

Defend free speech at the University of Illinois! Hands off SEP candidate Tom Mackaman!

Socialist Equality Party
6 September 2004

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Socialist Equality Party candidate Tom Mackaman continues to face harassment for daring to oppose the Democratic Party in Champaign-Urbana, Illinois. Mackaman received a notification from the University of Illinois September 1 threatening him with “disciplinary action” for using his campus email account to send out a press release about his campaign for the state House of Representatives in Illinois District 103.

The unsigned email “ticket,” sent out under the authority of Michael Corn, the university’s director of Security Services and Information Privacy, alleges that Mackaman’s use of campus email amounted to a violation of Illinois Constitution and university policy, which prohibits the use of “University premises and facilities for private purposes, including political campaigning.” The notice concludes by demanding the SEP candidate cease using his student email account to “campaign for political candidates and organizations” or face possible reprisal by university authorities.

The charge against Mackaman is groundless and nothing more than an attempt to intimidate and harass him by threatening his academic status as a graduate student and job as a teaching assistant at the university.

Mackaman is being singled out not because he violated some supposed guidelines but because of his socialist convictions, opposition to the war in Iraq and decision to run against the Democrats and Republicans in the November elections. Coming on the heels of the defeat by Mackaman and the SEP of the bad-faith effort by local and state Democratic Party to bar him from the ballot, this latest attack is nothing more than another dirty trick employed by the Democrats aimed at depriving working people in Champaign-Urbana of a political alternative to the two big business parties.

The SEP calls on all students and faculty members,

working people as well as readers of the *World Socialist Web Site*, and all those who defend democratic rights to demand university authorities immediately withdraw their threats against Mackaman and uphold his right to use his student email account for constitutionally protected political activity.

The effort by University of Illinois officials to restrict the content of private email messages is an illegitimate invasion of privacy and a violation of freedom of speech, which has ominous implications for every student and instructor. If university authorities can censor what Mackaman says in his email messages, where will they stop? Will students face sanctions for informing one another about political activities that university officials might not support? Will they be punished for looking at political web sites or writing political messages critical of US foreign policy?

Mackaman, like every other student and University of Illinois employee, has the perfect right to use his campus email to conduct personal business. The accounts are paid for by students as part of their fees.

If Yahoo, AOL or Hotmail instituted such restrictions it would provoke outrage. So why should the University of Illinois—a public institution—have the right to restrict the speech of its students and employees?

When contacted by the SEP, Dr. Richard Traver, the university’s ethics officer and executive director of university audits, admitted there were no rules in the university’s guidelines that explicitly restricted what students and employees could say in their campus email messages.

Traver, nevertheless, asserted that Mackaman was guilty of “abusing university property” because the Illinois Ethics Act banned university employees from using state-owned resources for political gain. Here Traver extended 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, Traver said that had to be left up to a constitutional attorney to decide.

According to a representative from the email provider—Campus Information Technologies and Educational Services (CITES)—the university does not monitor the email messages of its tens of thousands of clients, nor does it have the right to do so without a judge issuing a subpoena. He also acknowledged that the action against Mackaman had no precedent.

Traver claimed not to know who had initiated the allegation against Mackaman. He said the decision to send the ticket to Mackaman had been made at a “high-level” meeting after a security officer said a student-employee had been using his email account for political purposes. Without so much as informing Mackaman or finding out his side of the story, authorities sent the SEP candidate a notice which could only be interpreted as a threat to his academic status and employment. If this is an accurate account, the university’s action was at the very least a travesty of due process and a demonstration of unethical behavior.

Whether wittingly or unwittingly, those university officials involved in this episode were doing the bidding of state and local Democratic Party officials who have sought to disrupt and intimidate Mackaman ever since he announced his intention to run against incumbent State Representative Naomi Jakobsson.

Within days after the SEP submitted nominating petitions bearing the names of 2,009 voters seeking to place Mackaman on the ballot, a top official in the Champaign County Democratic Party filed an objection claiming that more half of the signatures were invalid or fraudulent.

The Democrats’ challenge to the petitions was prepared by state employees on the staff of House Speaker Michael Madigan in a flagrant violation of state election laws and the Illinois Ethics Act. Another state employee, a top legislative aide of Rep. Jakobsson, coordinated the effort to disenfranchise the legally registered voters, including hundreds of University of Illinois students, who had signed Mackaman’s petitions.

Over the course of a five-week battle Mackaman and the SEP demonstrated that the challenge was baseless and had been filed in bad faith. A detailed review by the Champaign County Electoral Board revealed that the vast majority of the signatures challenged by the Democrats were indeed valid and that the SEP had far more than the 1,325 signatures required to place Mackaman on the November ballot. On July 29 the Democratic official who filed the challenge was forced to withdraw her objections.

The exposure this illicit effort to bar Mackaman from the ballot did not stop the dirty tricks operation against him. On August 23, the *Champaign-Urbana News-Gazette* published an article in its local news section claiming 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*.

At the center of article, written by reporter Phil Bloomer, was the suggestion that Mackaman was guilty of the same ethical and legal breaches that Democratic Party officials committed when state employees on the staff of House Speaker Michael Madigan participated in the bad-faith challenge of Mackaman’s nominating petitions.

The purpose of this libelous article was to equate Mackaman’s effort to defend his democratic right to participate in the elections and the rights of those who signed his petitions, on the one hand, with a brazenly anti-democratic attempt by the Democratic Party machine to exclude him, on the other—an effort that is part of a nationwide drive to keep independent and third-party candidates who oppose the Iraq war and the policies of the two big business parties off the ballot.

There is little doubt that the Democratic Party is behind the latest attack by university officials. Democratic politicians and appointees play a decisive role in the governance and financing of the university, which places them in a key position to influence any decision university officials might take against a student or employee. At least four members of the university’s Board of Trustees were appointed by Illinois Democratic Governor Rod R. Blagojevich, who also sits on the governing body. Jakobsson is a member of the state legislature’s Higher Education Appropriations Committee, whose decisions can affect tens of millions of dollars in university funding.

This latest attempt to silence and intimidate Tom Mackaman must be rejected. The Socialist Equality Party calls on all students, faculty members and all defenders of basic rights to demand that the University rescind its threat against Mackaman, withdraw its “ticket” and uphold his right to conduct political activity without intimidation and censorship.

We call on all those who oppose this undemocratic attack to send email 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:

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