

THE RIGHT TO KNOW

## MISSOURI'S FREEDOM OF INFORMATION CENTER

by M. L. STEIN

When radio station WSOR in Windsor, Connecticut, sought permission to broadcast meetings of the town council, it was turned down. Unsure of his legal ground, the station's general manager looked around for advice. Someone suggested that he write to the Freedom of Information Center at the University of Missouri's School of Journalism. He did and got back a two-page, single-spaced letter that cited court decisions on the issue, gave instances of where such broadcasting is permitted (Galveston, Texas; Minot, North Dakota; and San Jose, California), and noted that a number of states, including Connecticut, have laws guaranteeing open public meetings. A copy of the Connecticut statute was enclosed.

The request was one of about 2,000 received annually by the center, believed to be the world's largest clearinghouse for information on the public's right to know. Its files include thousands of clippings, research reports, and other documents on 1,100 different subjects ranging from access to government data to the underground press. Material is clipped from sixteen major newspapers and more than 500 professional journals, periodicals, and confidential bulletins. The center also contains the files of several organizations, including those on book censorship of the American Book Publishers Council and others from the American Newspaper Publishers Association and the National Press Photographers Association.

Requests for the center's information and guidance pour in daily by phone and letter from newspapermen, broadcasters, librarians, lawyers, legislators, public officials, students, teachers, business executives, community leaders, and private citizens. On a typical morning recently, the center's director, Dr. Paul L. Fisher, Jr., talked at length with a reporter for a big newspaper concerning the refusal of printers to work with copy they deemed objectionable. A few minutes later Fisher was on the phone again—this time with a lawyer who said he had been unsuccessfully trying to get Medicare benefit manuals from the

Health, Education and Welfare Department. The man was advised he had a right to them. At the same time, center staff members were mailing out materials for a high school debate, some model shield statutes for a Massachusetts legislator, and background documents for an Iowa broadcaster embroiled in a dispute over his demand to inspect teachers' salaries.

On another day, inquiries were handled from such diverse senders as a Harvard Law School professor, who wanted case histories of newsmen subpoenaed to tell about their sources, and the editor of the Garden Writers Association of America bulletin, who asked for a brochure on the public records law. She asserted that some garden writers get a "run-around" from the U.S. Department of Agriculture and other federal agencies. The recipients had only to pay the cost of photo-copying papers.

The requests come from abroad as well. The editor of the *Cameroon Times* in West Africa wrote for materials to help train his staff to be vigilant against encroachments upon his readers' rights to know.

Such activities are carried out in the FOI Center's three cramped rooms in the School of Journalism's Walter Williams Hall at Columbia. Fisher, a slender, balding New Englander who also is a professor of journalism, is assisted by an office manager and seven part-time editors, writers, and secretaries. The center also maintains a Washington, D.C., office headed by Samuel J. Archibald, former staff director of the U.S. House Subcommittee on Information, which was a powerful influence in drafting the new Federal Public Records Law. Archibald, an expert on federal access problems, handles numerous inquiries directly.

But the FOI Center does much more than process requests for information. It also produces its own publications, including the *FOI Digest*, a bimonthly summary of government and press information policies and problems, the center *Report*, a periodic in-depth study of right-to-know issues, the *Archibald Newsletter*, and various opinion and situation papers. The reports, several of them written by graduate journalism students, have covered such

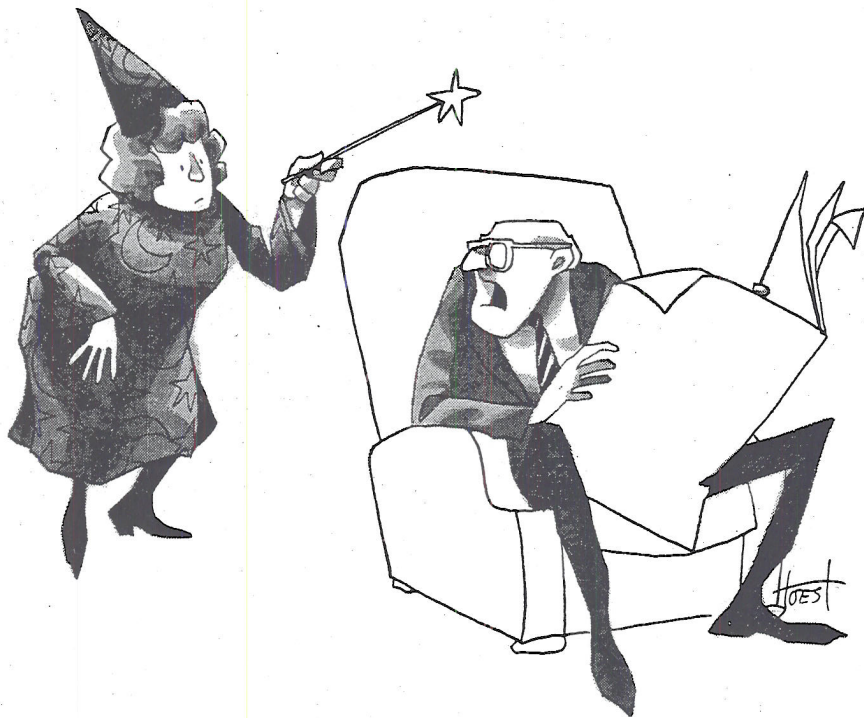


topics as the censorship conflict between CBS Television and the Smothers Brothers, Supreme Court decisions on obscenity, the Chinese Communist press, access to medical news, pretrial publicity in England, control of college newspapers, group libel, and community press councils. Among the *Report* contributors have been such media luminaries as Erwin D. Canham, Clark Mollenhoff, Richard S. Salant, and Joseph P. Lyford, plus members of Missouri's journalism faculty. The publications were mailed free until 1967 when the center established a subscription rate of \$3 a year, which was raised to \$5 in 1969. The charge reflected the facility's financial pinch in the face of soaring costs brought about by its expanding service role.

The FOI Center was born in 1959 after twenty-four representatives of newspapers, broadcasting operations, and other interested groups met at the Missouri campus in connection with the university's observance of its fiftieth anniversary of journalism education. The idea behind the center was summed up by Herbert Brucker, editor of the *Hartford Courant*, in a campus speech:

"Man has the right to know the world he lives in . . . an inalienable right to the truth concerning the whole world about [him], whatever that truth may be. . . . No censor must have the power to suppress any part of it. No bureaucrat must have the power to manipulate the facts about what he is doing so that the people will see those facts only as he thinks they should. . . . Today's struggle for the right to know is but another battle in the historic war for freedom of the press. . . ."

Backed by such sentiments and \$162,000 from anniversary gifts to the journalism school, as well as outside grants, the center got off to a flying start. The university provided quarters and staff



"Stop trying to change me."

in the euphoric expectation that it would soon become self-sustaining through support by the media and other donors. Twelve years later the School of Journalism is providing 75 per cent of the center's budget, the remainder coming from publication subscriptions and sustaining memberships of \$25 to \$500. In 1965, '66, and '70, the center ended up with deficits, which the university made up. That the FOI repository still exists is due largely to Fisher's untiring efforts and the firm protection given the center by Earl English, who recently retired as dean of the School of Journalism. Today, however, Fisher is casting an anxious eye to the economy-minded university administration and the state legislature, which, like their counterparts in other states, are seeking ways to cut expenses. The director broods about the time when the university may consider the FOI Center an expendable luxury compared to other academic needs.

Professor Fisher and others at Missouri blame part of the problem on the fact that the center is far less familiar than the School of Journalism, which enjoys a worldwide reputation. Despite its huge mail-order and phone business, the FOI unit is relatively little known, particularly in the communications media where it had hoped to get heavy contributions. Sustaining memberships—most of them from newspapers, broadcasters, and state and national press associations—bring in only \$10,000 annually out of a total income of approximately \$21,000. The lat-

ter amount barely covers the costs of postage, office supplies, and part-time help. Conspicuous by their absence are large gifts from such organizations as the American Newspaper Publishers Association and the National Association of Broadcasters.

The paucity of media support was demonstrated harshly in 1968, when the center was planning its annual conference for which representatives of government, the communications industry, the professions, and private business are invited to the campus to discuss such matters as government secrecy, news coverage of racial issues, censorship in film and television, and the journalist's protection of his sources. The Sperry and Hutchinson Company, a trading stamp firm, offered to meet part of the conference cost if the media would furnish the rest. The money could not be found, and so the parley was canceled.

Fisher is philosophical, if not embittered, by such frustrations. "Journalism education," he pointed out, "never has been heavily supported by the media. And in this case we have a relatively new facility. We reach reporters and editors, but not the people to whom they are responsible, certainly not the people who control giving. But if the news industry believes in freedom of expression, and I'm sure it does, then we ought to get more help from it. We *must* get more. There's no other organization in the world providing the center's range of services."

The center has had little luck with other sources. Said Fisher: "We've

been to the foundations and have nothing to show for our troubles. They told us that if we are what we profess to be, then our natural constituency, the news media, ought to pick up the tab."

The University of Missouri hired a professional fund-raising organization, and it went directly to "the money people in the media." Only one of the persons contacted tentatively offered to involve himself in a fund drive, according to Fisher. The professional money raisers told the university that at least a half-dozen top leaders would have to commit substantial amounts of cash and time if the campaign were to have any chance of success.

Such lack of interest, Fisher observes, is doubly dismaying in view of the fact that the center, in addition to its research role, acts as an anti-secrecy advocate for the news media. The director has testified before numerous Congressional and state legislative committees considering bills to loosen or tighten government information procedures. The center, for example, fought against a U.S. Senate measure to restrict release of pre-verdict information in criminal cases. Sam Archibald in Washington waged a successful battle for the release of the name of the man who will be the nation's top censor in event of a national emergency. The Nixon administration identified him as Ted Koop, CBS News executive in the capital. Archibald also lobbied for the passage of the Legislative Reorganization Act, which provides for increased coverage of Congress and its committees. These efforts prompted North Carolina Senator Sam

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#### WIT TWISTER #208

Edited by ARTHUR SWAN

*The object of the game is to complete the poem by thinking of one word whose letters, when rearranged, will yield the appropriate word for each series of blanks. Each dash within a blank corresponds to a letter of the word.*

In \_ \_ \_ \_ \_ , he now bids  
the world farewell.

His Muse still \_ \_ \_ \_ \_  
him, as she has from birth,  
And tolling the sweet poet's pass-  
ing bell,

She \_ \_ \_ \_ \_ him at last  
from gladsome earth.

—A. S.

(Answer on page 100)

## FOI Center

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J. Ervin, Jr., chairman of the Senate Judiciary Committee and a passionate civil libertarian, to cite the center's "valuable contribution" to the Senate's information studies. Kudos also have come from Russell E. Hurst, executive director of Sigma Delta Chi, the professional journalistic society, and J. Edward Murray, former chairman of the Freedom of Information Committee of the American Society of Newspaper Editors.

The center does not always get such high marks in its home state. One critic noted editorially that it has yet to challenge the secrecy of the University of Missouri's Board of Curators. The center also came in for criticism from liberals when it failed to take a stand on behalf of a woman who was forced out of her position as a state library consultant in 1969. She had publicly protested the suppression of an underground newspaper on the Missouri campus that had been closed on the grounds of obscenity. Fisher frankly admits that the center, because of its dependence on the state legislature for its subsistence, cannot be as effective locally as it is in the country at large. Both the president and chancellor of the university serve on the center's board of directors.

The university has offered to provide a new campus site for the center, which long ago outgrew its present quarters. Plans are drawn for a building to contain a library, offices, seminar rooms, and an auditorium for events sponsored by the center. Construction will be held up until about \$1-million can be collected from media and other sources. Lack of funds also is preventing the center from going ahead with other projects, one of them being a special freedom of information kit for high school students. Other needs include a full-time legal counsel and additional staff for further research in such areas as international communication problems.

As justification for the Freedom of Information Center's continued existence and support, its bulletin displays these words by James Madison: "Knowledge will forever govern ignorance. And a people who mean to be their own governors must arm themselves with the power knowledge gives. A popular government without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both."

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Answer to Wit Twister, page 94:  
verses, serves, severs.