at the fore, for example, we wouldn't need labor laws to protect them. Last week, President George W. Bush signed into law his first bill with national impact — he repealed ergonomics regulations that were a decade in the making and would have gone into effect in October.

Ergonomics is the science of workplace design meant to reduce fatigue and discomfort. Injuries such as tendinitis and carpal tunnel syndrome are often caused by poorly-designed work maneuvers and equipment.

Nationwide, 1.8 million repetitive stress injuries are reported each year. One local worker, Bernard Reilly, a spraypainter at Hannay Reels in Westerlo, says that he suffered a repetitive stress injury and his employer wouldn't modify his schedule as his doctor recommended. Instead, he says, he was out of work for seven weeks while he recovered.

Hannay Reels is a 78-year-old family business that manufactures hose reels. With about 150 workers, it's the dominant business in town.

Roger Hannay, chief executive officer of Hannay Reels, wrote us in January to say what many business owners believed — that the new law would hurt small businesses. "We think private industries are doing great without the laws," he said.

"It takes away the flexibility I need to collaborate with my employees to design an ergonomics program that works for all of us," he wrote. Hannay said the law would have cost small and medium-sized companies \$6.7 billion, or \$781 an employee.

President Bush, in explaining his repeal, expressed those same thoughts: "The ergonomics rule would have cost both large and small employers billions of dollars and presented employers with overwhelming compliance challenges," said the president.

"There has to be a balance between costs and benefits," a White House spokesman told us last week.

The Occupational Safety and Health Administration says that many workplaces can be ergonomically improved at very little expense. Simply placing equipment in front of an employee can prevent extended reaching and awkward positions. Other aids are inexpensive, over-the-counter equipment like cushioned mats, wider hand-tool grips, knife sharpeners, and lifting devices.

Many business owners have argued that it's in their best interests to design ergonomically sound workplaces because workers are then more productive. But what if the extra productivity didn't outweigh the \$780 Hannay

said it would cost for each worker? Wouldn't some owners be likely not to make the improvements?

Several Hannay employees wrote to us to praise Roger Hannay and the way the hose reel factory is run. One of them, Christine Clark, who works in the human resources department, wrote, addressing Reilly: "By all means if you are unhappy working here, leave. You will not be missed! There are several hundreds of applicants we have that are waiting to get a phone call to be asked to come in for an interview to take your position!"

That is why it is necessary to have regulations that will protect workers. Some employers would replace them if they complain. Some employers would see workers as an expendable commodity, and never correct the underlying problems.

Reilly was upset when he read Roger Hannay's letter. He brought us his doctor's diagnosis, which stated that his numb elbow was caused by his repetitive painting of reels. "The patient likely has triceps tendinitis in his right arm and lateral epicondylitis in the left," wrote Dr. Leonard Goldstock. "I am requesting that this patient modify his painting and at least go to different painting stations during the day."

Reilly also showed us the memo from Hannay Reels that he received in reply to the doctor's prescription: "It is necessary that you be able to work five days a week at your job without restrictions."

"They wouldn't let me finish that day of work," said Reilly. "I was willing to work. They said they couldn't rotate the work stations."

Reilly, of course, is just one individual. The repealed regulations would have covered over 100 million workers. OSHA said the purpose of the rules were to reduce the number and severity of musculoskeletal disorders, outlining the five risk factors as repetition, force, awkward positions, contact stress, and vibrations.

While business owners have rejoiced in the repeal, labor leaders have been outraged. "It's a direct assault on the worker," a spokesman for the United Food and Commercial Workers Union told us. He said the law would have prevented 600,000 injuries a year. Other estimates are far higher — resulting in billions of dollars lost in missed work days and in medical bills.

After repealing the law, Bush issued a statement saying, "The safety and health of our nation's work force is a priority for my administration. Together, we will pursue a comprehensive approach to ergonomics."

Repetitive stress injuries are our country's largest workplace safety problem. More than half of the workplaces in the United States do not have ergonomics programs.

American workers can't wait another 10 years.



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March 29, 2001

## FROM THE JUDGE

What happens in the nation's capital invariably reverberates throughout the land, but sometimes it takes an effort to make the connections. That's what happened with this editorial. President Bush signed a bill repealing ergonomics regulations. A local spray painter is among the 1.8 million persons reporting repetitive stress injuries each year, and the local spray painter becomes the editorialist's means of exploring the implications of the President's action. Upon counsel from his doctor, the spray painter requested a change in his work schedule. It was refused. Noting that it took a decade to prepare the legislation that the President undid, the editorial concludes that workers shouldn't have to wait another 10 years for someone to address what has become the nation's "largest workplace safety problem." The editorial is well organized and, besides arguing a particular point of view, presents business' opposing views, including those of the firm employing the spray painter.



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September 19, 2001

**FROM THE JUDGE**

**“Where were you when . . .” More than a dozen Golden Quill entries dealt with different aspects of those horrific events of Sept. 11, 2001. Many expressed eloquently what their communities were experiencing and how their citizens were trying to cope with events that even today test the limits of credulity. This editorial stood out for two reasons: one, the quality of writing (“terrible tragedies and towering triumphs,” “sunshine snatched from shadows”) and, two, the weaving of the impact of the events into the fabric of the local community (“flags and marquees and decals that sprouted along Johnston Street,” a local Muslim “weeping for his beloved adopted country, and for the atrocity laid at the feet of his beloved faith”). Powerful.**

# Snapshots of Memory

*The good, the bad and the ugly will be with us a long time.*

**A**mericans like to remember where we were when momentous events intruded on our lives. The bombing of Pearl Harbor. V-E or V-J Day. The assassinations of John E. Kennedy, Martin Luther King Jr. and Bobby Kennedy. Neil Armstrong taking that giant leap for mankind on the surface of the moon. The deadly-“V” of the Space Shuttle Challenger’s contrail as it split apart in a brilliant blue Florida sky.

Sept. 11, 2001, has become one of those dates.

We huddle around TV sets the way our distant ancestors huddled around their cave fires. We hope the light will scare away the unnamed monsters that lurk in the dark, or reinforce, the thrill of a successful hunt and its following feast.

We seek, in the flickering light, a sense of community and belonging in the face of terrible tragedies and towering triumphs.

Frozen moments in time from this past week will be with all of us for years to come, snapshots of a community at once horrified and unified by an unspeakable act.

The second airliner slicing into the second tower at the World Trade Center, still so shockingly graphic it renders all who watch it speechless.

The collapse of, the second WTC tower, seemingly falling apart before us in slow motion, coupled with the certain knowledge that rescuers were caught in this awful cloud of death and destruction.

New York City firefighters raising an American flag near “the pile” as the site of the crashed WTC buildings has become known.

Heads bowed and hearts lifted, in services throughout Acadiana, as our religious community offered solace and support for all of us.

The flags and marquees and decals that sprouted along Johnston Street, starting slowly on the afternoon of Sept. 11 with a few scattered expressions of empathy and pride growing into a red-white-and-blue symphony of sympathy and patriotism throughout the week as more and more of Acadiana struggled out from under the horror.

Sami Abukishk, one of the most visible members of the Acadiana Muslim community, eyes filling with tears as he spoke to visitors at the AffordableConsulting.com booth at The Times

Business EXPO on Sept. 13, weeping for his beloved adopted country, and for the atrocity laid at the feet of his beloved faith.

Steve Riley & The Mamou Playboys on Sept. 14, accordions and fiddles set aside, as they performed a spontaneous a cappella rendition of “The Star-Spangled Banner” to open the Festivals Acadiens edition of Downtown Alive!

The Festivals themselves, filling Girard Park with music and art and life willing us all to heal ourselves and each other. Ancient oaks draped with Spanish moss and American flags. Red, white and blue everywhere in every size and material imaginable. Tent City bristling with “God Bless America” signs, some hand-lettered with loving care, others with the spit and polish of a professional’s hand and heart.

A sight that doesn’t normally call for comment: a shiny commercial airliner skimming over the Festival du Musique — proving that America and Acadiana were getting back to business, back to normal. Whatever that definition will mean from now on.

Every musician who took the stage — from decades-young D.L. Menard to 14-year-old accordionist Era Viator, appearing with her first band, Liquid lace — paused to pay tribute to the dead and the living in New York City, a town that doesn’t usually come in for much praise down our way.

The dancing space filling and refilling as Acadiana danced its way to that special carefree spot we normally inhabit, if only for a few golden moments in sunshine snatched from shadows.

And the hugs. We’re a demonstrable people, here in Acadiana, and hugs come easily to us. But the hugs were shared more often, lasted a little longer and ached so much more sweetly on this glorious late summer weekend.

We will need more than hugs to sustain us in the months, possibly years, to come, as America squares its shoulders and gets down to the business of fighting war against terrorism. But we will need the hugs, too.

Let’s not forget what makes us who we are, the wonderful, giving, tolerant spirit that defines America. Let’s not lose who we are as we prepare to fight this monster we can now name.

Let’s remember, as we continue to gather around our flickering lights, that we are all proud to be Americans — and everything that means.

# A worthwhile housing plan

**V**illage Council is tentatively scheduled Monday to consider whether to approve a development agreement between Council and Home, Inc. to build affordable housing on the Village-owned Glass Farm. Council will also consider a measure to transfer the land needed for the project to Home, Inc. without financial compensation.

Home, Inc.'s housing plan is a worthwhile effort that will bring some moderately priced housing to Yellow Springs. It can make a difference to a number of families and this community, which has said it wants to remain diverse.

Home, Inc., a local nonprofit community land trust, has proposed building 25 housing units — 19 single-family homes and three duplexes — on seven acres of the eastern end of the Glass Farm. The development would be built in four phases over the next nine years.

People making between 50 percent and 115 percent of area median income would be eligible to purchase homes in the development. The median income for a family of four is about \$56,000. Home, Inc. president Marianne MacQueen has estimated the initial houses would cost around \$80,000.

As a community land trust, Home, Inc. would own the land on which the houses sit, while the homeowners would own their homes. Homeowners would be restricted to certain resale conditions that would keep the price of the homes affordable. The idea is, the restrictions would allow more moderate-income families to own a home in Yellow Springs for years to come.

Home, Inc.'s proposal is not perfect. For instance, it will take nine years to build 25 housing units. Another problem has been the process Council has

followed to get the project approved. Council has not done enough to seek compromise or to address concerns raised by the project's opponents.

Clearly, the community is divided on this highly controversial issue, which over the last several years has garnered both support and scorn. Granted some people will always be opposed to any plan to build affordable housing on the Glass Farm. Others just simply don't like Home, Inc.'s plan. Because of this opposition, Home, Inc., Council and others who support this project must do more to gain more community support for this project.

But Home, Inc. has put together a good plan and the Glass Farm is an appropriate place to build affordable housing. By using the land trust concept, a sound practice used throughout the United States, the development will provide needed moderately priced housing that will benefit people for a long time.

As Melanie Brammer, housing program specialist with the Greene County Department of Development, said for an article this week, the department has found that people in the low- to moderate-income range, earning between 50 and 80 percent of median income, cannot find homes in Greene County that they can afford. Home, Inc.'s project would begin to help alleviate that problem in Yellow Springs.

More important, it will also help Yellow Springs remain economically diverse by helping more moderate-income people live here. And keeping Yellow Springs diverse is a community goal worth pursuing, even if it means building on seven acres of farmland.

This project will not completely solve the need for affordable housing in Yellow Springs. But 25 housing units will allow 25 more families to own a home here. That is an effort worth supporting.



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July 12, 2001

## **FROM THE JUDGE**

Housing developments can be a prickly issue. Often community newspapers confine such coverage to the news columns, content to report on activities involving city agencies, developers and, as is often the case, ad hoc citizens' groups. This editorial recognized what it considered a worthwhile need in Yellow Springs, namely, to make available moderately priced housing, and strongly urges the Village Council to approve the development plan. This is done in a well-reasoned editorial that explores the pertinent issues, recognizes the pluses and minus of the community controversy and then calls on the Council to support the proposal in order to help the community remain economically diverse. The newspaper published at least one other editorial on the topic ("Let us vote on Glass Farm plan") in which it again urged the Council to support the project and, in this instance, to allow a referendum on the issue.



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**November 14, 2001**

**FROM THE JUDGE**

**This is a straightforward, no-nonsense editorial. It argues that a defeat at the polls of two public power measures did not signify a victory for the Pacific Gas and Electric Co. (PG&E). The editorial, one of many over a period of more than 30 years, appeared in the wake of California's energy crisis last year. PG&E eventually declared bankruptcy. The bulk of the editorial offers suggestions for proceeding toward establishment of a publicly owned power system. It also raises questions about the voting procedures in the November election. The editorial is a good example of an extended campaign on behalf of the public against an opponent with vast resources, including powerful political allies.**

# PG&E didn't win

**O**ne day before the *New York Times* reported that Al Gore may, in fact, have won Florida, the San Francisco Department of Elections finished its counting and concluded that two public power measures had gone down to defeat. But unlike George W. Bush (who is pretty well enthroned in the Oval Office by now), Pacific Gas and Electric Co. didn't really win much: the bizarre Florida-style election was in no way a rejection of public power. Quite the contrary happened: despite a \$2 million campaign by PG&E and its allies and a virtual news blackout by the *San Francisco Chronicle* and the other major media (see "The Shame of Hearst, opposite), in a very low-turnout election, a grassroots campaign defied the odds and most predictions and came within a few hundred votes of defeating the largest private electric utility in the nation.

And although there's no concrete evidence of fraud, the election was so marred by irregularities that veteran political observers agree the defeat of Proposition F is suspect at best.

The bottom line: the campaign was a remarkable success. Public power may have lost a battle, but it's going to win the war. The issue is now firmly on the political agenda for San Francisco, and activists are already working to figure out how to take the next step.

There are a wide range of possible strategies, and they'll be debated in the weeks ahead. But a few steps are already perfectly clear.

## On the public power front

- The progressive and public power voters must press the two candidates for city attorney to pledge, in writing, to bring an action in federal court to enforce the Raker Act, San Francisco's public power mandate. Neither Jim Lazarus nor Dennis Herrera has been terribly strong on this issue (although Herrera did support Prop. F and Measure L at the San Francisco Democratic County Central Committee and signed a ballot argument in favor of F). But both candidates know that the voters who backed Steve Williams and Neil Eisenberg (both strong public power supporters) will be key to winning the runoff. Make Raker Act enforcement the litmus-test issue, and one of them may come around.

- The Board of Supervisors or the Local Agency Formation Commission should immediately hire a reliable consultant with public power experience to do a complete, authoritative study on the financial feasibility of a municipal utility system. The lack of a study was one of the factors used against Prop. F and Measure L and allowed PG&E to get away with its most gigantic lie: that public power would cost the public \$3 billion. The consultant has to be someone who has a strong background in public power economics and no ties to the private utility industry. An obvious example: the firm R.W. Beck, which advises many public power cities.

- Another public power measure should be placed on the next possible ballot. An initiative in March would allow the momentum from this election to continue uninterrupted, but if that's not legally or politically possible, then the campaign for November 2002 should be started now. If the state legislature would eliminate some of the obstacles to creating a municipal utility district, the supervisors could put a new MUD plan on the ballot without the delays and legal problems that plagued

the last effort. At the very least, the board should call on the city's Sacramento delegation to work actively for the reintroduction and passage of state senator Nell Soto's pro-MUD bill, which died in the last session.

But whatever happens at the state level, another charter amendment is always an option and may be the best approach. Prop. F was an excellent piece of legislation and with a little tinkering could be made even better. (One possible idea: draw district lines in advance and have candidates run for the Water and Power Agency Board at the same election; that and get dozens of prospective candidates out stumping for the passage of the measure.)

Turnout in both March and November 2002 will be higher than the dismal turnout this fall, and that can only help a progressive measure. (Even a 1 percent increase in voter turnout Nov. 6 could have meant victory for Prop. F.) PG&E will have to spend another \$2 million to fight the initiative — and at a certain point, the judge overseeing the company's bankruptcy may start to ask questions.

- There may be steps the supervisors can take now to begin laying the groundwork for public power, and that's worth considering. Sup. Matt Gonzalez has argued that the City Charter already includes provisions supporting public acquisition of utilities. It would be a mistake, however, to set up any public power agency under the control of the Mayor's Office or the existing Public Utilities Commission (as Sup. Tony Hall is proposing). With PG&E's pervasive and damaging influence on city hall, public power will never succeed unless the agency is controlled by an independent, district-elected board.

## On the election front

- By any reasonable standard, the Nov. 6 election was handled badly (see "Elections Debacle?," page 18), and the supervisors need to hold hearings to get to the bottom of what happened and why. Who decided to move thousands of ballots out of City Hall to the Bill Graham Civic Auditorium and to Pier 29? Why was there no public announcement of that plan in advance? Why weren't any monitors allowed to watch the counting of those ballots? Why were the ballots left unguarded for long periods of time?

If PG&E (or one of its allies) wanted to alter the ballots, there certainly was an opportunity — and at the very least, elections director Tammy Haygood failed to win the public's confidence in the outcome.

The good news is that under Prop. G, which passed handily, the Department of Elections will now be run by a commission that isn't controlled by the mayor. The director will serve at the commission's pleasure, and clearly Haygood needs to be replaced. The new commission should also adopt clear rules for the handling of ballots, the chain of custody, the presence of election observers, and the dissemination to the public of all relevant information about the ballot-counting process well in advance of election day.

- District Attorney Terence Hallinan, should launch a full-scale investigation into possible voting fraud.

The bottom line is simple: The fight against PG&E isn't over. This was just a skirmish in the long march to public power in San Francisco.

# grassroots editor

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