



Opinion: With 'sunshine' come a few burns

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BY PAINFUL LESSONS LEARNED AFTER MORE THAN 10 YEARS SINCE PASSAGE OF OPRA
THE RECORD

They've argued also that the government holds the upper hand even when it complies with an OPRA request because it can redact whatever it chooses.

As Governor Christie's public and political profile has risen and his schedule of out-of-state travel on speaking engagements, fundraising events, conferences and the like has become heavier, there has been a proportionate spike in media interest, primarily in the cost of such travels and who paid for them.

The state Attorney General's Office has also become more aggressive in litigating the records requests, seeking to convince a judge that a denial was proper and in compliance with existing law.

The tug of war between the media and government over the release of information is, of course, nothing new or peculiar to the Christie administration. It's always existed, a natural outgrowth of a government that, of necessity, engages in a fair amount of business in confidence — and properly so — and news organizations whose commitment is to provide readers, viewers, taxpayers and voters with insight into the actions of their elected leaders and the motives behind them.

Seeking transparency

The word "transparency" became a fad term in public life a few years ago and has been consistently used by critics and defenders alike to justify their positions. When Christie took office, for instance, he promised a new era of transparency, a pledge his detractors say his administration has routinely ignored.

As a practical matter, the transparency both sides seek will never be achieved satisfactorily.

There are legitimate and perfectly reasonable grounds for government to withhold certain information about its activities and those of its leaders. Governors are entitled to meet privately with groups or individuals to discuss all manner of issues and be secure in the knowledge that confidences will be guarded. And, while a governor cedes some personal right to privacy, it's not an unconditional surrender.

Transparency should not be applied in such a way as to deny