

Splintered Sunshine is not good for Missouri

This magazine will hit many of your in-boxes a little after May 1, May Day. When I was a child (my age may be showing here), it was a day for leaving baskets of flowers on neighbors' doors. When my son was in school, it was the day for the school's traditional springtime celebration, with dancing, singing, and the winding of a Maypole by girls in colorful springtime dresses.

On the other side of the globe on which we live, Communists celebrate International Workers' Day on this date. Other countries celebrate other festivals on that date, many involving spring, summer and the bounty of nature.

Meanwhile, the American Bar Association has designated May 1 as "Law Day." This year, rather than focus solely on the rule of law in society, the group has decided to focus its attention on what it calls "Fundamental First Amendment Freedoms." This year's theme is "Free Speech, Free Press, Free Society." The group has created a series of slides on 12 cases which are "moments in legal history that defined our understanding of these rights" that you can review on the ABA Journal's website <https://bit.ly/2IK1tJA>.

Actually, it's funny to see all the references that are arising over the First Amendment and freedom of speech in the last few days. In an interview with Yahoo Finance, I was disappointed

to hear Warren Buffett declare newspapers as "toast." His investment in newspapers, particularly the *Buffalo News* and *Omaha World-Herald*, gave me strong hope that print had a future, as further evidenced by Jeff Bezos' investment in the *Washington Post*.

With friends like that, who needs enemies?

But wait, our Governor and our state

legislature have suddenly become strong supporters of the First Amendment. They are supporting it with their headlines in these last few days of April. Governor Parson joined the ranks of those believing in the First Amendment when his office began redacting information such as phone numbers, addresses and email addresses from correspondence from private citizens that is being released by the Governor's office in response to requests under the Sunshine Law. "A taxpayer's free dialog to government without retribution must be preserved — which is, without a doubt, protected under the First Amendment," Shippy said in a story written by Jason Hancock of the *Kansas City Star*: "The consequence

of not doing this would be that every person that reaches out to us with a complaint will be subject to public scrutiny."

David Roland, director of litigation for the libertarian nonprofit Missouri Freedom Center, was quoted in the

same story as noting, "I don't think I've ever seen the First Amendment cited in this way, and I'm clueless as to why they think it might apply to prevent disclosure of otherwise open public records."

But wait, there's more! Now our state legislature wants to close all correspondence all members of public governmental bodies receive because of those same First Amendment rights. Bills moving through the House and Senate this session asserts those same arguments.

The article in the *Kansas City Star* continued, "The public should 'absolutely be concerned,' Roland said, because it appears all three branches of Missouri's government are 'trying to whittle away citizens' rights to transparent and accountable government.'" Perhaps "whittle" isn't the correct word for what's happening in Missouri at this moment. There's a new entertainment center in Kansas City where one can go "throw" hatchets into a wall for fun and for target "throwing." Piles of splinters grow under the boards where the hatchets are impaled. Maybe that's more akin to what is happening in Missouri state government at the moment.

It's just discouraging to hear the words "Free Speech" and "First Amendment" used together and know that those shouting those phrases are totally working to block access to information. The argument addressing censorship has always been that the answer to Negative Speech has always been More Speech, not censorship. Strength can be found in the sunshine of ideas and discourse. Good government comes from more access to information, not less. Corruption hides in the shadows. Happy May Day, all!

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