Southwest Florida Model UN offers real opportunities

The 30th annual Southwest Florida Model United Nations Conference (SWFLMUN) that took place on March 6 and 7 included an unusual group of guest speakers: Ukrainian youth talking about their lives to local high school students via Zoom. Bonita Springs resident Kathleen Hessert hosted the session for youths enrolled in the KidsKonnectUkraine virtual pen pal program she founded. (Florida Weekly is identifying the Ukrainian children by first name only for security reasons.) The conference took place at Florida Gulf Coast University and was sponsored by the Naples Council on World Affairs.

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“AThere will be no protection for people like that, no protection for anybody who wants to get involved in their community or voice their opinion.”
— Barbara Petersen, First Amendment lawyer

Legislative Muzzle
House bill would have a chilling effect on free speech, constitutional experts warn.

BY ROGER WILLIAMS
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Florida Republican legislators now less than three weeks into the rulemaking eight-week 2023 legislative session in Tallahassee are preparing to break faith with almost 60 years of American jurisprudence established by the Supreme Court in 1964 to protect free speech. Following a public discussion criticizing media and a call to legislators to rein in its excesses by

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During the session, youth from both countries learned they were more alike than not, with Ukrainian kids saying that they enjoyed playing video games, cooking snacks and playing with their pets. They said they were doing their best to continue their schooling and to stay connected with friends and families despite the hardships they faced.

Savanna Varon, from Baron Collier High School in Naples, asked the Ukrainians, “How has the war affected your mental health, and is there anything that other countries could do to help?”

Ms. Hessert added that U.S. experts express concern about social media negatively impacting youth mental health. “I personally think that social media is good for peoples that can’t go anywhere,” Ctac replied. “Especially when it is war, and all your friends is moved to another country, you can at least speak and play video games with them. My best friend moved to USA, and it really helps me because I don’t know what would I do without it.”

“In times like this, social media is a must-have for all kinds of people because, in different situations, you need to use it,” Arten added. “One day alarm sirens starts, and you can ask friends if they are OK, or connect with friends that are not in this country, so I think this is must-have for all people in Ukraine. It helps mental health. I don’t think it applies on children’s mental health.”

The opportunity to speak with the Ukrainians was only one educational opportunity the conference provided. Like typical model UNs, the 200 students from 15 regional high schools were issued countries to represent, which they researched — with the help of their schools’ coaches — as they prepared to serve as delegates. The research is critical because the students must speak realistically from the viewpoint of their assigned countries, not from their personal beliefs and values. However, this model UN differs from others in significant ways.

“A number of things make our competition unique, but one is that these are not make-believe, hypothetical or artificial subjects,” said Alan Van Egmond, the Naples Council on World Affairs board member who chairs the SWFLMUN as one of the council’s core activities. “These are real-world topics that are actively being debated in various UN forums as we speak.”

Another unique aspect of SWFLMUN is that adult judges observe the proceedings and provide the students with feedback at the end, rather than the event being judged by peers. Because of Southwest Florida’s appeal to retirees, these judges have professional experience from careers in law, diplomacy and international organizations such as the World Bank or non-governmental nonprofits.

“The coaches tell us that makes a difference, and the kids step up their game, knowing that the judges are experienced, worldly people with significant backgrounds,” said Mo Winograd, vice-chair of SWFLMUN. “The kids know there are heavy hitters around, but they don’t know until they’re introduced at the end who they actually got.”

The adult judges are critical because of another unusual aspect of the SWFLMUN competition: The council awards over $40,000 in scholarships and financial awards to the winning delegates and teams.

“Instead of just thinking about sports, this is something kids can do in school...”
that can be quite impactful in their later life,” Ms. Winograd said. “And it’s nice for a kid to be able to say to mom and dad, ‘Look what I just brought home for college.’”

Noah Thorne, from Gulf Coast High School in Naples, drew the task of representing the Russian Federation in a committee focused upon addressing ongoing global food insecurity while considering how the crisis is exacerbated both by the war in Ukraine and climate change. Students from other schools represented other countries, to include a student who represented Ukraine’s viewpoint. The students had to diplomatically voice disagreements while still working together towards the committee’s assigned goal to draft a solution to the problem.

“When my school got the countries of Russia, Panama and Kuwait, we decided we’d give our most experienced delegates Russia to give the challenge to the ones who could handle it,” Mr. Thorne said. “At first, we weren’t happy about it, and we’re all going, ‘Why do we have to deal with Russia?’ But as we researched, we became more confident with it.”

He said his school’s model UN team had represented Russia at other conferences, so they had background experience. To prepare, they researched Russian policies and law. They also used the United Nations library to look up past resolutions Russia had sponsored.

“At model UNs, everyone thinks they’re going to solve all the world’s issues, but it’s less about solving the problems and more about staying true to policy,” Mr. Thorne said. “One of the biggest things we thought about was to focus on things that Russia has actually done, and we modeled our resolutions based on Russia’s. Solve world hunger with centralized funding? That’s nothing Russia would say. Undo trade barriers that are affecting Russia right now? I’m surprised (delegates on the committee) let me pass that one, personally. It was a very Russian thing, but no one questioned it. I think model UN is unique in terms of getting into the head-space of a country that is not yours and doesn’t align with your personal beliefs.”
SPEECH

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Gov. Ron DeSantis last month, the legislatures took steps to do that, introducing a bill that would allow politicians and other government officials or public figures to sue any critics they claim defamed them — without having to prove actual malice if the critics point to behaviors or events arguably unrelated to the job: extra-martial affairs, for example, or possible business deals.

In another striking break with precedent, the bill says anybody who accuses an official of discrimination “against another person or group because of their race, sex, sexual orientation, or gender identity” has automatically defamed them, whether or not the allegation is true.

Not only that, but the bill would allow elected leaders and officials to claim “religiously expression or belief,” or “scientific beliefs” — the phrase itself may be an oxymoron — and thus sue anyone who challenges publically their comments or actions aimed at lesbians, gays, bisexuals, transgender or queer people, or religious groups such as Jews or Muslims, for example. Such actions described as part of a leader’s religious expression or belief, or scientific belief, “cannot be considered evidence of discrimination” in the proposed bill.

In addition, anonymous sources including background sources speaking off the record for news reports — of the kind that exposed the Nixon Watergate scandal in 1973 or first exposed former President Clinton’s affair with a White House intern in 1998 or played a role in reporting former President Trump’s extra-marital liaisons in more recent years, for example — would be presumed false in any lawsuit.

The losing side, defendants who criticized officials and got the thumbs down in any lawsuit.

Florida would be the first state in the nation to take such an action if legislators pass House Bill 991.

Sponsored by Rep. Alex Andrade, R-2, and co-sponsored by Rep. Mike Beltran, R-70, the bill advanced through a civil justice subcommittee into the justice committee of the House last week. That’s part of the process that brings a bill forward to a vote, if committee members approve, in the full House of 120 legislators before the session wraps up on May 5. Bills passed in a full vote by the Legislature must then either be signed into law or vetoed by the governor. The new law would take effect July 1. A similar bill, SB 1220, had not been heard as of last week by any committee in the 40-member Senate.

Neither Representatives Andrade, a graduate of the University of Florida School of Law, or Beltran, a Harvard Law School graduate like the governor, returned Florida Weekly requests for comment by press time.

Gov. DeSantis, speaking last month, called for legislators to “protect” citizens from so-called false narratives created by media outlets.

“When the media attacks me, I have a platform to fight back,” he said. “When they attack everyday citizens, these individuals don’t have the adequate recourse to fight back. It would contribute to an increase in ethics in the media and everything if they knew that if you smeared somebody — (if) it’s false and you didn’t do your homework — then you have to be held accountable for that.”

Federal law, based on the 1964 case Sullivan vs. The New York Times, already provides recourse for public figures defamed by media who can demonstrate the presence of malice — an intentional lie. But it protects mistakes by media, made without malice. That’s what happened in the famous Supreme Court case, based not on a news story but an advertisement.

A group of civil rights leaders criticized the treatment of professors by police in Montgomery, Alabama in 1960 took out a full-page advertisement in The New York Times. The ad appeared in print with some minor errors. The Public Safety Commissioner in Montgomery, L.B. Sullivan, felt he’d been defamed and sued

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General contact form for the Lee delegation: https://www.leelegislature.com/contact.html
Most of 991 is unconstitutional. It violates our Florida Constitution as well. There are many aspects of this bill that are not rooted in law or policy.

"No state legislature can enact laws that violate the First Amendment. Here, we have multiple cases of law well-tested out over decades, and this violates a lot of those cases."

Additionally, she pointed out, malice is not the only constitutional problem with the bill.

"There's a presumption in the bill that, if you used an anonymous source that's presumptively false. True and innocuous sources often provide incriminating critical information that prompts societal change, and gets at the heart of all kinds of things. To say that's presumptively false is just not good for society." And not just in politics, she insisted.

"There are all levels of anonymous sourcing, such as people who are regular sources who give reporters information on the understanding that that's important just to understanding how agencies work."

"And think of all the ‘Me Too’ cases and all of their narratives that created publically because they were afraid of powerful men like Harvey Weinstein and Matt Lauer and Charlie Rose. Anonymous sourcing is important."

First Amendment implications

Barbara Petersen, a longtime First Amendment lawyer in Florida and now executive director of The Florida Center for Government Accountability, warned that "this bill will have a huge impact on everyday people who are just posting to their Facebook page or Twitter feed. It will have a huge impact on organizations and FOX news kind of people who make assertions and add opinions to their reporting quite regularly. It will get everybody. It's not about big media."

"One of the most troubling aspects of HB991 in her mind is the prescription to force a defendant to get sued by a public figure under a new law, and loses, to pay potentially huge and prohibitive attorneys fees and court costs."

"They're flipping things, it's like who pays in a SLAPP lawsuit," she said. "SLAPP is an acronym for strategic law for privacy actions. It's a way to intimidate or silence critics who can't shoulder the costs of their own legal defense and have their critics or censors themselves into silence."

"One of the first articles we ever published was about a woman in the Florida Panhandle being sued for defamation by a developer because of a Facebook post," Ms. Petersen said. "Rather than becoming a rarity, that will become common with this law. The developer had been known for building in flood zones, and someobody posted they knew they had sued for flood damage from the developer. The woman's Facebook reply was as innocuous as, 'Oh, hope you have good flood insurance.'"

"There will be no protection for people like that, no protection for anybody who wants to get involved in their community or express their views in any way."

"Passage of the proposed HB991, she predicted, would result in Florida becoming a destination not just for the tourists but for the litigious."

At the Florida First Amendment Foundation, executive director Bobby Jucker said overall, "They're genuinely worried that some people likely to be litigious habits."

"One of those, Carol Locicero, a principal of the Tampa-based First Amendment firm has also strongly opposed to the bill. "I'm not an attorney, but I subscribe to the Sun Sentinel, celebrities, scholars and lawyers that this bill would violate the U.S. Constitution," he added.

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