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THE FINAL WORD

Don't kill speech with frivolous suit

The Michigan Education Association has filed a lawsuit against the Mackinac Center for Public Policy, claiming the center misappropriated the "likeness" of MEA President Luigi Battaglieri in a fund-raising letter. If the courts follow the MEA's logic, free speech would be squashed.

The controversy started last year when Battaglieri, head of the state's dominant

teachers union, held a press conference where he acknowledged that "quite frankly, I admire what they (the Mackinac Center) have done..." and said the teachers union needed to better publicize the benefits of public education.

When the Mackinac Center, a nonprofit research group and public education critic, used part of the quote in a fund-raising letter, the MEA sued. It argues that commercial speech case law requires the Mackinac Center to get permission for using the quo-

tation. The MEA is demanding the center's fund-raising list.

This smacks of intimidation. Battaglieri made his comments in public, which makes them fair game for debate and use. If the courts followed the MEA's logic to its conclusion, all news organizations would have to get prior approval from the union and other groups to publish their public comments.

If the MEA is worried about how its public comments are perceived and used, it can control them the old-fashioned way: by watching what they say.