

Champaign newspaper publishes smear against SEP candidate Tom Mackaman

The Editorial Board
25 August 2004

On August 23, the *Champaign-Urbana News-Gazette* published an article in its local news section containing unfounded and libelous accusations against SEP candidate Tom Mackaman.

The basic charge made by *News-Gazette* reporter Phil Bloomer is that Mackaman violated University of Illinois rules and state ethics laws by sending a press release from his university email account to the *News-Gazette*. The law in question prohibits state employees from engaging in certain forms of partisan political activity during working hours.

In a “Reporter’s Notebook” article entitled “Of Politics and Ethics,” Bloomer alleges that Mackaman, a graduate student at the University of Illinois who at the time was working as a teaching assistant, violated this law by using a university email account to send the press release last month. The item dealt with Mackaman’s struggle against an attempt by state and local Democratic officials to invalidate his nominating petitions and keep him off the ballot for the November election. In his article, Bloomer implies that the email account was an employee account, and consequently Mackaman’s use of it to send a campaign-related press release was unethical and possibly illegal.

Mackaman is the Socialist Equality Party candidate for state representative from the 103rd District, which includes Champaign and Urbana. The incumbent state representative from the district, which is the home of the main campus of the University of Illinois, is a Democrat.

In the course of a successful five-week battle against the Democratic Party’s attempt to keep him off of the ballot, Mackaman and the SEP demonstrated that the Democrats’ challenge to his petitions was without merit and filed in bad faith. A detailed review of the 2,003 signatures gathered by Mackaman’s supporters conducted by the Champaign County Electoral Board showed that a large majority of the signatures challenged by the Democratic official who filed the objection were, in fact, valid signatures of registered voters, and that the SEP candidate had far more valid signatures than the 1,325 required to gain ballot status.

On July 29, the Democrats withdrew their objection, and on August 2 the electoral board officially placed Mackaman on the ballot as the SEP candidate.

In the course of this battle, Mackaman sent a letter (July 17) to the Illinois Inspector General requesting that he undertake an investigation into the direct role of state employees on the staff of House Speaker Michael Madigan in conducting the challenge to Mackaman’s nominating petitions—a flagrant violation of the state ethics law proscribing such activity.

The basic thrust of Bloomer’s August 23 article is to allege that Mackaman is guilty of the same ethical and legal breaches that the

SEP maintains were committed by Democratic Party officials against his campaign. This, on its face, is an absurd contention, not only because it hinges on a trivial technicality—the email account used by Mackaman to send out a press release on his campaign—but, more importantly, because it equates Mackaman’s effort to defend his democratic right to participate in the elections and the rights of those who signed his petitions with a brazenly anti-democratic attempt by the Democratic Party machine to exclude him—an effort that is part of a nationwide drive to keep all independent and third-party candidates who oppose the Iraq war and the policies of the two big business parties off of the ballot.

That Bloomer’s allegation is both groundless and irresponsible is demonstrated, in the first place, by the false factual premise of his entire argument. In his article, he bases his charge on the assumption that the email account used by Mackaman to send his press release was a university employee (and therefore a state employee) account. In fact, it is a student email account, paid for not by the University, but by Mackaman, as part of his student fees.

Bloomer was made aware of this fact several days prior to the publication of his article. Mackaman responded to an inquiry from the reporter by both phone and email on August 19, explaining that his email account was part of the student cluster. Bloomer could easily have verified this fact by telephoning the university or conducting a search of the university web site.

Mackaman’s full university email address ends with “student.uiuc.edu,” signifying that it is part of the student cluster of email accounts. University staff email addresses have the suffix “staff.uiuc.edu.”

Bloomer and the *News-Gazette* are well aware that Mackaman and the SEP scrupulously followed all Illinois state guidelines and laws in carrying out their signature campaign. They are likewise aware that the Illinois State Legislature’s Ethics Commission has been delegated by the inspector general to conduct an investigation into the role of state employees working as Democratic Party functionaries in conducting the challenge to Mackaman’s nominating petitions. On August 13, Bloomer sent Mackaman an email inquiring into the status of the investigation.

Now, following the SEP’s vindication before the County Electoral Board and with an investigation pending against the Illinois House Democratic staff, the *News-Gazette* publishes an article with the clear intent of placing Mackaman and the SEP under a cloud and prejudicing the Ethics Commission’s investigation.

Bloomer’s column employs the unscrupulous technique of the amalgam. The first part of the article deals with an official with the Champaign County YMCA (Young Men’s Christian Association)

who used his employee email account to send out a press release announcing a campaign fundraiser for George Bush. Bloomer cites the YMCA official's actions as an unethical use of his official status for partisan political purposes, and notes the disavowal of these actions by the individual's superiors, as well as the individual's own apology.

All of this does not prevent Bloomer from including a paragraph in his column that amounts to an advertisement for the Bush campaign function, including contact information for those interested in attending.

The *News-Gazette* reporter then proceeds to cite Mackaman's emailed press release as an example of a similar transgression, aiming thereby to associate, in the minds of his readers, Mackaman and the SEP with the Republican's self-avowedly unethical activity.

Bloomer begins with a vague indictment of Mackaman that sets the tone for the rest of the column: "Over on the University of Illinois campus, some other rules apply to electioneering. Or maybe it just depends on your point of view."

This journalistic sleight of hand is an attempt to suggest that Mackaman somehow violated university codes, even though Bloomer offers no such evidence. The *News-Gazette* column continues by naming Mackaman's supposed crime. Mackaman, according to Bloomer, "has sent out campaign press releases on the UI email server." In the next sentence, Bloomer attempts to tighten the knot: "[Mackaman] is listed in the UI directory under faculty and staff."

Bloomer goes on to state that "the UI code governing the use of its computer network says that use is 'subject to all applicable state and federal laws, as well as general university and campus policies.'" He presents not an iota of evidence that Mackaman in any way violated this all-purpose, general guideline.

Next he quotes from campus regulations that apply to university faculty and staff: "'Use by University employees unrelated to their University positions must be limited in both time and resources and must not interfere in any way with University functions or the employee's duties.'" Bloomer does not even attempt to argue that sending a few emails constitutes a breach of this rule.

Bloomer then attempts to invoke state law: "State law is even more specific regarding prohibited political activity: 'State employees shall not intentionally perform any prohibited political activity during any compensated time. State employees shall not intentionally misappropriate any state property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization.'"

Mackaman did not send the email "during compensated time," and Bloomer does not even attempt to present evidence that he did. Nor did Mackaman "misappropriate," intentionally or otherwise, state property or resources.

More to the point, Bloomer never defines what "prohibited political activity" is. Rather, by employing the phrase, he implies, in the classic manner of the smear, that Mackaman engaged in such activity.

In Mackaman's letter of July 17 to the office of the Illinois Inspector General, in which he requested an investigation into the illegal activities of the House Democratic Staff—a copy of which was sent to the *News-Gazette*—Mackaman quoted from a section of the state ethics law which defines prohibited political activity for state employees during work hours as "circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum in question."

Clearly, by this definition the activities of Democratic House Speaker Madigan's staffers constitute a violation, while Mackaman's

use of his private, student e-mail account does not.

Bloomer goes on to cite Mackaman's reply, dated August 19, to his own note sent the same day, in which the reporter wrote: "I'm writing a column that raises questions about the use of employee email accounts for political purposes as this has been done by you as well as the local Young Republicans. Please contact me with your thoughts on the subject."

In his August 23 column, the reporter writes: "Mackaman said thousands of people at the UI use their accounts for what might loosely be defined as 'political' purposes. Can't argue there. He further maintains that with students, such as himself, the email account is paid for through fees and tuition and therefore the UI cannot dictate how students use it.

"'To interrogate and curb how one uses their private email (and once established they are indeed private) would be a violation of freedom of speech.' Mackaman said in an email. 'This is certainly true of students such as myself who fund their own email accounts, but also employees at the university, where rules against 'political' emails would have a chilling effect not only on freedom of speech, but academics, where there exists no clear line between politics and intellectual labor.'"

Bloomer's rejoinder to Mackaman's correct and principled defense of the democratic rights of students and employees to freedom of speech and political expression is utterly dismissive and cynical. He writes: "Now there's an insight that shows this guy definitely has a future in politics at the university level at least."

He then notes that the "aforementioned emails sent by Mackaman" referred to the SEP candidate's call for an investigation into the Democrats' use of state employees on the staff of House Speaker Madigan to challenge his nominating petitions, and concludes with the quip, "The going of oxen is a fickle thing, the sage once said."

It is obvious that Bloomer's malicious conclusion in no way follows from what has preceded it. He has penned a political smear, pure and simple, and a crude one at that.

The *News-Gazette* bears responsibility for this libel. The Socialist Equality Party and the *World Socialist Web Site* demand a full and public retraction, and an apology to Mackaman.



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact