

## The work of corrupt minds

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By [ART PARKER](#)

I can smell it all the way from Dexter Avenue in downtown Montgomery. It's the stench that comes from the Judicial Building. And it is the bad smell of politics.

In a recent ruling the Alabama Supreme Court stated that the Alabama Constitution did not require the Alabama Legislature to conduct its business in public. WHAT? The case before the court was the Accountability Act. Oh, well let's see, what could that have to do with it?

That's the lawsuit where the Alabama Education Association (AEA) challenged the Accountability Act claiming the Open Meetings Act was violated during the conference committee process. In case you forgot it was a "pet" bill of the Republicans that allows for tax credits for students moving from low performing public schools to private schools. It is also important to note that the AEA is the arch enemy of the Republicans. It is also important to know that all members of the Alabama Supreme Court are elected Republicans.

Is it starting to come together now? It should. In the most recent newsletter I received from the Alabama Press Association (APA) a story on the matter quoted Dennis Bailey, the General Counsel of the (APA), regarding the court's decision. Bailey said the court failed to take into account a key provision of the Alabama Constitution. "The opinion fails to mention a provision of the 1901 Alabama Constitution that requires the doors to the legislature to be open during proceedings. In our opinion (APA) keeping the doors open is the 1901 way to express a

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requirement for open meetings. While the open door provision allows the legislature to vote to conduct meetings in secret in appropriate circumstances, we believe that provision generally requires open meetings, and we hope the court will eventually modify its opinion to explain what having open doors means if it does not mean to conduct open meetings," Bailey said.

The ruling by the court stated, the Alabama Constitution does not require the legislature to conduct its meetings in public. Because the Alabama Constitution gives the Legislature the authority to establish its own procedural rules, and because the Open Meetings Act must yield to the Alabama Constitution, the Legislature's alleged violation of the Open Meetings Act is not subject to trial in a court of law.

Well, well. If you don't believe politics played a role in this then you need your head examined. Having a court that is blatantly biased and politically motivated is something that will damage all of us. The blatant disregard for one of the most common protections of citizens, which seem to be clearly found in the Alabama Constitution, so that the party of judges can prevail against a political enemy will soon provide nothing but tyranny for us all. A legislature that does not have to meet in public? C'mon.

The Code of Alabama requires local governments to hold meetings that are "open to the public." Yes, that seems to be a little different phraseology than "the doors are required to be open," but to twist the two into separate interpretations is the work of a corrupt mind. This confirms to me that the Alabama Supreme Court is to be trusted as little as the legislature.

The other problem with this ruling is that we have members of the legislature that will now seize the opportunity to keep the public out and keep the people ignorant so that they may hide their corruption and incompetence. It wouldn't surprise me to see some committee chairman call for a meeting to be held behind closed doors at a bar or perhaps in the basement of the State House where a committee may not be discovered. Actually, some of the chairman down there should hold their meetings in a sewer, a place that is the most appropriate for those wishing to avoid public scrutiny.

Before I completely lose my temper over this let me say that any decent legislator should now be interested, and take the necessary action, to put forth a constitutional amendment that requires the legislature to conduct its business before the public. I just hope the legislation for such an amendment is written so that corrupt judges cannot say it means anything other than what it does.