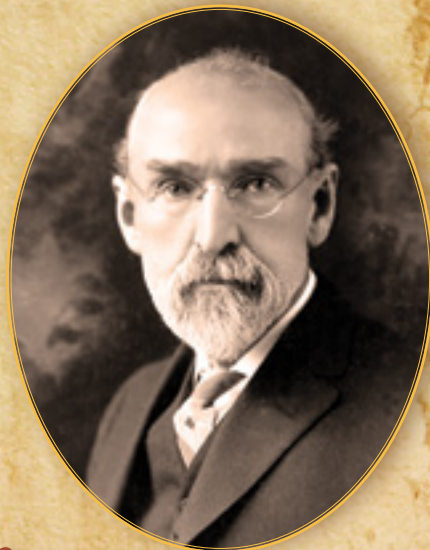


Charles Van Hise
UW president, 1903-1918

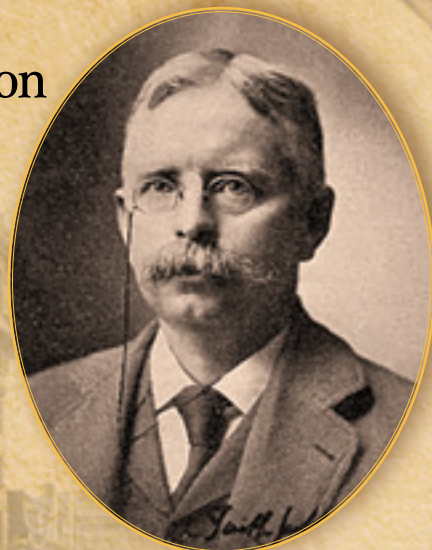


John R. Commons
UW economist, 1904-1933

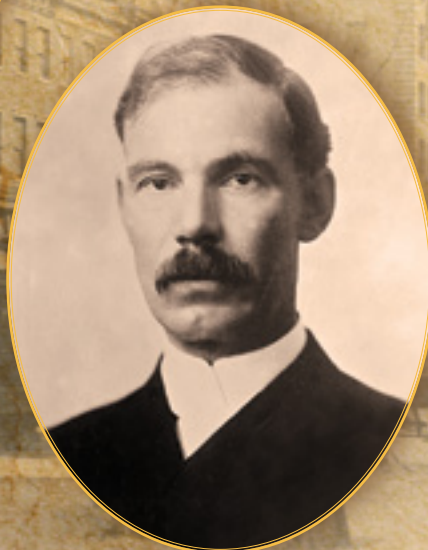


Racist roots of UW progressives

Prominent Madison
scholars believed
blacks, women
and the disabled
were inferior



Richard T. Ely
UW economist, 1892-1925



Edward A. Ross
UW sociologist, 1906-1937

By Thomas C. Leonard

New federal housing rule
is 'social engineering'

BY DAVE DALEY

MPS turnaround plan
doomed from the start

BY JAMES WIGDERSON

Rebecca Bradley out to
prove voters got it right

BY SUNNY SCHUBERT



Editor > CHARLES J. SYKES

A forgotten part of Wisconsin's past

We often seem to be living in an age of cultural and political amnesia, in which we both ignore the past or try to whitewash its rougher edges to fit our own prejudices. Our cover story in this edition of *Wisconsin Interest* seeks to restore a forgotten, but quite extraordinary, part of that history.

The University of Wisconsin prides itself on its progressive roots and traditions. But as Thomas C. Leonard writes, there is also a darker side to that past — scholars who trafficked in virulent racism, flirted with eugenics and openly advocated for denial of basic human rights to blacks, women and the disabled. Their decidedly regressive beliefs do not, of course, discredit the “Wisconsin Idea,” but they provide an essential gloss on that chapter in our state’s history.

We are also honored to be able to share Robert L. Woodson Sr.’s thoughts about the future of the central city, especially in the wake of this summer’s riots in Milwaukee. He focuses on grass-roots efforts to turn lives

around, programs that are often invisible to those on the outside. On a less hopeful note, James Wigderson looks at the failed attempt to create a turnaround school district in Milwaukee.

Elsewhere in this issue, we wrestle with the dilemma of how to fund the state’s transportation infrastructure, featuring pro and con arguments for raising the gas tax and exploring the possibility of toll roads.

Dave Daley examines the threat that a new federal housing rule holds for local control, and Sunny Schubert sits down for a candid conversation with newly elected Supreme Court Justice Rebecca Bradley. Finally, Richard Esenberg looks back at a depressing and deplorable presidential campaign and remembers that there was once a time when conservatives actually cared about freedom. “No matter who wins on Nov. 8, the work of rebuilding our movement begins the next day,” he writes.

Amen.

WPRI

The Wisconsin Policy Research Institute Inc., established in 1987, is a nonpartisan, not-for-profit institute working to engage and energize Wisconsinites and others in discussions and timely action on key public policy issues critical to the state’s future, growth and prosperity. The institute’s research and public education activities are directed to identify and promote public policies in Wisconsin that are fair, accountable and cost-effective.

Through original research and analysis and public opinion polling, the institute’s work focuses on such issue arenas as state and local government tax policy and spending, including related program accountability, consequences and effectiveness. It also focuses on health care policy and service delivery; education; transportation and economic development; welfare and social services; and other issues that have or could have a significant impact on the quality of life and future of the state.

The institute is guided by the belief that competitive free markets, limited government, private initiative and personal responsibility are essential to our democratic way of life.

To find more information about the Wisconsin Policy Research Institute, locate any article in this publication, ask questions and/or make comments, please go to www.wpri.org.

WI

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Students arrive at Auer Avenue School in Milwaukee on the first day of class on Sept. 1.

Jeffrey Phelps photo

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Beyond the riots

Milwaukee, and cities like it across the nation, should look to 'Joseph' groups

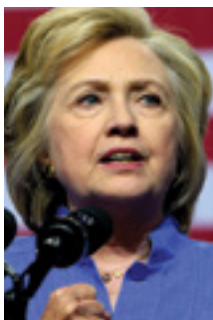
BY ROBERT L. WOODSON SR. **28**

Alt-reality leaves its mark on presidential campaign

With the arrival of fall, an anxious electorate increasingly feels like the kids in the back seat asking their parents, "Are we there ... yet?" Some of us are even old enough to remember when round-the-clock television commercials were the most annoying aspect of our endless political campaigns. That now seems a calmer, gentler time.

None of the above

The current mood was captured in a late August focus group held in Brookfield, Wisconsin. Reported *The Washington Post*:



"For a small group of undecided voters here, the presidential choices this year are bleak: **Hillary Clinton** is a 'liar' with a lifetime of political skullduggery and a ruthless agenda for power, while **Donald Trump** is your 'drunk uncle' who can't be trusted to listen even to the good advice he's paying for.

"Describing the election as a cesspool, 12 swing voters participating in a focus group last week in this battleground state were deeply negative about both candidates, starkly describing their choice this year as one between a candidate they loathe (Clinton) and one they fear (Trump)."

Yet one of them will be elected president on Nov. 8. Lucky us.



Ryan triumphs

The campaign to oust House Speaker Paul Ryan was launched amid much fanfare in May, as former Alaska Gov. and 2008 GOP vice presidential nominee Sarah Palin pledged to deploy her savvy, wit and prestige on behalf of Ryan's primary challenger. Palin predicted that Ryan was "soon to be 'Cantored,' as in Eric Cantor," referring to the former House majority leader ousted in his 2014 primary.

Ryan's "political career is over but for a miracle because he has so disrespected the will of the people, and as the leader of the GOP, the convention, certainly he is to remain neutral, and for him to already come out and say who he will not



support is not a wise decision of his," Palin continued.

Palin soon was joined by such conservative luminaries as Ann Coulter and Michelle Malkin, who parachuted into Ryan's district on behalf of his opponent, Paul Nehlen, who also enjoyed the full-throated support of the alt-reality conservative media. Foremost among Nehlen's media cheerleaders was Breitbart.com, which headlined his momentum on a nearly daily basis.

"Ann Coulter lights Wisconsin on fire for Paul Nehlen against **Paul Ryan**: 'This is it, this is your last chance to save America,' " Breitbart headlined. On the day of the Aug. 9 primary, Nehlen appeared on a radio show hosted by Breitbart CEO

Steve Bannon and declared that Ryan was a "snake. He's a soulless, globalist snake, and we smoked him out of the snake hole." Bannon would shortly afterward be named CEO of Trump's presidential campaign.

Indeed, readers of Breitbart should be forgiven for believing that Ryan was about to be tossed from office. In mid-July, Breitbart headlined breathlessly: Paul Ryan plummets to 43 percent in new primary poll:

"JANESVILLE, WI — A poll of likely Republican voters shows House Speaker Paul Ryan well below 50 percent in his



race to maintain his seat in Wisconsin's First Congressional District ...

"Ryan's challenger, Wisconsin businessman **Paul Nehlen**, is polling at 32 percent.

"The new poll could be viewed as a warning sign to Ryan, as Wisconsin voters may be growing increasingly frustrated with the key elements of Ryan's



longstanding policy agenda.”

In the end, Ryan got 84 percent of the vote. And no, Palin, never visited.

The alternative-reality media

The anti-Ryan campaign not only exposed the role of the so-called alt-right but also the emergence of the alt-reality media. As we ponder what has become of the conservative movement — and where it is going — we will have to wrestle with the role of this echo chamber in shaping and distorting political debate.

Actually, as I said in a number of interviews this summer, the emerging echo chamber has effectively created competing realities in our politics. While the mainstream media has richly deserved much of the criticism it has received for its bias, double standards and oozing disdain for conservatives, it occurs to some of us that we perhaps have been too successful in breaking down its credibility.

The result is the creation of silos of alternative reality in which Ryan is about to be defeated and Trump never misleads his supporters. The gatekeepers have been delegitimized altogether, which inoculates partisans against legitimate fact-checking and against legitimate investigations. It has not helped that the mainstream media has squandered its credibility or that once-trusted voices on the right have morphed from thought leaders to shills in this presidential campaign.

As anyone who spends any time on social media has noticed, we live in an age without gatekeepers or trusted referees, and it is increasingly difficult to point out blatant falsehoods or bogus memes. As fact-checkers like PolitiFact have discredited themselves, it has become harder to point out to voters that a candidate's statements are demonstrably false.

Admittedly, it was stories like the Drudge/Breitbart/Ingraham jihad against Ryan that were on my mind when I spoke with Oliver Darcy of Business Insider in August about the crisis of the conservative media:

“Let's say that Donald Trump basically makes whatever you want to say, whatever claim he wants to make. And everybody knows it's a falsehood. The big question of my audience, it is impossible for me to say that, 'By the way, you know it's false.' And they'll say, 'Why? I saw it on Allen B. West.' Or they'll say, 'I saw it on a Facebook page.' And I'll say, 'The New York Times did a fact check.' And they'll say, 'Oh, that's The New York Times. That's bulls---.' There's nobody — you can't go to anybody and say, 'Look, here are the facts.' ”

Obviously, when this is all over, there's going to be a reck-

oning of some kind for both the mainstream and the alternative media. And it's not likely to be pretty.

Wins and losses

Over the summer, our scorecard was decidedly mixed. As the Obamacare train wreck gathered momentum, more insurers bailed from the program and we learned that here in Wisconsin, three insurance providers have asked for rate hikes of more than 30 percent for 2017. Voter ID was on, then off, then back on again. We marked the 20th anniversary of the passage of state welfare reform but still wrestle with the consequences of long-term, multi-generational poverty.

A fatal shooting by police led to riots in Milwaukee and calls for urgent action on social and economic issues. But the collapse of a decidedly modest education reform — a recovery district that might have saved a single failing school — died with barely a whimper. (See related stories on Pages 4 and 28.)



A glimmer of hope in academia

Even as other schools multiplied their lists of “microaggressions” and “trigger warnings,” the **University of Chicago** took a decidedly countercultural stand, sending out a welcome letter to its entering Class of 2020, warning students not to expect bubble wrapping:

“Our commitment to academic freedom means that we do not support so-called ‘trigger warnings,’ we do not cancel invited speakers because their topics might prove controversial, and we do not condone the creation of intellectual ‘safe spaces’ where individuals can retreat from ideas and perspectives at odds with their own.”

In other words, the University of Chicago will treat students as fully functioning adults. How radical. 

Wisconsin Interest editor Charles J. Sykes is founder of the Right Wisconsin website and a talk show host on AM-620 WTMJ in Milwaukee.

A missed



Opportunity

By James Wigderson

Plan to turn around failing Milwaukee schools was doomed from the start; substantive reform is the only option

Jeffrey Phelps photos

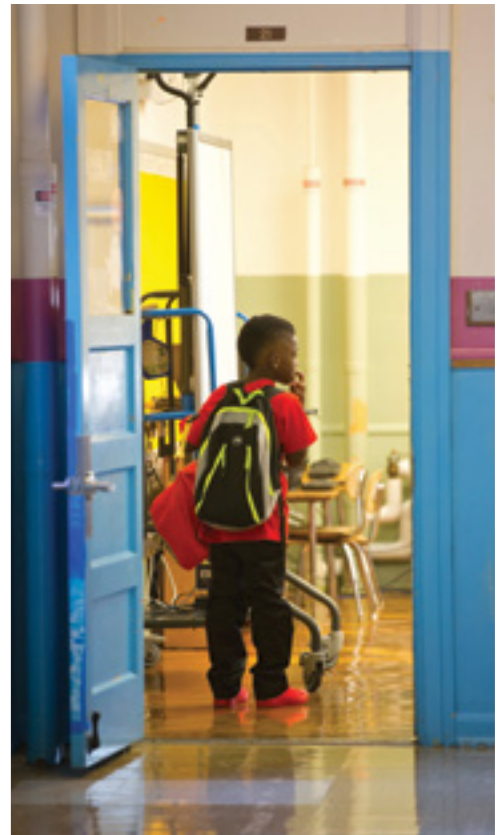
The so-called Opportunity Schools and Partnership Program crashed and burned with no participation and no new opportunity for Milwaukee schoolchildren. It was a dismal failure.

A year after the turnaround program was created, its commissioner resigned, no schools have been selected for the program, no requests for proposals to run the failing schools have been sent and the program is in limbo.

But the attempt was still worth it: It showed, for reasons just now becoming clear to legislators in Madison, exactly who is honestly concerned about providing real opportunity for Milwaukee kids and who is disinterested in even the most tepid attempts to improve abysmal schools where not a single child is proficient at reading.

And why our elected officials have no choice but to push for true and substantive reform.

State Rep. Dale Kooyenga (R-Brookfield), who co-authored the OSPP legislation with state Sen. Alberta Darling (R-River Hills), suggests the table is now set for real change, possibly including a different governmental structure for Milwaukee Public Schools. "Politically, we probably set ourselves up to say, 'Who are the



A boy enters his classroom on the first day of school on Sept. 1 at Auer Avenue School in Milwaukee.



The red carpet is rolled out for students on the first day of school at Auer Avenue, 2319 W. Auer Ave.

people in our state who are working to do something different with the worst-performing schools?” Kooyenga said in an interview. “And by the way, the worst-performing schools are where progressivism is the strongest.”

“The Opportunity Schools have put tremendous pressure on the Milwaukee Public Schools to try something different,” he says. “Even internally, the debate is if we don’t do something different, we’re going to look like a bunch of status quo people compared to Dale Kooyenga and Alberta Darling, who are trying to shake things up.”

A closer look at why the OSPP was doomed from the start, and why similar baby steps can’t succeed, illustrates Kooyenga’s point.

How the OSPP came about

Last summer, the Legislature passed the OSPP as part of the 2015-’16 state budget to begin the turnaround of a handful of failing schools in Milwaukee.

The state’s report cards on every school district, last updated by the Wisconsin Department of Public Instruction after the 2013-’14 school year, showed MPS “fails to meet expectations,” the lowest grade. The report cards also

identified 55 of the district’s 154 schools as failing to meet expectations.

The OSPP law required Milwaukee County Executive Chris Abele to appoint a commissioner to run the program. The commissioner would select one to three schools identified on the most recent report cards as failing to be in the program in the 2016-’17 school year. The school or schools would remain in the OSPP for five years. The commissioner could select up to five more schools the following year and every year thereafter.

The commissioner was also given the authority to select a nonprofit charter school operator or a private school in the Milwaukee Parental Choice Program to run the schools in the OSPP.

“If you’re going to do all 55 failing schools in one year, you don’t have the talent pipeline of principals and teachers to do a wholesale change in one year,” Kooyenga says. “So we said, let’s do two to three schools, up to five schools a year.”

“This is not bold reform. This is very small, incremental new ideas to try something different,” he says. “And yet

“The reaction (from the left) is, we have the monopoly of failing education, and we don’t want anyone to insert themselves in this system that we have, which is dropping 30% of kids off with no diploma.” — State Rep. Dale Kooyenga



the resistance from the left, they only have one volume, which is zero to 10. And it proves that no matter what you do, whether we chose 53 schools or if we chose three schools, the reaction is always the same. The reaction is, we have the monopoly of failing education, and we don’t want anyone to insert themselves in this system that we have, which is dropping 30% of kids off with no diploma.”

Kooyenga and Darling chose the Milwaukee County executive to run the OSPP after exhausting their options. Gov. Scott Walker did not want the authority. “I don’t fault him for that. I think he had some legitimate concerns that it would be perceived in a bad manner,” Kooyenga says.

They also approached Milwaukee Mayor Tom Barrett, he says. “He said he would get back to us, and we never heard back from him,” Kooyenga says.

“So, bottom line is, on the issue that I think is the root of economic, social and criminal issues in Milwaukee, Mayor Barrett said he did not want to lead, he did not want to manage, he did not want to have anything to do with trying to fix MPS, nothing,” he says.

“So what did that leave us with? There’s DPI. People don’t know this: DPI has the power to force corrective action for the entire school district,” Kooyenga says. “DPI

is sitting around with the power and has done nothing directly to deal with Milwaukee Public Schools. Nothing.”

After Democrats in the Legislature rejected a proposed Barrett takeover of MPS in 2010, the Legislature passed Act 215, which empowered state Superintendent for

Public Instruction Tony Evers to order districts with schools that have been identified as in need of improvement to provide more coaching for staff, make administrative changes, establish a consistent curriculum and extend the length of the school day for more help for students.

That authority has not been used by Evers to correct the performance of any failing schools.

“So you’re left with, OK, the superintendent already has powers that they’re not executing.

The mayor does not want to do it. The governor, for good reasons, doesn’t

want to do it,” Kooyenga says. “County Executive Chris Abele said, ‘Yeah, I’m willing to give it a shot.’ ”

Politics played a role

The OSPP became entangled in politics, says Scott Jensen, senior adviser for the American Federation of Children and former Assembly speaker. “The problem is the county executive was on the ballot and running against a progressive Democrat who had made a big deal out of this issue,” Jensen said in an interview, referring to



Teacher Joanie Marchillo walks with students outside Auer Avenue School on the first day of school on Sept. 1.



“It is now clear to me that as implementation of the law moves forward, the environment is not conducive to collaborative partnerships — something essential for positive things to happen in Milwaukee.”

– Demond Means, in his letter resigning as OSPP commissioner

Abele’s spring election against state Sen. Chris Larson (D-Milwaukee).

The race may have led to Abele’s selection of Demond Means, superintendent of the Mequon-Thiensville school district, as the OSPP commissioner, Jensen says. “So he essentially had to try to paper it over until after the elections by picking a local guy who is well-respected and loved MPS,” he says.

Means, an MPS graduate, was known for reducing the achievement gap between white and minority students in his district. He also served as chair of the DPI’s Task Force on Closing the Achievement Gap. Because there was no additional funding for the OSPP, Means’ role was voluntary.

Neither Means nor Abele agreed to be interviewed for this story. However, the two made it clear that they were not interested in a takeover of MPS.

“I think the county executive and I have said numerous times that we would not have drafted the Opportunity Schools Partnership legislation the way that it currently exists,” Means said at a May forum, reported by Watchdog.org. He added later, “We don’t believe OSPP should be a vehicle for private operators.”

What Means and Abele proposed instead was the takeover of one failing school by the OSPP. All of the teachers would be retained, and they could remain in the union. The school would retain MPS’ student discipline policies. Means would report to the Milwaukee School Board quarterly. At the end of five years, the school would revert to MPS’ control. The school would be named as soon as MPS agreed to the joint venture.

Abele said at the same forum: “Is it the way I would have designed it? No, it isn’t.

It is, though, the law, and this represents what we think is a way of implementing the law ... That it is the most sort-of pro-MPS, least-damaging, that we also think we can maybe we can do some good, that we could come up with.”

That compromise was still too much for MPS, and on June 17, it proposed instead an early childhood education program located within another existing charter school. That proposal was rejected by Means, as well as Kooyenga and Darling, for not complying with the OSPP law.

The Wisconsin Institute for Law & Liberty issued a press release on June 28 saying, “Agreeing to such a plan may expose Commissioner Means to litigation from a taxpayer, a parent, or any of the potential operators contemplated by the statute to assist on the turnaround plan.”



Students sit on the gym floor during an assembly at Auer Avenue School on Milwaukee’s north side.

Means resigned the next day, stating in his resignation letter, “It is now clear to me that as implementation of the law moves forward, the environment is not conducive to collaborative partnerships — something essential for positive things to happen in Milwaukee.”

MPS was ‘obstructionist’

Abele’s decision to work with MPS was responsible for the OSPP’s inability to start in the 2016-’17 school year, says Steve Baas, senior vice president for the Metropolitan Milwaukee Association of Commerce for Government Affairs.

“I think he felt that he had to give (MPS leaders) an opportunity in good faith to see if they would work with him. They exposed themselves as being obstructionist to the whole concept,” Baas said in an interview.

Kooyenga adds, “Although I respect that Chris Abele and Demond were trying to decrease the political drama around it, I think it was important, but not more important than results. I don’t think they were ever going to get the most effective solution by working through the institution that has been resistant to change.”

Abele “just needed to name the schools and personally also been out there saying why this has to be done,” Kooyenga says.

Choosing the county executive to run the program may have been the error, Jensen says. “Policy-wise, this thing was well-designed. The problem is the governance model,” he says.

“I think they’ve got to go back to the drawing board in regard to governance, but the turnaround district is still a good idea,” he adds.

Despite the OSPP’s inertia, the effort has led to some positive steps.

“They were very quick right after (the OSPP) to approve a charter school for an individual named Maurice Thomas, who is the founder of Milwaukee Excellence Charter School,” Kooyenga says. He also credits the OSPP for putting pressure on MPS to allow the MPS-chartered Carmen



Eighth-grader Ajonta Taylor attends an assembly at Auer Avenue. While the school has shown improvements recently, a few years ago Auer had no students rated as proficient or advanced in reading. It was expected to be one of the schools targeted for the OSPP.

High School of Science & Technology to move into Pulaski High School. And last year, MPS announced a plan to turn around the struggling Bradley Tech High School. Kooyenga says he has been told privately that the plan would not have come together without OSPP pressure.

“We set up a sharp contrast between who is for the status quo and who is for change. Now based on that foundation, we’re in a position to go to the table with all the reforms that enhance school choice, enhance charter schools and also possibly even change the governance structure of Milwaukee Public Schools,” Kooyenga says.

“I believe the Milwaukee Public School Board needs to be looked at. Maybe it’s time to have a different governing structure over the Milwaukee Public School Board. That has also been brought up by Democratic legislators like Lena Taylor and other parties as well,” he says. **WI**

James Wigderson is the education reporter for Wisconsin Watchdog, a columnist for the Waukesha Freeman and a contributor to Right Wisconsin and the MacIver Institute. He is an MPS graduate.

Rebecca Bradley, shown at her Milwaukee home in August, says: "I was blessed with parents who instilled in us a strong work ethic, the value of education and the importance of God and family."



Following the law

Supreme Court Justice Rebecca Bradley is out to prove that voters got it right

Given the stench that arose from last spring's Wisconsin Supreme Court race after Democrats baldly injected partisan politics into a nonpartisan election, voters might be forgiven for not noticing that they managed to pick a winner uniquely qualified to serve on the court in the 21st century.

Justice Rebecca Bradley, who handily defeated Appeals Court Judge JoAnne Kloppenburg on April 5, has an enviable résumé. It's packed with more experience in more widely varied aspects of the law than any of her colleagues on the state's highest court.

And Bradley, 45, is determined to convince everyone — even her political detractors — that the voters got it right.

With more than 1.9 million votes cast in the largest turnout ever for a Wisconsin Supreme Court race, Bradley garnered more than a million votes. She survived vicious attacks by a union-funded group, an array of Democratic politicians all the way up to Hillary Clinton, Kloppenburg herself and the Milwaukee Journal Sentinel — which three weeks before the election published a flawed story accusing Bradley of having an extramarital affair with a client over a decade ago, even though her ex-husband says he told a reporter it wasn't true.

The voters didn't care, favoring Bradley, 52 to 47 percent.

She uses an anecdote from the campaign to explain her victory. A fellow lawyer approached her after a campaign event and introduced himself by saying, "I'm to the left of Bernie Sanders."

"I want you to know where I'm coming from when I say I'm going to vote for you," he continued. "I believe you will follow the law."

ON THE FRONTLINES OF REFORM

by Sunny Schubert

Bradley adds, "That's what people in Wisconsin want."

"I've now gone through two campaigns. I know there are people who will never support me because I was initially appointed by Scott Walker, and others who think Walker can do no wrong," she says.

"But most people are truly between those extremes. They want judges and

justices to have a conservative judicial philosophy, which is not the same as a conservative political philosophy.

"They want judges who are smart. They want judges who are tough on crime. But, mostly, they want judges who will follow the law."

A middle-class childhood

Rebecca Grassl Bradley grew up in Milwaukee, just three miles from where she currently lives.

"My father was James Grassl. He died 20 years ago, shortly after I graduated from law school. My mom is Barbara Grassl. She was a full-time mother of four until my father lost his job as a purchasing manager for a printing

company during the 1980s recession.

"My mom retired from the Medical College of Wisconsin as an administrative assistant several years ago. She still lives in the house I grew up in."

Bradley has two sisters and a brother. Her sister Susan is a preschool teacher who lives in New Berlin. Her sister Virginia lives in Maryland and is a scientist who earned her Ph.D. in genetics from Oxford. Her brother, Jim, lives in New Berlin and is a teacher and coach at South Milwaukee High School.

Bradley remembers a childhood filled with love, centered around the Catholic Church, but without much money.

"My family struggled financially when I was growing up, but my parents ensured that we would have excellent education." She and her sisters attended Divine Savior Holy Angels High School; her brother attended Pius High School.

"I was blessed with parents who instilled in us a strong work ethic, the value of education and the importance of God and family. We remain a close family," she says. She still attends church today.

Bradley first developed an interest in law while in high school. "I loved reading and I loved writing, and I started thinking about law school," she says.

She graduated from Marquette University with a degree in economics and business administration in 1993, unknowingly leaving behind evidence that political opponents would use to tarnish her two decades later.

She'd been invited to write columns for a feature in the college newspaper called Crossfire, which pitted liberal and conservative students against each other.

When three columns she had written denigrating gays, likening abortion to the Holocaust and calling Democratic voters stupid and evil came to light during this year's campaign, Bradley immediately apologized. She said that what she wrote in 1992 did not reflect the woman she had become.

"The Marquette Tribune was looking for students to take provocative positions. I was way too provocative," she says ruefully. "I'm very sorry. I wish I hadn't published the particular columns."

"I realize that my words had hurt people. It's not who I am today," she says.

Law school and beyond

She moved to Madison in 1993 to attend the University of Wisconsin Law School. "The environment in Madison was different than Milwaukee, but I loved it. It's a wonderful town," she says.

"Especially in the law school, there were people with many different viewpoints, students and professors. We were taught to analyze things differently. And students back then were interested in hearing a variety of viewpoints," she says.

"I'm not sure you find that on campuses today."

After graduation, Bradley joined the Milwaukee law firm of Hinshaw & Culbertson, where she represented physicians in malpractice lawsuits and defended individuals and businesses in product liability and personal injury cases.

Then she moved to Whyte Hirschboeck Dudek, one of the state's biggest and most prestigious law firms, where she worked in commercial, information technology and intellectual property law, including the Internet.

She left to become an executive at the RedPrairie soft-



“The court functions much better than it is portrayed in the media. We have disagreements, but I think it’s healthy.”

“They want judges and justices to have a conservative judicial philosophy, which is not the same as a conservative political philosophy.”

ware firm (now JDA), but after three years in the business sector, she returned to Whyte, where she worked for 12 years altogether.

Outside of her law practice, Bradley was an active volunteer in the legal community, serving as president of the Milwaukee Federalist Society chapter and as a member of the Thomas More Society and the Republican National Lawyers Association.

Today, she enjoys running, plays competitive tennis, reads and travels. She holds season tickets to UW football games. She is engaged to an executive at a software company.

A wide-ranging judicial career

In December 2012, the governor appointed Bradley to the Milwaukee County Circuit Court, where she served in the juvenile court division. Four months later, she was elected to a six-year term.

Her years in juvenile court were eye-opening. “I have deep admiration for the lawyers and social workers who have dedicated their lives to improving children’s lives. It’s an art, not a science,” she says.

“I had some kids check in with me every 30 days, so I could keep an eye on them. The kids who were doing well while dealing with terrific peer pressure to do otherwise, sometimes they’d tell me I was the only person who ever said anything positive to them,” she remembers. “It was heartbreaking sometimes, with kids showing up in court with no parents ...

“I tried to treat everyone with compassion and respect. I developed a reputation for being a very caring person, for being calm and empathetic, and for always following the law.”

In 2014, Walker appointed Bradley to the District 1 Court of Appeals, to replace esteemed Judge Ralph Adam Fine, who had died. Although she says she missed the hands-on work of a juvenile court judge, “I felt like I was returning a bit to the roots of my practice, reading and writing opinions.”

But just a year later, the governor tapped her again, naming her to the state Supreme Court after the sudden death of Justice Patrick Crooks. A few months later, the state’s voters affirmed Walker’s choice.

High court ‘courteous and collegial’

Bradley joined a high court divided along ideological lines

and supposedly fraught with partisan tension.

However, she says, accusations of incivility among the justices are overblown. “I think it’s more collegial than people believe,” she says.

“The court functions much better than it is portrayed in the media. We have disagreements, but I think it’s healthy. We argue points of law and administrative issues — we’re technically in charge of all the courts in the state — but we are always courteous and collegial in our discussions,” Bradley says.

She believes her untraditional background will aid the court.

“I’m the only justice who has served at three levels of the court system: circuit court, appellate court and Supreme Court. I think that’s a positive. And while I’m not the only justice to have been a business executive, I know how things work in the real world.

“I’ve seen firsthand how our decisions affect real people, from children and parents to businesses that create jobs,” she says.

She hopes to follow the example of former Chief Justice Shirley Abrahamson in making the workings of the state’s top court understandable to the public.

“One of my goals on the Supreme Court is to write opinions that are very clearly written, very plainly written,” she says. “We are not writing for lawyers. If you use too much legalese, you risk losing your audience. Anyone should be able to pick up an opinion and read it.”

Asked about the idea that Wisconsin should change its constitution so that judges and justices are appointed, not elected, Bradley says, “Well, I’ve been selected and I’ve been elected.

“I commend the governor for the selection process he’s put in place. It’s a very comprehensive process,” she says.

“But our state constitution calls for our people to elect our judges, and I will always defend our constitution. Our people are pretty smart. By and large, they’ve made good choices.” **WI**

Sunny Schubert is a Monona freelance writer and former editorial writer for the Wisconsin State Journal.

Federal fair housing rule threatens local control



New regulation for adding diversity to suburbs and towns is social engineering, critics say

By Dave Daley

First, President Barack Obama went after the country's health insurance, turning the system on its head with his controversial Obamacare. Now, in the closing days of his presidency, critics say he is going after something just as dear — the neighborhoods you live in.

The Obama administration is rolling out a new federal housing rule that detractors warn could mean catastrophe for suburbs and small cities, dictating how many low-income high-rises a community must build and even moving the big-city poor into suburbs



Housing

deemed too white.

The new rule goes under the unwieldy name Affirmatively Furthering Fair Housing, or AFFH, and will require communities across the country to proactively find ways — affirmatively further — what in the end is an income-based method of bringing ethnic and racial balance to their suburbs and towns, according to critics.

AFFH is scheduled for implementation in Milwaukee County, Wauwatosa and West Allis in 2018 and the city of Milwaukee in 2019.

Opponents are apoplectic in their denunciation of the 377-page rule — social engineering, big-government overreach and annexation of suburbs by metropolitan cities are a few of the more printable descriptions they toss out.

U.S. Rep. Glenn Grothman (R-Wis.) is scathing in his denunciation: “The Affirmatively Furthering Fair Housing policy is an ill attempt by the Obama administration to create a utopian society,” Grothman chides. “The president believes he can use government agencies like HUD to bully American communities into handing over zoning decisions, which should be made by local governments, to the federal government.”

“This is bad policy,” he continues. “Washington should not be making local decisions about neighborhoods and housing. Government agencies should definitely not be threatening to take away important grants meant to better communities from communities if they refuse to comply. Unfortunately, that’s exactly what we see happening across the U.S.”

Dubuque is targeted

Critics point to the small city of Dubuque, Iowa, one of the first cities the new rule has targeted. That city is now required to seek low-income residents from Chicago to fill Dubuque’s public housing units under a federal interpretation of the AFFH rule that lumps Chicago and Dubuque into the same region for demographic purposes.

Earlier this year, *National Review* published a story on the new rule under the headline, “How Obama Stole Dubuque.” Writer Stanley Kurtz excoriated the rule’s impact on the small river city in Iowa 200 miles west of Chicago: “The feds have essentially commandeered Dubuque to solve Chicago’s public housing shortage.”

How can that happen?

At the heart of the complex rule is a requirement that any community taking U.S. Housing and Urban Development funds must complete a so-called Assessment of Fair Hous-

ing (AFH), which analyzes the community’s occupancy data on factors such as race, color, religion, English proficiency and national origin. The community then must analyze factors that contribute to an imbalance of living patterns among low-, middle- and upper-middle income families, and finally devise a plan for HUD approval to mitigate any imbalances found.

The genesis of the new policy is a line in the 1968 federal Fair Housing Act that requires recipients of federal housing funds to “affirmatively further fair housing.” Over the past 45 years, that meant cities and suburbs looked for discrimination in its housing and found ways to combat any discrimination found.

But housing policy-makers in the Obama administration have reinterpreted those words and are pushing well beyond that approach. The AFFH regulation, finally adopted by HUD in July 2015, requires fund recipients to “address significant disparities in housing needs and access to opportunity, replace segregation with truly integrated and balanced living patterns, and transform racially/ethnically concentrated areas of poverty into areas of opportunity.”

HUD advocates of the new rule downplay critics’ warnings that AFFH will lead to a de facto annexation of suburbs by nearby big cities. But the pattern of AFFH implementation in Dubuque, Baltimore County in Maryland and Westchester County in New York tells a different story.

HUD is requiring Baltimore County to spend \$30 million over 10 years to come up with 1,000 affordable housing units that will be dispersed to 116 relatively affluent census tracts around the city of Baltimore. The requirement is part of a settlement of a lawsuit against the county by the Baltimore County branch of the NAACP and four other litigants.

According to a HUD press release, the settlement requires Baltimore County to

“proactively market the units to potential tenants who are least likely to apply, including African-American families and families with a member who has a disability.”

The story is the same in affluent Westchester County, north of New York City. There, HUD is requiring the county to build 750 low-income units in 31 of the county’s mostly white communities.

One way to get out from under the hammer of AFFH is to simply refuse HUD funds. Westchester County is now taking that path.



“This is bad policy. Washington should not be making local decisions about neighborhoods and housing.”

– Glenn Grothman,
Wisconsin congressman

"It's not worth it because of the threat of lawsuits, the strings attached and the control that Washington can then exert over you," Westchester County Executive Robert P. Asorino told *The Washington Post*. "You get involved with the federal government, and you can't get out of bed with them."

New Berlin case was precursor

While the AFFH rule isn't scheduled for implementation in southeastern Wisconsin until 2018, there is already significant debate over what the impact will be there. Six years ago, a similar situation in New Berlin in Waukesha County may have been an unknowing precursor to what the new Obama policy, fully implemented, can bring to a community. In 2010, responding to opposition from some residents, the City of New Berlin balked at a plan to construct buildings that included so-called workforce apartments — low-income units — in its City Center neighborhood.

Some residents argued that the workforce housing did not reflect the original concept of City Center as higher-end condominiums and specialty retail shops, and could lead to increased crime and reduced property values in the neighborhood.

The developer, MSP Real Estate Inc., of St. Louis Park, Minn., sued the city for nearly \$13 million, alleging that residents' opposition was really "racial hostility to minority group members who might become tenants."

Unlike Westchester County, the New Berlin case involved the developer taking tax credits to develop low-income housing, not the city directly taking HUD funds to build affordable housing. But the federal government — similar to how critics say it will act under AFFH — saw an opportunity to impose its view of what the community should look like.

Alleging racial discrimination by New Berlin, the U.S. Justice Department asked a judge to intervene in 2011.

New Berlin officials denied racial bias and said the denial was due to the developer's failure to comply with city ordinances and guidelines on things such as parking and storm water management. But the city ultimately settled both lawsuits in 2012 and agreed to a Justice Department demand that it establish a \$75,000 trust fund to finance projects that promote "affordable housing, residential integration and equal housing opportunity."

More pointedly, a Justice Department press release noted, the city was required to develop a plan "to encourage tenants and developers of affordable housing to come

to New Berlin" and "take affirmative steps to provide for future affordable housing."

State Sen. Duey Stroebel (R-Cedarburg) is a staunch opponent of the AFFH rule. The rule goes well beyond the legislative intent of the Fair Housing Act, says Stroebel, who owns a real estate business. "The intent used to be to serve a need within a community," he says. "With this (rule), you're doing this in a community that doesn't have a need (but) for social engineering purposes."

Ironically, with the way HUD is using the AFFH rule, communities with higher incomes, lower unemployment and better schools will be targeted for the low-income housing projects, Stroebel adds. "It's a shame, because this rule is an overreach that goes into every little community in the country."

Advocates minimize effect


Although the AFFH rule is not scheduled for implementation in the city of Milwaukee until 2019, Milwaukee will work with Milwaukee County, Wauwatosa and West Allis as the rule is rolled out in those areas in 2018, says Kori Schneider Peragine of the Metropolitan Milwaukee Fair Housing Council.

Once the rule is implemented and refined over time to work out the kinks, critics will see that the current alarm over AFFH's impact are greatly overblown, she adds.

That the rule will lead to big cities effectively annexing suburbs and mean the wholesale moving of minorities into high-income neighborhoods is preposterous, Peragine says.

"I would like to think (the AFFH rule) is the answer to segregation as we know it, but I don't think that is going to happen. Nothing is really going to change much," she adds.

AFFH, say housing advocates, is simply an attempt to fully implement the language of the Fair Housing Act that broadly prohibits discrimination in housing.

"It has been decades in coming," says Bethany Sanchez, in charge of the lending program at the Metropolitan Milwaukee Fair Housing Council. "Finally, this is a way to implement the language of the Fair Housing Act. All I can say is we're happy for it — it's going to be a good thing." 

Dave Daley is the reporter for WPRI's Project for 21st Century Federalism Project, of which "Federal Grant\$anding" is a part. A journalist for 30 years, Daley covered the statehouse in Madison for The Milwaukee Journal and the Milwaukee Journal Sentinel.

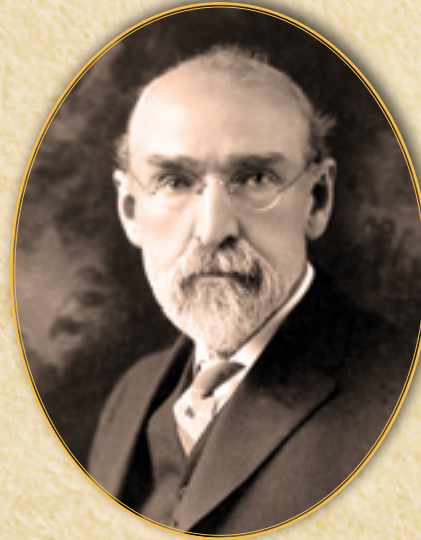


"It's a shame, because this rule is an overreach that goes into every little community in the country."

— Duey Stroebel,
state senator from Cedarburg

Wisconsin progressives

Prominent UW scholars deemed blacks, women and the disabled innately inferior and undeserving of many rights



“Human defectives should no longer be allowed to propagate the race.”

— Charles Van Hise
UW president from 1903-'18 and a founder of the Wisconsin Idea

By Thomas C. Leonard

Some readers will know that Wisconsin was so identified with the progressive reform movement of the early 20th century that American progressivism used the “Wisconsin Idea” as a prototype. Other readers will know that the progressives permanently altered the course of America’s economy and its public life. What readers may not know is that the progressives, in Wisconsin as elsewhere, were not that progressive.

The original progressives shared three common goals,

according to one of the first accounts of progressivism, Benjamin Parke DeWitt’s 1915 volume, *The Progressive Movement*. Those goals, he wrote, were: to make government less corrupt, to make government more democratic and to give government a far bigger role in the economy. Granting DeWitt’s characterization, significant tensions between all three of these goals were evident.

Progressives passed many pro-democratic reforms. Amending the U.S. Constitution in 1920 to give women the vote and in 1913 to require direct election of U.S. senators are celebrated examples. But woman suffrage

had regressive beliefs



“By the cataclysm of a war in which it took no part, this race (blacks), after many thousand years of savagery, was suddenly let loose into the liberty of citizenship, and the electoral suffrage.”

— John R. Commons
UW economist and labor historian
from 1904-'33

happened only after African-Americans in the Jim Crow South were effectively disenfranchised.

Many progressives simply ignored the plight of African-Americans, but others justified the brutal re-establishment of white supremacy. Princeton University professor Woodrow Wilson told his *Atlantic Monthly* readers that the freed slaves and their descendants were unprepared for freedom.

African-Americans were “unpracticed in liberty, unschooled in self control, never sobered by the discipline of self support, never established in any habit of prudence ... insolent and aggressive, sick of work, (and) covetous of pleasure,” Wilson

The ideas behind the Wisconsin Idea

By Thomas C. Leonard

Who were the original progressives? What inspired these scholars and activists to lead the Progressive Era crusade to dismantle laissez-faire and remake American economic and political life? And why were the progressives so ambivalent about the poor, offering uplift to those groups they judged capable of self-government but exclusion to those groups they judged inferior — immigrants, African-Americans, the disabled and women?

The first progressive generation was born largely between the mid-1850s and 1870. More often than not, the progressives were children of Protestant ministers and missionaries. The sons were expected to continue the family calling, and the daughters were expected to stay home, and both wanted neither.

Instead they channeled their reform energy into new progressive professions they created — the expert economist, the professor of social science, the scholar-activist, the social worker and the investigatory journalist. Their vocations and methods were new, but their mission remained the same — to build a righteous Kingdom of Heaven on earth. In the language of the day, they preached a social gospel.

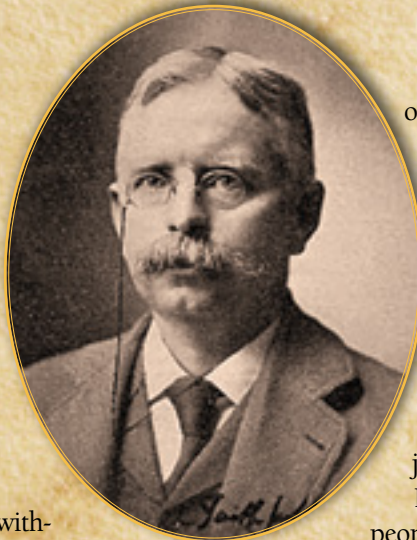
The American Economic Association (AEA), founded in 1885, embodied the social gospel's distinctive blend of liberal Protestant ethics, veneration of science and the evangelizing activism of pious, middle-class reformers. Economist Richard T. Ely was the prime mover behind the AEA's establishment and the standard bearer of American progressive economics. Ely saw economic reform as a calling and described the reformer's work as a mission to “redeem all our social relations.”

Social gospel economists, like all progressives,

“Negroes are for the most part grownup children, and should be treated as such.”

— Richard T. Ely

UW professor and director of the School of Economics, Political Science and History from 1892-1925



wrote in 1901. Jim Crow was needed, Wilson said, because without it, African-Americans “were a danger to themselves as well as to those whom they had once served.” When President Wilson arrived in Washington, his administration resegregated the federal government, hounding from office large numbers of black federal employees.

Economist Richard T. Ely, who came to the University of Wisconsin-Madison in 1892, approved. “Negroes are for the most part grownup children, and should be treated as such,” he declared.

Ely’s protégé, UW labor historian and economist John R. Commons, who came to personify the Wisconsin Idea, was more militant. Black suffrage, Commons said, was not an expansion of democracy but a corruption of it. Blacks were unprepared for the ballot, and giving it to them had served only the interests of the rich.

Apparently forgetting the valor of the black soldiers who served in the Civil War, Commons wrote in 1907, “by the cataclysm of a war in which it took no part, this race, after many thousand years of savagery, was suddenly let loose into the liberty of citizenship, and the electoral suffrage.”

UW sociologist Edward A. Ross, another Ely protégé who became a leading public intellectual of American progressivism, was not to be outdone when it came to contempt for his imagined inferiors. Black suffrage, he said in 1912, was the taproot

of American political corruption. “One man, one vote,” Ross wrote, “does not make Sambo equal to Socrates.”

Frank elitism and democracy

One fundamental but less conspicuous tension in DeWitt’s troika of progressive goals was between expertise and democracy. The Wisconsin Idea greatly expanded government’s role in the economy, but it also relocated political authority within the state, moving power from the courts and parties to the new independent agencies of the executive, and from judges and legislators to bureaucratic experts.

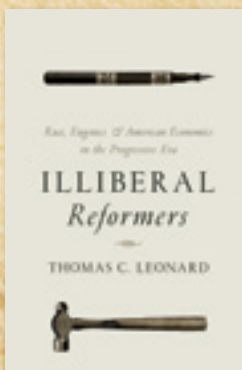
How could progressives return government to the people while simultaneously placing it beyond their reach in the hands of experts? They could not. If democracy meant, as DeWitt characterized it, control of the many, then government by experts was, by its nature (and indeed, by design) less democratic.

Economic reformers fell into two camps regarding the tension between expertise and democracy. The more egalitarian progressives, such as Jane Addams and John Dewey, wanted more democracy and more expertise, but never really figured out how to get both. They usually appealed to some notion of instruction, such as university extension, hoping it would lead the electorate to make better choices and become more actively engaged in civic life. But the people invariably disappointed them.

The Wisconsin men were not egalitarians. They were frank elitists who applauded the Progressive Era plunge in voter participation and openly advocated voter quality over voter quantity.

So long as the United States was plagued with inferior races and classes, Commons said, it could not be a democracy at all, only an oligarchy disguised as one. It was high time, Ely said, to abandon the outmoded 18th-century doctrine that all men were equal as a false and pernicious doctrine. Ross, likewise, granted that democracy had once made sense, but no more. The new industrial economy demanded the leadership of “superior men,” he said.

Ely granted that public education could uplift ordinary



“Inspired by the slogan ‘sterilization or racial disaster,’ Wisconsin passed its forcible sterilization law in 1913, with the support of the University of Wisconsin’s most influential scholars, among them President Charles Van Hise and Edward A. Ross.”

— From Thomas C. Leonard’s “Illiberal Reformers”

**“One man,
one vote
does not
make Sambo
equal to
Socrates.”**

— **Edward A. Ross**
UW sociologist from 1906-'37,
commenting on black suffrage



people. At the same time, he doubted that all Americans were educable. How many?

Governing New York City would be easier, Ely ventured in 1882, “if thirteen per centum of the poorest and most dependent voters were disenfranchised.”

Ely’s elitism did not soften. The “human rubbish heap,” he wrote in 1922, was far larger than a submerged tenth. The intelligence testers had scientifically demonstrated that 22 percent of U.S. Army recruits were hopelessly inferior.

Ely lauded the Army IQ testing, because it enabled the state to scientifically inventory the fitness of its human stock. We census our farm animals and test our soils, Ely observed. Surely it was no less important to take stock of our human resources, ascertain where defects exist and apply suitable remedies. We have gotten far enough, Ely said, “to recognize that there are certain human beings who are absolutely unfit, and should be prevented from a continuation of their kind.”

UW president on ‘human defectives’

UW President Charles Van Hise concurred. Americans, he said, must abandon their individualism for the good of the race. Individuals were only stewards of their heredity — holding genetic resources, like land resources, in trust for future generations.

Van Hise demanded that the “defective classes” surrender control of their genetic resources, writing in 1910, “Human defectives should no longer be allowed to propagate the race.” Whether by involuntary sterilization or segregation in asylums, hospitals and institutions, the methods of conserving human heredity, Van Hise warned, must be thoroughgoing.

Addressing a visiting delegation of more than 100 of Philadelphia’s leading citizens, which had come to Madison on an “expedition” to study the virtues of the Wisconsin Idea, Van Hise told them in 1913, “we know enough about eugenics

embraced the state as their chief agency for redeeming society. “God works through the State,” Ely professed, more so than through any other institution, including the church. Labor historian and economist John R. Commons told audiences that the state was the greatest power for good that existed.

Many reform organizations began in churches and voluntary groups, but, ultimately, nearly all progressives turned to the state. Government compulsion promised economic reform that was faster and farther reaching. Wisconsin sociologist Edward A. Ross put it this way: Removing control from the ordinary citizen and handing it to the government provided “the intelligent, far-sighted and public-spirited” a longer lever with which to work.

The belief in social engineering

When Ross memorably described Progressivism as “intelligent social engineering,” he was idealizing the government expert as an applied scientist. The social engineer worked outside politics (or, better, above it), proceeded rationally and scientifically, and pursued neither political power nor pecuniary gain but only the public good, which the engineer could identify and enact. It was the scientific spirit, Ross said, that provided “the moral



Van Hise Hall has towered over the Madison campus since 1967. It is named after Charles Van Hise, the revered UW president from 1903-'18.

JAMES STEAKLEY PHOTO

so that if that knowledge were applied, the defective classes would disappear within a generation.”

Inspired by the slogan “sterilization or racial disaster,” Wisconsin passed its forcible sterilization law that same year. When Charles McCarthy queried Ross on the merits of it, Ross replied: “I am entirely in favor of it.” When the appalling death toll of the First World War quickened eugenic fears, Ross, voicing a sentiment held by many, bemoaned the “immeasurable calamity that has befallen the white race.”

‘Race suicide’ and the minimum wage

Such attitudes formed the underpinning of a key progressive policy. The progressives feared that if firms were permitted to hire whomever they chose to, the work would necessarily go to the lowest bidder, an argument that first was

racialized when applied to Chinese immigrants, who were stigmatized as Coolies. As Ross put it, the Coolie “cannot outdo the American,” but “he can underlive him.”

Commons later would extend the indictment to all Asians. Ultimately, the disabled, Catholics and Jews from southern and eastern Europe and women all were accused of undercutting the American (read: Anglo-Saxon) workingman.

Worse, progressives said, the American workingman refused to lower his living standard to the Coolie level, instead opting to have fewer children. Thus inferior groups were allegedly outbreeding their biological betters, a notion Ross named “race suicide.” As Commons put it, economic competition “has no respect for the superior races,” so “the race with lowest necessities displaces others.” President

capital of the expert, the divine spark that keeps him loyal and incorruptible.”

Ross’s metaphor of the social engineer captured the extravagant faith of progressive economists in their own wisdom and objectivity, a mostly unquestioned assumption that they could and would represent an identifiable public good. Ross’s metaphor also implied that America’s economic challenges were as comprehensible and tractable as the purely technical problems addressed by engineers on the factory floor.

His engineering metaphor turned incorrigible differences into preventable errors. Financial crisis, economic panic, violent labor conflict and money wars were thus tamed into bad planning, inefficient practices and unscientific management. In an era of recurring economic crisis, the social engineer was an appealing conceit. Within certain limits, Ely announced in his influential textbook, *An Introduction to Political Economy*, “we can have just such a kind of economic life as we wish.”

The progressives’ confidence in their own expertise as a reliable, even necessary guide to the public good was matched by their faith in the transformative promise of the state. On its face, this was a puzzle. Progressives, after all, attacked late 19th-century American government as corrupt, wasteful and chaotic, a well-founded critique

during the notorious heyday of spoils-system patronage and ward-healing machine politics. Why would progressives place their fondest hopes in government, an institution they judged wholly inadequate to the task?

The answer, of course, was that progressives planned to reform government and the party system as well. During the Progressive Era, then, government served a dual role for progressives — simultaneously an instrument and an object of reform.

Progressives had convinced Americans and their political leaders that laissez-faire was both economically outmoded and ethically deficient. Industrial capitalism, progressives said, created conflict, operated wastefully and distributed its copious fruits unjustly. Moreover, it produced novel organizational giants — trusts, industrial corporations and labor unions. Free markets, to the extent they ever could, no longer self-regulated.

Progress, the economic progressives argued, now required the visible hand of a powerful regulatory state, guided by university trained experts, who would diagnose, treat and even cure low wages, long hours, unemployment, labor conflict, industrial accidents, financial crises, unfair trade practices and the other ailments of industrial capitalism.

UW-Madison, the hub

If the regulatory state were to be the new guarantor of economic progress, it would need to be built. Wisconsin



President Charles Van Hise left his mark on the University of Wisconsin-Madison. Sitting atop Bascom Hill is a granite boulder bearing a cast bronze plaque that highlights a 1904 quote from Van Hise, which sparked the Wisconsin Idea.

Theodore Roosevelt called race suicide “the greatest problem of civilization.”

One key eugenic solution, first proposed by Ely, was a legal minimum wage. A minimum wage, went the theory, improved heredity by ensuring that only the most productive immigrants, presumed to be Anglo-Saxon, were admitted, and also by idling inferior workers already in the workforce. Only the most productive, deserving workers kept their jobs, and they could afford to support larger families, thus averting a race to the racial bottom.

The original progressives were deeply ambivalent about the poor. This is, I think, the great contradiction at the heart of Progressive Era reform. Progressives felt genuine compassion for “the people,” which is to say, those groups they

judged worthy of American citizenship and employment. The deserving poor were offered the helping hand of state uplift.

Yet progressives simultaneously scorned the millions of ordinary people who happened to be disabled, or of an “inferior” race, or female. The so-called undeserving poor were offered the closed hand of state exclusion and restraint.

This amalgam of compassion and contempt helps explain why Progressive Era reform at once uplifted and excluded — and did both in the name of progress. WI

Thomas C. Leonard is an economist and historian at Princeton University. This article is adapted from his book, “Illiberal Reformers: Race, Eugenics and American Economics in the Progressive Era” (Princeton University Press).

had the ingredients to make the first operational prototype. The University of Wisconsin was already a key hub of American progressive economics. Ely, Commons and Ross were among the most vocal national voices for reform. The university and the state Capitol were collocated in Madison. Gov. Robert La Follette and University President Charles Van Hise had been undergraduate classmates, both of whom, influenced by former UW President John Bascom, believed deeply in the efficacy and wisdom of scientific government.

La Follette, then a progressive Republican, unleashed the Wisconsin faculty on the statehouse. By 1908, all the economists and one-sixth of the faculty held appointments on Wisconsin government commissions, including Van Hise. Commons, whom Ely had recruited to Madison in 1904, traveled State Street between the university and the Capitol so regularly that he wore a groove into it.

Blurring the lines between academic research and political activism, Commons and his allies pushed through legislation that established regulatory commissions, restricted working hours, fixed minimum wages, regulated utilities and compensated industrial accident victims.

By 1912, two books extolling the virtues of the Wisconsin Idea had been published, Frederic C. Howe’s *Wisconsin: An Experiment in Democracy* and Charles McCarthy’s *The Wisconsin Idea*. Both authors were pro-

gressives and former students of Ely’s.

Howe’s book claimed that the partisans and politicians, made obsolete by university experts like Commons, had all but disappeared from the statehouse in Madison. The field was left to the experts, who brought scientific efficiency into every corner of the state. In Wisconsin, Van Hise said proudly, political science had moved away from “political” and toward “science.”



This was the Wisconsin Idea: The university was a creature of the state and had a duty to supply the state with beneficial knowledge. Therein lay a crucial ambiguity, however. Wisconsin, like the United States more generally, was multifarious. Progressives argued that a well-run government, like a well-run business corporation, should enlist the aid of expert administrators. Ely maintained that administering a great city

was a harder job than running a great railroad company.

But the purpose of the corporation was to maximize profit. What were the analogous purposes of Wisconsin? What was the public analog to corporate profits, the end to which public administrators applied their expertise? Or, what did Wisconsin want?

Van Hise conceived of the public good as what was good for the public. The extremely complex problems of government should not be left to an unprepared electorate, Van Hise said — what was needed was a “government of experts.”



Robert W. Poole Jr. is director of transportation policy at the Reason Foundation, which he co-founded in 1978. He has advised the U.S. Department of Transportation and the DOTs of seven states; he is an unpaid consultant to the Wisconsin DOT. Poole earned two engineering degrees from the Massachusetts Institute of Technology.

Toll roads in Wisconsin

Revenue from tolling could help solve state's transportation funding dilemma

By Robert W. Poole Jr.

Wisconsin's most important transportation infrastructure — the Interstate highway system — is wearing out and needs to be rebuilt and modernized.

Federal and state gas taxes — which most Wisconsinites, including Gov. Scott Walker, oppose raising — can't possibly pay for this \$8 billion to \$12 billion effort, and most other solutions are also not feasible. Except one.

Tolling, once dismissed as impossible in the Badger State due to lack of federal approval and to local opposition based largely on antiquated notions of how it might work, now appears quite possible.

I've been writing about the potential for toll-financed Interstate modernization in Wisconsin for years, including a 2011 policy study for the Wisconsin Policy Research Institute and a 2013 study for the Reason Foundation. Those studies made careful estimates of the reconstruction and widening costs, made projections of car and truck traffic, used moderate (but inflation-adjusted) toll rates and estimated that for most corridors, toll revenue could cover the capital and operating costs of the second-generation Interstates.

Since then, both the Wisconsin Department of Transportation and the Legislature have taken positive steps.

Last year, at the request of the DOT, the Legislature appropriated \$1 million for a detailed study on "the feasibility of state-sponsored Interstate tolling in Wisconsin." The winning bidder was the Milwaukee office of the respected engineering firm HNTB. The study's three

reports are due to be completed by the end of this year.

HNTB is to deliver:

- A resource document explaining current (21st-century) tolling practices.
- A policy document on how tolling could be implemented on Wisconsin's Interstates.
- A toll revenue analysis to see whether realistic toll rates could generate enough revenue to finance the modernization plus the operating and maintenance costs of the replaced infrastructure.

Assuming the study results are favorable, what might actually happen?

Federal permission

There are two hurdles that must be overcome in order for toll-financed, second-generation Interstates to come about in Wisconsin: The Legislature and the governor must decide that this course of action makes sense, and the U.S. Department of Transportation must give its permission.

At the federal level, the 1956 law authorizing the Interstate Highway System allowed tolls only on those portions of the system that already existed (or were under construction) as toll roads — the New York State Thruway, Ohio Turnpike, portions of the Illinois tollway system, etc. Tolls were explicitly forbidden on all of the still-to-be-built corridors, such as those in Wisconsin.

Since the 1990s, however, Congress has several times created exceptions to this ban, including a provision that replacements of Interstate bridges and tunnels

may be toll-financed and that express toll lanes may be added to congested Interstates.

The most relevant exception for Wisconsin is a pilot program that allows three states to each use toll financing to reconstruct and modernize one of its Interstates. That law was enacted in 1998, and in subsequent years Missouri, North Carolina and Virginia won the three slots.

However, none of them has reached political consensus on making use of the law's provisions. Late last year, in the FAST Act, Congress amended the pilot program, adding a "use it or lose it" provision. States holding a slot must take real steps toward implementation by the end of 2016, or they will forfeit their slot.

That is good news for Wisconsin, since it seems quite likely that neither North Carolina nor Virginia will meet the requirements for definitive action. And while Missouri's governor and its DOT both want to move forward, it's not clear their legislature will act in time. So there could well be slots available next year.

If Wisconsin decides to act, it may face competition. Considerable interest in toll-financed Interstate reconstruction and modernization has emerged in Connecticut, Indiana and Rhode Island. So if two slots become available, there could be as many as four bidders, including Wisconsin.

Public opinion

The other hurdle, of course, is whether enough political support exists in Wisconsin to persuade the Legislature and the governor to move forward (assuming the HNTB study results are positive). Walker has opposed recent moves to increase the state's nearly 33-cent-per-gallon gas tax, and his 2017-'19 budget proposal, therefore, calls for a two-year delay in rebuilding the Zoo Interchange and a further delay on a key stretch of I-94. A 2014 survey by the Marquette University Law School found that 58% of Wisconsin voters oppose a gas tax increase. (See *related stories on Page 26*.) However, the same survey found that 55% would support tolls as the best (or least-bad) way to pay for needed highway improvements.

Similar results were found in a WPRI poll in January 2015. While only 17.3% of respondents believed that the best way to raise funds for transportation in Wisconsin was increasing the

gas tax, 29.2% thought adding toll roads was the best way. On tolling, more respondents than not — 47% to 40.7% — said they would support adding tolling to raise transportation funds in Wisconsin if the tolls were all-electronic and didn't involve toll booths.

These Wisconsin survey findings mirror numerous studies around the country. People increasingly understand the difference between a tax and a user fee. They generally oppose higher taxes because they don't trust government to spend the proceeds wisely. But if a user fee is dedicated to a specific set of projects that benefit those who pay it, people understand the connection. It's more like a charge for electricity or phone service than a tax.

Federal law already requires that tolls to reconstruct an aging Interstate be used only for the capital and operating costs of the replacement highway, thereby ensuring that the toll will not be turned into a cash cow to fund other things. It would be wise, also, to not start charging tolls on a corridor until construction is done and all lanes are open to traffic.

To further reinforce the idea that the new toll is purely a user fee, motorists should not also have to pay gas taxes on the tolled replacement corridors. (Truckers refer to this as "double taxation.") Rebates on gas taxes already exist on the Massachusetts Turnpike and the New York State Thruway but require motorists to save receipts and submit paperwork. With today's nonstop, all-electronic tolling, the tolling system could compute

the rebate as part of the toll billing, since the toll is charged to a specific, known vehicle.

Freeing up state money

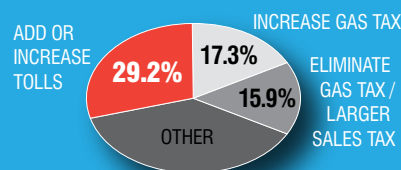
The Wisconsin DOT would still come out ahead after the rebates, since it would no longer have to spend any of its federal and state gas tax revenue on the newly modernized Interstates. Over the six-year period from 2011-2017, the DOT is spending \$1.35 billion on rebuilding and modernizing Interstates comprising portions of the southeastern Wisconsin freeway system, primarily the Zoo Interchange. If this project were being toll-financed, most of that money would be available for other needed highway improvements.

Public support for toll roads

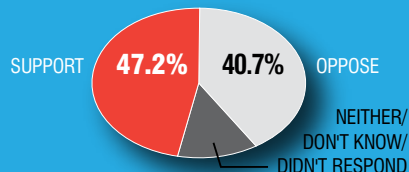
In a 2015 WPRI Poll of Public Opinion, more respondents than not supported adding toll roads to raise transportation funds in Wisconsin.

Responses of Wisconsin residents when asked about...

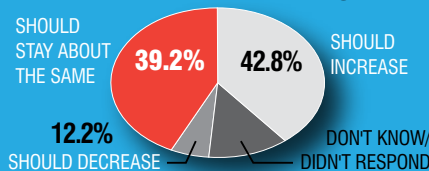
Best way to raise funds for transportation



Electronic tolling



Government funding



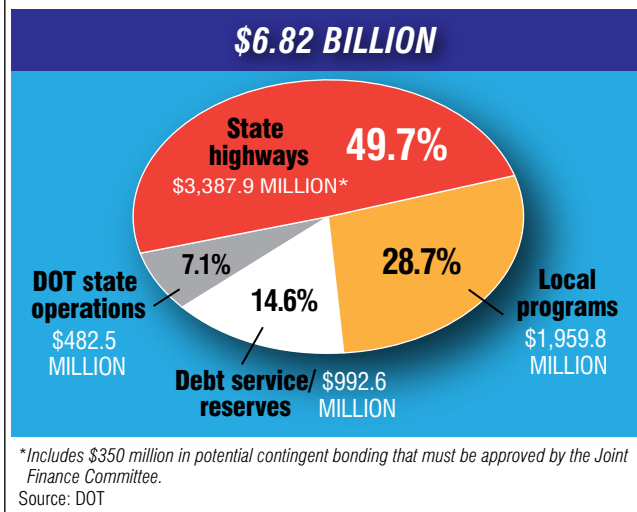
Source: Survey commissioned by WPRI and conducted in January 2015. The poll's margin of error was 4% to 5% for questions involving the full sample of 600.

High-quality infrastructure is a key factor in a state's economic competitiveness. Wisconsin's Interstates, with just 1% of the state's highway route-miles, handle 18% of all vehicle miles of travel and 21% of all heavy truck miles of travel. Major highways like these were built to last 50 years — and some of them already exceed that age. Some also handle more traffic than they were designed for or will likely occur over the next 30 to 50 years. So it would be foolish to ignore the need to rebuild and modernize these vital corridors.

The federal government is in no condition to provide significant new funding for Interstate reconstruction. And most Wisconsin voters remain opposed to increasing the state gas tax. But a majority already support tolling, as long as it is used for clearly beneficial highway improvements.

We don't yet know what the HNTB study will conclude, but assuming the result is favorable, next year will be the time to take action. [WI](#)

Wisconsin's 2015-'17 transportation budget



Raise the gas tax?

No, reducing spending and repealing anti-competition laws are better options

By Eric Bott

Wisconsin's turnaround is remarkable. Sizable tax cuts coupled with pro-market labor and regulatory reforms have reversed Wisconsin's downward economic trajectory. Unemployment remains steady at 4.2%, a 15-year low. Average weekly private-sector wage growth was sixth-best in the nation last year. State tax revenues are up 4% in spite, or perhaps because, of our commitment to lowering taxes.

Wisconsin's approach works, but will legislators continue advancing pro-growth reforms, or will they reverse course?

A coalition of road builders, unions and other interests have been scooping up Republican consultants and lobbyists to launch a public relations blitz to convince us that Wisconsin highways are in terrible shape and that the only solution is for taxpayers to give them lots more money. They're wrong on both counts.

They claim that Wisconsin has the third-worst roads in America. According to the Wisconsin Department of

Yes, it's a small price to pay to improve roads and control state's highway debt

By George Mitchell

A simple reality drives Wisconsin's transportation finance debate: Revenue from the gas tax and vehicle registration falls well short of what's needed to maintain highways.

For evidence, look no further than the transportation budget unveiled in September by Gov. Scott Walker.

It will mean substantially more roads in poor condition.

It will indefinitely delay work on rebuilding southeastern Wisconsin freeways, an essential long-term program that the governor mistakenly calls a "remodeling" project.

Finally, it will more than double the annual cost of transportation debt service compared to when Walker took office in 2011.

In brief, here's backup for each of those claims:

- On basic highway repair, the budget falls \$300 million short of what transportation experts say is needed simply to maintain the status quo. This means at least 250 fewer rehabilitation projects over a 10-year period. The result? According to the Wisconsin Department of Transportation,

Transportation, 97% of the most heavily-traveled state highways, carrying 70% of our freight, are rated in fair or better condition.

When we survey people about roads, the most common complaint isn't about road quality but about too many roundabouts being built. The public isn't buying what the special interests are selling.

On spending, the road builders' spin doctors present us with two unappealing options: boosting taxes and fees or increasing borrowing. It's a false choice.

Wisconsin's transportation spending is in the top 15 nationwide, totaling more than \$3.8 billion annually. Per-capita spending on highways is higher here than in nearly all neighboring states. On a per-mile basis, Wisconsin spends 72% more than Minnesota on state-controlled highways. It's fair to ask if we could live with less spending.

Wisconsin also should adopt cost-cutting reforms before increasing taxes. Taxpayers here have long overpaid for roadwork. Tax-hike proponents like to downplay reforms such as prevailing wage repeal, but the zeal with which they fight reform reveals the truth.

An award-winning study by the Wisconsin Taxpayers Alliance in 2015 estimated that repeal of prevailing wage on just vertical projects (buildings and other structures) could have saved as much as \$300 million in 2014 alone. One analysis says West Virginia saved \$22 million on road construction in May and June alone after repealing its law. Wisconsin's highway spending is triple West Virginia's. It would be irresponsible of the Legislature to increase taxes before taking advantage of such obvious reforms.

The long-term solution to this and so many problems facing government is growth, and as remarkable as Wisconsin's turnaround has been, we still have a ways to go.

Wisconsin's state and local tax burden is the fourth-highest in America. Until we reduce that burden and eliminate anti-competition laws such as prevailing wage, Wisconsin will not unleash its full economic potential. Thankfully, a debate over transportation finance presents us not with a false choice between higher taxes or more borrowing but with an opportunity to embrace reform, cut costs and better prioritize spending.

Eric Bott is the state director of Americans for Prosperity.

the share of state highways in poor condition will rise from 16 percent to 41 percent in the next decade. That is a highway network in free fall.

- The governor's budget effectively shuts the essential — and unavoidable — program of rebuilding the aging southeastern Wisconsin freeway system. Walker says work on the program will stop "for the foreseeable future." Depending on how long it is stalled, the state will be forced to spend tens of millions of dollars annually on stopgap repaving projects. Thus, the eventual cost of the reconstruction will be hundreds of millions of dollars higher.

- To compensate for stagnant gas tax revenue, Walker has relied on high levels of debt.

This continues a pattern set by Gov. Jim Doyle. As a result, the share of gas tax revenue devoted to debt service has nearly doubled during the Walker administration. Reflecting \$500 million in additional debt under the new budget, the nonpartisan Legislative Fiscal Bureau says debt service could grow to 25% of transportation fund revenue.

On the issue of debt — what the governor calls "responsible borrowing for transportation" — consider this assessment last year from the Fiscal Bureau:

"Revenues available for transportation have not been sufficient to maintain the purchasing power (for programs OK'd by the governor and Legislature ... This has) led to ... bonding to fund a significant part of the state highway program. The increased debt service ... has put further pressure on the transportation fund's ability to meet program demands ... (F)or five of the last six years the annual growth in debt service has exceeded ... the annual growth in gross transportation fund revenues."

Wisconsin ranks 35th among the states in revenue paid by motorists through gas taxes and vehicle registration fees. The price for maintaining that position is deteriorating roads and escalating debt service.

It's a bad trade-off, one that will pose a major challenge to Walker's successor.

George Mitchell, a retired public policy consultant, was assistant state budget director in the Patrick Lucey administration. He is a former Milwaukee County director of public works.






Beyond the riots

By Robert L. Woodson Sr.

Milwaukee, and cities like it across the nation, should look to indigenous ‘Joseph’ groups in their communities quietly making a difference

A photograph showing the back of a man's head and shoulders. He is wearing a purple t-shirt and has a gold chain around his neck. His arm is resting on the shoulder of a youth, whose head is visible in the foreground. They are in a park setting with green grass, trees, and picnic tables in the background. Other people are visible sitting on benches in the distance.

In Milwaukee's Sherman Park neighborhood, they took to the streets for different reasons.

There were what I call the “riot-shoppers,” opportunists who took advantage of a volatile situation to loot local businesses during unrest in August that erupted following a fatal police shooting.

A man speaks with a youth during the 300+ Strong event at Milwaukee's Sherman Park on Sept. 10. The second annual event was hosted by the Running Rebels and a collective of grass-roots and youth-serving organizations.

Tom Lynn photo



Tom Lynn photo

A few hundred people attend this year's 300+ Strong gathering at Sherman Park.

And then there were the young people concerned about the inequalities and disadvantages they've witnessed. They've been conditioned to believe that the cause of — and solutions for — their neighborhood troubles are beyond their control and lie outside of the black community. They protest to vent their frustration with this purported impotence and to demand response from the presumed agents of control on the outside.

Hope for these disgruntled young people — and determination to enact effective change — cannot come from the outside. But it can come from the groups among them that are quietly making a difference, working day after day to address their neighborhood's needs and empowering those who seem destined to a dismal future to reclaim their lives and rise up.

The people and groups that are making a difference and have dedicated themselves to bringing solutions do

not seek the limelight or take advantage of volatile conditions as funding opportunities. They are tightly focused on the people who rely on them for guidance and assistance.

In a sense, the qualities that make them effective also make them invisible to those on the outside. They have been engaged in life-salvaging outreach on an ongoing basis and do not cease their efforts even in an atmosphere of crisis.

I call these grass-roots leaders our nation's "Josephs," connoting the unassuming biblical figure — a young man in the Pharaoh's prison — who brought the Pharaoh solutions for Egypt's impending crises when none of his conventional counselors and advisors had anything to offer (*The Triumphs of Joseph* by Robert L. Woodson Sr., New York, Free Press/Simon and Schuster Inc., 1998).

In 35 years of working with hundreds of community

The people in need of help vote with their feet, bypassing larger, well-funded, professionally staffed organizations, institutions and agencies to seek out and find the “Josephs” in their communities.

leaders, I have witnessed qualities that they have in common, wherever they serve and whatever problems they have committed themselves to address. Most started their outreach with whatever meager resources they had and continued to work on shoestring budgets. Some began, literally, by moving out the furniture from their homes to make room for the people they served.

These “Josephs” share the same geographic and cultural ZIP codes with those they reach out to and have earned their trust and response. They have a firsthand understanding of the problems they address, are available 24/7 and are committed for the long haul — often for the lifetime of those they serve.

Running Rebels

Among the “Josephs” of Milwaukee are Victor and Dawn Barnett, who direct Running Rebels, a nonprofit dedicated to providing positive opportunities and models for youths ages 8 to 19, who daily face the lures of drug abuse, delinquency, street violence and teen parenthood. Since its founding in 1980, the program has grown to include activities in the arts, sports, music and entertainment as well as job training and education. Essential elements of its outreach include cooperation with other groups in the community and the enlistment of the program’s alumni as mentors to youths who are coming in and rising up.

Among the programs of Running Rebels is a Violence-Free Zone initiative that is active in six Milwaukee public schools (four high schools and two middle schools), a collaborative effort that involves representatives of the

school administration and law enforcement and employs young adults from the communities as youth mentors. Data provided by police evidences the initiative’s success in sharply decreasing violent incidents, truancy and suspensions and raising academic achievement in the participating schools. Data also reveals that the program’s effectiveness goes beyond the school grounds, resulting in decreased incidents of crime in the surrounding neighborhoods.

On the basis of its track record of success, the courts and probation staff enlisted the Running Rebels to implement a program of

“targeted monitoring” for young serious chronic offenders as an alternative to being placed in a correctional facility. Rather than identifying its participants in terms of their past offenses, the initiative focuses on the capacities and potential of the youths through a program of close communication with an assigned mentor. It has elicited trust

and engendered the redirection of many of the youths it has served, who have proved their accountability to the courts and have notably reduced rates of recidivism.

An analysis of impact revealed that the program has generated more than \$63 million in savings to Milwaukee County from 1998 to 2012, based on a calculation worksheet developed by the county. More important, the program has made a life-changing difference among participants. Not one of the youths currently enrolled in the targeted monitoring program took part in the August riots at Sherman Park.



Tom Lynn photo

Brothers Noah and Jonah Smith play during the rally. Running Rebels and other groups offer year-round programs to support Milwaukee youths.

On Sept. 10, the Running Rebels and a collective of grass-roots and youth-serving organizations hosted a STILL 300+ Strong event at the site of that violence as a way to “wrap the community’s arms around the youth” and provide them with onsite resources that they can connect to as it brings together individuals, agencies and leaders who serve young people and their families. This was the second annual such community gathering at Sherman Park and had been planned for months before the flames of unrest erupted in the area. A few hundred people attended this year’s gathering.

The event takes its name from the tally of the 300-plus youths — mostly young black males — who come through the doors of the hosting groups on a regular basis. Together, the groups are working to link and coordinate activities that offer year-round programs, exposure to career pathways and employment opportunities, and safe places where black youths, at a critical stage in their lives, can receive support and mentoring from older and young-adult role models.

Though the impact of Running Rebels has been remarkable, there are cases in which a participant does not successfully redirect his or her life and slides back into old ways. This was the case of a young man who is currently serving a life sentence.

When regret and remorse resulted in his being placed on a suicide watch, prison authorities arranged for him to call the Barnetts, because they knew that the couple had provided the one oasis of hope and vision in the young man’s life. In that call, he apologized for failing to make use of the opportunity and guidance they provided him. Then, in a heart-wrenching moment, he pleaded: “Never give up on me!”

While this young man is destined for life inside prison walls and others might consider him beyond hope, the Barnetts and their counterparts throughout the country do not. They strongly believe that there is always hope

and that no one is beyond redemption.

The Alma Center

Another Milwaukee “Joseph” organization, by its very nature and mission, evidences that conviction. The Alma Center was created to reach and change the lives of abusive men who have been involved in criminal cases of domestic violence, many of whom have been referred by the justice system. Rather than focusing on the men’s wrongdoing,

the program works with its root cause — emotional and physical trauma they had experienced while growing up.

The majority of program participants had a parent who abused drugs or alcohol; half never knew their fathers; many had been victims of sexual and physical abuse. Half had a friend or relative murdered, and more than 40% had witnessed a homicide.

Through a five-stage program of identifying, dealing with and releasing that pain, participants are empowered to reclaim and renew their lives. That progress is augmented with programs to gain the life skills and job training necessary to secure employment and with a Restorative Fatherhood program that engenders the compassion, forgiveness and responsibility necessary to become a caring parent to their children and end the cycle of



Tom Lynn photo

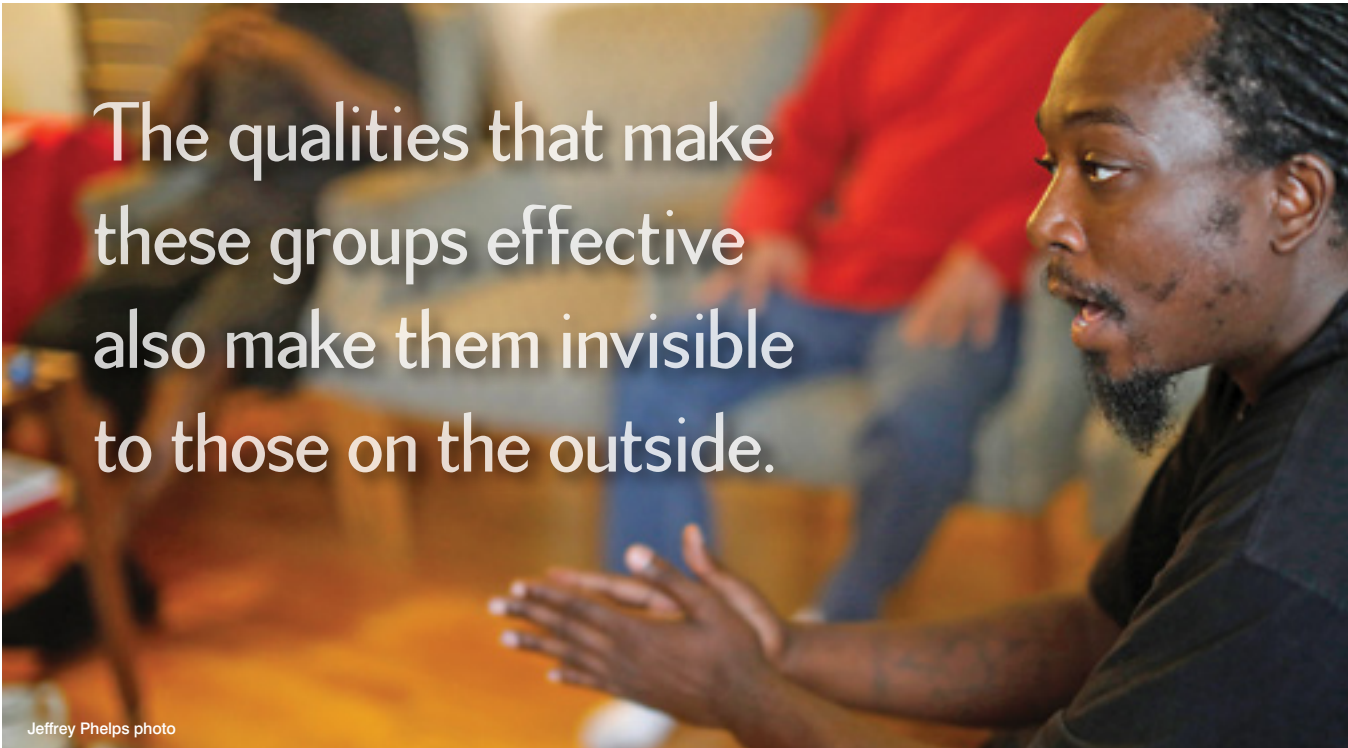
Running Rebels member Andre Ester attends the rally wearing his 300+ Strong shirt.

domestic violence.

Earning trust is key

The Running Rebels, the Alma Center and similar groups throughout the nation share a common approach that has resulted in their capacity to reach and salvage lives. They meet people at their point of need.

They don’t require their participants to fit into a pre-conceived definition of “service provision.” They offer immediate help where it is most needed and, thereby, establish a bond of trust. That trust brings hope and vision, the basis of transformation. And that transformation provides a foundation on which practical opportunities for such things as employment, training and education



The qualities that make these groups effective also make them invisible to those on the outside.

Jeffrey Phelps photo

The Alma Center's Wisdom Walk to Self Mastery group meets in September. The group, led by program facilitator Floyd Rowell (right), gathers twice a week for six months, working to end the cycle of domestic violence. The Alma Center, in Milwaukee, was founded to reach and change the lives of abusive men.

can be effective.

I opt not to list here a glossary of many other “Joseph” groups throughout Milwaukee but, instead, describe the efforts of two exemplary groups that embody the qualities that are the unique defining characteristics of outreach that is making a difference. Equipped with this understanding, those who seek to offer support for effective and sustainable individual and community revitalization can identify the legitimate indigenous service-providers in any community.

The common traits are shared by effective groups and can be found in any neighborhood, in any city, if one knows what to look for, and they are found among good groups regardless of what “service category” they fulfill.

At its core, the dissolution of hope and the disintegration of a life begin with the failure of relationship, within the family and community. Our nation’s “Josephs” work to re-establish those relationships among those they serve.



They use the authority and trust resulting from their outreach and care to help reconnect people to family, to work and to a sense of personal responsibility.

The best proof that these groups are effectively serving their neighborhoods is that the people in need of help vote with their feet, bypassing larger, well-funded, professionally staffed organizations, institutions and agencies to seek out and find the “Josephs” in their communities.

What distinguishes the organizations that are legitimate is that they have earned the trust and confidence of some of the most dissatisfied people in the community. They use their outreach to reconnect them. And, ultimately, what they accomplish is transformation and redemption. [WI](#)

Robert L. Woodson Sr. is the founder and president of the Washington, D.C.-based Woodson Center, formerly the Center for Neighborhood Enterprise. He has been active in Milwaukee for more than two decades, training dozens of poverty-fighting groups.

MIKE NICHOLS



More than shoestrings

Former inmates need hope, and jobs

Michael Shaw bought his home on Grant Boulevard in Milwaukee's Sherman Park neighborhood some 25 years ago. Paid \$50,000 and says he's put in another \$50,000 since, replacing rotted windows and downfallen doors, fixing up the place.

He and his wife raised three kids along what was once, and in many ways still is, one of the city's most elegant streets.

A hundred years ago, the bungalows, stately Tudors and intricately painted Victorians were largely owned by prosperous white merchants, most of whom were German and Jewish. Today, they are mostly owned by solidly middle-class black families like Michael's.

A truck driver married to a Milwaukee Public Schools educator, Michael was on a trip to St. Louis when he saw on TV the BP gas station right there in his neighborhood erupting into an inferno.

"What the hell?" he says he thought. "Where is this coming from?"

The violence and arson in August was "kind of unexpected" but not really surprising, he tells me after turning off his lawnmower and inviting me to sit down on the patio in front of his house. It was the work of "degenerates," he says.

But "I do admit," he adds, "we do need more opportunity, more jobs."

His words remind me of what community development leader Robert L. Woodson Sr. has alluded to. You have to differentiate between the opportunists, what Woodson calls the "riot-shoppers," and those who are disillusioned because they got stuck in a failing school when they were a little kid and can't get a job or maybe can't get beyond serving time. (See related story on Page 28.) It's sort of stunning, and more unusual than you might think, how many black Milwaukeans have served time.

One in every eight black male Wisconsinites is in a cell — the highest African-American male incarceration rate in the nation and almost double the nationwide rate for that cat-

egory, according to a study by the Wisconsin Budget Project last year. It doesn't help that while they're in prison, they're not at home, says Michael.

"Put the black man in the house, and there will be some discipline," he says.

Michael doesn't define himself politically, won't or can't say if he's liberal or conservative. Sort of sounds like both. W-2, or Wisconsin Works, was a good thing, "kind of put foot to ass," he says. "Taking a couple million dollars and throwing it into the community (in the wake of the unrest) is not going to solve the problem," he adds later. "If you teach a man how to fish, he can fish forever."

It's tough, though, when you live on a nice boulevard but don't feel safe working on your car out back. And, no, it's

"Taking a couple million dollars and throwing it into the community is not going to solve the problem. If you teach a man how to fish, he can fish forever."

— **Michael Shaw,**
Sherman Park resident

not easy when the cop who pulled you over tells you what he thinks about your name on your vanity plate.

"I don't care," Michael quotes the cop as saying, "who the f--- you are."

And about those guys who are just getting out of prison, says Michael, "don't just put them out on the street with \$2 and a shoestring in their hand."

"What do you mean?" I ask.

"Shoestring?"

"You see them get out, and they've got no shoestrings in their shoes"

because the wardens are worried inmates will hang themselves with the strings, he tells me. So they get off the bus and show up back in the neighborhood with the tongues flapping out of their shoes and carrying their shoestrings.

They gotta be given something more than shoestrings.

"Hope," says Michael. "You know why they go back to prison? They get out here, and there is no hope, no jobs."

The killings in Milwaukee this summer — 24 in August alone — and the discouraging level of what passes for political discourse nowadays make it a harder time to examine this state's incarceration policies. But aren't all of us smart enough to differentiate between the guys holding the matches and everybody else? Between the murderers and the "low-risk" offenders who made a mistake and served their time, let alone all the hardworking folks being pulled down by neighborhoods no business owner is going to invest in



Burned-out cars sit at what's left of the BP gas station at N. Sherman Boulevard and W. Burleigh Street, which was among the eight businesses torched during August riots in the Sherman Park neighborhood in Milwaukee.

without thinking thrice and getting lots of arson insurance?

Anyway, the truth is this state's taxpayers can't afford to continue paying \$1.3 billion annually for the Department of Corrections — seven times more than they paid as recently as 1990.

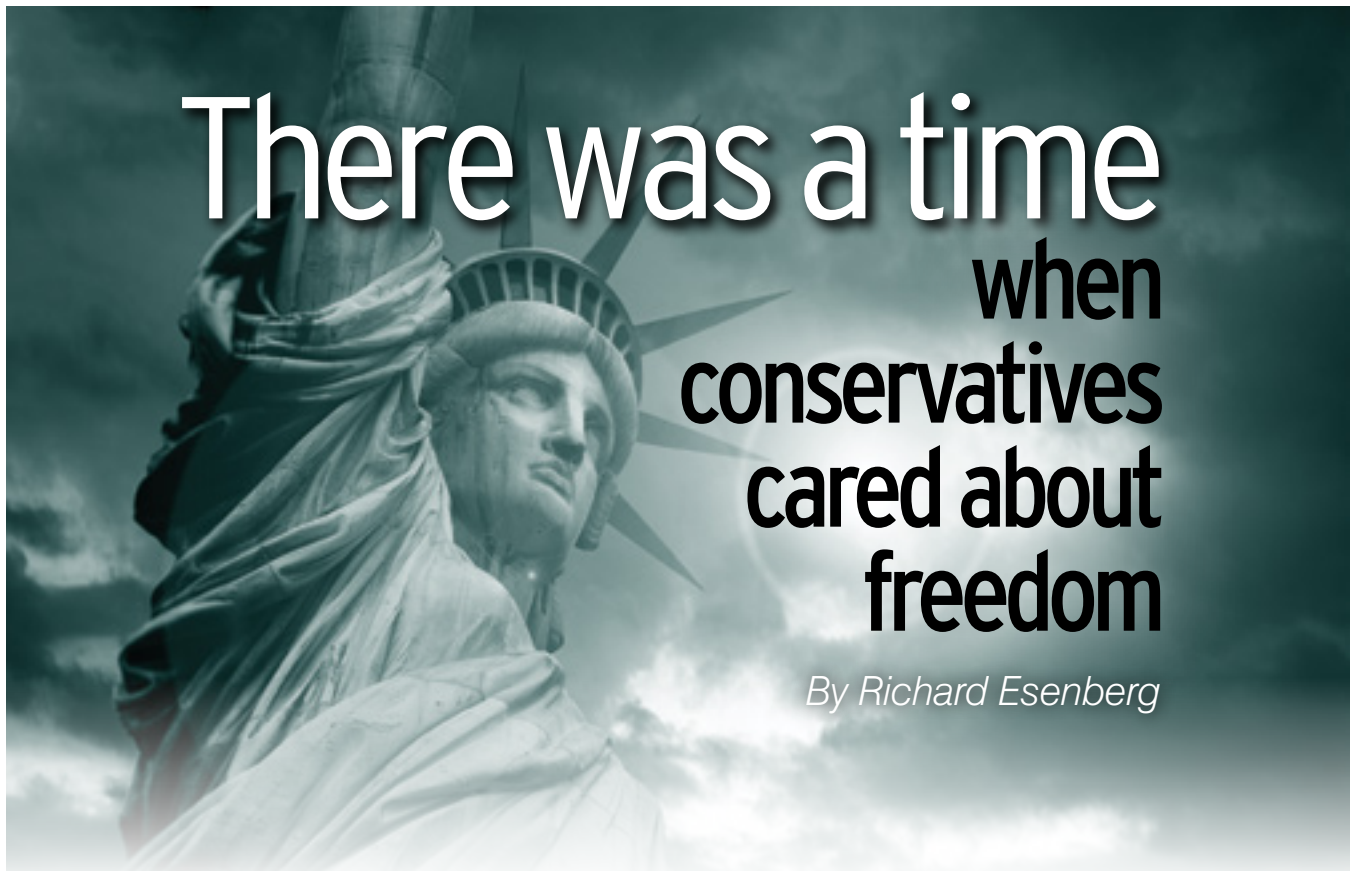
Forget for a moment about the people going to prison just for the crimes they've committed. Over 40% of people entering Wisconsin's prisons every day aren't being incarcerated for new crimes. They're going back in because they violated the terms of their supervision after being released.

There's no one solution. There are lots of them. That's why WPRI is helping facilitate research on who's being

revoked and why, and that's why we're exploring programs such as Hope for Prisoners in Las Vegas, which is proving just how concerned and helpful many police officers in this country, in Las Vegas as well as Milwaukee, really are.

There are already some good things happening here, people striving to educate kids in innovative new schools and the resurrection of foreclosed homes. But it sort of breaks your heart when guys like Michael Shaw, people who have invested so much, say they're about ready to "get the hell out" of Sherman Park, say they've been thinking that for a while now, long before the recent unrest. [WI](#)

Mike Nichols is the president of WPRI.



There was a time when conservatives cared about freedom

By Richard Esenberg

The conservative movement is in crisis. Although it was always an uneasy coalition of people with differing views — religious traditionalists, defense hawks, free marketeers and those who have been turned off by the Democrats' embrace of the cultural left — one of the foundations of the movement has been a commitment to limited government. One of the values of a smaller state was individual liberty. We thought of ourselves as the freedom movement.

Some of us remember “ponytail guy” from a town hall debate held during the 1992 presidential election. Social worker Denton Walthall — addressing candidates Bill Clinton, President George H.W. Bush and Ross Perot — asked them, “how can we, as symbolically the children of the future president, expect the two of you, the three of you, to meet our needs?” To their discredit, all three candidates took the question seriously. Conservatives heaped scorn on this ambitious view of government and infantilization of the public.

Walthall's question echoed Chris Matthews' contem-

porary description of the Democrats and Republicans as the “Mommy and Daddy” parties. According to Matthews, “Republicans protect us with strong national defense; Democrats nourish us with Social Security and Medicare. Republicans worry about our business affairs; Democrats look after our health, nutrition and welfare.”

Political economist Jude Wanniski offered a more nuanced variation on the theme. He saw Democrats and progressives as — excuse the stereotype — the feminine “yin” of American politics, the party that emphasized equality and security. Republicans and conservatives represented the male “yang,” focusing on individual initiative and its potential fruits, rather than collective needs. In 2004, pundit Michael Barone offered another version of this dichotomy, characterizing Republicans and Democrats as, respectively, the “hard” and “soft” parties.

In 2012, the theme was repeated in our arguments over the attractiveness of the Obama campaign's celebration of the fictional “life of Julia,” a woman who passed through life wrapped in a warm blanket of

Trump's supporters have no problem with redistribution. They just don't like where it's going.

government largesse and President Barack Obama's scolding of business owners ("you didn't build that") for believing that they are primarily responsible for their own success. Whatever its faults — the RINOs and the occasional cronyism — conservatives' vision of limited government and individual freedom found expression, however flawed, in the Republican Party.

What this election cycle has taught us is that a lot of Republican voters have a different view. The nomination of Donald Trump was, in part, a product of a divided field and a set of rules that were contrived to produce an early winner. But it also suggests that a lot of GOP voters aren't much interested in freedom.

The GOP nominee is a guy who is uninterested in entitlement reform — indeed, he has proposed a new and expensive program for child-care leave — and just can't quit his bromance with the authoritarian Russian president, Vladimir Putin. Trump wants to "open up" the libel laws so that powerful politicians like him can sue their critics. He thinks that eminent domain is a "beautiful" thing and wants to rein in global markets. He harps on making America great but never talks about ensuring that Americans remain free.

So I am not persuaded that the Trump movement is a misguided and inarticulate — but somehow understandable — response to the "failure" of the Republican "establishment" to shrink the government and repeal Obamacare. It is not at all clear that Trump's core supporters — as opposed to those who are now supporting him as the least disastrous choice available — are against big government or the dominance of Washington.

They just want the Leviathan to be more responsive to the needs of the white middle class and less solicitous of the traditional Democrat coalition of minorities, the cultural left and government workers. Trump's sup-

porters have no problem with redistribution. They just don't like where it's going.


The Trumpkins are not looking for a new Ronald Reagan as much as they want a 21st-century George Wallace. Trump has redefined the "Daddy Party" from one that seeks to empower "the children" to act on their own to a stern patriarch who emphasizes protecting them from threatening forces and who is ready to give orders.



This is one of the reasons that reluctant support for Trump to defeat Hillary Clinton has proven so difficult for many on the right. A President Clinton would seek to advance many of things that we oppose — a Supreme Court dominated by legal progressives, enhanced executive and federal power, a larger nanny state, more regulation, compulsory "tolerance" and intolerance. But a President

Trump could fundamentally change the Republican Party from a vehicle for freedom to a nationalist and statist party along the lines of rightist parties in Europe such as the United Kingdom Independence Party or the National Front in France. A flawed candidate Trump is one thing; a toxic Trumpism is quite another.

Somewhere along the line, I think, we started to assume the case for freedom and stopped making it. We failed to appreciate that most people have not built a business and don't believe that they ever will. They need to see that liberty government will lead to opportunities that they and their children can actually take advantage of.

This may require rethinking our message. It may be that we cannot simply continue to bang on about taxes or the heroic entrepreneur. We need to demonstrate that freedom works. No matter who wins on Nov. 8, the work of rebuilding our movement begins the next day. 

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