

Opinion

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OUR VIEW

Mask mandate puts schools in focus

In late July, our school-age children and youth were once again thrust into the center of the COVID-19 pandemic when Gov. Kate Brown ordered new mask mandates for K-12 students.

Our students shouldn't be there. Nor should our teachers and administrators.

Yet they are, and while it is disappointing and creates new questions about local control, the governor's decision was the right one — for now.

Still, the new mandates potentially push students and teachers and administrators into the middle of what is essentially a cultural/political debate regarding vaccinations and the seriousness of the COVID-19 pandemic.

There is also the risk that many parents — for various reasons — will keep their students away from education centers because they do not agree with the mask mandate. If so, that doesn't help in our collective effort to provide our youth with the best education possible.

Another piece that complicates this new paradigm is that many children are still ineligible to be vaccinated.

Recently, Intermountain Education Service District Superintendent Mark Mulvihill said the new mask mandate puts schools "in the crosshairs" of an issue that has polarized America. He rightly was concerned about how much more pressure will be placed on teachers and school administrators to enforce a new mask requirement.

As a community, regardless of where we stand on vaccinations and masks, we should work to be as helpful as possible to our local schools.

We need to remember that the teachers, superintendents and other school officials are not responsible for the mask mandate. They, like all state agencies, must obey the orders of the governor. They don't have the option to ignore her mandate.

That means trying to push them into the center of a political/cultural debate about COVID-19 and vaccinations is wrong and won't solve the basic problem.

Our students and their teachers should not be in the middle of this debate. However, as cases climb, and vaccination rates continue to lag, we now face a new COVID-19 crisis. No one wants to return to the draconian restrictions instituted by the governor last year. We must all work hard to ensure we do not.

Meanwhile, we must give our local school districts, teachers and administrators all the help we can as they struggle to work through yet another COVID-19 challenge.

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In defense of 'misinformation'



STEPHEN CARTER

I'm no fan of the current war on "misinformation" — if anything, I'm a conscientious objector — and one of the reasons is the term's pedigree. Although the Grammar Curmudgeon in me freely admits that the word is a perfectly fine one, the effort by public and private sector alike to hunt down misinformers to keep them from misinforming the public represents a return to the bad old days that once upon a time liberalism sensibly opposed.

First, as to the word itself.

The Oxford English Dictionary traces "misinformation" in its current sense to the late 16th century. In 1786, while serving as ambassador to France, Thomas Jefferson used the word to deride the claim that the U.S. Congress had at one point sat in Hartford, Connecticut. In 1817, as every first-year law student knows, the U.S. Supreme Court used the word as part of a shaky effort to define fraud. In the run-up to the Civil War, supporters of the newly formed Republican Party denounced as misinformation the notion that they harbored "hostile aims against the South."

Depending on context, the word can even take on a haughty drawing-room quality. Sir Hugo Latymer, the protagonist of Noel Coward's tragic farce "A Song at Twilight," discovers that his ex-lover Carlotta believes that she has the legal right to publish his letters to Hugo's ex-lover Perry. Says the haughty Hugo: "I fear you have been misinformed." (Writers have been imitating the line ever since.)

True, according to the always excellent Quote Investigator, a popular Mark Twainism about how reading the news makes you misinformed is apocryphal. QI does remind us, however, that there's a long history of writers and politicians using the term as one of denunciation.

Which leads us to the pedigree problem.

Chances are you've never heard of the old Federated Press. (The old Federated Press has no relation to the current organization using the same name.) It was founded in 1918 as a left-leaning competitor to The Associated Press, and

died 30 years later, deserted by hundreds of clients after being declared by the U.S. Congress a source of "misinformation."

Translation: The Congress didn't like its point of view.

But the Federated Press was hardly alone. For the Red-hunters of the McCarthy Era, "misinformation" became a common term of derision. As early as 1945, the right-leaning syndicated columnist Paul Mallon complained that "the left wing" was "glibly" spreading "misinformation about American foreign policy" — and, worse, that others "were being gradually influenced by their thinking."

In a 1953 U.S. Senate hearing on "Communist Infiltration of the Army" — yes, that's what the hearing was called — Soviet defector Igor Bogolepov (popular among the McCarthyites) assured the eager committee members that a pamphlet about Siberia distributed by the Army contained "a lot of deliberate misinformation which serves the interest of the Communist cause."

A report issued by the Senate Judiciary Committee three years later begins: "The average American is unaware of the amount of misinformation about the Communist Party, USA, which appears in the public press, in books and in the utterances of public speakers." Later on, the report provides a list of groups that exist "for the purpose of promulgating Communist ideas and misinformation into the bloodstream of public opinion." Second on the list is the (by then dying) Federated Press.

In 1957, the chief counsel of a Senate subcommittee assured the members that "misinformation" distributed by "some of our State Department officials" had "proved to be helpful to the Communist cause and detrimental to the cause of the United States."

The habit lingered into the 1960s, when — lest we forget — President John F. Kennedy and his New Frontiersman were adamant about the need to combat the Communist threat. "International communism is expending great efforts to spread misinformation about the United States among ill-informed peoples around the world," warned the Los Angeles Times in a 1961 editorial. The following year, At-

torney General Robert Kennedy gave a major address in which he argued that America's ideological setbacks abroad were the result of — you guessed it — Communist "misinformation."

I'm not suggesting that "misinformation" is always an unhelpful word. My point is that for anyone who takes history seriously, the sight of powerful politicians and business leaders joining in a campaign to chase misinformation from public debate conjures vicious images of ideological overreaching that devastated lives and livelihoods.

I've written in this space before about the federal government's deliberate destruction of the career of my great-uncle Alphaeus Hunton, based largely on his role as a trustee for the Civil Rights Congress, a group labeled by the Senate as — you guessed it — a purveyor of "misinformation."

So forgive me if, in this burgeoning war on misinformation, I remain a resister. America has been down this road before, and the results were ugly. I'm old-fashioned enough to believe that your freedom to shout what I consider false is the best protection for my freedom to shout what I consider true. I won't deny a certain pleasurable frisson as the right covers before what was once its own weapon of choice. And I quite recognize that falsehoods, if widely believed, can lead to bad outcomes. Nevertheless, I'm terrified at the notion that the left would want to return to an era when those in power are applauded for deciding which views constitute misinformation.

So if the alternatives are a boisterous, unruly public debate, where people sometimes believe falsehoods, and a well-ordered public debate where the ability to make one's point is effectively subject to the whims of officially assigned truth-sayers, the choice is easy: I'll take the unruly boister every time.

Stephen L. Carter is a Bloomberg Opinion columnist. He is a professor of law at Yale University and was a clerk to U.S. Supreme Court Justice Thurgood Marshall. His novels include "The Emperor of Ocean Park," and his latest nonfiction book is "Invisible: The Forgotten Story of the Black Woman Lawyer Who Took Down America's Most Powerful Mobster."

OTHER VIEWS

Masking up again, and stiffer vaccine mandates

Editorial from New York Daily News:

New York Mayor Bill de Blasio had a week to consider the CDC recommendation that "fully vaccinated people wear a mask in public indoor settings in areas of substantial or high transmission" of COVID-19, as the quickly spreading delta variant has necessitated a change. Despite plenty of time, the mayor and his health commissioner are only recommending the recommendation.

The formal legal term is "ducking."

It's our recommendation, too, but unlike the Health Department, we don't have the ability to issue a mandate, which is the best way to boost compliance. New Yorkers have plenty of experience with COVID-19, and those wise enough to get vaccinated (de Blasio just marked 10 million doses) are already putting their masks back on inside. City Hall's decree would only help.

Gov. Andrew Cuomo says he agrees with the CDC, but he can't impose a new mask rule unless the Legislature gives him that power, which they're not going to do. For a year, de Blasio wanted authority returned to local control from Albany. He has it. Now use it; requiring masking now will increase the chances that this COVID-19 wave passes more quickly, and we can go back to bare faces indoors again soon.

On vaccines, both the mayor and governor have urged private employers require the shot (as has President Biden), but they've only taken small steps toward that goal with their own workforces, settling for a weaker vax-or-weekly-test option, about which some unions still balked. Cuomo did go the whole way of mandatory vax with the limited number of people working with patients in state-run health hospitals.

De Blasio was correct to issue an executive order requiring that every new employee get vaccinated or provide legitimate evidence of medical or religious exemption. If it's good enough for new cops and new firefighters and new teachers, it's good enough for those who started working last week or last year or decades ago. It's an easy slogan, especially for employees interacting with the public and unvaccinated kids: No jab, no job.

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