

Censorship— It's Still Legal Online, Folks

...but Clark's lack of consistency threatens students' freedom

On February 27th, a prominent if not widely loved Vax personality was banned from Bulletin access on the Clark Vax cluster without hearing or due process.

This is not the first time a user has had their access to Clark's computing facilities revoked, but for the first time 1st Amendment rights—*lack* of them—have come into play. As a result of the initial negative reaction, acting Director of OIS Anna Tomecka has created a long-overdue *explicit* acceptable usage policy, which is potentially problematic. Personal biases against Sims have caused what should have been a lightening rod issue to become all but a non-issue.

A quick overview of events leading up to the creation of this flawed policy is in order.

• Just the Facts •

Heather Sims ('90), a Clark alumnus who never left town and self-titled "VAXbitch," is widely known for loving argument and lively discussion on the Bulletin system, an online forum for discussion of any subject of interest to the Clark community. "She can be significantly abrasive," comments another VAX user. Catherine "Kate" Huard, a Clark staff member in the Office of Academic Affairs who also works in the Rape Crisis Center, started posting in the intellectual-discussion forum "Smart-Clark," and "her ideas about gender politics are very Dworkin/Faludi-esque, minus most of the intellectual component," says Randy Mack. "Sims and Huard met like flint and steel."

Sims' continuing arguments with and open disdain for Huard lead Huard to solicit several other users to complain about Sims' outspoken and at times insulting exchanges on Bulletin, and accused Sims of cracking her account. (JWolfenden, DChase, JPeterson, KORcilly, EBernendes and AAbrahamson were the parties solicited; how many of these users responded is unknown). The system administrators, Anna Tomecka (acting Director of OIS) and Max Schopf (Assistant Network Manager), tend to avoid involvement and base their actions on solely user complaints. The brief but effective complaint campaign by Kate Huard, apparently a vendetta, caused Sims to be barred from Bulletin without warning or hearing. Acting on an unknown number of complaints, the system administrators summarily revoked Sims' Bulletin access. [See *Exhibits*, below, for transcriptions of relevant email messages.]

Sims was forwarded a copy of the complaint solicitation by an anonymous recipient, and she forwarded it to her friends. Sims claims to lack the technical knowledge to crack an account; she did, however, know of a flaw in the email system which allowed any user to read the temporary files created in sending email—anyone's email. Huard mistook this for cracking.

Meanwhile in Bulletin, the author had started posting information about the situation as he gained it. A "Free_Heather" folder (in the tradition of

"Free_Forest," from when Forest Lee was suspended without hearing or process from any VAX access) flourished briefly, but since most of the VAX community has been flamed by Sims at one time or another, it faded quickly, and a discussion of email security flaws blossomed. Acting partly on the findings of Clark alumnus Mitch Cohen ('89), the system administrators changed the email system to prevent recurrences of the problem.

Later misdoings by Sims spoiled any chance she had to gain sympathy for this, and as a result, there is distressingly little outrage.

Sims still has not had her access restored. Huard, meanwhile, has left Clark for another position and no longer uses Bulletin.

• The Opinion Piece •

Unlike previous occurrences of disussing, there seem to be few people willing to speak up in protest of the censorship of one individual, apparently because this person is not well liked.

The issue at hand is not whether Sims is a nice person, or Huard is vengeful, or Tomecka is a dictator. None of this matters. What is important is that since the system's self-policing aspect has been subverted, the uninformed fiat management technique must be abandoned in favor of a well-defined policy of usage, and due process for handling infractions.

Recently, Tomecka, quietly and without drawing attention to it, posted an Acceptable Usage Policy in a new folder

called "Policies." Although badly flawed and in need of reform, the Policy is a step in the right direction, but clearly needs review by the user community. As it stands, anything not related to Clark administration, work or classes is off-limits, there is no process for dealing with infractions of the rules, and there is no public review of it. It does not reflect the actual usage of the system, past or present, and needs to be modified. Under its auspices, almost anything can be censored, and anyone restricted, without warning or review. All we have to rely upon is the innate goodness of harried and overworked network administrators.

Despite court cases supporting freedom of university presses, censorship online is still legal on a private system such as Clarks. Until pending court cases are resolved, technically there is no 1st Amendment protection online. The online community has been largely self-policing in the past, but when someone decides to play hardball, it is fairly easy to have someone censored through judicious complaints and accusations.

Self-policing, which has worked well for years, has been effectively scrapped by one irate individual, and replaced with administrative fiat. It's impossible to go back now, so it is especially important that due process be clearly and justly defined. It is a dangerous and uncertain environment for attempts at intellectual discussion.

Tomecka's Acceptable Usage Policy is a noble first step by someone who has nothing to lose by keeping Vax justice arbitrary and final. What remains to be done is to hammer it into a practical, fair, and meaningful document. •

[Author's Note: c#]

Exhibits

Sims logged in one day and was could not enter Bulletin, and encountered a message advising her to contact the SYSTEM account.

Sims sent a message to SYSTEM:

From:HSIMS"Leather Heather" 27-Feb-1996 17:43:53.52
 Subj: Bulletin question

When I try to get into Bulletin, I get a message saying access denied, see the system administrator. Could you please explain why I no longer have access to Bulletin?

She received this response:

From:MSCHOPF "Assistant Systems & Network Mgr" 28-Feb-1996 08:46:36.24
 Subj:RE: Bulletin question

Heather,
 We have had many ongoing complaints about you. At least your Vax account is still intact.
 Max

The email that started it all:

From:CHUARD
 28-FEB-1996 09:12:55.36
 To:[see above for list]
 Subj:HSIMS

This is your opportunity, if you so choose, to make a difference in what has been

going on in bulletin. Most of you have been paying attention, and some of you have experienced the abuse that has passed for dialogue in there.

This time HSIMS put her foot in it. She intercepted a personal email that was going out and posted it in Bulletin. I had saved a copy of the letter anyway, and extracted the posting and have that saved, as well, so I was

able to prove it before notifying SYSTEM. They now have the documents, and additional postings that make my point.

In the conversation that I had with Anna Tomecka, Systems Manager, she encouraged others who have had similar experiences to come forward. It's up to you, but I thought you should have the opportunity.

Top Ten Things to Include in a Message on Clark's Vax That'll Get Your Butt in Trouble

- 10) "I want to cut off your tits and dress them like barbies..."
- 9) *** INSUFFICIENT ACCESS PRIVILEGES— PLEASE CONTACT SYSTEM ADMINISTRATOR ***
- 8) "Here's a message to the 75 people most likely to write for my new magazine..." [Brian Foy's universe only]
- 7) *** QUOTA EXCEEDED ***
- 6) "Maybe another stupid Clarkie will kill himself on Spree Day again..." [Chris Condon's universe only]
- 5) "Here is a Usage Guide to Creating folders..."
- 4) "Anna and I had a laugh over beers..."
- 3) [CENSORED]
- 2) "You own a useless folder. Please delete it..."
- 1) "From: HSIMS"...

After I send this to you, I will forward the message Anna sent to me. Some people have responded already. I would appreciate copies of what you send, but that is also up to you. I will be leaving at the end of this week, so whatever happens now could make the difference in how user friendly Bulletin becomes for you after I am gone.

Good luck. ...kate

The fuss that Anna's actions stirred up boomeranged, and people began demanding a formal policy: [Email copied by HSIMS]

"Sharon, do you have an on-line copy of the netiquette we have people sign up when they apply for network access in dorms? We need to post it in Bulletin. We also need to attach copies of it to each new account application form and have people sign it before they can be granted an access. Not sure what to do for existing accounts. Thanks, Anna"

The new "Acceptable Use Policy" was posted within the week. It, and a discussion of its flaws, can be found in the "Policies" folder of Bulletin. Type "BULLETIN POLICIES" at the \$ prompt of your Vax account to read it. •