

New move against free speech on campuses

University of Illinois restricts use of student e-mails to justify attack on SEP candidate

Our reporter
21 September 2004

Last week the University of Illinois altered its *Campus Administrative Manual* to specifically prohibit the use of student e-mail accounts for “political campaign activities.” The change is a transparent attempt to retroactively justify the “ticket” and threat of disciplinary action against Socialist Equality Party state legislative candidate Tom Mackaman and constitutes a grave attack on free speech, not only against Mackaman and the SEP, but against all students, academics and working people.

Coming on the heels of the university’s attempt to harass and silence Mackaman, this new effort to restrict constitutionally-protected free speech is a giant step towards imposing political censorship at the 38,000-student University of Illinois and, in fact, campuses throughout the US. If left standing, it will undoubtedly be used in the future to silence all forms of political speech the administration finds objectionable.

Mackaman gained ballot status to run as a state representative in Illinois’ 103rd District this summer after waging a successful two-month struggle against the bad-faith and illicit efforts by the state and county Democratic Party to bar him from the ballot. In the SEP’s effort to fight off the challenge to more than half of the signatures on its nominating petitions, it came to light that state employees of the Illinois House Democratic staff, under the direction of Speaker Mike Madigan, photocopied and examined Mackaman’s petitions. This clear violation of state and federal law is currently under investigation by Illinois’ newly-created State Legislative Ethics Commission. (See: “Democrats withdraw objections to SEP petitions: Tom Mackaman to be on the ballot in Illinois”)

Following the SEP’s victory over the Democratic Party, Phil Bloomer, a columnist for Champaign-Urbana’s daily newspaper, the *News-Gazette*, launched a malicious and slanderous attack on Mackaman, accusing the SEP candidate of using his student e-mail account for political purposes. Bloomer’s aim was to turn the tables on the SEP’s exposure of the illegal activities of the Democratic House staffers by associating Mackaman with the same criminal and unethical activity for which Democratic state employees were under investigation. Bloomer charged that Mackaman, a graduate student and a teaching assistant at the University of Illinois, had violated state employee ethics laws by using his student e-mail account to send the *News-Gazette* a press release. To date, the *News-Gazette* has not reported on the

investigation against the House Democratic staffers. (See: “Champaign newspaper publishes smear against SEP candidate Tom Mackaman”)

Bloomer’s crude attack was absurd on its face. He presented not a shred of evidence to support his claims. Mackaman and the SEP vigorously rejected the allegations, pointing out their libelous nature, and demanded a public apology from the *News-Gazette*. (See: “SEP candidate answers smear by Champaign, Illinois, newspaper”)

Nonetheless, weeks later Mackaman was e-mailed an unsigned “ticket” from the university, accusing him of violating campus regulations and state law by using his e-mail for “personal” and “political” purposes. The university has to date provided no explanation as to the origin of the charge and has offered Mackaman no channel of due process to fight the indictment and threat of “disciplinary action” made against him in the letter.

The crux of university officials’ claims is that student e-mail accounts are university property that Mackaman abused for personal political gain. Here the administration’s spokesmen extend the definition of “abusing university property” from misappropriating or stealing equipment, facilities and money owned by the university to expressing political opinions on a private email account paid for by a student himself! When it was pointed out how such an arbitrary definition of university property could be used to curtail the free speech of any student or faculty member on the Internet, Dr. Richard Traver, the university’s “ethics officer,” said that had to be left up to a constitutional attorney to decide.

Mackaman and the SEP publicly rejected the university’s allegations and made a public appeal to oppose this attack on democratic rights. (See: “Defend free speech at the University of Illinois! Hands off SEP candidate Tom Mackaman!”)

The university’s harassment of Mackaman and its assault on freedom of speech provoked outrage on campus and beyond. Letters poured into the Dr. Traver’s office from former students and working people in the US and internationally. In response to the exposure of the bogus nature of its charges the university altered its administrative manual, in what amounts to an admission that no such rule existed at the time Mackaman was charged with “violating university policy.”

The change, directed by the university administration without

discussion or debate, has not even been announced to the campus community. It came to light in a *News-Gazette* front page story by reporter Kate Clements. The university had apparently hoped to make the changes clandestinely.

Indeed, the university administration is quite consciously attempting to delude the campus community as to the scope and intent of the law. In a front-page article in the *Daily Illini*, the daily student newspaper, university spokesman Robin Kaler deliberately misled readers about the content of the law and withheld the fact that the rule was created only that week. The *Daily Illini* reported Kaler as claiming that the ban would only apply “to University students or staff who use their University e-mail to promote their own candidacy.” In fact, the rule quite clearly states that “e-mail may not be used for political campaign activities...”

The newly-created rule claims to leave room for Registered Student Organizations to advertise and host political events, with university spokesman Lex Tate specifically guaranteeing that right to Democrats and Republicans. According to Tate, “The College Democrats can host (US Senate candidate) Barack Obama. I cannot host Barack Obama.”

The choice of granting exception to the College Democrats is not accidental and is suggestive of the selective nature of the allegations against Mackaman. After all, the e-mail that apparently provides the basis for the university’s attack on the SEP was a press release for an event hosted by Students for Social Equality, the SEP’s student organization for which Mackaman is the treasurer. The event was approved by the university’s own Office of Registered Student Organizations and held on campus. Therefore, even according to the university’s new rule—a rule that was put in place specifically to justify its harassment of Mackaman—the SEP candidate committed no malfeasance.

To assuage the concerns of the local political establishment, in both the *Daily Illini* and *News-Gazette* articles university spokesmen Kaler and Tate make it explicitly clear that College Democrats and Young Republicans will face no opposition from the administration. Apparently only forms of political speech the university finds objectionable will be silenced, as has been the case with Mackaman and Students for Social Equality. The message is unmistakable: “Freedom of speech—maybe—just watch what you say!”

It is no accident that the university’s new policy is deliberately vague. In the end, it is meant to provide the administration a pseudo-legal basis for silencing all forms of political speech it finds objectionable, while the public attack on Mackaman apparently coordinated by the Democratic Party, *News-Gazette* columnist Phil Bloomer—who regularly praises the Republicans—and university administrators is meant to have a chilling effect on opposition to the war in Iraq and the two-party duopoly that supports it.

Even though Mackaman is the immediate target of the new rule, workers and students of the campus community must consider its possible ramifications and mobilize to repeal it. Indeed, the rule provides a potential basis to attack academic freedom and all forms of public discourse on campus. The university has reserved for itself the role of policeman, judge, jury, and executioner. It alone will determine what constitutes a “political campaign,” as

already witnessed in its selective attack on Mackaman and the SEP.

Will forwarding political e-mails or reading journals on-line come under attack? In the event of a strike, will the rule be used against campus trade unions to prevent them from communicating with their rank-and-file? Will student organizations that protest university policies, for example, its incestuous relationship with the military-industrial complex, face censure? Moreover, if the administration can, without announcement or discussion, alter its manual to retroactively justify groundless charges, what will stop it from doing so again in the future?

Even more ominous is the question of how the rule will be enforced. It bears repeating that to date the university has never explained to Mackaman the origins of the charges against him. Did someone file a complaint? Did the university eavesdrop on Mackaman’s account? Or are the charges based on Phil Bloomer’s unfounded allegations against the SEP candidate? These questions are not inconsequential: the new rule portends a future where the university, operating like Orwell’s “Big Brother,” analyzes all communications for “political” content.

The university’s unprecedented gag order on Mackaman and its attack on freedom of speech do not exist in a political vacuum. Under conditions of a presidential election in which the political and media establishment is attempting to bury the most pressing problems confronting US workers and students—above all else, the war in Iraq and its relationship to the deepening social crisis—the University of Illinois has enlisted itself in the effort to silence serious criticism, an effort which began during the Democratic Party’s attempt to remove the SEP from the ballot in Illinois.

In the final analysis, the University of Illinois’ attack on freedom of speech is but one manifestation of the growing hostility the ruling elite feels toward the most basic democratic principles. Under conditions in which the bi-partisan policies of the financial oligarchy—war, destruction of living standards, and the rollback of civil rights—enjoy no significant basis of support in the population, political opposition must be silenced.

We call on all those who oppose this undemocratic attack to send e-mail letters of protest to University of Illinois Ethics Officer Dr. Richard Traver at: rtraver@uillinois.edu.

Please send copies of your emails to editor@wsws.org.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact