

## THE OBSERVER

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The Observer is the independent newspaper published by the students of the University of Notre Dame du Lac and Saint Mary's College. It does not necessarily reflect the policies of the administration of either institution. The news is reported as accurately and objectively as possible. Unsigned editorials represent the opinion of the majority of the Editor-in-Chief, Managing Editor, News Editor, Viewpoint Editor, Accent Editor, Photo Editor, Sports Editor, and Saint Mary's Editor. Commentaries, letters and Inside Columns present the views of the authors, and not necessarily those of The Observer. Viewpoint space is available to all members of the Notre Dame/Saint Mary's community and to all readers. The free expression of varying opinions through letters is encouraged.

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### ■ AND IN THIS CORNER...

## Notre Dame and the Web: Let the censored speak

obscene, *adj.* 1. offensive to modesty or decency; indecent; lewd: *obscene pictures*. 2. causing, or intended to cause, sexual excitement or lust.

"...graduate student and computer consultant...(who wished to remain anonymous) noticed Apple's homepage and alerted..."

### Matthew Apple

pornographic, *n.* obscene literature, art or photography, esp. that having little or no artistic merit.

"...was reported to Rapagnani a few weeks later by a party who wishes to remain anonymous."

offensive, *adj.* 1. causing resentful displeasure; highly irritating or annoying. 2. unpleasant or disagreeable to the sense. 3. repugnant to the moral sense.

"Who does it and how it's done and what happens isn't relevant," he says. "Notre Dame is taking care of its business."

indecent, *adj.* 1. offending against recognized standards of propriety or good taste; vulgar. 2. not decent; unbecoming or unseemingly.

*The United Nation Universal Declaration of Human Rights 1948, Article 19:* "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers."

vulgar, *adj.* 1. characterized by ignorance of or lack of good breeding or taste: *vulgar ostentation*. 2. indecent; obscene; lewd: *a vulgar work; a vulgar gesture*.

"...this does not concern the First Amendment in any way..."

Theodore Schroeder: "Obscenity has no objective existence. It is neither a quality that inheres in or emanates from a book, picture or play. On the contrary, obscenity is wholly an attitude or predisposition of the viewing and accusing mind, which is only delusionally read into, or ascribed to, that which is accused of being obscene."

Excerpt from "Responsible Use of Information Technologies at Notre Dame," somewhere in *Du Lac* and on the internet: "Impermissible uses (some of which may also constitute illegal uses) include, but are not limited to, the following: [emphasis added]

- Posting or sending obscene, pornographic, sexually explicit, or offensive material
- Posting or sending material that is contrary to the mission or values or the University."

*Quis custodiet ipsos custodes* (Juvenal, *The Satires*, VI, 347) — "Who guards the guardians?"

Anonymous Notre Dame parent: "I didn't send my daughter to Notre Dame to be subjected to perversity!"

adult, *adj.* 1. having attained full size and strength; grown up; mature. 2. of, pertaining to, or befitting adults. 3. a. intended only for adults; not suitable for children. b. pornographic. —*n.* 4. a person who is fully grown or developed or of age. 5. a person who has attained the legal age of majority.

The Bengal Bouts: boxing fights arranged for on-campus public displays by and for a university with a mission whereby male members of the community between the ages of 18 and 22 are permitted to batter each other senseless "that weak bodies may be nourished."

"You have to understand how committed Notre Dame is to protecting its image..."

Lenny Bruce: "And you know why we got this — this is really weird — the cen-

sorship? It's motivated by bad early toilet training."

Excerpt from text on the Notre Dame www server file listing Personal Pages at <http://www.nd.edu:80/PersonalPages/>:

"The University of Notre Dame recognizes the value and potential of personal publishing on the Internet, and so allows and encourages students, staff, and faculty to experiment with producing personal WWW pages. However, the University can accept no responsibility for the contents of those pages [emphasis added].

"The links from this page are the personal home pages of Notre Dame students, staff, and faculty. While these pages do not in any way constitute official Notre Dame content, we hope you find the information in them useful, or at least entertaining. The views and opinions expressed in the pages below are strictly those of the page authors, and comments on the contents of those pages should be directed to the page authors [emphasis in original text]."

disclaimer, *n.* 1. the act of disclaiming; the repudiating or denying of a claim; disavowal. 2. a person who disclaims. 3. a statement, document, or the like that disclaims.

Excerpt from "Telecommunications Act amounts to censorship," the Observer, Feb. 14, 1996: "In deference to the free-thinking spirit of the CDA [Communications Decency Act], I have reserved a special Anti-Censorship page on my own homepage. Be warned: this page will contain a few graphic images and song lyrics which some may consider 'vulgar' or simply 'uncouth' and most definitely 'unPC.' I do this not because I particularly approve of juvenile pantings over naked men and women, but because I can do it. It is my right, as a U.S. citizen and as a human being."

"...whenever someone from outside the Notre Dame community views your page, they see nd.edu in the address..."

Letter dated October 15, 1996: "Further, I am concerned that the juxtaposition of links to your teaching materials and these photographs would create 'an intimidating, hostile, or offensive University environment' for your students as described in our University policy on sexual harassment... In my judgment,

you essentially invited this outcome by the way you designed your homepage. This is impermissible and, in my judgment, wholly irresponsible warranting the actions I have taken." free will, 1. free choice; voluntary decision. 2. *Philos.* the doctrine that the conduct of human beings expresses personal choice and is not simply determined by physical or divine forces.

Excerpt from my personal statement to the Office of Residence Life, dated November 10, 1996:

"The day after my AFS privileges were frozen without prior warning, Professor Kantor, Vice President and Associate Provost, hand-delivered a letter... In this letter, Professor Kantor alleged that the file contained 'offensive, sexually oriented photographs of nude male and female figures accompanied by a vulgar narrative.'"

"In fact, the file contains the following: 'The word WARNING! in bold capital letters and large font set to 'blink' repeatedly;

"A lengthy amount of text designed to fill one 17" computer screen top to bottom, explicitly explaining that the file had been created for the purposes of advocating the First Amendment and repeating my personal distaste for material which encourages the objectification of human beings..."

Voltaire: "Though I may disagree with what you say, I will defend to the death your right to say it."

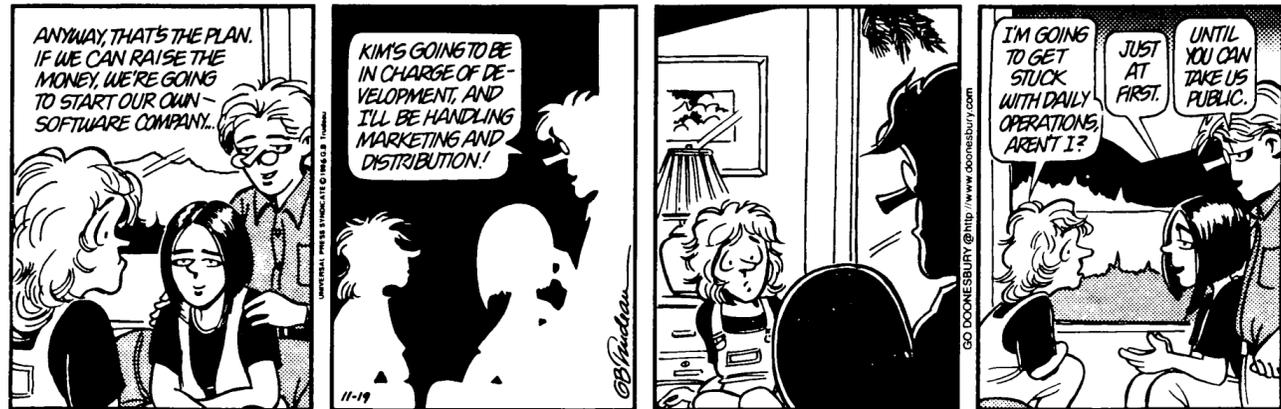
*degustibus non est disputandum* — "There is no disputing about tastes."

(Unidentified quotes taken from the Scholastic, Nov. 14, and numerous phone conversations. Word definitions courtesy of *Webster's Encyclopaedic Unabridged Dictionary of the English Language*, excepting a personalized definition of legalized and evidently Catholic-approved thuggery.)

Matthew Apple is a graduate student in the English department who, as the constitution does not apply to private universities, must enjoy the right to freedom of expression at an off-campus internet provider: [mapple@skynet.net](mailto:mapple@skynet.net) or <http://www.skynet.net/~mapple>.

### ■ DOONESBURY

GARRY TRUDEAU



### ■ QUOTE OF THE DAY

"Freedom of expression is the matrix, the indispensable condition, of nearly every other form of freedom."

—Benjamin Cardozo