

SENATOR ROBERT MORGAN

CHOWAN COUNTY COURTHOUSE & DETENTION FACILITY

February 3, 1980

THE ROLE OF CREATIVE
FEDERALISM

I believe that the Chowan County Courthouse and Detention Facility is an important symbol for all of us of the ability of state and local officials to work with the federal government in a relationship which preserves the essentials of federalism -- the relationship of the states and the central government established in the Constitution.

Today we come to bear witness to the fact that cooperation is possible as we dedicate this project. It combines the best features of federalism -- the cooperation of several different levels of government in a good cause.

Before I talk about the specific development of this project, I would like to review briefly the role of the federal government in aiding local people with their problems. First let me admit that I read from the Federalist Papers at every opportunity, trying to gain more insight into how to make the present system of government more like what the drafters of our Constitution had in mind. Much of what I say on the floor of the

Senate, write in newsletters, or include in speeches comes from a basic belief that our founding fathers meant that state and local governmental units should retain as many powers as possible.

As you know, from the earliest days of our Republic there has been federal encouragement of different projects. Under Alexander Hamilton, our first Secretary of the Treasury, manufacturing and banking received special attention. The government later encouraged the completion of post roads and created a highway system. After the Civil War the government encouraged the construction of the transcontinental railroads by giving them sections of land that paralleled the tracks to subsidize construction.

It was not until the Great Depression of the 1930's, however, that a basic change occurred in our thinking about the role of the federal government and its relation to the states and to the local government. The federal government had never really provided relief for people on the state or local level. Yet the relief approach tried by Herbert Hoover did not really solve the serious problems that arose from the economic emergency.

Under Franklin D. Roosevelt, however, a new spirit of experimentation caught on. Some of us remember how the Works Projects Administration gave jobs to those who had been driven to unemployment by the depression. Many worthwhile projects were completed during those years. The federal

government found a way to pump money down to the people who were most affected by the depression.

The beginnings of our present farm program also come from these days -- in the Agricultural Adjustment Administration. For the first time, farmers signed agreements to limit their cotton and tobacco acreage. These programs were voluntary, and by and large, they were successful in restoring stability.

There were many other governmental programs that originated in the 1930's and later, but the point that I am making is that there is a tradition of successful cooperation with the federal government.

Now, I am sure that some of you are thinking that at times the federal government has gone too far in their control and in their red tape. I couldn't agree more. I spend quite a bit of time trying to figure out how to hold the government accountable for projects and to prevent it from usurping the rights of the states. Finding the balance between constructive federalism and outright control over states is a difficult problem.

I never want to see the pendulum swing to the point where we all meekly turn to the federal government for everything. We are an independent people, we Americans, we Southerners, and we had rather solve our own problems. That is why our dedication today is such a significant occasion.

The project which we dedicate today began as part of the legislative process in Congress in 1976. In an attempt to assist local communities, hit hard by unemployment, legislation came up for consideration to make outright grants to the affected areas to provide short-term job programs.

It had to be demonstrated that jobs could be created and that the community would secure a lasting benefit. Most important, however, was the provision that the projects be supervised at the local level. In effect, once the federal government determined that a need existed and that a project of value to the local community would be pursued, \$1.8 million were turned over to Chowan County.

This is one of 145 projects undertaken in North Carolina and it has been a most successful one.

Four years ago when Jimmy Carter was running for President, he observed that there should be creative federalism, that local and state governments should work more in harmony with the federal government. During most of these years, we have been so busy with problems of energy or foreign affairs that we have lost sight of this idea. Recently, Ella Grasso, the Governor of Connecticut, praised the Carter Administration for understanding local and state problems better than any former administration. Mayor Tom Bradley of Los Angeles echoed these thoughts. I think that these two leaders -- one on the state

and one on the city level -- illustrate something that we have learned with our courthouse and detention facility project -- that there can be constructive federalism, that different levels of government can cooperate in achieving goals.

I hope that the testimony of these leaders and our experiences here are signs of a constructive change in the way that the federal government and state and local governments share responsibility.

With the opening of this new facility, we must be mindful that a bit of heritage will be lost from daily use, but preserved through the foresight of the community. The present Chowan County Court House is the oldest operating court house in the

country and its preservation was an absolute must.

This new facility is a pride to all of us. It is a new type of facility, integrating the full justice system -- court house, clerk of court, register of deeds and a thirty-cell jail. Designed by Architect Everett Farber, who is currently engaged in restoration of the Library of Congress in Washington, it is both attractive and functional. Its colonial character blends in well with Edenton's historical background.

In conclusion, let me reiterate that in every way possible I have tried to limit the growth of federal control over our lives. The increasing power of the federal

government must be stopped, reversed. Yet we must not throw out all programs that include federal support. There are constructive programs that come from the federal government, and I welcome cooperating with such programs.

Life should be better for people in the towns and in the countryside because of this this project. I hope that we can continue to grow in ways that preserve the rural and small-town heritage of our county, and in ways that bring pride to our state and to the nation.