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... Slocum, San Mateo County's Chief Elections Officer, today requested the California Attorney General, Bill Lockyer, to investigate [www.voteauction.com](#), an ...

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... Weg met de democratie! Een site met de naam **voteauction.com** veilt tegen betaling de stemmen van Amerikaanse kiezers. +++ Dieper ...

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... new friends. posted by stu cook 3:43 PM | +. Vote. Bringing capitalism and democracy closer together at **voteauction.com**. Reminded me ...

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... USA/Schweiz/Österreich: "It's different because it's fundamentally different." - The **Voteauction**-Case "[V]ote-auction, the only platform worldwide allowing end ...
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... Kurz vor der Präsidentschaftswahl sorgte [www.voteauction.com](#) für erhebliches Aufsehen: Binnen kürzester Zeit meldeten sich dort 15 000 Wähler und etliche ...
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... Vote swapping. Vote to Stop Bush. **Voteauction**. Vote-by-mail. Voter Confidence and Increased Accessibility Act of 2003. Voter fatigue.
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... **Voteauction.com**, the site taking bids by state, promises to collect votes by absentee ballot, verify them and mail them "to the appropriate election district". ...
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... in US courts in recent weeks. It began as **voteauction.com** and last week was vote-auction.com. Following a temporary shutdown, the ...

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... an innovative campaign technique, to say the least." (excerpted from the MSNBCarticle reachable through our media page.) : : : How is that **voteauction.com** got ...

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... Ga stemmen! Lelijkste albumhoezen van de eeuw. huivert hier. Verkoop uw stem hier bij **voteauction** Wat en hoe de straat op? Go.stop.act. ...

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... Bei der amerikanischen Präsidentschaftswahl 2000 sind Stimmenverkäufer wie **Voteauction.com** unangenehm aufgefallen. eBay. Links. Straftaten ...

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... Aber jede Website braucht eine Adresse, einen so genannten Domain-Namen - in diesem Fall [www.voteauction.com](#) -, und der wird von einem Unternehmen ...

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... le journal "Wired" du 6/9/2000, hans bernard (il n'ya pas de majuscules, ce n'est pas un oubli!) a installé les ordinateurs de son site ([voteauction.com](#)) en ...

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... Movies Of All Time, 8-25-00. <http://www.voteauction.com/>, Sell your vote. More info here. 8-25-00. http://www.f*ckedcompany.com/, "F*ckedCompany ...

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... For more see: <http://www.nadertrader.com/> More alarmingly, a site was set up called **Voteauction.com** purporting to help people auction their votes to the ...

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... idée en système. Derrière le site, James Baumgartner, un étudiant qui a fait de **Voteauction** son sujet de thèse. « De toute ...

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... Fcw.com/civic/articles/2000/1009 /web-vote-10-10-00.asp "Chicago wants **voteauction** gone",board election,commissioners,said,it,has asked,federal,state,attorneys ...

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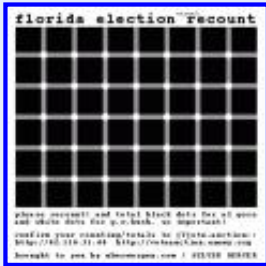
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cnn_screenshot4.gif
400 x 300 pixels - 68k
www.ubermorgen.com/ATTACK_ON_DEMOCRACY/



ubermorgenshot.gif
550 x 375 pixels - 21k
www.medienkultur-stuttgart.de/thema02/2archiv...



rightmoore.gif
162 x 60 pixels - 7k
www.rtmark.com/arseafter.html



headvoteauctionfrwords.gif
239 x 40 pixels - 2k
www.rtmark.com/voteauctionfr.html



headvoteauctionwords.gif
178 x 40 pixels - 1k
www.rtmark.com/voteauction.html



voteauction.jpg
163 x 33 pixels - 4k
[www.diarioti.com/.../2000/
oct2000/15193604.htm](http://www.diarioti.com/.../2000/oct2000/15193604.htm)



headvoteauctionprwords.
gif
209 x 40 pixels - 1k
[www.rtmark.com/
voteauctionpr.html](http://www.rtmark.com/voteauctionpr.html)



lizvix_thumbnail.jpg
120 x 120 pixels - 10k
hiperactivo.com/



voteauctionlogo_small.gif
120 x 120 pixels - 2k
hiperactivo.com/



Result Page: [1](#) [2](#) [Next](#)

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Searched all groups

Results 1 - 78 of 78 for **voteauction**. (0.32 seconds)Sorted by **relevance** [Sort by date](#)

[VOTEAUCTION SATIRE ILLEGALLY SQUELCHED, \(resend\)](#)

FOR IMMEDIATE RELEASE **VOTEAUCTION** SATIRE ILLEGALLY SQUELCHED, WILL RE-OPEN IN HUNDREDS

OF PLACES RTMark.com reveals its role, offers cash to the first person ...

[misc.activism.progressive](#) - Nov 5 2000, 9:15 pm by MichaelP - 1 message - 1 author

[\(none\)](#)

FOR IMMEDIATE RELEASE **VOTEAUCTION** SATIRE ILLEGALLY SQUELCHED, WILL RE-OPEN IN HUNDREDS

OF PLACES RTMark.com reveals its role, offers cash to the first person ...

[flora.mai-not](#) - Nov 5 2000, 8:43 am by MichaelP - 3 messages - 2 authors

[The Nader Thing](#)

... A number of other domains +(www.**voteauction**.at, www.**voteauction**.de, www.**voteauction**.cu, +www.**voteauction**.ru, www.vote-auction.net, www.vote-auction.org) should ...[soc.singles.moderated](#) - Nov 3 2000, 1:30 pm by Ocean Gypsy - 547 messages - 64 authors

[voteauction.com - "Bringing Capitalism and Democracy Closer ...](#)

http://www.**voteauction**.com "Bringing Capitalism and Democracy Closer Together" Due to pending litigation in Illinois, **Voteauction**.com has suspended ...[alt.current-events.clinton.whitewater](#) - Oct 17 2000, 11:24 am by Bill Nalty - 1 message - 1 author

[RadTimes # 4](#)

... If citizens do indeed find the choice between Gush and Bore meaningless, the proprietors of **Voteauction**.com say, why not at least make a little cash on the side ...[misc.activism.progressive](#) - Aug 19 2000, 9:30 pm by rad - 1 message - 1 author

[Web Sites Offer Votes For Sale - VoteAuction.com](#)

... What hypocrit"] **Voteauction**.com, the site taking bids by state, promises to collect votes by absentee ballot, [a process known to be used by the Democrats ...[alt.politics](#) - Aug 19 2000, 12:10 pm by Robert Hewett - 1 message - 1 author

[voteauction.com](#)

The poor and desperate can sell their vote to the rich and powerful on this internet site. However, doing so is a federal offense. ...

[alt.politics](#) - Oct 21 2000, 7:43 am by garb...@my-deja.com - 2 messages - 2 authors

[Guns and metalworking combined](#)

See http://**voteauction**.com/ Yeah, read the small print. **Voteauction**.com has recently changed ownership. It is now owned by an Austrian ...[rec.crafts.metalworking](#) - Sep 22 2000, 11:19 pm by PLAlbrecht - 50 messages - 25 authors

[RadTimes # 7](#)

... cop's Democratic convention diary --Convention Protests Bring Mixed Reactions --Representative McKinney on convention activists --**Voteauction** Bids the Dust ...[misc.activism.progressive](#) - Aug 28 2000, 9:40 pm by rad - 1 message - 1 author

[Who MUST vote for.](#)

... **Voteauction**.com is devoted to combining the American principles of democracy and capitalism by bringing the big money of campaigns directly to the voting public ...

[alt.slack](#) - Aug 25 2000, 9:04 pm by Jesus \"Steve\" Christ - 2 messages - 2 authors

[Vote-auction victim of DNS-shutdown](#)

... Vienna/Berlin, November 2nd, 2000, 7 am CET Below you find the latest press release by [V]ote-auction: <http://62.116.31.68> <http://www.voteauction.at> [http://www ...](http://www...)

[alt.thebird](#) - Nov 2 2000, 12:11 pm by votingp...@aol.com - 1 message - 1 author

[Wybieramy prezydenta Niemiec :-\)\)\)](#)

"patient" pisze miedzy innymi: W najblizszym czasie otwarte zostana serwery <http://voteauction.enemy.org> <http://voteauction.de> <http://voteauction.at> [http ...](http...)

[pl.soc.polityka](#) - Nov 5 2000, 11:48 pm by Realista - 2 messages - 2 authors

[Wybieramy prezydenta USA :-\)\)\)](#)

W najblizszym czasie otwarte zostana serwery <http://voteauction.enemy.org> <http://voteauction.de> <http://voteauction.at> <http://voteauction.cu> [http://voteauction ...](http://voteauction...)

[pl.soc.polityka](#) - Nov 4 2000, 1:59 am by Realista - 1 message - 1 author

[Online vote fraud!](#)

... Among the Web sites facilitating online vote buying is www.voteauction.com, which has the stated goal of "bringing capitalism and democracy closer together ...

[alt.politics.reform](#) - Sep 15 2000, 11:08 pm by Jon Roland - 1 message - 1 author

[FREE TPD](#)

... But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it." Recently, the Austrian owner of **Voteauction**.com flaunted it. ...

[soc.culture.jewish](#) - Sep 25 2000, 2:02 pm by Wayne Mann - 1 message - 1 author

[conspiracy of the week: Association for Ontological](#)

[Anarchy](#)

... Then there was that whole **VoteAuction** scandal during the 2000 election. The original site is down, but the Waybackmachine comes ...

[alt.fan.rawilson](#) - Jun 6 2002, 2:14 pm by Cliff Stabbert - 4 messages - 3 authors

[TPDL {Free}](#)

... But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it." Recently, the Austrian owner of **Voteauction**.com flaunted it. ...

[slo.politics](#) - Sep 25 2000, 8:36 pm by Wayne Mann - 1 message - 1 author

[TPDL](#)

... But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it." Recently, the Austrian owner of **Voteauction**.com flaunted it. ...

[alt.current-events.clinton.whitewater](#) - Sep 25 2000, 3:01 pm by Wayne Mann - 1 message - 1 author

[TPDL is FREE](#)

... But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it." Recently, the Austrian owner of **Voteauction**.com flaunted it. ...

[alt.politics.bush](#) - Sep 25 2000, 6:13 pm by Wayne Mann - 1 message - 1 author

[TPDL FREE](#)

... But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it." Recently, the Austrian owner of **Voteauction**.com flaunted it. ...

[alt.impeach.clinton](#) - Sep 25 2000, 9:35 am by Wayne Mann - 1 message - 1 author

[TPDL \[Free}](#)

... But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it." Recently, the Austrian owner of **Voteauction.com** flaunted it. ...

[alt.politics.usa.misc](#) - Sep 25 2000, 8:06 pm by Wayne Mann - 1 message - 1 author

['RadTimes' newsletter invitation](#)

... cop's Democratic convention diary --Convention Protests Bring Mixed Reactions --Representative McKinney on convention activists --**Voteauction** Bids the Dust ...

[misc.activism.progressive](#) - Sep 5 2000, 9:15 pm by radman - 1 message - 1 author

[INFO: ELECTIONS, CORPORATIONS, DEMOCRACY AND BEYOND](#)

(fwd)

... A second site, **Voteauction.com**, promised to collect votes by absentee ballot, verify and then mail them to the appropriate locations. ...

[misc.activism.progressive](#) - Nov 10 2000, 9:30 pm by MichaelP - 1 message - 1 author

[Vote Buying and Other Campaign Anomalies](#)

... routinely vote) solemnly charged that the website "impugned the integrity of our electoral system." By the end of the day, the site, **voteauction.com**, was shut ...

[alt.society.conservatism](#) - Nov 4 2000, 3:48 pm by Dana - 1 message - 1 author

[Feds seize Indymedia servers](#)

... If it would't be too much effort, I could go downstairs and dig through the **voteauction** lawsuits. But i'm sure, I've read this phrase at least 10 times. ...

[news.admin.net-abuse.email](#) - Oct 11 2004, 11:03 pm by Lurker - 35 messages - 24 authors

[Wybory w USA :-\)\)](#)

<http://voteauction.enemy.org>

[soc.culture.polish](#) - Nov 4 2000, 1:19 am by Realista - 1 message - 1 author

[Bringing Capitalism and Democracy Closer Together](#)

... Download Materials to cash in on your voting capital. <http://62.116.31.68/> -- Philippe now, take a look at <http://www.voteauction.cu> -- Philippe

[soc.culture.cuba](#) - Nov 3 2000, 1:30 am by Philippe Bourcier (chez Tekelec Temex Telecom) - 3 messages - 2 authors

[Swap Votes! Give Nader 5%, Keep Bush Out](#)

... This is probably the only time I'll ever say this, but you're right, Fred :) The whole premise looks like a half-baked imitation of **voteauction.com**. ...

[rec.backcountry](#) - Oct 29 2000, 11:54 am by aps - 8 messages - 7 authors

[It's Church Versus State of Radio - Elisa Batista](#)

... Harm Net Blu Defends its Auction Action Rhetoric Reigns at Net Crime Meet Italy Blu in Wireless Auction FCC Head Takes His Agency to Task **Voteauction** Booth is ...

[soc.culture.cuba](#) - Oct 27 2000, 12:10 pm by ricardo a gonzalez - 1 message - 1 author

[OT-Gore](#)

... answer, not much). Darn, I can't find that Austrian-run "**voteauction**" site now. Oh, here's why, It was shut down. See. <http://www...>

[rec.crafts.metalworking](#) - Oct 24 2000, 3:37 pm by PLAlbrecht - 201 messages - 62 authors

[Asimov Site](#)

... But tell me, someone please tell me, how the f*** do I do this? My vote is all but worthless, even more so now that they shut **voteauction.com** down. ...

[comp.sys.apple2](#) - Aug 26 2000, 3:13 pm by **** * - 199 messages - 31 authors

[-|- Match your political views](#)

... in the November election off on eBay? You think that's bad? Check out [www.voteauction.com](#). As ever I remain -Dances With Cars ("there's ... [rec.music.tori-amos](#) - Aug 18 2000, 5:37 am by Dances With Cars - 203 messages - 26 authors

[imap index for Nov 5](#)

... secrecy bill Article: 108524; Lines: 127 Date: Sun, 5 Nov 2000 23:03:59 -0600 (CST)
From: MichaelP <papa...@peak.org> Subject: **VOTEAUCTION SATIRE ILLEGALLY ...**
[misc.activism.progressive](#) - Nov 6 2000, 3:16 am by I...@chumbly.math.missouri.edu - 1 message - 1 author

[ACLU joins fight over 'vote-buying' Internet ...](#)

... order that Cook County Circuit Judge Michael Murphy issued at the request of Chicago election officials, requiring a similar-sounding site, [voteauction.com](#), or ...
[alt.thebird](#) - Nov 3 2000, 2:34 pm by Michael J. Schneider - 1 message - 1 author

[Capitalism & Democracy Converge](#)

Capitalism & Democracy Converge 22 October 2000 (snip) [Voteauction.com](#), created by a graduate student at Rensselaer Polytechnic Institute in New York and later ...
[alt.politics.bush](#) - Oct 23 2000, 11:32 am by johnz~ - 2 messages - 2 authors

[Illegal selling of absentee votes for the Nov. 7 Election!](#)

... of Elections Commissioners, sensitive about Chicago's reputation as a city where the dead vote, filed suit earlier this week against [Voteauction.com](#), which ...
[alt.religion.w-w-church-god](#) - Oct 18 2000, 7:35 pm by Janice Matchett - 1 message - 1 author

[Vote early, vote often](#)

[www.voteauction.com](#) Anyway, is this a travesty? ... If anyone wants to argue a property interest in the franchise, I'll listen, but [VoteAuction](#) ain't doing that. ...
[alt.fan.cecil-adams](#) - Oct 17 2000, 11:19 am by Michael Lorton - 8 messages - 7 authors

[Check this out!](#)

[http://voteauction.com/](#)"[Voteauction.com](#) is not valid in New York State. " How about Canda? ralphv
[alt.support.depression.manic](#) - Oct 14 2000, 8:30 am by ralphv - 3 messages - 3 authors

[#Vote Auction Site To Open Again, Offshore](#)

... Hans Bernhard said his holding company would operate [voteauction.com](#) outside the United States to circumvent federal and state laws that forbid purchasing and ...
[alt.politics.bush](#) - Aug 26 2000, 8:23 am by Lupe - 2 messages - 2 authors

[\[radtimes\] Back issue list \(# 1 - 150\) \(2/2\)](#)

... cop's Democratic convention diary --Convention Protests Bring Mixed Reactions --Representative McKinney on convention activists --[Voteauction](#) Bids the Dust ...
[misc.activism.progressive](#) - Feb 22 2001, 8:32 pm by radman - 1 message - 1 author

[Faulkner Cyberscape Digest 08/18/00](#)

... But that said, for those who enjoy a bit of political satire, it might be worth checking out [Voteauction.com](#). Describing itself ...
[cmu.cs.general](#) - Aug 21 2000, 5:40 am by Missy Harvey - 1 message - 1 author

[Real Election Reform](#)

... I remember the 2000 election, where there was a website called [voteauction.org](#) (there may have been a hphen in there somewhere), where people could put their ...
[alt.history.future](#) - Feb 4, 7:55 pm by Mike T. - 11 messages - 7 authors

[How does Ron Paul do it?](#)

... There was a slightly different vote selling scheme on **voteauction.com**, but I think it has been shut down (at least it doesn't work show up in my browser anymore ...

[alt.anarchism](#) - Mar 14 2003, 12:39 pm by Constantinople - 43 messages - 19 authors

[Stimmentausch bei der Bundestagswahl](#)

... Zu Votetrader ein Artikel bei Telepolis: <http://www.heise.de/tp/deutsch/html/result.xhtml?url=/tp/deutsch/special/auf/8969/1.html&words=Voteauction> Hier ging ...

[de.soc.recht.misc](#) - Aug 20 2002, 6:49 am by Dirk Schumacher - 22 messages - 14 authors

[discuss voter fraud, no partisanship please](#)

... first party. iv. Bribery. **voteauction.com**, cigarettes for vote, etc. v. interception of official absentee ballots. B) Fraud during ...

[alt.politics.elections](#) - Nov 10 2000, 2:10 pm by emor...@my-deja.com - 1 message - 1 author

[methods of fraud, a discussion \(no partisanship please\)](#)

... first party. iv. Bribery. **voteauction.com**, cigarettes for vote, etc. v. interception of official absentee ballots. B) Fraud during ...

[alt.politics.bush](#) - Nov 10 2000, 1:10 pm by emor...@my-deja.com - 1 message - 1 author

[elections, cens or ship](#)

... 2 quick censorship stories: 1. **VoteAuction** - "Bringing Democracy and Capitalism Closer Together" has been shut down - see <http://www.rt.mark.com/voteauctionpr> ...

[alt.fan.rawilson](#) - Nov 7 2000, 2:12 am by justzisguyyouk...@my-deja.com - 1 message - 1 author

[censorship, revisited](#)

... Following this post I will be testing the two separate URLs to see which is the culprit. Stay tuned. ==== 1. **VoteAuction** - "Bringing Democracy ...

[alt.fan.rawilson](#) - Nov 7 2000, 7:16 pm by justzisguyyouk...@my-deja.com - 1 message - 1 author

[THIS went through, so it must be that other site...](#)

VoteAuction - "Bringing Democracy and Capitalism Closer Together" has been shut down - see <http://www.rtmk.com/voteauctionpr.html> Sent via Deja.com <http://www...>

[alt.fan.rawilson](#) - Nov 7 2000, 8:20 pm by justzisguyyouk...@my-deja.com - 1 message - 1 author

[ack!](#)

... Me: Um.. yeah. Imagine that.. a lawyer with a clue about tech things. She said she was fighting a losing battle for the office not to sue **voteauction**. ...

[alt.cosuard](#) - Nov 6 2000, 6:44 pm by Matthew Saylor - 5 messages - 4 authors

[Wybieramy prezydenta Rosji :-\)\)\)](#)

... sluchac. Jest to odpowiedz na zamkniecie poprzez nakaz sedziowski na wniosek komisji wyborczej w Chicago serwera <http://Voteauction.com>

[pl.soc.polityka](#) - Nov 3 2000, 8:01 pm by patient - 1 message - 1 author

["Selling Votes or Peddling Lies?"](#)

Read the latest on **VoteAuction.com** by Mark Anderson of Wired. <http://www.wired.com/news/print/0,1294,39770,00.html> Deborah M Phillips ...

[alt.thebird](#) - Nov 1 2000, 4:20 pm by votingp...@aol.com - 1 message - 1 author

[Domain Market Newsletter #5](#)

... data/jk-23.10.00-008/ - Vermeintlicher Hack auf microsoft.com ein Scherz <http://www.ix.de/newsticker/data/hes-23.10.00-000/> - Anstatt **Voteauction.com** gibt ...

[japan.internet.domain](#) - Oct 31 2000, 10:41 am by Oleg - 1 message - 1 author

[Selling votes](#)

Well, you're a bit of a plonker, aren't you? No address to find this wonderful article. Try [www.voteauction.com](#). The rationale is solid (for the US). ...

[nz.politics](#) - Nov 1 2000, 2:28 pm by Stuart Hawkins - 64 messages - 16 authors

[Gore > Nader](#)

... examined. <... Yeah, the guys who started it (**VoteAuction.com**) up did it as a lark, IIRC, but were chased offshore by the Federales. ...

[wash.politics](#) - Oct 26 2000, 7:08 pm by Clave - 7 messages - 4 authors

[demand the immediate resignation of the mayor and police chief](#)

... Series Of Fall Successes *Cool Places: Red-Light Districts *Agencies tracking Web users despite restrictions *Broadband Could be Hackland ***Voteauction** Booth is ...

[eug.local.activists](#) - Oct 25 2000, 10:13 pm by bernix - 1 message - 1 author

[- Another Man Killed During a Raid on the Wrong House -](#)

... Hey, if you think that taking snide pot-shots at me to discourage people like me from voting is a good idea, you should head over to [voteauction.com](#). ...

[talk.politics.drugs](#) - Oct 23 2000, 6:37 am by Logical Pike - 337 messages - 43 authors

[Apathy](#)

... And in what way is being a "citizen" any guarantee of "democratic" rights?

[http://www.voteauction.com](#) Is this the product of a healthy democracy? ...

[alt.cyberpunk](#) - Oct 22 2000, 12:50 pm by spm1...@my-deja.com - 25 messages - 6 authors

[How much do I hear for 10,000 votes?](#)

His announcement prompted the Austrian owners of the site, [http://www.voteauction.com](#), to promise they would never reveal the identity of either their bidders ...

[alt.tv.star-trek.voyager](#) - Oct 18 2000, 9:13 am by Laura - 2 messages - 2 authors

[Laugh of the Day](#)

Hopefully y'all've heard of [http://www.Voteauction.com](#) It's kind of interesting.

The fun part comes in at a page they promote a form letter to candidates. ...

[or.politics](#) - Oct 18 2000, 11:43 am by bob johnson - 1 message - 1 author

[In the news october 10, 2000](#)

... [msnbc.com/news/474353.asp?0nm=T19P](#) 3 technologists split physics Nobel

[http://www.msnbc.com/news/474611.asp?0nm=-16P](#) LEGAL Chicago wants **Voteauction** gone ...

[alt.2600](#) - Oct 10 2000, 11:15 am by ~The Seventh Sign~ - 1 message - 1 author

[Too bad this isn'ta joke](#)

[http://voteauction.com/](#) -- {exile} {[http://www.freespeech.org/apophysis/](#)} A site that more-or-less comes out and asks you to sell your vote to foreign ...

[alt.gothic](#) - Oct 5 2000, 5:40 pm by Jhaerak Entrahvian - 4 messages - 2 authors

[It's election time...](#)

... most people have decided in advance on electoral matters). An American site -- [http://www.voteauction.com](#) -- has the right idea. ...

[ott.general](#) - Oct 5 2000, 11:58 am by Michael T. Richter - 1 message - 1 author

[check this shit out](#)

... (9/6/00) URL: [http://www.csmonitor.com/durable/2000/09/06/p7s1.htm](#) **Voteauction.com** -- a controversial Web site that offers to sell Americans' votes to the ...

[uk.local.southwest](#) - Sep 7 2000, 5:05 am by Guy Fawkes - 3 messages - 3 authors

[Do what the politicians do: Sell your vote!](#)

... just the way the politicians do. Maybe this is the way to get back at those bastards in Washington. <http://www.voteauction.com/>
[alt.computer.consultants](#) - Sep 3 2000, 12:19 pm by Dio - 1 message - 1 author

[Money talks](#)

Hans Bernhard said his holding company would operate **voteauction.com** outside the United States to circumvent federal and state laws that forbid purchasing and ...
[alt.america](#) - Aug 28 2000, 9:10 am by nhoop - 1 message - 1 author

[Senate supports Ralph Nader, GO GREEN !](#)

<http://www.rpi.edu/~baumgj/voteauction/> christa wessel <>
mailto:r...@duke.edu <> <http://www.duke.edu/~rist>
[alt.music.chapel-hill](#) - Aug 18 2000, 5:37 am by christa - 67 messages - 21 authors

[Websites Offer Votes for sale](#)

... What hypocrit"] **Voteauction.com**, the site taking bids by state, promises to collect votes by absentee ballot, [a process known to be used by the Democrats ...
[alt.politics.reform](#) - Aug 19 2000, 8:59 am by Robert Hewett - 1 message - 1 author

[Two hours of Radio Four](#)

Down on uk.misc street, the vibe from Andy Dingley is: The problem with the US constitution ...is probably this: <http://www.voteauction.com> Yes, there's ...
[uk.media.radio.bbc-r4](#) - Aug 19 2000, 9:02 pm by simon gray - 139 messages - 45 authors

[Vote of One US Citizen - NO RESERVE!](#)

... chicago.il.ameritech.net>: <http://cgi.ebay.com/aw-cgi/eBayISAPI.dll?ViewItem&item=410721373> Cut out the middleman: <http://www.voteauction.com> -- Perfectly ...
[alt.comedy.standup](#) - Aug 17 2000, 9:43 am by Cos McCowboy - 2 messages - 2 authors

[\(fwd\) Elections, corporations, democracy & beyond](#)

... A second site, **Voteauction.com**, promised to collect votes by absentee ballot, verify and then mail them to the appropriate locations. ...
[alt.politics.greens](#) - Nov 13 2000, 12:00 pm by Mark Dillon - 1 message - 1 author

["Nader's Traders" -- by Jamon Raskin](#)

... Why swap your vote when you can sell it? Visit **Voteauction.com**, but don't blame us if you get arrested. Interested in swapping your vote? ...
[dc.general](#) - Oct 31 2000, 6:11 am by wrob - 3 messages - 3 authors

[Maky Press 29/8/2000](#)

... Los seis casos se detectaron en el estado de Washington, d• antes de que los creadores de un website fantasma (**voteauction.com**) se ofrecieran a recolectar ...
[es.charla.conexion.tarifa-plana](#) - Aug 20 2000, 3:03 pm by Mila - 2 messages - 1 author

[Maky Press 27/8/2000](#)

... Votos en venta Democracia y capitalismo, m•cerca." Es el eslogan de **Voteauction.com**, una compa•norteamericana que se dedica a subastar, a trav•de ...
[es.charla.conexion.tarifa-plana](#) - Aug 27 2000, 6:37 pm by Mila - 1 message - 1 author

[Digest Number 38](#)

... Message: 3 Date: Mon, 30 Oct 2000 13:16:01 EST From: votingp...@aol.com Subject: "Selling Votes or Peddling Lies?" Read the latest on **VoteAuction.com** by Mark ...
[alt.fan.rush-limbaugh](#) - Nov 7 2000, 10:30 pm by American_Liberty

[Digest Number 42](#)

... Vienna/Berlin, November 2nd, 2000, 7 am CET Below you find the latest press release by [V]ote-auction: <http://62.116.31.68> <http://www.voteauction.at> <http://www...>

[talk.politics.guns](#) - Nov 7 2000, 1:39 pm by [American_Liberty](#) - 1 message - 1 author

[Digest Number 43](#)

... order that Cook County Circuit Judge Michael Murphy issued at the request of Chicago election officials, requiring a similar-sounding site, [voteauction.com](#), or ...

[alt.fan.rush-limbaugh](#) - Nov 7 2000, 11:02 pm by [American_Liberty](#)

[DOWNSIDE LEGACY AT TWO DEGREES OF PRESIDENT CLINTON](#)

... of Elections Commissioners, sensitive about Chicago's reputation as a city where the dead vote, filed suit earlier this week against [Voteauction.com](#), which ...

[alt.fan.rush-limbaugh](#) - Oct 21 2004, 3:09 pm by [IDIOT](#)

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Your search - **voteauction** - did not match any documents.
No pages were found containing "**voteauction**".

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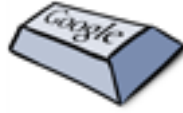


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[Slashdot-mailer] Slashdot Daily Report (8/23/2000)

David Jacoby jacoby@ecn.purdue.edu

Wed, 23 Aug 2000 11:00:03 -0500 (EST)

- Previous message: [\[Slashdot-mailer\] Slashdot Daily Report \(8/22/2000\)](#)
- Next message: [\[Slashdot-mailer\] Slashdot Daily Report \(8/24/2000\)](#)
- **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)

Slashdot Daily Report (<http://slashdot.org/>)
News for Nerds. Stuff That Matters.

VMSK/2 Promises 5 Times More Bandwidth

A articles article from the "that's-a-lot-of-howard-stern"
department

sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/154223>

ksan writes "Acoring to this article in EDN Magazine; VMSK/2, a new modulation technique may improve modem, FM, AM and other types of transmission. They say that its possible to transmit 100 channels of 128kbps MP3 over an FM channel. Anyone can say more about this?"

Tidings From Swagland: An LWCE Wrap-Up

A articles article from the "thanks-for-the-memories-and-yo-yos"
department

sent by timothy

<http://slashdot.org/article.pl?sid=00/08/21/1245205>

With a planned move to San Francisco next summer, last week saw San Jose's last Linux World Expo, at least for now. The future as always is stubbornly

uncertain, but it's impressive that the serendipitous combination of Free tools (from GNU) and a Free kernel (from Linus) has inspired enough interest and prosperity to excite a larger group of people each year. If you've not had the chance to attend one of these expositions, we hope this article will give you a flavor of what it's like. Note: Here are a few pictures from the floor (Day 1 & Day 2) contributed by Sensei^); do you have any cool shots to link to in comments? First, the prelude: If you've worked on the pre-show aspects of anything from a high-school play to a LAN party, you know all those booths, displays, people and computers don't materialize by themselves. For several days before the show floor opened on Tuesday, forklift crews zipped cargos of wooden, fiberglass, plastic, aluminum and steel cases from moving trucks to exhibit spaces. These contained banners, snap-together modules, computers, lighted signs -- and Yes, more gratis logo-imprinted toys than you can wave a TuxTops LED light at. Spiderwebs of CAT-5 and electric cord (run beneath the show floor) sprouted from the centerpoints of many booths, with strands for each computer to be connected to the Net during the show. Rolls of padding and carpet came next, then the slow assembly of display booths. These ranged from no-nonsense fabric partitions that housed companies like TuxTops and Sendmail (and legions of volunteers from PerlMonks, the Simple End User Linux project, Flightgear, and many others), to elaborate constructions with motorized signs, projected lasers and huge illuminated logos. Note: Slashdot (the site) was put together last week mostly from the comfy chairs of the PerlMonks booth. The "C" (as in conference) part of LWCE got started on Monday, and for the days that followed, attendees got instruction -- on everything from Linux security to evangelizing Free software to their bosses-- in half-day doses. Meanwhile, the setup work continued into the wee hours, as exhibitors raced the clock to make sure that at least their signs, if not their networks, were up for the next day. And at the OSDN booth (home of the red-carpeted Slashdot stage and beanbags), prep work included stacking thousands of boxed

distributions of Debian, and attempted to pawn a few copies off on every passer by. Tuesday morning, at a shade before 10:00, visitors willing to miss Michael Dell's keynote began to stream into the halls, on a quest to find new distros, old friends, and swag. It's amazing what companies will give away in order to snag a little nook in your brain. Besides the usual trinkets (keychains, T-shirts, stickers) and the distributions that a Linux show would be empty without, booth visitors were handed everything from knives (Sendmail) to cute monkeys (Helixcode) to embarrassing pictures of themselves (BSDi), as well as too many toys with embedded LEDs to bother counting. Rather than a full swag accounting (which would only annoy those unable to attend), let me just say that you won't hurt for toys when the chance presents itself. (CT:I just wanted to note that VA gave away 2300 pounds of shrink-wrapped boxed Debian. Like 5000 copies. It was beautiful) The things on display around the LWCE floor were more interesting than the toys, though. (And unlike a museum, most were available for hands-on demonstration, not hidden behind glass.) Indrema showed a prototype player (not in the sleek black box you see on their Web site, but still sporting that cool blue LED) hooked up to a HDTV display, playing a very fast game of Quake. (CT:Actually it was an HDTV demo, they promised the real deal will be less vaporous before I have children) In the Intel booth were server clusters populated with quad Itanium processors, demonstrating failover when one system was rudely but intentionally shut down. The amazing-like-emacs-is-amazing Flightgear project showed a really nice looking demo which is enough incentive by itself to invest in a better video card for my system so I can play with it. Both Helixcode and Eazel made their first LWCE appearance this time around, exciting for those filling their anti-FUD cannon for the perpetual "Linux is tough to use" argument. The Eazel folks showing off Nautilus seemed to be all but cackling as they showed off the smoothness of the zooming information available for documents and the cool music-integration abilities it contains. It would have been cool if they'd had some sample CDs, but

they promise a developers' release soon. (CT:They also promised .deb's, but I'll believe it when I see it. The UI was awesome, I just hope that someone hacks in something like the GUI command line in EFM) Considering that Sun was showing off the GNOME desktop on Solaris (hinting at its inclusion in stock Solaris systems sometime very soon, too) and that the GNOME project itself was not only in one of the small booths against the wall but the subject of a big announcement -- about the advent of the GNOME Foundation -- it looks it's showing up everywhere. Happily, there seems to be no shortage of room for window managers right now: the KDE folks were also there not only in their own booth, but showing up in software demonstrations all over the floor, as SuSE, Caldera and others demonstrated the very slick KDE 2.0. (Can't we all just get along, anyhow?) SuSE, by the way, was the only distributor I noticed showing off Linux on Apple hardware, and their current distro was sweet and fast on a G4. Beyond the curious lack of Apples, and the obvious ubiquity of x86 machines, there were machines based on everything from microcontrollers to StrongArm, MIPS, Alpha, Itanium ... even the IBM S/390s which have gotten attention for the ridiculous number of concurrent Linux systems they can support. For all the cool hardware and cusp-of-reality, bleeding-edge distros, it's interesting that the announcement which seemed to generate the most buzz of the entire show was the long-awaited release of Debian's Potato. Considering the reputation that Debian has for intelligent upgrading, stability, and diligence in guarding the license of the software which makes it up, it's not as surprising as it might otherwise be that Debian's new release made people sit up a bit more than the newest offerings from the large commercial distros. (CT: Also extremely impressive was the Pocket Linux booth, where they actually had iPaq's running Linux. The first dude that demoed the box to me was very nice, but what I really wanted to see was X11 running on it ... oddly enough, I encountered one of his cohorts in the bar later that night who showed it to me: X, xeyes, xterm, and twm running

on an iPaq. When they get the wireless action going on these things I'm totally there ... I'll just need to hack minimalist interfaces onto pronto and my MP3 player software and use the thing as a portable X terminal on the local 802.11 wireless lan.

MP3.com Pays Damages to Sony

A articles article from the "the-music-juggernaut-keeps-rolling" department

sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1238206>

Spudley writes "According to this story on the BBC MP3.com have agreed an out-of-court settlement to pay Sony music \$20 million in damages for their past copyright infringements. The deal also covers the future - MP3.com will from now on pay royalties to Sony. However, the judge has ruled that the trial must still take place, in order to make a ruling on other copyright cases against them."

Nintendo's Dolphin Becomes The N-Cube

A articles article from the "to-the-nth-degree" department sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1322252>

Xenex writes "Nintendo's next next-generation console, formerly know as 'Project Dolphin' now has an official name - the 'Nintendo Game Cube', or 'N-Cube' for short. Info about the name can be found on IGN's new N-Cube site here. Also a N-Cube FAQ is here, specs here (400mhz PowerPC based), and there is a quick editorial about why the N-Cube will succeed here."

GNU/Linux For Dummies: A Brief Survey

A books article from the "I'd-like-to-consider-myself-"a-dummy" department

sent by timothy

<http://slashdot.org/article.pl?sid=00/08/22/1645259>

chromatic is back with a mini-compendium of introductory Linux texts -- and yes, they have the famously protected "Dummies" trademark. Don't scoff at the nature of these books, though; the skill of translating the arcana of any computer topic (and boy are they all arcane to the uninitiated!) into language that mom, kids and the guy down the street can understand is not a common one. If you don't know what a root prompt (or an editor) is, or why you might want one, it's hard to do much else with your system. [TABLE NOT SHOWN]

AOL Sued for Creating Gnutella

A articles article from the "lawsuits-are-the-business-of-the-future" department

sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/1823236>

Greyfox writes "In yet another twist in the current IP debate surrounding free music downloads, mp3board.com has filed suit against AOL for helping consumers locate and download copyrighted materials by creating gnutella. The story is here on USA Today's site." Ok, I'm officially confused.

Sybase to Open Souce Watcom C/C++ & Fortran Compiler

A articles article from the "opening-it-to-the-world" department sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1852241>

Kendall Bennett writes "Rumours have been running around for some time, but now it is official.

Sybase has announced that it will be releasing the full source code to the Watcom C/C++ and Fortran compilers under an Open Source license. For more information see the new Open Watcom website." The press release states as well that the license will comply with an OSI approved license.

Kursk Destroyed By Cavitation Missiles?

A radio article from the "bad-test" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1857222>

A reader submitted: "One of Russia's biggest independent TV networks, NTV, broadcast at about 22:20pm that the developers of the Shkval torpedo system (which was discussed here on July 23rd) claim that Kursk was testing their torpedoes, and one of them accidentally homed on the sub itself. It was also mentioned that the torpedo can travel at the speed of 200 knots. What could it mean to the development of the supersonic underwater devices? It seems that even before corporations get to science, blood does." I just saw this on the news as well, and a number of readers submitted this over the last few days.

Open Source Library Card-Catalog Apps?

A askslashdot article from the "and-make-half-price-books-use-it,-too!" department
sent by timothy

<http://slashdot.org/article.pl?sid=00/08/22/2040245>

dmd writes: "Does there exist Open Source software for maintaining a small to medium sized library card-catalog? It seems all the tools are available: a perl module for working with MARC records, several for working with Z39.50 and XML, and even a web site apparently devoted to nearly this exact topic. An actual, working, catalog, however, seems to be missing. Is this something

that would be valuable? I, for one, have nearly 5k volumes in my collection, and they're begging for some discipline." I'm sure cash-strapped public libraries and schools would like to be able to use free / Free tools for this, since paper books aren't going away anytime soon. Not to mention for CDs, videos, charts, museum holdings ... any ideas out there? Turnkey solutions?

Neil Stephenson on Batman Beyond Project?

A articles article from the "speculation-rumor-and-probably-nots" department

sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/1951245>

Alkaiser writes "Hey, get this. According to Altavista, who got it from Variety, Neal Stephenson is negotiations to work on Fox's Batman Beyond movie. " This is a whole lotta rumor and speculation, but its still worth a thought. I mean batman and stephenson? Yum.

Amiga Allies With Red Hat

A articles article from the "getting-to-know-you-getting-to-know-about-yr-SDK" department

sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/0012225>

Mike Bouma writes "Amiga and Red Hat are working together to provide the foundation for exciting games and consumer content for the desktop, set-top-box, game console, and handheld market. This announcement follows monts after the disclosure of Amiga`s relationship with the Corel Corporation. The Amiga SDK can now also be bought at Redhat.com. Also take a look at this review which includes benchmark comparisons of the Java performance of the Amiga SDK running hosted on Redhat 6.1 and native Linux Java implementations."

Slashback: Suffrage, Product, Broadcasting

A articles article from the "welcome-back-ms.-lee" department sent by timothy

<http://slashdot.org/article.pl?sid=00/08/22/2343232>

Ah, there you are! You must have come to hear the details about selling your vote online? No, perhaps then you'd like to know what LinuxWorld thought was coolest at LWCE, or what words ESR has added to the infamous Jargon File. All below, folks, all below. Good thing politicians are in such strong ethical trim. In case you were thinking of selling your vote (early and often) in the next national election, it seems that there are legal barriers. Sort of like at least certain other activities which are legal if you do them for fun, but illegal if you take cash, the lawmakers seem to like the prostitution on their side of the castle wall. Or do they always vote their consciences? GMontag writes: "This Wired story tells how Voteauction.com has shut itself down after public pressure and threats from various bureaucrats. A telling quote by Doug Kellner, a Manhattan representative on the New York City Board of Elections: 'The message to get out to the public is that posting (intent to sell votes) to a website even in jest is a serious matter. It could subject you to prosecution, or in New York you could forfeit your vote,' Kellner said, referring to a New York state law that imposes a one-year forfeiture on vote buyers and sellers. So, this is more political speech that is 'illegal'? So far, it has been nothing but a discussion of vote auctioning and a college paper. Amazing that the bureaucrats what to 'do something' about this, but rounding up car thieves keeps 'slipping through the cracks.'" Note to non-U.S. citizens: since this law probably doesn't apply to you, feel free to sell your votes online. Radio Radio it's a sad salvation. wodelltech writes "With regard to the recent VMSK article/comments, readers might find the announcement at <http://ibiquitydigital.com>

interesting." Basically, this is an announcement of the merger of Lucent Digital Radio (which, little did I know, is just a few miles from my present dwelling) and USA Digital Radio, which sounds like an interesting step toward better choices in local radio. (Can't someone please give me good talk, all day?) Here's a snippet: Today, radio in the United States is broadcast using analog signals. iBiquity Digital will enable broadcasters to send a digital signal, capable of containing CD-quality audio with crystal clear reception and additional wireless data for a variety of consumer applications such as station and program content, stock and news information, local traffic and weather, and much more, over existing radio frequencies, without denigrating transmission of current analog programming. But is there a downloadable palm module? A Klingon translation? Anomie-ous Cow-ard writes "The ever-popular Jargon File has been updated to version 4.2.2." So if you want to correctly use terms like "smoot," "ANSI standard pizza," and "dirty genitals," make sure to arm yourself with ESR's help. And you can look at the file's change log here. Buzzword compliance is certainly a mission-critical optimization <ahem, mumble> ... Captain_Carnage writes "The LinuxWorld website has an article about itstop five productstoday. Featured are a rollable rubber keyboard from Broumand (only an e-mail address given), a user resource allocation/accounting tool from Aurema, an IDE-based RAID card from 3ware, a Linux-based router/VPN box from Linux Wizardry, and a High-Availability clustering product from Mission Critical Linux." These all seem like cool products, but slashdot readers have known about the rubber keyboard for months. As for the others, any other nominations for the coolest products recently released? If the field is open, I have to say the pneumatic chair at the Loki booth, even if it isn't yet available and will cost 5 or 10 grand, and Slackware folding frisbees.

Is UNIX An OS?

A articles article from the "bleeding-six-colors" department
sent by emmett

<http://slashdot.org/article.pl?sid=00/08/22/2258255>

gwernol writes: "David Every has an interesting article over at MacWeek that asks the question: is UNIX an OS? Before you jump off the deep end, read the article. It's actually a pretty good discussion of what components a modern OS needs beyond a kernel and a shell. It also discusses Mac OS X, the forthcoming 'UNIX++' from Apple." At the very least, it should inspire some decent conversation.

Free Barcode Reader From Radio Shack

A articles article from the "free-and-hackable" department
sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/2140248>

Skyhawk128 writes: "I was in my local Radio Shack yesterday, and as I was checking out, the manager offered me a free barcode scanner to use with their new catalog. By hooking up the scanner to your PS2 keyboard port and installing their software (Windows only) you can scan the bar codes found on most pages and be taken a web page with expanded information about that product. They claim to be able to scan the bar code on all sorts of things (i.e.- UPC codes on food, etc.) I have been too busy playing with the scanner in Notepad to install the software, but I thought this gadget might be of interest to other geeks." Several folks have confirmed that you can get a free barcode reader if you're into it. P'raps a SANE module shall soon follow? [Note from timothy:] Not all RS locations are giving them out yet -- the nearest one to me, despite telling me otherwise on the phone, refused to give me one until they had the new (bar-coded) catalogs in stock. That's at Chatham Station shopping center in Howard County, MD.

The Computer of 2010

A articles article from the "possibly-could-be" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1731232>

nostriluu writes " With the assistance of award-winning firm frogdesign (the geniuses behind the look of the early Apple and many of today's supercomputers and workstations), Forbes ASAP has designed and built (virtually, of course) the computer of 2010."

Sony VP On Stopping Napster

A articles article from the "smash-crash-bushwhack" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/0212232>

akira-x writes "I spotted a link to an interesting (and disturbing) article on Gnutella News regarding some comments that were made by Steve Heckler, senior vice president of Sony Pictures Entertainment Inc. According to him, Napster WILL lose, because "The [music] industry will take whatever steps it needs to protect itself and protect its revenue streams. It will not lose that revenue stream, no matter what." The disturbing part is what Heckler says Sony will attempt to do to help them win: "Sony is going to take aggressive steps to stop this," Heckler told the Summer Forty-Niner. "We will develop technology that transcends the individual user. We will firewall Napster at source -- we will block it at your cable company, we will block it at your phone company, we will block it at your [Internet-service provider]. We will firewall it at your PC." "

The World's Most Secure OS (?)

A bsd article from the "Certainly-has-a-cool-mascot" department
sent by nik

<http://slashdot.org/article.pl?sid=00/08/23/093207>

Anonymous Coward writes "Titled The World's Most Secure OS, this article in The Standard talks about what is needed to be "Secure by Default" Probably the best OpenBSD article I've read in recent months. Theo doesn't pull his punches (then again, he never does), in particular, discounting the "more eyes means better security" philosophy. Then again, he's probably right.

Dell Offering 1600x1200 Laptops

A articles article from the "pixels-to-size-of-dust" department
sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/2145201>

Fervent writes "Dell has started offering laptops today with the new UXGA screens. These higher-res LCD screens propert better, clearer graphics at no extra power cost. Details on the new laptops are available at CNet." They don't say how big the actual screen is, but ya gotta be scared... I can see 1280x1024 on a 15" screen, but 1600x1200 is pretty scary... I find a lot of things to small at that res on a 21" monitor. Then again, just pump up the font size and everything is crisper... of course those icons on web pages sure don't get any more legible.

2Ghz P4 Shown Off

A articles article from the "flaunt-it-girlfriend!" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/013235>

mduell writes "Intel showed off their newest, fastest chip ever. The Pentium 4, running at 2 Ghz uses 400MHz Rambus Direct RAM(ugh). They also

demo'd an Itanium server cluster running Linux with failover protection (what does this have to do with the chip?). Additionally, a 1Ghz P3-Xeon and a new 500Mhz mobile P3 that uses just 850 milliwatts when running most applications (5.5W max) were shown."

Censorware Blocking Methods Using Akamai

A yro article from the "censorship-is-damage-route-around-it" department

sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/1219216>

Snatch Freedom writes "Peacefire has discovered a way to block censorware using Akamai's servers. For example you can see Yahoo! using <http://a1.g.akamaitech.net/6/6/6/6/www.yahoo.com/>. C|Net had a story about. Censorware cannot block akamai; that will piss off all the advertising people. Akamai says (in the cnet story) that they are not in the filtering business and they won't block anything. The makers of ``Bess'' wan't Akamai to filter it but Akamai says no. "

SCO Change Their Name to Tarantella

A articles article from the "you-gotta-be-kidding" department sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/23/136213>

GoodPint sent in a story so bizarre that you'll swear I made it up because nothing interesting is happening 'cuz its august and everyone is on vacation... Whats left of SCO is now renaming itself. The best name they could come up with was Tarantella... conjuring up warm fuzzy images for countless investors, as well as limitless mock fodder for folks like me. Reminds of an old Onion story... "New Corporate Logo Changes Everything".

The info is Rob Malda's
The code is mine

MOTD: -----

Open Source Forever!

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[Slashdot-mailer] Slashdot Daily Report (8/23/2000)

David Jacoby jacoby@ecn.purdue.edu

Wed, 23 Aug 2000 11:00:03 -0500 (EST)

- Previous message: [\[Slashdot-mailer\] Slashdot Daily Report \(8/22/2000\)](#)
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Slashdot Daily Report (<http://slashdot.org/>)

News for Nerds. Stuff That Matters.

VMSK/2 Promisses 5 Times More Bandwidth

A articles article from the "that's-a-lot-of-howard-stern" department

sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/154223>

ksan writes "Acording to this article in EDN Magazine; VMSK/2, a new modulation technique may

improve modem, FM, AM and other types of transmission. They say that its possible to transmit 100 channels of 128kbps MP3 over an FM channel. Anyone can say more about this?"

Tidings From Swagland: An LWCE Wrap-Up

A articles article from the "thanks-for-the-memories-and-yo-yos" department

sent by timothy

<http://slashdot.org/article.pl?sid=00/08/21/1245205>

With a planned move to San Francisco next summer, last week saw San Jose's last Linux World Expo, at least for now. The future as always is stubbornly uncertain, but it's impressive that the serendipitous combination of Free tools (from GNU) and a Free kernel (from Linus) has inspired enough interest and prosperity to excite a larger group of people each year. If you've not had the chance to attend one of these expositions, we hope this article will give you a flavor of what it's like. Note: Here are a few pictures from the floor (Day 1 & Day 2) contributed by Sensei^); do you have any cool shots to link to in comments? First, the prelude: If you've worked on the pre-show aspects of anything from a high-school play to a LAN party, you know all those booths, displays, people and computers don't materialize by themselves. For several days before the show floor opened on Tuesday, forklift crews zipped cargos of wooden, fiberglass, plastic, aluminum and steel cases from moving trucks to exhibit spaces. These contained banners, snap-together modules, computers, lighted signs -- and Yes, more gratis logo-imprinted toys than you can wave a TuxTops LED light at. Spiderwebs of CAT-5 and electric cord (run beneath the show floor) sprouted from the centerpoints of many booths, with strands for each computer to be connected to the Net during the show. Rolls of padding and carpet came next, then the slow assembly of display booths. These ranged from no-nonsense fabric partitions that housed companies like TuxTops and Sendmail (and legions

of volunteers from PerlMonks, the Simple End User Linux project, Flightgear, and many others), to elaborate constructions with motorized signs, projected lasers and huge illuminated logos. Note: Slashdot (the site) was put together last week mostly from the comfy chairs of the PerlMonks booth. The "C" (as in conference) part of LWCE got started on Monday, and for the days that followed, attendees got instruction -- on everything from Linux security to evangelizing Free software to their bosses-- in half-day doses. Meanwhile, the setup work continued into the wee hours, as exhibitors raced the clock to make sure that at least their signs, if not their networks, were up for the next day. And at the OSDN booth (home of the red-carpeted Slashdot stage and beanbags), prep work included stacking thousands of boxed distributions of Debian, and attempted to pawn a few copies off on every passer by. Tuesday morning, at a shade before 10:00, visitors willing to miss Michael Dell's keynote began to stream into the halls, on a quest to find new distros, old friends, and swag. It's amazing what companies will give away in order to snag a little nook in your brain. Besides the usual trinkets (keychains, T-shirts, stickers) and the distributions that a Linux show would be empty without, booth visitors were handed everything from knives (Sendmail) to cute monkeys (Helixcode) to embarrassing pictures of themselves (BSDi), as well as too many toys with embedded LEDs to bother counting. Rather than a full swag accounting (which would only annoy those unable to attend), let me just say that you won't hurt for toys when the chance presents itself. (CT:I just wanted to note that VA gave away 2300 pounds of shrink-wrapped boxed Debian. Like 5000 copies. It was beautiful) The things on display around the LWCE floor were more interesting than the toys, though. (And unlike a museum, most were available for hands-on demonstration, not hidden behind glass.) Indrema showed a prototype player (not in the sleek black box you see on their Web site, but still sporting that cool blue LED) hooked up to a HDTV display, playing a very fast game of Quake. (CT:Actually it was an HDTV demo, they promised the real deal will

be less vaporous before I have children) In the Intel booth were server clusters populated with quad Itanium processors, demonstrating failover when one system was rudely but intentionally shut down. The amazing-like-emacs-is-amazing Flightgear project showed a really nice looking demo which is enough incentive by itself to invest in a better video card for my system so I can play with it. Both Helixcode and Eazel made their first LWCE appearance this time around, exciting for those filling their anti-FUD cannon for the perpetual "Linux is tough to use" argument. The Eazel folks showing off Nautilus seemed to be all but cackling as they showed off the smoothness of the zooming information available for documents and the cool music-integration abilities it contains. It would have been cool if they'd had some sample CDs, but they promise a developers' release soon. (CT:They also promised .deb's, but I'll believe it when I see it. The UI was awesome, I just hope that someone hacks in something like the GUI command line in EFM) Considering that Sun was showing off the GNOME desktop on Solaris (hinting at its inclusion in stock Solaris systems sometime very soon, too) and that the GNOME project itself was not only in one of the small booths against the wall but the subject of a big announcement -- about the advent of the GNOME Foundation -- it looks it's showing up everywhere. Happily, there seems to be no shortage of room for window managers right now: the KDE folks were also there not only in their own booth, but showing up in software demonstrations all over the floor, as SuSE, Caldera and others demonstrated the very slick KDE 2.0. (Can't we all just get along, anyhow?) SuSE, by the way, was the only distributor I noticed showing off Linux on Apple hardware, and their current distro was sweet and fast on a G4. Beyond the curious lack of Apples, and the obvious ubiquity of x86 machines, there were machines based on everything from microcontrollers to StrongArm, MIPS, Alpha, Itanium ... even the IBM S/390s which have gotten attention for the ridiculous number of concurrent Linux systems they can support. For all the cool hardware and cusp-of-reality, bleeding-edge

distros, it's interesting that the announcement which seemed to generate the most buzz of the entire show was the long-awaited release of Debian's Potato. Considering the reputation that Debian has for intelligent upgrading, stability, and diligence in guarding the license of the software which makes it up, it's not as surprising as it might otherwise be that Debian's new release made people sit up a bit more than the newest offerings from the large commercial distros. (CT: Also extremely impressive was the Pocket Linux booth, where they actually had iPaq's running Linux. The first dude that demoed the box to me was very nice, but what I really wanted to see was X11 running on it ... oddly enough, I encountered one of his cohorts in the bar later that night who showed it to me: X, xeyes, xterm, and twm running on an iPaq. When they get the wireless action going on these things I'm totally there ... I'll just need to hack minimalist interfaces onto pronto and my MP3 player software and use the thing as a portable X terminal on the local 802.11 wireless lan.

MP3.com Pays Damages to Sony

A articles article from the "the-music-juggernaut-keeps-rolling" department

sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1238206>

Spudley writes "According to this story on the BBC MP3.com have agreed an out-of-court settlement to pay Sony music \$20 million in damages for their past copyright infringements. The deal also covers the future - MP3.com will from now on pay royalties to Sony. However, the judge has ruled that the trial must still take place, in order to make a ruling on other copyright cases against them."

Nintendo's Dolphin Becomes The N-Cube

A articles article from the "to-the-nth-degree" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1322252>

Xenex writes "Nintendo's next next-generation console, formerly know as 'Project Dolphin' now has an official name - the 'Nintendo Game Cube', or 'N-Cube' for short. Info about the name can be found on IGN's new N-Cube site here. Also a N-Cube FAQ is here, specs here (400mhz PowerPC based), and there is a quick editorial about why the N-Cube will succeed here."

GNU/Linux For Dummies: A Brief Survey

A books article from the "I'd-like-to-consider-myself-"a-dummy"" department
sent by timothy

<http://slashdot.org/article.pl?sid=00/08/22/1645259>

chromatic is back with a mini-compendium of introductory Linux texts -- and yes, they have the famously protected "Dummies" trademark. Don't scoff at the nature of these books, though; the skill of translating the arcana of any computer topic (and boy are they all arcane to the uninitiated!) into language that mom, kids and the guy down the street can understand is not a common one. If you don't know what a root prompt (or an editor) is, or why you might want one, it's hard to do much else with your system. [TABLE NOT SHOWN]

AOL Sued for Creating Gnutella

A articles article from the "lawsuits-are-the-business-of-the-future" department
sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/1823236>

Greyfox writes "In yet another twist in the

current IP debate surrounding free music downloads, mp3board.com has filed suit against AOL for helping consumers locate and download copyrighted materials by creating gnutella. The story is here on USA Today's site." Ok, I'm officially confused.

Sybase to Open Souce Watcom C/C++ & Fortran Compiler
A articles article from the "opening-it-to-the-world" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1852241>

Kendall Bennett writes "Rumours have been running around for some time, but now it is official. Sybase has announced that it will be releasing the full source code to the Watcom C/C++ and Fortran compilers under an Open Source license. For more information see the new Open Watcom website." The press release states as well that the license will comply with an OSI approved license.

Kursk Destroyed By Cavitation Missles?
A radio article from the "bad-test" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1857222>

A reader submitted: "One of Russia's biggest independent TV networks, NTV, broadcast at about 22:20pm that the developers of the Shkval torpedo system (which was discussed here on July 23rd) claim that Kursk was testing their torpedoes, and one of them accidentally homed on the sub itself. It was also mentioned that the torpedo can travel at the speed of 200 knots. What could it mean to the development of the supersonic underwater devices? It seems that even before corporations get to science, blood does." I just saw this on the news as well, and a number of readers submitted this over the last few days.

Open Source Library Card-Catalog Apps?

A askslashdot article from the "and-make-half-price-books-use-it,-too!" department
sent by timothy

<http://slashdot.org/article.pl?sid=00/08/22/2040245>

dmd writes: "Does there exist Open Source software for maintaining a small to medium sized library card-catalog? It seems all the tools are available: a perl module for working with MARC records, several for working with Z39.50 and XML, and even a web site apparently devoted to nearly this exact topic. An actual, working, catalog, however, seems to be missing. Is this something that would be valuable? I, for one, have nearly 5k volumes in my collection, and they're begging for some discipline." I'm sure cash-strapped public libraries and schools would like to be able to use free / Free tools for this, since paper books aren't going away anytime soon. Not to mention for CDs, videos, charts, museum holdings ... any ideas out there? Turnkey solutions?

Neil Stephenson on Batman Beyond Project?

A articles article from the "speculation-rumor-and-probably-nots" department
sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/1951245>

Alkaiser writes "Hey, get this. According to Altavista, who got it from Variety, Neal Stephenson is negotiations to work on Fox's Batman Beyond movie. " This is a whole lotta rumor and speculation, but its still worth a thought. I mean batman and stephenson? Yum.

Amiga Allies With Red Hat

A articles article from the "getting-to-know-you-getting-to-know-

about-yr-SDK" department
sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/0012225>

Mike Bouma writes "Amiga and Red Hat are working together to provide the foundation for exciting games and consumer content for the desktop, set-top-box, game console, and handheld market. This announcement follows monts after the disclosure of Amiga`s relationship with the Corel Corporation. The Amiga SDK can now also be bought at Redhat.com. Also take a look at this review which includes benchmark comparisons of the Java performance of the Amiga SDK running hosted on Redhat 6.1 and native Linux Java implementations."

Slashback: Suffrage, Product, Broadcasting
A articles article from the "welcome-back-ms.-lee" department
sent by timothy

<http://slashdot.org/article.pl?sid=00/08/22/2343232>

Ah, there you are! You must have come to hear the details about selling your vote online? No, perhaps then you'd like to know what LinuxWorld thought was coolest at LWCE, or what words ESR has added to the infamous Jargon File. All below, folks, all below. Good thing politicians are in such strong ethical trim. In case you were thinking of selling your vote (early and often) in the next national election, it seems that there are legal barriers. Sort of like at least certain other activities which are legal if you do them for fun, but illegal if you take cash, the lawmakers seem to like the prostitution on their side of the castle wall. Or do they always vote their consciences? GMontag writes: "This Wired story tells how **Voteauction**.com has shut itself down after public pressure and threats from various bureaucrats. A telling quote by Doug Kellner, a Manhattan representative on the New York City Board of Elections: 'The message to get out to the public is that posting (intent to sell

votes) to a website even in jest is a serious matter. It could subject you to prosecution, or in New York you could forfeit your vote,' Kellner said, referring to a New York state law that imposes a one-year forfeiture on vote buyers and sellers. So, this is more political speech that is 'illegal'? So far, it has been nothing but a discussion of vote auctioning and a college paper. Amazing that the bureaucrats what to 'do something' about this, but rounding up car thieves keeps 'slipping through the cracks.'" Note to non-U.S. citizens: since this law probably doesn't apply to you, feel free to sell your votes online. Radio Radio it's a sad salvation. wodelitech writes "With regard to the recent VMSK article/comments, readers might find the announcement at <http://ibiquitydigital.com> interesting." Basically, this is an announcement of the merger of Lucent Digital Radio (which, little did I know, is just a few miles from my present dwelling) and USA Digital Radio, which sounds like an interesting step toward better choices in local radio. (Can't someone please give me good talk, all day?) Here's a snippet: Today, radio in the United States is broadcast using analog signals. iBiquity Digital will enable broadcasters to send a digital signal, capable of containing CD-quality audio with crystal clear reception and additional wireless data for a variety of consumer applications such as station and program content, stock and news information, local traffic and weather, and much more, over existing radio frequencies, without denigrating transmission of current analog programming. But is there a downloadable palm module? A Klingon translation? Anomie-ous Cow-ard writes "The ever-popular Jargon File has been updated to version 4.2.2." So if you want to correctly use terms like "smoot," "ANSI standard pizza," and "dirty genitals," make sure to arm yourself with ESR's help. And you can look at the file's change log here. Buzzword compliance is certainly a mission-critical optimization <ahem, mumble> ... Captain_Carnage writes "The LinuxWorld website has an article about itstop five productstoday. Featured are a rollable rubber keyboard from

Broumand (only an e-mail address given), a user resource allocation/accounting tool from Aurema, an IDE-based RAID card from 3ware, a Linux-based router/VPN box from Linux Wizardry, and a High-Availability clustering product from Mission Critical Linux." These all seem like cool products, but slashdot readers have known about the rubber keyboard for months. As for the others, any other nominations for the coolest products recently released? If the field is open, I have to say the pneumatic chair at the Loki booth, even if it isn't yet available and will cost 5 or 10 grand, and Slackware folding frisbees.

Is UNIX An OS?

A articles article from the "bleeding-six-colors" department sent by emmett

<http://slashdot.org/article.pl?sid=00/08/22/2258255>

gwernol writes: "David Every has an interesting article over at MacWeek that asks the question: is UNIX an OS? Before you jump off the deep end, read the article. It's actually a pretty good discussion of what components a modern OS needs beyond a kernel and a shell. It also discusses Mac OS X, the forthcoming 'UNIX++' from Apple." At the very least, it should inspire some decent conversation.

Free Barcode Reader From Radio Shack

A articles article from the "free-and-hackable" department sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/2140248>

Skyhawk128 writes: "I was in my local Radio Shack yesterday, and as I was checking out, the manager offered me a free barcode scanner to use with their new catalog. By hooking up the scanner to your PS2 keyboard port and installing their software (Windows only) you can scan the bar codes

found on most pages and be taken a web page with expanded information about that product. They claim to be able to scan the bar code on all sorts of things (i.e.- UPC codes on food, etc.) I have been too busy playing with the scanner in Notepad to install the software, but I thought this gadget might be of interest to other geeks." Several folks have confirmed that you can get a free barcode reader if you're into it. P'raps a SANE module shall soon follow? [Note from timothy:] Not all RS locations are giving them out yet -- the nearest one to me, despite telling me otherwise on the phone, refused to give me one until they had the new (bar-coded) catalogs in stock. That's at Chatham Station shopping center in Howard County, MD.

The Computer of 2010

A articles article from the "possibly-could-be" department sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/22/1731232>

nostriluu writes " With the assistance of award-winning firm frogdesign (the geniuses behind the look of the early Apple and many of today's supercomputers and workstations), Forbes ASAP has designed and built (virtually, of course) the computer of 2010."

Sony VP On Stopping Napster

A articles article from the "smash-crash-bushwhack" department sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/0212232>

akira-x writes "I spotted a link to an interesting (and disturbing) article on Gnutella News regarding some comments that were made by Steve Heckler, senior vice president of Sony Pictures Entertainment Inc. According to him, Napster WILL lose, because "The [music] industry

will take whatever steps it needs to protect itself and protect its revenue streams. It will not lose that revenue stream, no matter what." The disturbing part is what Heckler says Sony will attempt to do to help them win: "Sony is going to take aggressive steps to stop this," Heckler told the Summer Forty-Niner. "We will develop technology that transcends the individual user. We will firewall Napster at source -- we will block it at your cable company, we will block it at your phone company, we will block it at your [Internet-service provider]. We will firewall it at your PC." "

The World's Most Secure OS (?)

A bsd article from the "Certainly-has-a-cool-mascot" department sent by nik

<http://slashdot.org/article.pl?sid=00/08/23/093207>

Anonymous Coward writes "Titled The World's Most Secure OS, this article in The Standard talks about what is needed to be "Secure by Default" Probably the best OpenBSD article I've read in recent months. Theo doesn't pull his punches (then again, he never does), in particular, discounting the "more eyes means better security" philosophy. Then again, he's probably right.

Dell Offering 1600x1200 Laptops

A articles article from the "pixels-to-size-of-dust" department sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/22/2145201>

Fervent writes "Dell has started offering laptops today with the new UXGA screens. These higher-res LCD screens proport better, clearer graphics at no extra power cost. Details on the new laptops are available at CNet." They don't say how big the actual screen is, but ya gotta be scared... I can see 1280x1024 on a 15" screen, but 1600x1200 is

pretty scary... I find a lot of things to small at that res on a 21" monitor. Then again, just pump up the font size and everything is crisper... of course those icons on web pages sure don't get any more legible.

2Ghz P4 Shown Off

A articles article from the "flaunt-it-girlfriend!" department sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/013235>

mduell writes "Intel showed off their newest, fastest chip ever. The Pentium 4, running at 2 Ghz uses 400MHz Rambus Direct RAM(ugh). They also demo'd an Itanium server cluster running Linux with failover protection (what does this have to do with the chip?). Additionally, a 1Ghz P3-Xeon and a new 500Mhz mobile P3 that uses just 850 milliwatts when running most applications (5.5W max) were shown."

Censorware Blocking Methods Using Akamai

A yro article from the "censorship-is-damage-route-around-it" department sent by Hemos

<http://slashdot.org/article.pl?sid=00/08/23/1219216>

Snatch Freedom writes "Peacefire has discovered a way to block censorware using Akamai's servers. For example you can see Yahoo! using <http://a1.g.akamaitech.net/6/6/6/6/www.yahoo.com/>. C|Net had a story about. Censorware cannot block akamai; that will piss off all the advertising people. Akamai says (in the cnet story) that they are not in the filtering business and they won't block anything. The makers of ``Bess'' wan't Akamai to filter it but Akamai says no. "

SCO Change Their Name to Tarantella

A articles article from the "you-gotta-be-kidding" department sent by CmdrTaco

<http://slashdot.org/article.pl?sid=00/08/23/136213>

GoodPint sent in a story so bizarre that you'll swear I made it up because nothing interesting is happening 'cuz its august and everyone is on vacation... Whats left of SCO is now renaming itself. The best name they could come up with was Tarantella... conjuring up warm fuzzy images for countless investors, as well as limitless mock fodder for folks like me. Reminds of an old Onion story... "New Corporate Logo Changes Everything".

The info is Rob Malda's

The code is mine

MOTD: -----

Open Source Forever!

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**PRODUÇÃO MUDIÁTICA
TRABALHO FINAL**

**RTMark.com
Acompanhamento de produção**

Érico Gonçalves de Assis

Trabalho de avaliação final da disciplina de Produção Mudiática, ministrada pelo professor Dr. Ronaldo Henn no segundo semestre de 2004.

Programa de Pós-Graduação em Ciências da Comunicação / Universidade do Vale do Rio dos Sinos / São Leopoldo-RS

Apresentado em dezembro de 2004.

RTMark.com

Acompanhamento de produção

Érico Gonçalves de Assis

Trabalho de avaliação final da disciplina de Produção Midiática, ministrada pelo professor Dr. Ronaldo Henn no segundo semestre de 2004.

Programa de Pós-Graduação em Ciências da Comunicação / Universidade do Vale do Rio dos Sinos / São Leopoldo-RS

Apresentado em novembro de 2004.

O presente trabalho tem por intento analisar os processos de produção que ocorrem a partir das ferramentas do website RTMark.com (<http://www.rtmark.com>). Este website é um espaço para ativistas, especialmente do viés anti-corporativo, reunirem-se para propor e discutir idéias de ação direta e protesto. Esta discussão é feita a partir de uma ferramenta que registra, armazena e cria os fóruns de discussão (*messsage boards*) específicos para cada idéia apresentada.

Dentro da proposta de trabalho final para a disciplina de Produção Midiática – o acompanhamento das pistas ou rastros do processo de produção de alguma realização midiática, com base na Crítica Genética (SALLES, 2000) –, minha intenção é encontrar tais registros de processo na criação das ações apresentadas no website RTMark.com.

Também é uma proposta, preliminar, de estudo da função deste website. Em que ele colabora para as ações de protesto? Que caminho costumam tomar as discussões nos fóruns e em que sentido estas discussões desenvolvem as idéias? Como esse processo de produção conjunta afeta o resultado final, a ação concreta?

Não era meu intento encontrar as respostas para todas estas perguntas ao longo do trabalho, mas sim iniciar uma problematização. Fica a sugestão de um objeto de pesquisa bastante rico e que merece aprofundamento maior.

Histórico

O website da RTMark¹ surgiu a partir de um coletivo de ativistas formado em 1991, que se apresentava como um fundo de financiamento de projetos de *culture jamming*², tal como um órgão filantrópico para as artes. Em 1993, o grupo fez sua transição para a web com um fórum de discussão. O fórum foi sofrendo alterações até transformar-se no website que se apresenta hoje em <http://www.rtmark.com/>.

O grupo reúne aproximadamente cinco pessoas, e tem como seu líder ou face mais aparente o ativista Frank Guerrero (nome fictício). Guerrero, em entrevista a MYERSON (2002), expõe sua visão do RTMark:

é um sistema sério que almeja, através de uma combinação de ações reais e teatrais, criticar e talvez enfraquecer o papel que as corporações têm tomado ao suplantar os processos democráticos ou sociais de governo. (...) Estamos aqui para desestabilizar o sistema de tal forma que as pessoas tenham um pouco de entretenimento e ao mesmo tempo esses projetos façam a elas algumas questões.³

Na declaração, já se percebe uma tendência da organização para privilegiar ações diretas com algum elemento cômico ou de brincadeira. Como será visto nos exemplos à frente, há um forte viés para a ironia e a subversão.

Este viés já se apresenta também pelo fato da RTMark ser uma organização anti-corporativa registrada como corporação. “Nossos investidores estão protegidos pela mesma regra de responsabilidade limitada que permite aos membros de outras corporações não ter responsabilidade pelo que suas empresas fazem de errado”⁴, expõe Guerrero (em entrevista a SMITH, 1999). “O objetivo máximo da RTMark é ser

¹ Utilizarei o nome “RTMark” ao longo do trabalho, embora o nome original do grupo seja grafado “®TMark”. A pronúncia correta do nome é “art mark”, o que remete a “mercado de arte”, já propondo uma visão das ações de protesto como expressão artística. Ao mesmo tempo, “RTMark” é uma alusão a “registrered trademark”, ou “marca registrada”.

² *Culture jamming*, ou “bagunçar com a cultura”, é uma tática de protesto relacionada à confusão de sinais – apropriando-se de elementos de uma marca, de uma pessoa, de uma mentalidade, o ativista subverte estes elementos contra seus próprios possuidores. O exemplo mais comum de *culture jamming* é o ataque a outdoors para retrabalhar seu sentido. Ver DERY, 1993.

³ Tradução minha de “*It is a serious system that means, through a combination of real actions and theater, to criticize and hopefully undermine the role that corporations are taking in supplanting democratic or social processes of government (...) We’re there to destabilize the system in such a way that people might get a little entertainment and at the same time have those projects ask a few questions of them.*”

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processada, e usar este caso para levar o direito corporativo a julgamento. E ser condenada!”⁵ (idem).

O segundo viés importante da RTMark é sua preocupação com a repercussão midiática de suas ações. Como será a visto a seguir, é parte importante da discussão dos projetos descobrir como estes podem ser desenvolvidos de forma a alcançar máxima exposição no jornalismo.

A atenção dos meios é o principal fator que empregamos para avaliar o êxito de nossos projetos, mas há outros. Às vezes, um projeto pode ter muito êxito mesmo alcançando um público pequeno, se tiver uma certa ressonância poética. O aspecto poético é muito importante, pois produz dividendos culturais.⁶ (entrevista a VICENTE, 2000)

Este viés aparece com proeminência no pôster produzido pela organização (que pode ser visto em <http://www.rtmark.com/tactics.html>), o qual apresenta a RTMark e incita a criatividade dos leitores para o desenvolvimento de projetos. Um de seus textos busca mostrar, de forma resumida, qual deve ser o processo criativo:

Encontre um alvo (alguma corporação fazendo o que não devia) e pense em algo que deixaria este alvo irritado – algo que também seja engraçado.
Se lhe faltam idéias, imagine o alvo perdendo o controle ou agindo de forma estúpida. O que faria ele agir assim?
(DICA: jornalistas adoram histórias divertidas, como todo mundo. Quanto mais engraçada, mais chance sua história terá de ganhar cobertura.)
Tire proveito da reação do alvo. Escreva um press release e envie-o para centenas de jornalistas.⁷

Cada projeto importante realizado através da RTMark ganha um espaço próprio no site (<http://www.rtmark.com/history.html>), onde é dada proeminência a todas citações que o projeto recebeu na grande imprensa.

⁵ Tradução minha de “*The ultimate goal of RTMark is to be sued, and to use that case to put corporate rights on trial. And lose.*” (grifo do autor da declaração)

⁶ Tradução minha de “*La atención de los medios es el principal factor que empleamos para evaluar el éxito de nuestros proyectos, pero ha otros. A veces, un proyecto puede tener mucho éxito aunque llegue a poca gente, si posee una cierta resonancia poética. El aspecto poético es muy importante ya que produce dividendos culturales.*”

⁷ Tradução minha de “*Find a target (some entity running amok) and think of something sure to annoy them – something that’s also lots of fun. If you’re stumped, imagine the target losing control or acting stupidly. What would it take to make them do that? (Journalists love fun stories, just like everyone else. The more fun the story, the more likely it is to get covered.) Capitalize on the target’s reaction. Write a press release and e-mail it to hundreds of journalists.*”

Ações realizadas

Alguns dos projetos de maior relevância realizados a partir da RTMark:

Vote-auction.com (atualmente em <http://www.vote-auction.net/>): o website funcionou durante parte da campanha eleitoral dos EUA em 2000. Propunha que, como as eleições são sempre definidas por quem recebe maior apoio financeiro (de corporações e outras entidades), fosse construído um atalho entre um atalho entre eleitores e financiadores: todo eleitor poderia entrar no site e leiloar seu voto entre aqueles que dão apoio aos candidatos.

O website foi construído a partir da colaboração entre diversos programadores e designers, e ainda recebeu apoio de vários coletivos artísticos europeus.

O projeto recebeu vários ataques jurídicos durante o ano eleitoral, mas defendeu-se com base na cláusula de livre expressão da constituição norte-americana, identificando-se como obra de sátira. Os processos garantiram uma gigantesca cobertura da imprensa.⁸

Projeto Re-Code (<http://www.re-code.com/>): também funcionando a partir de um website, consistia na criação de um sistema que gerava códigos de barra para produtos de supermercado. O usuário do site poderia gerar seus próprios códigos, imprimi-los em papel adesivo, leva-los ao supermercado e cola-los nos produtos desejados.

O vídeo institucional (<http://www.re-code.com/videos/ricobarco.mov>) ensina, por exemplo, a selecionar produtos similares de marcas diferentes – imprime-se o código do produto mais barato, cola-se o mesmo no produto mais caro – para não ocasionar problemas no caixa de pagamento.

Também objeto de grande cobertura na mídia, o website foi processado pela rede de supermercados Wal Mart e está temporariamente desativado.

Projeto Arquimedes: apenas como exemplo de um projeto mais simples, o Projeto Arquimedes consistia na compra de centenas de espelhos de mão para serem

⁸ Ver mais detalhes em <http://www.rtmark.com/voteauction.html>

distribuídos durante os protestos de rua em Gênova, por ocasião da reunião do G8 em junho de 2001.

De acordo com a história grega, o filósofo Arquimedes propôs a utilização de gigantescos espelhos para refletir a luz do sol contra os navios romanos que planejavam invadir a cidade de Siracusa. Da mesma forma, os ativistas nas ruas de Gênova utilizariam os espelhos para refletir o sol contra helicópteros, tanques, carros da polícia e nos olhos dos próprios policiais.⁹

Organização pela Libertação da Barbie: um dos primeiros projetos realizados a partir dos fundos da RTMark, em 1993. Os ativistas compravam bonecas Barbie e bonecos G.I. Joe (no Brasil, *Comandos em Ação*) com chips de voz e trocavam os chips entre os bonecos. Desta forma, a boneca Barbie diria frases como “a vingança é minha!” e os bonecos G.I. Joe falariam “vamos planejar nosso lindo casamento!”. Os bonecos “cirurgicamente alterados” eram colocados de volta nas prateleiras das lojas.

Com isso, a organização propunha, de forma inovadora, uma discussão dos estereótipos de gênero que os brinquedos infantis estavam passando às crianças.¹⁰

Processos de sugestão e discussão

A dinâmica de apresentação e discussão de projetos nos fóruns da RTMark funciona da seguinte forma:

1) Qualquer pessoa cadastrada no site pode apresentar um projeto através do link “suggest a project” (<http://rtmark.com/f/get/funds.html>)¹¹.

2) Ao fazer sua sugestão, o usuário deve apontar se o projeto necessita de financiamento (*funds*) e/ou trabalhadores voluntários (*workers*) para sua realização.

3) O projeto deve entrar em um ou mais dos fundos de investimento (*Mutual Funds*), que agrupam os projetos por características similares. No momento, existem 18 fundos: Guerra, Fronteiras (relacionado à globalização), Lei Corporativa, Mercados Alternativos (relacionado a homossexualismo), Meio-Ambiente, Trabalho, França (há muitos projetos criados especificamente para realização na França), Educação, Saúde,

⁹ Ver mais detalhes em <http://www.rtmark.com/archimedes.html>

¹⁰ Ver mais detalhes em <http://www.rtmark.com/blo.html>

¹¹ No momento de redação deste trabalho, esta parte do website encontra-se desativada por motivos não-explicados. Aparentemente, todo o website está passando por problemas, pois outras seções – como a de discussão de projetos – estão desativadas.

Mídia, Propriedade Intelectual, Propriedade Biológica, Comunicações Emergentes (relacionado a novas tecnologias, como telefonia móvel e redes sem fio), Rede, “*Magic Christian*” (ações mais “bizarras”, por referência ao filme *Um Beatle no Paraíso*), Alto Risco e *QuickTips* (para realização imediata).

4) Feita a sugestão do projeto, este recebe uma identificação de 4 caracteres, como na bolsa de valores (a ironia e a subversão de elementos do mundo corporativo perpassa o website).

5) Para cada projeto é aberto, então, um fórum de discussão próprio, onde qualquer membro cadastrado pode apresentar comentários ou oferecer-se como voluntário.

6) As doações financeiras, que são feitas para cada projeto específico, são realizadas por e-mail em contato com os administradores de cada fundo de investimento.

Análise

Em meados do mês de novembro de 2004, o RTMark.com começou a apresentar problemas de acesso. Apesar do restante do website estar aparentemente ativo, os fóruns de discussão de cada projeto não estão acessíveis.

Meu processo de pesquisa teve início antes deste problema apresentar-se. Capturei no dia 7 de novembro as mensagens que compunham a discussão sobre a proposta que tinha a sigla MP3S. Apresento abaixo a proposta e os cinco comentários que ela gerou.

PROPOSTA MP3S

Criar um website que permita aos usuários selecionar de uma lista de MP3 aquelas que eles “roubaram”. O formulário deve permitir que eles escrevam um pequeno pedido de desculpas à RIAA [Associação de Indústrias Fonográficas da América] com seu nome e e-mail; o sistema então deverá anexar os arquivos de MP3 selecionados e mandá-los com o pedido de desculpas.

(usuário anônimo)

Assunto: Usuários do Napster Devem Arrepende-se

Os usuários do Napster deveriam arrepende-se por baixar ilegalmente mp3s retornando os arquivos às empresas fonográficas via e-mail. A natureza da mensagem de e-mail deveria ser de súplica pelo perdão.

(usuário anônimo)

Assunto: Re: Usuários do Napster...

Vejam <http://www.sendthemback.org/> [mande-as de volta.org]

(usuário Derek P. Moore)

Criar um website que contenha um catálogo de centenas de MP3. Não para permitir que as pessoas baixem as MP3s, mas apenas para que elas selecionem quais MP3 “roubaram”. Permita que elas escrevam um pequeno pedido de desculpas à RIAA com seu nome, e-mail etc. Quando acabarem o formulário, eles clicam “enviar” e o servidor faz todo trabalho de anexar os arquivos MP3 de seu próprio catálogo e enviá-los por e-mail à RIAA como se estivesse mandando de volta suas MP3 “roubadas”.

(usuário Fx99)

Ok! Organizem isso nas listas de chats sobre o Napster!

(usuário Weirdo)

Assunto: ótima idéia

Que ótima idéia. Se bastante gente usar, as caixas de correio eletrônico deles ficarão rapidamente lotadas com sua própria propriedade intelectual, tornando os sistemas de e-mail deles inúteis.

A discussão sobre MP3S representa bem, pela minha observação precedente do website, o tipo e o nível de discussão que os projetos recebem. Em torno de 10% dos projetos recebem algum comentário. E as mensagens geralmente são poucas, em torno de 5 ou 6. A proposta MP3s reúne diferentes tipos de comentários que se repetem em outros projetos.

A proposta em si já é carregada de ironia e entra na discussão de utilizar os elementos de uma corporação contra a própria. É amplamente divulgada na mídia, há anos, a batalha judicial entre as indústrias fonográficas e os mecanismos de troca de arquivos, como o Napster, através dos quais usuários da Internet compartilham músicas (no formato MP3) de forma ilegal. A proposta, então, é de ironizar esta batalha e ao mesmo tempo causar danos às indústrias fonográficas (enviar simultaneamente uma grande quantidade de arquivos que emperrariam os sistemas online das empresas).

O primeiro comentário visa aumentar o nível de ironia. Sugere que o pedido de desculpas deve demonstrar o “grande arrependimento” do usuário por agir ilegalmente.

O segundo comentário, aparentemente¹², faz referência a um projeto similar ou já à finalização da proposta MP3S. Mesmo se o segundo caso for verdadeiro, a discussão continua para aperfeiçoar o projeto.

O terceiro comentário faz uma proposta operacional bastante interessante. Enquanto a proposta inicial era de criação de um sistema que buscasse os arquivos no mp3 no computador do usuário (um processo bastante demorado, pois os arquivos são grandes), a sugestão é de que o próprio site já tenha estes arquivos. Desta forma,

¹² O website mencionado, <http://www.sendthemback.org/>, não estava funcionando durante a pesquisa.

diminui-se o tempo que o usuário levaria para utilizar o sistema, e provavelmente aumenta-se o número de usuários dispostos a utilizá-lo.

O quarto comentário também aponta uma questão operacional: a divulgação do projeto seria feita de forma ideal através das listas de discussão e conversa sobre o Napster, freqüentadas por um público potencialmente interessado em participar do projeto.

Por fim, o quinto e último comentário faz considerações óbvias, explicitando os propósitos do projeto e parabenizando os criadores pela idéia.

Até o momento, não tenho conhecimento da aplicação desta proposta.

Considerações finais

Levanto três considerações, preliminares, sobre os processos de discussão dos projetos apresentados no RTMark.com e sobre a importância do website para o ativismo contemporâneo.

- O propósito das discussões é de *aperfeiçoamento* das propostas. Os comentadores não se apresentam como um júri que vai julgar a pertinência de cada projeto, mas sim como analistas interessados em propor recortes ou adições que tornem o projeto mais operacionalizável e/ou que aumentem seu potencial de protesto. É um processo colaborativo, de críticas construtivas, e aparentemente auto-regulado.

- Pelo que foi observado, grande parte das discussões se dá fora dos fóruns. O próprio sistema de financiamento é feito de forma privativa, e não há exposição dos motivos de cada financiador. Porém, entende-se que o website é um *ponto intermediário* das ações – não é nem seu ponto de partida (a idéia criada por um indivíduo ou um grupo) nem seu ponto final (a realização efetiva). Por isto, não é possível acompanhar através todo o desenvolvimento de uma ação.

- A função do fórum é de *colaboração* e *fomento* do ativismo. Existe um movimento em nível mundial – o chamado “movimento de resistência global” – voltado para desenvolver táticas de protesto e apresentar alternativas ao sistema sócio-político-econômico existente. Há centenas de grupos espalhados pelo mundo agindo separadamente, mas com o mesmo intento. O fórum do RTMark.com serve como um dos “pontos de encontro” destes grupos, onde ocorre uma discussão coletiva e unificada do estado-da-arte em táticas de protesto. É um passo de grande importância para o

movimento como um todo, e ao mesmo tempo um exemplo do espírito de colaboração e horizontalidade que está no bojo das propostas sociais destes ativistas.

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**PRODUÇÃO
MIDIÁTICA FINAL**

RTMark.
com acompanhamento de
produção

*Érico Gonçalves de
Assis*

Trabalho de avaliação final da disciplina de
Produção, ministrada pelo professor Dr.
Ronaldo segundo semestre de
2004.

Programa de Pós-Graduação em Ciências
de Comunicação / Universidade do Vale do Rio
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Apresentado em dezembro de
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Apresentado em novembro de
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O presente trabalho tem por intento analisar os processos de produção que ocorrem a partir das ferramentas do website RTMark.com (<http://www.rtmark.com>). Este website é um espaço para ativistas, especialmente do viés anti-corporativo, reunirem-se para propor e discutir idéias de ação direta e protesto. Esta discussão é feita a partir de uma ferramenta que registra, armazena e cria os fóruns de discussão (*message*

boards)
específicos para cada idéia
apresentada.

Dentro da proposta de trabalho final para a disciplina de Produção Midiática –
o
acompanhamento das pistas ou rastros do processo de produção de alguma
realização
midiática, com base na Crítica Genética (SALLES, 2000) –, minha intenção é
encontrar
tais registros de processo na criação das ações apresentadas no website RTMark.
com.

Também é uma proposta, preliminar, de estudo da função deste website. Em
que
ele colabora para as ações de protesto? Que caminho costumam tomar as discussões
nos
fóruns e em que sentido estas discussões desenvolvem as idéias? Como esse processo
de
produção conjunta afeta o resultado final, a ação
concreta?

Não era meu intento encontrar as respostas para todas estas perguntas ao
longo
do trabalho, mas sim iniciar uma problematização. Fica a sugestão de um objeto
de
pesquisa bastante rico e que merece aprofundamento
maior.

Histórico

O website da RTMark ¹ surgiu a partir de um coletivo de ativistas formado em
1991, que se apresentava como um fundo de financiamento de projetos de *culture*
jamming ², tal como um órgão filantrópico para as artes. Em 1993, o grupo fez
sua
transição para a web com um fórum de discussão. O fórum foi sofrendo alterações
até
transformar-se no website que se apresenta hoje em <http://www.rtmark.com/>.

O grupo reúne aproximadamente cinco pessoas, e tem como seu líder ou
face
mais aparente o ativista Frank Guerrero (nome fictício). Guerrero, em entrevista
a
MYERSON (2002), expõe sua visão do

RTMark:

é um sistema sério que almeja, através de uma combinação de ações reais e teatrais e talvez enfraquecer o papel que as corporações têm tomado ao suplantarem processos democráticos ou sociais de governo. (...) Estamos aqui para desestabilizar o sistema de tal forma que as pessoas tenham um pouco de entretenimento e ao mesmo tempo esses projetos façam a elas algumas questões. ³

Na declaração, já se percebe uma tendência da organização para privilegiar ações diretas com algum elemento cômico ou de brincadeira. Como será visto nos exemplos à frente, há um forte viés para a ironia e a subversão.

Este viés já se apresenta também pelo fato da RTMark ser uma organização anti-

corporativa registrada como corporação. “Nossos investidores estão protegidos pela mesma regra de responsabilidade limitada que permite aos membros de outras corporações não ter responsabilidade pelo que suas empresas fazem de errado”

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registrada”, ou “bagunçar com a cultura”, é uma tática de protesto relacionada à confusão de sinais – apropriando-se de elementos de uma marca, de uma pessoa, de uma mentalidade, o ativista subverte elementos contra seus próprios possuidores. O exemplo mais comum de *culture jamming* é o *atque* para retrabalhar seu sentido. Ver DERY,

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 Que faria ele agir assim?
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⁷ Tradução minha de “*Find a target (some entity running amok) and think of something sure to
 them something that’s also lots of
 funny you’re stumped, imagine the target losing control or acting stupidly. What would it take to make
 them that? (Journalists love fun stories, just like everyone else. The more fun the story, the more likely it
 is to get covered.)*

*Capitalize on the target’s reaction. Write a press release and e-mail it to hundreds of
 journalists.*”

Ações realizadas

Alguns dos projetos de maior relevância realizados a partir da RTMark:

Vote-auction.com (atualmente em <http://www.vote-auction.net/>): o website funcionou durante parte da campanha eleitoral dos EUA em 2000. Propunha que, como

as eleições são sempre definidas por quem recebe maior apoio financeiro (de corporações e outras entidades), fosse construído um atalho entre um atalho entre eleitores e financiadores: todo eleitor poderia entrar no site e leiloar seu voto entre aqueles que dão apoio aos candidatos.

O website foi construído a partir da colaboração entre diversos programadores e designers, e ainda recebeu apoio de vários coletivos artísticos europeus.

O projeto recebeu vários ataques jurídicos durante o ano eleitoral, mas defendeu-se com base na cláusula de livre expressão da constituição norte-americana, identificando-se como obra de sátira. Os processos garantiram uma gigantesca cobertura da imprensa. ⁸

Projeto Re-Code (<http://www.re-code.com/>): também funcionando a partir de um website, consistia na criação de um sistema que gerava códigos de barra para produtos de supermercado. O usuário do site poderia gerar seus próprios códigos, imprimi-los em papel adesivo, leva-los ao supermercado e cola-los nos produtos desejados.

O vídeo institucional (<http://www.re-code.com/videos/ricobarco.mov>) ensina, por exemplo, a selecionar produtos similares de marcas diferentes – imprime-se o código do produto mais barato, cola-se o mesmo no produto mais caro – para não ocasionar problemas no caixa de pagamento.

Também objeto de grande cobertura na mídia, o website foi processado pela rede de supermercados Wal Mart e está temporariamente desativado.

Projeto Arquimedes: apenas como exemplo de um projeto mais simples,
o Projeto Arquimedes consistia na compra de centenas de espelhos de mão para serem

⁸ Ver mais detalhes em <http://www.rtmark.com/voteauction.html>

4

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distribuídos durante os protestos de rua em Gênova, por ocasião da reunião do G8 em junho de 2001.

De acordo com a história grega, o filósofo Arquimedes propôs a utilização de gigantescos espelhos para refletir a luz do sol contra os navios romanos que planejavam

invadir a cidade de Siracusa. Da mesma forma, os ativistas nas ruas de Gênova utilizariam os espelhos para refletir o sol contra helicópteros, tanques, carros da polícia e nos olhos dos próprios policiais. [9](#)

Organização pela Libertação da Barbie: um dos primeiros projetos realizados a partir dos fundos da RTMark, em 1993. Os ativistas compravam bonecas Barbie e bonecos G.I. Joe (no Brasil, *Comandos em Ação*) com chips de voz e trocavam os chips entre os bonecos. Desta forma, a boneca Barbie diria frases como “a vingança é minha!” e os bonecos G.I. Joe falariam “vamos planejar nosso lindo casamento!”. Os bonecos “cirurgicamente alterados” eram colocados de volta nas prateleiras das lojas.

Com isso, a organização propunha, de forma inovadora, uma discussão dos estereótipos de gênero que os brinquedos infantis estavam passando às crianças. [10](#)

Processos de sugestão e discussão

A dinâmica de apresentação e discussão de projetos nos fóruns da RTMark funciona da seguinte forma:

1) Qualquer pessoa cadastrada no site pode apresentar um projeto através do “suggest a project” (<http://rtmark.com/f/get/funds.html>) ¹¹.

2) Ao fazer sua sugestão, o usuário deve apontar se o projeto necessita de financiamento (*funds*) e/ou trabalhadores voluntários (*workers*) para sua realização.

3) O projeto deve entrar em um ou mais dos fundos de investimento (*Mutual Funds*), que agrupam os projetos por características similares. No momento, existem 18 fundos: Guerra, Fronteiras (relacionado à globalização), Lei Corporativa, Mercados Alternativos (relacionado a homossexualismo), Meio-Ambiente, Trabalho, França (há muitos projetos criados especificamente para realização na França), Educação, Saúde,

⁹ Ver mais detalhes em <http://www.rtmark.com/archimedes.html>

¹⁰ Ver mais detalhes em <http://www.rtmark.com/blo>.

¹¹ No momento de redação deste trabalho, esta parte do website encontra-se desativada por motivos não-explicados. Aparentemente, todo o website está passando por problemas, pois outras seções – como a discussão de projetos – estão desativadas.

Mídia, Propriedade Intelectual, Propriedade Biológica, Comunicações Emergentes (relacionado a novas tecnologias, como telefonia móvel e redes sem fio), Rede “*Magic Christian*” (ações mais “bizarras”, por referência ao filme *Um Beatle no Paraíso*), Alto Risco e *QuickTips* (para realização imediata).

4) Feita a sugestão do projeto, este recebe uma identificação de 4 caracteres, como na bolsa de valores (a ironia e a subversão de elementos do mundo corporativo perpassa o website).

5) Para cada projeto é aberto, então, um fórum de discussão próprio, onde qualquer membro cadastrado pode apresentar comentários ou oferecer-se como voluntário.

6) As doações financeiras, que são feitas para cada projeto específico, são realizadas por e-mail em contato com os administradores de cada fundo de investimento.

Análise

Em meados do mês de novembro de 2004, o RTMark.com começou a apresentar problemas de acesso. Apesar do restante do website estar aparentemente ativo, os fóruns de discussão de cada projeto não estão acessíveis.

Meu processo de pesquisa teve início antes deste problema apresentar-se. Capturei no dia 7 de novembro as mensagens que compunham a discussão sobre a proposta que tinha a sigla MP3S. Apresento abaixo a proposta e os cinco comentários que ela gerou.

PROPOSTA

MP3S
 Um website que permita aos usuários selecionar de uma lista de MP3 aquelas que “roubaram”. O formulário deve permitir que eles escrevam um pequeno pedido de desculpas à RIAA [Associação de Indústrias Fonográficas da América] com seu nome e-mail; o sistema então deverá anexar os arquivos de MP3 selecionados e mandá-los com o pedido de desculpas.

(usuário

anônimo) Usuários do Napster Devem Arrepender-

Os usuários do Napster deveriam arrepender-se por baixar ilegalmente mp3s retornando às empresas fonográficas via e-mail. A natureza da mensagem de e-mail deveria ser de súplica pelo perdão.

(usuário

anônimo) Re: Usuários do

Napster http://www.sendthemback.org/ [mande-as de volta.org]

(usuário Derek P.

Moore) Um website que contenha um catálogo de centenas de MP3. Não para permitir que pessoas baixem as MP3s, mas apenas para que elas selecionem quais MP3s “roubaram”. Permita que elas escrevam um pequeno pedido de desculpas à RIAA com seu nome, e-mail etc. Quando acabarem o formulário, eles clicam “enviar” e o faz todo o trabalho de anexar os arquivos MP3 de seu próprio catálogo e enviá-los por e-mail à RIAA como se estivesse mandando de volta suas MP3 “roubadas”.

(usuário

Ok?) Organizem isso nas listas de chats sobre o

Napster!

(usuário

Assunto): ótima

ideia ótima. Se bastante gente usar, as caixas de correio eletrônico deles ficarão rapidamente lotadas com sua própria propriedade intelectual, tornando os sistemas de e-mail deles inúteis.

A discussão sobre MP3S representa bem, pela minha observação precedente do website, o tipo e o nível de discussão que os projetos recebem. Em torno de 10% dos projetos recebem algum comentário. E as mensagens geralmente são poucas, em torno de 5 ou 6. A proposta MP3s reúne diferentes tipos de comentários que se repetem em outros projetos.

A proposta em si já é carregada de ironia e entra na discussão de utilizar os elementos de uma corporação contra a própria. É amplamente divulgada na mídia, há anos, a batalha judicial entre as indústrias fonográficas e os mecanismos de troca de arquivos, como o Napster, através dos quais usuários da Internet compartilham músicas (no formato MP3) de forma ilegal. A proposta, então, é de ironizar esta batalha e ao mesmo tempo causar danos às indústrias fonográficas (enviar simultaneamente uma grande quantidade de arquivos que emperrariam os sistemas online das empresas).

O primeiro comentário visa aumentar o nível de ironia. Sugere que o pedido de desculpas deve demonstrar o “grande arrependimento” do usuário por agir ilegalmente.

O segundo comentário, aparentemente ¹², faz referência a um projeto similar já à finalização da proposta MP3S. Mesmo se o segundo caso ^{OU} for verdadeiro, a discussão continua para aperfeiçoar o projeto.

O terceiro comentário faz uma proposta operacional bastante interessante. Enquanto a proposta inicial era de criação de um sistema que buscasse os arquivos mp3 no computador do usuário (um processo bastante demorado, pois os arquivos são grandes), a sugestão é de que o próprio site já tenha estes arquivos. Desta forma,

¹² O website mencionado, <http://www.sendthemback.org/>, não estava funcionando durante a pesquisa.

diminui-se o tempo que o usuário levaria para utilizar o sistema, e provavelmente aumenta-se o número de usuários dispostos a utilizá-lo.

O quarto comentário também aponta uma questão operacional: a divulgação do projeto seria feita de forma ideal através das listas de discussão e conversa sobre o Napster, freqüentadas por um público potencialmente interessado em participar do projeto.

Por fim, o quinto e último comentário faz considerações óbvias, explicitando os propósitos do projeto e parabenizando os criadores pela idéia.

Até o momento, não tenho conhecimento da aplicação desta proposta.

Considerações finais

Levanto três considerações, preliminares, sobre os processos de discussão dos projetos apresentados no RTMark.com e sobre a importância do website para o ativismo contemporâneo.

- O propósito das discussões é de *aperfeiçoamento* das propostas. Os comentadores não se apresentam como um júri que vai julgar a pertinência de cada projeto, mas sim como analistas interessados em propor recortes ou adições que tornem o projeto mais operacionalizável e/ou que aumentem seu potencial de protesto. É um processo colaborativo, de críticas construtivas, e aparentemente auto-regulado.

- Pelo que foi observado, grande parte das discussões se dá fora dos fóruns. O próprio sistema de financiamento é feito de forma privativa, e não há exposição dos motivos de cada financiador. Porém, entende-se que o website é um *ponto intermediário* das ações – não é nem seu ponto de partida (a idéia criada por um indivíduo ou um grupo) nem seu ponto final (a realização efetiva). Por isto, não é possível acompanhar através todo o desenvolvimento de uma ação.

- A função do fórum é de *colaboração e fomento* do ativismo. Existe um movimento em nível mundial – o chamado “movimento de resistência global” – voltado para desenvolver táticas de protesto e apresentar alternativas ao sistema sócio-político-econômico existente. Há centenas de grupos espalhados pelo mundo agindo separadamente, mas com o mesmo intento. O fórum do RTMark.com serve como um dos “pontos de encontro” destes grupos, onde ocorre uma discussão coletiva e unificada do estado-da-arte em táticas de protesto. É um passo de grande importância para

movimento como um todo, e ao mesmo tempo um exemplo do espírito de colaboração e horizontalidade que está no bojo das propostas sociais destes ativistas.

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San Mateo County Elections Official Seeks State Investigation of Internet Vote-Buying Auction Site

REDWOOD CITY, CA

10/16/00 - Warren Slocum, San Mateo County's Chief Elections Officer, today requested the California Attorney General, Bill Lockyer, to investigate www.voteauction.com, an internet site that purports to facilitate the buying and selling of votes throughout the United States and California.

Slocum explained that his request was grounded on the cornerstone principle that trading in votes for money undermines our political system and weakens the integrity of the entire elections process. "It is an insult to all Americans and perverts our system of free and fair elections," Slocum stated.

Slocum stated that vote buying and vote selling are expressly prohibited by the California Elections Code sections 18500, 18521, 18522, and 18562, that classify such activities as serious felony crimes, carrying a maximum of three years in state prison for each violation. California Penal Code provisions relating to criminal conspiracy also may apply. Additionally, the site may be in violation of federal law, namely, Title 18, section 597, of the United States Code.

Slocum reports that Secretary of State Bill Jones' on-going investigation of the site has already resulted in the issuance of a "cease and desist" letter to the owner of the site, and other steps aimed at terminating the operation of the site and the use of its name. Secretary Jones has also asked the U.S. Attorney General to cooperate in his enforcement efforts. California is the first state to take such action against the site.

Slocum has urged Secretary Jones to include the California's attorney general in the investigation and shutdown effort. Further, he suggested that representatives of the enforcing agencies post a comment on the site's "bulletin/discussion board" in order to notify potential California users that this activity violates state law.

As of October 16, Slocum's review of the site revealed an alarming 1,836 posted offers from California voters to sell their votes to the highest bidder, and even a tool allowing corporations to buy blocs of votes.

"Even though this site might prove, in the end, to be a huge publicity stunt, even the appearance that votes are being bought and sold should be of concern to all citizens," Slocum said.

Slocum advised all voters who are approached regarding vote buying or selling or voter coercion to contact the Secretary of State's Office at 1-800-345-VOTE.

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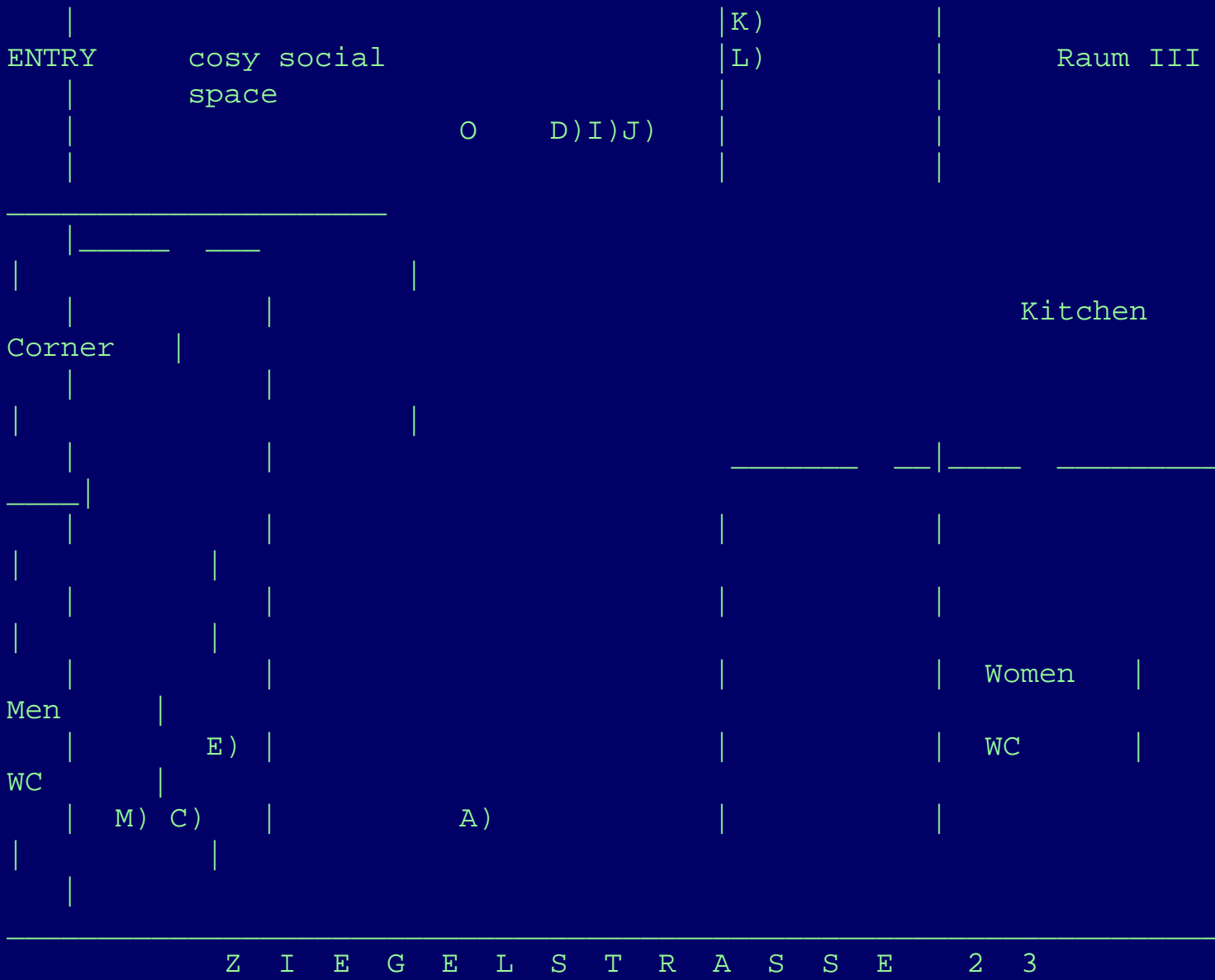
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Klikte voorheen circa 2 tot 3 procent van de bezoekers nog wel eens op een banner, tegenwoordig is dat aandeel gezakt naar minder dan een half procent. De ontwikkeling doet de vraag rijzen of publicaties die hun inkomsten louter uit advertenties halen, wat neerkomt op het gros van de internet-sites, ooit in staat zullen zijn voldoende omzet te halen. Banners zorgen thans voor zestig procent van alle advertentie-inkomsten op het net. Deskundigen voorzien echter een verschuiving naar andersoortige reclames die meer overeenkomsten vertonen met de direct mail uit de gewone wereld. Maar dat staat weer haaks op de toenemende bezorgdheid om privacy.

In Nederland kwakkelde de banner-advertentiemarkt ondertussen. Portal Ilse verkoopt slechts twintig procent van de capaciteit aan een relatief gering aantal adverteerders. Een populaire jongerensite als TMF kent niet meer dan een handvol adverteerders en de homepages van providers blijken inmiddels vrijwel volledig ontdaan te zijn van advertenties.

De nieuwste trend is de onzichtbare samenvoeging van reclame en redactie. Zo schotelt provider Planet Internet kinderen een 'informatief' spelletje over boerderijdieren voor. Nergens blijkt dat het gaat om een promotie van het Produktschap Vee, Vlees en Eieren, een belangenorganisatie van de bio-industrie. Zelfs het meest commerciële televisiestation zou daar niet mee weg komen.

MSNBC: Looking beyond Web banner ads

de Volkskrant: Amper advertenties op populaire sites

DE WEEK IN LINKS

Een Amerikaanse [oplichter](#) heeft een half miljoen vergaard door een vervalst persbericht over tegenvallende resultaten van een bedrijf te sturen aan een internet-persbureau. Internet Wire nam het bericht ongecontroleerd over en veroorzaakte zo een dramatische koersval van het aandeel Emulex. De FBI heeft de man, een ex-medewerker van Internet Wire, gearresteerd. +++ In Kroatie wordt dinsdag het eerste [internet-concert](#) gegeven, verdeeld over drie steden. De lokale popster Gibonni treedt op in Rijeka, een gitarist neemt deel vanuit Zagreb en een mannelijke a cappella groep levert van uit Split een bijdrage. Het evenement is [live](#) te volgen. ++
+ De Amerikaanse versie van Airmiles zet de [spaarmijlen](#) om in virtueel geld dat online bij meer dan honderd bedrijven besteed kan worden. +++ De junta van Burma tracht met een online [lastercampagne](#) de democratische oppositie in diskrediet te brengen. +++ Daar gaan we weer: Microsoft brengt een nieuwe [versie](#) van de Internet Explorer uit die betere concurrentie met America Online moet leveren door diensten als Hotmail en Instant Messenger te integreren. Soortgelijke integratie leverde het bedrijf een aanklacht van justitie op. +++ Afrikaanse [oplichters](#) maken via e-mail Singapore onveilig. In berichten worden extreem aantrekkelijke zakelijke voorstellen gedaan die stevast uitmonden in een geplunderde bankrekening. Vroeger opereerden de bendes via fax

NIEUWE LULLETJES

"Wij (mannen) winkelen snel, doelgericht en efficiënt. Vrouwen hebben daar veel meer moeite mee."

In een wanhoopspoging het onfortuinlijke tij te keren zoekt de Nederlandse winkel Shop.nl - van onder meer Bernhard van Oranje jr. - toevlucht tot onverholen seksisme. Op [zowinkelenmannen.nl](#).

Bitse strijd om download-record

Twee koninginnen van het net vechten een gigabyte-strijd uit over de titel 'meest gedownloade vrouw van het net'. Tot nu kwam die titel toe aan de keurige actrice Cindy Margolis. Haar positie is echter aangevochten door de porno-ster Danni Ashe, een van de eersten die zelfgemaakte porno via internet begon te verspreiden. Het Guinness Book of World Records heeft de titel aan Ashe toegekend omdat ze minimaal 840 miljoen keer gedownload is, ongeveer tien keer zoveel als Margolis. Zij bestrijdt op haar beurt weer de claim van Ashe.

CNN: Claim of 'Most Downloaded Woman' heats up

HET ZWARTE GAT

de 'nieuwe economie' in praktijk

Van iedere 100 dollar die Amerikaanse consumenten in de detailhandel [besteden](#), gaat 68 cent via internet. Veel beter lijkt het niet te worden: Het percentage internet was in het tweede kwartaal van dit jaar gelijk aan het eerste. +++ Het Britse e-zine The Register vraagt zich af in hoeverre de [internet-economie](#) een grote nepperij is. Aanleiding is de praktijk om met behulp van software de 'kijkcijfers' voor advertenties op te drijven. +++ Het [verkopen](#) van auto's via internet werkt niet, constateert de Bovag. +++ De Nederlandse reissite Clicketing heeft al het personeel (20 medewerkers) [ontslagen](#) of laten vertrekken. Alleen de oprichters zelf zijn er nog werkzaam met nog immer ronkende functiebenamingen als Chief Executive Officer. +++ Het Britse filiaal van Worldonline [verliest](#) op sommige

vanuit Nigeria, tegenwoordig ook vanuit andere landen. +++ De eerste kraak van een mobiele telefoon is een feit. Via [SMS-berichten](#) zou het mogelijk zijn de telefoon van Nokia te laten crashen. +++ MP3Cafe, een populair IRC-kanaal voor het illegaal uitwisselen van muziek is [gesloten](#) na dreigementen van de muziekindustrie. Die ontkent overigens en zegt dat een particulier mogelijk in actie is gekomen. CNet constateert dat steeds meer gebruikers partij kiezen voor het standpunt van de muziekindustrie en op eigen houtje actie voeren tegen piraterij. +++ Mohammed Al Fayed, de miljardair wiens zoon tegelijk met prinses Diana verongelukte, heeft een website [gelanceerd](#) waarop hij zijn theorie uiteen zet dat er sprake was van een complot. +++ Voetballegende Pele opent een eigen [website](#). +++

Wetenschappers zijn er in geslaagd een [robot](#) te maken die zonder hulp van mensen in staat is andere robots te bouwen. ++ + Ongeduldige Duitse [fans](#) van Harry Potter die niet tot het najaar op de Duitse uitgave willen wachten zijn zelf maar een vertaling van het boek gaan maken. De uitgever is woest dat het vrijwilligerswerk [online](#) wordt gezet, er dreigt een boete van een half miljoen. +++ Europeanen kijken [minder](#) tv en lezen minder van papier als gevolg van internet-gebruik, wijst een enquête uit. Veel gesurfd wordt er trouwens ook niet, de meeste gebruikers bezoeken steeds dezelfde sites. + + MP3.com gaat gebruikers [spammen](#) om ze over te halen muziek af te nemen van de platenmaatschappijen. Volgende week bepaalt de rechter hoeveel schadevergoeding de site moet

gebruikers meer dan 3500 gulden per maand omdat ze gigantische hoeveelheden dataverkeer consumeren. ++ 'Content', het lege begrip dat staat voor inhoud, vormt weliswaar de ruggegraat van internet maar [levert](#) geen ene moer op. Zelfs de netversie van de Wall Street Journal, met een half miljoen betalende lezers, lijdt verlies. +++ Voter.com, een site die naam maakte met de verslaggeving van de Amerikaanse partijconventies, [ontslaat](#) 15 mensen. Voor het bedrijf werkt onder meer Carl Bernstein, de journalist die samen met Bob Woodward geschiedenis schreef door de Watergate-affaire te onthullen. +++ Onderzoeksbureau Forrester slaat de verwachting dat mobiele communicatie een [overheersende](#) rol gaat spelen in Europese e-commerce de grond in. Het zou om niet meer dan drie procent gaan. ++ DreamWorks, de filmstudio van Steven Spielberg, [verkoopt](#) zijn internet-dienst nog voor deze van start is gegaan. Online entertainment, tot voor kort gezien als winstmaker, lijdt zwaar onder tegenvallende verwachtingen. +++ Gratis providers hebben een [probleem](#) met het werven van advertenties, leert een onderzoek. De abonnees komen teveel uit economisch oninteressante - want weinig vermogende - doelgroepen. +++ Steeds meer bedrijven dumpen het achtervoegsel .com om [stigmatisering](#) te voorkomen. De toevoeging .net wint daarentegen aan populariteit, het zou staan voor een bredere zakelijke benadering. +++ De Amerikaanse beurswaakhond SEC gaat de kwakkelende site Tutor.net [vervolgen](#). De leiding van het bedrijf misleidde investeerders met kletspraatjes over belangrijke contracten die in werkelijkheid nooit gesloten werden. +++ Online apotheek Planetrx [ontslaat](#) 15 procent van de medewerkers, oftewel 40 mensen. ++ De Britse telefoonmaatschappij Orange heeft 40 medewerkers [ontslagen](#) wegens het verspreiden en bekijken van online porno. +++ Een topman van Altavista is [afgetreden](#) nadat journalisten ontdekten dat een van de diensten waar het bedrijf mee pronkte - gratis internet-toegang - in werkelijkheid helemaal niet bleek te

betalen aan de muziekindustrie wegens het maken van illegale kopieën. +++ Napster is een bedrijf dat gestolen goederen heelt, [constateert](#) een columnist van de Boston Globe in reactie op de protesten van een aantal technologische belangengroepen tegen het rechterlijk vonnis dat de mp3-ruilbeurs verbiedt. De protesteersers zijn bang dat het verbod implicaties heeft voor volkomen legale toepassingen van de gebruikte techniek. +++ Ruim een derde van de [universiteiten](#) in de VS weert Napster van de eigen netwerken. Oneigenlijk gebruik van datacapaciteit en angst voor juridische maatregelen zijn de belangrijkste motieven. +++ De Amerikaanse overheid dacht het wantrouwen onder UFO-fanaten weg te kunnen nemen door [onderzoekresultaten](#) naar buitenaardse bezoeken online vrij te geven. Conclusie is steeds dat er van bezoeken geen sprake is. De UFO-fanaten zijn echter niet zo makkelijk te overtuigen: "Als er niets is, waarom werden er dan onderzoeken gedaan? Zie je wel!" Zucht. +++ Een Amerikaanse [krant](#) heeft alle foto's die een fotograaf maakte van - vermoedelijke - plaatselijke drugshandel [online](#) gezet. De redactie wil zo voorkomen dat justitie een dagvaarding uitbrengt om het beeldmateriaal in handen te krijgen. +++ Weg met de democratie! Een site met de naam voteauction.com veilt tegen [betaling](#) de stemmen van Amerikaanse kiezers. +++ Dieper linken: Na de Nederlandse krant news.nl gaan ook Amerikaanse media over tot het massaal uitventen van [streepjescode-scannertjes](#) die de gebruiker naar aanvullende info op het web moeten voeren. +++ Na lang wachten [lanceert](#) Apple

bestaan. +++ Een topman van de financiële site thestreet.com houdt het na acht maanden alweer voor [gezien](#). De carrierestap bevestigt het beeld dat de top in de nieuwe economie even loyaal is aan hun eigen bedrijven als de gemiddelde uitzendkracht. +++ De president van het [superhippe](#) Razorfish hield het slechts drie maanden uit. +++ Augustus was dan ook de maand van het afscheid voor de [leidinggevend](#)en bij internet-bedrijven. Een record-aantal stapte op, meer dan in enig andere bedrijfssector. +++ In Nederland vertrokken onder meer de [hoofredacteur](#) van Zonnet, en de [directeuren](#) van de advertentiebureaus 24/7 en Doubleclick. +++ Tel uit je winst: MotherNature.com tracht de ondergang te voorkomen door zich te [verkopen](#) voor 1 gulden 85 per aandeel. Dat is beduidend minder dan de ruim dertig gulden die beleggers er in december voor neertelden. +++ Het asociale gedrag van lieden die bij [internetbedrijven](#) werken heeft tot een opstand onder bewoners in San Francisco, de internet-hoofdstad van de wereld, geleid. Steeds minder verhuurders zijn bereid hen van woonruimte voorzien. +++ Breedband, de jongste hype, lijkt alweer in te storten. De snelheid blijkt vooralsnog alleen in de [verkooppraatjes](#) te zitten.

DE REUS WANKELT

Amazon, het lichtend voorbeeld voor iedere 'nieuwe economie'-gelovige, komt in de Verenigde Staten steeds meer onder vuur te liggen en het zijn niet alleen meer de doorgewinterde skeptici die zich afvragen of het bedrijf gaat overleven.

Knowledge at Wharton, een tweewekelijkse uitgave van de gelijknamige business school aan de universiteit van Pennsylvania (de oudste van het land), gaat dieper in op de problemen waar de koning onder de internetbedrijven mee kampt. Het klantenbestand groeit weliswaar maar de klanten lopen net zo gemakkelijk weer weg, met het stijgen van de omzet nemen ook de kosten bijna evenredig toe (wat winst onmogelijk maakt) en het bedrijf loopt het risico dat door de voortdurende uitbreiding van het assortiment - auto's

deze maand eindelijk een nieuwe versie van het besturingssysteem: Mac OS X. Het zou crash-bestendig zijn. ++
+ Een bedrijf dat via e-mail [geldprijzen](#) van 10.000 dollar wilde uitdelen, raakte de prijzen niet kwijt. De winnaars hebben de mail vermoedelijk als 'spam' genegeerd. +++ Duitsland wil draconische [maatregelen](#) nemen tegen extreem-rechtse sites middels hoge boetes en bezoekverboden. +++ Oeps... Scholieren van de Lake Region High School die hun jaarboek de pakkende titel [www.LR2000.com](#) gaven, komen er nu achter dat het adres toebehoort aan een porno-site. +++ MP65+: The Doobie Brothers, een band die het goed deed in de jaren zeventig, zet 15 nieuwe [nummers](#) online. Gratis. +++ Word.com, een van de oudste experimentele media op het net, sluit [opnieuw](#) haar deuren. Eigenaar Zapata ziet geen mogelijkheden de site rendabel te maken. Zapata nam de site in 1998 over van Icon toen deze de site sloot wegens dezelfde redenen.

.nl: De ANWB publiceert online een lijst met [tankstations](#) die brandstof tegen lage prijzen verkopen. De lijst wordt samengesteld met hulp van het publiek. +++ Nederlandse bedrijven die online financiële adviezen geven, leveren broddelwerk [concludeert](#) de Consumentenbond na een onderzoek. Gebrek aan openheid en aan garanties aangaande de onafhankelijkheid zijn enkele van de kritiekpunten. +++ Webcams moet het afstandenprobleem op Zeeuwse scholen [oplossen](#). Via de camera's kunnen pedagogiedocenten in Breda de lespraktijken van hun studenten die stage lopen op de eilanden

bijvoorbeeld - uiteindelijk niemand meer weet wat het nu eigenlijk verkoopt. Bovendien meldde Amazon eind juli een stagnatie in de verkoopcijfers. Voeg daarbij dat Amazon geen onaantastbare solide positie bezit, het is weliswaar de bekendste online boekhandel maar dat hoeft niemand er van te weerhouden net zo'n boekhandel te beginnen. Dat is een belangrijk verschil met bijvoorbeeld stadscentra waar goede verkooppunten schaars en vaak al bezet zijn. Zoekmachines die prijzen vergelijken en dus geen enkele boodschap hebben aan een merknaam ondergraven de klantentrouw verder.

Amazon scoort als internetwinkel weliswaar hoog omdat maar liefs tien procent van de bezoekers ook daadwerkelijk iets koopt maar vertaalt naar de gewone wereld is dat nog steeds een dramatisch slecht resultaat. En de mensen die nu en masse online komen, bevinden zich meestal in de minder koopkrachtige groepen. Op z'n gunstigst beschouwd is het succes van Amazon twijfelachtig, concludeert het verhaal.

Voor mensen die rotsvast in het bestaan en succes van de 'nieuwe economie' geloven, zoals de Nederlander Ruud Smeets topman van het bedrijf Newconomy, is er echter geen vuiltje aan de lucht. Begin juli verklaarde hij in een column in het 'nieuwe economie'-magazine Emmerce.nl het volste vertorwen te hebben in Amazon. "Ik spreek de sceptici over een jaartje of twee nog wel eens." Die afspraak staat dus.

[Knowledge at Wharton](#): Can Amazon Survive?

[Emmerce](#): Cry Wolf

De praktijk van kranten.com

Kranten.com heeft de veelbesproken rechtszaak van uitgever PCM gewonnen. Het vonnis wordt alom gezien als een overwinning voor internet. David versus Golitah. Maar is kranten.com wel zo'n sympathieke David? De verborgen praktijken van twee studenten met een internet-bedrijfje.

Typosquatting: Tryllian is een veelbelovend Nederlands bedrijfje dat regelmatig de publiciteit haalt. Wie echter de site wil bezoeken en een 'l' te weinig intikt, dus [tryllian.com](#) in plaats van [tryllian.com](#), komt uit bij kranten.com. Kranten.com heeft de [domeinnaam](#) op 9 december

volgen. +++ Wekenlang hebben webcams in het stadhuis van Delft ongevraagd [trouwerijen](#) 'uitgezonden' via internet. De verantwoordelijke ambtenaar was vergeten ze uit te zetten en ging vervolgens op vakantie. ++ + Amerikaanse autoriteiten zijn in actie gekomen tegen een Nederlands [piramidespel](#) dat deelnemers ruim 13 miljoen gulden lichter heeft gemaakt. ++ + Justitie heeft provider TMF [verzocht](#) seksueel getinte foto's van meisjes uit een internaat te Almelo weg te halen. De [foto's](#) maken deel uit van een zwartboek dat wil aantonen dat de meisjes de prostitutie [ingelokt](#) worden.

NB: Als gevolg van drukke werkzaamheden voor de oude economie (er moet tenslotte eten op tafel komen) kon de nieuwsgids vorige week niet verschijnen.

Alle in NIEUWSGIDS opgenomen links zijn gratis op te vragen. Sommige sites vereisen echter dat de gebruiker zich eerst - eenmalig - registreert.

DE OMMEZWAAI

De zaak kranten.com heeft de afgelopen maanden vrijwel onopgemerkt een verrassende wending gekregen. [Smallzine](#) ontdekte dat een van de belangrijkste pleitbezorgers van kranten.com, NRC-journaliste Marie-Jose Klaver, haar mening de afgelopen maanden ongemerkt 180 graden bijdraaide. In een [reactie](#) bij Emmerce bestempelde ze in maart kranten.com-kloon Linknews nog als 'jatwerk'. Ook andere journalisten, waar onder die van Emmerce zelf uitten in maart bedenkingen bij Linknews: "Vanuit de optiek van de contentprovider zijn er echter wel

vorig jaar vast laten leggen, precies een dag nadat Tryllian een demoversie van hun product [lanceerde](#). Ook [iles.nl](#), een variant op [ilse.nl](#) is 'gekaapt' door kranten.com. Deze praktijk heet [typosquatting](#), men kaapt als het ware de tikfout. De Amerikaanse overheid wil dit verschijnsel wettelijk verbieden. Of kranten.com nog meer van dergelijke namen heeft geregistreerd is niet bekend. De advocaat van kranten.com, mr. Dirk Visser, keurde de praktijk in een [interview](#) met TROS Radio Online af.

Metatags-diefstal: Metatags zijn trefwoorden die op een site aangebracht worden om zoekmachines te helpen. Voor de gebruiker zijn de metatags niet zichtbaar, ze zitten in de broncode van pagina's verwerkt. Kranten.com gebruikt de merknamen van alle Nederlandse kranten als meta-tag, ook van kranten die niet bij de site geïndexeerd zijn, zoals Het Financieele Dagblad. Op de dochtersite [nieuwscenter.nl](#) worden ook merknamen als 'Planet Internet', 'MTV' en 'Radio538' gebruikt. Het doel is de argeloze zoeker te lokken. Misbruik van metatags wordt beschouwd als misleiding en inbreuk op het merkenrecht.

Tellermisbruik: Kranten.com spreekt voortdurend over het 'win-win'-principe. Maar praktiseert dat zelf niet. Het bedrijf maakt gebruik van de gratis tellers van [NedStat](#) en [Stats4all](#), bedrijven die voor hun succes afhankelijk zijn van zichtbaarheid van hun buttons. Tegen de Algemene Gebruiksvoorwaarden in maakt kranten.com de buttons onzichtbaar door ze tot precies 1 pixel te verkleinen.

bezwaren te bedenken tegen deze vorm van systematisch 'linken'. Headlines worden vaak als ruilmiddel gebruikt en zijn dus waardevol." De enige bijval voor Linknews kwam van Martin Klerx van kranten.com.

Nog geen half jaar later blijkt de stemming onder journalisten volledig omgeslagen. Klaver bijvoorbeeld schreef een vurig [pleidooi](#) voor kranten.com. Niks meer jatwerk: "Wie is opgegroeid met internet, vindt hyperlinken zo vanzelfsprekend dat hij een bedrijf dat daar tegen is, zal mijden."

Twee factoren lijken bij de media-omslag een rol te spelen: de antipathie (ook onder journalisten) tegen uitgever PCM en de actie van advocaat mr. Dirk Visser om de eis van PCM te bestempelen tot een verbod op 'deeplinken' en een 'bedreiging voor internet'. Vooral dat laatste maakte veel indruk en werd klakkeloos overgenomen. De overeenkomst met de Amerikaanse [berichtgeving](#) over Napster is groot. Ook daarbij bleek het beeld van David versus Goliath en de begrijpelijke afkeer van de muziekindustrie een grotere - emotionele - rol te spelen dan een zuivere beoordeling en een kritische kijk op het bewuste bedrijf. PCM zelf gaat in dit geval evenmin vrijuit. Voor de uitgever geldt dat ze niet alleen haar zaak op krakkemikkige wijze heeft bepleit maar vooral de kracht van internet als pr-instrument heeft onderschat. Dat laatste bevestigt het beeld dat de uitgever niet veel van internet snapt.

Kritiek? Juist niet? Geef die mening:
[2525 / WEBFORUM](#)



2525 / nieuwsgids is een wekelijkse uitgave van Francisco van Jole. Doorsturen van deze editie naar vrienden mag, automatisch verder verspreiden via mailing-lists, intranets en dergelijke of via print niet. Hetzelfde geldt voor overname van tekst. Een archief moet je zelf bijhouden. Reacties op de inhoud naar fvjole@2525.com of publiek in het [forum](#).

Abonneren door een mail met subscribe nieuws-2525 te sturen aan majordomo@2525.com, **opzeggen** met unsubscribe nieuws-2525.

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These search terms have been highlighted: **voteauction**

Doorsturen van **2525 / nieuwsgids**? Problemen met de ontvangst? Gebruik dan [deze](#) link.

BANNERS IN DE BAN

De banner, het grafische balkje waarmee adverteerders zich op sites presenteren, verliest dramatisch aan effectiviteit.

Klikte voorheen circa 2 tot 3 procent van de bezoekers nog wel eens op een banner, tegenwoordig is dat aandeel gezakt naar minder dan een half procent. De ontwikkeling doet de vraag rijzen of publicaties die hun inkomsten louter uit advertenties halen, wat neerkomt op het gros van de internet-sites, ooit in staat zullen zijn voldoende omzet te halen. Banners zorgen thans voor zestig procent van alle advertentie-inkomsten op het net. Deskundigen voorzien echter een verschuiving naar andersoortige reclames die meer overeenkomsten vertonen met de direct mail uit de gewone wereld. Maar dat staat weer haaks op de toenemende bezorgdheid om privacy.

In Nederland kwakkelde de banner-advertentiemarkt ondertussen. Portal Ilse verkoopt slechts twintig procent van de capaciteit aan een relatief gering aantal adverteerders. Een populaire jongerensite als TMF kent niet meer dan een handvol adverteerders en de homepages van providers blijken inmiddels vrijwel volledig ontdaan te zijn van advertenties.

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Twee koninginnen van het net vechten een gigabyte-strijd uit over de titel 'meest gedownloade vrouw van het net'. Tot nu kwam die titel toe aan de keurige actrice Cindy Margolis. Haar positie is echter aangevochten door de porno-ster Danni Ashe, een van de eersten die zelfgemaakte porno via internet begon te verspreiden. Het Guinness Book of World Records heeft de titel aan Ashe toegekend omdat ze minimaal 840 miljoen keer gedownload is, ongeveer tien keer zoveel als Margolis. Zij bestrijdt op haar beurt weer de claim van Ashe.

CNN: Claim of 'Most Downloaded Woman' heats up

HET ZWARTE GAT

de 'nieuwe economie' in praktijk

Van iedere 100 dollar die Amerikaanse consumenten in de detailhandel [besteden](#), gaat 68 cent via internet. Veel beter lijkt het niet te worden: Het percentage internet was in het tweede kwartaal van dit jaar gelijk aan het eerste. +++ Het Britse e-zine The Register vraagt zich af in hoeverre de [internet-economie](#) een grote nepperij is. Aanleiding is de praktijk om met behulp van software de 'kijkcijfers' voor advertenties op te drijven. +++ Het [verkoop](#) van auto's via internet werkt niet, constateert de Bovag. +++ De Nederlandse reissite Clicketing heeft al het

Internet Explorer uit die betere concurrentie met America Online moet leveren door diensten als Hotmail en Instant Messenger te integreren. Soortgelijke integratie leverde het bedrijf een aanklacht van justitie op. +++ Afrikaanse [oplichters](#) maken via e-mail Singapore onveilig. In berichten worden extreem aantrekkelijke zakelijke voorstellen gedaan die stevast uitmonden in een geplunderde bankrekening. Vroeger opereerden de bendes via fax vanuit Nigeria, tegenwoordig ook vanuit andere landen. +++ De eerste kraak van een mobiele telefoon is een feit. Via [SMS-berichten](#) zou het mogelijk zijn de telefoon van Nokia te laten crashen. +++ MP3Cafe, een populair IRC-kanaal voor het illegaal uitwisselen van muziek is [gesloten](#) na dreigementen van de muziekindustrie. Die ontkent overigens en zegt dat een particulier mogelijk in actie is gekomen. CNet constateert dat steeds meer gebruikers partij kiezen voor het standpunt van de muziekindustrie en op eigen houtje actie voeren tegen piraterij. +++ Mohammed Al Fayed, de miljardair wiens zoon tegelijk met prinses Diana verongelukte, heeft een website [gelanceerd](#) waarop hij zijn theorie uiteen zet dat er sprake was van een complot. +++ Voetballegende Pele opent een eigen [website](#). +++ Wetenschappers zijn er in geslaagd een [robot](#) te maken die zonder hulp van mensen in staat is andere robots te bouwen. ++ + Ongeduldige Duitse [fans](#) van Harry Potter die niet tot het najaar op de Duitse uitgave willen wachten zijn zelf maar een vertaling van het boek gaan maken. De uitgever is woest dat het vrijwilligerswerk [online](#) wordt gezet, er dreigt een boete van

personeel (20 medewerkers) **ontslagen** of laten vertrekken. Alleen de oprichters zelf zijn er nog werkzaam met nog immer ronkende functiebenamingen als Chief Executive Officer. +++ Het Britse filiaal van Worldonline **verliest** op sommige gebruikers meer dan 3500 gulden per maand omdat ze gigantische hoeveelheden dataverkeer consumeren. ++ 'Content', het lege begrip dat staat voor inhoud, vormt weliswaar de ruggegraat van internet maar **levert** geen ene moer op. Zelfs de netversie van de Wall Street Journal, met een half miljoen betalende lezers, lijdt verlies. +++ Voter.com, een site die naam maakte met de verslaggeving van de Amerikaanse partijconventies, **ontslaat** 15 mensen. Voor het bedrijf werkt onder meer Carl Bernstein, de journalist die samen met Bob Woodward geschiedenis schreef door de Watergate-affaire te onthullen. ++ Onderzoeksbureau Forrester slaat de verwachting dat mobiele communicatie een **overheersende** rol gaat spelen in Europese e-commerce de grond in. Het zou om niet meer dan drie procent gaan. ++ DreamWorks, de filmstudio van Steven Spielberg, **verkoopt** zijn internet-dienst nog voor deze van start is gegaan. Online entertainment, tot voor kort gezien als winstmaker, lijdt zwaar onder tegenvallende verwachtingen. +++ Gratis providers hebben een **probleem** met het werven van advertenties, leert een onderzoek. De abonnees komen teveel uit economisch oninteressante - want weinig vermogende - doelgroepen. +++ Steeds meer bedrijven dumpen het achtervoegsel .com om **stigmatisering** te voorkomen. De toevoeging .net wint daarentegen aan populariteit, het zou staan voor een bredere zakelijke benadering. +++ De Amerikaanse beurswaakhond SEC gaat de kwakkelende site Tutor.net.com **vervolgen**. De leiding van het bedrijf misleidde investeerders met kletspraatjes over belangrijke contracten die in werkelijkheid nooit gesloten werden. +++ Online apotheek Planetrx **ontslaat** 15 procent van de medewerkers, oftewel 40 mensen. ++ De Britse telefoonmaatschappij Orange heeft 40 medewerkers **ontslagen** wegens

een half miljoen. +++ Europeanen kijken **minder** tv en lezen minder van papier als gevolg van internet-gebruik, wijst een enquête uit. Veel gesurfd wordt er trouwens ook niet, de meeste gebruikers bezoeken steeds dezelfde sites. ++ MP3.com gaat gebruikers **spammen** om ze over te halen muziek af te nemen van de platenmaatschappijen. Volgende week bepaalt de rechter hoeveel schadevergoeding de site moet betalen aan de muziekindustrie wegens het maken van illegale kopieën. +++ Napster is een bedrijf dat gestolen goederen heelt, **constateert** een columnist van de Boston Globe in reactie op de protesten van een aantal technologische belangengroepen tegen het rechterlijk vonnis dat de mp3-ruilbeurs verbiedt. De protesteerders zijn bang dat het verbod implicaties heeft voor volkomen legale toepassingen van de gebruikte techniek. ++ Ruim een derde van de **universiteiten** in de VS weert Napster van de eigen netwerken. Oneigenlijk gebruik van datacapaciteit en angst voor juridische maatregelen zijn de belangrijkste motieven. +++ De Amerikaanse overheid dacht het wantrouwen onder UFO-fanaten weg te kunnen nemen door **onderzoekresultaten** naar buitenaardse bezoeken online vrij te geven. Conclusie is steeds dat er van bezoeken geen sprake is. De UFO-fanaten zijn echter niet zo makkelijk te overtuigen: "Als er niets is, waarom werden er dan onderzoeken gedaan? Zie je wel!" Zucht. +++ Een Amerikaanse **krant** heeft alle foto's die een fotograaf maakte van - vermoedelijke - plaatselijke drugshandel **online** gezet. De redactie wil zo voorkomen dat justitie een dagvaarding uitbrengt om het

het verspreiden en bekijken van online porno. +++ Een topman van Altavista is [afgetreden](#) nadat journalisten ontdekten dat een van de diensten waar het bedrijf mee pronkte - gratis internet-toegang - in werkelijkheid helemaal niet bleek te bestaan. +++ Een topman van de financiële site thestreet.com houdt het na acht maanden alweer voor [gezien](#). De carrierestap bevestigt het beeld dat de top in de nieuwe economie even loyaal is aan hun eigen bedrijven als de gemiddelde uitzendkracht. +++ De president van het [superhippe](#) Razorfish hield het slechts drie maanden uit. +++ Augustus was dan ook de maand van het afscheid voor de [leidinggevend](#)en bij internet-bedrijven. Een record-aantal stapte op, meer dan in enig andere bedrijfssector. +++ In Nederland vertrokken onder meer de [hoofredacteur](#) van Zonnet, en de [directeuren](#) van de advertentiebureaus 24/7 en Doubleclick. +++ Tel uit je winst: MotherNature.com tracht de ondergang te voorkomen door zich te [verkop](#)en voor 1 gulden 85 per aandeel. Dat is beduidend minder dan de ruim dertig gulden die beleggers er in december voor neertelden. +++ Het asociale gedrag van lieden die bij [internetbedrijven](#) werken heeft tot een opstand onder bewoners in San Francisco, de internet-hoofdstad van de wereld, geleid. Steeds minder verhuurders zijn bereid hen van woonruimte voorzien. +++ Breedband, de jongste hype, lijkt alweer in te storten. De snelheid blijkt vooralsnog alleen in de [verkooppraatjes](#) te zitten.

DE REUS WANKELT

Amazon, het lichtend voorbeeld voor iedere 'nieuwe economie'-gelovige, komt in de Verenigde Staten steeds meer onder vuur te liggen en het zijn niet alleen meer de doorgewinterde skeptici die zich afvragen of het bedrijf gaat overleven.

Knowledge at Wharton, een tweewekelijkse uitgave van de gelijknamige business school aan de universiteit van Pennsylvania (de oudste van het land), gaat dieper in op de problemen waar de koning onder de internetbedrijven mee kampt. Het

beeldmateriaal in handen te krijgen. +++ Weg met de democratie! Een site met de naam [voteauction.com](#) veilt tegen [betaling](#) de stemmen van Amerikaanse kiezers. +++ Dieper linken: Na de Nederlandse krant news.nl gaan ook Amerikaanse media over tot het massaal uitventen van [streepjescode-scannertjes](#) die de gebruiker naar aanvullende info op het web moeten voeren. +++ Na lang wachten [lanceert](#) Apple deze maand eindelijk een nieuwe versie van het besturingssysteem: Mac OS X. Het zou crash-bestendig zijn. ++ + Een bedrijf dat via e-mail [geldprijzen](#) van 10.000 dollar wilde uitdelen, raakte de prijzen niet kwijt. De winnaars hebben de mail vermoedelijk als 'spam' genegeerd. +++ Duitsland wil draconische [maatregelen](#) nemen tegen extreem-rechtse sites middels hoge boetes en bezoekverboden. +++ Oeps... Scholieren van de Lake Region High School die hun jaarboek de pakkende titel [www.LR2000.com](#) gaven, komen er nu achter dat het adres toebehoort aan een porno-site. +++ MP65+: The Doobie Brothers, een band die het goed deed in de jaren zeventig, zet 15 nieuwe [nummers](#) online. Gratis. +++ Word.com, een van de oudste experimentele media op het net, sluit [opnieuw](#) haar deuren. Eigenaar Zapata ziet geen mogelijkheden de site rendabel te maken. Zapata nam de site in 1998 over van Icon toen deze de site sloot wegens dezelfde redenen.

.nl: De ANWB publiceert online een lijst met [tankstations](#) die brandstof tegen lage prijzen verkopen. De lijst wordt samengesteld met hulp van het publiek. +++ Nederlandse

klantenbestand groeit weliswaar maar de klanten lopen net zo gemakkelijk weer weg, met het stijgen van de omzet nemen ook de kosten bijna evenredig toe (wat winst onmogelijk maakt) en het bedrijf loopt het risico dat door de voortdurende uitbreiding van het assortiment - auto's bijvoorbeeld - uiteindelijk niemand meer weet wat het nu eigenlijk verkoopt. Bovendien meldde Amazon eind juli een stagnatie in de verkoopcijfers. Voeg daarbij dat Amazon geen onaantastbare solide positie bezit, het is weliswaar de bekendste online boekhandel maar dat hoeft niemand er van te weerhouden net zo'n boekhandel te beginnen. Dat is een belangrijk verschil met bijvoorbeeld stadscentra waar goede verkooppunten schaars en vaak al bezet zijn. Zoekmachines die prijzen vergelijken en dus geen enkele boodschap hebben aan een merknaam ondergraven de klantentrouw verder.

Amazon scoort als internetwinkel weliswaar hoog omdat maar liefs tien procent van de bezoekers ook daadwerkelijk iets koopt maar vertaalt naar de gewone wereld is dat nog steeds een dramatisch slecht resultaat. En de mensen die nu en masse online komen, bevinden zich meestal in de minder koopkrachtige groepen. Op z'n gunstigst beschouwd is het succes van Amazon twijfelachtig, concludeert het verhaal.

Voor mensen die rotsvast in het bestaan en succes van de 'nieuwe economie' geloven, zoals de Nederlander Ruud Smeets topman van het bedrijf Newconomy, is er echter geen vuiltje aan de lucht. Begin juli verklaarde hij in een column in het 'nieuwe economie'-magazine Emmerce.nl het volste vertorwen te hebben in Amazon. "Ik spreek de sceptici over een jaartje of twee nog wel eens." Die afspraak staat dus.

[Knowledge at Wharton](#): Can Amazon Survive?

[Emmerce](#): Cry Wolf

bedrijven die online financiële adviezen geven, leveren broddelwerk [concludeert](#) de Consumentenbond na een onderzoek. Gebrek aan openheid en aan garanties aangaande de onafhankelijkheid zijn enkele van de kritiekpunten. +++ Webcams moet het afstandenprobleem op Zeeuwse scholen [oplossen](#). Via de camera's kunnen pedagogiedocenten in Breda de lespraktijken van hun studenten die stage lopen op de eilanden volgen. +++ Wekenlang hebben webcams in het stadhuis van Delft ongevraagd [trouwerijen](#) 'uitgezonden' via internet. De verantwoordelijke ambtenaar was vergeten ze uit te zetten en ging vervolgens op vakantie. ++ + Amerikaanse autoriteiten zijn in actie gekomen tegen een Nederlands [piramidespel](#) dat deelnemers ruim 13 miljoen gulden lichter heeft gemaakt. ++ + Justitie heeft provider TMF [verzocht](#) seksueel getinte foto's van meisjes uit een internaat te Almelo weg te halen. De [foto's](#) maken deel uit van een zwartboek dat wil aantonen dat de meisjes de prostitutie [ingelokt](#) worden.

NB: Als gevolg van drukke werkzaamheden voor de oude economie (er moet tenslotte eten op tafel komen) kon de nieuwsgids vorige week niet verschijnen.

Alle in NIEUWSGIDS opgenomen links zijn gratis op te vragen. Sommige sites vereisen echter dat de gebruiker zich eerst - eenmalig - registreert.

De praktijk van kranten.com

Kranten.com heeft de veelbesproken rechtszaak van uitgever PCM gewonnen. Het vonnis wordt alom gezien als een overwinning voor internet. David versus Golitah. Maar is kranten.com wel zo'n sympathieke David? De verborgen praktijken van twee studenten met een internet-bedrijfje.

Typosquatting: Tryllian is een veelbelovend Nederlands bedrijfje dat regelmatig de publiciteit haalt. Wie echter de site wil bezoeken en een 'l' te weinig intikt, dus tryllian.com in plaats van tryllian.com, komt uit bij kranten.com. Kranten.com heeft de **domeinnaam** op 9 december vorig jaar vast laten leggen, precies een dag nadat Tryllian een demoversie van hun product **lanceerde**. Ook iles.nl, een variant op ilse.nl is 'gekaapt' door kranten.com. Deze praktijk heet **typosquatting**, men kaapt als het ware de tikfout. De Amerikaanse overheid wil dit verschijnsel wettelijk verbieden. Of kranten.com nog meer van dergelijke namen heeft geregistreerd is niet bekend. De advocaat van kranten.com, mr. Dirk Visser, keurde de praktijk in een **interview** met TROS Radio Online af.

Metatags-diefstal: Metatags zijn trefwoorden die op een site aangebracht worden om zoekmachines te helpen. Voor de gebruiker zijn de metatags niet zichtbaar, ze zitten in de broncode van pagina's verwerkt. Kranten.com gebruikt de merknamen van alle Nederlandse kranten als meta-tag, ook van kranten die niet bij de site geïndexeerd zijn, zoals Het Financieele Dagblad. Op de dochtersite nieuwscenter.nl worden ook merknamen als 'Planet Internet', 'MTV' en 'Radio538' gebruikt. Het doel is de argeloze zoeker te lokken. Misbruik van metatags wordt beschouwd als misleiding en inbreuk op het merkenrecht.

Tellermisbruik: Kranten.com spreekt voortdurend over het 'win-win'-principe. Maar praktiseert dat zelf niet. Het bedrijf maakt gebruik van de gratis tellers van

DE OMMEZWAAI

De zaak kranten.com heeft de afgelopen maanden vrijwel onopgemerkt een verrassende wending gekregen. **Smallzine** ontdekte dat een van de belangrijkste pleitbezorgers van kranten.com, NRC-journaliste Marie-Jose Klaver, haar mening de afgelopen maanden ongemerkt 180 graden bijdraaide. In een **reactie** bij Emerce bestempelde ze in maart kranten.com-kloon Linknews nog als 'jatwerk'. Ook andere journalisten, waar onder die van Emerce zelf uitten in maart bedenkingen bij Linknews: "Vanuit de optiek van de contentprovider zijn er echter wel bezwaren te bedenken tegen deze vorm van systematisch 'linken'. Headlines worden vaak als ruilmiddel gebruikt en zijn dus waardevol." De enige bijval voor Linknews kwam van Martin Klerx van kranten.com.

Nog geen half jaar later blijkt de stemming onder journalisten volledig omgeslagen. Klaver bijvoorbeeld schreef een vurig **pleidooi** voor kranten.com. Niks meer jatwerk: "Wie is opgegroeid met internet, vindt hyperlinken zo vanzelfsprekend dat hij een bedrijf dat daar tegen is, zal mijden."

Twee factoren lijken bij de media-omslag een rol te spelen: de antipathie (ook onder journalisten) tegen uitgever PCM en de actie van advocaat mr. Dirk Visser om de eis van PCM te bestempelen tot een verbod op 'deeplinken' en een 'bedreiging voor internet'. Vooral dat laatste maakte veel indruk en werd klakkeloos overgenomen. De overeenkomst met de Amerikaanse **berichtgeving** over Napster is groot. Ook daarbij bleek het beeld van David versus Golitah en de begrijpelijke afkeer van de muziekindustrie een grotere - emotionele - rol te spelen dan een zuivere beoordeling en een kritische kijk op het bewuste bedrijf. PCM zelf gaat in dit geval evenmin vrijuit. Voor de uitgever geldt dat ze niet alleen haar zaak op krakkemikkige wijze heeft bepleit maar vooral de kracht van internet als pr-instrument heeft onderschat. Dat laatste bevestigt het beeld dat de uitgever

[NedStat](#) en [Stats4all](#), bedrijven die voor hun succes afhankelijk zijn van zichtbaarheid van hun buttons. Tegen de Algemene Gebruiksvoorwaarden in maakt [kranten.com](#) de buttons onzichtbaar door ze tot precies 1 pixel te verkleinen.

niet veel van internet snapt.

Kritiek? Juist niet? Geef die mening:
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Een verzameling idiosyncrasieën van Oxysept. Mijn leven weergegeven in ICQ-logs,

strips en platte tekst. In de beperking toont zich de meester, dus uiterst ...

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FATSKIER



31.8.00

Lather Lather Lather

A blantant plug for the very soon to be launched [gimmesoap](#), the world's first daily internet soap. I am personally assured that a team of 10 journalists have been writing for the last six months. With a team of writers like that it's set to be the new [friends](#).

posted by stu cook 3:43 PM | [+](#)

Vote

Bringing capitalism and democracy closer together at [voteauction.com](#). Reminded me of the [rational voter hypothesis](#), which I always like to think that I subscribe. I suppose now I can always flog my vote.

Although in all honesty, its probably got more to do with the fact that I [can't be arsed](#) to put my cross on any ballot paper, even though I loved the film [election](#), I never got round to [voting](#) for it.

posted by stu cook 8:25 AM | [+](#)

30.8.00

Fear and loathing

Football
[The Gills](#)

Music
[Super Furry Animals](#)
[Beastie Boys](#)
[Manu Chao](#)

Wet Stuff
[BKSA](#)
[Surfers Against Sewage](#)
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Relatives
[Doug Hudson](#)
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Blogs
[Kottke](#)
[Monbiot](#)
[rathergood](#)

We were somewhere around Barstow on the edge of the desert when the drugs began to take hold. I remember saying something like "I feel a bit lightheaded; maybe you should drive...." And suddenly there was a terrible roar all around us and the sky was full of what looked like huge bats, all swooping and screeching and diving around the car, which was going about a hundred miles an hour with the top down to Las Vegas. And a voice was screaming: "Holy Jesus! What are these goddamn animals?"

Thus started a book I picked up by chance while perusing round a book shop in London, probably about ten years ago. I had stumbled across [Hunter S. Thompson](#), wierd really, because at the time you think you have discovered something only you know about it, [the book](#) subsequently did the round of my friends and actually managed to travel round the world with different people, until I got it back dog eared and faded.

Apart from the opening paragraph, the great thing about the book was the illustrations by [Ralph Steadman](#), the way they were integrated as part of the book, with ink drips across the page just seemed so radical but obviously fitting with the text.

And while, for me, Hunter S. Thompson never really did anything as good or as influential as Fear and Loathing, [Ralph Steadman](#), has done some great stuff, not least his work for my local off license.

posted by stu cook 1:37 PM | [+](#)

Belter

Not sure if I need a chastity [belt](#).

posted by stu cook 8:35 AM | [+](#)

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29.8.00

Strap on

I want a [personal flying machine](#).

posted by stu cook 2:58 PM | [+](#)

Mobile Disco

Following on from an earlier posting, I'm glad to say that a friend of a friend is doing the music for the wedding, although it has been reported that he will still have to play a [Waltz](#) as its traditional and the old folks will want a dance.

[Mobiles Disco](#) on the other hand, is a wholly more attractive proposition than a wedding DJ.

posted by stu cook 2:35 PM | [+](#)

Hochzeiten

Three and a half weeks to go...but I'm calm, and looking forward to it. The weekend was good, checking out the [place](#) where we tie the knot, it looks great and has a really nice [view](#).

Very [romantic](#), just like me...

posted by stu cook 11:03 AM | [+](#)

25.8.00

Bank Holiday Madness

Right, well I'm off to [Munich](#) for the weekend. I'll be checking out the wedding venue, seating plans, menus, hotels and [german mobile disco dj's](#). All of which should be a

right [laugh](#).

posted by stu cook 5:09 PM | [+](#)

Human Ltd

Preparation is the key to a long life. I'm thinking of joining the [extrophy institute](#) to meet some of the finest critical and creative minds. I feel up to challenging conventional thinking about human limits and subscribing to the [extropian principles](#).

Alas, I fear that no matter how much I prepare and challenge human limits no one will ever be able to juggle [13 balls](#).

posted by stu cook 9:05 AM | [+](#)

24.8.00

The Money Shot

B2C slump? yeah, yeah but you never hear that 18 million US Internet users visited porn sites last April. Over three times as many than in April 1999. All this stuff I have to talk about all day - user tracking, new advertising techniques, credit payment systems, real-time chat, live web casts - all innovations from the world of internet pornography.

Has it reached its peak, climaxed so to speak?

According to [websense](#), the number of new pornographic websites has more than doubled every year since 1994, but this growth rate has now begun to slow down, with a rate of only 40% this year and a further slowdown expected over the next year or two. Futher to this [searchterms.com](#) says that 'sex' is relegated to third position, after 'travel' and 'mp3' as the most popular search term.

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These search terms have been highlighted: **voteauction**

FATSKIER



31.8.00

Lather Lather Lather

A blantant plug for the very soon to be launched [gimmesoap](#), the world's first daily internet soap. I am personally assured that a team of 10 journalists have been writing for the last six months. With a team of writers like that it's set to be the new [friends](#).

posted by stu cook 3:43 PM | [+](#)

Vote

Bringing capitalism and democracy closer together at [voteauction.com](#). Reminded me

Football
[The Gills](#)

Music
[Super Furry](#)
[Animals](#)
[Beastie Boys](#)
[Manu Chao](#)

Wet Stuff
[BKSA](#)
[Surfers Against](#)
[Sewage](#)
[Kent Kitesurfing](#)
[Club](#)

of the [rational voter hypothesis](#), which I always like to think that I subscribe. I suppose now I can always flog my vote.

Although in all honesty, its probably got more to do with the fact that I [can't be arsed](#) to put my cross on any ballot paper, even though I loved the film [election](#), I never got round to [voting](#) for it.

posted by stu cook 8:25 AM | [+](#)

30.8.00

Fear and loathing

We were somewhere around Barstow on the edge of the desert when the drugs began to take hold. I remember saying something like "I feel a bit lightheaded; maybe you should drive..." And suddenly there was a terrible roar all around us and the sky was full of what looked like huge bats, all swooping and screeching and diving around the car, which was going about a hundred miles an hour with the top down to Las Vegas. And a voice was screaming: "Holy Jesus! What are these goddamn animals?"

Thus started a book I picked up by chance while perusing round a book shop in London, probably about ten years ago. I had stumbled across [Hunter S. Thompson](#), wierd really, because at the time you think you have discovered something only you know about it, [the book](#) subsequently did the round of my friends and actually managed to travel round the world with different people, until I got it back dog eared and faded.

Apart from the opening paragraph, the great thing about the book was the illustrations by [Ralph Steadman](#), the way they were integrated as part of the book, with ink drips across the page just seemed so radical but obviously fitting with the text.

Get Active
[Amnesty](#)
[Fairtrade](#)
[Friends of the Earth](#)
[Greenpeace](#)
[WriteToThem.com](#)

Relatives
[Doug Hudson](#)
[Booland](#)

Blogs
[Kottke](#)
[Monbiot](#)
[rathergood](#)

Distraction
[b3ta](#)

Filed away
[Archives](#)

Contact
stu @ fatskier dot com

And while, for me, Hunter S. Thompson never really did anything as good or as influential as Fear and Loathing, [Ralph Steadman](#), has done some great stuff, not least his work for my local off license.

posted by stu cook 1:37 PM | [+](#)

Belter

Not sure if I need a chastity [belt](#).

posted by stu cook 8:35 AM | [+](#)

29.8.00

Strap on

I want a [personal flying machine](#).

posted by stu cook 2:58 PM | [+](#)

Mobile Disco

Following on from an earlier posting, I'm glad to say that a friend of a friend is doing the music for the wedding, although it has been reported that he will still have to play a [Waltz](#) as its traditional and the old folks will want a dance.

[Mobiles Disco](#) on the other hand, is a wholly more attractive proposition than a wedding DJ.

posted by stu cook 2:35 PM | [+](#)

Hochzeiten

Three and a half weeks to go...but I'm calm, and looking forward to it. The weekend was good, checking out the [place](#) where we tie

the knot, it looks great and has a really nice [view](#).

Very [romantic](#), just like me...

posted by stu cook 11:03 AM | [+](#)

25.8.00

Bank Holiday Madness

Right, well I'm off to [Munich](#) for the weekend. I'll be checking out the wedding venue, seating plans, menus, hotels and [german mobile disco dj's](#). All of which should be a right [laugh](#).

posted by stu cook 5:09 PM | [+](#)

Human Ltd

Preparation is the key to a long life. I'm thinking of joining the [extrophy institute](#) to meet some of the finest critical and creative minds. I feel up to challenging conventional thinking about human limits and subscribing to the [extropian principles](#).

Alas, I fear that no matter how much I prepare and challenge human limits no one will ever be able to juggle [13 balls](#).

posted by stu cook 9:05 AM | [+](#)

24.8.00

The Money Shot

B2C slump? yeah, yeah but you never hear that 18 million US Internet users visited porn sites last April. Over three times as many than in April 1999. All this stuff I have to talk about all day - user tracking, new advertising

techniques, credit payment systems, real-time chat, live web casts - all innovations from the world of internet pornography.

Has it reached its peak, climaxed so to speak?

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[FlashBunny.org - Fighting to win.](#)

FlashBunny.org - Spreading Truth. Defending Freedom.

[www.flashbunny.org/](#) - 18k - [Cached](#) - [Similar pages](#)

[My Random Life](#)

My Random Life. I've been trying to think of something really interesting to write about this site, but the fact is; there isn't anything. ...

[www.exwebjunkie.com/](#) - 33k - [Cached](#) - [Similar pages](#)

[Fimoculous.com: Feeding On Itself](#)

February 25, 2005. Back from San Fran, here are some pics from the Wired Rave Awards party. My posse included Alexis, Maud, John ...

[www.fimoculous.com/](#) - 43k - [Cached](#) - [Similar pages](#)

[figby.com](#)

figby.com. A weblog by Michael Moncur. ...

[www.figby.com/](#) - 48k - [Cached](#) - [Similar pages](#)

[Flutterby!](#)

Flutterby! Short attention spans in a world full of flowers. ...

[www.flutterby.com/](#) - 65k - [Cached](#) - [Similar pages](#)

[Fierce Poet.](#)

These are the writings, musings and commentary of one Gay Southerner. I have a lot to say about everything; read for yourself.

[www.fiercepoet.com/](#) - 80k - [Cached](#) - [Similar pages](#)

[Explosion](#)

blog*spot, Explosion. Home of the Last Real Hipster. Monday, January

05, 2004. ----- The Greatest Marketing Scheme Today ...
wastelandbeyond.blogspot.com/ - 29k - [Cached](#) - [Similar pages](#)

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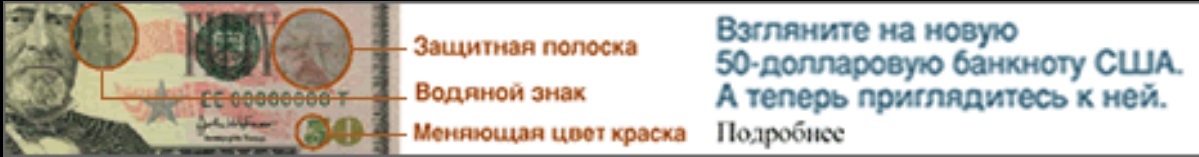
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No. 46
(232)

8 ἰαδδὰ
2005



ἈΥΑΙΒ ΝΑΟΕ		"ΕὸΙΑΕ" Ἀ ΝΑΟΕ
<h2>Ἀαῖεδαοὲϋ ἱεαεί</h2>	<h3>Ναααεέ μᾶδ</h3>	<p>ἈΕΑΑΙΑΒ ΝΟΔΑΙΕΟΑ</p>
<p>Ἀαῖδ Ἀυεῖαηεεέ</p>	<ul style="list-style-type: none"> • Ὀόιαῖε 	<p>ΝΑΑΑΕΕΕ ἸἸΑΔ</p>
<h2>Ἐἰοαδῖαδ νεεϋῖ ἰαῖααδὲε εçαεδαοαεϋῖορ νεηοαῖο ΝΘΑ</h2>	<ul style="list-style-type: none"> • Ἀῖαδᾶε Οαδῖα 	<p>ἈΔΟΕΑ</p>
<p>(ἱεῖορ ἂδῆρ ὃῖε νδαοὲ ἱεῖῖ ἰδῖ÷ἂνδῖ çääñü)</p>	<ul style="list-style-type: none"> • VIP-εαδδῖ 	<p>ὈἸΘΟἸῦ ✓</p>
<p>Ἰαδεαῖαῖδῖεεᾶ ἂυαῖδῖ ἰδῖοεῖαῖ ἂῖαᾶ ἰδῖαἂἱῖῖνδδὲδῖαᾶεε δῖῖῖεεῖεεῖ εçαεδαοαεϋῖ, ÷οῖ Ἐἰοαδῖαδῖ ἱεῖῖ ἡ ὀῖῖαῖῖ ἱεϋεçῖααδῖῖ ἔαε ἂῖ ἰαῖεῖ ἡδᾶἂῖῖῖ ἰᾶῖῖῖῖῖε εἰοῖδῖαδὲε, ἂᾶρῖεῖ ἱεεδὸαῖῖῖῖῖ ἱῖῖῖῖῖ ἂῖῖῖῖῖ ἂῖçῖῖῖῖῖῖ ἂῖῖ ἰδῖᾶᾶᾶῖῖῖ "÷ᾶδῖῖῖ ἰεαδᾶ". Ἀ ἂῖδ ἰῖῖῖῖῖῖ ἰδᾶçεᾶῖῖῖῖῖ ἔαῖῖῖῖῖ ἂ ΝΘΑ ἱεᾶçαεᾶ, ÷οῖ ὃῖ ἰδᾶεᾶ ἂῖῖῖ ἰᾶῖᾶᾶçῖεᾶῖῖῖ ἡδᾶῖῖῖ ἔῖῖῖῖῖῖῖ, εἰοῖδῖῖ εçαεδαοαεϋῖ ἱᾶοδ ἂῖῖῖῖῖῖῖ ἂ ὃῖε çᾶ ἰαδᾶ, ÷οῖ ε δᾶ, çᾶ εῖῖῖ ἔἰ ἰδᾶεᾶᾶᾶῖῖῖ ἂῖῖῖῖῖῖῖ.</p>	<ul style="list-style-type: none"> • Ἐç ἱεᾶῖῖῖ Ὀοαδᾶῖῖ • Ὀαεῖᾶ εδῖοαεϋῖ εᾶῖῖῖ • xἈΔΟἸΟἸἸῖῖῖ • Çᾶῖῖῖ ὀοδῖῖῖῖ 	<p>ἸἸἈἸῖῖῖῖῖ</p> <p>ὈἸἸἈἈἸἈΔἈἸ</p> <p>ἈΑἸἸῖῖῖῖῖ ἘἸἸἸἈἸἸἸἸἸ</p> <p>ἈἈἸῖ Çᾶ ἈἸἈἸ</p> <p>ὈἈἸἈἈΔἈἸ</p> <p>ἸἈἸἈἸἈἸἈἸἸ</p> <p>ΔἈÇἈἸἈἸἈἸἈἸ ḶἈἸἈἸἈἸἈἸἈἸ</p> <p>ὈἈ, ἘἸἸἈἸἈἸἈἸ</p> <p>SAVE AS...</p> <p>ἸἸἸἸἸ</p> <p>ἘἈἸἈἸ</p> <p>ἈΟἸἸἸἈἸ</p> <p>ὈἸἸἈἸἈἸἈἸ</p> <p>ἘἸἸἈἸἸ</p> <p>ἈἸἈἈἸἸἸ ἘἸἸἸἈἸἈἸἈἸἈἸ</p>
<h2>Ἰᾶ ἱαδδὲεῖῖῖ ἰεδὲῖᾶ, ἰᾶ ἂῖῖῖῖῖ ἡ ἂεᾶῖᾶ.</h2> <p>Ἰᾶ ὃῖῖᾶ ἰδῖῖῖῖῖῖῖῖῖῖ ἂῖῖῖῖῖῖῖῖ "ἰδᾶεῖᾶδç" ἡῖῖῖῖῖῖῖῖῖ ὃᾶῖῖῖῖῖῖῖῖ Ἀεῖῖ Ἰᾶεεᾶεῖ ἡδᾶε ἱαδᾶῖῖ ἔαῖῖῖῖῖῖῖῖ, εἰδῖῖῖῖ ἰδῖ ἱῖῖῖ Ἐἰοαδῖαδᾶ ἡῖῖῖῖ ἡῖῖῖῖῖ ἰᾶ ἡῖῖῖῖῖῖῖῖῖ ἔαῖῖῖῖῖῖ ἱεῖῖῖ 1 ἱεῖ. ἂῖῖῖῖῖῖῖ. Ἀᾶ ἱῖῖῖῖῖῖ ἔαῖῖῖῖῖῖῖ, Ἀεῖῖῖῖ Ἀόø ἔ Ἀεῖῖῖῖῖῖ Ἀῖῖ, ἔῖῖῖῖῖῖῖῖῖ ἡῖῖ Ἐἰοαδῖαδᾶ-ἡᾶεδῖ ἂῖῖ ἱῖῖῖῖῖῖῖῖ ἔἰοῖδῖῖῖῖῖῖῖ ἡῖῖῖῖῖῖῖ ἰ ὃῖῖῖ ἰδᾶçεᾶῖῖῖῖῖῖ ἂῖῖῖῖ, ἱεᾶῖῖῖῖ ἡ ἔῖῖῖῖῖῖῖῖῖ ἔ ὃᾶῖῖῖῖῖῖ ἰδᾶᾶᾶᾶῖῖῖῖῖ ἰαδᾶδῖῖῖῖῖ. Ἰδῖ ὃῖῖ ἂῖῖ çᾶᾶᾶῖῖῖῖῖῖ ἂῖῖῖ ἔἰᾶρῖῖῖῖῖ ἰᾶ ἡᾶῖῖῖῖῖῖῖῖ ἂῖῖῖ ἰᾶῖῖῖ ὃᾶῖῖῖ÷ᾶῖῖῖῖ ὃᾶøῖῖῖ, ἂεῖῖῖ÷ᾶῖ "æᾶῖῖῖ" Web-εᾶῖῖῖῖῖ, ἱῖῖῖῖῖῖῖ ἂῖῖῖῖ- ἔ ἂεᾶῖῖ- ὃᾶεῖῖ, ÷ᾶδῖ, ὃῖῖῖῖῖ ἔ ἰδ. Ἐῖῖῖῖῖῖ Ἀῖῖᾶ ἔ Ἀόøᾶ ἂεδῖῖῖῖ ἰᾶῖῖῖῖῖῖ ἡ εçᾶεδαοαεϋῖῖ ἱ ὃῖῖῖῖῖῖῖ ἱῖ÷ᾶ. Ὀῖῖῖῖῖ ἂῖῖῖῖῖῖῖ, ἰᾶῖῖῖῖῖ, δᾶçῖῖῖῖῖ ἡῖῖῖῖ ἡῖῖῖῖῖῖῖῖ 30 ἱεῖ. ὃῖῖῖῖῖῖῖῖ ἡῖῖῖῖῖῖῖ. Ἰεῖῖῖῖῖ NetElection.Org ἱῖῖῖῖῖῖῖῖ, ἔῖῖῖῖῖ, ÷οῖ 71 ἰδῖῖῖῖῖ ἔαῖῖῖῖῖῖῖ ἰδ ὃᾶῖῖῖῖῖῖῖῖῖ ἔ 63 ἰδῖῖῖῖῖῖ ἂῖῖῖῖῖῖῖῖῖῖ ἔᾶῖῖῖῖῖῖῖῖῖ (ἂ Ἰᾶῖῖῖῖ, Ἰᾶεᾶδῖ</p>		

ιδάανδὰαεδὰεάε è ιάνδιδύα ιδάαίυ άεανδò) ειαεε νάιη νάεδύ ά Νάδò. Ά Ειδάδιδάα ιδίαιάεεεñυ νιδιε ιδάααυάιδιδύο νιδίνία, άεεπ-äy, ιάιδειαδ, έδóιιάεεε ά εñδιδεε ΝΟΑ νιδίν νδάαε ó-àυεεñy νδάαίεε øείε, ά ειδιδίν ιδείýεε ó-àñδèå 1,3 ιεί. δάννίααίόία.

Άεδδóαεüíúά άπεεάδóιέ ά νάδóαυó óδίαó.

Íá ýδèø áυάιδάø áιáδáúá áυεί ίδèøèàεüí νιδίαιάαί νίείνίαάίεά ÷άδåç Ειδάδιδά. Íéíéí 200 νέóæàυèø áνιδóæáíúó νέε ΝΟΑ, "ιδίηεñáíúó" ά øδàδàø Νάάάδίαý Εάδíteía, Οάóαñ, Οείδèää è Ρδà, íí íàδíáεάøèøñy áääèè ίδ ίάνδà æèδáεüñδàà èèè íá áíáíúó áαçåø çà δóááæñ, íñèó-èèè ιδάái νίείνίαάδύο ιδè íñíυè εñíυρδáδíte νèñδáíú Íáíδááíá. Íδè ýδíí ííε εñíεüçíáæè νάιη νίáñδóááíúá èèè νέóæááíúá εñíυρδáδú, à δάáεñδèδèδίαèèñυ è áíείνίαáèè ñ íñíυρ èè-íúó íàδíteáé-εεπ-áé. Íñá-áδéíáí - ýδí áυεί íáδáíá áíείνίαάίεά ÷άδåç Νάδύ íá óáááδáεüñ óδίαíá. Íá óδίαíá øδàδà δáéíá óæá ιδίεñδóíεéí: áυá á íàδδá á øδàδá Άδèçíá 17 òñy ÷ ÷áéíááé áí áδáíy "ιδάεíáδèç" áíείνίαáèè ÷άδåç Ειδάδιδά. Íδááíεçàèèy Voting Integrity Project íñíυδàèèñυ áνιδáíyòñδáíáδύο Ειδάδιδά-άíείνίαάίεπ ÷άδåç νóá íá òñ íñíááíεè, ÷δí íñ-áá íàδóøáàδ ιδάáá íáíυøéíñδá è áááíáéøèð νéíáá íáñáéáíεý, ειδιδύá íñóδ áíείνίαάδύο èèøú á δá-áíεá íáñéíεüèèø ÷áñíá íá εçáèδáδáεüñ ó-àñδèå, à íá έδóáεüá νóδèè; é òñó æá èí, íáíυøéíñδááí, íááí òñíàδύ áí áèèæáéøáé εçáèδáδáεüñé óδíú. Νóáüý íδááδá èñè.

Áíδí-áí, áíδèèáíóú óæá ιδèáυèèè è ííεáéíáñó áíείνίαάίεπ. Áááü ñ δáóíε-áñéíé òí-èè çδáíεý áυάιδú ιδάçèááíδà νδδáíú áíεáíú ιδèè-àδύñy íδ áυάιδία νάííáí íñíóèýδííáí íñèδèèè èèè δáéáçááçáú, δááóèýδíí ιδίáíáýυèèñy íá έδóííúó νάεδàδ, èèøú íáááæññδύρ íáδ ááçíñáññδè è εñíδíteý. Ά Άíáδèèá, ááá óæá ááεñδáδáδ çáéíñíáδáεüñδáí íá ýéáèδδííé éñíáδèèè è, á ÷áñδíñδè, íá ýéáèδδííé íñáíεñè (pδèäè-áñèè íá á áíεüøéíñδáá νέó-ááá ιδèδááíáíá è δóéíñèñíé), íáδáéδè è ιδýíúí ííεáéíáúí áυάιδáí ιδάáñδááèδáεüñé áεáñδè áóááδ íá δáè νéíæíí.

"Ááíáéíúé èèòð".

Áυάιδú - ýδí íá òíεüéí áíείνίαάίεá, íí è νάíδ è δáñóíáíááíεá εçáèδáδáεüñúó νδááñδá. Íá íáδáúé áçáéýá, á ýδó νδóáδó δýáíáíé εçáèδáδáεü íá áíáεá-áí. Íδíèèδèδóái áñèáá çà áαçàδíé New York Times ιδíðáññíδà εç Íυρ-Είδèà Άýéää Άýδδè: "Ááíúáè íδ æáδδáíááδáéý íñδóíáøð è éáíáèáàδó, ειδιδúé íñèá νάíááí εçáδáíεý εñíεüçóáδ íáδáδáíúá íéíñí-èý äéý òíáí, ÷δíáú íóñδèδú "èèòð" á íáδàδíóø νδιδííó è ááδíóδú æáδδáíááδáèø ááí éíááñδèèèè". Εíááδñy á áεáó íá ιδýííé áíçáδáδ, áñδáñδááííí, à íññδááíááíúé - ÷άδåç áυáíáíúá æáδδáíááδáéýí çáéíú, íñáδýáú è íñèδè-áñèèá δáøáíεý (óíðý á áíεüøáé ÷áñδè νέó-ááá áíεàçàδú ýδí íááíçíñéíí).

Ϊα γοαία ιδνίαροοί-ιύο άυάιδία-"ιδάειάδεç" νάιδάιδ-
 δάνιόαεεεαίάο Άæί Ϊάεεάεί νδαε ιάδαύι εαίάεααδνι, ειδιδύε ιδε
 ινιύε Ειδάδίαδά νιόιáε νιάδαδύ ία νιάνδάαίόρ εαίιαιερ ίείε 1 ίεί.
 áíεεαδία. Άαá ινιίάιύο εαίάεααδά, Άæιδάæ Αόø è Αεüáαδδ Άιδ,
 ενιιεύçíáαεε νάιε Ειδάδίαδ-νάεδύ äëý ιιάδαδεάίίáι
 είόιδιεδίάαίεý νιδιιίεεíá í οίάά ιδάçεάαίονέίε áίίεε, ιίεáιεεε ν
 είίεοδáiοαίε è δαννύεεε ιδάάάυάιδιύο ιαδάδεαείá. Ϊδε γοίι áúε
 çáááεñδάίάáí ááñü ειαρúεéñý ίá νάάίáíýøíεé ááíü ίááίδ
 δάοίε-áñéεø δάøáíεé, áêëþ-àý "æèáúá" Web-εαίάδύ, ιιδίεíáúá
 áóáει- è áεááí- óáεéü, ÷αδύ, οιδόιú è ιδ. Είίáíáú Άίδá è Αόøá
 áεδεάί ίáúáεεñü ν εçáεδάδáεýíε ιι ýéáεδδίίίε ιι-δá. Οίεüεí
 ááíίεδáου, ίáιδεíáδ, δαçíñεáεε νάίεí νιδιιίεεáι 30 ίεί.
 ýéáεδδίίίúο νιíáúáίεé. Νέοáάá NetElection.Org ιιáñ-εδάεá,
 εñδáδε, ÷οί 71 ιδιόáiό εαίάεααδóíá íδ δάνιόáεεεáíόáá è 63
 ιδιόáiόá ááíίεδáδε-áñéεø εαίάεεααδóíá (á Νάíáδ, Ϊáεáδó
 ιδάáñδááεδάεáé è ίáñδóíúá ιδάáíú áεáñδε) εíáεε νάίε νάεδύ á
 Νάδε. Ά Ειδάδίαδά ιδíáíáεεεñü νιδíε ιδάάάυάιδιύο ιιδνίá,
 áêëþ-àý, ίáιδεíáδ, εδóííáεøéé á εñδóíδεε ΝØÀ ιιδνί νδááε
 ó-áúεδóñý νδááίεδ øéíε, á εíδóδνι ιδεíýεε ó-áñδεá 1,3 ίεί.
 δάννίááíόíá.

Άεδδóáεüíúá áπéεáδáίε á νάδááúó óδίαó.

Ϊá γóεø áúáíδáø áíáδáúá áúεí ίδεδεáεüíí ιιδíáíááíí áίεíñíááίεá
 ÷áδáç Ειδάδίαδ. Íείεí 200 νέοáεáúεδ áñδóááííúó νεé ΝØÀ,
 "ιδνίεñáííúó" á øδáδáø Νάááδíáý Εάδíεεíá, Οáοáñ, Οéíδεáá è
 Ρδá, ίí ίáδóíáεáøεδóñý áááεε íδ ίáñδá æεδάεüñδáá èεε ίá áíáííúó
 ááçáδ çá δóááæñí, ιίεó-εεε ιδάáí áίεíñíááδú ιδε ινιύε
 εñíρúδáδíé νεñδáíü Ιáíόááííá. Ϊδε γοίι ίíε εñíεüçíáαεε νάίε
 νιáñδááííúá èεε νέοáááííúá εñíρúδáδú, á δááεñδδεδíááεεñü è
 áίεíñíááεε ν ινιύρú εε-íúó ιáδíεáé-êëþ-áé. Ϊá-áδéíáí - γοί áúεí
 ιáδáíá áίεíñíááίεá ÷áδáç Νάδú ίá óáááδáεüñí óδíáíá. Ϊá óδíáíá
 øδáδá δáεíá óáá ιδíεñδóíáεéí: áúá á ιáδδá á øδáδá Άδεçííá 17
 δúñý- ÷áεíááé áí áδáíý "ιδάειάδεç" áίεíñíááεε ÷áδáç Ειδάδίαδ.
 Ϊδááίεçáδéý Voting Integrity Project ιιíúδáεáñü
 áñíδáíýδñδáíááδú Ειδάδίαδ-áίεíñíááίεþ ÷áδáç νóá ίá οíí
 ιñííááίεε, ÷οί ίíí-áá ίáδóøááδ ιδάáá ίáíúøéíñδá è áááíáéøεδ νéíáá
 ίáñáεáίεý, εíδóδúá ιíáóδ áίεíñíááδú èèøü á δá-áίεá ίáñéíεüèεø
 ÷áñíá ίá εçáεδάδáεüñí ó-áñδεá, á ίá εδóáεüá νóδεε; è οííó æá
 èí, ίáíúøéíñδááí, ίááí δñíáδú áí áεεæáεøáé εçáεδάδáεüñíé óδíú.
 Νóáüý íδááδá èñé.

Άíδí-áí, áíáδδεáíόú óáá ιδεáúεεε è ίíεáεííáñó áίεíñíááίεþ. Άááü
 ν δáοίε-áñéíé δí-εε çδáίεý áúáíδú ιδάçεááíόá νδδáíú áίεæíú
 íδεδ-áδúñý íδ áúáíδíá νáííáí ιιíóεýδííáí ιíεδδεéá èεε
 δáéáçááçáú, δááøéýδíí ιδíáíáýúεδóñý ίá εδóííúó νάεδáδ, èèøü
 ίáááæññδúþ ίáδ ááçííáñíñδε è εííδíεý. Ά Άíáδδεéá, ááá óáá
 ááεñδáóáδ çáεíñíááδáεüñδáí ίá ýéáεδδíííé εñíáδδεε è, á
 ÷áñδóíñδε, ίá ýéáεδδíííé ιíáíεñé (þδεáε-áñéè ίíá á áίεüøéíñδáá

ΔΑÇÁÍÁÍΔÚ
ÇÁÍΔÍΝΟÍ
ÒÁ, ΕÍΟÍΔÚÁ
SAVE AS...
ΝΪΔÓ
ÈÁΔÚ
ΑÓÈØÁ
ΟÈÈÜÍÚ
ÉÍÈÁÈ
ÁÍÁÁÍÉÈ
ÈΝÉΟΝΝÓÁ
ΔÁÈÏÁÍÁÓÁÍ

ñëó÷ããã ïðëðàááíá è ðóëíññíé), ïáðáëòè è ïðÿíùì ïíëàéííáùì áùáíðàì ïðááñðààèðáëüíé àëàñðè áóááð ïá òàè ñëíæíí.

"Äáíáæíúé èèòò".

Âúáíðú - ýòí ïá òíëüëí áíëíñíáàíëá, ïí è ñáíð è ðáñðíáíáàíëá èçáëðàðáëüíúò ñðááñðà. Ìá ïáðáúé áçäëÿä, á ýòó ñòáðó ðÿáíáíé èçáëðàðáëü ïá áíáëá÷áí. Ìðíëòèððóáì áñëáá çà äàçáðíé New York Times ïðíóáññíðà èç Íüð-Ëíðëà Äýéàà Äýððè: "Äáíúäè ïò æáððáíáàðáëÿ ïñðóíáðð è èáíáëáàðó, èíðíðúé ïñëá ñáíááí èçáðáíëÿ èñíñëüçóáð ïáððááííúá ïñëíí÷èÿ äëÿ òíáí, ÷ðíáú ïóñðèðú "èèòò" á ïáðáðíóð ñòíðííó è ááðíóðú æáððáíáàðáëð ááí èíááñðèòèè". Ëíááðñÿ á àëáó ïá ïðÿííé áíçáðáð, áñðáñðááííí, à ïññðááíááííúé - ÷áðç áùáíáíúá æáððáíáàðáëÿ çàéííú, ïñáðÿáú è ïíëèðè÷áñëëá ðáðáíëÿ (óíðÿ á áíëüøáé ÷áñðè ñëó÷ããã áíëàçàðú ýòí ïááíçííæíí).

Ìáíáëí áñëè óæ ñáíáðíðú è ääæá èáíáëáàðú á ïðáçèááíðú "íðíááððñÿ" ïðñíøëáííú èíááé (òíëüëí á Ñëëèéííáíé Äíëëíá Äíð è Áóø ñíáðáèè á ñíáíëóííñðè 30 ïëí. áíëëáðíá), òí ÷áì ðóæá ïáú÷íúé èçáëðàðáëü? Ëíáíí òàé, ï÷ááèáíí, ðáññóæáàèè àíáðëèáíóù, èíááà ñðáèè áùñðááëÿðú ñáíë áíëíñá ïá ïðíáàæó ïá ïíëàéííáùò áóëèéíáð. Ìáðáíðíðíáòáì ñðáè èçáëðàðáëü èç øðàðà Ìÿðëèáíá, ïóáíëáøèé ïá èðóííáéøáì á ìèðá ïíëàéííáí áóëèéíá ebay.com ñáíé áíëíñ á 5 áíëëáðíá. Á ïñÿñíáíëè è èíðó èçáëðàðáëü óðááðæáàè, ÷òí èì ááèááèí ñððáíëáíëá "ðàçíáèà÷èðú òèíçì àíáðëèáííëíé ááííëðáðèè". Ááíëíèñððáèè ebay.com ïá áðíðúá ñòðèè ñíÿèá èíð ñ ïðíáàæ (íáíáëí ááí óáíá óñíáèà áññðè÷ú 10 òúñ. áíëëáðíá).

Äæáíáÿ ááðáëü: ïí àíáðëèáííëè çàéííáí ïíëóíëà (ðááíí èàè è ïðíáàæà) áíëíñá ïáèàçúááðñÿ òððáííú çàèèð÷áíëá ïá ñðíé ïð áíáà áí ïÿðè èáð. Ìí ýòí ïá ïñðáíáèéí ïñëááíáàðáëá. Ìáèðí Äæáíñ Ááóíáàððíáð, á÷áðáíëè áùíóñíëè óíëááðçèðáðà ïí ñíáòèáëüíñðè "ííëèðè÷áñëëá ïáóèè", ïñíáàè á áááóñðá ñáéò **voteauction.com**. Ìá áðíáíé ñððáíëòá ñáèðà ïí ñ ïáéíðíðíé èçáááèíé ïáíëñáè: "Ó÷áñðíëè èçáëðàðáëüííáí ïáðáðíá òðáðÿð ïèëèéííú áíëëáðíá ïáèçááñðí ïá ÷òí. Ìáø ñáèð ñíçááí äëÿ òíáí, ÷ðíáú ÿðè ááíúäè ïñááèè á èíøáëüèáð èçáëðàðáëá". Ìá ñáèðá çà ïááíëáíá áðáíÿ ááí ñóùáñðáíáíëÿ óñíáèè çáðááèñððèðíáàðúñÿ òúñÿ÷è æáèàðùèð ïðíáàðú ñáíë áíëíñá, ñðááíÿÿ óáíá áíëíñá áññðèáèà 12,5 áíëëáðá. Ááóíáàððíáð ïðáááúáè ñáíð ááÿðáëüíñðú ïáðáíé ïñðááéíé è èíñðèððóèè (ááðáíðèððóùáé ñáíáíáó ñëíáà) - á 1976 áíáó Ááððíáíúé ñóá ÑØÀ ïðëðááíÿè ïðááí áçííñá ïá èçáëðàðáëüíóð èáííáíëð è ñáíáíáá ñëíáà. Ñáèð áúè òáì ïá ïáíáá çàèðúð, ÷òí, áíðí÷áí, ïá ááðáíðèððáð, ÷òí ó Ááóíáàððíáð ïá ïñÿÿðñÿ ïñëááíáàðáëè.

Çàðí ïáíáí áíëíñá çàéííáàðáëüíñðáíí ïá ðááóèèððáðñÿ è, çíá÷èð, èáááèáí. Ðàçáá ïíáèè áíëüøáè áðóííú èçáëðàðáëá á ÿñóó

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Web Results 1 - 10 of about 31 similar to www.itogi.ru/paper2000.nsf/Article/Itogi_2000_11_13_111437.html. (0.88 seconds)

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www.itogi.ru/ - 35k - [Cached](#) - [Similar pages](#)

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NovayaGazeta.Ru

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www.novayagazeta.ru/ - 62k - [Cached](#) - [Similar pages](#)

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www.mk.ru/ - 57k - [Cached](#) - [Similar pages](#)

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USA

Fälle und Entscheidungen

2004

[USA: Settlement Resolves First State Action under CAN-SPAM Act](#)

"Internet marketers should note that Massachusetts takes seriously federal and state laws meant to protect against unwanted and misleading e-mails,' AG Reilly said. 'These messages are the type of unwanted and annoying solicitations that have become the scourge of Internet users and threaten the credibility of companies using email for legitimate purposes.'"

AG Reilly, [Press Release](#), 2004-10-07

[USA: Reward for Arrest and Conviction of Mydoom Virus Author](#)

"SCO announced that it is offering a reward of up to a total of \$250,000 for information leading to the arrest and conviction of the individual or individuals responsible for creating the Mydoom virus."

SCO, [Press Release](#), 2004-01-27

Microsoft, [Press Release](#), 2004-01-29

[USA: Google vs. Booble](#)

"We have recently become aware of your website at <http://www.booble.com> (the Domain Name). This Domain Name is confusingly similar to the famous GOOGLE trademark. Your web site is a pornographic web site. Your web site improperly duplicates the distinctive and proprietary overall look and feel of Google's website."

Google Trademark Enforcement Team, [E-Mail](#), 2004-01-20

Booble, [E-Mail](#), 2004-01-28

2003

[USA: "RIAA v. Verizon"](#)

"Verizon declared victory for consumer safety and privacy today when the U.S. Court of Appeals for the District of Columbia announced it has struck down a controversial lower-court ruling that had forced Internet service providers to reveal the identity of any Internet subscriber accused of music piracy."

[District Court Decision](#) (PDF), 2003-01-21

Court of Appeals, [Opinion](#), 2003-12-19

Verizon, [News Release](#), 2003-12-19

[USA: Inappropriate Symbols from the Microsoft Office System](#)

"Microsoft has learned of a mistake in the Bookshelf Symbol 7 font included in the Microsoft Office System client applications. Due to an unintentional oversight, we failed to identify, prior to the release, the presence of two swastikas within the font."

MS, [Open Letter](#), 2003-12-12

[USA: Death Threats against Spammers \(The "Booher-Case"\)](#)

"During July 2003, subject Charles Booher, sent numerous email and telephonic death threats to an individual residing in Canada. Booher thought this individual was responsible for sending him spam email. The threatening messages sent by Booher were very explicit and graphic threatening to kill or maim the victim, as well as any employee at the victim's company. The Internet Service Provider (ISP) made numerous attempts to get him to stop, but he continued until his account was terminated."

Charles T. Booher, [E-Mail](#), 2003-07

FBI, [Press Release](#), 2003-11

[Indictment](#) (PDF), 2003-11-25

DoJ, [Press Release](#), 2003-11-26

[USA: L.A. County against "not acceptable" equipment identification](#)

"One such recent example included the manufacturer's labeling of equipment where the words "Master/Slave" appeared to identify the primary and secondary sources. Based on the cultural diversity and sensitivity of Los Angeles County, this is not an acceptable identification label."

L.A. County, [E-Mail](#), 2003-11-18

[USA: Operation CyberSweep - FBI against Auction Fraud](#)

"In what eBay and investigators believe may be the largest domestic eBay auction fraud case, Russell Dana Smith, aka John P. Leary, is charged in a 54-count indictment returned in the District of Utah with operating a scheme to defraud winning bidders of eBay auctions by failing to deliver equipment purchased by winning bidders."

FBI, [Press Release](#), 2003-11

Robert Mueller/eBay, [Letter](#), 2003-11-12

[USA: Cryptome received a visit from FBI Special Agents](#)

"Cryptome received a visit today from FBI Special Agents Todd Renner and Christopher Kelly from the FBI Counterterrorism Office in New York, 26 Federal Plaza, telephone (212) 384-1000. Both agents presented official ID and business cards."

[Notice](#), 2003-11-04

[Freedom of Information Request](#), 2003-11-06

[USA: Attorney General against AOL/CompuServe for Improper Billing](#)

"Attorney General Jim Petro today filed a complaint against America Online, Inc. (AOL) and its subsidiary CompuServe Interactive Services, Inc. The complaint alleges violations of the Consumer

Sales Practices Act and that AOL has failed to honor the terms of a previous agreement with the Attorney General."

[Complaint](#) (PDF), 2003-10-27

AG Jim Petro, [Press Release](#), 2003-10-27

[USA: California's first-ever anti-spam lawsuit won](#)

"Attorney General Bill Lockyer today won the State of California's first-ever anti-spam lawsuit when the Santa Clara County Superior Court ordered PW Marketing and owners Paul Willis and Claudia Griffin to pay \$2 million in civil penalties for violating state laws prohibiting unsolicited commercial email, false advertising and unfair business practices."

[Final Judgment and Permanent Injunction](#) (PDF), 2003-10-24

AG Lockyer, [Press Release](#), 2003-10-24

[USA: AOL and CompuServe Settle FTC Charges of Unfair Practices](#)

"America Online, Inc. (AOL) and its subsidiary, CompuServe Interactive Services, Inc. (CompuServe), today settled Federal Trade Commission charges that they engaged in two separate unfair practices. The first allegation involves AOL's continuing to bill AOL Internet service subscribers after they asked to cancel their subscriptions. The other allegation involves the late delivery of \$400 rebates to consumers who signed up for CompuServe Internet service."

FTC, [Complaint](#) (PDF), w/o Date

FTC, [Agreement](#) (PDF), w/o Date

FTC, [Press Release](#), 2003-09-23

[USA: Spamfighters give up](#)

"It is with deep regret that I must announce that by 12:00 PM Pacific Daylight Time tonight, September 22nd, 2003, all anti-spam services and information that are now, or that have been provided by MONKEYS.COM to the Internet community will be terminated."

[Posting](#), 2003-09-23

[Posting](#), 2003-09-23

[USA: FTC Asks Court to Block Deceptive Spam Operation \(Brian Westby\)](#)

"According to the FTC complaint, the defendant sent spam with subject lines that would disguise the contents of the e-mail. For example, subject lines have included 'Did you hear the news?' and 'New movie info.' When consumers opened the e-mail messages, they were immediately subjected to sexually explicit solicitations to visit the defendant's adult-oriented Web sites."

[Complaint](#) (PDF), 2003-04-15

[Memorandum](#) (PDF), 2003-04-15

FTC, [Press Release](#), 2003-04-17

[Order](#) (PDF), 2003-04-22

[USA: "Tactical Shopping" - Walmart v. Re-Code.com](#)

"Re-Code.com is designed to stimulate discussion about the prices of products and goods as they might relate to corporate and governmental agendas. Re-Code.com does not advocate relabeling

items in stores. Re-Code.com servers do not store any barcode images only the data entered by our customers which is not verified by re-code.com to be accurate."

Walmart, [Letter](#), 2003-04-02

Re-Code, [Information](#), 2003-04

[USA: War in Iraq - YellowTimes shut down](#)

"Our previous hosting provider, a private company to whom we pay monthly fees for connecting our web site to the Internet, took us offline on March 24, 2003. They took this action immediately after we posted some 'video captures,' still photos of video footage that, at the time, had been displayed and replayed on television sets around the world, with one exception, the U.S."

YellowTimes.org, [News](#), 2003-03-24

YellowTimes.org, [Official Statement](#), 2003-03-25

[USA: Cryptome hacked](#)

"Cryptome was hacked this morning, 26 February 2003. All files were deleted. They will be restored later today."

Cryptome, [Info](#), 2003-02-26/27

[USA: isonews.com - Property of the US Government](#)

"... the ISONEWS.COM domain was recently seized by the US Government in accordance with a court case against former owner David Rocci. A few months prior to the seizure, the domain was sold to a third party located outside of the USA, and has since been under the control of new ownership, which makes the seizure of the domain illegal and abusive. ... For the moment we have decided to temporarily move the website to a new domain, so that all users can remain in contact and we may continue building a strong website for future users to distribute information freely. IZONEWS.COM will be the new location of the website."

DoJ, [Webpage](#), 2003-02-26

DoJ, [Press Release](#), 2003-02-26

Izonews, [News](#), 2003-02

[USA: Souseek to be pulled](#)

"The artist calling herself Sapphirecut previously made a complaint towards Souseek regarding the sharing of her material on the network. The artist went on to file a complaint against Verio - Souseek's server host, stating DMCA Copywrite Infringement. (T)hey acted rather quickly, requiring the server, and site to be pulled."

SLSK, [Official Announcement](#), 2003-02-08

[USA: "MGM et.al. v. Grokster et.al" - Copyright Infringement by "the next Napster" \(KaZaA, Morpheus, Grokster\)](#)

"Plaintiffs, who are owners of copyrights in motion pictures and sound recordings, bring this action to stop Defendants from continuing to encourage, enable, and profit from the massive infringements of Plaintiffs' copyrighted works on the Internet. Dubbed the 'next Napster' by the press, Defendants have developed and control a network largely dedicated to the repeated and exploitative unauthorized distribution and reproduction of Plaintiffs' protected works."

[Complaint](#), 2001-10-02

[Court Order](#) (PDF), 2003-01-08

2002

[USA/Europe/Indonesia/Russia: Operation "Avalanche" - Eliminating child pornography through the mail and via the Internet - The "Landslide" Case](#)

"Following the 'take down' of Landslide Productions, Inc., a multimillion-dollar child pornography business, 30 federally funded ICAC task forces throughout the United States partnered with U.S. Postal Inspectors to launch Operation Avalanche. This proactive, undercover investigation resulted in an unprecedented sentence of life in prison for Landslide's owner, the execution of over 160 state and federal search warrants across the country, the arrest to date of more than 120 offenders for trafficking child pornography via the U.S. Mail and the Internet."

US DoJ, [Press Release](#), 2001-08-06

Attorney General, [Announcement](#), 2001-08-08

Attorney General, [Press Release](#), 2001-08-08

USPS, [Press Release](#), 2001-08-?

BKA Wiesbaden/Interpol, [Presseerklärung](#), 2002-04-?

W.C. Walsh, [Testimony](#), 2002-05-01

Kantonsrat Zürich, [Anfrage](#), 2002-09-30

CH, [Interpellation](#), 2002-10-04

[USA: "Worldcom required to disable access to child pornography"](#) (PDF)

"This court directs that WorldCom, Inc. deny access to Uniform Resource Locators ... to persons subscribing to WorldCom, Inc., an Internet Service Provider, and any of its subsidiaries which are also Internet Service Providers, from an address located within the Commonwealth of Pennsylvania within five business days."

[Court Order](#) (PDF), 2002-09-12

[Reply](#) (PDF), 2002-09-23

[USA: "British Telecom v. Prodigy" - Patent on Hyperlinking](#) (PDF)

"Because the Internet itself does not infringe the Sargent patent, Prodigy can not be liable for contributory infringement or active inducement for providing its users with access to the Internet. I therefore need not address BT's arguments concerning contributory infringement and active inducement in any detail."

[Decision and Order](#) (PDF), 2002-08-22

[USA: The Bill Jones Campaign Spamming](#)

"This statement concerns one of our clients, the Bill Jones for Governor campaign, and their disregard for normal rules of conduct on the Internet by spamming through a Korean open relay server. We have an acceptable use policy that clearly states that VirtualSprockets does not tolerate spam from our clients, and that our system is not to be used for such purposes. We reserve the right to terminate an account immediately for repeated violations of our acceptable use policy."

[Press Information](#), 2002-02-28

[USA: Eli Lilly Settles FTC Charges Concerning Security Breach](#)

"Company Disclosed E-mail Addresses of 669 Subscribers to its Prozac Reminder Service. Eli Lilly and Company (Lilly) has agreed to settle Federal Trade Commission charges regarding the unauthorized disclosure of sensitive personal information As part of the settlement, Lilly will take appropriate security measures to protect consumers' privacy."

[Complaint](#) (PDF), 2001-07

[Agreement](#) (PDF), 2001/2002

FTC, [Press Release](#), 2002-01-18

2001

[USA/Schweiz/Österreich: "It's different because it's fundamentally different." - The Voteauction-Case](#)

"[V]ote-auction, the only platform worldwide allowing end-consumers to take part in the U.S. election industry [formerly called 'soft money'], falls again victim to a repressive campaign against free speech. The domain Vote-auction.com got illegally shut down by InterNIC."

[Complaint](#), 2000-10-16

[Motion](#), o.D.

[Memorandum](#), o.D.

[Preliminary Injunction Order](#), o.D.

[Secretary of State Warning](#), 2000-08-22

[Attorney General News](#), 2000-11-01

[Press Release](#), 2000-11-02

[Klage gg. CSL GmbH.](#), 2001-12-31

[USA: "fuckgeneralmotors.com"](#)

"The parties devoted substantial portions of their briefs discussing whether an injunction precluding Defendants' use of the word 'Ford' to create a link from 'fuckgeneralmotors.com' to 'ford.com' would impinge the First Amendment right to free speech. Nevertheless, it is unnecessary for the court to reach that issue, as Ford has failed to allege facts sufficient to prevail on its dilution, infringement, and unfair competition claims."

[Court Order Granting Defendend's Motion](#), 2001-12-20

[Court Order Denying Plaintiff's Motion](#), 2001-12-20

[USA/Schweiz: WTO gegen Fake-Site "gatt.org"](#)

"... we must require that you remove the WTO logo and all of the WTO's copyrighted materials from your site. Please confirm via email by 5:00 p.m. (MST) on Tuesday, November 13, 2001 that you have removed the WTO materials from your site, or we will be required to disable your site."

[WTO Press Release](#), 1999-11-23

[E-Mail](#), 2001-11-12

[USA: Apple Computer and the Church of Satan](#)

"We proudly included, beneath our tribute/parody - which was linked to Apple Computer's official website - a 'Made with Macintosh' web badge. ... We did receive one note of complaint from a law firm representing Apple computer, claiming trademark infringement. ... This exchange has definitely soured us on some of the taste of Apple, and we have decided to pull the disputed materials."

[Official Statement \(incl. Faxes, Email\)](#), 2001-06

[USA: A "Challenge to Privacy" - The Alexa Software](#)

"Little do users of Amazon's Alexa software know that the seemingly attractive software is actually a 'trojan horse.' The Alexa software has features that enable defendants to gather considerably more information about the user and the web pages he or she visits than is disclosed in the vague privacy statement. For example, Alexa's surreptitious information-gathering feature enables defendants to intercept and access users' personal information, including user names, passwords, and other private information."

[E-Mail](#), 1999-12-28

[Complaint](#), 2000-01

[Order granting Motion](#), 2000-05-18

[Answer](#), 2000-07

[Settlement](#), 2001-04-19

[Order approving Settlement](#), 2001-04-19

[Claim Form](#), o.D.

[USA: The Execution of Mr. McVeigh](#) (PDF)

"(Plaintiff) sought permission from the BOP ... to serve as the media pool witness to the execution of McVeigh, and in addition requested permission to bring a small camera to the witness chamber of the execution and to record and simultaneously broadcast the execution via the Internet. ... The proper question here is whether (the) prohibition on the recording and broadcasting of an execution unwarrantedly abridges the opportunities for communication of thought. It does not."

[Demand to the FBoP](#) (PDF), 2001-03-20

[Reply from the FBoP](#) (JPG), 2001-03-28

[Complaint](#) (PDF), 2001-04-04

[ENI Motion](#) (PDF), 2001-04-04

[Memorandum in Support of Motion](#) (PDF), 2001-04-04

[Government Response to Motion](#) (PDF), 2001-04-11

[Procunier-Declaration](#) (PDF), 2001-04-12

[Findings of Fact](#) (PDF), 2001-04-13

[ENI Reply](#) (PDF), 2001-04-13

[Judgement](#) (PDF), 2001-04-18

[USA: Misleading Pocket PC Claims - "FTC v. MS and HP"](#)

"Microsoft Corporation ('Microsoft') and Hewlett-Packard Company ('HP') have agreed to stop misrepresenting that Pocket PC handheld computers - personal digital assistants or 'PDAs' - came with built-in wireless access to the Internet and e-mail at anytime and from anywhere. According to

the FTC, Pocket PC users must purchase and carry additional equipment such as a modem."

[FTC Press Release](#), 2001-04-03

[Agreements](#), 2001-04

[USA: "Click of Death" - "Rinaldi et.al. v. iomega"](#)

"Have you experienced a CONTINUAL clicking noise when attempting to use your Zip drive? Do not circle 'Yes' in response to this question if your drive has made occasional clicking noises when a Zip disk is inserted. Answer 'Yes' to this question only if your drive has made a CONTINUAL clicking noise."

[Settlement](#), 2001-03-21

[Web-Form](#), 2001-04

[USA: Dot.Com-Krise-New Speak - Mail an Compaq Employees](#)

"Last quarter, we delivered a strong operating performance in the face of the market downturn. As I said then, it is times like these that test our ability to execute. We cannot control the market. But together we must manage our business so we can execute through these tough times."

[E-Mail](#), 2001-03-16

[USA: "Blumenthal v. Drudge and America Online, Inc."](#)

"This lawsuit arises out of a story concerning one of the plaintiffs that defendant Matt Drudge ("Drudge") published in his electronic publication called the "Drudge Report" and out of oral statements that Drudge allegedly made to reporters about the story. In a 136-page, 21-count Complaint, plaintiffs Sidney and Jacqueline Blumenthal claim that what Drudge said in the story and to reporters constituted defamation, invasion of privacy, and intentional infliction of emotional distress."

AOL, [Memorandum in Support of Motion](#), 1997-10-20

Matt Drudge, [Reply Memorandum](#), 1998-02-27

AOL, [Reply Memorandum](#), 1998-02-27

[Opinion](#), 1998-04-22

[Order and Judgment](#), 1998-04-22

[Memorandum Opinion and Order](#), 2001-02-13

[USA: IUMA Suspends Operations](#)

"We regret to inform you that we have been forced to close the IUMA community to new artists. Severe cutbacks in funding from EMusic in early January have made it impossible to maintain the quality and consistency of many IUMA services."

[Letter](#), 2001-02-07

[USA/Schweiz: Toywar II - "etoy v. eToys"](#)

"eToys, Inc.'s use of the 'etoy' mark has caused consumers to believe there is an affiliation, association or connection between etoy Corporation and eToys, Inc. Such use infringes on etoy Corporation's rights in its registered trademark 'etoy'."

[Notice of Opposition](#), o.D.

[Complaint](#), 2001-01-24

2000

[USA: Fighting for the Top Level Domain ".web" - "IOD v. IANA et.al."](#)

"No mention, allowance, or recognition of Plaintiff's first/prior use of that name and/or Plaintiff's ownership of the intellectual property rights in the database containing the domain names ending in '.web', and/or the fact that Plaintiff would become a 'top level domain' registry due to its successful first/prior use of '.web' was made, although Defendant IAHC has recognized, authorized and ratified Plaintiff's first/prior use of '.web' on Defendant IAHC's web site."

[Complaint](#), 1997-02-27

[Declaration](#), 1997-04

[Request to IANA](#), o.D. (2000)

[USA: The "Mathworld-Case" - "CRC Press, LLC. v. Wolfram Research, Inc., Stephen Wolfram and Eric Weisstein"](#)

"It is with the deepest regret that we must inform you that because of a copyright lawsuit filed by CRC Press against Eric Weisstein, Wolfram Research (the sponsor of MathWorld), and its CEO, Stephen Wolfram, we have been forced to remove our MathWorld web site from public view."

[Complaint](#), 2000-03-07

[Order](#), 2000-10-23

[Web Page](#), 2000-10-23

[USA/Schweiz: Die Domain "madonna.com"](#)

"Complainant is the well-known entertainer Madonna. The domain name has been registered and used in bad faith."

[WIPO Administrative Panel Decision](#), 2000-10-12

[USA: FBI's Carnivore - Information about "taking a bite out of Americans' privacy"](#)

"The FBI . . . is trying to take a bite out of Americans' privacy on the Internet. It has started using a rapacious computer program known as 'Carnivore' to do cyberspace snooping on investigative targets. The program is attached to the target's Internet service provider. There, it absorbs and analyzes all the traffic or 'packets' traveling through the ISP, not just the communications of the suspect."

[Memorandum](#), 2000-08-17

[USA: "Technically capable of enabling law enforcement to intercept..." - "United States Telecom Association, et.al. v. Federal Trade Commission et.al."](#)

"CALEA authorizes neither the Commission nor the telecommunications industry to modify either the evidentiary standards or procedural safeguards for securing legal authorization to obtain packets from which call content has not been stripped, nor may the Commission require carriers to provide the government with information that is "not authorized to be intercepted.""

[Appeal Court Decision](#), 2000-08-15

[USA: Harris Interactive against the Mail Abuse Protection System](#)

"Mail Abuse Prevention System (MAPS), ..., says that it will vigorously defend the law suit filed yesterday by online market research giant Harris Interactive Inc. Harris has sued Microsoft Corp., and America Online Inc. (AOL), naming MAPS as a co-defendant, in an effort to force Microsoft and AOL to accept unsolicited bulk commercial email, also known as 'spam'."

[Press Release](#), 2000-08-02

[Press Release](#), 2000-08-08

[USA: The Pricing Policy of the Toy Retailer - "Toys 'R' Us v. Federal Trade Commission"](#)

"The Commission concluded ... that TRU had acted as the coordinator of a horizontal agreement among a number of toy manufacturers. The agreements took the form of a network of vertical agreements between TRU and the individual manufacturers This practice ... violated sec. 5 of the Federal Trade Commission Act, 15 U.S.C. sec. 45. It also found that TRU had entered into a series of vertical agreements that flunked scrutiny under antitrust's rule of reason."

[Appeal Court Decision](#), 2000-08-01

[USA: An Anti-Anti-Spam Lawsuit - "Yesmail v. Mail Abuse Prevention System"](#)

"Our organizations are now in alignment regarding appropriate best practices, which protect consumers against unsolicited email."

[Press Release](#), 2000-07-21

[Joint Press Release](#), 2000-08

[Press Release](#), 2000-08-01

[USA/Schweiz: "sting.com" - WIPO-Decision against the Popstar](#)

"The Respondent asserted that there are 20 trademark registrations of the word STING in the US, but none of them are registered by the Complainant. The word STING is a common word in the English language, and so registration of it as a domain name is not a violation of the Uniform Policy. The Respondent is not a competitor of the Complainant and the Respondent does not attempt to cause any confusion with him."

[WIPO Decision](#), 2000-07-24

[USA: Domain Name Dispute with the WIPO Center - cu-seeme.net](#)

"Complainant is the owner of the registered trademark CU-SEEME.... The domain name CU-SEEME.NET, except for the top-level ".net" extension, is identical to the registered trademark.... Accordingly, the domain name is identical or confusingly similar to Complainant's registered trademark. Respondent should be considered as having no rights or legitimate interests in respect of the domain name because the registration and assignment of the trademark entitle Complainant to exclusive use of CU-SEEME in connection with video conferencing software."

[Complaint](#), 2000-06-01

[Complaint Notification](#), 2000-06-07

[USA: "United States of America v. Microsoft Corp.", "State of New York v. Microsoft Corp."](#)

"Microsoft has demonstrated that it will use its prodigious market power and immense profits to harm

any firm that insists on pursuing initiatives that could intensify competition against one of Microsoft's core products. ... The ultimate result is that some innovations that would truly benefit consumers never occur for the sole reason that they do not coincide with Microsoft's self-interest."

[Findings of Fact](#), 1999-11-05

"The Court concludes that Microsoft maintained its monopoly power by anticompetitive means and attempted to monopolize the Web browser market, both in violation of § 2. Microsoft also violated § 1 of the Sherman Act by unlawfully tying its Web browser to its operating system."

[Conclusions of Law and Final Order](#), 2000-04-03

[Memorandum and Order](#), 2000-06-07

[USA: "eBay v. Bidder's Edge"](#)

"Bidder's Edge, its officers, agents, servants, employees, attorneys and those in active concert or participation with them who receive actual notice of this order by personal service or otherwise, are hereby enjoined pending the trial of this matter, from using any automated query program, robot, web crawler or other similar device, without written authorization, to access eBay's computer systems or networks, for the purpose of copying any part of eBay's auction database. As a condition of the preliminary injunction, eBay is ordered to post a bond in the amount of \$2,000,000 to secure payment of any damages."

[Order](#), 2000-05-24

[USA: Microsoft vs. Slashdot.Org](#)

"... after reflecting on the nature of freedom for a little while, you may wish to withdraw your request that we remove readers' comments from Slashdot. Please realize that if we censor our readers's posts because they contain ideas Microsoft does not wish to have made public, we may set an unhealthy precedent for other online news outlets and online service providers..."

[E-Mail](#), 2000-05-10

[E-Mail Answer](#), 2000-05

[USA: Markenschutz für "Frowny" - Lizenzgebühr bei Emoticon-Verwendung](#)

"Current Status: Registered."

[TARR File](#), 2000-05-02

[USA: Record Industry against the Net - "RIAA v. MP3.com"](#)

"MP3.com (NASDAQ: MPPP) had its day in court against the major record labels today, as U.S. District Court Justice Jed Rakoff granted a summary judgment on behalf of the labels in their suit filed over MP3.com's My.MP3.com service."

[Complaint](#), 2000-01-21

[Letters](#), 2000-01-21

[MP3.com News](#), 2000-04-28

[USA: Records about Video Conferencing Software are not "agency records" - "John Gilmore v. US Department of Energy"](#)

"In full and final settlement of the Gilmore Suit ... AOO will diligently make every reasonable effort to process future FOIA requests by the Plaintiff for Responsive Records (hereinafter referred to as

'Request') in accordance with FOIA, DOE Regulations, and applicable AOO procedures."

[Settlement Agreement](#), 2000-03-29

[Lawyer's Statement](#), 2000-04-13

[USA: Crypto-Export - "Junger v. Daley"](#)

"Plaintiff Junger alleges that the Export Regulations violate his First Amendment rights of academic freedom and freedom of association by restricting his ability to teach, publish, and distribute encryption software."

[Complaint](#), 1996-08-07

[Court Order](#), 1998-07-02

[Appeal Court Decision](#), 2000-04-04

[USA: "This type of web site makes us sick!" - "Recording Industry of America v. Napster"](#)

"Through its conduct averred herein, Napster is guilty of oppression, fraud, and/or malice and plaintiffs are, in addition to their actual damages, by reason thereof, entitled to recover exemplary and punitive damages against Napster. Napster's conduct, as hereinabove averred, is causing and, unless enjoined and restrained by this Court, will continue to cause plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law."

[Complaint](#), 2000-04

[Opinion](#) (PDF), 2001-02-12

[Order](#) (PDF), 2001-03

[USA: Challenging the Penal Law - "The People v Thomas R. Foley, Sr."](#)

"The jury was thus instructed to consider, from the evidence before it, whether or not a child who participated in the performance was under the age of 16. Under these circumstances, we cannot conclude that, as applied to defendant, the statute is unconstitutionally overbroad. We reject defendant's remaining contentions."

[Appeal Court Decision](#), 2000-03-29

[USA: Cyberpatrol hacked - Microsystems & Mattel v. Coders and ISPs](#)

"Defendants Eddy L. O. Jansson and Matthew Skala ("Jansson" and "Skala", respectively) violated Federal and international copyright protections by reverse engineering Microsystems' Cyber Patrol child-protection software. Jansson and Skala then created and posted on their Web sites, hosted by defendants Scandinavia On Line AB ("Scandinavia Online") and Islandnet.Com ("Islandnet"), source code and binaries designed to bypass Cyber Patrol (the "Bypass Code")."

[Announcement](#), 2000-03-11

[Complaint](#), 2000-03-15

[Motion for Memorandum and Order](#), 2000-03-15

[Subpoena](#), 2000-03-17

[Opposition to Motion](#), 2000-03-24

[Web-Posting](#), 2000-03-27

[Stipulated Permanent Injunction](#), 2000-03-28

[Home Page](#), 2000-03-29

[USA: "Motion Pictures Association of America v. Reimerdes et.al." - A 2nd Front in the DVD Copy Protection Dispute](#)

"Defendants ... are enjoined and restrained ... from ... posting on any Internet web site, or in any other way manufacturing, importing or offering to the public, providing, or otherwise trafficking in any technology, product, service, device, component, or part thereof, that ... is primarily designed or produced for the purpose of circumventing ... the protection afforded by, CSS, or any other technological measure adopted by plaintiffs that effectively controls access to plaintiffs' copyrighted works."

[Complaint](#), 2000-01-14

[Preliminary Injunction](#), 2000-01-20

[Memorandum Opinion](#), 2000-02-02

[Consent Judgment](#), 2000-03-17

[USA: AMWAY - The Untold Story](#)

"It is important that you understand that Amway does not take issue with the rights of those that wish to have a web site in which they provide opinion, and solicit the opinions of others, regarding Amway's products and services."

[Second Amended Complaint](#), 1999-04-12

[Order](#), 1999-06-29

[Mails](#), 2000-02

[Subpoena](#), 2000-03-14

[USA: The "Qadahfi Plot" - "The State v. Julie Ann Davies"](#)

"The Special Branch officers who arrested a university student under the Official Secrets Act are investigating how a classified MI6 document appeared on a California-based website Julie Ann Davies, 35, a mature student studying manufacturing engineering at Kingston University in Surrey, was arrested ... in the middle of a lecture..."

[News Article](#), 2000-03-08

[Posting](#), 2000-03-08

[USA: A "Landmark Suit" - "Tasini et.al. v. The New York Times et.al"](#)

"Six freelance writers appeal from a grant of summary judgment dismissing their complaint. The complaint alleged that appellees had infringed appellants' various copyrights by putting individual articles previously published in periodicals on electronic databases available to the public. On cross motions for summary judgment, the United States District Court for the Southern District of New York held that appellees' use of the articles was protected by the privilege afforded to publishers of 'collective works' under Section 201(c) of the Copyright Act of 1976, 17 U.S.C. § 201(c). We reverse and remand with instructions to enter judgment for appellants."

[Complaint](#), 1994-02-24

[Order](#), 1997-08-13

[Appeal Court Decision](#), 1999-09-24

[Amended Opinion](#), 2000-02-25

[USA: The MovieBuff-Case - Using Competitors Trademark in Domain and Meta-Tags - "Brookfield Communications, Inc. v. West Coast Entertainment Corp."](#)

"As we have seen, registration of a domain name for a Web site does not trump long-established principles of trademark law. When a firm uses a competitor's trademark in the domain name of its web site, users are likely to be confused as to its source or sponsorship. Similarly, using a competitor's trademark in the metatags of such web site is likely to cause what we have described as initial interest confusion. These forms of confusion are exactly what the trademark laws are designed to prevent."

[Opinion](#), 2000-01-21

[USA: "www.worldwrestlingfederation.com" - First Cybersquatting Case under WIPO Process](#)

"... the Panel decides that the domain name registered by respondent is identical or confusingly similar to the trademark and service mark in which the complainant has rights Accordingly ... the Panel requires that the registration of the domain name <worldwrestlingfederation.com> be transferred to the complainant."

[Press Release](#), 2000-01-14

[USA: Consumer Injury and Deceptive Practices - " Federal Trade Commission v. ReverseAuction.Com, Inc."](#)

"IT IS ORDERED that defendant shall delete, and refrain from using or disclosing, the user IDs, e-mail addresses, and feedback ratings of all ... eBay customers who received an unsolicited email from ReverseAuction between November 12, 1999 and November 15, 1999, and who have not registered with ReverseAuction..."

[Complaint](#), 2000-01

[Order](#), 2000-01

[USA: DVD Copy Control Association, Inc.'s battle against web site owners](#)

"DVD CCA is informed and believes, and based thereon alleges that Defendants have disclosed, and continue knowingly and willfully to disclose, proprietary information on their Internet web sites as part of a scheme to defeat DVD encryption software which thus enables users to illegally pirate copies of DVD videos."

[Complaint](#), 1999-12-28

[Order](#), 1999-12-29

[Order](#), 2000-01-21

1999

[USA: ACLU sues FBI over Censorship of fictional Y2K Takeover Film - "Zieper v. Reno"](#)

"Agents from the Federal Bureau of Investigation and the U.S. District Attorney's office in New York briefly shut down a website displaying the film by pressuring video artist Mike Zieper of New Jersey and his web host Mark Wieger, a Michigan businessman."

[ACLU Press Release](#), 1999-12-22

[Complaint](#), 1999-12-22

[USA/France: "Leonardo" trademarked in France - The Lawsuit against the Leonardo Art Network](#)

"On the 18th of November 1999, the Paris-based company Transasia Corporation with co-complainants filed a law suit against the Leonardo Association in Paris, claiming trademark infringement and loss of business. Transasia in their filing claims to have recently trademarked the (name) Leonardo..."

[Public Information](#), 1999-12-20

[USA: ISP not liable for verification of all applicants - "Lunney v. Prodigy Services Company"](#)

"(The appellant) would require an ISP to employ a 'process for verification of the bona fides' of all applicants and any credit cards they offer so as to protect against defamatory acts. ... There is no justification for such a limitless field of liability. If circumstances could be imagined in which an ISP would be liable for consequences that flow from the opening of false accounts, they do not present themselves here."

[Appeal Court Decision](#), 1999-12-02

[USA: "Kelly v. Arriva Soft Corp." - No copyright infringement by "Visual Search Engine"](#)

"...the Court finds Defendant did not have 'reasonable grounds to know' it would cause its users to infringe Plaintiff's copyrights. Defendant warns its users about the possibility of use restrictions on the images in its index, and instructs them to check with the originating Web sites before copying and using those images, even in reduced thumbnail form."

[Order](#), 1999-12

[USA: Reverse Domain Name Grabbing - "eToys v. etoy" - The Toywar](#)

"eToys, Inc., a publicly traded toy company headquartered in Santa Monica, has filed a trademark infringement action against a group of Europeans who allegedly describe themselves as performance artists, computer hackers, and the first street gang on the internet and operate an 'etoy.com' website."

[Mail](#), 1999-11-06

[News](#), 1999-11-06

[USA: Satan's onslaught - Liverprayer.com against the Mail Abuse Prevention System](#)

"God told me when He gave me the vision for this Internet ministry that it was going to be a major battle since the Internet has basically been Satan's domain and to a large extent still is. ... There is a group called MAPS in San Francisco that has appointed themselves the policeman of the Internet. ... Get your church, your bible study, your prayer groups, post the need on the net, we need the prayers of God's people worldwide as we face this onslaught from satan."

[Mailing](#), 1999-11-05

[USA: National Federation of the Blind files suit against America Online Inc.](#)

"Defendant AOL has particularly designed its AOL service so that it is incompatible with screen access software programs for the blind. Despite its self-description as 'the world's leader in interactive services, Web brands, Internet technologies, and electronic commerce services' AOL ... has failed to remove communications barriers presented by its designs thus denying the blind independent access

to this service."

[Complaint](#), 1999-11-04

[USA: Another Unsolicited Commercial Mail Case - "AOL v. USA Home Employment"](#)

"Pursuant to the Order filed herewith, IT IS ORDERED AND ADJUDGED that the plaintiff's motion for default judgment is GRANTED. Defendant is liable for damages in the amount of \$77,500. Defendant is ORDERED to comply with the permanent injunction specified in the Order filed herewith."

[Complaint](#)

[Final Judgment](#), 1999-09-29

[USA: The Domain "writeword.com" - "Dorer v. Arel"](#)

"To the extent that the plaintiffs simply seek transfer or cancellation of the domain name, there appears to be an avenue of self-help that is at least as efficacious and surely less problematical than seeking to compel the defendant to transfer personal property in satisfaction of the judgment. A ruling on plaintiffs' motion to compel transfer or personal property will be deferred pending plaintiffs' recourse to the self-help method suggested."

[Memorandum Opinion](#), 1999-09-03

[USA: First Criminal Copyright Conviction Under the "No Electronic Theft" \(NET\) Act](#)

"Mr. Levy is the first person convicted under the No Electronic Theft ("NET") Act. Mr. Levy admitted that in January 1999, he illegally posted computer software programs, musical recordings, entertainment software programs, and digitally-recorded movies on his Internet web site, allowing the general public to download and copy these copyrighted products."

[DoJ Press Release](#), 1999-08-20

[USA: "You've got mail" trademarked - "America Online Inc. v. AT & T"](#)

"...rulings that are made against AOL -- in this case, the rulings that YOU HAVE MAIL, IM, and BUDDY LIST® are generic as a matter of law."

[Memorandum Opinion](#), 1999-08-13

[USA: The Archivist against the Law](#)

"The Archivist of the United States promulgated General Records Schedule 20 GRS 20 requires each federal agency to which the Records Disposal Act applies to dispose of word processing and electronic mail files ... once it has copied them to a paper or an electronic recordkeeping system. Public Citizen and others sued the Archivist ... under the Administrative Procedure Act, alleging that GRS 20 violates the RDA. The district court agreed. ... We uphold GRS 20. The judgment of the district court is reversed."

[Appeal Court Decision](#), 1999-08-06

[USA: Protecting minors through censorship - "Cyberspace et.al. v. John Engler"](#)

"The Act ... adds criminal prohibitions against using computers or the Internet to disseminate sexually explicit materials to minors. Plaintiffs claim that the Act will adversely impact them because it is unconstitutionally vague or overbroad."

[Findings of Fact](#), 1999-07-29

[USA: Jack Kerouac, the "Charles Manson for the Beats" - "Gerald Nicosia v. Diane De Rooy"](#)

"Nicosia does not dispute that De Rooy's statements were published on her personal web-site, and through Internet discussion groups, as part of a heated debate concerning a bitter legal dispute. ... The Court finds that Nicosia has failed to plead actual malice with the required specificity, and hereby GRANTS De Rooy's motion to dismiss for failure to state a claim."

[Order](#), 1999-07-07

[USA: "Steven J. Caspi et.al. v. The Microsoft Network"](#)

"We are here called upon to determine the validity and enforceability of a forum selection clause contained in an on-line subscriber agreement of the Microsoft Network (MSN), an on-line computer service. The trial court granted defendants' motion to dismiss the complaint on the ground that the forum selection clause in the parties' contracts called for plaintiffs' claims to be litigated in the State of Washington. Plaintiffs appeal. We affirm."

[Appeal Court Decision](#), 1999-07-02

[USA: United States v. Daniel Mohrbacher - "...visual depictions of minors engaging in sexually explicit conduct"](#)

"Mohrbacher's illegal conduct consisted of downloading images of child pornography from a foreign-based electronic bulletin board. ... We agree with his reading of the statute, and accordingly reverse these two counts of conviction. However, we reject Mohrbacher's second contention on appeal, and hold that the district court did not clearly err by denying him credit for acceptance of responsibility."

[Appeal Court Decision](#), 1999-06-29

[USA: The Rio-Case - "Recording Industry Association of America v. Diamond Multimedia Systems"](#)

"...the Rio is not a digital audio recording device subject to the restrictions of the Audio Home Recording Act of 1992. The district court properly denied the motion for a preliminary injunction against the Rio's manufacture and distribution. Having so determined, we need not consider whether the balance of hardships or the possibility of irreparable harm supports injunctive relief. Affirmed."

[Appeal Court Decision](#), 1999-06-15

[USA: Defamation and related Causes - "Jewish Defense Organization, Inc. v. The Superior Court of L.A. County and Steven Rambam"](#)

"In the instant case, defendants' conduct in registering Rambam's name as a domain name and posting passive web sites on the Internet is not sufficient to subject them to jurisdiction in California."

[Appeal Court Decision](#), 1999-06-08

[USA: "Porsche v. Porsche" - Another Domain Dispute](#)

"Because the language of the Trademark Dilution Act does not appear to permit in rem actions against allegedly diluting marks, and because a contrary reading of the statute would unnecessarily put its constitutionality in doubt ..., the Court must conclude that the Complaint should be dismissed for lack of personal jurisdiction."

Memorandum Opinion, 1999-06-08

USA: Invasion of Privacy based on employer's review and dissemination of electronic Mail - "Bill McLaren v. Microsoft"

"In this case, appellant Bill McLaren, Jr. asks us to recognize a cause of action for invasion of privacy based on his employer's review and dissemination of electronic mail stored in a 'personal folders' application on McLaren's office computer. We conclude that McLaren's petition failed to allege facts sufficient to state a cause of action for invasion of privacy. We affirm the trial court's judgment."

Appeal Court Decision, 1999-05-28

USA: Crypto-Code protected by the 1st Amendment - "Bernstein v. United States of America"

"The government defendants appeal the grant of summary judgment to the plaintiff, Professor Daniel J. Bernstein ("Bernstein"), enjoining the enforcement of certain Export Administration Regulations ("EAR") that limit Bernstein's ability to distribute encryption software. ... We hold that the challenged regulations constitute a prior restraint on speech that offends the First Amendment."

Appeal Court Decision, 1999-05-06

USA: Domain Registration refused - "Seven Words L.L.C. v. Network Solutions Inc."

"Plaintiff registered for, and NSI refused to grant, the right to use the following domain names: fuck.com, cunt.com, cocksucker.com, motherfucker.com, piss.net, fuck.net, cunt.net, cocksucker.net, motherfucker.net and tits.net. NSI's arbitrary censorship policy and its refusal to register the Censored Domain Names, violates Plaintiff's rights of free speech under the First Amendment of the United States Constitution."

Complaint, 1999-04-12

USA: "United States v. Amirault"

"We believe the only truly striking aspects of the photograph to be the girl's nakedness and her youth. These factors alone are not enough to render the photo "lascivious." We therefore hold that the district court improperly applied the trafficking cross-reference at Amirault's sentencing."

Appeal Court Decision, 1999-04-06

USA: "Slinkman v. Prince George's County, Maryland et.al."

"Joseph Slinkman sues his wife and brother-in-law for accessing his electronic mail account. The brother-in-law, a senior police official for Prince George's County, Maryland, is alleged to have accessed the plaintiff's electronic mail account in violation of Maryland state law and the privacy inferences of the U.S. Constitution."

Complaint, 1999-04; Amended Complaints

USA: Will trade Pre Teen for Animal - "United States v. John Fabiano"

"Defendant John Fabiano appeals his conviction for knowingly receiving child pornography Defendant was charged in a fifteen-count indictment with transporting, receiving and possessing child pornography. ... We AFFIRM the district court."

Appeal Court Decision, 1999-03-05

[USA: False Stock Values on the Net - "Ben Ezra et.al. v. America Online Inc."](#)

"Plaintiff filed suit seeking damages from Defendant America Online (AOL) claiming that it suffered injuries when the value of its stock was inaccurately reported. The Defendant filed its motion seeking summary judgment ... arguing that it cannot be held liable for any errors ... as that data is provided by third-party 'information content providers'."

[Memorandum Opinion and Order](#), 1999-03-01

[USA: The "Nuremberg Files" - "Planned Parenthood of the Columbia/Willamette, Inc. et.al. v. American Coalition of Life Activists et.al."](#)

"Defendants are hereby immediately and permanently ENJOINED and RESTRAINED from providing additional material ... to the Nuremberg Files or any mirror web site that may be created. In addition, defendants are enjoined from publishing, republishing, reproducing and/or distributing in print or electronic form the personally identifying information about plaintiffs contained in the Nuremberg Files."

[Order and Permanent Injunction](#), 1999-02-25

[USA: The Papal Visit 1999® - "Archdiocese of St. Louis v. Internet Entertainment Group, Inc."](#)

"IT IS ORDERED that defendant Internal Entertainment Group, Inc., its officers, agents, servants, employees and attorneys, and those persons in active concert and participation with defendant who receive actual notice of this preliminary injunction, are immediately enjoined from directly or indirectly using the plaintiffs' common law trademarks and tradename 'Papal Visit 1999', 'Pastoral Visit', '1999 Papal Visit Commemorative Official Commemorative Items', and 'Papal Visit 1999, St. Louis'."

[Preliminary Injunction](#), 1999-01-20

[Memorandum Opinion](#), 1999-02-12

[USA: "Truelove v. Mensa International Ltd."](#)

"According to Plaintiff Alan Truelove, he was wrongly terminated from membership on the L-Soft Mensa list and subsequently libelled on the list. In the instant case it was the Mensa organizations that controlled posting and subscribing to the L-Soft List. That, quite simply, is the end of the matter."

[Opinion and Order](#), 1999-02-10

[USA: Privacy Rights in the World Wide Web - The Federal Trade Commission against GeoCities](#)

"IT IS ORDERED that respondent ... shall not make any misrepresentation ... about its collection or use of such information from or about consumers, including, but not limited to, what information will be disclosed to third parties and how the information will be used."

[FTC Decision and Order](#), 1999-02-05

[USA: ACLU et.al. v. Reno - Order granting Plaintiff's Motion for Injunction \("CDA II"\)](#)

"AND NOW, ... it is hereby ORDERED that the motion is GRANTED and defendant Janet Reno, in her official capacity as Attorney General of the United States, and, ..., defendant's officers, agents,

servants, employees, and attorneys, and those persons in active concert or participation with defendant who receive actual notice of this Order, are PRELIMINARILY ENJOINED from enforcing or prosecuting matters premised upon 47 U.S.C. 231 of the Child Online Protection Act at any time."

[Memorandum and Order](#), 1999-02-01

[USA: Complaint ACLU et.al. v. Reno for declaratory and injunctive relief \("CDA II"\)](#)

"The Act applies to all communications on the Web that are 'available to any minor.' Because all free content on the Web is 'available to' both adults and minors, the Act on its face applies to communications between adults. Given the technology of the Web, there are no reasonable means for speakers who provide information for free to ascertain the age of persons who access their speech, or to restrict or prevent access by minors."

[Complaint](#), 1998-10-22

1998

[USA: Suspended from School because of critical Web-Pages - "Beussink v. Woodland School District"](#)

"Plaintiff Brandon Beussink claims that the Woodland R-IV School District violated his rights under the First Amendment to the United States Constitution. ... the Woodland School District suspended him from school for ten days because he had posted a homepage on the Internet which was critical of Woodland High School. ... The request for a preliminary injunction will be granted."

[Memorandum and Order](#), 1998-12-28

[USA: Neither general nor specific Jurisdiction - "Advanced Software Inc. v. Datapharm Inc."](#)

"Advanced has sued Datapharm in this Court alleging that Datapharm has infringed on Advanced's mark. ... Advanced asserts jurisdiction in this Court based on Datapharm's web-site, which is accessible from California. ... Advanced cannot show that this Court has either general or specific personal jurisdiction over Datapharm. The Court grants Datapharm's motion to dismiss."

[Order](#), 1998-11-03

[USA: 50% wrong: The Public Sex Offenders Registry - "Akella v. Michigan Department of State Police et.al."](#)

"The proposed class is composed of all present and future persons who have wrongfully or erroneously had their addresses and/or names listed on the Michigan Sex Offender Registry."

[Complaint](#), 1998-11

[USA: 60 million bulk e-mail advertisements - "America Online Inc. v. IMS"](#)

"AOL alleges that Melle and TSF improperly sent unauthorized bulk e-mail advertisements ("spam") to AOL subscribers. Specifically, AOL alleges that Melle sent over 60 million e-mail messages over the course of 10 months; that he continued to send unauthorized bulk e-mail after he was notified in writing by AOL to cease The undisputed facts establish that Melle committed a trespass to chattels in violation of Virginia Common Law."

[Memorandum Opinion](#), 1998-10-29

[USA: The BUFFNet/Dreamscape-Seizure - Providers held liable for unmoderated news-feed](#)

"On October 27th, 1998, the New York State Police, acting under the orders of Attorney General Dennis Vacco, seized computer equipment BuffNET used to provide it's subscribers with access to Internet *newsgroups*. 'It's like seizing envelopes to combat mail fraud,' said BuffNET attorney Steven Fox, 'or taking the cable for what's on TV.'"

[Public Statement](#), 1998-10-27

[USA: Abusing "localhost.com" - "Matthew Seidl v. Greentree Mortgage Comp."](#)

"According to the undisputed facts, Greentree took advantage of an available, legal, but controversial vehicle for advertising its businesses by hiring someone to send unsolicited advertisements by e-mail, with unintended consequences to Mr. Seidl. ... Mr. Seidl attempted, unsuccessfully, to develop a legal theory under which an advertiser could be made to suffer financially for the practice of spamming."

[Complaint](#), 1997

[Opinion and Order](#), 1998-10-16

[USA: AppolloMedia v. U.S. Justice Department challenging the "1996 Communications Decency Act"](#)

"AppolloMedia's request for preliminary and permanent injunctive relief and for a declaration that ... the First Amendment (is violated) is hereby denied."

[Court Order](#), 1998-09-22

[USA: AppolloMedia v. U.S. Justice Department challenging the "1996 Communications Decency Act"](#)

"Plaintiff, its clients and visitors have a First Amendment right to communicate "indecent" material to adults, even if such communications are accompanied by an intent to "annoy" either the recipient or other persons."

[Complaint](#), 1996-01-30

[USA: The Domain Registration Service unlawful in itself - A Class Action against Network Solutions et.al.](#)

"Although the Court dismissed nine counts, it granted summary judgment for plaintiff on Count One, which alleged that the "Preservation Assessment" -- the 30% of the registration fee that went to the Intellectual Infrastructure Fund -- was an unconstitutional tax."

[Complaint](#), 1998-01-16

[Opinion](#), 1998-08-28

[Stipulation](#), w/o Date

[USA: "The Putnam Pit v. City of Cookeville"](#)

"This action concerns Plaintiffs' claims seeking access to parking ticket data in electronic form, to City computer Internet usage history files and to be linked to the City's web site."

[Complaint](#)

[Defendant's Motion](#), 1998-06-20

[Memorandum granting summary judgment](#), 1998-08

[USA: Offending fraudulent Internet messages exposed - "Terry Jessup-Morgan v. America Online Inc."](#)

"Jessup ... used her AOL account to post publicly on the Internet a message meant to harass and injure Barbara Smith. Jessup posted the message under the 'screen name' (*i.e.*, alias) of 'Barbeedol.' The message read as follows: 'Call me I'm single, lonely, horny...'"

[Opinion and Order](#), 1998-07-23

[USA: "Sheehan v. King County Experian aka TRW, et.al."](#)

"A federal court has held that people have the same right to protest in cyberspace as they do on sidewalks. ... U.S. District Court Judge William Dwyer ruled that people cannot be barred from putting offensive material on the Internet until a court has found it defamatory at trial."

[Order](#), 1998-07-17

[ACLU News](#), 1998-08-13

[USA: AOL shuts down a customer's Koranic-parody site](#)

"AOL shut down a customer's Koranic-parody site after protests from Egypt. But at least one identical site immediately sprang to life. Then still another site appeared, devoted to discussing the controversy -- and reproducing the original site that AOL closed."

[Mailing](#), 1998-06-26

[USA: "MicroData v. Dharma Systems"](#)

"It's as if MDDBS, having stolen a program from Dharma, inserted a bug in it as a result of which the program didn't work, and buyers blamed Dharma and refused to do any further business with it. That would be a consequence of misappropriation, and Dharma would be entitled to the foreseeable damages flowing from that consequence. We conclude that the district court's rulings were correct."

[Appeal Court Decision](#), 1998-05-29

[USA: "Alan M. Howard et al. v. America Online Inc."](#)

"Plaintiffs purport to bring this lawsuit on behalf of millions of subscribers of AOL injured by the Defendants' actions ...: fraudulent billing practices and other fraudulent treatment of AOL's customers; securities fraud; fraudulent dealings with AOL's packaging supplier; and the fraudulent introduction of AOL's flat-fee pricing program."

[Court Order](#), 1998-05-14

[USA: Blocking Software in Public Libraries violates First Amendment - "Mainstream Loudoun v. Loudoun County Library"](#)

"... public libraries are places of freewheeling and independent inquiry. Adult library patrons are presumed to have acquired already the "fundamental values" needed to act as citizens, and have come to the library to pursue their personal intellectual interests rather than the curriculum of a high school classroom. As such, no curricular motive justifies a public library's decision to restrict access to Internet materials on the basis of their content."

Memorandum Opinion and Order, 1998-04-07

USA: The high Costs of Spamming/An Agreement with the "Spam-King" - "Earthlink Networks v. Cyber Promotions, Inc."

"IT IS HEREBY ORDERED AND ADJUDGED that, as to all claims asserted herein against Cyber Promotions, Plaintiff EarthLink recover from Defendant Cyber Promotions the sum of two million dollars (\$2,000,000.00)."

Consent Judgment/Compromise, 1998-03-30

USA: Exploiting AOL's Name for Porn - "AOL v. WebCom"

"Defendants' intentional and unauthorized use of the 'AOL' mark and AOL's trade dress in connection with Defendant's pornographic products and services and unsolicited e-mail messages constitutes unfair competition, and infringes AOL's common law trademark and service mark rights in the 'AOL' name and mark and all other 'AOL'-based names and marks owned by AOL, as well as AOL's trade dress."

Complaint, 1998-03-02

AOL Press Release, 1998-03

USA: Indecent Teachings - "Urofsky et. al. v. Allen"

"... the plaintiffs' Motion for Summary Judgment is GRANTED ... and it is hereby DECLARED that Va. Code §§2.1 -- 804, *et seq.*, entitled "Restrictions on State Employees Access to Information Infrastructure" violates the First and Fourteenth Amendments of the United States Constitution..."

Court Order, 1998-02-26

USA: Machado and Online Anti-Asian Hate Actions - First Internet Defamation Case

"In the first-ever prosecution for sending hate mail in cyberspace, a federal jury in Santa Ana determined today that Richard Machado was guilty of sending hate E-mail over the Internet, United States Attorney Nora M. Manella announced."

USAO Press Release, 1998-02-10

CUD, Volume 10 : Issue 14, 1998-02-24

USA: Long-distance Rates charged - "Carlos Spera v. America Online Inc."

"After using defendant's service for a period of time, plaintiff received billings from the telephone company whose lines he used for accessing the network, which charged him long-distance rates Contending that defendant engaged in misleading business practices by failing to properly warn subscribers ..., plaintiff commenced this action against defendant."

Supreme Court Order, 1998-01-27

USA: CompuServe-Website blocked because of "Unauthorized Use of Scientology" - "The Church v. Tilman Hausherr"

"The term SCIENTOLOGY and the designs for SCIENTOLOGY CROSS, DIANETICS Symbol, and SCIENTOLOGY Symbol are registered trademarks and service marks of our clients. ... The web page that we retrieved from your web site contains image files derived from copyrighted works

obtained from our client's web site. Your use of these materials violates the rights of our clients."

[Mails](#), 1998-01-26/1998-01-29

[USA: A Naval Officer on AOL - "Timothy McVeigh v. William Cohen"](#)

"... the volunteer searched through the 'member profile directory' to find the member profile for this sender. The directory specified that 'boysrch' was an AOL subscriber named Tim who lived in Honolulu, Hawaii, worked in the military, and identified his marital status as 'gay'."

[Memorandum Opinion and Order](#), 1998-01-25

[USA: E-Mail Privacy - "Andersen Consulting v. UOP and Bickel"](#)

"Andersen Consulting LLP brought an eight count complaint against the defendants, UOP Andersen alleges that the defendants knowingly divulged, or caused to be divulged, the contents of Andersen's e-mail messages in violation of the Electronic Communications Privacy Act. Defendants' motion to dismiss all counts of Andersen's complaint is granted."

[Memorandum Opinion and Order](#), 1998-01-23

1997

[USA: Assassination Politics - "United States v. Jim Bell"](#)

"A federal judge Friday imposed an 11-month sentence for tax violations on James Dalton Bell, whose 10-part Internet essay, '[Assassination Politics](#),' proposed apparent 'bounties' on government officials."

[Complaint](#), 1997-05-16

[Oregon Online News](#), 1997-12-12

[USA: AOL - Internet Community Policy: Zero Tolerance Statement](#)

"When we have control over it, we will remove it."

[Public Statement](#), 1997-12-02

[USA: Canter & Siegel fighting for their rights in Arizona - "Cybersell v. Cybersell"](#)

"... The essentially passive nature of Cybersell FL's activity in posting a home page on the World Wide Web that allegedly used the service mark of Cybersell AZ does not qualify as purposeful activity invoking the benefits and protections of Arizona. ... Cybersell FL lacks sufficient minimum contacts with Arizona for personal jurisdiction to be asserted over it there. Accordingly, its motion to dismiss for lack of personal jurisdiction was properly granted."

[Appeal Court Decision](#), 1997-12-02

[USA: "US v. Mark Stuart Hockings"](#)

"Mark Stuart Hockings ("Hockings") was charged with one count of possessing eight computer files containing visual depictions of child pornography. ... Hockings argues that the charging statute is constitutionally vague because it criminalizes 'the transportation and possession of items [GIF files] that clearly are not visual depictions'. ... We disagree. Affirmed."

[Appeal Court Decision](#), 1997-11-21

[USA: The domain "epix.com"](#)

"The court finds that the use of the Internet website 'epix.com' by Interstellar Starship to publicize the 'Rocky Horror Picture Show' is not likely to confuse any actual or potential customer seeking to purchase printed circuit boards and computer programs from Epix, Inc. While the court concludes that Epix, Inc. is the owner of the valid Registered Trademark No. 1,618,449, under the facts of this case the court finds no infringement by Interstellar Starship."

[Opinion](#), 1997-11-20

[USA: The Liability of Network Solutions - The "Lockhead"-Domain](#)

"Because summary judgment on (all) claims is based on Lockheed's lack of a legal right to control the domain name registration process, there is no case or controversy between these parties. Therefore, the Court grants NSI's motion for summary judgment as to Lockheed's declaratory judgment cause of action."

[Order](#), 1997-11-17

[USA: Spam under Abuse of Domain flowers.com - "Tracy Parker v. C.N. Enterprises"](#)

"IT IS THERFORE ORDERED that Defendants ... hereby are permanently enjoined from ... sending or causing to be sent any Internet electronic mail message or other electronic communication using the domain name flowers.com as any portion of the return address of that message, or otherwise using the domain name flowers.com in any portion of the message header information."

[Order](#), 1997-11-10

[Press Release](#), 1997-11-17

[USA: Copyright Infringement with Clip Art - "Marobie v. NAFED"](#)

"Plaintiff's copyright infringement claim and unfair competition claim are based on the same conduct: the unauthorized copying and distribution of its clip art on NAFED's Web Page. Plaintiffs motion for summary judgment against NAFED on Count I is granted."

[Memorandum Opinion and Order](#), 1997-11-13

[USA: ISP held liable for defamatory speech - "Kenneth Zeran v. America Online Inc."](#)

"(CDA) Section 230, however, plainly immunizes computer service providers like AOL from liability for information that originates with third parties. Furthermore, Congress clearly expressed its intent that § 230 apply to lawsuits, like Zeran's, instituted after the CDA's enactment. Accordingly, we affirm the judgment of the district court."

[District Court Decision](#), 1997-03-21

[Appeal Court Decision](#), 1997-11-12

[USA: The "Hit Man" Manual hits the Web - "Vivian Rice et.al. v. Paladin Press"](#)

"A triple murder was committed in Montgomery County by a man who was alleged to have used this book, Hit Man, as his guide. He was caught and convicted and sentenced to death. ... Paladin Press settled the case, giving the families of those killed by the hit man several million dollars, agreeing to destroy the remaining 700 copies of the book in their possession, and surrendering any rights they have to publish and reproduce the work. While the families were successful in profiting from their loved one's death, they have not been successful in stifling the book. With the surrender of the

publishing rights by Paladin Press, the book has entered the public domain, and is being published on the Internet."

Stipulation

Appeal Court Decision, 1997-10-10

Hit Man On-Line - A Technical Manual for Independent Contractors, 1983-1999

USA: "Quad/Graphics, Inc. v. Southern Adirondack"

"It is the court's determination that disclosure of the information sought should not be permitted. Petitioner certainly has an internal security problem involving the unauthorized use of its computer equipment and resources. However a criminal complaint is not before this court and apparently has not been made. Were this application to be granted, the door would be open to other similar requests made, for example, by a parent who wishes to learn what a child is reading or viewing on the 'Internet'."

Opinion, 1997-09-30

USA: Cyberpromotion in Court - "Snow v. Doherty"

"Typically, spammers send their mass junk mailings from a computer telecommunications server other than the "mama" server at Indiana State. Spammers know that out of the millions of messages they send each day, tens of thousands are undeliverable, either because they are sent to an invalid address or because the messages are being "blocked" by the intended recipients. Spammers are further aware that their spamming activities generate numerous angry complaints from recipients who do not request the spam and must pay for the cost of receiving it."

Complaint, 1997-09-09

Time Table, 1997-09-22

USA: Trademark Infringement in the World Wide Web - "Playmate"

"... Plaintiff PEI is likely to succeed on the merits in proving inter alia trademark infringement, unfair competition, including a false designation of origin and false representation, in Defendants' use of the domain names "playboyxxx.com" and "playmatelive.com", ... and the repeated use of the PLAYBOY trademark in machine readable code in Defendants' Internet Web pages."

Court Order, 1997-09-08

USA: "Clue"-less - "Hasbro Inc. v. Clue Computing, Inc."

"I hereby: GRANT defendant's motion for summary judgment as to plaintiff's First Claim, federal trademark infringement; and sitting as finder of fact, award judgment for defendant as to plaintiff's Second Claim, federal trademark dilution and Third Claim, state trademark dilution."

Complaint, 1997-01-10

Answer and Counterclaim, 1997-08-29

Memorandum Opinion and Order, 1997-09-02

USA: Eugene Kashpureff - AlterNIC Presentation and Apology, ISPCON 1997

"I am very sorry about the name service interruption that I caused ... during the weekend of July 10 through the 14th and ... during the weekend of July 21 through the 23rd. I sincerely apologize to the Internet community as a whole and to Network Solutions, Inc. for my actions. ... My actions hindered

others' freedom to use and enjoy the Internet. For this I am deeply and sincerely sorry."

[Speech](#), 1997-08-20?

[USA: Guilty of Violating the MIT Policy - The Extropians' Case](#)

"The MIT Extropians, a student group seeking ASA recognition, are charged with four violations of MIT policies/rulings related to an unauthorized mailing to the incoming freshman class."

[MIT Disciplinary Decision](#), 1997-08-18

[USA: Illegal Gaming in the Internet - "People of the State of New York v. World Interactive Gaming Corp."](#)

"Had investors known that 46% of the funds raised were being paid to respondents in the form of salaries, commissions and consulting fees, they might well have chosen to forego the investment. Because of the clear illegality present in respondents' actions, and absence of any triable issue of fact, respondents are found liable under Executive Law."

[Court Order](#), 1997-07-22

[USA: "Doe v. America Online Inc."](#)

"... all claims against AOL are barred by 47 U.S.C. § 230. This statute, which became law on February 8, 1996, states: No provider ... of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider."

[Court Order](#), 1997-06-26

[USA: Consumer Fraud and False Advertising via E-Mail - "People v. Lipsitz"](#)

"...the Attorney General ... seeks enforcement of consumer fraud and false advertising laws, against a business physically located within this jurisdiction, upon the allegation that the business engaged in ... practices targeting the world-wide Internet audience by methods involving the use, misuse and abuse of e-mail."

[Supreme Court Judgment](#), 1997-06-23

[USA: Fighting against the "New York Communication Decency Act" - "American Library Association et.al. v. George Pataki"](#)

"The protection of children from pedophilia is an entirely valid and laudable goal of state legislation. The New York Act's attempts to effectuate that goal, however, fall afoul of the Commerce Clause for three reasons."

[Complaint](#), 1997-01-14

[Opinion and Court Order](#), 1997-06-20

[USA: "US v. Bruce R. Black"](#)

"(Black) admitted that he regularly received and occasionally disseminated images via computer depicting children in sexually explicit conduct. He referred to this material as 'child pornography' or 'kiddie porn' and said he had retained everything he received and kept most of it in the ring binder albums stored in his bedroom. Black's motion to dismiss the indictment was denied."

[Appeal Court Decision](#), 1997-06-09

USA: [Canter & Siegel, The infamous "Green Card Lawyers" and Founders of Cybersell](#)

"C&S will refrain from mass postings of any unsolicited, non-contextual, non-topic advertisements using electronic mail or other TCP/IP Internet applications."

Green Card Lottery Spam Mail, 1994-03

Cybersell Spam-Mail, 1994-05

PSI Antispam Agreement, 1994-06-23

Chat, 1994-10-01

The Board of Professional Responsibility of the Supreme Court of Tennessee Judgment, 1997-02-25

Supreme Court Suspension Order, 1997-06-05

USA: ["The Church of Scientology vs. the Net" - Ron Newman and CyberAccess](#)

"Ron Newman's web site, 'The Church of Scientology vs. the Net', has moved to a new location."

Settlement Agreement, 1997-05-29

USA: [The Legality of Police E-Mail - "Michael Doherty v. Registry of Motor Vehicles"](#)

"The plaintiff's claim is that the registrar has erroneously interpreted (the law) to permit a police officer to make a report to the Registry of Motor Vehicles ... in the form of an electronic message ... which does not contain the officer's handwritten signature."

Trial Court Memorandum of Decision, 1997-05-28

USA: ["Teletech v. Tele-Tech" - The Domain without Hyphen](#)

"It is therefore ordered, ... that during the pendency of this action, defendant Tele-Tech Company, Inc. (is) restrained and enjoined from using the domain name 'teletech' or 'teletech.com' on the Internet.;"

Finding of Facts and Order, 1997-05-09

USA: [A Crypto License Dispute - "RSA Data Security, Inc. v. Pretty Good Privacy, Inc"](#)

"This action arises out of a license agreement for certain patented technology originally entered into between Public Key Partners and Lemcom Systems, Inc. ("Lemcom"). ... Lemcom has been merged with and has adopted the name of PGP. ... RSA has ... been granted the sole and exclusive right to monitor and enforce the terms of the original Lemcom/PKP Agreement."

Complaint, 1997-05-06

USA: ["Expertpages v. Trialexerts"](#)

"It is hereby ORDERED that Defendant ... is enjoined from ... reproducing, adapting, changing, copying, renting, selling, lending, exchanging, trading, using or distributing all or any portions of Plaintiffs ExpertPages automated database, including any prior, current, future or any derivative versions thereof."

Order, 1997-05-02

USA: [A Software Time bomb for Anticipatory Revenge - The Corcoran Case](#)

"This unusual appeal asks us to reverse the denial of relief sought by a state prisoner who claims that

his crime was privileged by federal copyright law. ... Of course federal copyright law does not preempt state criminal prosecutions for destroying noncopyrighted property that is commingled with a copyrighted work. Otherwise an author invited into the home of someone who had bought one of his books would have a legal privilege to tear up the book if he had retained the copyright in it."

[Appeal Court Decision](#), 1997-04-28

[USA: **Obscene CD-Roms sold to Undercover Agent - "Anthony Davis v. Oklahoma City Police Officers"**](#)

"After Mr. Davis sold obscene CD-ROMs to an undercover officer, a warrant was obtained to search his business premises. ... Mr. Davis, his related businesses, and several users of electronic mail (e-mail) on his bulletin board brought this action in federal court against the officers who executed the search, alleging that the seizure of the computer equipment, and e-mail and software stored on the system, violated several constitutional and statutory provisions. The district court granted summary judgment for the officers. We affirm."

[Complaint](#), 1994-02 (?)

[Appeal Court Decision](#), 1997-04-21

[USA: **Electronic Filing via CD-Rom - "Yukiyo Ltd. v. Watanabe"**](#)

"In order to guide a future CD-ROM filing, until such time as the court promulgates rules governing such a filing, the court sets forth the following general guidelines. As discussed above, a party wishing to file a CD-ROM counterpart brief must seek consent of the other parties before submitting a CD-ROM brief to this court."

[Court Order](#), 1997-04-15

[USA: **Mails of sexually explicit depictions of children via bogus pen pals - "Jacobson v. United States"**](#)

"When the Government's quest for convictions leads to the apprehension of an otherwise law-abiding citizen who, if left to his own devices, likely would have never run afoul of the law, the courts should intervene. Because we conclude that this is such a case, and that the prosecution failed, as a matter of law, to adduce evidence to support the jury verdict that petitioner was predisposed, independent of the Government's acts and beyond a reasonable doubt, to violate the law by receiving child pornography through the mails, we reverse the Court of Appeals' judgment affirming the conviction of Keith Jacobson."

[Supreme Court Decision](#), 1997-03-21

[USA: **A Domain Dispute - "Planned Parenthood Federation v. Richard Bucci"**](#)

"I hereby enjoin defendant, his agents, servants, employees, representatives, attorneys, related companies, successors, assigns, and all others in active concert or participation with him, from using to identify defendant's web site, home page, domain name or in any other materials available on the Internet or elsewhere the Planned Parenthood(R) mark."

[Court Order](#), 1997-03-19

[USA: **The "AltaVista" Mark - "Digital Equipment Corporation v. Altavista Technology Inc."**](#)

"The World-Wide Web is growing at a tremendous pace, with new sites and multitudes of new users

everyday. Digital has acquired the right to control the use of the AltaVista mark, and nothing in its license with ATI allows the defendant to capitalize on Digital's significant investments of time, energy, and money in creating one of the most recognized marks in use on the Web."

[Memorandum and Order](#), 1997-03-12

[USA: **Supposed KKK Datamining - "United States v. Richard W. Czubinski"**](#)

"(W)e caution that the wire fraud statute must not serve as a vehicle for prosecuting only those citizens whose views run against the tide, no matter how incorrect or uncivilized such views are."

[Appeal Court Decision](#), 1997-02-21

[USA: **Linking and Framing - "Washington Post Co. v. Total News, Inc."**](#)

"Defendants' conduct has been in willful violation of Plaintiffs' repeated warnings to Defendants that Plaintiffs do not want their sites and/or content depicted in that way and that Defendants' conduct is unauthorized. Specific acts of infringement are representative of a broader pattern of infringement in which Defendants make unauthorized use of the content of Plaintiffs' websites 24 hours a day, every day."

[Complaint](#), 1997-02-20

[USA: **"Gateway 2000 v. Gateway.Com"**](#)

"Although the court is persuaded that plaintiff will likely be able to fulfill the requirement of distinctiveness by either establishing that the mark is suggestive or descriptive with secondary meaning, questions arise as to the order of use. ... To merit a preliminary injunction arising from this claim, plaintiff must show that the name Gateway was used to identify the company before defendant's use began."

[Order](#), 1997-02-06

[USA: **The Long Arm of the Law dealing with Online Stock Information - "Colin Cody v. Kevin Ward"**](#)

"Because the defendant is amenable to suit under the long arm statute, his motion to dismiss must be denied unless exercising personal jurisdiction over him would offend due process. The 'constitutional touchstone' [is] whether the defendant purposefully established 'minimum contact' in the forum state."

[Ruling and Order](#), 1997-02-04

[USA: **Newsgroups blocked at Oklahoma University - "Loving v. Boren"**](#)

"The limitation of OU Internet services is to research and academic purposes on the "B" server is not a violation of the First Amendment, in that those purposes are the very ones for which the system was purchased."

[Order](#), 1997-01-28

[USA: **Unable to provide Unlimited Service - "Groff v. AOL"**](#)

"The gravamen of plaintiff's complaint is, at the time he accepted defendant's offer for unlimited service, defendant knew they were unable to provide the service. ... Based upon the controlling principals, plaintiff has the burden of persuading the Court that the forum selection clause in his agreement with defendant was unreasonable. For the reasons stated, this Court is not satisfied that

plaintiff has met his burden."

[Superior Court Decision](#), 1997-01-21

1996

[USA: Federal Trade Commission "putting internet scam artists on notice"](#)

"The Internet is not going to be a new marketplace where scam artists roam free. We've sent the message, 'Clean up your act or close down your site.' And we plan to follow up to see that they do."

[FTC Press Release](#), 1996-12-12

[USA: Domain-Grabbing - "Intermatic Inc. v. Dennis Toeppen"](#)

"The appropriate relief in this case is to restrain Toeppen from preventing Intermatic from obtaining 'intermatic.com' domain name designation and to require Toeppen to discontinue any and all use of the Intermatic mark."

[Court Order](#), 1996-11-26

[USA: Permanent Injunction against Spam - "Concentric Network Corp. v. Sanford Wallace"](#)

"Defendants and their officers, agents, servants, employees, and attorneys, ... are permanently enjoined from using any accounts opened with plaintiff, CNC, or using any of CNC's equipment to send or receive electronic mail or in connection with the sending or receiving of electronic mail..."

[Complaint](#), 1996-10-02

[Stipulated Judgment and Permanent Injunction](#), 1996-11-04

[USA: The "right to send via the Internet unsolicited e-mail advertisements." - "Cyber Promotions Inc. v. AOL"](#)

"The Court declares that Cyber Promotions, Inc. does not have a right under the First Amendment to the United States Constitution or under the Constitutions of Pennsylvania and Virginia to send unsolicited e-mail advertisements over the Internet to members of American Online, Inc."

[Memorandum Opinion and Order](#), 1996-11-04

[USA: Against the Federal Communications Commission's First Report and Order - "Iowa Utilities Board et.al. v. FCC"](#)

"Before the FCC published its regulations pursuant to the Act, several incumbent LECs, potential competitors, and state utility commissions were all working together to implement the local competition provisions of the Act. The Act's system of private negotiation backed by state-run arbitration was operating without the input from the FCC. A stay would preserve the continuity and stability of this regulatory system."

[Order](#), 1996-10-15

[USA: Flame Throwers - "Internet America, Inc. v. Kevin Massey"](#)

"Please take a moment to review the following text. There you will find a Temporary Restraining Order prohibiting you from, among other things, attacking Internet America, me, my wife, and our employees over the Internet."

Court Order, 1996-10-14

USA: "United States of America v. Kevin Mitnick"

"By running unauthorized 'hacking' programs, defendant MITNICK was able to obtain undetected 'Superuser' status on the computers of the victim companies, Internet Service Providers and educational institutions. 'Superuser' status permits a user to access all areas of a computer."

Indictment, 1996-09-26

USA: "Maritz, Inc. v. Cybergold, Inc."

"Viewed in the light most favorable to plaintiff, defendant's contacts with Missouri are as follows. CyberGold maintains an internet site on the World Wide Web. The server for the website is presumably in Berkeley, California. The website is at present continually accessible to every internet-connected computer in Missouri and the world. CyberGold's website can be accessed at 'www.cybergold.com' by any internet user. IT IS HEREBY ORDERED that the motion of defendant to dismiss for lack of personal jurisdiction and improper venue."

Memorandum and Order, 1996-08-19

USA: An Inline Linking Dispute - The "The Dilbert Hack Pages"

"I very carefully designed my Web page to avoid copyright problems. If you examine the HTML for my page, you will see it pulls images from the UnitedMedia server. I do not store any United Feature Syndicate intellectual property on my server."

Mails, 1996-07/08

USA: The Domain actmedia.com - "Actmedia v. Active Media International, Inc,"

"Defendant's reservation of the Domain Name violates 15 U.S.C. Section 1125 and Illinois common law."

Permanent Injunction, 1996-07-12

USA: Indecent Reporting - "Joe Shea v. Janet Reno"

"The technological impossibility of independent compliance with the affirmative defenses renders §223(d) unconstitutional as an overbroad prohibition on constitutionally protected indecent speech between adults."

Memorandum and Order, 1996-07-29

USA: AOL providing Users with free connect time as compensation for America Online billing practices

"America Online is hereby directed to post the following reference on the America Online Welcome Screen: 'Member billing: Know your rights and get free time. Read Steve Case's update.' By clicking on the icon on the Welcome Screen, there will be an immediate link to the Steve Case Community Update; by clicking on the Free Time button on the Steve Case Community Update, there will be an immediate link to the full text of the Online Notice. The Welcome Screen reference will be scheduled every other day for a 14-day period in a way reasonably calculated by America Online to produce 5.5 million impressions."

Settlement Notice and Hearing Order, 1996-07-01

USA: Long distance phone calls without paying - "Thrifty-Tel v. Bezenek et.al."

"A friend of the Bezeneks' children knew a confidential Thrifty-Tel access code. During a three-day period in November 1991, Ryan, Gerry and some friends, using the Bezeneks' home computer and modem, gained entry into Thrifty-Tel's system with the code and conducted manual random searches for a six-digit authorization code."

Appeal Court Decision, 1996-06-28

USA: The trademark "WirelessNOW" - "Malarkey-Taylor Associates, Inc. v. Cellular Telecommunications Industry Association"

"MTA's application for preliminary injunction is GRANTED. CTIA is enjoined from ... using MTA's trademark, WirelessNOW."

Court Order, 1996-06-21

USA: Must shrinkwrap licences be obeyed by buyers? - "ProCD, Inc. v. Matthew Zeidenberg and Silken Mountain"

"Licenses may have other benefits for consumers: many licenses permit users to make extra copies, to use the software on multiple computers, even to incorporate the software into the user's products. But whether a particular license is generous or restrictive, a simple two-party contract is not 'equivalent to any of the exclusive rights within the general scope of copyright' and therefore may be enforced."

Appeal Court Decision, 1996-06-20

USA: Unsolicited commercial Mail using bogus "aol.com" e-mail addresses - "AOL v. Cyber Promotions Inc."

"Cyber never requested or obtained any authorization from AOL to engage in this conduct nor has it compensated AOL in any manner for the use of AOL's equipment to route the millions of unsolicited messages which Cyber has sent. The forged return e-mail addresses used by Cyber have contained AOL's mark and domain name 'aol.com'."

Complaint, 1996-06-14

USA: Trademark Infringement with a Domain - "Giacalone v. Network Solutions Inc. and TY Inc."

"IT IS HEREBY ORDERED that a Preliminary Injunction be granted as prayed for in the motion, to the following effect: Defendant TY, INC and its agents and employees and all other persons acting in concert with it are hereby enjoined from interfering in any way with Plaintiff GIACALONE's right to use the Internet domain name 'ty.com'."

Complaint, 1996-05

Preliminary Injunction, 1996-06-13

USA: Forced to give up ones own name - "Clue Computing, Inc. v. NSI"

"Clue Computing prays for relief as follows: An Order enjoining NSI from placing the clue.com domain on hold as a result of enforcement of the New NSI Policy ... (and) a declaration that the New NSI Policy is not applicable to Clue Computing's pre-Policy domain name registration."

[Complaint](#), 1996-06-12

[Letter to NSI](#), 1996-06-13

[Motion](#), 1996-06-12

[USA: ACLU et.al. v. Reno challenging provisions of the "Communications Decency Act of 1996"](#)

"This is an action for declaratory and injunctive relief challenging provisions of the "Communications Decency Act of 1996". One provision imposes criminal penalties for "indecent" but constitutionally protected telecommunications."

[Complaint](#), 1996-02-08

[USA: EFF/ACLU v. Reno CDA Challenge Decision](#)

"... it is hereby ordered that: 1. The motions are granted; 2. Defendant Attorney General Janet Reno, and all acting under her direction and control, are preliminarily enjoined from enforcing, prosecuting, investigating or reviewing any matter premised upon..."

[Court Decision](#), 1996-06-12

[USA: Legal Threat against "Mighty Morphin Power Rangers" Fan Pages](#)

"Saban hereby demands that you and all those who have acted in concert with you, immediately cease any copying, transmission or other utilization of any of its protected intellectual property, including any use of the POWER RANGERS Characters."

[Letter](#), 1996-06-03

[USA: Pyramid Schemes - "FTC v. Fortuna"](#)

"IT IS THEREFORE ORDERED that the Fortuna Defendants, whether acting directly or through any business, entity, corporation, subsidiary, division, or other device, in or affecting commerce, ... are permanently enjoined from engaging, participating, or assisting in any manner or capacity whatsoever in the advertising, promoting, offering for sale, or sale, of any chain or pyramid marketing program."

[Complaint](#), 1996-05-23

[Order](#), 1996-05-24

[Final Judgment](#)

[USA: Primenet User arrested for declaring "open season" on Senator - Free Speech or Death Threat?](#)

"An Internet message declaring an 'open season' on state Sen. Tim Leslie because of the lawmaker's stance on mountain lions has been traced to a 19-year-old college student in El Paso, Texas, authorities say. Jose Eduardo Saavedra was arrested on a no-bail warrant based on felony charges filed in Sacramento alleging that he had made terrorist threats and threatened a public official."

[Posting](#), 1996-05-18

[USA: The registered trademark "Juris"](#)

"(Defendants) are infringing Juris' registered trademark through (the) use of an identical mark "juris"

as a second level domain name and website on the computer medium of the Internet and through other marketing channels to sell, distribute, advertise, and/or market its goods and services to Juris' target market of lawyers and law firms."

[Injunction](#), 1996-04-26 [as corrected May 22, 1996]

[USA: Hooked on Copyrights - "Zuill v. Shanahan et.al."](#)

"Mr. Shanahan, through the corporation he used to sell Hooked on Phonics, started making money from it. Mr. Zuill and Mr. Rossi sued him in October of 1991, claiming to be co-owners of one-third interests in Hooked on Phonics. They sought a declaratory judgment of coownership, an injunction, an accounting for their claimed share, and other relief."

[Opinion](#), 1996-04-10

[USA: The Amateur Action BBS Case - "United States of America v. Thomas and Thomas"](#)

"Defendants Robert and Carleen Thomas appeal their convictions and sentences for violating federal obscenity laws, in connection with their operation of an electronic bulletin board. For the following reasons, we AFFIRM Robert and Carleen Thomas' convictions and sentences."

[Appeal Court Decision](#), 1996-01-29

[USA: Employer reading Administrator's Mails: No Invasion of Privacy](#)

"...we do not find a reasonable expectation of privacy in e-mail communications voluntarily made by an employee to his supervisor over the company e-mail system notwithstanding any assurances that such communications would not be intercepted by management."

[Memorandum Opinion and Order](#), 1996-01-23

[USA: The 2600 Files - "Computer Professionals for Social Responsibility v. US Secret Service"](#)

"On November 12, 1992, the Washington Post carried a story suggesting that the United States Secret Service might have been involved in the breakup of a meeting of young "computer hackers" at a Virginia shopping mall. Shortly thereafter, appellee Computer Professionals for Social Responsibility filed a Freedom of Information Act request in which it asked the Secret Service for copies of all records relating to the incident."

[Complaint](#), 1993-03

[Memorandum and Order](#), 1994-07-01

[Appeal Court Decision](#), 1996-01-02

1995

[USA: Church of Scientology v. Netcom/Erlich/Klemesrud - The "First Internet War"](#)

"Erlich has been posting plaintiffs' proprietary materials onto the Internet computer network ("the Internet") without authorization from plaintiffs and continues to do so despite several warnings from plaintiffs to cease and desist his activities in violation of their rights."

[Complaint](#), 1995-02-08

[Order](#), 1995-11-21

[USA: Cornell University - The "75 reasons why women should not have freedom of speech"](#)

[Mailing](#)

"The Office of the Judicial Administrator recently received many complaints regarding an e-mail message which listed '75 reasons why women should not have freedom of speech'. Understandably, the content offended, angered and distressed many people in the Cornell community and beyond."

[Mail](#), 1995-11

[Public Letter](#), 1995-11-17

[USA: "Frank Music Corp. v. CompuServe"](#)

"The Office of the Judicial Administrator recently received many complaints regarding an e-mail message which listed '75 reasons why women should not have freedom of speech'. Understandably, the content offended, angered and distressed many people in the Cornell community and beyond."

[Complaint](#), 1993-10-29

[Agreement](#), 1995-10-25

[Stipulation and Order/Amendment of the Complaint](#), 1995-11-07

[Press Release](#), 1995-11-07

[USA: Diving with a stoned Instructor \("Bowker v. AOL"\)](#)

"Petitioners seek discovery from AOL, requesting AOL to produce complete copies or printouts of computer screens and other documents revealing subscriber information, applications for membership and payment records which could enable Petitioners to identify and locate those individuals and/or entities responsible for the posting of the defamatory material and other messages on AOL's bulletin boards or in electronic mail."

[Petition for Discovery](#), 1995-09-26

[USA: Security Incident at the Oregon Facility - "Intel v. Schwartz"](#)

"We can demonstrate that Randal Schwartz has been gaining access to Intel systems via a mechanism he has previously been informed is unacceptable. ... We do not know at this time if other backdoors have been installed elsewhere on Intel machines."

[Postings](#), 1995-09

[USA: "ProActive Media, Inc. v. The Walt Disney Company"](#)

"This suit alleges regular and premeditated copyright infringement by representatives of Disney Interactive Software, an unincorporated division of The Walt Disney Company. Upon information and belief, a senior executive of Disney Interactive, David Rech, instructed his secretary to copy each day's single paid-for copy of MMWIRE and had unauthorized duplicates distributed to Disney executives throughout Disney offices in the U.S. and Canada."

[Complaint](#), 1995-08-08

[USA: Minnesota Attorney General - Warning to all Internet Users and Providers](#)

"Persons outside of Minnesota who transmit information via the Internet knowing that information will be disseminated in Minnesota are subject to jurisdiction in Minnesota courts for violations of State Criminal and Civil Laws."

[Memorandum](#), 1995-07-18

[USA: **United States of America v. Jake Baker - The "alt.sex.stories" Case**](#)

"Defendant Jake Baker is charged in a superseding indictment with five counts of transmitting threats to injure or kidnap another, in electronic mail (e-mail) messages transmitted via the Internet. Now before the Court is Baker's motion to quash the superseding indictment. For the reasons that follow, the motion will be granted."

[Posting](#), 1995-01-09

[Court Decision](#), 1995-06-21

[USA: **"United States of America v. Ed Cummings a.k.a. Bernie S."**](#)

"... defendant EDWARD E. CUMMINGS, knowingly and with intent to defraud did possess and have custody and control of hardware and software, that is an IBM 'Think Pad' laptop computer and computer disks, used for altering and modifying telecommunications instruments to obtain unauthorized access to telecommunications service."

[Indictment](#), 1995-06-08

[USA: **"Stratton Oakmont, Inc. v. Prodigy Services Co."**](#)

"... it is ordered that PRODIGY was a "publisher" of statements concerning Plaintiffs on its "Money Talk" computer bulletin board for the purposes of Plaintiffs, libel claims; and, that Charles Epstein, the Board Leader ..., acted as PRODIGY's agent..."

[Summary Judgment](#), 1995-05-24

[USA: **The Attorney General of Texas against Gaming in the Internet**](#)

"Where two or more persons, each using a separate personal computer and modem or other data transmission device in a private place, play a card game with each other and bet on the outcome of the card game, the activities would be illegal under the gambling provisions set out in chapter 47 of the Penal Code unless there was no "public" access to the games."

[Opinion](#), 1995-05-02

[USA: **Photograph used without permission in an advertisement - "Howard Stern v. Delphi Internet Services Corp."**](#)

"...the purpose of the advertisement was to promote sales of Delphi's Internet service, and the Stern bulletin board in particular The fact that the advertisement also contained Stern's photograph, which defendant concedes does not appear on-line on computer screens, cannot transform a privileged use into an unlawful use."

[Supreme Court Order](#), 1995-04-20

[USA: **A BBS: No Periodical - "It's in the Cards, Inc. v. Rosario Fuschetto"**](#)

"Posting a message to the SportsNet bulletin board is a random communication of computerized messages analogous to posting a written notice on a public bulletin board, not a publication that appears at regular intervals."

[Appeal Court Decision](#), 1995-04-11?

[USA: "Indecent Speech" on University of Memphis Newsgroup](#)

"... articles were posted to umem.personals on February 28 and March 1, 1995 ... including the post which caused David Hooper's VAX access to be revoked. This post is considered 'obscene' by the University of Memphis administration..."

[Postings / Letters](#), 1995-03

1994

[USA: Illegal Copying and Distribution of copyrighted Software - "US v. David LaMacchia"](#)

"LaMacchia, a computer hacker, used MIT's computer network to gain entree to the Internet. Using pseudonyms and an encrypted address, LaMacchia set up an electronic bulletin board which he named Cynosure. He encouraged his correspondents to upload popular software applications and computer games. These he transferred to a second encrypted address (Cynosure II) where they could be downloaded by other users."

[Memorandum and Order](#), 1994-12-28

[USA: The Seizure of a Bulletin Board System - "Steve Jackson Games v. US"](#)

"In October 1988, Henry Kluepfel, Director of Network Security Technology (an affiliate Bell Company), began investigating the unauthorized duplication and distribution of a computerized text file, containing information about Bell's emergency call system. ... In early February 1990, Kluepfel learned that the document was available on the "Phoenix Project" computer bulletin board..."

[Complaint](#), 1991-05-01

[District Court Decision](#), 1993-03-12

[Appeal Court Decision](#), 1994-10-31

[USA: The quarrel about "mtv.com"](#)

"By approximately August, 1993, Curry had announced the mtv.com address on MTVN broadcasts. On the afternoon of one August taping, Curry claims to have had a conversation about mtv.com with Joel Stillerman ('Stillerman'), a senior MTVN executive. On January 19, 1994, MTVN formally requested that Curry cease use of the mtv.com address."

[Memorandum and Order](#), 1994-10-28

[USA: A net.poltergeist horror story - The Serdar Argic Case](#)

"The Serdar-thing manifested outta nowhere, terrorized Usenet News for two blood-curdling years ... then, just as mysteriously, disappeared without trace. So wide was the spectre's swath that nary a Usenetter hasn't stumbled into a newsgroup only to be confronted by this wild-eyed banshee gnawing at the cables. The Argic.poltergeist posted endlessly, reams and reams of repeat-info to irrelevant newsgroups, so insatiable was its bloodlust."

[Usenet-Posting](#), 1993-04-24

[News Article](#), 1994-07-28

[USA: Tandy/Radio Shack prohibits Employee from operating Searchlight BBS](#)

"Ms. Rochelle C. Skwarla, one of the System Operators (SYSOP) for a local hobby computer

Bulletin Board System (BBS) and also an employee of Radio Shack was advised to consider shutting down her system or leaving the company. ...On May 27, 1994 ... she was advised that her services would no longer be needed at that store."

[Posting](#), 1994-05-27

[USA: Libel Suit against Brock Meeks \(Cyberwire Dispatch\)](#)

"Yes, I settled the case. But it was Suarez that initiated the settlement offer. At first he floated the idea of having me issue an apology, say that investigations of his company by state and federal authorities were actually "sham investigations" and paying his legal fees (which were \$15,000 at the time). I told my lawyer bluntly: 'No fucking way.' My lawyers translated."

[Mailing](#), 1994-05-11

[Net Broadcasts](#)

[USA: Student arrested for e-mail threat to Clinton](#)

"A University of Illinois student has been arrested for threatening the life of President Clinton, U.S. Attorney Frances Hulin announced today. Christopher James Reincke, 18, of Townsend Hall, Urbana, allegedly sent an electronic mail message to the White House on Dec. 4 threatening Clinton..."

[News Release](#), 1994-02-24

1993

[USA: JS McBride Co.'s plans to publish market demographics extracted by monitoring net activity creates storm of outrage](#)

"JS McBride is NOT collecting demographic information on email addresses. Due to the controversy surrounding this practice, we have discarded the product demographics we collected."

[E-Mail](#), 1993-11-03

[USA: Invasion of Privacy - "Bonita Bourke v. Nissan Motor Corporation USA"](#)

"Nissan's actions in reviewing plaintiffs' E-mail messages did not violate their constitutional right to privacy. Therefore, plaintiffs have failed to state a claim for wrongful termination in violation of public policy."

[Appeal Court Decision](#), 1993-07-26

[USA: Copyright infringement, misappropriation of trade secrets, trademark infringement, false advertising, and unfair competition - "MAI Systems v. Peak Computer Inc."](#)

"Peak and Francis [and certain others] are permanently enjoined from misappropriating, using in any manner in their business, including advertising connected therewith, and/or disclosing to others MAI's trade secrets."

[Appeal Court Decision](#), 1993-04-07

1992

[USA: **Disassembling a copyrighted computer program a copyright infringement - "Sega v. Accolade"**](#)

"Where disassembly is the only way to gain access to the ideas and functional elements embodied in a copyrighted computer program and where there is a legitimate reason for seeking such access, disassembly is a fair use of the copyrighted work, as a matter of law."

[Opinion](#), 1992-10-20

[USA: **University of Waterloo Ban on Newsgroups suspended**](#)

"(This is the announcement of) the restoration of all banned newsgroups there, from alt.sex.bondage to rec.humor.funny. ... The banning of my publication at my alma mater has been a thorn in my side for years, and I have helped and encouraged the efforts to reverse it. I did not wish to concede any victory for the forces of thought-control and political correctness."

[Posting](#), 1992-06-05 [1991-10-03]

1991

[USA: **"Cubby Inc. v. CompuServe" - No Liability of the ISP**](#)

"Plaintiffs base their libel claim on the allegedly defamatory statements contained in the Rumorville publication that CompuServe carried as part of the Journalism Forum. CompuServe argues that, it was a distributor of Rumorville, as opposed to a publisher."

[Summary Judgment Decision](#), 1991-10-29

[USA: **"The RISKS of Posting to the Net" - FBI interviews User**](#)

"I just had an interesting visit from the FBI. It seems that a posting I made to sci.space several months ago had filtered through channels, caused the FBI to open (or re-open) a file on me, and an agent wanted to interview me, which I did voluntarily."

[Usenet Posting](#), 1991-05-23

[USA: **"Terminus" - the Len Rose Case**](#)

"The Indictment charges Rose with distributing two 'trojan horse' programs that allowed computer hackers to gain unauthorized access to computer systems, and with the interstate transportation of AT&S's stolen proprietary source code."

[Search Warrant](#), 1990-02-01

[US Attorney Press Release](#), 1990-05-15

[Indictment](#), 1990-05-15

[Article](#), 1990-09

[US Attorney Information Release](#), 1991-03-22

[Press Article](#), 1991-03-23

[USA: **The Worm - "United States v. Robert T. Morris"**](#)

"Defendant's transmission of computer "worm" constituted accessing federal interest computer without authorization under statute punishing anyone who intentionally accesses without authorization federal interest computers and damages or prevents authorized use of information in

those computers..."

[**Affirmative Judgment**](#), 1991-03-07

1990

[**USA: The State v. The Legion of Doom - "United States v. 'Hackers' Robert J. Riggs and Craig Neidorf"**](#)

"At all times relevant herein, the Legion of Doom (LOD) was a closely knit group of computer hackers involved in: a. Disrupting telecommunications by entering computerized telephone switches ..., b. Stealing proprietary computer source code and information from companies and individuals that owned the code and information. c. Stealing and modifying credit information on individuals maintained in credit bureau computers."

[**Indictment**](#), 1990-07

[**Transcript of the Trial**](#), 1990-07-24

[**USA: On May 8, 1990, RIPCO BBS was closed and the equipment seized as the result of a seizure warrant.**](#)

"This warrant is requested to recover unauthorized and illegally used access codes posted on the RIPCO BBS by computer hackers and to develop evidence of their illegal use of those codes in violation of federal criminal laws."

[**Warrants and Court Orders**](#), 1990-05

1989

[**USA: The First Federal Privacy Suit against BBS Operator - "Thompson v. Predaina"**](#)

"Linda Thompson, who filed suit in the US District Court for the Southern District of Indiana, alleges that BBS operator Bob Predaina violated her privacy rights as they relate to her electronic correspondence.... So although the sysop has a certain "license" to roam around through files (for routine maintenance, for example), that sysop does not have the right to make those files public without the consent or knowledge of the recipient or author."

[**Compuserve Online News**](#), 1988-03-26

[**BBS Posting**](#), 1989-09-25

1985

[**USA: The Law Versus Computers - "US v. Thomas Tcimpidis"**](#)

"Thomas G. Tcimpidis, 33, was threatened with prosecution last year because a bulletin board he maintained contained the numbers of two stolen phone card numbers. ... The case was eventually dropped, but a bill is now making its way through the Legislature that would make it a crime for a bulletin-board operator to display unauthorized private information after he has been notified that it is there."

[**Newspaper Article**](#), 1985-08-11

1971

[USA: "Secrets of the Little Blue Box" - The Story of Cap'n Crunch](#)

"Two weeks after I left Joe Engressia's apartment, phone-company security agents and Memphis police broke into it. Armed with a warrant, which they left pinned to a wall, they confiscated every piece of equipment in the room, including his toy telephone. Joe was placed under arrest and taken to the city jail where he was forced to spend the night since he had no money and knew no one in Memphis to call."

[Newspaper Article](#), 1971-10

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Spiegel+Staatsanwaltschaft fallen auf Fakewebsite zur Wahl herein

von Luther - 15.09.2002 15:29

Zum Kaputtlachen: Cashvote.com ist eine gelungene Kommunikationsguerilla-Website eines Kieler Untergrundkünstlers, auf der angeblich Stimmen für die Bundestagswahl gehandelt werden können ("Wählen lohnt sich wieder"). Nach wenigen Minuten dort merkt jeder einigermaßen intelligente Mensch, dass hier etwas nicht stimmt. Nicht so Spiegel und Staatsanwälte!

Bald verboten?

Noch steht dieser Artikel auf der Spiegel-Startseite (!), wahrscheinlich wird er aber bald ganz verschwunden oder korrigiert sein, deshalb hier zur Dokumentation im Wortlaut <http://www.spiegel.de/netzwelt/netzkultur/0,1518,214038,00.html>

14. September 2002
WAHLFÄLSCHUNG

"Staatsanwalt ermittelt gegen Stimmen-Händler"

Manche Nichtwähler lassen ihre Stimme einfach verfallen, andere verkaufen sie. Eine kleine Kieler Firma namens "Fortschritt" treibt den Handel auf die Spitze - und bietet Wahlstimmen im Zehntausender-Paket an. Frankfurt/Main - Wer Stimmen nicht klammheimlich unter Chiffre-Anzeigen oder in Chat-Foren, sondern gleich im Paket einkaufen will, kommt zu Cashvote.com. "Wählen lohnt sich wieder", heißt es da in dicken Lettern. Was damit gemeint ist, erfährt der Besucher im Nachsatz: "Ab sofort können Sie hier Ihre Stimme für die Bundestagswahl 2002 verkaufen sowie Wählervoten im Paket erwerben. Am 22. September sind Wahlen - machen Sie Ihre Stimme schon jetzt zu Geld!"

Da gibt es das "Ecopaket" mit 1000 Zweitstimmen für 6250 Euro. Wer die Partei seiner Wahl noch weiter nach vorn bringen will, kauft das "Powerpaket" mit 10.000 Zweitstimmen, das - die Menge macht's - schon für 59.900 Euro zu haben ist. Und Nachschub ist reichlich vorhanden, glaubt Cashvote-Betreiber "Fortschritt", ein Kieler Unternehmen, das sich im Mai dieses Jahres gegründet haben will. Auf 7,3 Millionen Stimmen beziffert "Fortschritt" das "jährliche Vermittlungspotenzial". Man sucht verzweifelt nach Anzeichen, dass Cashvote nur eine Satire ist. Allein, es finden sich keine.

Für wen die gekauften Stimmen abgegeben werden, bleibt ganz der Wahl des Käufers überlassen: Er kann jede Partei anklicken, die zur Bundestagswahl antritt - von der "Alternative spirituelle Politik im neuen Zeitalter", auch als "Die Violetten" bekannt, über SPD und CDU bis hin zur NPD. Auch im Internet-Auktionshaus eBay werden immer wieder Wählerstimmen angeboten, die nach eBay-Angaben gelöscht werden, sobald sie auftauchen.

Doch das Geschäft könnte für Stimmenkauf und -verkauf könnte die Beteiligten teuer zu stehen kommen: "Wer einem anderen dafür, dass er nicht oder in einem bestimmten Sinne wählt, Geschenke oder andere Vorteile anbietet, verspricht oder gewährt", heißt es im Strafgesetzbuch, "wird mit Freiheitsstrafe bis zu fünf Jahren oder Geldstrafe bestraft."

Eigentlich sollte mittlerweile bekannt sein, dass nur der seine Wahlstimme zum Kauf anbieten sollte, der keine Angst vor dem Staatsanwalt hat. Dennoch ermitteln derzeit gleich mehrere deutsche Anklagebehörden gegen Unvorsichtige, die im Internet und über Zeitungsanzeigen ihre Wählerstimme zum Kauf angeboten haben. Der Frankfurter Oberstaatsanwalt Job Tilmann hat einen entsprechenden Bericht der "Bild am Sonntag" jetzt bestätigt. "Mir sind mehrere Fälle aus dem Internet bekannt", sagte Bundeswahlleiter Johann Hahlen der Zeitung. "Wir haben sofort die Betreiber der betroffenen Foren angemahnt und die zuständigen Staatsanwaltschaften eingeschaltet. Diese haben sofort Ermittlungsverfahren eingeleitet." Perverse und hochkriminell sei diese Art, die Demokratie zu schädigen.

Deshalb droht jetzt gar der Frankfurter Rundschau Ungemach. In dem Blatt soll ein Arbeitsloser seine Stimme im Tausch gegen einen Job angeboten haben. Ermittler Tilmann will jetzt die Anzeigenabteilung der "Frankfurter Rundschau" durchsuchen lassen, um den Mann ausfindig zu machen. Ziel der Ermittlungen sei aber nicht die Zeitung, beteuerte Tilmann. Nur der Inserent.

Peinlich, peinlich, dass Spiegel und die Staatsanwaltschaft auf so eine Satireseite hereinfallen, nur weil dort nicht "Fake" beisteht. Eine kleine Recherche nach dem Domaininhaber und anschließender Suche bei einigen Suchmaschinen hätte doch schon gereicht, um Klarheit zu schaffen. Die Website gehört nämlich einem Kieler "Untergrund-Künstler".

Sie liegt auch nicht, wie zu erwarten wäre, auf einem US-Server sondern bei Schlund/Puretec in Deutschland. Der Eintrag ist vom 15.08.2002, die Website ist also allerhöchstens 1 Monat online und die "Verkaufsfrist" ist bis zum 15.09.2002 begrenzt, in so kurzer Zeit kann man wahrscheinlich nicht bekannt werden und großartige Geschäfte machen ...

Die Website <http://www.cashvote.com> sieht zwar perfekt gestylt aus, aber wer lesen kann und nicht völlig blöd ist ...:

Der Verkäufer bekommt nämlich 10 Euro für die Stimme, der Käufer zahlt aber z.B. nur 6 Euro pro Stimme! Wie soll die "Vermittlungsfirma" dann Gewinn machen?

Außerdem werden Erststimmen und Zweitstimmen durcheinandergebracht usw. und die Beschreibung der "Geschäftsidee" ist auch ziemlich eindeutig...

Schnell hin und lesen, vielleicht sperrt die humorlose Stasi, äh Staatsanwaltschaft die Seite ja doch noch: <http://www.cashvote.com>

Homepage: <http://www.cashvote.com>

[>> Ergänzung zufügen](#)

ERGÄNZUNGEN

lol

Von: MrPizza 15.09.2002 15:51

am besten finde ich die Anteile der Verkauften Stimmen.

FDP: 18 % *g*

doch gewinn

15.09.2002 16:03

wenn cashvote auch erststimmen verkaufen wuerde (unwahrscheinlich), dann waere schon ein gewinn moeglich. allerdings ist im formular fuer die waehler/verkaefer (die ja 10 euro bekommen) nichts davon gesagt, dass sie auch die erststimme nach anweisung abgeben muessen.

Schade

15.09.2002 16:10

Schade, der Wahlfälschungs-Artikel steht ab jetzt nicht mehr ganz oben auf der Spiegel-Startseite, nur noch weiter unten bei Netzwelt...

Stimme abgegeben...

15.09.2002 17:22

So, ich habe jetzt meine Stimme "verkauft": Man kann im Prinzip ALLE Felder freilassen, es erscheint trotzdem immer die Erfolgsmeldung:

Vielen Dank, "Name" "Vorname"
Ihre Angaben wurden gespeichert.

Nicht einmal eine Partei muss angekreuzt werden! Spricht nicht unbedingt gegen ein Fake...

GEOUTET

Von: Luther 16.09.2002 10:55

SCHADE, bei Cashvote.com gibt es heute zwar noch die Originalseiten http://www.cashvote.com/index_.php zu sehen, auf der Startseite <http://www.cashvote.com> erscheint aber nun zunächst eine Klarstellung, dass es sich um ein Fake handelt.

Aus der Presseauswertung dort ergibt sich, dass nicht nur der Spiegel offensichtlich zu Deutschlands cleversten Medien gehört sondern ganz vorne natürlich die Bild am Sonntag sowie die FAZ, AP, n-tv, Stuttgarter Nachrichten und der Stern (Hitler-Tagebücher... genannt werden müssen! Alle entsprechenden Artikel sind heute (Montag 16.09.2002, 10:30) immer noch so im Netz, auf eine Satire wird nicht hingewiesen - schnell hin...

Interessant auch, dass Bundeswahlleiter Johann Hahlen voll auf ein so relativ einfaches Fake hereingefallen ist - aber deutsche Spitzenbeamte gelten im internationalen Vergleich ja bekanntlich als die mit Abstand Intelligentesten ...

Es bleibt zu befürchten, dass Hahlen und die Staatsanwaltschaft aus Rache dafür, dass ihre eigene Cleverness so deutlich herausgestellt wurde ;) jetzt weiterhin massiv gegen die Betreiber vorgehen. Es finden sich dafür sicher irgendwelche absurden Paragraphen (Vortäuschung oder Aufforderung zu Straftaten o.ä.) ...

Erste Entwarnung im Web

16.09.2002 11:05

Erste "Enthüllung" von Cashvote.com als Satire im Web

- nach Indymedia :) -

Ostsee-Zeitung

☞ http://www.ostsee-zeitung.de/po/start_148552.html

Einer der Initiatoren von Cashvote.com, Benno Peters, erklärte im Südwestrundfunk, die Aktion sei als Scherz gemeint gewesen. "Es wurde nie mit Stimmen gehandelt, noch bestand bei uns dazu die Absicht", sagte er laut SWR. Das Ganze sei ein politisches Experiment einer sich in der Gründungsphase befindenden Partei. "Wir wollten mit dieser Aktion den heruntergekommenen Stand der jetzigen Demokratie kritisieren", sagte Peters. Es sei für keine einzige Stimme Geld geflossen, allerdings habe es mehrere hundert Angebote gegeben.

dpa, AP etc. - alle reingefallen!!!

Von: fr-leser 16.09.2002 11:26

Offensichtlich sind auch die Presseagenturen dpa und AP voll auf das Fake hereingefallen und entsprechend berichten praktisch alle deutschen Zeitungen (siehe auch Paperball.de)!

Die Frankfurter Rundschau kapiert es allerdings beinahe - hier komplett zur Dokumentation wiedergegeben, da vermutlich auch diese Seite demnächst nicht mehr unverändert online bleiben dürfte:

☞ <http://www.fr-aktuell.de/fr/101/t101003.htm>

IM BLICKPUNKT

Wahlervoten im "Power-Paket" - Cashvote handelt mit Stimmen

Von Jörg Schindler (Berlin)

Kurz vor der Wahl sorgen geschäftstüchtige Menschen für Furore, die Wählerstimmen gegen Bares verhökern. Die Staatsanwälte ermitteln.

Das Angebot klingt verlockend, die Idee bestechend einfach. "Machen Sie Ihre Stimme zu barem Geld", heißt es auf der Internet-Seite von Cashvote. Die Voten würden nur an "seriöse Interessenten" abgegeben, ohne Aufwand, ohne Kleingedrucktes, zehn Euro das Stück. "Wählen", so das Fazit, "lohnt sich wieder."

Seit Mai 2002 kauft Cashvote, ein "junges, innovatives Unternehmen" mit Sitz in Kiel, Wählern ihre Stimme ab, um sie Gewinn bringend zu verhökern. Wer sich seinen Urnengang vergolden lassen will, muss lediglich eine "Selbstverpflichtung" unterschreiben. Kurz vor der Bundestagswahl erhält er zehn Euro und die Anweisung, wen er wählen soll. Auf diese Weise, so Cashvote selbstlos, "werden sogar Nichtwähler zu Wählern". Benno Peters, Sprecher des Unternehmens, sagte, man bewege sich in einer Grauzone zwischen "Satire und Ernst".

Die so gesammelten Stimmen schnürt das Unternehmen zu Paketen zusammen. 1000 Zweitstimmen sind für 6250 Euro zu haben, für das Zehnfache garantiert das "Power-Paket" Rabatt. Wirtschaft und Demokratie, lobt die Firma, würden so aufs Trefflichste miteinander verknüpft. Etliche Wähler scheinen das ähnlich zu sehen: Mehr als 70 000 Mal wurde die Web-Site von Cashvote mittlerweile aufgerufen.

Dabei ist die Idee, Wählerstimmen zu vermakeln, nicht wirklich neu. In den USA erdachte ein Kunststudent vor einigen Jahren eine Parodie auf das System der Wahlkampf-Finanzierung, aus der im Handumdrehen Ernst wurde. Kurz vor der Präsidentschaftswahl sorgte www.voteauction.com für erhebliches Aufsehen: Binnen kürzester Zeit meldeten sich dort 15 000 Wähler und etliche Bieter - Höchstsumme: knapp 200 000 US-Dollar. Auf vehemente Proteste reagierte der Betreiber der Seite gelassen: Immerhin sei es in den USA durchaus üblich, dass Lobbyisten die Parteien mit üppigem Geldsegen bedenken. Nicht einzusehen sei, warum dieselben Millionen nicht direkt an den Wähler ausgeschüttet werden sollen. Überall, wo Spenden Wahlen beeinflussen, sollten daher Stimmenkaufbörsen eingerichtet werden - auch in Deutschland.

Nun scheint es so weit zu sein. Und Cashvote ist dabei nicht das einzige Unternehmen, das ein Geschäft wittert. Auch beim Internet-Auktionshaus Ebay gingen schon dutzendfach Menschen online, die ihre politischen Präferenzen meistbietend versteigern wollten. Ob scherzhaft oder nicht: Inzwischen ist Ebay dazu übergegangen, die Angebote sofort zu streichen. Das Auktionshaus tut gut daran, denn der Verkauf und Ankauf von

Wählerstimmen ist gesetzlich verboten. Wer sich seines Wahlrechts auf monetäre Weise entledigt, dem drohen bis zu fünf Jahren Knast. Die ersten Staatsanwaltschaften haben daher bereits mit ihren Ermittlungen begonnen. Sie werden demnächst wohl auch in den Anzeigenabteilungen von Zeitungen vorstellig werden, darunter die FR. In deren Kleinanzeigenteil hatte ein besonders gewitzter Wähler jüngst Erst- und Zweitstimme gegen einen Arbeitsplatz angeboten. Egal, ob Satire oder tiefere Bedeutung: Der Mann hat nun ein Problem. Denn auf Drängen der Staatsanwaltschaft wird der Verlag die Adresse des Kunden herausgeben. Auch in anderen Fällen wollen die Ermittler hart durchgreifen.

Die Macher von Cashvote lassen sich davon bislang wenig beeindrucken. Nachdem die Testphase mit der Bundestagswahl erfolgreich abgeschlossen wurde, sollen bald schon auf Landes- und Kommunalebene Wählervoten vertickt werden. Dem Wachstum des neuen Marktes seien kaum Grenzen gesetzt: Allein in Deutschland gebe es ein "jährliches Vermittlungspotenzial" von 7,3 Millionen Stimmen

URL: <http://www.fr-aktuell.de/fr/101/t101003.htm>

Glückwunsch, super!

16.09.2002 11:59

Herzlichen Glückwunsch nach Kiel, perfekte Aktion! Geil. Nur warum hat jetzt die FDP statt 18 sogar 22%? Naja -- immerhin reicht es zusammen mit PBC (13%), PDS (9%) und Schill (9%) zu einer bequemen Mehrheit... Möllemann mit dem mobilen Guido, Schill, Jesus und Gysi, das wäre eine Regierung! Warum ist die CSU nicht aufgeführt, fällt die unter Sonstige?

Interessante Diskussion

Von: Heisianer 16.09.2002 13:11

Bei Heise diskutieren die Leute sehr interessant über cashvote.com und hirnlose Presse und Staatsapparat:

☞ <http://www.heise.de/newsticker/data/wst-16.09.02-002/>

Bei Indy ist dazu ja hier leider nicht viel los, dabei habt ihr das Fake doch als erstes geschnallt. BTW: Warum ist der Artikel nicht auf der Startseite?

URL: <http://www.heise.de/newsticker/data/wst-16.09.02-002/>

Eine Wählerstimme ist viel mehr Wert

Von: Gerhard 16.09.2002 13:37

Wer ist korrupter: Cashvote (wenn es echt wäre) oder Kanzler Schröder?

Herr Schröder kauft 5.500 Stimmen (die MobilCom-Leute) für 320 Millionen Euro. Das sind 58.181 Euro pro Wähler, also fast 6000x so viel wie bei Cashvote.com. Und das ist keine Satire, nur ermittelt hier kein Staatsanwalt .. Davon abgesehen ist die MobilCom-Bürgschaft (sowie bei Holzmann auch) strafrechtlich gesehen möglicherweise Untreue und eine Frechheit gegenüber den 550 kleinen Unternehmen mit je 10 Beschäftigten, die pro Woche Pleite machen und die keinen Cent bekommen.

lustig

Von: venceremos 16.09.2002 16:08

selten so gelacht. eine ganz klasse aktion.

und wenn die presseagenturen, spiegel und co darauf reinfallen, zeigen sie nur wie blöd sie sind.

sehr schön

Von: aargh 16.09.2002 22:50

Dieser Fake hat es sogar in den Videotext von CNN (S. 106) geschafft - grandios!

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SAN FRANCISCO
The International Film Association
P.O. Box 14516 • San Francisco, CA 94114

May, 2001 Newsletter

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MEET AUTHORS AND ARTISTS AT OUR WEDNESDAY, MAY 30th ANIMATION BOOK FAIR. ED HOOKS, AUTHOR OF "ACTING FOR ANIMATORS" AND NIK PHELPS, CREATOR OF THE NEW CD "FETCH" TO SPEAK. OTHER LUMINARIES TO BE ON HAND TO MEET INFORMALLY WITH YOU, TO TALK ABOUT THEIR WORK AND TO SIGN COPIES FOR PEOPLE INTERESTED IN OBTAINING THEM. PLUS A LIVE PERFORMANCE OF THE "DAY ELMO AARDVARK MET VA VA LA VOOM" This should be a fascinating evening where you can meet the creators of "intellectual property" related to animation. The event features talks by Ed Hooks, teacher and author of *Acting for Animators* and Nik Phelps, head of The Sprocket Ensemble, who has just released a CD of their music for animated shorts.

You can meet and talk with Nina Paley (original art), Michaela Pavlatova (making available some cutouts from *Forever and Forever*), Russell Merritt (author of *Walt in Wonderland*, an important study of Disney's silent films), Karl Cohen (author of *Forbidden Animation: Censored Cartoons and Blacklisted Animators*), Arnaldo Laboy (creator of *The Adventures of Poyi and Ubo*) and Chris Lanier (author/illustrator of the graphic novel *Combustion*). All will bring things to sign.

Will Ryan, the creator of *Elmo Aardvark* and a former president of ASIFA-Hollywood, is coming up from Los Angeles with voice actress Diane Michelle to promote the great *Elmo Aardvark: Outer Space Detective* show, distributed by Mondo Media. Both are voice actors (Goofy, Daisy Duck, Tigger for Disney, Yosemite Sam, characters on *Batman*, etc.) Ryan will sign copies of his out-of-print

Elmo Aardvark CD and copies of *The Elmo Aardvark Miracle: How to Make a Movie with No Money* (if it is back from the publishers). They will also perform strange and unusual acts before your very eyes!

CONGRATULATIONS FILM ARTS FOUNDATION ON YOUR 25TH BIRTHDAY A big celebration party with live music by Papa and his Band, projections, etc. will take place May 17. For

details www.filmarts.org or 1 552-6350

ABOUT ED HOOKS AND "ACTING FOR ANIMATORS" A lot of animators in the Bay Area and around the world have studied with Hooks. His new book has been getting great reviews. Amazon.com writes "Until now, animators who have wanted to learn about acting have had no option but to study the subject side by side with stage and movie actors, a group that uses acting techniques in a wholly different way. Ed Hooks offers a better alternative with *Acting for Animators*, the first book about acting theory and technique written specifically for the animator. "

Amazon puts readers' comments about books on their site.. One person wrote, "This is a dense, thoughtful work, of lasting value, which will reward careful study. Hooks writes in an easily readable style, concisely and directly, about the most difficult and elusive portion of the art of character animation. Buy this book before you choose software or other animation tools. You will find that Hooks' advice will also improve your script and storyboard development. One of the problems with books about computer-based character animation, such as my own 'Character Animation In Depth', is that they lose value as the software they are written for becomes obsolete. Hooks' work will retain its value for a long time. Buy a copy, keep it handy, reread it frequently, and don't loan it to friends; you won't get it back. Give them one instead."

Another review concludes, "Overall, best money I've spent on an animation book in a long time! I don't care how long you've been in the industry, you'll learn something from this book!"

Brad Bird, director of *Iron Giant* and *Family Dog*, says "Hooks has made a valuable contribution toward deepening our understanding."

Hooks will be signing copies at tonight's event. This will be one of his last appearances in the Bay Area as he plans to live in Chicago part of the year and in Rome the rest of the year.

THE PACIFIC FILM ARCHIVE IN BERKELEY WILL PRESENT 9 EXTRAORDINARY PROGRAMS BY THE CZECH DIRECTOR KAREL ZEMAN, FOLLOWED BY 7 EVEN RARER PROGRAMS BY THE RUSSIAN DIRECTOR ALEXANDER PTUSKO, AND A NIGHT OF PUPPET ANIMATION BY LADISLAW STAREWICZ (WITH LIVE MUSIC BY THE TIN HAT TRIO) Can there be too much of a good thing? If you really love animation, especially Ray Harryhausen type fantasy films, do your best to see all or most of these unusual programs. Most of the works to be shown combine stop-motion and special effects with live action. Most have never been seen in the Bay Area, or if they were shown it was decades ago.

The Zeman series begins Friday and Saturday, May 4 and 5 and continues on Fri. - Sunday May 11, 12 & 13. Karel Zeman's work created astonishing visions of ancient and modern worlds. His fantasy films include *Barron Munchausen* (Grand Prix, Cannes, 1964), *The Stolen Airship* (1960, a Jules Verne tale of boys who meet Captain Nemo, 35mm, color), *Journey to the Beginning of Time* (1954, boys venture to the age of dinosaurs, 35mm color), and *The Fabulous World of Jules Verne* (1958, it combines moments from the books *20,000 Leagues Under the Sea* and *An Invention for Destruction*, 35mm, b/w).

There is also a program of funny Zeman shorts that feature his animated alter ego Mr. Prokouk. The program also includes his first film, *The Christmas Dream*, 1946 and a short that sounds simply amazing. *Inspiration*, 1948, "is a love story set in a single drop of water, which Zeman animated by heating and bending fragile blown-glass figures!" .

The Starewicz program on Saturday, May 19 at 3:30 & 7:30 includes several of his unusual puppet films including 3 made in Russia in 1911 (*Cameraman's Revenge*, *Insect's Christmas*, and *The Ant and the Grasshopper*). His stop-motion work using real insect parts on armatures and other techniques still amazes and delights audiences.

Alexander Ptushko's feature *New Gulliver* (Sunday, May 20 at 5:30 pm) was released in 1935, 2 years before Disney released *Snow White*. It is the story of a man (Petya) who falls asleep while reading *Gulliver's Travels*. He finds himself in a world full of Lilliputs (over 3,000 miniature figures were used in the stop-motion sequences). Ptushko placed his Lilliputs in a world similar to Russia in the 1930's, so there is a jazz band, mechanized tractors and "in the best revolutionary spirit a miniaturized workers' proletariat who rises up with the help of the giant Petya!" (PFA program notes) "In addition to the technical finesse with which the puppets are managed, the film hasŠ genuine wit in its sly assault on bourgeois institutions." (NY Times, 1935). Prescott Wright saw the film years ago and highly recommends ASIFA members see this interesting historic landmark.. (35mm, b/w, English subtitles)

Ptusko's *Sampo*, 1959. Thurs. May 24, 7 pm, is being presented in its complete wide screen form for the first time in the US (a chopped up short pan and scan version was released years ago as *The Day the Earth Froze*). The fantasy concerns a witch who tries to obtain a mill that can produce endless amounts of gold, salt and grain. When the hero tries to stop her she steals the sun, plunging the earth into darkness. There is a fire breathing iron horse, a talking tree, and other imaginative elements in the film. (35mm, color, scope, English subtitles)

Ptushko's *Stone Flower*, 1946, Sunday, May 27, 5:30, was Russia's first all color feature and *Life Magazine* noted it was "delightfully done, no propaganda, no moral." The plot concerns the magical Queen of Copper Hill who seduces a stone sculptor into joining her in her underworld kingdom. Lots of supernatural splendor in this tale. It was a popular success when it was released.

The series includes a lot of other features for us to discover. For example *Vly* by Ptushko on June 7 is a horror-fantasy film about a priest locked in a church full of grotesque demons and gargoyles (based on a story by Gogol). The PFA's film calendar provides a great deal more information about these works. A list of the films and show times appears in the newsletter's "local screenings" section.

FOR THE BIRDS HELLO DOLLY! SPIKE & MIKE'S 2001 CLASSIC FESTIVAL OF ANIMATION RETURNS TO THE BAY AREA WITH LOTS OF CROWD PLEASERS! MOST HAVE NOT BEEN SEEN HERE BEFORE Animation fans should enjoy Spike & Mike's 2001 Classic Festival of Animation, which opened in the San Francisco at the Castro last week. This year's eclectic mix showcases short films that are full of delightful surprises. They come from nine countries (France, Chile, Italy, Japan, Czechoslovakia, The Netherlands, Australia, USA and England).

The program features this year's Oscar winner *Father and Daughter* and a dozen other works that I think are really nice. There is also one that I think is a real gem, a couple that didn't interest me and one work that I thought was awful.

Father and Daughter is by world-renowned animator Michael Dudok De Wit. (He also won an Oscar nomination for *Monk and the Fish*, 1995) The artwork is a joy to watch and the story is sophisticated and understated. It may stimulate your imagination about what happened.

Among the works in the program that also impressed me are *For The Birds* from Pixar, *Insect Poetry* by Marilyn Zornado and her friends from Vinton's studio in Portland, Europe and Italy, a very clever comic work by Italy's Bruno Bozzetto, and *Hello Dolly!* by Mariko Hoshi (a Bay Area animator). I also liked for a variety of reasons *The Man with the Beautiful Eyes* by Jonathan Hodgson of England, *Ill Communication* by Danny Capozzi of England, *The Last Drawings of Canaletto* by Cameron McNall, *Metropopular* by Jonah Hall from PDI, *The Pigion and the Onion Pie* by Stephen Holman and Josephine Huang (how do people create strange stories like this one? - the mind is a wonderful thing) and a couple of other works.

I enjoyed almost everything in the program except *Rejected* by five-time Spike and Mike participant, Don Hertzfeldt. It was given an Oscar nomination this year and has won several other honors. Go see it and decide for your- self if it is a hit, a miss or really awful.

Rejected consists of several commissioned works that were rejected by sponsors after they were made. People who have worked on sponsored films seem to have a special place in their heart for works that are critical of sponsors including *I Like It* by Buzzco and *New Fangeled* by George Griffin. Unfortunately I find *Rejected* poorly written, poorly organized and poorly made. The stick figure style of animation has been used to good advantage by several directors including George Evelyn in his delightful "Stick Figure Theater" segments made a few years ago by Colossal for Liquid Television and Tex Avery in *Porky's Preview*, 1941. I do not feel Hertzfeldt's latest work uses the approach to good advantage, but a lot of people disagree with me.

My favorite film in the program is an old gem by Michel Ocelot of France. *The Prince and the Princess* was made in the 1980's using cut-out/silhouette animation. It wasn't widely seen, so I'm glad the program includes it. I suspect many of you will remember this film many years from now for both its beautiful animation and delightful comedy.

The program will be at the Castro Theatre 429 Castro, SF, (415) 621-6120, April 27-May 9; Grand Lake Theatre 3200 Grand Ave, Oakland, (510) 452-3556, May 4-17; Oaks Theatre 1875 Solano Ave, Berkeley, (510) 526-1836, May 4-24; Orinda Theater 2 Orinda Square, Orinda, (925) 254-9060, May 4-24; Rafael Film Center 1118 4th St, San Rafael, (415) 454-1222, May 11-24; Towne Theater 1433 The Alameda, San Jose, (408) 287-1433, May 11-June 7; Roxy Stadium 14 85 Santa Rosa Ave, Santa Rosa, (707) 522-0330, May 18-31 and Roxie Cinema 3117 16th Street, SF, (415) 863-1087, May 27 & 28.

WILD BRAIN COMPLETES A DELIGHTFUL OPENING FOR CARTOON NETWORK'S "THE CHUCK JONE SHOW" George Evelyn directed the graphic package for the show that

includes a 30 second opening, a 10 second close and several short "we will be right back" messages. He animated new versions of landmark images by Jones that appear in some of his greatest hits.

The opening sequences begin with rough pencil test drawings of characters. They are next seen as finished drawings and finally with fully rendered backgrounds. These sequences will hopefully remind TV viewers that an artist created them. The opening ends with the characters surrounding a portrait of Jones. The end "close" goes from fully rendered art to a pencil image of Roadrunner about to be blown apart by a device from Acme. (Of course it isn't functioning properly.) As the final curtain drops we hear an off-screen "boom." Thank you Mr. Jones for these golden moments, and thank you Mr. Evelyn for refreshing our memories.

The crew working on these visuals includes Gisela Hermeling, art production supervisor; Eric Schweikert, technical director, and animators Brad Rau, Aaron Sorenson, Alan Sperling, Ralph Fernan and Aichu So. The assistant animators on the project were Cindy Ng, Billy Burger, Chris Carter, Granger Davis, Heiko Drengenberg, Emile Dunonslet, Sam Hood, Christine Lacore, James Munro, Ivan Spiridonov, Armanda Tsoukanelis, Lyra Warren, Celeste Moreno and Vaughn Ross. Tod Polson created the backgrounds. The digital ink and paint crew included Danya O'Brien, Isaac Payne, Carter Tomassi, Kenrick Walz and Bryan Dawson.

ASIFA-SF DUES ARE BEING RAISED \$4 A YEAR TO COVER OFFICE DEPOT'S DOUBLING THE COST OF PRINTING THE NEWSLETTER They had really low rates for years which helped us keep membership dues at \$18 a year. Shirley Smith is trying to find a less expensive printer, but Office Depot's rates are apparently competitive with Kinko and other major copy services. Since we have been slowly spending more than we take in, your board voted to raise dues on May 1.

PIXAR, LASSETER SIGN TEN YEAR DEAL Pixar executive vice president and two-time Oscar-winning director John Lasseter has signed a new ten year contract to provide his services exclusively to the studio. "John Lasseter, more than anyone else, has shaped Pixar into the world-class animation studio it is today. With John leading our creative team for the next decade, our dream of nurturing a golden age of animation at Pixar may come true," said Pixar CEO Steve Jobs.

Lasseter, currently in development on his fourth feature, has directed Toy Story (1995), A Bug's Life (1998) and Toy Story 2 (1999). their combined worldwide box office receipts total over \$1.2 billion to date. The studio's next feature, Monsters, Inc. is scheduled for a November 2, 2001 release.

"It's the dream of every animator and storyteller to help build a studio from scratch that embraces the creative values we hold dear," said Lasseter. "A place like Pixar doesn't happen often, and I feel like one of the luckiest guys on earth." From AWN on the Internet

JONATHAN LUSKIN DIRECTED "LIFE DURING WARTIME" at Teatro 150, to May 12, (415) 433-1172.. Luskin was a cgi animator at ILM for several years.

PDI/DREAMWORKS "SHREK" IS A DELIGHTFUL COMEDY THAT MAKES MAJOR ADVANCES IN THE ART OF ANIMATION When I saw the first TV commercials for Shrek I

feared the worst. Much of what I saw was ugly. When I went to a press preview I was taken by surprise the moment the first images came on the screen. Within the opening moments of the film I was amazed at PDI's ability to create lush textures and details. In one early sequences we see Shrek taking a mud bath. While kids will love the realistic goo and slime, I was impressed with the suggestion of muscles under the skin in the close-up of his bare back.

Shrek turns out to be visually stunning much of the time and genuinely funny. The first images drew me into the film and allowed my suspension of disbelief to take over. Soon, I was in total awe of the spectacular scenery, sets, costumes, unusual characters, gorgeous colors and dozens of other elements. I was laughing out loud at some of the jokes (groaning at others, but there are so many good ones the duds don't matter) and was thoroughly convinced I was going on an incredible adventure. I wasn't thinking about all the factual information I already knew about this production. In my mind all the characters were real including the Dragon. Intellectually I knew that all the visuals were created by computers, but for 80 minutes they were alive.

We are witnessing a remarkable period of filmmaking. While each computer generated film has advanced the art to some degree, Shrek makes major advances and takes the art form to new heights. The quality of PDI's work is so good that I wanted to believe that the entire film was shot on location. I especially loved the beautiful landscapes including fields of flowers blowing in the breeze. I even accepted the characters as being real, even though they are not photo-realistic.

Shrek, based on a story by the humorist William Steig, dares to go where few films tread. It is an irreverent fairy tale in the tradition of the "Fractured Fairy Tales" from The Rocky and Bullwinkle Show. It pokes fun at numerous sacred cows of our culture from Small World at Disneyland to a TV's "Dating Game." There is an overabundance of humor and it is delivered at a rapid pace. While the sophisticated dialog and bizarre story should appeal to most adults, there is romance for the girls and some grime, slime and bathroom humor for boys. Up tight parents may be offended, but they will approve of the film's positive moral messages.

The story begins with an ugly reclusive ogre named Shrek (Mike Myers) enjoying life living alone in a dismal swamp. Suddenly he is invaded by annoying fairy tale characters (some made famous by Mr. Disney). They have been banished from their kingdom by the evil Lord Farquaad (John Lithgow). Determined to save his home from the pesky creatures, Shrek sets off to deal with Lord Farquaad. He is joined by a wisecracking donkey (Eddie Murphy) that will do anything except shut-up.

Shrek's journey is full of unorthodox moments. The rescue of Princess Fiona (Cameron Diaz) isn't your typical fairy tale adventure, nor is the love affair between the donkey and the fire breathing dragon (relax, it is a female dragon). There are lots of delightful surprises, unusual twists and wonderful laughs awaiting you if you decide to see Shrek.

For more on Shrek see the cover story of FilmTape World's May issue. It is my interview with Raman Hui, Supervising Animator about the making of the film. KC

PS Don't be surprised if there is a sequel and other spin-offs.

PDI PROMOTES MARILYN FRIEDMAN TO HEAD OF STUDIO RECRUITMENT AND STAFFING In recent years she has been a friend of our ASIFA chapter by finding people on their staff to talk at our events. She has also provided us with reels for our annual open screenings and information for our newsletter. We wish her well in her new position.

Shoshana Abrass has been named head of systems. She was a systems administrator at PDI before moving south to work for DreamWorks. She is back managing a staff of 12.

BULGARIAN SCIENCE FICTION WRITER BORIS BELOVARSKI IS IN THE BAY AREA AND DEVELOPING A TV SERIES BASED ON HIS WRITINGS For information go to www.timeship.tv There are several press clippings about his work and other informative sections. It wasn't clear to me how animation will be used in the TV series (all animation, part or effects work & live action), but it sounds like a great undertaking.

"MORE THAN 75,000 DOT-COM EMPLOYEES HAVE RECEIVED PINK SLIPS SINCE DECEMBER, 1999 - SOME 45 PERCENT OF THEM IN THE BAY AREA." The New York Times, April 15, 2001. p."bu 13." The article is about people who are being laid off and are going into the Peace Corps to teach technology in developing nations.

KQED IS OFFERING A \$10,000 OWENS INDEPENDENT VISION POST PRODUCTION AWARD Animated and part-animated projects will be considered, especially ones that conform to standard TV lengths (i.e. 26:40 min). Winner must grant KQED the right to air their work locally. Deadline is May 30 and project must be completed by summer, 2002. Karl Cohen can send you an application or contact Peter J. Owens Independent Vision Award, 2601 Mariposa, SF, CA 94110-1426

THE U. C. THEATRE CLOSED FOR GOOD MARCH 29, 2001. IT HAD SHOWED 100s OF RARE ANIMATION PROGRAMS OVER THE YEARS including Karl Cohen's Forbidden Animation program in 1997. Garry Meyers, who ran the theatre for many years is now running the Balboa in SF.

LOCAL SCREENINGS

Karel Zeman Animation at the Pacific Film Archive:

Fri. May 4, 7:00, The Stolen Airship, 9:10, The Jester's Tale

Sat., May 5, 7:00 Journey to the Beginning of Time, 8:35 Treasure of Bird Island

Fri. May 11, 7:00 Zeman Shorts, 8:55 The Fabulous World of Jules Verne

Sat. May 12, 7:00 Baron Munchausen, 9:10 Kraba - The Sorcerer's Apprentice

Sun. May 13, 5:30 The Thousand and One Nights

Friday, May 18 Free Public Screenings of Animation Finals at SF State, at 2:30 (digital displays in the lobby) and 3 pm (projected work in the Coppola Theatre, FA 101). The S. F. State Film Finals (mostly or all live action films) at 7 pm in the McKenna Theatre. Free reception at 6 pm in the Casablanca Room (CCA 158)

Saturday, May 19, 3:30 and 7:30 Starewicz Puppet Films with music performed live by The Tin Hat Trio, PFA

Saturday, May 19, 8:30, ARK EMERGENCY BENEFIT at ATA (992 Valencia). Ark "is a cell of mischievous media artists with bold graphics and aggressive wit, who have launched a steady stream of scathingly critical initiatives against the corporate take-over of the democratic process, not to mention everyday life. During the Fall 2000 elections, arc agent James Baumgartner was sued by the Chicago Board of Education for his satirical voteauction.com website. Though the ACLU has agreed to defend him, James has already racked up a \$10,000 legal debt. Here's a friggin' raft of prank videos - plus a half-hour set of Negativland music videos - towards his free speech defense."

Features by Alexander Ptushko at Pacific Film Archive

Sunday, May 20, 5:30, The New Gulliver

Thursday, May 20, 7:00, Sampo

Sunday, May 27, 5:30, Stone Flower

Sunday, June 3, 5:30, Ruslan and Ludmila

Thursday, June 7, 7:00, Viy

Friday, June 8, 7:30, Aerograd, 9:15, The Letter that was Never Sent

Friday, June 2, 7 pm, BARRY PURVES SCREENING AND DISCUSSING 5 OF HIS ANIMATED FILMS at the Women's Building as part of the National Queer Arts Festival. 3543 18th St. (415) 552-7709 www.staytooned.com

NATIONAL NEWS

SOTHEBYS IS AUCTIONING OFF 325 LOTS OF EARLY ANIMATION ART - MOST OF IT IS PRE-WAR DISNEY Go to www.sothebys.com and look for the Jeff Lotman collection sale. Go before May 5 and see part 1 up for sale. Part 2 runs from May 11 to June 1. It is (was) a very impressive collection!

"ANIMATION BLAST" #6 HONORS THE GREAT, BUT OBSCURE, CARTOON DESIGNER TOM OREB, PLUS THE AMAZING JIM TYER I didn't know Oreb was the

designer of several striking looking films from Disney and MGM. His credits include Toot, Whistle Plunk and Boom (Oscar, 1953) and Tex Avery's Symphony in Slang, 1951. He also designed characters for Disney features and Disney TV commercials, but he was not given screen credit very often. Now you can read about his impressive body of work in a long in-depth tribute (18 pages with lots of illustrations).

The second artist being honored is Jim Tyer. He spent years animating for Van Buren, Harman-Ising, Fleischer, Terrytoons, Famous and other studios. In his later work he experimented with creating extreme and outrageous shapes for his character's faces and bodies as he put them through their paces. He broke a lot of rules and is dearly loved by a lot of people from Jerry Beck to John Kricfalusi. His imagination knew no boundaries and in a section about him by Ralph Bakshi (Bakshi was an inker when he worked with Tyer) he is reported to have given him the following advice. "1. Everything moves. 2. Don't worry about the model chart. 3. Either have fun with the drawing or go home. 4. There ain't nobody to follow but yourself." This is a great 20 page tribute in an exceptional issue.

Animation Blast's new 52 page issue costs \$6. (Several pages are in color.) Copies are available from Tower Records, Comic Relief in Berkeley, by mail from Amid Amidi, PO box 260491, Encino, CA 91426-0491 and from Animation Blast.com.

A MEMBER GETS AN ADVANCED LOOK AT DISNEY'S "ATLANTIS" He writes, "it was a major disappointment. When I think of the lost city, I expect amazing graphics. Instead we get characters looking like they came from TV with nice backgrounds but nothing special. Surprisingly there are no songs though it lends itself to them as the film follows Disney formula pretty much. Opens with subtitles which will throw kids off and then everyone stops speaking 'Atlantisian' and speaks English. Even the comic relief characters are only of mild interest. One of them chain smokes! In a Disney film? The film opens well but after 30 minutes, people were falling asleep. I think much will bore audiences of all ages. There goes my stock again."

ASIFA-EAST SHOWED A RARE FEATURE THAT INCLUDED ANIMATION FROM THE HUBLEY STUDIO The feature was The Four Poster, 1952, with Rex Harrison and Lilly Palmer. Art Babbitt and Lou Keller did the animation, Paul Julian designed the layouts and backgrounds and John Hubley was the animation director of the animated sequences in this live action feature. Apparently it isn't available on video or from film libraries.

GRAND VALLEY STATE UNIVERSITY IN MICHIGAN HAD AN IMPRESSIVE GALLERY EXHIBIT, SCREENINGS AND TALKS FEATURING THE WORK OF KAREN AQUA, JOHN CANEMAKER, JOAN GRATZ, FAITH HUBLEY AND DEANNA MORSE The exhibit of work by 5 American independent animators was on display Feb. 26-March 30. While the exhibit was up Hubley and Aqua introduced screenings of their work and Morse gave a gallery talk. The gallery published a handsome and informative catalog to go with the exhibit. The university is in Allendale, Michigan.

ASIFA-HOLLYWOOD SHOWED "A LOST ANIME CLASSIC" On April 25 Jerry Beck introduced a screening of a 16mm print of Jack and the Witch (Shonen Jack to Mahoutsukai), released in 1967 by Toei. Their print was a dubbed version that was distributed to US TV stations in

the late '60's. The flyer for the program calls it, "a wacky, sometimes psychedelic, cartoon adventure, both intentionally and unintentionally funny (the awful dubbing doesn't help)."

THE GENE SISKEL FILM CENTER IN CHICAGO PRESENTED AN 80 FILM TRIBUTE TO CHUCK JONES It is a rare occurrence when somebody does a 35mm program honoring an animator, so I was amazed that the film archive connected with the Chicago Art Institute showed 8 programs of shorts plus Chuck Jones: Extremes and In-Betweens, a new documentary on Jones. Greg Ford and Ronnie Scheib were the guest curators behind this series.

PASSING

BILL HANNA DIED IN MARCH Trying to find correct information about him was an interesting adventure into how lax animation scholarship has been. He was born in either 1910 or 1911 in New Mexico (different books give different dates). He had no formal art training when he landed a job with Harman-Ising in 1931 according to Maltin, but Lenberg says he left his career in engineering, took a crash course in art and got a job with Harman-Ising when they were producing animation for MGM. That would have him joining the firm about 1934.

At Harman-Ising he rose in the ranks and directed the beautiful fantasy *To Spring* in 1936. When Harman-Ising lost their contract to produce shorts for MGM in 1937 he, like most of the staff, left and was hired by MGM for their new animation dept.

At MGM he was paired up with Joe Barbera by producer Fred Quimby right after joined MGM according to one book, in 1938 according to another and in 1939 according to Hanna in another book. Their first project together wasn't very successful (an unnamed cartoon), but other books say their first project put a cat and mouse together. The film was called *Puss Gets The Boot* (1940) and it went on to win an Oscar nomination.

According to an ABC report "in the next 12 years the pair's creations would garner them 12 nominations and 7 Oscars over the course of more than 100 cartoons." In 1957 MGM decided to close their animation studio and laid-off their staff.

This was a turning point in animation history, but what happened next isn't well known. According to official biographies Hanna opened Hanna-Barbera Studios, invented limited animation for TV, did *Ruff and Reddy* (1957), *Huckleberry Hound*, *Flintstones*, *Jetsons*, *Smurfs*, *Yogi Bear*, etc. and lived happily ever after.

If you look deeper there are other versions of the story. Hanna-Barbera didn't invent limited animation even though Hanna once told me that was one of his accomplishments. A few limited animation shows made for TV date before *Ruff and Reddy* including *Alex Anderson* and *Jay Ward's Crusader Rabbit* (1950) and some of the work of Sam Singer (see the next obituary).

Hanna also denied to me in the late '80's that he tried to produce a *Crusader Rabbit* series in 1957 without the help of Joe Barbera. It didn't matter to him that Mike Lah, a former MGM animation director and partner of Hanna in the project; voice actress Lucille Bliss (the original voice of

Crusader), Alex Anderson (the creator of the show) and others remembered his participation in this failed business venture. Fortunately he told Keith Scott (The Moose That Roared, 2000) a few years later that he had begun work on new Crusader Rabbit episodes in 1957 and that the project came to a halt due to copyright problems. It is much neater to claim you always stuck with your business partner and say that you invented limited animation for TV.

Obits are supposed to be nice, so I wont discuss the labor problems, the dozens of awful shows produced by Hanna-Barbera or the negative statements people have made about working for that company. Perhaps it is better to say he gave out-of-work Disney, MGM, Warner Bros. etc. artists employment after the theatrical animation industry shut-down, and not discuss the quality of the work (Preston Blair said he was like "a race horse pulling a milk wagon"). Hanna will certainly go down in history for keeping the industry alive during a dark period, but at what cost?

I would rather remember him for the wonderful Tom and Jerry series, but his professional life didn't end in 1957. He did provide employment for a lot of wonderful people when there were few alternatives for finding work in the animation industry.

Almost everyone who will read this grew up watching the company's products. Last month I asked people to contribute to this obit (nobody did) as I wanted to have some statements by others to balance my own feelings about his later work. I didn't grow up watching their shows so I can not tell you about the joy they gave me as a kid. I grew up watching theatrical cartoons in real movie theaters and for me TV animation was usually awful stuff until The Simpsons and Ren and Stimpy came along.

If my opinions get you mad or otherwise give you the urge to write something down, feel free to send in your statements by May 23 for the June newsletter. (karlcohen@earthlink.net or 478 Frederick, SF CA 94117)

SAM SINGER DIED AT AGE 88, DIRECTOR AND PRODUCER OF EARLY TV

ANIMATION Singer's work is unknown to most animation fans, but there was a time his work was widely seen. His animated Adventures of Pow Wow the Indian Boy was made for the Captain Kangaroo Show from 1957-'60. There were episodes Bunky and Pepito made about the same time and Courageous Cat in 1960. Paddy Pelican, originally a puppet show in the early '50's, was the star of six 5 minute b/w episodes by Singer in 1957. The finished films were nicely drawn pencil tests!

He began the Sinbad the Sailor show in 1965 (pilot) but lost the series to Hanna-Barbera (Woolery, Children's Television gives him credit as producer). He was involved with a Tubby the Tuba film, but lost that project as well. His name is associated with a few other projects, but it would take more research to find out what his involvement was.

When I spent an evening interviewing Singer about 1995 he proved to be a fascinating character. He swore constantly, was a heavy cigar smoker, and he needed two canes to walk due to arthritis. The walls of his apartment in Hollywood were covered with his paintings.(he gave me one and it now hangs in my office) and the rooms contained piles of books and papers.

As Singer talked it became obvious that what he was telling me about his career wasn't always true! He claimed to have been at Disney from 1933 to the early 40's and rose to become a "unit director" on Snow White, Bambi, Pinocchio and Fantasia. I later contacted the Disney Archives and David Smith wrote back "we show a Sam Singer working here as an apprentice animator for only 6 months, from January 18, 1937 to July 7, 1937."

I later found a brief biographical note that Samuel Bart Singer contributed to the 1969 Motion Picture Almanac. He said he was born in 1913, he had studied at the Chicago Art Institute and Univ. of Illinois, he worked for Disney in 1937, Warner Bros. 1939-'40, Columbia 1940-'42; was a producer and/or director of live TV in Chicago from 1946-'52, and was the prod.-dir. of the Courageous Cat series (1960).

Singer told me that one of his jobs in Chicago was doing about 200 quick sketch illustrations a day to illustrate stories told on the Uncle Mistletoe Show He also did various art jobs for Marshall Field Co. and Ovaltine (sponsor of local TV shows).

Late in his life he manufactured a very handsome portable drawing disc for animators and taught drawing in Los Angeles. Amid Amidi, who writes Animation Blast, took his class as he knew of Singer from the Spring, 1996 issue of Animato that called him animation's Ed Wood (Singer had a lot more talent and skill). Amidi said most of the students left before the class ended due to Singer's language (he called women "toots," "sweetheart," etc. and he tended to insult you if he didn't like your drawings). Amidi said Singer still loved to draw with his students and that he was highly skilled at it. He showed an animatic in class for his Tubby the Tuba and "his storyboard drawings were exquisitely rendered in color pencils and well laid out; it showed an artist whose talents far exceeded that of Ed Wood's."

CONFERENCES AND TRADE SHOWS

SIGGRAPH 2001 WILL BE IN LA IN AUGUST for information www.siggraph.org/s2001 (312) 321-6830 or write 401 N. Michigan Ave. Chicago, Illinois 60611

WIRELESS COMPUTING, JUNE 13-15, SANTA CLARA CONVENTION CENTER www.SummitOnWireless.com

KID'S WORLD, BEIJING EXHIBITION CENTER in China is Aug. 7-12 is for animated films, television shows and animated computer and web products. Contact Ms. Zhang Xi zhangxi@cgwic.com No. 30 Haidian Nanlu, Beijing, China 100080

FESTIVALS

MILL VALLEY FILM FESTIVAL DEADLINES ARE MAY 31 AND JUNE 30 For application and information (415)383-5256

BUDDING ANIMATORS, 3RD WEEK WITH THE MASTERS, ANIMATION

COMPETITION, deadline Sept. 20, for info www.toonanimationindia.com Event is Oct. 29 - Nov. 2

2001 OTTAWA INTERNATIONAL STUDENT ANIMATION FESTIVAL DEADLINE IS JULY 1 No entry fee for this major competition. Various categories. For rules and entry form 2 Daly Ave. Suite 120, Ottawa Ontario K1N 6E2 www.awn.com/ottawa

TELLURIDE INDIE FEST DEADLINE IS AUG, 1 (or sooner if they get over 1,000 entries) p.o. box 860, Telluride, Colorado 81435

THE DIGITAL UNDERGROUND DEADLINE IS JUNE 8 Only accepts works on video. 530 Divisadero, SF CA 94117 www.sfindie.com

RESFEST DEADLINE IS JUNE 1 \$20 entry fee. Works must use electronic effects and/or editing. No entries on film. Resfest, 601 West 26th St. 11th floor, NY NY 10001 (212) 217-1154

PEOPLE WHO WANT INFORMATION MAY FIND IT AT ASIFA-SF.ORG

This issue was written by Karl Cohen. Shirley Smith was the production manager and the mailing crew included Smith, Tara Packard and Ron Seawright. Issues are free to our members. Membership is \$22 a year from the above address.

[Membership/subsription](#) is \$18 a year or \$40 for both local and international membership.

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SAN FRANCISCO
The International Film Association
P.O. Box 14516 • San Francisco, CA 94114

May, 2001 Newsletter

[Local Screenings](#) | [National News](#) | [Passing](#) | [Conferences and Trade Shows](#) | [Festivals](#)

MEET AUTHORS AND ARTISTS AT OUR WEDNESDAY, MAY 30th ANIMATION BOOK FAIR. ED HOOKS, AUTHOR OF "ACTING FOR ANIMATORS" AND NIK PHELPS, CREATOR OF THE NEW CD "FETCH" TO SPEAK. OTHER LUMINARIES TO BE ON HAND TO MEET INFORMALLY WITH YOU, TO TALK ABOUT THEIR WORK AND TO SIGN COPIES FOR PEOPLE INTERESTED IN OBTAINING THEM. PLUS A LIVE PERFORMANCE OF THE "DAY ELMO AARDVARK MET VA VA LA VOOM" This should be a fascinating evening where you can meet the creators of "intellectual property" related to animation. The event features talks by Ed Hooks, teacher and author of Acting for Animators and Nik Phelps, head of The Sprocket Ensemble, who has just released a CD of their music for animated shorts.

You can meet and talk with Nina Paley (original art), Michaela Pavlatova (making available some cutouts from Forever and Forever), Russell Merritt (author of Walt in Wonderland, an important

study of Disney's silent films), Karl Cohen (author of Forbidden Animation: Censored Cartoons and Blacklisted Animators), Arnaldo Laboy (creator of The Adventures of Poyi and Ubo) and Chris Lanier (author/illustrator of the graphic novel Combustion). All will bring things to sign.

Will Ryan, the creator of Elmo Aardvark and a former president of ASIFA-Hollywood, is coming up from Los Angeles with voice actress Diane Michelle to promote the great Elmo Aardvark: Outer Space Detective show, distributed by Mondo Media. Both are voice actors (Goofy, Daisy Duck, Tigger for Disney, Yosemite Sam, characters on Batman, etc.) Ryan will sign copies of his out-of-print

Elmo Aardvark CD and copies of The Elmo Aardvark Miracle: How to Make a Movie with No Money (if it is back from the publishers). They will also perform strange and unusual acts before your very eyes!

CONGRATULATIONS FILM ARTS FOUNDATION ON YOUR 25TH BIRTHDAY A big celebration party with live music by Papa and his Band, projections, etc. will take place May 17. For details www.filmarts.org or 1 552-6350

ABOUT ED HOOKS AND "ACTING FOR ANIMATORS" A lot of animators in the Bay Area and around the world have studied with Hooks. His new book has been getting great reviews. Amazon.com writes "Until now, animators who have wanted to learn about acting have had no option but to study the subject side by side with stage and movie actors, a group that uses acting techniques in a wholly different way. Ed Hooks offers a better alternative with Acting for Animators, the first book about acting theory and technique written specifically for the animator. "

Amazon puts readers' comments about books on their site.. One person wrote, "This is a dense, thoughtful work, of lasting value, which will reward careful study. Hooks writes in an easily readable style, concisely and directly, about the most difficult and elusive portion of the art of character animation. Buy this book before you choose software or other animation tools. You will find that Hooks' advice will also improve your script and storyboard development. One of the problems with books about computer-based character animation, such as my own 'Character Animation In Depth', is that they lose value as the software they are written for becomes obsolete. Hooks' work will retain its value for a long time. Buy a copy, keep it handy, reread it frequently, and don't loan it to friends; you won't get it back. Give them one instead."

Another review concludes, "Overall, best money I've spent on an animation book in a long time! I don't care how long you've been in the industry, you'll learn something from this book!"

Brad Bird, director of Iron Giant and Family Dog, says "Hooks has made a valuable contribution toward deepening our understanding."

Hooks will be signing copies at tonight's event. This will be one of his last appearances in the Bay Area as he plans to live in Chicago part of the year and in Rome the rest of the year.

THE PACIFIC FILM ARCHIVE IN BERKELEY WILL PRESENT 9 EXTRAORDINARY

PROGRAMS BY THE CZECH DIRECTOR KAREL ZEMAN, FOLLOWED BY 7 EVEN RARER PROGRAMS BY THE RUSSIAN DIRECTOR ALEXANDER PTUSKO, AND A NIGHT OF PUPPET ANIMATION BY LADISLAW STAREWICZ (WITH LIVE MUSIC BY THE TIN HAT TRIO) Can there be too much of a good thing? If you really love animation, especially Ray Harryhausen type fantasy films, do your best to see all or most of these unusual programs. Most of the works to be shown combine stop-motion and special effects with live action. Most have never been seen in the Bay Area, or if they were shown it was decades ago.

The Zeman series begins Friday and Saturday, May 4 and 5 and continues on Fri. - Sunday May 11, 12 & 13. Karel Zeman's work created astonishing visions of ancient and modern worlds. His fantasy films include Barron Munchausen (Grand Prix, Cannes, 1964), The Stolen Airship (1960, a Jules Verne tale of boys who meet Captain Nemo, 35mm, color), Journey to the Beginning of Time (1954, boys venture to the age of dinosaurs, 35mm color), and The Fabulous World of Jules Verne (1958, it combines moments from the books 20,000 Leagues Under the Sea and An Invention for Destruction, 35mm, b/w).

There is also a program of funny Zeman shorts that feature his animated alter ego Mr. Prokouk. The program also includes his first film, The Christmas Dream, 1946 and a short that sounds simply amazing. Inspiration, 1948, "is a love story set in a single drop of water, which Zeman animated by heating and bending fragile blown-glass figures!" .

The Starewicz program on Saturday, May 19 at 3:30 & 7:30 includes several of his unusual puppet films including 3 made in Russia in 1911 (Cameraman's Revenge, Insect's Christmas, and The Ant and the Grasshopper). His stop-motion work using real insect parts on armatures and other techniques still amazes and delights audiences.

Alexander Ptushko's feature New Gulliver (Sunday, May 20 at 5:30 pm) was released in 1935, 2 years before Disney released Snow White. It is the story of a man (Petya) who falls asleep while reading Gulliver's Travels. He finds himself in a world full of Lilliputs (over 3,000 miniature figures were used in the stop-motion sequences). Ptushko placed his Lilliputs in a world similar to Russia in the 1930's, so there is a jazz band, mechanized tractors and "in the best revolutionary spirit a miniaturized workers' proletariat who rises up with the help of the giant Petya!" (PFA program notes) "In addition to the technical finesse with which the puppets are managed, the film hasŠ genuine wit in its sly assault on bourgeois institutions." (NY Times, 1935). Prescott Wright saw the film years ago and highly recommends ASIFA members see this interesting historic landmark.. (35mm, b/w, English subtitles)

Ptusko's Sampo, 1959. Thurs. May 24, 7 pm, is being presented in its complete wide screen form for the first time in the US (a chopped up short pan and scan version was released years ago as The Day the Earth Froze). The fantasy concerns a witch who tries to obtain a mill that can produce endless amounts of gold, salt and grain. When the hero tries to stop her she steals the sun, plunging the earth into darkness. There is a fire breathing iron horse, a talking tree, and other imaginative elements in the film. (35mm, color, scope, English subtitles)

Ptushko's Stone Flower, 1946, Sunday, May 27, 5:30, was Russia's first all color feature and Life

Magazine noted it was "delightfully done, no propaganda, no moral." The plot concerns the magical Queen of Copper Hill who seduces a stone sculptor into joining her in her underworld kingdom. Lots of supernatural splendor in this tale. It was a popular success when it was released.

The series includes a lot of other features for us to discover. For example Vly by Ptushko on June 7 is a horror-fantasy film about a priest locked in a church full of grotesque demons and gargoyles (based on a story by Gogol). The PFA's film calendar provides a great deal more information about these works. A list of the films and show times appears in the newsletter's "local screenings" section.

FOR THE BIRDS HELLO DOLLY! SPIKE & MIKE'S 2001 CLASSIC FESTIVAL OF ANIMATION RETURNS TO THE BAY AREA WITH LOTS OF CROWD PLEASERS! MOST HAVE NOT BEEN SEEN HERE BEFORE Animation fans should enjoy Spike & Mike's 2001 Classic Festival of Animation, which opened in the San Francisco at the Castro last week. This year's eclectic mix showcases short films that are full of delightful surprises. They come from nine countries (France, Chile, Italy, Japan, Czechoslovakia, The Netherlands, Australia, USA and England).

The program features this year's Oscar winner Father and Daughter and a dozen other works that I think are really nice. There is also one that I think is a real gem, a couple that didn't interest me and one work that I thought was awful.

Father and Daughter is by world-renowned animator Michael Dudok De Wit. (He also won an Oscar nomination for Monk and the Fish, 1995) The artwork is a joy to watch and the story is sophisticated and understated. It may stimulate your imagination about what happened.

Among the works in the program that also impressed me are For The Birds from Pixar, Insect Poetry by Marilyn Zornado and her friends from Vinton's studio in Portland, Europe and Italy, a very clever comic work by Italy's Bruno Bozzetto, and Hello Dolly! by Mariko Hoshi (a Bay Area animator). I also liked for a variety of reasons The Man with the Beautiful Eyes by Jonathan Hodgson of England, Ill Communication by Danny Capozzi of England, The Last Drawings of Canaletto by Cameron McNall, Metropopular by Jonah Hall from PDI, The Pigion and the Onion Pie by Stephen Holman and Josephine Huang (how do people create strange stories like this one? - the mind is a wonderful thing) and a couple of other works.

I enjoyed almost everything in the program except Rejected by five-time Spike and Mike participant, Don Hertzfeldt. It was given an Oscar nomination this year and has won several other honors. Go see it and decide for your- self if it is a hit, a miss or really awful.

Rejected consists of several commissioned works that were rejected by sponsors after they were made. People who have worked on sponsored films seem to have a special place in their heart for works that are critical of sponsors including I Like It by Buzzco and New Fangeled by George Griffin. Unfortunately I find Rejected poorly written, poorly organized and poorly made. The stick figure style of animation has been used to good advantage by several directors including George Evelyn in his delightful "Stick Figure Theater" segments made a few years ago by Colossal for Liquid Television and Tex Avery in Porky's Preview, 1941. I do not feel Hertzfeldt's latest work uses

the approach to good advantage, but a lot of people disagree with me.

My favorite film in the program is an old gem by Michel Ocelot of France. The Prince and the Princess was made in the 1980's using cut-out/silhouette animation. It wasn't widely seen, so I'm glad the program includes it. I suspect many of you will remember this film many years from now for both its beautiful animation and delightful comedy.

The program will be at the Castro Theatre 429 Castro, SF, (415) 621-6120, April 27-May 9; Grand Lake Theatre 3200 Grand Ave, Oakland, (510) 452-3556, May 4-17; Oaks Theatre 1875 Solano Ave, Berkeley, (510) 526-1836, May 4-24; Orinda Theater 2 Orinda Square, Orinda, (925) 254-9060, May 4-24; Rafael Film Center 1118 4th St, San Rafael, (415) 454-1222, May 11-24; Towne Theater 1433 The Alameda, San Jose, (408) 287-1433, May 11-June 7; Roxy Stadium 14 85 Santa Rosa Ave, Santa Rosa, (707) 522-0330, May 18-31 and Roxie Cinema 3117 16th Street, SF,(415) 863-1087, May 27 & 28.

WILD BRAIN COMPLETES A DELIGHTFUL OPENING FOR CARTOON NETWORK'S "THE CHUCK JONE SHOW" George Evelyn directed the graphic package for the show that includes a 30 second opening, a 10 second close and several short "we will be right back" messages. He animated new versions of landmark images by Jones that appear in some of his greatest hits.

The opening sequences begin with rough pencil test drawings of characters. They are next seen as finished drawings and finally with fully rendered backgrounds. These sequences will hopefully remind TV viewers that an artist created them. The opening ends with the characters surrounding a portrait of Jones. The end "close" goes from fully rendered art to a pencil image of Roadrunner about to be blown apart by a device from Acme. (Of course it isn't functioning properly.) As the final curtain drops we hear an off-screen "boom." Thank you Mr. Jones for these golden moments, and thank you Mr. Evelyn for refreshing our memories.

The crew working on these visuals includes Gisela Hermeling, art production supervisor; Eric Schweikert, technical director, and animators Brad Rau, Aaron Sorenson, Alan Sperling, Ralph Fernan and Aichu So. The assistant animators on the project were Cindy Ng, Billy Burger, Chris Carter, Granger Davis, Heiko Drengenberg, Emile Dunonslet, Sam Hood, Christine Lacore, James Munro, Ivan Spiridonov, Armanda Tsoukanelis, Lyra Warren, Celeste Moreno and Vaughn Ross. Tod Polson created the backgrounds. The digital ink and paint crew included Danya O'Brien, Isaac Payne, Carter Tomassi, Kenrick Walz and Bryan Dawson.

ASIFA-SF DUES ARE BEING RAISED \$4 A YEAR TO COVER OFFICE DEPOT'S DOUBLING THE COST OF PRINTING THE NEWSLETTER They had really low rates for years which helped us keep membership dues at \$18 a year. Shirley Smith is trying to find a less expensive printer, but Office Depot's rates are apparently competitive with Kinko and other major copy services. Since we have been slowly spending more than we take in, your board voted to raise dues on May 1.

PIXAR, LASSETER SIGN TEN YEAR DEAL Pixar executive vice president and two-time Oscar-winning director John Lasseter has signed a new ten year contract to provide his services exclusively

to the studio. "John Lasseter, more than anyone else, has shaped Pixar into the world-class animation studio it is today. With John leading our creative team for the next decade, our dream of nurturing a golden age of animation at Pixar may come true," said Pixar CEO Steve Jobs.

Lasseter, currently in development on his fourth feature, has directed Toy Story (1995), A Bug's Life (1998) and Toy Story 2 (1999). their combined worldwide box office receipts total over \$1.2 billion to date. The studio's next feature, Monsters, Inc. is scheduled for a November 2, 2001 release.

"It's the dream of every animator and storyteller to help build a studio from scratch that embraces the creative values we hold dear," said Lasseter. "A place like Pixar doesn't happen often, and I feel like one of the luckiest guys on earth." From AWN on the Internet

JONATHAN LUSKIN DIRECTED "LIFE DURING WARTIME" at Teatro 150, to May 12, (415) 433-1172.. Luskin was a cgi animator at ILM for several years.

PDI/DREAMWORKS "SHREK" IS A DELIGHTFUL COMEDY THAT MAKES MAJOR ADVANCES IN THE ART OF ANIMATION When I saw the first TV commercials for Shrek I feared the worst. Much of what I saw was ugly. When I went to a press preview I was taken by surprise the moment the first images came on the screen. Within the opening moments of the film I was amazed at PDI's ability to create lush textures and details. In one early sequences we see Shrek taking a mud bath. While kids will love the realistic goo and slime, I was impressed with the suggestion of muscles under the skin in the close-up of his bare back.

Shrek turns out to be visually stunning much of the time and genuinely funny. The first images drew me into the film and allowed my suspension of disbelief to take over. Soon, I was in total awe of the spectacular scenery, sets, costumes, unusual characters, gorgeous colors and dozens of other elements. I was laughing out loud at some of the jokes (groaning at others, but there are so many good ones the duds don't matter) and was thoroughly convinced I was going on an incredible adventure. I wasn't thinking about all the factual information I already knew about this production. In my mind all the characters were real including the Dragon. Intellectually I knew that all the visuals were created by computers, but for 80 minutes they were alive.

We are witnessing a remarkable period of filmmaking. While each computer generated film has advanced the art to some degree, Shrek makes major advances and takes the art form to new heights. The quality of PDI's work is so good that I wanted to believe that the entire film was shot on location. I especially loved the beautiful landscapes including fields of flowers blowing in the breeze. I even accepted the characters as being real, even though they are not photo-realistic.

Shrek, based on a story by the humorist William Steig, dares to go where few films tread. It is an irreverent fairy tale in the tradition of the "Fractured Fairy Tales" from The Rocky and Bullwinkle Show. It pokes fun at numerous sacred cows of our culture from Small World at Disneyland to a TV's "Dating Game." There is an overabundance of humor and it is delivered at a rapid pace. While the sophisticated dialog and bizarre story should appeal to most adults, there is romance for the girls and some grime, slime and bathroom humor for boys. Up tight parents may be offended, but they will approve of the film's positive moral messages.

The story begins with an ugly reclusive ogre named Shrek (Mike Myers) enjoying life living alone in a dismal swamp. Suddenly he is invaded by annoying fairy tale characters (some made famous by Mr. Disney). They have been banished from their kingdom by the evil Lord Farquaad (John Lithgow). Determined to save his home from the pesky creatures, Shrek sets off to deal with Lord Farquaad. He is joined by a wisecracking donkey (Eddie Murphy) that will do anything except shut-up.

Shrek's journey is full of unorthodox moments. The rescue of Princess Fiona (Cameron Diaz) isn't your typical fairy tale adventure, nor is the love affair between the donkey and the fire breathing dragon (relax, it is a female dragon). There are lots of delightful surprises, unusual twists and wonderful laughs awaiting you if you decide to see Shrek.

For more on Shrek see the cover story of FilmTape World's May issue. It is my interview with Raman Hui, Supervising Animator about the making of the film. KC

PS Don't be surprised if there is a sequel and other spin-offs.

PDI PROMOTES MARILYN FRIEDMAN TO HEAD OF STUDIO RECRUITMENT AND STAFFING In recent years she has been a friend of our ASIFA chapter by finding people on their staff to talk at our events. She has also provided us with reels for our annual open screenings and information for our newsletter. We wish her well in her new position.

Shoshana Abrass has been named head of systems. She was a systems administrator at PDI before moving south to work for DreamWorks. She is back managing a staff of 12.

BULGARIAN SCIENCE FICTION WRITER BORIS BELOVARSKI IS IN THE BAY AREA AND DEVELOPING A TV SERIES BASED ON HIS WRITINGS For information go to www.timeship.tv There are several press clippings about his work and other informative sections. It wasn't clear to me how animation will be used in the TV series (all animation, part or effects work & live action), but it sounds like a great undertaking.

"MORE THAN 75,000 DOT-COM EMPLOYEES HAVE RECEIVED PINK SLIPS SINCE DECEMBER, 1999 - SOME 45 PERCENT OF THEM IN THE BAY AREA." The New York Times, April 15, 2001. p."bu 13." The article is about people who are being laid off and are going into the Peace Corps to teach technology in developing nations.

KQED IS OFFERING A \$10,000 OWENS INDEPENDENT VISION POST PRODUCTION AWARD Animated and part-animated projects will be considered, especially ones that conform to standard TV lengths (i.e. 26:40 min). Winner must grant KQED the right to air their work locally. Deadline is May 30 and project must be completed by summer, 2002. Karl Cohen can send you an application or contact Peter J. Owens Independent Vision Award, 2601 Mariposa, SF, CA 94110-1426

THE U. C. THEATRE CLOSED FOR GOOD MARCH 29, 2001. IT HAD SHOWED 100s OF

RARE ANIMATION PROGRAMS OVER THE YEARS including Karl Cohen's Forbidden Animation program in 1997. Garry Meyers, who ran the theatre for many years is now running the Balboa in SF.

LOCAL SCREENINGS

Karel Zeman Animation at the Pacific Film Archive:

Fri. May 4, 7:00, The Stolen Airship, 9:10, The Jester's Tale

Sat., May 5, 7:00 Journey to the Beginning of Time, 8:35 Treasure of Bird Island

Fri. May 11, 7:00 Zeman Shorts, 8:55 The Fabulous World of Jules Verne

Sat. May 12, 7:00 Baron Munchausen, 9:10 Kraba - The Sorcerer's Apprentice

Sun. May 13, 5:30 The Thousand and One Nights

Friday, May 18 Free Public Screenings of Animation Finals at SF State, at 2:30 (digital displays in the lobby) and 3 pm (projected work in the Coppola Theatre, FA 101). The S. F. State Film Finals (mostly or all live action films) at 7 pm in the McKenna Theatre. Free reception at 6 pm in the Casablanca Room (CCA 158)

Saturday, May 19, 3:30 and 7:30 Starewicz Puppet Films with music performed live by The Tin Hat Trio, PFA

Saturday, May 19, 8:30, ARK EMERGENCY BENEFIT at ATA (992 Valencia). Ark "is a cell of mischievous media artists with bold graphics and aggressive wit, who have launched a steady stream of scathingly critical initiatives against the corporate take-over of the democratic process, not to mention everyday life. During the Fall 2000 elections, arc agent James Baumgartner was sued by the Chicago Board of Education for his satirical **voteauction**.com website. Though the ACLU has agreed to defend him, James has already racked up a \$10,000 legal debt. Here's a friggin' raft of prank videos - plus a half-hour set of Negativiland music videos - towards his free speech defense."

Features by Alexander Ptushko at Pacific Film Archive

Sunday, May 20, 5:30, The New Gulliver

Thursday, May 20, 7:00, Sampo

Sunday, May 27, 5:30, Stone Flower

Sunday, June 3, 5:30, Ruslan and Ludmila

Thursday, June 7, 7:00, Viy

Friday, June 8, 7:30, Aerograd, 9:15, The Letter that was Never Sent

Friday, June 2, 7 pm, BARRY PURVES SCREENING AND DISCUSSING 5 OF HIS ANIMATED FILMS at the Women's Building as part of the National Queer Arts Festival. 3543 18th St. (415) 552-7709 www.staytooned.com

NATIONAL NEWS

SOTHEBYS IS AUCTIONING OFF 325 LOTS OF EARLY ANIMATION ART - MOST OF IT IS PRE-WAR DISNEY Go to www.sothebys.com and look for the Jeff Lotman collection sale. Go before May 5 and see part 1 up for sale. Part 2 runs from May 11 to June 1. It is (was) a very impressive collection!

"ANIMATION BLAST" #6 HONORS THE GREAT, BUT OBSCURE, CARTOON DESIGNER TOM OREB, PLUS THE AMAZING JIM TYER I didn't know Oreb was the designer of several striking looking films from Disney and MGM. His credits include Toot, Whistle Plunk and Boom (Oscar, 1953) and Tex Avery's Symphony in Slang, 1951. He also designed characters for Disney features and Disney TV commercials, but he was not given screen credit very often. Now you can read about his impressive body of work in a long in-depth tribute (18 pages with lots of illustrations).

The second artist being honored is Jim Tyer. He spent years animating for Van Buren, Harman-Ising, Fleischer, Terrytoons, Famous and other studios. In his later work he experimented with creating extreme and outrageous shapes for his character's faces and bodies as he put the through their paces. He broke a lot of rules and is dearly loved by a lot of people from Jerry Beck to John Kricfalusi. His imagination knew no boundaries and in a section about him by Ralph Bakshi (Bakshi was an inker when he worked with Tyer) he is reported to have given him the following advice. "1. Everything moves. 2. Don't worry about the model chart. 3. Either have fun with the drawing or go home. 4. There ain't nobody to follow but yourself." This is a great 20 page tribute in an exceptional issue.

Animation Blast's new 52 page issue costs \$6. (Several pages are in color.) Copies are available from Tower Records, Comic Relief in Berkeley, by mail from Amid Amidi, PO box 260491, Encino, CA 91426-0491 and from [Animation Blast.com](http://AnimationBlast.com).

A MEMBER GETS AN ADVANCED LOOK AT DISNEY'S "ATLANTIS" He writes, "it was a major disappointment. When I think of the lost city, I expect amazing graphics. Instead we get characters looking like they came from TV with nice backgrounds but nothing special. Surprisingly there are no songs though it lends itself to them as the film follows Disney formula pretty much. Opens with subtitles which will throw kids off and then everyone stops speaking 'Atlantisian' and speaks English. Even the comic relief characters are only of mild interest. One of them chain smokes! In a Disney film? The films opens well but after 30 minutes, people were falling asleep. I think much will bore audiences of all ages. There goes my stock again."

ASIFA-EAST SHOWED A RARE FEATURE THAT INCLUDED ANIMATION FROM THE HUBLEY STUDIO The feature was *The Four Poster*, 1952, with Rex Harrison and Lilly Palmer. Art Babbitt and Lou Keller did the animation, Paul Julian designed the layouts and backgrounds and John Hubley was the animation director of the animated sequences in this live action feature. Apparently it isn't available on video or from film libraries.

GRAND VALLEY STATE UNIVERSITY IN MICHIGAN HAD AN IMPRESSIVE GALLERY EXHIBIT, SCREENINGS AND TALKS FEATURING THE WORK OF KAREN AQUA, JOHN CANEMAKER, JOAN GRATZ, FAITH HUBLEY AND DEANNA MORSE The exhibit of work by 5 American independent animators was on display Feb. 26-March 30. While the exhibit was up Hubley and Aqua introduced screenings of their work and Morse gave a gallery talk. The gallery published a handsome and informative catalog to go with the exhibit. The university is in Allendale, Michigan.

ASIFA-HOLLYWOOD SHOWED "A LOST ANIME CLASSIC" On April 25 Jerry Beck introduced a screening of a 16mm print of *Jack and the Witch* (Shonen Jack to Mahoutsukai), released in 1967 by Toei. Their print was a dubbed version that was distributed to US TV stations in the late '60's. The flyer for the program calls it, "a wacky, sometimes psychedelic, cartoon adventure, both intentionally and unintentionally funny (the awful dubbing doesn't help)."

THE GENE SISKEL FILM CENTER IN CHICAGO PRESENTED AN 80 FILM TRIBUTE TO CHUCK JONES It is a rare occurrence when somebody does a 35mm program honoring an animator, so I was amazed that the film archive connected with the Chicago Art Institute showed 8 programs of shorts plus *Chuck Jones: Extremes and In-Betweens*, a new documentary on Jones. Greg Ford and Ronnie Scheib were the guest curators behind this series.

PASSING

BILL HANNA DIED IN MARCH Trying to find correct information about him was an interesting adventure into how lax animation scholarship has been. He was born in either 1910 or 1911 in New Mexico (different books give different dates). He had no formal art training when he landed a job with Harman-Ising in 1931 according to Maltin, but Lenberg says he left his career in engineering, took a crash course in art and got a job with Harman-Ising when they were producing animation for MGM. That would have him joining the firm about 1934.

At Harman-Ising he rose in the ranks and directed the beautiful fantasy *To Spring* in 1936. When Harman-Ising lost their contract to produce shorts for MGM in 1937 he, like most of the staff, left and was hired by MGM for their new animation dept.

At MGM he was paired up with Joe Barbera by producer Fred Quimby right after joined MGM according to one book, in 1938 according to another and in 1939 according to Hanna in another book. Their first project together wasn't very successful (an unnamed cartoon), but other books say their first project put a cat and mouse together. The film was called *Puss Gets The Boot* (1940) and it went on to win an Oscar nomination.

According to an ABC report "in the next 12 years the pair's creations would garner them 12 nominations and 7 Oscars over the course of more than 100 cartoons." In 1957 MGM decided to close their animation studio and laid-off their staff.

This was a turning point in animation history, but what happened next isn't well known. According to official biographies Hanna opened Hanna-Barbera Studios, invented limited animation for TV, did Ruff and Reddy (1957), Huckleberry Hound, Flintstones, Jetsons, Smurfs, Yogi Bear, etc. and lived happily ever after.

If you look deeper there are other versions of the story. Hanna-Barbera didn't invent limited animation even though Hanna once told me that was one of his accomplishments. A few limited animation shows made for TV date before Ruff and Reddy including Alex Anderson and Jay Ward's Crusader Rabbit (1950) and some of the work of Sam Singer (see the next obituary).

Hanna also denied to me in the late '80's that he tried to produce a Crusader Rabbit series in 1957 without the help of Joe Barbera. It didn't matter to him that Mike Lah, a former MGM animation director and partner of Hanna in the project; voice actress Lucille Bliss (the original voice of Crusader), Alex Anderson (the creator of the show) and others remembered his participation in this failed business venture. Fortunately he told Keith Scott (The Moose That Roared, 2000) a few years later that he had begun work on new Crusader Rabbit episodes in 1957 and that the project came to a halt due to copyright problems. It is much neater to claim you always stuck with your business partner and say that you invented limited animation for TV.

Obits are supposed to be nice, so I won't discuss the labor problems, the dozens of awful shows produced by Hanna-Barbera or the negative statements people have made about working for that company. Perhaps it is better to say he gave out-of-work Disney, MGM, Warner Bros. etc. artists employment after the theatrical animation industry shut-down, and not discuss the quality of the work (Preston Blair said he was like "a race horse pulling a milk wagon"). Hanna will certainly go down in history for keeping the industry alive during a dark period, but at what cost?

I would rather remember him for the wonderful Tom and Jerry series, but his professional life didn't end in 1957. He did provide employment for a lot of wonderful people when there were few alternatives for finding work in the animation industry.

Almost everyone who will read this grew up watching the company's products. Last month I asked people to contribute to this obit (nobody did) as I wanted to have some statements by others to balance my own feelings about his later work. I didn't grow up watching their shows so I can not tell you about the joy they gave me as a kid. I grew up watching theatrical cartoons in real movie theaters and for me TV animation was usually awful stuff until The Simpsons and Ren and Stimpy came along.

If my opinions get you mad or otherwise give you the urge to write something down, feel free to send in your statements by May 23 for the June newsletter. (karlcohen@earthlink.net or 478 Frederick, SF CA 94117)

SAM SINGER DIED AT AGE 88, DIRECTOR AND PRODUCER OF EARLY TV

ANIMATION Singer's work is unknown to most animation fans, but there was a time his work was widely seen. His animated Adventures of Pow Wow the Indian Boy was made for the Captain Kangaroo Show from 1957-'60. There were episodes Bunky and Pepito made about the same time and Courageous Cat in 1960. Paddy Pelican, originally a puppet show in the early '50's, was the star of six 5 minute b/w episodes by Singer in 1957. The finished films were nicely drawn pencil tests!

He began the Sinbad the Sailor show in 1965 (pilot) but lost the series to Hanna-Barbera (Woolery, Children's Television gives him credit as producer). He was involved with a Tubby the Tuba film, but lost that project as well. His name is associated with a few other projects, but it would take more research to find out what his involvement was.

When I spent an evening interviewing Singer about 1995 he proved to be a fascinating character. He swore constantly, was a heavy cigar smoker, and he needed two canes to walk due to arthritis. The walls of his apartment in Hollywood were covered with his paintings.(he gave me one and it now hangs in my office) and the rooms contained piles of books and papers.

As Singer talked it became obvious that what he was telling me about his career wasn't always true! He claimed to have been at Disney from 1933 to the early 40's and rose to become a "unit director" on Snow White, Bambi, Pinocchio and Fantasia. I later contacted the Disney Archives and David Smith wrote back "we show a Sam Singer working here as an apprentice animator for only 6 months, from January 18, 1937 to July 7, 1937."

I later found a brief biographical note that Samuel Bart Singer contributed to the 1969 Motion Picture Almanac. He said he was born in 1913, he had studied at the Chicago Art Institute and Univ. of Illinois, he worked for Disney in 1937, Warner Bros. 1939-'40, Columbia 1940-'42; was a producer and/or director of live TV in Chicago from 1946-'52, and was the prod.-dir. of the Courageous Cat series (1960).

Singer told me that one of his jobs in Chicago was doing about 200 quick sketch illustrations a day to illustrate stories told on the Uncle Mistletoe Show He also did various art jobs for Marshall Field Co. and Ovaltine (sponsor of local TV shows).

Late in his life he manufactured a very handsome portable drawing disc for animators and taught drawing in Los Angeles. Amid Amidi, who writes Animation Blast, took his class as he knew of Singer from the Spring, 1996 issue of Animato that called him animation's Ed Wood (Singer had a lot more talent and skill). Amidi said most of the students left before the class ended due to Singer's language (he called women "toots," "sweetheart," etc. and he tended to insulted you if he didn't like your drawings). Amidi said Singer still loved to draw with his students and that he was highly skilled at it. He showed an animatic in class for his Tubby the Tuba and "his storyboard drawings were exquisitely rendered in color pencils and well laid out; it showed an artist whose talents far exceeded that of Ed Wood's."

CONFERENCES AND TRADE SHOWS

SIGGRAPH 2001 WILL BE IN LA IN AUGUST for information www.siggraph.org/s2001 (312) 321-6830 or write 401 N. Michigan Ave. Chicago, Illinois 60611

WIRELESS COMPUTING, JUNE 13-15, SANTA CLARA CONVENTION CENTER www.SummitOnWireless.com

KID'S WORLD, BEIJING EXHIBITION CENTER in China is Aug. 7-12 is for animated films, television shows and animated computer and web products. Contact Ms. Zhang Xi zhangxi@cgwic.com No. 30 Haidian Nanlu, Beijing, China 100080

FESTIVALS

MILL VALLEY FILM FESTIVAL DEADLINES ARE MAY 31 AND JUNE 30 For application and information (415)383-5256

BUDDING ANIMATORS, 3RD WEEK WITH THE MASTERS, ANIMATION COMPETITION, deadline Sept. 20, for info www.toonanimationindia.com Event is Oct. 29 - Nov. 2

2001 OTTAWA INTERNATIONAL STUDENT ANIMATION FESTIVAL DEADLINE IS JULY 1 No entry fee for this major competition. Various categories. For rules and entry form 2 Daly Ave. Suite 120, Ottawa Ontario K1N 6E2 www.awn.com/ottawa

TELLURIDE INDIE FEST DEADLINE IS AUG, 1 (or sooner if they get over 1,000 entries) p.o. box 860, Telluride, Colorado 81435

THE DIGITAL UNDERGROUND DEADLINE IS JUNE 8 Only accepts works on video. 530 Divisadero, SF CA 94117 www.sfindie.com

RESFEST DEADLINE IS JUNE 1 \$20 entry fee. Works must use electronic effects and/or editing. No entries on film. Resfest, 601 West 26th St. 11th floor, NY NY 10001 (212) 217-1154

PEOPLE WHO WANT INFORMATION MAY FIND IT AT ASIFA-SF.ORG

This issue was written by Karl Cohen. Shirley Smith was the production manager and the mailing crew included Smith, Tara Packard and Ron Seawright. Issues are free to our members. Membership is \$22 a year from the above address.

[Membership/subscription](#) is \$18 a year or \$40 for both local and international membership.

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[LINK] Land of free enterprise?

From: Jan Whitaker (jwhit@primenet.com)

Date: Sun Aug 20 2000 - 09:00:02 EST

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Well, the net has been likened to the world's largest shopping mall. So why not this?

<http://www.theage.com.au/breaking/0008/19/A14328-2000Aug19.shtml>

Americans try to sell votes over the Internet

Source: AP|Published: Saturday August 19, 11:40 AM

NEW YORK - Six people offered to sell their vote for president on the Internet this week, fetching as much as \$US10,100 (\$A17,372) before online auctioneer eBay cancelled the bidding.

Meanwhile, another site is soliciting undecided voters to offer as a block to the highest bidder for each state. By today, bidders already offered \$US100 (\$A172) each for New York and California, which together have 87 of the 270 electoral votes needed to win the presidency.

Federal and state laws prohibit the sale of votes, and eBay said it is cooperating with investigators from the Justice Department and Washington state, the home of one attempted seller.

"We'd like to think we've got a good sense of humour, ... but these are people who are dealing with violations of federal law," eBay spokesman Kevin Pursglove said. "It's very serious."

An eBay user first notified the company about a sale on Wednesday night, Pursglove said.

He said eBay found and cancelled others yesterday because they violate company policies prohibiting sales of illegal goods.

The site does not pre-approve auctions, but will stop them if they violate its policies.

One offering under the header "Vote of One US Citizen" received 20 bids, the highest for \$US10,100. Another individual got one bid for \$US1 (\$A1.72), and a third received a bid for 99 cents. Three others had no bids, according to eBay records.

Justice Department officials did not return a call today about the auctions.

Advocates of overhauling campaign finance already believe votes are for sale - to the largest campaign contributors.

Sheila Krumholz, research director at the Center for Responsive Politics in Washington, said these attempted sales could be no more than an expression of frustration with the political system.

"Choices and votes are being made or at least impacted by money and by moneyed interests," she said. "Everybody knows money has had an undeniable impact in the system today."

But Deborah Phillips, chairwoman of the Voting Integrity Project in Arlington, Virginia, worried that such efforts undermine trust in elections, even if they are no more than an expression of frustration.

"It is just further contributing to this increased sense of cynicism that's so pervasive in America today - that my vote doesn't matter," she said. "It does matter a lot, and ordinary citizens should be outraged by this."

Voteauction.com, the site taking bids by state, promises to collect votes by absentee ballot, verify them and mail them "to the appropriate election district".

"The election industry is spending hundreds of millions of dollars in an attempt to influence the presidential election," organisers said in a statement. "This system is an inefficient waste of money for the candidates and their supporters."

The site aims to improve the system "by bringing the campaign contributors' money directly to the

voters".

JLWhitaker Associates

Melbourne, Victoria, Australia

jwhit@primenet.com -- <http://www.primenet.com/~jwhit/whitentr.htm>

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<http://www.hypermedic.com/style/xml/xml2.htm>

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<http://web.jet.es/nacho/meteselo.shtml>

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[Linux Documentation Project \(LDP\)](#)

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Creació planes web

[Los frames joden la mayoría de veces](#)

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[recursos para los programadores y los desarrolladores en developer.com](#)

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[Applets, appletz, estilo, estilos, DHTML, HTML, Lotus Notes, Scripts, Script, Scriptz](#)

[JavaScript Reference \(L\)](#)

[HTML Home Page](#)

[HTML dinamico en castellano. Página Principal.](#)

[XML - Jaime Sagarduy](#)

[Welcome to Teleport!](#)

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[Top Ten Mistakes in Web Design](#)

Javascript

[Javascript Source](#)

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[XML a Shareware.com](#)

[Manual XML](#)

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[XMLwriter - Programa per convertir de XML a HTML](#)

[Overview of all HTML elements](#)

[XML Spy](#)

<http://www.hypermedic.com/style/xml/xml2.htm>

[Direcciones del mundo XML](#)

[developerWorks: XML: Tools - Editing](#)

[HTML-Kit](#)

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[Tejedores del Web - Nivel avanzado](#)

[????](#)

[HTML dinámico en castellano. Lenguajes de script. JavaScript](#)

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[XMLwriter - XML Editor for Windows](#)

[XML for all](#)

[Amaya 2.2 Binary Release](#)

[XML - Índice-Recursos](#)

[Curso de HTML: Introducción al curso](#)

[html.zip](#)

[Html dinámico en castellano.-](#)

[Información interesante sobre XML y JAVA-](#)

[Recursos XML-](#)

<http://csg.uwaterloo.ca/~dmg/tutorial/xml/>

[HTML Dinámico. Hojas de estilo. CSS](#)

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[BEST - Johnny 98](#)

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<http://www.sun.com/staroffice/>

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<http://www.rebost.net/utilitats.htm#ErgovisPC>

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[Computer Hangs After 49.7 Days](#)

[Wget Manual - Table of Contents](#)

[PGP for Windows 95/98/NT](#)

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[Tucows \(BE\)](#)

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<http://web.jet.es/lp/>

<http://www.centralregistry.com/>

<http://www.submit.com>

<http://www.siteowner.com>

<http://web.jet.es/nacho/meteselo.shtml>

<http://www.addurl.com>

<http://www.enter.net.mx/atajos/autoregistralo.html>

Utils

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<http://www.hpcalc.org/>

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<http://www.uv.es/~iranzop/hp48/>

<http://www.arrakis.es/~malar>

<http://hp48.ml.org>

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<http://ftp.lucky.net/pub/fido/INDEX>

<ftp://ftp.prospect.com.ru/fidonet/mailers/binkd>

<http://www.falcon.spb.su/iplist.html>

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[SIDAR: Seminario de Iniciativas sobre Discapacidad y Accesibilidad en la Red.](#)

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[RISKS-LIST: RISKS-FORUM Digest](#)

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[Linux Documentation Project \(LDP\)](#)

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[JavaScript Reference \(L\)](#)

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[XML - Jaime Sagarduy](#)

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[XML Spy](#)

<http://www.hypermedic.com/style/xml/xml2.htm>

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[developerWorks: XML: Tools - Editing](#)

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<http://www.rebost.net/utilitats.htm#ErgovisPC>

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<http://web.jet.es/lp/>

<http://www.centralregistry.com/>

<http://www.submit.com>

<http://www.siteowner.com>

<http://web.jet.es/nacho/meteselo.shtml>

<http://www.addurl.com>

<http://www.enter.net.mx/atajos/autoregistralo.html>

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[Johnny's Foyer](#)

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[Britannica | article page on Minerva](#)

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[HP48 Arcade Games](#)

<http://www.hpcalc.org/>

[Webring](#)

<http://www.uv.es/~iranzop/hp48/>

<http://www.arrakis.es/~malar>

<http://hp48.ml.org>

Fidonet

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[List of BinkP nodes](#)

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<http://ftp.lucky.net/pub/fido/INDEX>

<ftp://ftp.prospect.com.ru/fidonet/mailers/binkd>

<http://www.falcon.spb.su/iplist.html>

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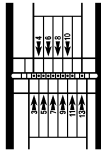
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Richard R. Posner: Breaking the Deadlock

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Chapter 1

The Road to Florida 2000

Democratic Theory—Briefly

BEHIND THE 2000 Presidential election in Florida lie thousands of years of thinking about, controversy over, experimentation with, regulation of, and tinkering with the popular vote as the method of political governance deemed central to democratic theory.¹ Not that voting is limited to the political arena, or to democracies. Appellate decisions are determined by judges' votes; one of the jokes that went the rounds after *Bush v. Gore* was decided had Bush saying, "I want to thank those who voted for me for President: Rehnquist, O'Connor, Scalia, Kennedy, and Thomas." And one of the complaints about the punchcard voting machines used in a number of Florida counties was that the machines had been worn down by being lent for use in union elections. Voting is a

1. For a taste of the complexity of democratic theory, to which I cannot possibly do justice in this book, see Thomas Christiano, *The Role of the Many: Fundamental Issues in Democratic Theory* (1996); James A. Gardner, "Consent, Legitimacy and Elections: Implementing Popular Sovereignty under the Lockean Constitution," *52 University of Pittsburgh Law Review* 189 (1990).

highly economical method of aggregating preferences, which is why it is used so widely. But it is also a very crude method.² It does not weight preferences by intensity or knowledge, and, partly for that reason, it does not impose a cost on the ignorant, irresponsible, or exploitive exercise of the franchise. Especially when the ballot is secret (which it has to be wherever there is concern about intimidation or other coercion, or undue influence), the voter is insulated from criticism, however just; he is neither rewarded for voting intelligently nor punished for voting stupidly.

I have been speaking thus far of voting in its pure “one person-one vote” sense, however, and often impurities are deliberately introduced. Corporate voting is by share rather than by shareholder; votes are weighted by the voter’s financial interest in the outcome of the vote. We shall see that John Stuart Mill thought that in political elections abler individuals should be given additional votes. Even in modern American political elections there are eligibility requirements that, deliberately or not, prevent or discourage the most incompetent, apathetic, and irresponsible elements of the population from voting. Voters must be adults, must register to vote, must not be in jail or prison (often, must not be ex-felons as well), must be residents of the voting district, usually must be citizens. Obviously these are coarse sieves if the objective is to confine voting to intelligent, knowledgeable, civic-minded, politically mature, responsible people with a tangible stake in the outcome of the election.

Why anyone who is eligible *bothers* to vote is a puzzle,³ especially to economists, who emphasize self-interest as the engine of human action. The puzzle is not why voters do not invest much

2. A proposition substantiated in a huge literature; for a glimpse, see Amartya Sen, “How to Judge Voting Schemes,” *Journal of Economic Perspectives*, Winter 1995, p. 91. One of the complications is that there is a great variety of potential voting rules, all with different effects. For a lively discussion, see Gordon Tullock, *On Voting: A Public Choice Approach*, ch. 2 (1998).

3. John H. Aldrich, “When Is It Rational to Vote?” in *Perspectives on Public Choice: A Handbook* 373 (Dennis C. Mueller ed. 1997); Anthony Downs, *An Economic Theory of Democracy*, ch. 14 (1957).

time in equipping themselves to vote intelligently (something that many of them would lack the intelligence or education to be able to do, no matter how much time they spent studying the issues and the candidates); obviously they have little to gain from such an investment, since political elections, other than on the most local level, are virtually never decided by a single vote. The puzzle is that people vote at all in a society in which voting is not compulsory, given the lack of instrumental value to which I have just pointed—even the 2000 Presidential election in Florida was not decided by a single vote.

Of course, many Americans who are eligible to vote do not vote. The nationwide turnout in the 2000 Presidential election was only 50 percent of the eligible voters, and it is often much lower in more obscure elections. Yet many do vote. The costs are slight. But what are the benefits? Because a single voter cannot swing the election, voting is less plausibly regarded as an activity yielding instrumental benefits than as a form of consumption, like rooting for one's alma mater at a college football game. Consistent with this suggestion, voter turnout is largely a function of how exciting the election campaign has been; the voter chooses between the candidates much as he would between competing brands of an ordinary product or service.⁴ Voting is also a way of constructing and signaling the voter's solidarity with like-minded people. But that is often an element of ordinary consumption too; the choice of brand may be influenced by a desire to signal taste, values, or affluence. Because the benefits of voting are small, however, even modestly high costs of voting can depress turnout significantly. The fact that turnout in U.S. elections is low by international standards is largely explained by mundane factors affecting, however slightly, the cost

4. See, besides the references in note 3, Daniel Hays Lowenstein, *Election Law: Cases and Materials* 54–60 (1995), a good summary of the literature on incentives to vote.

of voting. For example, elections are scheduled on regular workdays in the United States, rather than on holidays or weekends as in a number of other countries. Registering to vote is also more of a bother in the United States, because registration is carried out at the state level; Americans tend to move around a great deal and so have to register more frequently than the citizens of less mobile or more centralized societies.⁵

The popular vote is often thought to be *the* defining element of political democracy, but that is a modern view. The classical view, which originates in the Athenian concept of democracy⁶ and contains an insight that we moderns have largely lost sight of, is that filling political offices by popular election rather than by lot conduces to *aristocratic* (in the Aristotelian sense) rather than democratic government. Conduces, in other words, to government by “the best” rather than by the average (as in a system of filling offices by lot) or by “the people” as a whole.⁷ Only *representative* democracy is aristocratic in this sense, however. Direct democracy—voting on issues rather than for officials—is not. Although a hallowed part of our tradition in the form of the New England meeting and still employed to a limited extent in some of our states, primarily in the form of the referendum, direct democracy is infeasible in a large, complex polity. Switzerland employs the referendum extensively—and it is exceptional even among small countries in this respect.⁸ Moreover, Switzerland is also and primarily a representative democracy, like California and other U.S. states that authorize referenda. In these instances direct democracy merely

5. Nelson W. Polsby and Aaron Wildavsky, *Presidential Elections: Strategies and Structures of American Politics* 5–8 (10th ed. 2000).

6. Scott Gordon, *Controlling the State: Constitutionalism from Ancient Athens to Today* 66–80 (1999).

7. Bernard Manin, *The Principles of Representative Government* (1997). Schumpeter’s theory of competitive democracy is similar; Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy*, ch. 22 (3d ed. 1950).

8. On direct democracy generally, see Dennis Mueller, *Constitutional Democracy*, ch. 7 (1996).

supplements representative democracy, providing a means of breaking cross-party coalitions of politicians.⁹

The aristocratic character of representative democracy is rooted in the fact that, especially if political parties are weak or nonexistent (the significance of this qualification will become clear shortly), voters will tend to pick the best candidate for each office. The best candidate—which is to say the candidate most likely to occupy the office with distinction—is likely to be a superior person, not at all typical of the voters. And it is the officeholders, the elected officials and the officials whom they appoint, who govern—not the people who elect them.¹⁰ Of course voters may often be deceived about who is the best candidate; even so, an average Joe is unlikely to prevail in electoral competition, just as an average Joe is unlikely to win the world boxing title. The glib, the clever, the shrewd, the handsome, and the charismatic are likely to dominate the electoral competition, occupy the principal offices, and constitute, in short, a political aristocracy. Not that the people are an inert element in representative democracy. The politicians will vie for their favor by advocating policies that command broad support. But these advocates will be drawn from a narrow and unrepresentative segment of the community, and the policies they advocate, or seem to advocate, to win popular support will often not be the policies they implement.

Representative democracy becomes monarchical when the representative is a dictator and there is only one candidate, as in the plebiscites employed by Napoleon and Hitler to cement their rule, or the one-party voting in communist states. But democratic

9. Bruno S. Frey, "Direct Democracy: Politico-Economic Lessons from Swiss Experience," 84 *American Economic Review Papers and Proceedings* 338 (May 1994).

10. This assumes that, as in our system of government, the voters are not authorized to issue binding instructions to the successful candidate. If they were, officeholders would be genuine agents, rather than principals; the people would rule, as they do not in our system.

aristocracy, oxymoron as it may seem, best describes our system. The framers of the original Constitution, the Constitution of 1787, decreed that the House of Representatives would be popularly elected, but they had a distinctly aristocratic conception of the Presidency; it is reflected in the device of the Electoral College. In the wake of the 2000 election fiasco, there are renewed calls to abolish the Electoral College. We shall be considering the merits of abolition throughout this book, particularly in the last chapter. The deadlock, and the difficulties of resolving it, were inseparable from that institution. But even if the Electoral College were abolished and the President directly elected by popular vote, our political system would remain aristocratic in Aristotle's sense.

Our political aristocracy is not hereditary, and its direct or indirect dependence on the popular vote, not only for initial appointment but also for reappointment at stated intervals, tends to align its interests more closely with the interests of the population at large than do other systems of government.¹¹ Nevertheless, representative democracy, democratic self-government, and popular government are misleading descriptions of the system for governing modern "democracies." This is so not only because the people do not rule, and because there are no guaranties that they vote intelligently or even conscientiously, but also because the voters are not the people, but only a fraction (and not necessarily a representative fraction) of the entire population, and also because, as I have noted, voting is a crude method of aggregating preferences. In the 2000 Presidential election, little more than a third of the population actually cast a ballot that was counted as a vote for one of the Presidential candidates, and the winner of the popular vote lost

11. In a representative democracy, "elections are part of the system of accountability and control" (Gordon, *Controlling the State*, at 360), along with a host of other mechanisms, as Gordon emphasizes.

the election, because the loser had more electoral votes. Winner and loser, moreover, each had the votes of only about one-sixth of the total population.

Although the Electoral College is controversial, one of the principles that it embodies, that of districted rather than at-large elections, is not; and yet districting drives a further wedge between popular majorities and electoral outcomes. If two parties compete for control of a 100-member state legislature elected by districts of equal population, a party that wins a bare majority of the votes in a bare majority of the districts will end up with control of the legislature, though that party could be the preference of only a shade over 25 percent of the state's voters, who might in turn be only a modest fraction of the population. This paradox is complicated at the Presidential election level by the facts that a state's electoral votes are the sum of the state's Senators and Representatives in Congress and that each state has two Senators regardless of its population. This might be thought to imply that the votes of the voters in the less populous states are weighted more heavily in the Electoral College than those of the voters in the more populous states. Yet we shall see in Chapter 5 that this is an oversimplification, because given the winner-take-all rule that all but two states use for allocating their electoral votes, swing voters in more populous states have more influence in the Presidential election than swing voters in less populous ones.

The only constant is that voting is indeed a crude method of mapping preferences onto policies—and for the further reason that voting for a candidate is voting both for a person and, in effect, for a package of likely policies: the policies the candidate supports, possibly the policies endorsed in his party's platform. So wholly apart from voter ignorance, policies may be adopted that do not actually command majority support, either because a majority of voters prefers the candidate whose policies they do not like (they may consider him an abler leader) or because the majority likes

only a subset of those policies. In a two-party system, moreover, the parties have a strong incentive to move to the center of the distribution of political opinion. This may force voters to choose between two candidates who have largely identical views that are not widely supported but that have the support of the median voter. Making a choice between two alternatives is more difficult the harder the alternatives are to distinguish—but it is also more difficult the more alternatives there are, so that a proliferation of candidates does not cure the Tweedledum-Tweedledee problem.¹² And such a proliferation is in any event unlikely because a two-party system is a natural although not inevitable corollary of a Presidential as distinct from a parliamentary system. It is difficult for a third party to mount a credible Presidential campaign—third-party Presidential candidates are invariably just “spoilers”—and so it is difficult to take the party itself seriously as a national force.¹³ What really does in third parties, however, is a winner-take-all voting system (as distinct from proportional representation) at the legislative level. For that is likely to prevent a third party from electing any legislators at all, making the party impotent at the legislative as well as the executive level.

When ignorance about issues and candidates,¹⁴ exploitive intentions (voting for the party that you hope will, if it takes

12. On both points, see Richard R. Lau and David P. Redlawsk, “Voting Correctly,” 91 *American Political Science Review* 585, 592 (1997).

13. Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* 130–131, 180 (1984).

14. “Interest in politics is generally weak, discussion is rare, political knowledge on the average is pitifully low, and few people actively participate in politics beyond voting. . . . And what good is even voting if for so many it is based on so little information?” Lau and Redlawsk, “Voting Correctly,” at 585. “Individuals are creatures of habit when they vote, as when they work and play. They vote for the same party in the present election as in the last one, unless that decision is perceived to have been unrewarded or punished. Unlike in market transactions, however, the rewards and punishments that follow voting are neither immediate nor often clearly linked to the act of voting. Thus, rational or irrational political beliefs and behavior—like beliefs in the prognostic powers of constellations of stars—are likely to persist even in individuals whose everyday behavior in the market place conforms well to that predicted by rational actor models.” Dennis C. Mueller, “Capitalism, Democracy and Rational Individual Behavior,” 10 *Journal of Evolutionary Economics* 67, 73 (2000). See also Larry

power, redistribute wealth to you from other people), low turnout, and errors in voting and in tabulating votes are added to the brew, it becomes apparent that voting registers informed public opinion in only the loosest sense and the “popular will,” Rousseau’s “general will,” perhaps not at all. Some of the distortions may be offsetting, but that cannot be assumed. And while it is true that low turnout would not matter if nonvoters had the same interests as voters, they do not. Turnout is disproportionately high among the elderly even after adjustment is made for other influences on it¹⁵—a factor that, in combination with the disfranchisement of children, creates a strong public policy tilt away from children and toward the elderly.¹⁶ We shall note in Chapter 5 that the expressed political *preferences* of nonvoters tend to be quite similar to those of voters; but those preferences may not correspond very closely to nonvoters’ *interests*. As nonparticipants in the electoral system, nonvoters are unlikely to have given much thought to aligning their political views with their interests.

Our actual existing democracy falls so far short of the soaring ideals of the theorists of democracy¹⁷ that some of those theorists might be inclined to deny that our system is democratic. But that is to be unrealistic, as well as to attribute a fixed meaning to a word (“democracy”) of notorious plasticity. Representative democracy has decisive *pragmatic* advantages over alternative systems of governing a modern society, and so we can be enthusiasts for democracy without having to prate about self-government or the popular

M. Bartels, “Uninformed Voters: Information Effects in Presidential Elections,” 40 *American Journal of Political Science* 194 (1996). But not all students of the electoral process believe that voters are seriously uninformed. See, for example, Sam Peltzman, “How Efficient Is the Voting Market?” 33 *Journal of Law and Economics* 27 (1990); with specific reference to Presidential elections, see *ibid.* at 59–62.

15. John E. Filer, Lawrence W. Kenny, and Rebecca B. Morton, “Redistribution, Income, and Voting,” 37 *American Journal of Political Science* 63, 74–75 (tab. 2), 80 (1993).

16. Richard A. Posner, *Aging and Old Age* 148–149, 288–289 (1995).

17. See, for example, David M. Estlund, “Democracy without Preference,” 99 *Philosophical Review* 397 (1990).

will. Paradoxically, the advantages of representative democracy emerge most clearly if we eschew pious platitudes about civic virtue and assume that people (including those who live in democratic societies) are, whether as citizens or as officials, self-interested rather than public-interested or altruistic, or that, if they are public-interested or altruistic, the specific beliefs they hold are likely to be distorted by self-interest or ignorance. It is a realistic assumption and implies that people—whether the collective “We the People” of the Constitution’s preamble or individual persons—cannot be trusted to exercise power.

That is a worrisome thought. The core function of government has always been to provide services—classically, internal and external security—that the market cannot provide efficiently because the benefits which these services generate could not be appropriated by the private individual or firm that produced them. Imagine trying to finance the national defense by means of voluntary contributions. People who did not contribute would obtain the same benefits from national defense as those who contributed, and so the incentive to contribute would be meager. The same thing is true with regard to the financing of police, prosecutors, judges, and the rest of the law enforcement apparatus.

The effective performance of the core functions of government requires a concentration of physical power—the “monopoly of force” that all governments claim. Force to maintain law and order, force to extract the revenues necessary to pay for that maintenance. As a result, control of the government creates opportunities for expropriation of the citizenry’s wealth, and for other abuses, provided there are significant costs of emigrating, as there usually are. Quite apart from the danger of abuse, the mere fact that the basic government services are ones not sold in a market makes the monitoring of their efficient provision difficult. Both the loyalty and the competence of our political fiduciaries must somehow be secured by the institutions of the society.

The key institution in our society is, precisely, representative democracy, and its defining “democratic” feature is that the representatives are elected by the public at large, with each eligible member of the public having a single, nonsalable vote. But why voting? Why majority voting? Why equal voting? And why are votes nonsalable? These turn out to be related questions, and the answers will point us toward the central concerns of this book.

Voting in effect constitutes citizens¹⁸ the “owners” of the government, in much the same way that shareholders are the owners of corporations. But whereas shareholders vote by shares rather than per capita, because their stakes in the corporation may be very unequal, citizens have more or less equal stakes. Not entirely so, of course; people are very differently related to government so far as the costs they bear and the benefits they reap. But because of the great power of government, almost everyone has a significant stake in the government’s operation.

Too great a departure from the “one person–one vote” principle (as opposed to corporate democracy’s “one share–one vote” principle, under which, were it transposed to the political setting, a share might be a specified percentage of the total wealth of the electoral unit) would make acute the danger of the government’s being captured by a minority (I mean an electoral, not an ethnic, minority—a cabal, an oligarchy) bent on expropriating the property or extinguishing the freedom of the majority or of another minority. The reason is that the fewer people who have to be organized in order to achieve a common end, the more likely they are to succeed: transaction costs are lower, a proposition familiar to students of price fixing and other conspiracies.

For the same reason, votes must not be salable,¹⁹ since that would enable the concentration of voting power in the hands of a

18. Here used in a loose, indeed circular, sense, since aliens are sometimes permitted to vote—a permission that constitutes them “citizens” in a meaningful sense, despite their (formal) alienage.

19. See Downs, *An Economic Theory of Democracy*, at 188–194; and for a fuller dis-

relative handful of people or corporations. A market in votes presents a classic free rider problem. If a wealthy individual offered to buy the first million voting rights tendered to him at \$25 a vote, he would have little difficulty closing the deal, especially if many voters assumed that others would sell their right to vote for that price.²⁰ Suppose he wanted to buy a really commanding number of votes, such as 10 million—only a modest percentage, however, of the total number of votes cast in the 2000 election, and an even smaller percentage of the total number of votes potentially buyable, since the half of the electorate that did not bother to vote would be especially eager to sell their voting rights. He might have to pay a much higher price per vote. Suppose it would be \$100. Still, many firms and even individuals can plunk down \$1 billion in cash for an asset that is worth that much to them. Allowing votes to be bought and sold would, therefore, be practically as well as theoretically inconsistent with the principle of equal voting. Majority voting also follows from that principle, because it is the only method of vote counting that weights each voter's vote equally.

In short, although the people do not rule in a representative democracy—that would be infeasible—they pick the rulers, kick them out when necessary, and provide for an orderly, peaceful succession (although the one in 2000 turned out not to be so orderly) when a vacancy occurs. The last point deserves particular emphasis given the subject of this book. Hereditary monarchy solved the succession problem, but at the sacrifice of both quality assurance and democratic control, sacrifices that representative democracy avoids having to make. Taken all in all, representative democracy not only

cussion of the pros and cons of allowing votes to be sold, see Saul Levmore, "Voting with Intensity," 53 *Stanford Law Review* 111 (2000).

20. The theory of the two-tier tender offer. And during the 2000 Presidential campaign a market in votes did emerge, briefly, on the Internet ("voteauction.com"), before being shut down by a reminder of its illegality. The average transaction price was indeed only \$24.28. See http://62.116.31.68/end_of_bids.htm. Cf. Pamela S. Karlan, "Politics by Other Means," 85 *Virginia Law Review* 1697, 1713–1714 (1999).

honors the democratic principle but also controls the rulers, and solves the succession problem, better than any alternative system, provided—a qualification to be borne in mind throughout this book—that the procedures for determining the succession are fixed in advance, objective, administrable, and clear, so that succession is according to rules rather than to a power play by the loser.

With such advantages, one may wonder why representative democracy is not the universal system of government, and particularly why it seems to flourish only in wealthy modern countries, with a few exceptions, such as Switzerland even before modernity and a poor India today. (The Roman Republic was an interesting mixture of democracy and oligarchy.) Notice that I did not number the ancient Greek city-states among the exceptions. Direct democracy, the ancient Greek form of democracy, is feasible only in a very small, simple polity, because in a large or complex one the information costs—not to mention the costs of underspecialization and of time—of citizen government are prohibitive. Representative democracy reduces all these costs by enabling a political division of labor between governed and governing without relinquishing popular control over the governors.

But unlike Greek-style democracy, representative democracy requires an elaborate institutional framework to avoid degenerating into oligarchy or dictatorship. Remember that in such a democracy it is officials who rule, not the people. Officials have their own interests, which may not coincide with those of the people. If able to monopolize the information relating to the administration of government, these imperfect agents may be able to perpetuate themselves in office while adopting policies that disserve their constituents. So a reasonably well-informed citizenry—a citizenry that even if not highly educated, or even highly literate, makes at least approximately accurate judgments about candidates and policies—is a prerequisite of democracy. Another prerequisite is a system of

property and personal rights, including the right of free speech, enforced by judges who are not beholden to or intimidated by the representatives. For without such a system—that is, without real liberty—the representatives will be able to cow political opponents, steal elections through fraud and through intimidation of voters, and, by thus making reelection an empty formality, perpetuate their rule indefinitely.

So democracy depends on liberty, as well as being in tension with it because liberty curtails the power of the majority to impose its will. The right to vote is not enough; it is really just the tip of an institutional-cultural-juridical iceberg; a competent and independent electorate, which implies a liberty-securing institutional infrastructure, is indispensable to the operation of representative democracy. Since people are self-interested and for that and other reasons untrustworthy, pure democracy—democracy that places no limits on what the majority or its representatives can do²¹—is an extremely dangerous system of government, viable if at all only in tiny polities, where ties of family and friendship may enable voluntary cooperation to be substituted for coercion. Pure democracy is unstable and likely to degenerate into oligarchy or autocracy. Limited democracy is best. Representative democracy is limited democracy, even without judicially protected liberty, because it puts up a screen between citizens and the application to them of state power by other citizens.

It is also a far more efficient and economical system of governance than direct democracy. Not only does it enable specialization in the provision of government services and political goods; in addition, because governance is delegated to the specialists, the elected and other officials, the people at large do not have to

21. The term “pure democracy” should not be confused with “direct democracy.” The former is democracy, representative or direct, without legal limits on what the democratic majority may do. The latter is governance by the people themselves rather than by representatives whom they elect.

spend all or even much of their time worrying about politics. Some theorists—Hannah Arendt is perhaps the outstanding modern exemplar—are distressed that modern democracy enables the mass of people to redirect their energies from the public to the private sphere.²² Bonnie Honig would go further, radicalizing Arendt in an effort to restore “politics as a disruptive practice that resists the consolidations and closures of administrative and juridical settlement for the sake of the perpetuity of political contest.”²³ For most of us, it is a relief not to have to be jawing all the time in the *agora*.²⁴ Not for us exhaustive deliberation, life modeled on a faculty seminar. Not only is there much more to life than politics, but a preoccupation with politics is likely to exacerbate social conflict. Political conflicts are not intellectual disagreements, resolvable by deliberation or debate. They are clashes of interests and values. The political class in this country—the class that dwells obsessively on political issues—is more contentious, radical, dogmatic, and polarized than the country as a whole.

Representative democracy is historically and today associated with the market economy, though the correlation is one-sided. Nondemocratic nations often have market economies, but nations that do not have market economies are rarely democratic. A market economy seems therefore to be a necessary but not a sufficient condition for democracy. It is easy to see why it is not sufficient. Free markets are much more effective at generating wealth than non-

22. See, for example, Hannah Arendt, *The Human Condition* (2d ed. 1998), esp. pt. 2. “Arendt insists that a person can achieve an identity only through being seen and heard by his equals as they all deliberate the common fate. . . . Authentic politics fills the gap at the heart of the human condition.” George Kateb, “Political Action: Its Nature and Advantages,” in *The Cambridge Companion to Hannah Arendt* 130, 145–146 (Dana Villa ed. 2000).

23. Bonnie Honig, *Political Theory and the Displacement of Politics* 4, 124 (1993).

24. John Mueller, “Democracy and Ralph’s Pretty Good Grocery: Elections, Equality, and the Minimal Human Being,” 36 *American Journal of Political Science* 983 (1992). See also Will Kymlicka and Wayne Norman, “Return of the Citizen: A Survey of Recent Work on Citizenship Theory,” 104 *Ethics* 352, 361–362, 369 (1994).

market economic systems, and an autocrat generally wants his country to be wealthy in order to keep his subjects happy, finance an effective security apparatus, and become wealthy himself without taking such a large proportion of national wealth that he causes serious unrest. (The qualification “generally” is important, however, as wealth may create pressure for democracy, as we are about to see.)

Three things make a market economy a prerequisite for representative democracy. First, such economies depend on respect for property rights, and the effective enforcement of property rights requires a competent and impartial judiciary, which is also essential to ensure that elections are honest and to protect the personal liberties that democracy, the (potential) “tyranny of the majority,” threatens. Judicial protection of property rights is the forerunner of judicial protection of political liberty. Second, market economies generate wealth, and wealth increases the demand for and the supply of education, communications, and leisure. These goods, along with the financial security of living in a prosperous society, create a citizenry that not only is reasonably well informed about political issues and candidates, but also is sufficiently independent economically not to be the pawn of the mighty; relations of patronage and dependence undermine the power-diffusing objective of equal voting. Third, market economies reward and thus encourage commercial values, which are more hospitable than aristocratic or religious ones to the political equality that undergirds a democratic system. Like theocrats, aristocrats (not in the Aristotelian sense, the sense I used earlier, in which aristocracy is rule by the best, but in the more familiar sense of a hereditary caste preoccupied with honor and status and disdainful of commercial pursuits) think the issues involved in government too important to be left to the people. They also (the extreme example is Coriolanus) disdain the dependence on the goodwill of *hoi polloi* that a democratic system

imposes on officials.²⁵ Persons engaged in market activities disdain others at their peril, since success in the market involves catering to the preferences of others, namely one's customers and to a lesser extent one's employees and other suppliers.

There are countercurrents. The ideology of the market can foster contempt for voting because of its lack of instrumental value and its failure to weight preferences by willingness to pay, which is how the market weights preferences. The sacralizing of property rights in the name of economic efficiency curtails democratic governance by disqualifying government from intervening in the market. And markets can foster inequalities in income and wealth, which can in turn foster selfish, exploitive voting as the electorate splits into classes that have little in common with each other. But these effects are outweighed by the support that a market economy offers to representative democracy; otherwise having a market economy would not be a necessary condition of a society's being a representative democracy.

The foregoing introduction to the practice of representative democracy, brief as it has been, suggests several points germane to the argument of this book. Representative democracy is a pragmatic institution rather than the instantiation of a theorist's ideal state. Voting is a method of control, not of administration. The people do not rule in a representative democracy; they control the rulers, their delegates. For voting to perform its function of control, voters must have some minimum of political sophistication, along with a measure of independence from other people. Voting is central to the orderly succession of democratic "rulers." "Orderly" implies ordered, and delegation of governance to specialists implies realism and practicality. American democracy is structured, formal,

25. Don Herzog, *Happy Slaves: A Critique of Consent Theory* 198-199 (1989), remarks in a similar vein that a contested election "requires candidates to think the prize of election worth the risks of losing honor, of having one's neighbors publicly certify that they prefer someone else. So it requires and reinforces the decay of honor as an organizing principle." George Washington refused to be considered for President until assured that the vote for him in the Electoral College would be unanimous.

practical, realistic, and both supportive of and supported by commercial values. It is not starry-eyed, carnivalesque, or insurrectionary. It is not pure or participatory democracy, and it does not consider political chaos a price worth paying to actualize the popular will. Its spirit is closer to that of Burke than to that of Rousseau. The populism of a Jefferson or a Jackson remains a part of our democratic ideology, but a smaller part than in days of yore. These summary reflections, too, will turn out to be relevant to evaluating the Supreme Court's performance in *Bush v. Gore*.

A History of the Suffrage

The entwining of democracy with economy will also play a role in our analysis of the Florida election. As we shall see in the next chapter, the deadlock and some of the bitterness sparked by its resolution had economic roots, such as illiteracy, which is linked to poverty, and the financial costs and benefits associated with different systems of voting. There was a subterranean issue of whether literacy should be a voter qualification. Although federal law forbids the use of literacy as a voter qualification in federal elections,²⁶ the punchcard ballot used in a number of Florida counties (indeed used widely throughout the United States) requires a higher degree of literacy than other common voting technologies.

Poverty fosters ignorance, and also dependence. These are age-old worries about political elections. By the eve of the American Revolution, the idea that an elected legislature was an element of civilized government had taken firm hold in Great Britain and its American colonies. But neither the principle of universal suffrage

26. 42 U.S.C. § 1973b(e)(2), upheld against constitutional challenge in *Oregon v. Mitchell*, 400 U.S. 112 (1970). It might be questioned whether Congress has the power to regulate voter qualifications in Presidential elections, since the Constitution assigns the power to determine the manner of appointing Presidential electors to the states. U.S. Const. art II, § 1, cl. 2. But it would be impracticable for a state to fix different qualifications for voters for different offices in the same election. More on congressional power to regulate Presidential elections in subsequent chapters.

so familiar to us (though not fully actualized even today), nor the idea that all legislators (and the executive as well, and maybe even judges) should be elected by the people, had yet taken hold. The suffrage was limited as a matter of course to free adult males who owned property, specifically land. Property ownership was much more widespread in the colonies than in the mother country, with the result that something like two-thirds of free American adult males could vote. But they could vote only for the members of the lower house of the state legislatures. The governor was appointed by the Crown, and the members of the governor's council, corresponding to the Senate in the federal government ordained by the Constitution of 1787, were appointed by the governor.²⁷

This basic structure was retained in the Constitution.²⁸ Article I, section 2, provided that the members of the House of Represen-

27. There are minor exceptions to these generalizations about the form of the suffrage—a qualification that should be borne in mind throughout my brief survey of voting history. On that history, see Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (2000); Robert J. Dinkin, *Voting in Revolutionary America: A Study of Elections in the Original Thirteen States, 1776–1789*, ch. 2 (1982); Dinkin, *Voting in Provincial America: A Study of Elections in the Thirteen Colonies, 1689–1776*, ch. 2 (1977); Chilton Williamson, *American Suffrage: From Property to Democracy, 1790–1860* (1960); Arnaldo Testi, “The Construction and Deconstruction of the U.S. Electorate in the Age of Manhood Suffrage, 1830s–1920s,” in *How Did They Become Voters?* 387 (Raffaele Romanelli ed. 1998); Robert J. Steinfeld, “Property and Suffrage in the Early American Republic,” 41 *Stanford Law Review* 335 (1989).

28. Lawrence D. Longley and Neal R. Peirce, *The Electoral College Primer 2000* (1999); Michael J. Glennon, *When No Majority Rules: The Electoral College and Presidential Succession* (1992); Neal R. Peirce and Lawrence D. Longley, *The People's President: The Electoral College in American History and the Direct Vote Alternative* (rev. ed. 1981); Shlomo Slonim, “The Electoral College at Philadelphia: The Evolution of an Ad Hoc Congress for the Selection of a President,” 73 *Journal of American History* 35 (1986); L. Kinvin Wroth, “Election Contests and the Electoral Vote,” 65 *Dickinson Law Review* 321 (1961). For the most powerful contemporaneous defense of the Electoral College, see *Federalist No. 68* (Hamilton).

Writing in 1999, Longley and Peirce entitled their first chapter “The Election of 2000 Is Not Quite Decided: A Fantasy,” and in it sketched a scenario resulting in a deadlocked election and ensuing chaos. The deadlock in their fantasy, however, results from the fact that the electoral vote is split among three candidates (the authors added Colin Powell to Bush and Gore), none of whom has a majority of the electoral votes. The result is fierce politicking, first to get members of the Electoral College to switch, and later, when the election is thrown into the House of Representatives, to woo Congressmen. No one foresaw the form that the 2000 election deadlock would actually take. I am surprised that Longley and Peirce did not, since they discuss a number of challenges to Presidential electors, including one that occurred after the Electoral Count Act was passed in 1887 in an effort to prevent a repetition of

tatives were to be elected by the people of each state. No effort was made to eliminate property qualifications or other limitations on the suffrage; the only stipulation (also in section 2) was that the voters have the same qualifications that the state required of people voting for members of its lower house. Article I, section 3, provided that the Senators from each state would be appointed by the state's legislature. This method of appointing Senators reflected (at a time when states were much more important than they have become) a kind of ambassadorial conception of a Senator. Indeed, state legislatures sometimes instructed "their" Senators with regard to how to vote on specific issues.²⁹ The state legislatures were authorized to fix the time, place, and manner of choosing Senators and Representatives, though Congress was authorized to alter those regulations—except for the place of choosing Senators, which would be the state legislature itself. Each house of Congress was to be "the Judge of the Elections, Returns and Qualifications of its own Members."

There was little support at the constitutional convention for popular election of the President. Most of the delegates held the aristocratic conception of the Presidency and were dubious about the capacity of the public at large, with the limited filtering provided by gender and property qualifications, to pick the best candidate. There were also concerns about the logistics of conducting a nationwide popular election in a large country with poor transportation and communications. The alternative of having the President elected by Congress was unattractive, as it would make the President unduly dependent on the legislative branch. The ingenious expedient hit upon by the delegates was the Electoral College. Each state would have as many electors, and hence electoral votes, as it had Representatives plus Senators. The Electoral College was

the Hayes-Tilden fiasco, which that of 2000 resembled. Longley and Peirce, *Electoral College Primer 2000*, at 122–125.

29. See the discussion of this history in *Cook v. Gralike*, 121 S. Ct. 1029 (2001).

thus to be a kind of ad hoc Congress, its sole function being to elect the President. Its members were to be appointed by each state “in such Manner as the Legislature thereof shall direct” (Article II, section 1, clause 2) and were to meet in their state and vote for the President rather than assemble in one place and confer before voting. Members of Congress, and other high federal officials, were ineligible to be electors. Congress was to fix the time at which the electors would be chosen and the day on which they would cast their votes, provided the day was the same throughout the nation. The state was to transmit its electoral votes to the seat of the federal government, where they were to be counted in the presence of both houses of Congress. If no one received a majority of the votes of the appointed electors, the House of Representatives was to elect the President from among the leading candidates. But in that election, unlike the ordinary procedure of the House, each state delegation would have a single vote.

The framers’ insouciance about voting qualifications for the members of the only directly elected branch of the new government, the House of Representatives, was matched by their insouciance about the method of appointing Presidential electors, which was left to the state legislatures to decide. The framers were unperturbed by the possibility that the legislatures might (as most soon did) decide that the electors would be chosen by popular vote. Apparently they thought that the people could be trusted to pick electors good enough to pick the best person as President. Moreover, they expected the contingent election procedure ordained by the Constitution—election of the President by the House of Representatives if no candidate received a majority of electoral votes—to be used frequently, and the House was the most democratic component of the governmental structure created at Philadelphia in 1787, though, since each state’s delegation would have only one vote to cast for President, the contingent procedure was not actually very democratic. That was discovered in 1824, the

only time the President has been picked by that method. Andrew Jackson lost to John Quincy Adams in the House even though Jackson had the most popular votes³⁰ and the most electoral votes, though not a majority of the latter.

The framers expressed no concern that a popular-vote loser might be an electoral-vote winner, since they had no reason to expect all states to select their Presidential electors by popular election. That such a discrepancy might be anomalous could not even be perceived until it was customary to select Presidential electors by popular vote, as it was, however, by 1824.

The expectation that the President would often be selected by the House of Representatives was related to the framers' failure to foresee the rise of political parties.³¹ (Parties in the modern sense were unknown in the eighteenth century.) Without parties to winnow the candidates, electoral votes were likely to be scattered among numerous candidates, reducing the likelihood that anyone would receive a majority, especially as it was doubted that many men had sufficient national reputations to garner a majority of electoral votes. In a two-party system, in contrast, electors would be choosing between just the two candidates chosen by the parties.

The Electoral College was not created to be a deliberative body, since its members would not meet but would, as expressly stated in Article II and the Twelfth Amendment, vote separately in each state.³² This decision was made partly because of the difficulties of travel, but more because of concern lest the choice of the President be influenced by cabals, agents of foreign powers, other intriguers, or corrupt deals. It was believed that requiring that the electors

30. In those states, 18 out of the then total of 24, in which electors were chosen by popular vote. His popular vote lead over Adams was commanding—42.4 percent versus 31.9 percent; Glennon, *When No Majority Rules*, at 13, 15. By the next election, all but one of the states chose electors by popular vote.

31. See, for example, Jack N. Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* 268 (1996).

32. "It was to be a strange college—more like a correspondence school"; Jules Witcover, *No Way to Pick a President* 249 (1999).

vote in their home states rather than congregating to vote, that the electors not be federal officials, and that all electoral votes be cast on the same day would minimize these dangers.³³

Such was the scheme of representative democracy created by the Constitution of 1787 for the federal government. The history of U.S. representative democracy since that date is a vast subject, but fortunately only three facets of that history are important for my purposes. One is the general though irregular movement to broaden the suffrage. Another is the trend away from indirect election. The third is the evolution of election administration, with particular reference to efforts to avoid (or if necessary resolve) deadlocks and to count votes accurately, which turn out to be related desiderata.

The movement to broaden the suffrage antedates 1787. On the eve of the Revolution, the electorate for the colonial assemblies, following the British model, was generally limited to adult Protestant males who had freeholds (that is, land ownership) of some specified minimum value. The theory behind the limitations was that only propertied men would have sufficient economic independence and political knowledge to be independent and competent voters rather than pawns of the wealthy and knowledgeable, or, in the case of a woman, of her husband, brothers, or father. Though made at least somewhat plausible by the economic and social conditions of the time and by the fact that the ballot generally was not secret, the theory was at best only partial. It did not explain the religious exclusions from the suffrage or the preferred position of owners of real estate compared with owners of other forms of property that might be equally valuable. Religious hostilities, distrust of city folk, and fear of debtors ganging up on credi-

33. *The Records of the Federal Convention of 1787*, vol. 2, 500 (Max Farrand ed., rev. ed. 1937); Tadahisa Kuroda, *The Origins of the Twelfth Amendment: The Electoral College in the Early Republic, 1787–1804* 11, 21 (1994); Peirce and Longley, *People's President*, at 22, 27, 29; Slonim, "Electoral College at Philadelphia," at 52–53.

tors and, more generally, of the poor expropriating the rich played a larger role in the restrictions on the suffrage than the incomplete theoretical justifications based on notions of independence and competence. (The most plausible justification for the preference accorded owners of real estate was that they were more vulnerable to expropriation because their wealth was immobile.)³⁴ Lack of independence was decisive, however, against permitting slaves to vote, since their votes would be controlled by their masters and thus would magnify the political power of slaveholders.³⁵

The limitations on the franchise eroded significantly between 1775 and 1787. The causes of this erosion were ideological and practical. The slogan “no taxation without representation” made it difficult to justify the denial of the franchise to people who paid taxes yet happened not to own land, especially since the limitation of the franchise to freeholders had been justified in part by the argument that they paid most of the taxes.³⁶ The equally influential slogan “all men are created equal” pointed toward universal adult male suffrage. And it was difficult to ask people to join the Continental Army without giving them the rights of a citizen.³⁷

Yet when the Constitution was adopted, only Vermont had abandoned all property qualifications for voting,³⁸ and the framers decided to allow each state to set the qualifications for voters in federal elections conducted in that state. As I have already noted, the qualifications to vote for members of the House of Representatives, the only form of direct election ordained by the Constitution, were

34. Dinkin, *Voting in Revolutionary America*, at 29.

35. A similar reason underlies the provision of the Constitution (Article I, section 2, clause 3) that counts a slave as only three-fifths of a free person for purposes of determining the number of members of the House of Representatives and hence of the Electoral College to which a state is entitled.

36. Williamson, *American Suffrage*, at 5–7; see also at 78 and at 79 (rejection of theory of “virtual representation”).

37. *Ibid.* at 80, 82. Later linkages of expansions of the suffrage with wartime exigencies are listed in Testi, “Construction and Deconstruction,” at 390. For a more extensive discussion, see Keyssar, *Right to Vote*, at 466 (index references under “War”).

38. Williamson, *American Suffrage*, at 135.

to be the same as those for voting for the members of the lower house of the legislature of the voter's state, while Senators were to be appointed by the legislature of each state and Presidential electors by each state in the manner directed by the state legislature.

The trend toward broadening the franchise continued after 1787, powered by democratic sentiment,³⁹ by (what is not the same thing) a decline of deference, by agitation of the disfranchised for the vote,⁴⁰ and by the inherent ratchet effect of changes in the franchise. The franchise is likely to be enlarged whenever the currently dominant political forces in the society believe that the newly franchised voters will support them rather than their opponents,⁴¹ and once a new group is enfranchised it becomes difficult later to withdraw the franchise from it if the political winds change, because the members of the group will vote solidly against the change. By the eve of the Civil War, universal adult (age 21 or older) male suffrage had been achieved in the Northern states,⁴² and reinstatement of property qualifications would have been politically infeasible, quite apart from ideological considerations.

But it would be wrong to infer from the ratchet effect that the expansion of the franchise is monotonic. The effect is real, but other forces are also at work. After Reconstruction ended following the election of Rutherford Hayes to the Presidency in 1876, the Southern states, forced by the Fifteenth Amendment to extend the franchise to blacks, nevertheless were able through a variety of devices, ranging from poll taxes and literacy tests to outright intimidation, to disenfranchise most blacks. Moreover, the scope of

39. Yet not, oddly, by abolitionism. Although some Southerners linked abolitionism with universal suffrage (*ibid.* at 288), the voting rights of blacks actually diminished in the North between the Revolution and the Civil War. Keyssar, *Right to Vote*, at 87–93; *Democracy, Liberty, and Property: The State Constitutional Conventions of the 1820s* 137–138 (Merrill D. Peterson ed. 1966).

40. Keyssar, *Right to Vote*, at 35.

41. For examples, see *ibid.* at 39–42.

42. With the principal exception of blacks, whom only five Northern states allowed to vote.

the franchise can contract merely because of demographic changes occurring against a background of unchanged rules. For example, if aliens are forbidden to vote and they become a larger fraction of the population, the fraction of eligible voters will, if nothing else changes, fall automatically. The same is true if the birth rate increases and as a result a larger fraction of the population is below the voting age. The effect of expansion of the suffrage on actual voting can also be—and in fact to a considerable extent has been—offset by a decline in the turnout of eligible voters.⁴³

Aliens are an example of a group that, being unorganized and unpopular, may not be able to take advantage of the ratchet effect. After the Civil War, the flood of immigrants created anxieties about the voting power of these new citizens, and literacy tests were instituted for the first time⁴⁴—along with an effective de facto literacy test that bears a distant resemblance to the punchcard ballot. Until late in the nineteenth century, the government did not supply the ballots for voting in elections. Instead each political party supplied ballots containing a party-line vote for the party's candidates. The voter would simply select one party's ballot and drop it into the ballot box. The party ballot was replaced, largely in the last decade of the century, by the "Australian" ballot: a paper ballot, supplied by the voting authorities, that contained a list of the candidates, on which the voter would mark his preference. (Such a ballot had first been used in Australia; hence the name.) A voter who was not literate would have difficulty using the Australian ballot,⁴⁵ a result welcomed by those who feared the voting power of immigrants. At the same time, the heretofore rather

43. Testi, "Construction and Deconstruction," at 390-392, 410-413.

44. Keyssar, *Right to Vote*, at 142-146; Testi, "Construction and Deconstruction," at 400. Testi points out that registration requirements, also a late nineteenth-century innovation, had a disenfranchising effect while at the same time reducing vote fraud.

45. This problem is overcome in India, where about half the population is illiterate but illiterates are entitled to vote (as they are in the United States), by printing the party's symbol next to the names of the candidates, so that to vote for a party's candidates the voter has only to learn to recognize the party's symbol.

casual attitude toward voting by aliens⁴⁶—the distinction between citizens and aliens not being strongly marked—gave way to rules excluding aliens from the franchise.⁴⁷

The practical and ideological forces that, despite some backsliding, led to the enlargement of the franchise in the nineteenth century also led to expanding the categories of officials elected by the people. In the eighteenth century the only popularly elected officials had been the members of the lower houses of the federal and state (or colonial) legislatures. Judges became elected rather than appointed officials in most states in the nineteenth century, as did state governors, members of the upper houses of the state legislatures, and Presidential electors. It has thus become anomalous that the President of the United States is not elected by popular vote. Yet there are only two certain instances in which the popular-vote winner failed to win the electoral vote: the election of 1888, in which Benjamin Harrison lost the popular vote to Grover Cleveland but won the electoral vote and so became President, and, of course, the election of 2000. The controversial elections of 1800, 1824, 1876, and 1960 are distinguishable—some of them, however, only narrowly. Let's consider them briefly.

In 1800 Jefferson and his running mate, Aaron Burr, received the same number of electoral votes, and Jefferson was elected President by the House. The deadlock in the Electoral College had been caused by the fact that Article II of the Constitution, while giving each elector two votes, did not provide for the electors to vote separately for President and Vice President. The theory was that the best man would come in first and become President and the second-best man would come in second and become Vice President. But if the electors thought alike on who should be President

46. Keyssar, *Right to Vote*, at 32–33, 38; Williamson, *American Suffrage*, at 277–278; Testi, “Construction and Deconstruction,” at 388.

47. *Ibid.* at 392–393. This change was particularly rough for persons of Asian origin and for American Indians; neither class of persons was eligible for U.S. citizenship until well into the twentieth century.

and who Vice President, and accordingly cast one of their two votes for their preferred Presidential candidate and the other for their preferred Vice Presidential candidate, the two—though candidates for different offices—would end up with the same number of electoral votes, and the designated Vice Presidential candidate might not gracefully withdraw (Aaron Burr did not, and Alexander Hamilton’s decision to throw his support to Jefferson was one of the events that lay behind the famous, fatal duel).⁴⁸ For that matter, if there was more agreement on who should be Vice President than on who should be President, the Vice Presidential candidate might receive more electoral votes (as almost happened in 1800), and so become President. These sources of deadlock (or worse) were removed by the Twelfth Amendment, adopted in 1804. The amendment required the members of the Electoral College to vote separately for President and for Vice President.

In 1824 Andrew Jackson won both the popular and the electoral vote, but because he did not have a majority of the electoral vote, but only a plurality, the choice of President was made by the House of Representatives, which picked John Quincy Adams.

In 1876 Samuel Tilden was declared the winner of the popular vote, but competing slates of electors in several Southern states (including Florida!) made the outcome of the electoral vote uncertain. An ad hoc commission created by Congress in January 1877 to resolve the dispute over the electors awarded the disputed votes to Hayes, who thus obtained, when objections in Congress to the commission’s award failed, a majority in the Electoral College, and so became President.⁴⁹ Because of extensive vote fraud by Democrats as well as by Republicans, it is uncertain whether Tilden really did win the popular vote.⁵⁰

48. Joseph J. Ellis, *Founding Brothers: The Revolutionary Generation* 40–43 (2000).

49. Asher C. Hinds, *Hinds’ Precedents of the House of Representatives of the United States*, vol. 3, §§ 1953, 1954 (1907).

50. See William Josephson and Beverly J. Ross, “Repairing the Electoral College,” *22 Journal of Legislation* 145, 157 n. 77 (1996), and references cited there.

In 1960 John F. Kennedy won the popular vote by only a shade over 100,000 votes. There were serious allegations of fraud by Democratic election officials in Illinois and Texas, but the number of votes affected was not enough either to change the result in the Electoral College vote or to deprive Kennedy of his plurality of the popular vote nationwide. Deciding who won the popular vote in 1960 is clouded, however, by a question unrelated to fraud, namely how to classify the popular votes for the 6 unpledged Democratic electors in Alabama, who, out of a total of 11 Democratic electors in that state, ended up voting for Harry Byrd rather than for Kennedy. If Kennedy is allocated 5/11 of the popular vote in Alabama, then Nixon, not Kennedy, had a plurality of the nationwide popular vote.⁵¹

In 2000 Al Gore won the popular vote, but George W. Bush obtained a bare electoral-vote majority—thanks to Florida, which many people believe Bush “stole” just as Hayes may have done 124 years earlier. We shall examine that contention in later chapters. Whether it is well founded or not, there is no question that Gore won the nationwide popular vote fair and square.

In short, in five elections (1824, 1876, 1888, 1960, and 2000) the winner of the popular vote for President either was not or may not have been (1876 and 1960) elected President. But the wedge that the Electoral College drives between popular democracy and election to the Presidency is larger. Because Presidential candidates campaign to win the electoral vote rather than the popular vote, they allocate their efforts, their appeals, their choice of running mate, and their policies and appointments when elected differently than they would if the President were chosen by popular vote rather than by the vote of the Electoral College. We shall return to this issue in the last chapter.

51. Longley and Peirce, *Electoral College Primer 2000*, at 51; Lawrence D. Longley and Alan G. Braun, *The Politics of Electoral College Reform* 3–6 (1972).

The twentieth century saw further expansions both in the suffrage and in the categories of official appointed by popular vote. The Seventeenth Amendment, ratified in 1913, required the direct election of Senators. The reasons were, in part, intensely practical, such as that elections for state legislators were sometimes overshadowed by concerns over whom a legislator might support for U.S. Senator and that legislatures frequently deadlocked over the choice of Senators.⁵² In 1920, the Nineteenth Amendment was adopted, guaranteeing the right to vote to women. Subsequent amendments abolished poll taxes, entitled the District of Columbia to appoint Presidential electors, and guaranteed the right to vote to 18-year-olds. More and more states adopted the primary election as the method of choosing the candidates of the major parties. And legislation designed to make the Fifteenth Amendment a meaningful protection of the franchise of black citizens⁵³ culminated in the abolition of literacy tests for voters in all federal elections. With universal adult suffrage within reach, attention shifted to subtle issues of voting power, including malapportionment (a conspicuous feature of the U.S. Senate and therefore of the Electoral College as well), gerrymandering, the creation of districts in which minority groups would have a voting majority, restrictions on candidacy, lengthy residency requirements, and campaign financing.

Because it became an issue in the 2000 election deadlock and its aftermath, we should consider the merit of the goal of universal suffrage—especially when it is pressed to the point of insisting that people who cannot read well enough to follow voting instructions should be permitted, perhaps even assisted, to vote. One way to put the question is to ask whether it would be desirable, were it politically feasible (which it is not), to confine the vote to people who

52. Congressional Quarterly, Inc., *Guide to U.S. Elections* 447–451 (3d ed. 1994); David A. Strauss, “The Irrelevance of Constitutional Amendments,” 114 *Harvard Law Review* 1457, 1496–1499 (2001)

53. Voting Rights Act of 1965, 42 U.S.C. § 1973.

are well informed about the public issues—including issues of leadership, competence, and probity—that are relevant to picking the best representatives. It would be undesirable. The politically well informed are an unrepresentative slice of the population. They differ systematically from the poorly informed along the dimensions of race, income, and education.⁵⁴ They have interests as well as opinions, and, since they are not a random draw from the population, their interests differ systematically from those of other groups. If the politically savvy monopolized the vote, their interests would have more weight than those of other people, the politically apathetic, immature, or alienated, unless we indulge the unrealistic assumption that well-informed people can be depended upon to be altruistic rather than self-interested voters. Once that assumption is abandoned, it becomes clear that the interests of any group that lacks the franchise are likely to be undervalued in the political process.⁵⁵ It is on this basis that I have urged consideration of giving each parent an extra one-half vote for each of his or her minor children.⁵⁶

Some people, such as small children and the severely retarded, cannot form a competent conception of their own interests. But this is not the case for illiterates, especially in an era in which people get most of their information about public affairs from radio and television rather than from the print media.⁵⁷ Literacy tests for

54. Michael X. Delli Carpini and Scott Keeter, *What Americans Know about Politics and Why It Matters* (1996).

55. “The interest of the excluded is always in danger of being overlooked”; John Stuart Mill, *Considerations on Representative Government* 66 (1870).

56. Posner, *Aging and Old Age*, at 289.

57. Mill, writing before television, thought a literacy requirement essential. But it is not just television that separates Mill’s political culture from ours; the differences between nineteenth-century England and twentieth-century America run much deeper, as is illustrated by his belief that only taxpayers should be permitted to vote (“no taxation without representation” implying, he thought, no representation without taxation), that paupers therefore should be excluded, and that educated people should be given additional votes. Mill, *Considerations on Representative Government*, at 174–186. By “illiterates,” I do not mean only, or primarily, people who cannot read at all—cannot read a street sign, for example, or sign their own name. There are, relatively speaking, very few of those. I mean people who have very serious reading difficulties, so that, for example, they cannot read a newspaper with comprehension.

voting have now been outlawed, in major part because of their historical association with the pertinacious efforts of the Southern states to deny the vote to blacks. But a voting technology that as a practical matter requires literacy to cast a vote that will be counted operates in the same direction. Another difference between children and the severely retarded, on the one hand, and illiterates, on the other, is that children and the severely retarded usually have someone—a parent or guardian—to look after them, and so are less needful of the vote to protect their interests; illiterates do not.

There is also a psychological factor to be considered. The right to vote is a symbol of equality. It dramatizes the principle that every person is to count for one and no one for more than one, at least in the political sphere. This may be hokum or sentimentality, or even a mask for the inequalities of circumstance and opportunity that pervade our (as every) society; but it is a brute fact about the American political culture. It is one reason why giving additional votes to members of particular groups (say, to blacks, or to veterans) to reward past services or to compensate for past or to offset present discrimination is out of the question, and why denial of the suffrage is taken so much more seriously than denial of giving votes equal weight (as in the Senate and the Electoral College); and it is why ex-felons are denied the vote in some states—as a symbol of disapprobation. People are not illiterate by choice, and to deny them the vote would therefore be a gratuitous insult, as is not the case with denying the vote to ex-felons.⁵⁸

The psychological effect of denying the vote to people may have practical consequences. In Mill's words, "whoever, in an otherwise popular government, has no vote, and no prospect of obtaining it, will either be a permanent malcontent, or will feel as one

58. With the growth in the number of people who have a felony record, however, and given that a large and growing percentage of felonies are nonviolent crimes against willing victims (mainly the sale of illegal drugs, an arbitrary subset of mind-altering substances) and that the composition of the ex-felon population is disproportionately black, this exclusion too has become controversial.

whom the general affairs of society do not concern.”⁵⁹ But not too much weight should be placed on the symbolic and psychological dimensions of the right to vote. They are extremely speculative. The important thing is that even people who cross only a very modest threshold of competence and independence ought to be allowed to vote in order to protect their interests, and that illiterates have interests and, in our radio- and television-saturated society, generally cross that threshold.

The dramatic and ultimately successful struggles to broaden the *legal* franchise, plus the increasing preoccupation with subtle issues of voting power (even if everyone has one vote, voting *power*—that is, the power through voting to influence the outcome of an election—may be unequally distributed, as when legislatures are malapportioned), have obscured the mundane issues of election administration that the Florida 2000 Presidential election brought to light. With the successful enforcement of the Voting Rights Act, the abolition of poll taxes and literacy tests, simplified registration, the curtailment of durational residency requirements, and the reduction in the amount of corruption and the hold of machine politics in big cities, the subject of election administration became practical (rather than a matter of theoretical speculation or moral urgency), fragmented (because election administration—as distinct from federal constitutional and statutory regulation of voting—is decentralized to states, counties, and even precincts), and technological. It dipped below the radar screen of constitutional lawyers, and most political scientists as well. Not only the elections of 1824, 1876, and 1888 but also the close and problematic elections of 1960 and 1968 (the former rife

59. Mill, *Considerations on Representative Government*, at 172–173. Mill also believed that, independently of all practical considerations, “every one is degraded, whether aware of it or not, when other people, without consulting him, take upon themselves unlimited power to regulate his destiny”; *ibid.* at 173. Mill made no effort to reconcile this ethical point with his advocacy of excluding paupers and other nontaxpayers, as well as illiterates, from the franchise.

with fraud and the latter almost undone by runaway electors), became “history.” Even the much more recent, exceptionally bitter, and absurdly protracted congressional battle over the deadlocked 1984 election in Indiana’s Eighth Congressional District was forgotten.⁶⁰ Forgotten too was the push in the wake of the 1968 Presidential election to abolish the Electoral College by constitutional amendment, a proposal approved by the House by the requisite two-thirds margin in 1969.

The problematic Presidential elections that I have listed involved or exposed a variety of problems. The 1824 election taught that a President who had lost both the popular and the electoral vote—and who owed his election only to the House of Representatives, because the electoral-vote winner had had only a plurality, and not a majority, of the electoral votes—might not be accepted by the nation as fully legitimate. Adams was defensive about his victory and was soundly trounced by Jackson in their rematch in 1828, though in part this was due to the suspicion that Adams had owed his election to a “corrupt bargain” with Henry Clay, the Speaker of the House, who indeed became Adams’s secretary of state⁶¹—but such suspicions are likely when the election is thrown into the Congress. A similar danger, that the winner of both the popular and the electoral vote might nevertheless not be elected President, loomed in the 1968 Presidential election, because of George Wallace’s strong third-party candidacy, since a third-party candidate who won some electoral votes might, by throwing them to the losing major-party candidate, give that candidate a majority in the Electoral College. The problem in the 1960 election was not

60. Marie Garber and Abe Frank, *Contested Elections and Recounts*, vol. 1: *Issues and Options in Resolving Disputed Federal Elections* 14–16 (Federal Election Commission, National Clearinghouse on Election Administration, Autumn 1990) (“four months of partisan wrangling . . . that took up more time than almost any other issue the House considered in 1985 . . . left a bitter legacy which has not yet dissipated”). See also Timothy Downs, Chris Sautter, and John Hardin Young, “The Recount Primer” (Aug. 1994, available from Sautter Communications, Washington, D.C.), pp. 39–42.

61. Glennon, *When No Majority Rules*, at 15–16.

only fraud but also, and more seriously, unpledged electors, and it loomed briefly again in 2000 when some Democrats mounted a campaign to persuade Bush electors to switch to Gore. The election of 1888 was a reminder that the popular-vote winner can lose the electoral vote, which of course happened again in 2000, though so far without untoward results. The problem in 2000 was deadlock, and it may actually have had the effect of distracting people from the anomaly of the popular-vote winner's losing the election, though Gore's lack of personal popularity was also a factor.

The 1876 election fiasco was the most ominous portent for 2000. It exposed, as had the 1800 election, an embarrassing gap in the Constitution. The framers had foreseen and provided for the case in which no candidate wins a majority of the electoral votes (though the relevant provision is ambiguous, as we shall see), but not for the case in which there is a dispute over whom a state has appointed to be its Presidential electors. An ad hoc resolution of the dispute over the 1876 election was not achieved until the eve of the inauguration, and it involved Congress's appointing a committee whose deciding member was a Republican Supreme Court Justice who, along with the other Republicans on the committee, voted for the Republican candidate.⁶² These events led to the enactment a decade later of the Electoral Count Act, now Title III of the U.S. Code, which specified a procedure for resolving a future such deadlock. We shall see in Chapter 3, however, that the procedure is both incomplete and of uncertain constitutionality.

Completely unforeseen was the possibility that a deadlock in the Presidential election might arise not from skullduggery (as in the 1876 election), not from a failure of any candidate to obtain a majority of the electoral votes, not from runaway electors, and not

62. Again there was a suspicion of a corrupt bargain—a promise to end Reconstruction in exchange for the Democrats' accepting Hayes's election. See "The Electoral Commission [Hayes-Tilden Election]," *Great Debates in American History*, vol. 9, ch. 3 (Marian Mills Miller ed. 1970).

from an actual tie in the popular vote in a key state, but from innocent defects in electoral mechanics, whether defects in the design of a ballot, the staffing of the polling places, or the design, maintenance, or operation of voting and vote-tabulating machines, or gaps and ambiguities in the state statutes regulating the administration of elections and the resolution of election disputes. Nor was it foreseen that such shortcomings not only might make it difficult to determine who had won an election, and thus increase the probability of having to activate some postelection mechanism to decide who the winner was, but also might selectively disenfranchise voters. It had always been understood that the methods for counting votes are imperfect; challenges to the outcome of close elections have not been uncommon and have sometimes resulted in recounts that changed the outcome. But that this might happen in a Presidential election, that procedures that function properly in less momentous and less time-sensitive elections might not serve for a deadlocked Presidential election, and that the federal constitutional and statutory provisions relating to a contested Presidential election are rickety, were lost to view. These problems achieved visibility, not only to the public at large but also to scholars of the electoral process, only with the 2000 election. The gravity of such problems, and the difficulty of solving them with our existing laws and institutions, are the themes of the subsequent chapters.

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Chapter 1

The Road to Florida 2000

Democratic Theory—Briefly

BEHIND THE 2000 Presidential election in Florida lie thousands of years of thinking about, controversy over, experimentation with, regulation of, and tinkering with the popular vote as the

method of political governance deemed central to democratic theory.¹ Not that voting is limited to the political arena, or to democracies. Appellate decisions are determined by judges' votes; one of the jokes that went the rounds after *Bush v. Gore* was decided had Bush saying, "I want to thank those who voted for me for President: Rehnquist, O'Connor, Scalia, Kennedy, and Thomas." And one of the complaints about the punchcard voting machines used in a number of Florida counties was that the machines had been worn down by being lent for use in union elections. Voting is a

1. For a taste of the complexity of democratic theory, to which I cannot possibly do justice in this book, see Thomas Christiano, *The Role of the Many: Fundamental Issues in Democratic Theory* (1996); James A. Gardner, "Consent, Legitimacy and Elections: Implementing Popular Sovereignty under the Lockean Constitution," *52 University of Pittsburgh Law Review* 189 (1990).

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highly economical method of aggregating preferences, which is why it is used so widely. But it is also a very crude method. not weight preferences by intensity or knowledge, and, partly for that reason, it does not impose a cost on the ignorant, irresponsible, or exploitive exercise of the franchise. Especially when the ballot is secret (which it has to be wherever there is concern about intimidation or other coercion, or undue influence), the voter is insulated from criticism, however just; he is neither rewarded for voting intelligently nor punished for voting stupidly.

² It does

I have been speaking thus far of voting in its pure "one person—one vote" sense, however, and often impurities are deliberately introduced. Corporate voting is by share rather than by share-

holder; votes are weighted by the voter's financial interest in the outcome of the vote. We shall see that John Stuart Mill thought that in political elections abler individuals should be given additional votes. Even in modern American political elections there are eligibility requirements that, deliberately or not, prevent or discourage the most incompetent, apathetic, and irresponsible elements of the population from voting. Voters must be adults, must register to vote, must not be in jail or prison (often, must not be ex-felons as well), must be residents of the voting district, usually must be citizens. Obviously these are coarse sieves if the objective is to confine voting to intelligent, knowledgeable, civic-minded, politically mature, responsible people with a tangible stake in the outcome of the election.

Why anyone who is eligible *bothers* to vote is a puzzle, ³ especially to economists, who emphasize self-interest as the engine of human action. The puzzle is not why voters do not invest much

2. A proposition substantiated in a huge literature; for a glimpse, see Amartya Sen, "How to Judge Voting Schemes," *Journal of Economic Perspectives*, Winter 1995, p. 91. One of the complications is that there is a great variety of potential voting rules, all with different effects. For a lively discussion, see Gordon Tullock, *On Voting: A Public Choice Approach*, ch. 2 (1998).

3. John H. Aldrich, "When Is It Rational to Vote?" in *Perspectives on Public Choice: A Handbook* 373 (Dennis C. Mueller ed. 1997); Anthony Downs, *An Economic Theory of Democracy*, ch. 14 (1957).

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time in equipping themselves to vote intelligently (something that many of them would lack the intelligence or education to be able to do, no matter how much time they spent studying the issues and the candidates); obviously they have little to gain from such an investment, since political elections, other than on the most

local level, are virtually never decided by a single vote. The puzzle is that people vote at all in a society in which voting is not compulsory, given the lack of instrumental value to which I have just pointed—even the 2000 Presidential election in Florida was not decided by a single vote.

Of course, many Americans who are eligible to vote do not vote. The nationwide turnout in the 2000 Presidential election was only 50 percent of the eligible voters, and it is often much lower in more obscure elections. Yet many do vote. The costs are slight. But what are the benefits? Because a single voter cannot swing the election, voting is less plausibly regarded as an activity yielding instrumental benefits than as a form of consumption, like rooting for one's alma mater at a college football game. Consistent with this suggestion, voter turnout is largely a function of how exciting the election campaign has been; the voter chooses between the candidates much as he would between competing brands of an ordinary product or service.⁴ Voting is also a way of constructing and signaling the voter's solidarity with like-minded people. But that is often an element of ordinary consumption too; the choice of brand may be influenced by a desire to signal taste, values, or affluence. Because the benefits of voting are small, however, even modestly high costs of voting can depress turnout significantly. The fact that turnout in U.S. elections is low by international standards is largely explained by mundane factors affecting, however slightly, the cost

4. See, besides the references in note 3, Daniel Hays Lowenstein, *Election Law: Cases and Materials* 54–60 (1995), a good summary of the literature on incentives to vote.

of voting. For example, elections are scheduled on regular workdays in the United States, rather than on holidays or weekends as in a number of other countries. Registering to vote is also more of a bother in the United States, because registration is carried out at the state level; Americans tend to move around a great deal and so have to register more frequently than the citizens of less mobile or more centralized societies.⁵

The popular vote is often thought to be *the* defining element of political democracy, but that is a modern view. The classical view, which originates in the Athenian concept of democracy⁶ and contains an insight that we moderns have largely lost sight of, is that filling political offices by popular election rather than by lot conduces to *aristocratic* (in the Aristotelian sense) rather than democratic government. Conduces, in other words, to government by “the best” rather than by the average (as in a system of filling offices by lot) or by “the people” as a whole.⁷ Only *representative* democracy is aristocratic in this sense, however. Direct democracy—voting on issues rather than for officials—is not. Although a hallowed part of our tradition in the form of the New England meeting and still employed to a limited extent in some of our states, primarily in the form of the referendum, direct democracy is infeasible in a large, complex polity. Switzerland employs the referendum extensively—and it is exceptional even among small countries in this respect.⁸ Moreover, Switzerland is also and primarily a representative democracy, like California and other U.S. states that authorize referenda. In these instances direct democracy merely

5. Nelson W. Polsby and Aaron Wildavsky, *Presidential Elections: Strategies and Structures of American Politics* 5–8 (10th ed. 2000).

6. Scott Gordon, *Controlling the State: Constitutionalism from Ancient Athens to Today* 66–80 (1999).

7. Bernard Manin, *The Principles of Representative Government* (1997). Schumpeter’s theory of competitive democracy is similar; Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy*, ch. 22 (3d ed. 1950).

8. On direct democracy generally, see Dennis Mueller, *Constitutional Democracy*, ch. 7 (1996).

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supplements representative democracy, providing a means of breaking cross-party coalitions of politicians.⁹

The aristocratic character of representative democracy is rooted in the fact that, especially if political parties are weak or nonexistent (the significance of this qualification will become clear shortly), voters will tend to pick the best candidate for each office. The best candidate—which is to say the candidate most likely to occupy the office with distinction—is likely to be a superior person, not at all typical of the voters. And it is the officeholders, the elected officials and the officials whom they appoint, who govern—not the people who elect them.¹⁰ Of course voters may often be deceived about who is the best candidate; even so, an average Joe is unlikely to prevail in electoral competition, just as an average Joe is unlikely to win the world boxing title. The glib, the clever, the shrewd, the handsome, and the charismatic are likely to dominate the electoral competition, occupy the principal offices, and constitute, in short, a political aristocracy. Not that the people are an inert element in representative democracy. The politicians will vie for their favor by advocating policies that command broad support. But these advocates will be drawn from a narrow and unrepresentative segment of the community, and the policies they advocate, or seem to advocate, to win popular support will often not be the policies they implement.

Representative democracy becomes monarchical when the representative is a dictator and there is only one candidate, as in the plebiscites employed by Napoleon and Hitler to cement their rule, or the one-party voting in communist states. But democratic

9. Bruno S. Frey, "Direct Democracy: Politico-Economic Lessons from Swiss Experience," 84 *American Economic Review Papers and Proceedings* 338 (May 1994).

10. This assumes that, as in our system of government, the voters are not authorized to issue binding instructions to the successful candidate. If they were, officeholders would be genuine agents, rather than principals; the people would rule, as they do not in our system.

aristocracy, oxymoron as it may seem, best describes our system. The framers of the original Constitution, the Constitution of 1787, decreed that the House of Representatives would be popularly elected, but they had a distinctly aristocratic conception of the Presidency; it is reflected in the device of the Electoral College. In the wake of the 2000 election fiasco, there are renewed calls to abolish the Electoral College. We shall be considering the merits of abolition throughout this book, particularly in the last chapter. The deadlock, and the difficulties of resolving it, were inseparable from that institution. But even if the Electoral College were abolished and the President directly elected by popular vote, our political system would remain aristocratic in Aristotle's sense.

Our political aristocracy is not hereditary, and its direct or indirect dependence on the popular vote, not only for initial appointment but also for reappointment at stated intervals, tends to align its interests more closely with the interests of the population at large than do other systems of government.¹¹ Nevertheless, representative democracy, democratic self-government, and popular government are misleading descriptions of the system for governing modern "democracies." This is so not only because the people do not rule, and because there are no guaranties that they vote intelligently or even conscientiously, but also because the voters are not the people, but only a fraction (and not necessarily a representative fraction) of the entire population, and also because, as I

have noted, voting is a crude method of aggregating preferences. In the 2000 Presidential election, little more than a third of the population actually cast a ballot that was counted as a vote for one of the Presidential candidates, and the winner of the popular vote lost

11. In a representative democracy, “elections are part of the system of accountability and control” (Gordon, *Controlling the State*, at 360), along with a host of other mechanisms, as Gordon emphasizes.

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the election, because the loser had more electoral votes. Winner and loser, moreover, each had the votes of only about one-sixth of the total population.

Although the Electoral College is controversial, one of the principles that it embodies, that of districted rather than at-large elections, is not; and yet districting drives a further wedge between popular majorities and electoral outcomes. If two parties compete for control of a 100-member state legislature elected by districts of equal population, a party that wins a bare majority of the votes in a bare majority of the districts will end up with control of the legislature, though that party could be the preference of only a shade over 25 percent of the state’s voters, who might in turn be only a modest fraction of the population. This paradox is complicated at the Presidential election level by the facts that a state’s electoral votes are the sum of the state’s Senators and Representatives in Congress and that each state has two Senators regardless of its population. This might be thought to imply that the votes of the voters in the less populous states are weighted more heavily in the

Electoral College than those of the voters in the more populous states. Yet we shall see in Chapter 5 that this is an oversimplification, because given the winner-take-all rule that all but two states use for allocating their electoral votes, swing voters in more populous states have more influence in the Presidential election than swing voters in less populous ones.

The only constant is that voting is indeed a crude method of mapping preferences onto policies—and for the further reason that voting for a candidate is voting both for a person and, in effect, for a package of likely policies: the policies the candidate supports, possibly the policies endorsed in his party's platform. So wholly apart from voter ignorance, policies may be adopted that do not actually command majority support, either because a majority of voters prefers the candidate whose policies they do not like (they may consider him an abler leader) or because the majority likes

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only a subset of those policies. In a two-party system, moreover, the parties have a strong incentive to move to the center of the distribution of political opinion. This may force voters to choose between two candidates who have largely identical views that are not widely supported but that have the support of the median voter. Making a choice between two alternatives is more difficult the harder the alternatives are to distinguish—but it is also more difficult the more alternatives there are, so that a proliferation of candidates does not cure the Tweedledum-Tweedledee problem. And such a proliferation is in any event unlikely because a two-party system is a natural although not inevitable corollary of a

Presidential as distinct from a parliamentary system. It is difficult for a third party to mount a credible Presidential campaign—third-party Presidential candidates are invariably just “spoilers”—and so it is difficult to take the party itself seriously as a national force.

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What really does in third parties, however, is a winner-take-all voting system (as distinct from proportional representation) at the legislative level. For that is likely to prevent a third party from electing any legislators at all, making the party impotent at the legislative as well as the executive level.

When ignorance about issues and candidates,¹⁴ exploitive intentions (voting for the party that you hope will, if it takes

12. On both points, see Richard R. Lau and David P. Redlawsk, “Voting Correctly,”

91 *American Political Science Review* 585, 592 (1997).

13. Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* 130–131, 180 (1984).

14. “Interest in politics is generally weak, discussion is rare, political knowledge on the average is pitifully low, and few people actively participate in politics beyond voting. . . . And what good is even voting if for so many it is based on so little information?” Lau and Redlawsk, “Voting Correctly,” at 585. “Individuals are creatures of habit when they vote, as when they work and play. They vote for the same party in the present election as in the last one, unless that decision is perceived to have been unrewarded or punished. Unlike in market transactions, however, the rewards and punishments that follow voting are neither immediate nor often clearly linked to the act of voting. Thus, rational or irrational political beliefs and behavior—like beliefs in the prognostic powers of constellations of stars—are likely to persist even in individuals whose everyday behavior in the market place conforms well to that predicted by rational actor models.” Dennis C. Mueller, “Capitalism, Democracy and Rational Individual Behavior,” 10 *Journal of Evolutionary Economics* 67, 73 (2000). See also Larry

power, redistribute wealth to you from other people), low turnout, and errors in voting and in tabulating votes are added to the brew, it becomes apparent that voting registers informed public opinion

in only the loosest sense and the “popular will,” Rousseau’s “general will,” perhaps not at all. Some of the distortions may be offsetting, but that cannot be assumed. And while it is true that low turnout would not matter if nonvoters had the same interests as voters, they do not. Turnout is disproportionately high among the elderly even after adjustment is made for other influences on it a factor that, in combination with the disfranchisement of children, creates a strong public policy tilt away from children and toward the elderly.¹⁶ We shall note in Chapter 5 that the expressed political *preferences* of nonvoters tend to be quite similar to those of voters; but those preferences may not correspond very closely to nonvoters’ *interests*. As nonparticipants in the electoral system, nonvoters are unlikely to have given much thought to aligning their political views with their interests.

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Our actual existing democracy falls so far short of the soaring ideals of the theorists of democracy¹⁷ that some of those theorists might be inclined to deny that our system is democratic. But that is to be unrealistic, as well as to attribute a fixed meaning to a word (“democracy”) of notorious plasticity. Representative democracy has decisive *pragmatic* advantages over alternative systems of governing a modern society, and so we can be enthusiasts for democracy without having to prate about self-government or the popular

M. Bartels, “Uninformed Voters: Information Effects in Presidential Elections,” 40

American Journal of Political Science 194 (1996). But not all students of the electoral process believe that voters are seriously uninformed. See, for example, Sam Peltzman, “How Efficient Is the Voting Market?” 33 *Journal of Law and Economics* 27 (1990); with specific reference to Presidential elections, see *ibid.* at 59–62.

15. John E. Filer, Lawrence W. Kenny, and Rebecca B. Morton, “Redistribution, Income, and Voting,” 37 *American Journal of Political Science* 63, 74–75 (tab. 2), 80 (1993).

16. Richard A. Posner, *Aging and Old Age* 148–149, 288–289 (1995).

17. See, for example, David M. Estlund, “Democracy without Preference,” 99 *Philosophical Review* 397 (1990).

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will. Paradoxically, the advantages of representative democracy emerge most clearly if we eschew pious platitudes about civic virtue and assume that people (including those who live in democratic societies) are, whether as citizens or as officials, self-interested rather than public-interested or altruistic, or that, if they are public-interested or altruistic, the specific beliefs they hold are likely to be distorted by self-interest or ignorance. It is a realistic assumption and implies that people—whether the collective “We the People” of the Constitution’s preamble or individual persons—cannot be trusted to exercise power.

That is a worrisome thought. The core function of government has always been to provide services—classically, internal and external security—that the market cannot provide efficiently because the benefits which these services generate could not be appropriated by the private individual or firm that produced them. Imagine trying to finance the national defense by means of voluntary contributions. People who did not contribute would obtain the same benefits from national defense as those who contributed, and so the incentive to contribute would be meager. The same thing is true with regard to the financing of police, prosecutors, judges, and the rest of the law enforcement apparatus.

The effective performance of the core functions of government requires a concentration of physical power—the “monopoly of force” that all governments claim. Force to maintain law and order, force to extract the revenues necessary to pay for that maintenance. As a result, control of the government creates opportunities for expropriation of the citizenry’s wealth, and for other abuses, provided there are significant costs of emigrating, as there usually are. Quite apart from the danger of abuse, the mere fact that the basic government services are ones not sold in a market makes the monitoring of their efficient provision difficult. Both the loyalty and the competence of our political fiduciaries must somehow be secured by the institutions of the society.

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The key institution in our society is, precisely, representative democracy, and its defining “democratic” feature is that the representatives are elected by the public at large, with each eligible member of the public having a single, nonsalable vote. But why voting? Why majority voting? Why equal voting? And why are votes nonsalable? These turn out to be related questions, and the answers will point us toward the central concerns of this book.

Voting in effect constitutes citizens¹⁸ the “owners” of the government, in much the same way that shareholders are the owners of corporations. But whereas shareholders vote by shares rather than per capita, because their stakes in the corporation may be very unequal, citizens have more or less equal stakes. Not entirely so, of course; people are very differently related to government so far as the costs they bear and the benefits they reap. But because of the great power of government, almost everyone has a significant stake in the government’s operation.

Too great a departure from the “one person—one vote” principle (as opposed to corporate democracy’s “one share—one vote” principle, under which, were it transposed to the political setting, a share might be a specified percentage of the total wealth of the electoral unit) would make acute the danger of the government’s being captured by a minority (I mean an electoral, not an ethnic, minority—a cabal, an oligarchy) bent on expropriating the property or extinguishing the freedom of the majority or of another minority. The reason is that the fewer people who have to be organized in order to achieve a common end, the more likely they are to succeed: transaction costs are lower, a proposition familiar to students of price fixing and other conspiracies.

For the same reason, votes must not be salable,¹⁹ since that would enable the concentration of voting power in the hands of a

18. Here used in a loose, indeed circular, sense, since aliens are sometimes permit-

ted to vote—a permission that constitutes them “citizens” in a meaningful sense, despite their (formal) alienage.

19. See Downs, *An Economic Theory of Democracy*, at 188–194; and for a fuller dis-

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relative handful of people or corporations. A market in votes presents a classic free rider problem. If a wealthy individual offered to buy the first million voting rights tendered to him at \$25 a vote, he would have little difficulty closing the deal, especially if many voters assumed that others would sell their right to vote for that price.²⁰ Suppose he wanted to buy a really commanding number of votes, such as 10 million—only a modest percentage, however, of the total number of votes cast in the 2000 election, and an even smaller percentage of the total number of votes potentially buyable, since the half of the electorate that did not bother to vote would be especially eager to sell their voting rights. He might have to pay a much higher price per vote. Suppose it would be \$100. Still, many firms and even individuals can plunk down \$1 billion in cash for an asset that is worth that much to them. Allowing votes to be bought and sold would, therefore, be practically as well as theoretically inconsistent with the principle of equal voting. Majority voting also follows from that principle, because it is the only method of vote counting that weights each voter’s vote equally.

In short, although the people do not rule in a representative democracy—that would be infeasible—they pick the rulers, kick them out when necessary, and provide for an orderly, peaceful succession (although the one in 2000 turned out not to be so orderly) when a vacancy occurs. The last point deserves particular emphasis

given the subject of this book. Hereditary monarchy solved the succession problem, but at the sacrifice of both quality assurance and democratic control, sacrifices that representative democracy avoids having to make. Taken all in all, representative democracy not only

cussion of the pros and cons of allowing votes to be sold, see Saul Levmore, "Voting with Intensity," 53 *Stanford Law Review* 111 (2000).

20. The theory of the two-tier tender offer. And during the 2000 Presidential campaign a market in votes did emerge, briefly, on the Internet ("**voteauction.com**"), before being shut down by a reminder of its illegality. The average transaction price was indeed only \$24.28. See http://62.116.31.68/end_of_bids.htm. Cf. Pamela S. Karlan, "Politics by Other Means," 85 *Virginia Law Review* 1697, 1713–1714 (1999).

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honors the democratic principle but also controls the rulers, and solves the succession problem, better than any alternative system, provided—a qualification to be borne in mind throughout this book—that the procedures for determining the succession are fixed in advance, objective, administrable, and clear, so that succession is according to rules rather than to a power play by the loser.

With such advantages, one may wonder why representative democracy is not the universal system of government, and particularly why it seems to flourish only in wealthy modern countries, with a few exceptions, such as Switzerland even before modernity and a poor India today. (The Roman Republic was an interesting mixture of democracy and oligarchy.) Notice that I did not number the ancient Greek city-states among the exceptions. Direct democracy, the ancient Greek form of democracy, is feasible only in a very small, simple polity, because in a large or complex one the

information costs—not to mention the costs of underspecialization and of time—of citizen government are prohibitive. Representative democracy reduces all these costs by enabling a political division of labor between governed and governing without relinquishing popular control over the governors.

But unlike Greek-style democracy, representative democracy requires an elaborate institutional framework to avoid degenerating into oligarchy or dictatorship. Remember that in such a democracy it is officials who rule, not the people. Officials have their own interests, which may not coincide with those of the people. If able to monopolize the information relating to the administration of government, these imperfect agents may be able to perpetuate themselves in office while adopting policies that disserve their constituents. So a reasonably well-informed citizenry—a citizenry that even if not highly educated, or even highly literate, makes at least approximately accurate judgments about candidates and policies—is a prerequisite of democracy. Another prerequisite is a system of

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property and personal rights, including the right of free speech, enforced by judges who are not beholden to or intimidated by the representatives. For without such a system—that is, without real liberty—the representatives will be able to cow political opponents, steal elections through fraud and through intimidation of voters, and, by thus making reelection an empty formality, perpetuate their rule indefinitely.

So democracy depends on liberty, as well as being in tension with it because liberty curtails the power of the majority to impose

its will. The right to vote is not enough; it is really just the tip of an institutional-cultural-juridical iceberg; a competent and independent electorate, which implies a liberty-securing institutional infrastructure, is indispensable to the operation of representative democracy. Since people are self-interested and for that and other reasons untrustworthy, pure democracy—democracy that places no limits on what the majority or its representatives can do

²¹ —is an

extremely dangerous system of government, viable if at all only in tiny polities, where ties of family and friendship may enable voluntary cooperation to be substituted for coercion. Pure democracy is unstable and likely to degenerate into oligarchy or autocracy. Limited democracy is best. Representative democracy is limited democracy, even without judicially protected liberty, because it puts up a screen between citizens and the application to them of state power by other citizens.

It is also a far more efficient and economical system of governance than direct democracy. Not only does it enable specialization in the provision of government services and political goods; in addition, because governance is delegated to the specialists, the elected and other officials, the people at large do not have to

21. The term “pure democracy” should not be confused with “direct democracy.”

The former is democracy, representative or direct, without legal limits on what the democratic majority may do. The latter is governance by the people themselves rather than by representatives whom they elect.

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spend all or even much of their time worrying about politics. Some theorists—Hannah Arendt is perhaps the outstanding modern

exemplar—are distressed that modern democracy enables the mass of people to redirect their energies from the public to the private sphere.²² Bonnie Honig would go further, radicalizing Arendt in an effort to restore “politics as a disruptive practice that resists the consolidations and closures of administrative and juridical settlement for the sake of the perpetuity of political contest.”²³ For most of us, it is a relief not to have to be jawing all the time in the *agora*.²⁴ Not for us exhaustive deliberation, life modeled on a faculty seminar. Not only is there much more to life than politics, but a preoccupation with politics is likely to exacerbate social conflict. Political conflicts are not intellectual disagreements, resolvable by deliberation or debate. They are clashes of interests and values. The political class in this country—the class that dwells obsessively on political issues—is more contentious, radical, dogmatic, and polarized than the country as a whole.

Representative democracy is historically and today associated with the market economy, though the correlation is one-sided. Nondemocratic nations often have market economies, but nations that do not have market economies are rarely democratic. A market economy seems therefore to be a necessary but not a sufficient condition for democracy. It is easy to see why it is not sufficient. Free markets are much more effective at generating wealth than non-

22. See, for example, Hannah Arendt, *The Human Condition* (2d ed. 1998), esp. pt.

23. “Arendt insists that a person can achieve an identity only through being seen and heard by his equals as they all deliberate the common fate. . . . Authentic politics fills the gap at the heart of the human condition.” George Kateb, “Political Action: Its Nature and Advantages,” in *The Cambridge Companion to Hannah Arendt* 130, 145–146 (Dana Villa ed. 2000).

24. Bonnie Honig, *Political Theory and the Displacement of Politics* 4, 124 (1993).

24. John Mueller, “Democracy and Ralph’s Pretty Good Grocery: Elections, Equality, and the Minimal Human Being,” 36 *American Journal of Political Science* 983 (1992). See also Will Kymlicka and Wayne Norman, “Return of the Citizen: A Survey of Recent Work on Citizenship Theory,” 104 *Ethics* 352, 361–362, 369 (1994).

market economic systems, and an autocrat generally wants his country to be wealthy in order to keep his subjects happy, finance an effective security apparatus, and become wealthy himself without taking such a large proportion of national wealth that he causes serious unrest. (The qualification “generally” is important, however, as wealth may create pressure for democracy, as we are about to see.)

Three things make a market economy a prerequisite for representative democracy. First, such economies depend on respect for property rights, and the effective enforcement of property rights requires a competent and impartial judiciary, which is also essential to ensure that elections are honest and to protect the personal liberties that democracy, the (potential) “tyranny of the majority,” threatens. Judicial protection of property rights is the forerunner of judicial protection of political liberty. Second, market economies generate wealth, and wealth increases the demand for and the supply of education, communications, and leisure. These goods, along with the financial security of living in a prosperous society, create a citizenry that not only is reasonably well informed about political issues and candidates, but also is sufficiently independent economically not to be the pawn of the mighty; relations of patronage and dependence undermine the power-diffusing objective of equal voting. Third, market economies reward and thus encourage commercial values, which are more hospitable than aristocratic or religious ones to the political equality that undergirds a democratic system. Like theocrats, aristocrats (not in the Aristotelian sense, the sense I used earlier, in which aristocracy is rule by the best, but in the more familiar sense of a hereditary caste preoccupied with honor and status and disdainful of commercial pursuits) think the issues involved in government too important to be left to the people. They also (the extreme example is Coriolanus) disdain the dependence on the goodwill of *hoi polloi* that a democratic system

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imposes on officials.²⁵ Persons engaged in market activities disdain others at their peril, since success in the market involves catering to the preferences of others, namely one's customers and to a lesser extent one's employees and other suppliers.

There are countercurrents. The ideology of the market can foster contempt for voting because of its lack of instrumental value and its failure to weight preferences by willingness to pay, which is how the market weights preferences. The sacralizing of property rights in the name of economic efficiency curtails democratic governance by disqualifying government from intervening in the market. And markets can foster inequalities in income and wealth, which can in turn foster selfish, exploitive voting as the electorate splits into classes that have little in common with each other. But these effects are outweighed by the support that a market economy offers to representative democracy; otherwise having a market economy would not be a necessary condition of a society's being a representative democracy.

The foregoing introduction to the practice of representative democracy, brief as it has been, suggests several points germane to the argument of this book. Representative democracy is a pragmatic institution rather than the instantiation of a theorist's ideal state. Voting is a method of control, not of administration. The people do not rule in a representative democracy; they control the rulers, their delegates. For voting to perform its function of control, voters must have some minimum of political sophistication, along with a measure of independence from other people. Voting is central to the orderly succession of democratic "rulers." "Orderly" implies ordered, and delegation of governance to specialists implies realism and practicality. American democracy is structured, formal,

25. Don Herzog, *Happy Slaves: A Critique of Consent Theory* 198–199 (1989).

remarks in a similar vein that a contested election “requires candidates to think the prize of election worth the risks of losing honor, or having one’s neighbors publicly certify that they prefer someone else. So it requires and reinforces the decay of honor as an organizing principle.” George Washington refused to be considered for President until assured that the vote for him in the Electoral College would be unanimous.

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practical, realistic, and both supportive of and supported by commercial values. It is not starry-eyed, carnivalesque, or insurrectionary. It is not pure or participatory democracy, and it does not consider political chaos a price worth paying to actualize the popular will. Its spirit is closer to that of Burke than to that of Rousseau. The populism of a Jefferson or a Jackson remains a part of our democratic ideology, but a smaller part than in days of yore. These summary reflections, too, will turn out to be relevant to evaluating the Supreme Court’s performance in *Bush v. Gore*.

A History of the Suffrage

The entwinement of democracy with economy will also play a role in our analysis of the Florida election. As we shall see in the next chapter, the deadlock and some of the bitterness sparked by its resolution had economic roots, such as illiteracy, which is linked to poverty, and the financial costs and benefits associated with different systems of voting. There was a subterranean issue of whether literacy should be a voter qualification. Although federal law forbids the use of literacy as a voter qualification in federal elections, the punchcard ballot used in a number of Florida counties (indeed used widely throughout the United States) requires a higher degree

of literacy than other common voting technologies.

Poverty fosters ignorance, and also dependence. These are age-old worries about political elections. By the eve of the American Revolution, the idea that an elected legislature was an element of civilized government had taken firm hold in Great Britain and its American colonies. But neither the principle of universal suffrage

26. 42 U.S.C. § 1973b(e)(2), upheld against constitutional challenge in *Oregon v.*

Mitchell, 400 U.S. 112 (1970). It might be questioned whether Congress has the power to regulate voter qualifications in Presidential elections, since the Constitution assigns the power to determine the manner of appointing Presidential electors to the states. U.S. Const. art II, § 1, cl. 2. But it would be impracticable for a state to fix different qualifications for voters for different offices in the same election. More on congressional power to regulate Presidential elections in subsequent chapters.

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so familiar to us (though not fully actualized even today), nor the idea that all legislators (and the executive as well, and maybe even judges) should be elected by the people, had yet taken hold. The suffrage was limited as a matter of course to free adult males who owned property, specifically land. Property ownership was much more widespread in the colonies than in the mother country, with the result that something like two-thirds of free American adult males could vote. But they could vote only for the members of the lower house of the state legislatures. The governor was appointed by the Crown, and the members of the governor's council, corresponding to the Senate in the federal government ordained by the Constitution of 1787, were appointed by the governor.²⁷

This basic structure was retained in the Constitution.

²⁸ Article

I, section 2, provided that the members of the House of Represen-

27. There are minor exceptions to these generalizations about the form of the

suffrage—a qualification that should be borne in mind throughout my brief survey of voting history. On that history, see Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (2000); Robert J. Dinkin, *Voting in Revolutionary America: A Study of Elections in the Original Thirteen States, 1776–1789*, ch. 2 (1982); Dinkin, *Voting in Provincial America: A Study of Elections in the Thirteen Colonies, 1689–1776*, ch. 2 (1977); Chilton Williamson, *American Suffrage: From Property to Democracy, 1790–1860* (1960); Arnaldo Testi, “The Construction and Deconstruction of the U.S. Electorate in the Age of Manhood Suffrage, 1830s–1920s,” in *How Did They Become Voters?* 387 (Raffaele Romanelli ed. 1998); Robert J. Steinfeld, “Property and Suffrage in the Early American Republic,” 41 *Stanford Law Review* 335 (1989).

28. Lawrence D. Longley and Neal R. Peirce, *The Electoral College Primer 2000* (1999); Michael J. Glennon, *When No Majority Rules: The Electoral College and Presidential Succession* (1992); Neal R. Peirce and Lawrence D. Longley, *The People’s President: The Electoral College in American History and the Direct Vote Alternative* (rev. ed. 1981); Shlomo Slonim, “The Electoral College at Philadelphia: The Evolution of an Ad Hoc Congress for the Selection of a President,” 73 *Journal of American History* 35 (1988); Kevin Wroth, “Election Contests and the Electoral Vote,” 65 *Dickinson Law Review* 321 (1961). For the most powerful contemporaneous defense of the Electoral College, see *Federalist No. 68* (Hamilton).

Writing in 1999, Longley and Peirce entitled their first chapter “The Election of 2000 Is Not Quite Decided: A Fantasy,” and in it sketched a scenario resulting in a deadlocked election and ensuing chaos. The deadlock in their fantasy, however, results from the fact that the electoral vote is split among three candidates (the authors added Colin Powell to Bush and Gore), none of whom has a majority of the electoral votes. The result is fierce politicking, first to get members of the Electoral College to switch, and later, when the election is thrown into the House of Representatives, to woo Congressmen. No one foresaw the form that the 2000 election deadlock would actually take. I am surprised that Longley and Peirce did not, since they discuss a number of challenges to Presidential electors, including one that occurred after the Electoral Count Act was passed in 1887 in an effort to prevent a repetition of

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tatives were to be elected by the people of each state. No effort was made to eliminate property qualifications or other limitations on the suffrage; the only stipulation (also in section 2) was that the voters have the same qualifications that the state required of people voting for members of its lower house. Article I, section 3, provided that the Senators from each state would be appointed by the state’s legislature. This method of appointing Senators reflected (at a time when states were much more important than they have

become) a kind of ambassadorial conception of a Senator. Indeed, state legislatures sometimes instructed “their” Senators with regard to how to vote on specific issues.²⁹ The state legislatures were authorized to fix the time, place, and manner of choosing Senators and Representatives, though Congress was authorized to alter those regulations—except for the place of choosing Senators, which would be the state legislature itself. Each house of Congress was to be “the Judge of the Elections, Returns and Qualifications of its own Members.”

There was little support at the constitutional convention for popular election of the President. Most of the delegates held the aristocratic conception of the Presidency and were dubious about the capacity of the public at large, with the limited filtering provided by gender and property qualifications, to pick the best candidate. There were also concerns about the logistics of conducting a nationwide popular election in a large country with poor transportation and communications. The alternative of having the President elected by Congress was unattractive, as it would make the President unduly dependent on the legislative branch. The ingenious expedient hit upon by the delegates was the Electoral College. Each state would have as many electors, and hence electoral votes, as it had Representatives plus Senators. The Electoral College was

the Hayes-Tilden fiasco, which that of 2000 resembled. Longley and Peirce, *Electoral College Primer 2000*, at 122–125.

29. See the discussion of this history in *Cook v. Gralike*, 121 S. Ct. 1029 (2001).

elect the President. Its members were to be appointed by each state “in such Manner as the Legislature thereof shall direct” (Article II, section 1, clause 2) and were to meet in their state and vote for the President rather than assemble in one place and confer before voting. Members of Congress, and other high federal officials, were ineligible to be electors. Congress was to fix the time at which the electors would be chosen and the day on which they would cast their votes, provided the day was the same throughout the nation. The state was to transmit its electoral votes to the seat of the federal government, where they were to be counted in the presence of both houses of Congress. If no one received a majority of the votes of the appointed electors, the House of Representatives was to elect the President from among the leading candidates. But in that election, unlike the ordinary procedure of the House, each state delegation would have a single vote.

The framers’ insouciance about voting qualifications for the members of the only directly elected branch of the new government, the House of Representatives, was matched by their insouciance about the method of appointing Presidential electors, which was left to the state legislatures to decide. The framers were unperturbed by the possibility that the legislatures might (as most soon did) decide that the electors would be chosen by popular vote. Apparently they thought that the people could be trusted to pick electors good enough to pick the best person as President. Moreover, they expected the contingent election procedure ordained by the Constitution—election of the President by the House of Representatives if no candidate received a majority of electoral votes—to be used frequently, and the House was the most democratic component of the governmental structure created at Philadelphia in 1787, though, since each state’s delegation would have only one vote to cast for President, the contingent procedure was not actually very democratic. That was discovered in 1824, the

only time the President has been picked by that method. Andrew Jackson lost to John Quincy Adams in the House even though Jackson had the most popular votes³⁰ and the most electoral votes, though not a majority of the latter.

The framers expressed no concern that a popular-vote loser might be an electoral-vote winner, since they had no reason to expect all states to select their Presidential electors by popular election. That such a discrepancy might be anomalous could not even be perceived until it was customary to select Presidential electors by popular vote, as it was, however, by 1824.

The expectation that the President would often be selected by the House of Representatives was related to the framers' failure to foresee the rise of political parties.³¹ (Parties in the modern sense were unknown in the eighteenth century.) Without parties to winnow the candidates, electoral votes were likely to be scattered among numerous candidates, reducing the likelihood that anyone would receive a majority, especially as it was doubted that many men had sufficient national reputations to garner a majority of electoral votes. In a two-party system, in contrast, electors would be choosing between just the two candidates chosen by the parties.

The Electoral College was not created to be a deliberative body, since its members would not meet but would, as expressly stated in Article II and the Twelfth Amendment, vote separately in each state.³² This decision was made partly because of the difficulties of travel, but more because of concern lest the choice of the President be influenced by cabals, agents of foreign powers, other intriguers, or corrupt deals. It was believed that requiring that the electors

30. In those states, 18 out of the then total of 24, in which electors were chosen

by popular vote. His popular vote lead over Adams was commanding—42.4 percent versus 31.9 percent; Glennon, *When No Majority Rules*, at 13, 15. By the next election, all but one of the states chose electors by popular vote.

31. See, for example, Jack N. Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* 268 (1996).

32. "It was to be a strange college—more like a correspondence school"; Jules Witcover, *No Way to Pick a President* 249 (1999).

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vote in their home states rather than congregating to vote, that the electors not be federal officials, and that all electoral votes be cast on the same day would minimize these dangers. ³³

Such was the scheme of representative democracy created by the Constitution of 1787 for the federal government. The history of U.S. representative democracy since that date is a vast subject, but fortunately only three facets of that history are important for my purposes. One is the general though irregular movement to broaden the suffrage. Another is the trend away from indirect election. The third is the evolution of election administration, with particular reference to efforts to avoid (or if necessary resolve) deadlocks and to count votes accurately, which turn out to be related desiderata.

The movement to broaden the suffrage antedates 1787. On the eve of the Revolution, the electorate for the colonial assemblies, following the British model, was generally limited to adult Protestant males who had freeholds (that is, land ownership) of some specified minimum value. The theory behind the limitations was that only propertied men would have sufficient economic independence and political knowledge to be independent and competent voters rather than pawns of the wealthy and knowledgeable, or, in the case of a woman, of her husband, brothers, or father. Though made at least somewhat plausible by the economic and social conditions of the time and by the fact that the ballot generally was not secret, the theory was at best only partial. It did not explain the religious exclusions from the suffrage or the preferred position of owners of real estate compared with owners of other forms of property that might be equally valuable. Religious hostili-

ties, distrust of city folk, and fear of debtors ganging up on credi-

33. *The Records of the Federal Convention of 1787*, vol. 2, 500 (Max Farrand ed., rev. ed. 1937); Tadahisa Kuroda, *The Origins of the Twelfth Amendment: The Electoral College in the Early Republic, 1787–1804* 11, 21 (1994); Peirce and Longley, *People's President*, at 22, 27, 29; Slonim, "Electoral College at Philadelphia," at 52–53.

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tors and, more generally, of the poor expropriating the rich played a larger role in the restrictions on the suffrage than the incomplete theoretical justifications based on notions of independence and competence. (The most plausible justification for the preference accorded owners of real estate was that they were more vulnerable to expropriation because their wealth was immobile.)³⁴ Lack of independence was decisive, however, against permitting slaves to vote, since their votes would be controlled by their masters and thus would magnify the political power of slaveholders.³⁵

The limitations on the franchise eroded significantly between 1775 and 1787. The causes of this erosion were ideological and practical. The slogan "no taxation without representation" made it difficult to justify the denial of the franchise to people who paid taxes yet happened not to own land, especially since the limitation of the franchise to freeholders had been justified in part by the argument that they paid most of the taxes.³⁶ The equally influential slogan "all men are created equal" pointed toward universal adult male suffrage. And it was difficult to ask people to join the Continental Army without giving them the rights of a citizen.³⁷

Yet when the Constitution was adopted, only Vermont had abandoned all property qualifications for voting,³⁸ and the framers

decided to allow each state to set the qualifications for voters in federal elections conducted in that state. As I have already noted, the qualifications to vote for members of the House of Representatives, the only form of direct election ordained by the Constitution, were

34. Dinkin, *Voting in Revolutionary America*, at 29.

35. A similar reason underlies the provision of the Constitution (Article I, section 2, clause 3) that counts a slave as only three-fifths of a free person for purposes of determining the number of members of the House of Representatives and hence of the Electoral College to which a state is entitled.

36. Williamson, *American Suffrage*, at 5–7; see also at 78 and at 79 (rejection of the theory of “virtual representation”).

37. *Ibid.* at 80, 82. Later linkages of expansions of the suffrage with wartime exigencies are listed in Testi, “Construction and Deconstruction,” at 390. For a more extensive discussion, see Keyssar, *Right to Vote*, at 466 (index references under “War”).

38. Williamson, *American Suffrage*, at 135.

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to be the same as those for voting for the members of the lower house of the legislature of the voter’s state, while Senators were to be appointed by the legislature of each state and Presidential electors by each state in the manner directed by the state legislature.

The trend toward broadening the franchise continued after 1787, powered by democratic sentiment,³⁹ by (what is not the same thing) a decline of deference, by agitation of the disfranchised for the vote,⁴⁰ and by the inherent ratchet effect of changes in the franchise. The franchise is likely to be enlarged whenever the currently dominant political forces in the society believe that the newly franchised voters will support them rather than their opponents,⁴¹ and once a new group is enfranchised it becomes difficult later to withdraw the franchise from it if the political winds change, because the members of the group will vote solidly against

the change. By the eve of the Civil War, universal adult (age 21 or older) male suffrage had been achieved in the Northern states, and reinstatement of property qualifications would have been politically infeasible, quite apart from ideological considerations.

But it would be wrong to infer from the ratchet effect that the expansion of the franchise is monotonic. The effect is real, but other forces are also at work. After Reconstruction ended following the election of Rutherford Hayes to the Presidency in 1876, the Southern states, forced by the Fifteenth Amendment to extend the franchise to blacks, nevertheless were able through a variety of devices, ranging from poll taxes and literacy tests to outright intimidation, to disenfranchise most blacks. Moreover, the scope of

39. Yet not, oddly, by abolitionism. Although some Southerners linked abolitionism with universal suffrage (*ibid.* at 288), the voting rights of blacks actually diminished in the North between the Revolution and the Civil War. Keyssar, *Right to Vote*, at 87–93; *Democracy, Liberty, and Property: The State Constitutional Conventions of the 1820s* 137–138 (Merrill D. Peterson ed. 1966).

40. Keyssar, *Right to Vote*, at 35.

41. For examples, see *ibid.* at 39–42.

42. With the principal exception of blacks, whom only five Northern states allowed to vote.

the franchise can contract merely because of demographic changes occurring against a background of unchanged rules. For example, if aliens are forbidden to vote and they become a larger fraction of the population, the fraction of eligible voters will, if nothing else changes, fall automatically. The same is true if the birth rate increases and as a result a larger fraction of the population is below

the voting age. The effect of expansion of the suffrage on actual voting can also be—and in fact to a considerable extent has been—offset by a decline in the turnout of eligible voters.⁴³

Aliens are an example of a group that, being unorganized and unpopular, may not be able to take advantage of the ratchet effect. After the Civil War, the flood of immigrants created anxieties about the voting power of these new citizens, and literacy tests were instituted for the first time⁴⁴—along with an effective de facto literacy test that bears a distant resemblance to the punchcard ballot. Until late in the nineteenth century, the government did not supply the ballots for voting in elections. Instead each political party supplied ballots containing a party-line vote for the party's candidates. The voter would simply select one party's ballot and drop it into the ballot box. The party ballot was replaced, largely in the last decade of the century, by the "Australian" ballot: a paper ballot, supplied by the voting authorities, that contained a list of the candidates, on which the voter would mark his preference. (Such a ballot had first been used in Australia; hence the name.) A voter who was not literate would have difficulty using the Australian ballot,⁴⁵ a result welcomed by those who feared the voting power of immigrants. At the same time, the heretofore rather

43. Testi, "Construction and Deconstruction," at 390–392, 410–413.

44. Keyssar, *Right to Vote*, at 142–146; Testi, "Construction and Deconstruction," at 400. Testi points out that registration requirements, also a late nineteenth-century innovation, had a disenfranchising effect while at the same time reducing vote fraud.

45. This problem is overcome in India, where about half the population is illiterate but illiterates are entitled to vote (as they are in the United States), by printing the party's symbol next to the names of the candidates, so that to vote for a party's candidates the voter has only to learn to recognize the party's symbol.

casual attitude toward voting by aliens⁴⁶ —the distinction between citizens and aliens not being strongly marked—gave way to rules excluding aliens from the franchise.⁴⁷

The practical and ideological forces that, despite some backsliding, led to the enlargement of the franchise in the nineteenth century also led to expanding the categories of officials elected by the people. In the eighteenth century the only popularly elected officials had been the members of the lower houses of the federal and state (or colonial) legislatures. Judges became elected rather than appointed officials in most states in the nineteenth century, as did state governors, members of the upper houses of the state legislatures, and Presidential electors. It has thus become anomalous that the President of the United States is not elected by popular vote. Yet there are only two certain instances in which the popular-vote winner failed to win the electoral vote: the election of 1888, in which Benjamin Harrison lost the popular vote to Grover Cleveland but won the electoral vote and so became President, and, of course, the election of 2000. The controversial elections of 1800, 1824, 1876, and 1960 are distinguishable—some of them, however, only narrowly. Let's consider them briefly.

In 1800 Jefferson and his running mate, Aaron Burr, received the same number of electoral votes, and Jefferson was elected President by the House. The deadlock in the Electoral College had been caused by the fact that Article II of the Constitution, while giving each elector two votes, did not provide for the electors to vote separately for President and Vice President. The theory was that the best man would come in first and become President and the second-best man would come in second and become Vice President. But if the electors thought alike on who should be President

46. Keyssar, *Right to Vote*, at 32–33, 38; Williamson, *American Suffrage*, at 277–278; Testi, “Construction and Deconstruction,” at 388.

47. *Ibid.* at 392–393. This change was particularly rough for persons of Asian origin and for American Indians; neither class of persons was eligible for U.S. citizenship until well into the twentieth century.

and who Vice President, and accordingly cast one of their two votes for their preferred Presidential candidate and the other for their preferred Vice Presidential candidate, the two—though candidates for different offices—would end up with the same number of electoral votes, and the designated Vice Presidential candidate might not gracefully withdraw (Aaron Burr did not, and Alexander Hamilton’s decision to throw his support to Jefferson was one of the events that lay behind the famous, fatal duel).⁴⁸ For that matter, if there was more agreement on who should be Vice President than on who should be President, the Vice Presidential candidate might receive more electoral votes (as almost happened in 1800), and so become President. These sources of deadlock (or worse) were removed by the Twelfth Amendment, adopted in 1804. The amendment required the members of the Electoral College to vote separately for President and for Vice President.

In 1824 Andrew Jackson won both the popular and the electoral vote, but because he did not have a majority of the electoral vote, but only a plurality, the choice of President was made by the House of Representatives, which picked John Quincy Adams.

In 1876 Samuel Tilden was declared the winner of the popular vote, but competing slates of electors in several Southern states (including Florida!) made the outcome of the electoral vote uncertain. An ad hoc commission created by Congress in January 1877 to resolve the dispute over the electors awarded the disputed votes to Hayes, who thus obtained, when objections in Congress to the commission’s award failed, a majority in the Electoral College, and so became President.⁴⁹ Because of extensive vote fraud by Democrats as well as by Republicans, it is uncertain whether Tilden really did win the popular vote.⁵⁰

48. Joseph J. Ellis, *Founding Brothers: The Revolutionary Generation* 40–43 (2000).

49. Asher C. Hinds, *Hinds’ Precedents of the House of Representatives of the United States*, vol. 3, §§ 1953, 1954 (1907).

50. See William Josephson and Beverly J. Ross, “Repairing the Electoral College,” *22 Journal of Legislation* 145, 157 n. 77 (1996), and references cited there.

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In 1960 John F. Kennedy won the popular vote by only a shade over 100,000 votes. There were serious allegations of fraud by Democratic election officials in Illinois and Texas, but the number of votes affected was not enough either to change the result in the Electoral College vote or to deprive Kennedy of his plurality of the popular vote nationwide. Deciding who won the popular vote in 1960 is clouded, however, by a question unrelated to fraud, namely how to classify the popular votes for the 6 unpledged Democratic electors in Alabama, who, out of a total of 11 Democratic electors in that state, ended up voting for Harry Byrd rather than for Kennedy. If Kennedy is allocated 5/11 of the popular vote in Alabama, then Nixon, not Kennedy, had a plurality of the nationwide popular vote.⁵¹

In 2000 Al Gore won the popular vote, but George W. Bush obtained a bare electoral-vote majority—thanks to Florida, which many people believe Bush “stole” just as Hayes may have done 124 years earlier. We shall examine that contention in later chapters. Whether it is well founded or not, there is no question that Gore won the nationwide popular vote fair and square.

In short, in five elections (1824, 1876, 1888, 1960, and 2000) the winner of the popular vote for President either was not or may not have been (1876 and 1960) elected President. But the wedge that the Electoral College drives between popular democracy and election to the Presidency is larger. Because Presidential candidates campaign to win the electoral vote rather than the popular vote, they allocate their efforts, their appeals, their choice of running mate, and their policies and appointments when elected differently

than they would if the President were chosen by popular vote rather than by the vote of the Electoral College. We shall return to this issue in the last chapter.

51. Longley and Peirce, *Electoral College Primer 2000*, at 51; Lawrence D. Longley and Alan G. Braun, *The Politics of Electoral College Reform 3–6* (1972).

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The twentieth century saw further expansions both in the suffrage and in the categories of official appointed by popular vote. The Seventeenth Amendment, ratified in 1913, required the direct election of Senators. The reasons were, in part, intensely practical, such as that elections for state legislators were sometimes overshadowed by concerns over whom a legislator might support for U.S. Senator and that legislatures frequently deadlocked over the choice of Senators.⁵² In 1920, the Nineteenth Amendment was adopted, guaranteeing the right to vote to women. Subsequent amendments abolished poll taxes, entitled the District of Columbia to appoint Presidential electors, and guaranteed the right to vote to 18-year-olds. More and more states adopted the primary election as the method of choosing the candidates of the major parties. And legislation designed to make the Fifteenth Amendment a meaningful protection of the franchise of black citizens⁵³ culminated in the abolition of literacy tests for voters in all federal elections. With universal adult suffrage within reach, attention shifted to subtle issues of voting power, including malapportionment (a conspicuous feature of the U.S. Senate and therefore of the Electoral College

as well), gerrymandering, the creation of districts in which minority groups would have a voting majority, restrictions on candidacy, lengthy residency requirements, and campaign financing.

Because it became an issue in the 2000 election deadlock and its aftermath, we should consider the merit of the goal of universal suffrage—especially when it is pressed to the point of insisting that people who cannot read well enough to follow voting instructions should be permitted, perhaps even assisted, to vote. One way to put the question is to ask whether it would be desirable, were it politically feasible (which it is not), to confine the vote to people who

52. Congressional Quarterly, Inc., *Guide to U.S. Elections* 447–451 (3d ed. 1994);

David A. Strauss, “The Irrelevance of Constitutional Amendments,” 114 *Harvard Law Review* 1457, 1496–1499 (2001)

53. Voting Rights Act of 1965, 42 U.S.C. § 1973.

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are well informed about the public issues—including issues of leadership, competence, and probity—that are relevant to picking the best representatives. It would be undesirable. The politically well informed are an unrepresentative slice of the population. They differ systematically from the poorly informed along the dimensions of race, income, and education.⁵⁴ They have interests as well as opinions, and, since they are not a random draw from the population, their interests differ systematically from those of other groups. If the politically savvy monopolized the vote, their interests would have more weight than those of other people, the politically apathetic, immature, or alienated, unless we indulge the unrealistic assumption that well-informed people can be depended

upon to be altruistic rather than self-interested voters. Once that assumption is abandoned, it becomes clear that the interests of any group that lacks the franchise are likely to be undervalued in the political process.⁵⁵ It is on this basis that I have urged consideration of giving each parent an extra one-half vote for each of his or her minor children.⁵⁶

Some people, such as small children and the severely retarded, cannot form a competent conception of their own interests. But this is not the case for illiterates, especially in an era in which people get most of their information about public affairs from radio and television rather than from the print media.⁵⁷ Literacy tests for

54. Michael X. Delli Carpini and Scott Keeter, *What Americans Know about Politics and Why It Matters* (1996).

55. “The interest of the excluded is always in danger of being overlooked”; John Stuart Mill, *Considerations on Representative Government* 66 (1870).

56. Posner, *Aging and Old Age*, at 289.

57. Mill, writing before television, thought a literacy requirement essential. But it is not just television that separates Mill’s political culture from ours; the differences between nineteenth-century England and twentieth-century America run much deeper, as is illustrated by his belief that only taxpayers should be permitted to vote (“no taxation without representation” implying, he thought, no representation without taxation), that paupers therefore should be excluded, and that educated people should be given additional votes. Mill, *Considerations on Representative Government*, at 174–186. By “illiterates,” I do not mean only, or primarily, people who cannot read at all—cannot read a street sign, for example, or sign their own name. There are, relatively speaking, very few of those. I mean people who have very serious reading difficulties, so that, for example, they cannot read a newspaper with comprehension.

voting have now been outlawed, in major part because of their historical association with the pertinacious efforts of the Southern states to deny the vote to blacks. But a voting technology that as a practical matter requires literacy to cast a vote that will be counted operates in the same direction. Another difference between chil-

dren and the severely retarded, on the one hand, and illiterates, on the other, is that children and the severely retarded usually have someone—a parent or guardian—to look after them, and so are less needful of the vote to protect their interests; illiterates do not.

There is also a psychological factor to be considered. The right to vote is a symbol of equality. It dramatizes the principle that every person is to count for one and no one for more than one, at least in the political sphere. This may be hokum or sentimentality, or even a mask for the inequalities of circumstance and opportunity that pervade our (as every) society; but it is a brute fact about the American political culture. It is one reason why giving additional votes to members of particular groups (say, to blacks, or to veterans) to reward past services or to compensate for past or to offset present discrimination is out of the question, and why denial of the suffrage is taken so much more seriously than denial of giving votes equal weight (as in the Senate and the Electoral College); and it is why ex-felons are denied the vote in some states—as a symbol of disapprobation. People are not illiterate by choice, and to deny them the vote would therefore be a gratuitous insult, as is not the case with denying the vote to ex-felons.⁵⁸

The psychological effect of denying the vote to people may have practical consequences. In Mill's words, "whoever, in an otherwise popular government, has no vote, and no prospect of obtaining it, will either be a permanent malcontent, or will feel as one

58. With the growth in the number of people who have a felony record, however, and given that a large and growing percentage of felonies are nonviolent crimes against willing victims (mainly the sale of illegal drugs, an arbitrary subset of mind-altering substances) and that the composition of the ex-felon population is disproportionately black, this exclusion too has become controversial.

whom the general affairs of society do not concern.”

⁵⁹ But not too

much weight should be placed on the symbolic and psychological dimensions of the right to vote. They are extremely speculative. The important thing is that even people who cross only a very modest threshold of competence and independence ought to be allowed to vote in order to protect their interests, and that illiterates have interests and, in our radio- and television-saturated society, generally cross that threshold.

The dramatic and ultimately successful struggles to broaden the *legal* franchise, plus the increasing preoccupation with subtle issues of voting power (even if everyone has one vote, voting *power*—that is, the power through voting to influence the outcome of an election—may be unequally distributed, as when legislatures are malapportioned), have obscured the mundane issues of election administration that the Florida 2000 Presidential election brought to light. With the successful enforcement of the Voting Rights Act, the abolition of poll taxes and literacy tests, simplified registration, the curtailment of durational residency requirements, and the reduction in the amount of corruption and the hold of machine politics in big cities, the subject of election administration became practical (rather than a matter of theoretical speculation or moral urgency), fragmented (because election administration—as distinct from federal constitutional and statutory regulation of voting—is decentralized to states, counties, and even precincts), and technological. It dipped below the radar screen of constitutional lawyers, and most political scientists as well. Not only the elections of 1824, 1876, and 1888 but also the close and problematic elections of 1960 and 1968 (the former rife

⁵⁹ Mill, *Considerations on Representative Government*, at 172–173. Mill also believed

that, independently of all practical considerations, “every one is degraded, whether aware of it or not, when other people, without consulting him, take upon themselves unlimited power to regulate his destiny”; *ibid.* at 173. Mill made no effort to reconcile this ethical point with his advocacy of excluding paupers and other nontaxpayers, as well as illiterates, from the franchise.

with fraud and the latter almost undone by runaway electors), became “history.” Even the much more recent, exceptionally bitter, and absurdly protracted congressional battle over the deadlocked 1984 election in Indiana’s Eighth Congressional District was forgotten.⁶⁰ Forgotten too was the push in the wake of the 1968 Presidential election to abolish the Electoral College by constitutional amendment, a proposal approved by the House by the requisite two-thirds margin in 1969.

The problematic Presidential elections that I have listed involved or exposed a variety of problems. The 1824 election taught that a President who had lost both the popular and the electoral vote—and who owed his election only to the House of Representatives, because the electoral-vote winner had had only a plurality, and not a majority, of the electoral votes—might not be accepted by the nation as fully legitimate. Adams was defensive about his victory and was soundly trounced by Jackson in their rematch in 1828, though in part this was due to the suspicion that Adams had owed his election to a “corrupt bargain” with Henry Clay, the Speaker of the House, who indeed became Adams’s secretary of state⁶¹—but such suspicions are likely when the election is thrown into the Congress. A similar danger, that the winner of both the popular and the electoral vote might nevertheless not be elected President, loomed in the 1968 Presidential election, because of George Wallace’s strong third-party candidacy, since a third-party candidate who won some electoral votes might, by throwing them to the losing major-party candidate, give that candidate a majority in the Electoral College. The problem in the 1960 election was not

60. Marie Garber and Abe Frank, *Contested Elections and Recounts*, vol. 1: *Issues and Options in Resolving Disputed Federal Elections* 14–16 (Federal Election Commission, National Clearinghouse on Election Administration, Autumn 1990) (“four months of partisan wrangling . . . that took up more time than almost any other issue the House considered in 1985 . . . left a bitter legacy which has not yet dissipated”). See also Timothy Downs, Chris Sautter, and John Hardin Young, “The Recount Primer” (Aug. 1994, available from Sautter Communications, Washington, D.C.), pp. 39–42.

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only fraud but also, and more seriously, unpledged electors, and it loomed briefly again in 2000 when some Democrats mounted a campaign to persuade Bush electors to switch to Gore. The election of 1888 was a reminder that the popular-vote winner can lose the electoral vote, which of course happened again in 2000, though so far without untoward results. The problem in 2000 was deadlock, and it may actually have had the effect of distracting people from the anomaly of the popular-vote winner's losing the election, though Gore's lack of personal popularity was also a factor.

The 1876 election fiasco was the most ominous portent for 2000. It exposed, as had the 1800 election, an embarrassing gap in the Constitution. The framers had foreseen and provided for the case in which no candidate wins a majority of the electoral votes (though the relevant provision is ambiguous, as we shall see), but not for the case in which there is a dispute over whom a state has appointed to be its Presidential electors. An ad hoc resolution of the dispute over the 1876 election was not achieved until the eve of the inauguration, and it involved Congress's appointing a committee whose deciding member was a Republican Supreme Court Justice who, along with the other Republicans on the committee, voted for the Republican candidate.⁶² These events led to the enactment a decade later of the Electoral Count Act, now Title III of the U.S. Code, which specified a procedure for resolving a future such deadlock. We shall see in Chapter 3, however, that the procedure is both incomplete and of uncertain constitutionality.

Completely unforeseen was the possibility that a deadlock in the Presidential election might arise not from skullduggery (as in the 1876 election), not from a failure of any candidate to obtain a majority of the electoral votes, not from runaway electors, and not

62. Again there was a suspicion of a corrupt bargain—a promise to end Reconstruction in exchange for the Democrats' accepting Hayes's election. See "The Electoral Commission [Hayes-Tilden Election]," *Great Debates in American History*, vol. 9, ch. 3 (Marian Mills Miller ed. 1970).

—46—

from an actual tie in the popular vote in a key state, but from innocent defects in electoral mechanics, whether defects in the design of a ballot, the staffing of the polling places, or the design, maintenance, or operation of voting and vote-tabulating machines, or gaps and ambiguities in the state statutes regulating the administration of elections and the resolution of election disputes. Nor was it foreseen that such shortcomings not only might make it difficult to determine who had won an election, and thus increase the probability of having to activate some postelection mechanism to decide who the winner was, but also might selectively disenfranchise voters. It had always been understood that the methods for counting votes are imperfect; challenges to the outcome of close elections have not been uncommon and have sometimes resulted in recounts that changed the outcome. But that this might happen in a Presidential election, that procedures that function properly in less momentous and less time-sensitive elections might not serve for a deadlocked Presidential election, and that the federal constitutional and statutory provisions relating to a contested Presiden-

tial election are rickety, were lost to view. These problems achieved visibility, not only to the public at large but also to scholars of the electoral process, only with the 2000 election. The gravity of such problems, and the difficulty of solving them with our existing laws and institutions, are the themes of the subsequent chapters.

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Speelgoedoorlog in cyberspace

Rond de kerstdagen vorig jaar woedde er op internet een heuse speelgoedoorlog. Naar schatting tweeduizend creactivisten kregen hierin gezamenlijk het internetbedrijf eToys.com op de knieën. Zij moest het door haar zo felbegeerde domein teruggeven aan de digitale straatbende etoy.com. Een lesje actievoeren in cyberspace.

*Oh, give me land, lots of land under starry skies above,
Don't fence me in.
Let me ride through the wide open country that I love,
Don't fence me in.
Let me be by myself in the evenin' breeze,
And listen to the murmur of the cottonwood trees,
Send me off forever but I ask you please,
Don't fence me in.*

(Cole Porter, 1944)

Het internet is de laatste paar jaren ingrijpend veranderd. De zogenaamde reële wereld betreedt steeds meer de virtuele wereld en verovert terrein in het traditionele doolhof van het web. Warenhuizen, banken en andere commerciële bedrijven openen hun deuren en overnamen en faillissementen bepalen het economische klimaat op het web. De van oudsher gekraakte percelen - domeinen - worden langzaam maar zeker ingenomen door financiële giganten. Daarbij gaat het niet alleen om domeinen die de naam van een bedrijf gebruiken, maar ook domeinen die deze naam benaderen.(1)

Vanuit de wetenschap dat de gemiddelde internet-gebruiker regelmatig type fouten begaat, proberen bedrijven een reeks van namen te bemachtigen die lijken op die van hun eigen domein. Zo hopen consumenten toch te vangen óf actievoerders te slim af te zijn. Landje pik heet het in de reële wereld, domeintje pik in de virtuele wereld, maar het principe is hetzelfde.

Eerste bedrijf

Heeft de commercie het internet al volledig veroverd? Nee, nog niet. Nog steeds zijn er overal gekraakte programma's, spelle-tjes, encyclopedieën, gratis muziek en andere spullen te vinden die internetgebruikers aan elkaar doorsturen. Ook komen domeinen in het verweer tegen de macht van het kapitaal. Een van deze domeinen is etoy.com (<http://www.etoys.com>) van een kunste-naarscol-lectief uit Zwitserland.

Op maandag 8 november 1999 diende er aan de rechtbank van de staat Californië in de Verenigde Staten een rechtszaak van het internetbedrijf eToys.com (<http://www.etoys.com>) tegen etoy.com.

EToys.com, dat haar domeinnaam op 3 november 1997 liet registreren, is een typisch internetbedrijf. Gevestigd in Santa Monica, Californië, 500 werknemers, lage verkoopcijfers, toch een hoge aandelenkoers en een toekomst van het bedrijf die vooral in de komende jaren bepaald gaat worden.

Etoys mocht zichzelf marktleider noemen op het gebied van online verkoop van speelgoed en was het op drie na grootste bedrijf op het internet in e business. De marktwaarde van het bedrijf wordt geschat op 8.41 miljard dollar. Het aandeel eToys werd gepresenteerd op 20 mei 1999 en in korte tijd gestegen tot een bedrag tussen de 60 en de 80 dollar per aandeel.

Een dergelijk bedrijf dat speelgoed verkoopt aan nette gezin-nen zal er alles aan doen om zich zo goed mogelijk te presenteren. Wat daar niet bij helpt is een buurman die de naam etoy.com draagt. Helemaal niet als deze buurman een kunstenaarsgroep is die zich graag de eerste straatbende van de informatiesnelweg noemt. Als deze buurman ook nog eens zeer aanstootgevende en in generlei zin met speelgoed gerelateerde pagina's publiceert, is het des te pijnlijker. Laten we wel wezen. Wie een poging doet eToys te typen zal regelmatig de 's' vergeten en dan

Opmaat

Op 25 augustus 1999 overkwam dit de kleinzoon van een argeloze consument. De kleine jongen typte *www.etoy.com* en kwam op de eerste pagina van de website van het kunstenaarscollectief waar de bezoeker de mogelijkheid wordt geboden om op de traditionele manier te reizen (alleen html). De kleinzoon klikte op deze knop en kreeg toen vervolgens de zin naar zijn hoofd geslingerd dat etoy niet de traditionele manier ondersteunt, maar dat de bezoeker een flash plugin moet downloaden (... *get the fucking flash plugin!*).⁽²⁾ Grootvader ontstak in woede en liet in een brief aan het bedrijf eToys.com weten nooit meer iets bij hen te kopen.

Twee weken later, op 10 september 1999 klaagde het speelgoed-bedrijf etoy aan voor merknaam misbruik, beschadiging en oneerlijke concurrentie. EToys wist echter in 1997 bij het registreren van haar domeinnaam al van het bestaan van etoy.com dat haar domein op 13 oktober 1995 geregistreerd had. Het speelgoedbedrijf vond het niet noodzakelijk om toen etoy aan te klagen. Wel werden er zeventuizend aandelen en een som van 50 duizend dollars (bij elkaar ongeveer 516 duizend dollar) geboden voor de domeinnaam etoy.com. Het kunstenaarscollectief weigerde dit beleefd.

"Onze gevoelens, onze artistieke integriteit, ons hele zijn is de domeinnaam", stelde woordvoerder Zai van etoy. "Ons project was altijd radicaal, dus is het beter alles te riskeren en te vechten."

Wetgeving

De rechtszaak volgde op de tweede weigering van het kunstenaarscollectief om de 100 duizend dollar die eToys.com nu had geboden aan te nemen en daarmee de zaak onderhands te regelen. Etoy.com is namelijk geen virtuele kraker van domeinen die zijn verkregen domeinnamen duur doorverkoopt.

De kunstenaars van etoy.com hebben de tijd helaas niet mee. Er wordt steeds meer wetgeving geïntroduceerd om het bedrijven makkelijker te maken rechtszaken aan te spannen tegen onwillige actievoerders of anderen die domeinnamen beheren die dicht tegen die van het bedrijf aanliggen.

In november 1999 nam de Amerikaanse Senaat de Satellite Viewers Act aan. De wet is vooral gericht tegen virtuele hackers en bepaald dat merknaamhouders virtuele krakers voor het gerecht kunnen slepen in het land waar het domein geregistreerd staat. Voor .com, .org en .net is dat de Verenigde Staten.

De Satellite Viewers Act bepaald verder dat merknaamhouders 100 duizend dollar schadevergoeding kunnen eisen van virtuele hackers, mensen die merknamen schenden op het net en zij die consumenten in het ongewisse willen laten wie een website beheert. Het laatste heeft alles te maken met imago beschadigingsacties zoals bijvoorbeeld rond de KLM en Lufthansa.⁽³⁾

Tweede bedrijf

Op 29 november 1999 verloor etoy.com dan ook de eerste ronde van het gevecht met het bedrijf eToys.com. Rechter John P. Shook oordeelde in zijn voorlopige

uitspraak dat het kunstenaarscollectief etoy, maar ook mogelijke andere gebruikers, de website met de domeinnaam *www.etoys.com* niet meer mochten gebruiken. Tevens oordeelde Shook dat de kunstenaars geen aandelen mogen uitgeven en verkopen in de Verenigde Staten of de merknaam etoy presenteren voordat deze merknaam officieel is geregistreerd. De uitspraak werd vergezeld van een boete van 10 duizend dollar voor elke dag dat de uitspraak niet wordt opgevolgd.

Megan Gray, een advocaat van het advocatenkantoor Baker & Hostetler, gespecialiseerd in Internet recht en intellectueel eigendom, betoogde dat de claim van eToys.com geen stand zou houden. Toch lag er nu een uitspraak die het werk van de kunstenaars van etoy onmogelijk maakte en eToys een gerust gevoel gaf over de komende kerstaankopen van de consumenten. De rechtszaak zou namelijk pas de dag na kerst, 27 december 1999, worden voortgezet.

In een vergelijkbare zaak tussen het adviesbureau Clue Computing Inc. en de speelgoedhandelaar Hasbro werd de laatste in het ongelijk gesteld toen het bedrijf de Url *www.clue.com* opeiste voor haar nieuwe speeltje, een nintendo met de naam clue. Hasbro bezat weliswaar de gedeponeerde merknaam clue, maar moest Clue Computing met rust laten, zo oordeelde de rechter toen het bedrijf *www.clue.com* wilde afpakken. Er was dus nog hoop voor etoy.(4)

Etoy sloot haar site en vervolgde haar juridische strijd met het speelgoedbedrijf eToys onder een IP nummer (*http://146.228.204.72:8080/*).

Prijs

Het kunstenaarscollectief Etoy was in de internetwereld al enige tijd bekend. In 1996 wonnen zij de prestigieuze internetprijs, de Golden Nica, *the Ars Electronica price for best Internet art*. Etoy heeft in het verleden ook al conflicten met bedrijven of instanties gehad in verband met haar internetactiviteiten. Zo publiceerde etoy.com foto's van de bomaanslag op het federale gebouw van Oklahoma City op 19 april 1995 met daarbij de provocerende aanmerking: "*Such work needs a lot of training*". Etoy heeft echter nog nooit een proces aan haar broek gekregen in verband met haar internet activiteiten.

In 1996 werkte etoy aan een succesvol project onder de naam 'digital hijack'. Na onderzoek van zoekmachines op het internet had de groep een methode ontwikkeld om als hoogste in de zoekmachines te eindigen. De groep ontwikkelde vervolgens duizenden pagina's en lokte daarmee niets vermoedende internetgebruikers die informatie zochten over David Bowie, Porsche, Penthouse en andere zaken naar hun website. Ergens op het internet zijn die pagina's nog te vinden en deze werden in de rechtszaak door eToys tegen etoy gebruikt als bewijs dat het kunstenaarscollectief zich schuldig maakte aan onwettig gedrag.

Een ander project van etoy dat later door eToys in het proces werd gebruikt, is de verkoop van aandelen in etoy. Voor woordvoerder Zai van etoy dwingt de verkoop van aandelen mensen om na te denken over de ongrijpbare en amorfe aard van Internetkunst: "Eén van de vele controversen van Net-kunst is dat er geen origineel is". De aandelen, een "uniek" certificaat van 2 bij 2 voet, bevestigd op een aluminium plaat met een chip met elektronische informatie over de aandeelhouder, werden door eToys aangegrepen om etoy te beschuldigen van het creëren van valse fondsen.

Toywar

De eerste slag in de Toywar was dus voor eToys, maar het speelgoedbedrijf had geen rekening gehouden met de internetgemeenschap. Deze was verontwaardigd over de handelwijze van eToys en tevens zeer verbaasd dat rechter Shook het bedrijf in het gelijk had gesteld. Vlak na de uitspraak werd de Toywar site (*http://www.toywar.com/*) geopend en het beloofde een echte oorlog te worden.

De kunstenaars van etoy hielden bij hoog en bij laag vol dat zij niets te maken hadden met de nieuwe site. Om dit te benadrukken verklaarde Zai tegenover het Duitse internettijdschrift *Telepolis*: "de handen van etoy zijn gebonden, als het gaat om netcampagne technieken".

Etoy richtte zich op de rechtszaak en het vergaren van geld voor het proces middels de verkoop van etoy.shares. Het collectief had tot dat moment al 20 duizend dollar uitgegeven aan het proces en stond aan de rand van faillissement.

Etoys.com had echter nooit verwacht dat zoveel mensen zich zouden aansluiten bij het toyleger en allerlei speeltjes ontwikkelden om het bedrijf langzaam ten gronde te richten.⁽⁵⁾ Tussen 29 november en 12 december 1999, de datum dat RTMark zich in de oorlog mengde, was het aandeel eToys al gezakt van 67 dollar naar 45 dollar. Toeval of niet maar in die periode verkocht een groot aandeelhouder, de Moore Capital Management Inc. haar aandelenpakket eToys ter waarde van 2,5 miljoen dollar.

Computerspel

De eerste slag leek gewonnen, hoewel er in het begin van de Toywar geen duidelijke lijn zat. De RTMark campagne (<http://rtmark.com/etoycampaigns.html>) zorgde echter voor structuur. De Toywar werd geformuleerd als een multi user internet spel waarbij het doel was de NASDAQ-notering van eToys neer te halen.⁽⁶⁾ RTMark woordvoerder Lucha formuleerde het passend met de woorden: "Dit spel is veel interessanter dan welk computerspel dan ook, omdat je een slechterik uit de werkelijke wereld moet bevechten".

RTMark is een soort persiflage op een transnationale onderneming met als product 'sabotage'. De aandelen die je van RTMark koopt vormen een investering in mogelijke acties die mensen bij allerlei fondsen hebben aangemeld. Op internet staan de acties vermeld die bij die fondsen aangemeld zijn, met het investeringsbedrag dat nodig is voor de uitvoering van de actie. Investeerders kunnen zich aandienen en vervolgens is daar de website voteauction.com waar voor de Amerikaanse verkiezingen stemmen konden worden geveild. Ook het Barbie Liberation Front is zo tot stand gekomen. RTMark is in zekere zin een tussenpersoon tussen de geldschieters en de actievoerders. Daarnaast doet RTMark vooral het persbeleid voor de acties.

De RTMark campagne was betrekkelijk eenvoudig van opzet. Er werd een etoy fonds opgezet waar allerlei mogelijke acties en ideeën werden samengebracht waardoor iedereen kon bijdragen in de productie of in het gebruik. Er was voor iedereen iets te vinden, iets individueels, iets collectiefs, iets eenvoudigs, iets complex, iets onschuldigs, iets niet onschuldigs en ga zo maar door. Daarnaast was er een pagina met actuele informatie over de financiële situatie van eToys en een pagina met links naar een groot aantal andere pagina's die opriepen om de eToys servers te verstoren.

Woordvoerder Lucha van RTMark verwoordde het uitgangspunt van de campagne als volgt: "waarom zou de mondiale cultuur gedomineerd moeten worden door de zakenwereld? Het internet is het speelveld dat de mogelijkheid heeft een wereldwijd machtsevenwicht te creëren welke op dit moment niet bestaat".

Etoyssucks

Als eerste deel van het virtuele spel moesten vanaf tien dagen voor kerst de servers van eToys op allerlei manieren volledig lam worden gelegd. Naast RTMark mengden zich dan ook anderen in de strijd.

Op een protest site was een anti eToys videospel te vinden waarbij tien bewapende

stoere mannen in eToys t shirts tot bloedens toe moesten worden gedood. Bands als Negativland doneerden MP3s voor de campagne tegen eToys. Een groep hackers ontwikkelde een 'action entertainment product', waarmee een internet gebruiker direct eToys.com kon aanvallen.

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Naar schatting tweeduizend toy-soldaten hebben tussen november 1999 en februari 2000 aan de Toywar meegedaan. Er werden meer dan 250 Toywar soldaten sites gebouwd en binnen twee maanden daalde het aandeel van toys Inc. dramatisch van 67 dollar op de dag van de aanvang van de Toywar tot 15 dollar op de dag dat het bedrijf volledig door de knieën ging. De schade voor het bedrijf wordt geraamd op 4.5 miljard dollar.

Joichi Ito, een manager uit Japan, die in 1997 door *Time magazine* tot de cyberelite werd gerekend, zei met betrekking tot de Toywar dat het bij het internet niet om het kapitalisme en geld gaat maar "om mensen die doen wat ze willen doen".

Rick van Amersfoort

Noten

- 1. Het domein is het gedeelte achter de @ in je e mail adres en is meestal de naam van de computer/provider waarop iemand werkt.*
- 2. Een flash plugin is een programma waarmee je internetpagina's die in flash, een edit programma, zijn gemaakt, kunt bekijken.*
- 3. Zie <http://www.xs4all.nl/~ac/klm> en http://www.depor-tation_alliance.com/class/news.html*
- 4. Zie voor vergelijkbare zaken in het verleden en het heden RTMark: <http://rtmark.com/netabuse.html>.*
- 5. Op de Toywar site is een tijdbalk <http://www.toywar.com/timeline.html> te vinden met de belangrijkste data. De Toywar radio was de dorpsomroeper die de internetgemeenschap op de hoogte hield van de ontwikkelingen. De fanclub van etoy is te vinden onder <http://fanclub.etoy.c3.hu:8080/>*
- 6. De NASDAQ is een technologiefonds notering aan de Amerikaanse beurs.*

[Terug naar boven](#)

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These search terms have been highlighted: **voteauction**

Speelgoedoorlog in cyberspace

Rond de kerstdagen vorig jaar woedde er op internet een heuse speelgoedoorlog. Naar schatting tweeduizend creactivisten kregen hierin gezamenlijk het internetbedrijf eToys.com op de knieën. Zij moest het door haar zo felbegeerde domein teruggeven aan de digitale straatbende etoy.com. Een lesje actievoeren in cyberspace.

*Oh, give me land, lots of land under starry skies above,
Don't fence me in.*

*Let me ride through the wide open country that I love,
Don't fence me in.*

*Let me be by myself in the evenin' breeze,
And listen to the murmur of the cottonwood trees,
Send me off forever but I ask you please,
Don't fence me in.*

(Cole Porter, 1944)

Het internet is de laatste paar jaren ingrijpend veranderd. De zogenaamde reële wereld betreedt steeds meer de virtuele wereld en veroverd terrein in het traditionele doolhof van het web. Warenhuizen, banken en andere commerciële bedrijven openen hun deuren en overnamen en faillissementen bepalen het economische klimaat op het web. De van oudsher gekraakte percelen - domeinen - worden langzaam maar zeker ingenomen door financiële giganten. Daarbij gaat het niet alleen om domeinen die de naam van een bedrijf gebruiken, maar ook domeinen die deze naam benaderen.(1)

Vanuit de wetenschap dat de gemiddelde internet-gebruiker regelmatig type fouten begaat, proberen bedrijven een reeks van namen te bemachtigen die lijken op die van hun eigen domein. Zo hopen consumenten toch te vangen óf actievoerders te slim af te zijn. Landje pik heet het in de reële wereld, domeintje pik in de virtuele wereld, maar het principe is hetzelfde.

Eerste bedrijf

Heeft de commercie het internet al volledig veroverd? Nee, nog niet. Nog steeds zijn er overal gekraakte programma's, spelle-tjes, encyclopedieën, gratis muziek en andere spullen te vinden die internetgebruikers aan elkaar doorsturen. Ook komen domeinen in het verweer tegen de macht van het kapitaal. Een van deze domeinen is etoy.com (<http://www.etoy.com>) van een kunstenaarscol-lectief uit Zwitserland.

Op maandag 8 november 1999 diende er aan de rechtbank van de staat Californië

in de Verenigde Staten een rechtszaak van het internetbedrijf eToys.com (<http://www.etoys.com>) tegen etoy.com.

EToys.com, dat haar domeinnaam op 3 november 1997 liet registreren, is een typisch internetbedrijf. Gevestigd in Santa Monica, Californië, 500 werknemers, lage verkoopcijfers, toch een hoge aandelenkoers en een toekomst van het bedrijf die vooral in de komende jaren bepaald gaat worden.

Etoys mocht zichzelf marktleider noemen op het gebied van online verkoop van speelgoed en was het op drie na grootste bedrijf op het internet in e business. De marktwaarde van het bedrijf wordt geschat op 8.41 miljard dollar. Het aandeel eToys werd gepresenteerd op 20 mei 1999 en in korte tijd gestegen tot een bedrag tussen de 60 en de 80 dollar per aandeel.

Een dergelijk bedrijf dat speelgoed verkoopt aan nette gezin-nen zal er alles aan doen om zich zo goed mogelijk te presenteren. Wat daar niet bij helpt is een buurman die de naam etoy.com draagt. Helemaal niet als deze buurman een kunstenaarsgroep is die zich graag de eerste straatbende van de informatie-snelweg noemt. Als deze buurman ook nog eens zeer aanstootgevende en in generlei zin met speelgoed gerelateerde pagina's publiceert, is het des te pijnlijker. Laten we wel wezen. Wie een poging doet eToys te typen zal regelmatig de 's' vergeten en dan

Opmaat

Op 25 augustus 1999 overkwam dit de kleinzoon van een argeloze consument. De kleine jongen typte www.etoys.com en kwam op de eerste pagina van de website van het kunstenaarscollectief waar de bezoeker de mogelijkheid wordt geboden om op de traditionele manier te reizen (alleen html). De kleinzoon klikte op deze knop en kreeg toen vervolgens de zin naar zijn hoofd geslingerd dat etoy niet de traditionele manier ondersteunt, maar dat de bezoeker een flash plugin moet downloaden (... *get the fucking flash plugin!*).⁽²⁾ Grootvader ontstak in woede en liet in een brief aan het bedrijf eToys.com weten nooit meer iets bij hen te kopen.

Twee weken later, op 10 september 1999 klaagde het speelgoed-bedrijf etoy aan voor merknaam misbruik, beschadiging en oneerlijke concurrentie. EToys wist echter in 1997 bij het registreren van haar domeinnaam al van het bestaan van etoy.com dat haar domein op 13 oktober 1995 geregistreerd had. Het speelgoedbedrijf vond het niet noodzakelijk om toen etoy aan te klagen. Wel werden er zeventuizend aandelen en een som van 50 duizend dollars (bij elkaar ongeveer 516 duizend dollar) geboden voor de domeinnaam etoy.com. Het kunstenaarscollectief weigerde dit beleefd.

"Onze gevoelens, onze artistieke integriteit, ons hele zijn is de domeinnaam", stelde woordvoerder Zai van etoy. "Ons project was altijd radicaal, dus is het beter alles te riskeren en te vechten."

Wetgeving

De rechtszaak volgde op de tweede weigering van het kunstenaarscollectief om de 100 duizend dollar die eToys.com nu had geboden aan te nemen en daarmee de zaak onderhands te regelen. Etoy.com is namelijk geen virtuele kraker van domeinen die zijn verkregen domeinnamen duur doorverkoopt.

De kunstenaars van etoy.com hebben de tijd helaas niet mee. Er wordt steeds meer wetgeving geïntroduceerd om het bedrijven makkelijker te maken rechtszaken aan te spannen tegen onwillige actievoerders of anderen die domeinnamen beheren die dicht tegen die van het bedrijf aanliggen.

In november 1999 nam de Amerikaanse Senaat de Satellite Viewers Act aan. De

wet is vooral gericht tegen virtuele hackers en bepaald dat merknaamhouders virtuele krakers voor het gerecht kunnen slepen in het land waar het domein geregistreerd staat. Voor .com, .org en .net is dat de Verenigde Staten.

De Satellite Viewers Act bepaald verder dat merknaamhouders 100 duizend dollar schadevergoeding kunnen eisen van virtuele hackers, mensen die merknamen schenden op het net en zij die consumenten in het ongewisse willen laten wie een website beheert. Het laatste heeft alles te maken met imago beschadegingsacties zoals bijvoorbeeld rond de KLM en Lufthansa. (3)

Tweede bedrijf

Op 29 november 1999 verloor etoy.com dan ook de eerste ronde van het gevecht met het bedrijf eToys.com. Rechter John P. Shook oordeelde in zijn voorlopige uitspraak dat het kunstenaarscollectief etoy, maar ook mogelijke andere gebruikers, de website met de domeinnaam *www.etoy.com* niet meer mochten gebruiken. Tevens oordeelde Shook dat de kunstenaars geen aandelen mogen uitgeven en verkopen in de Verenigde Staten of de merknaam etoy presenteren voordat deze merknaam officieel is geregistreerd. De uitspraak werd vergezeld van een boete van 10 duizend dollar voor elke dag dat de uitspraak niet wordt opgevolgd.

Megan Gray, een advocaat van het advocatenkantoor Baker & Hostetler, gespecialiseerd in Internet recht en intellectueel eigendom, betoogde dat de claim van eToys.com geen stand zou houden. Toch lag er nu een uitspraak die het werk van de kunstenaars van etoy onmogelijk maakte en eToys een gerust gevoel gaf over de komende kerstaankopen van de consumenten. De rechtszaak zou namelijk pas de dag na kerst, 27 december 1999, worden voortgezet.

In een vergelijkbare zaak tussen het adviesbureau Clue Computing Inc. en de speelgoedhandelaar Hasbro werd de laatste in het ongelijk gesteld toen het bedrijf de Url *www.clue.com* opeiste voor haar nieuwe speeltje, een nintendo met de naam clue. Hasbro bezat weliswaar de gedeponeerde merknaam clue, maar moest Clue Computing met rust laten, zo oordeelde de rechter toen het bedrijf *www.clue.com* wilde afpakken. Er was dus nog hoop voor etoy. (4)

Etoy sloot haar site en vervolgde haar juridische strijd met het speelgoedbedrijf eToys onder een IP nummer (*http://146.228.204.72:8080/*).

Prijs

Het kunstenaarscollectief Etoy was in de internetwereld al enige tijd bekend. In 1996 wonnen zij de prestigieuze internetprijs, de Golden Nica, *the Ars Electronica price for best Internet art*. Etoy heeft in het verleden ook al conflicten met bedrijven of instanties gehad in verband met haar internetactiviteiten. Zo publiceerde etoy.com foto's van de bomaanslag op het federale gebouw van Oklahoma City op 19 april 1995 met daarbij de provocerende aanmerking: "*Such work needs a lot of training*". Etoy heeft echter nog nooit een proces aan haar broek gekregen in verband met haar internet activiteiten.

In 1996 werkte etoy aan een succesvol project onder de naam 'digital hijack'. Na onderzoek van zoekmachines op het internet had de groep een methode ontwikkeld om als hoogste in de zoekmachines te eindigen. De groep ontwikkelde vervolgens duizenden pagina's en lokte daarmee niets vermoedende internetgebruikers die informatie zochten over David Bowie, Porsche, Penthouse en andere zaken naar hun website. Ergens op het internet zijn die pagina's nog te vinden en deze werden in de rechtszaak door eToys tegen etoy gebruikt als bewijs dat het kunstenaarscollectief zich schuldig maakte aan onwettig gedrag.

Een ander project van etoy dat later door eToys in het proces werd gebruikt, is de verkoop van aandelen in etoy. Voor woordvoerder Zai van etoy dwingt de verkoop

van aandelen mensen om na te denken over de ongrijpbare en amorfe aard van Internetkunst: "Eén van de vele controversen van Net-kunst is dat er geen origineel is". De aandelen, een "uniek" certificaat van 2 bij 2 voet, bevestigd op een aluminium plaat met een chip met elektronische informatie over de aandeelhouder, werden door eToys aangegrepen om etoy te beschuldigen van het creëren van valse fondsen.

Toywar

De eerste slag in de Toywar was dus voor eToys, maar het speelgoedbedrijf had geen rekening gehouden met de internetgemeenschap. Deze was verontwaardigd over de handelwijze van eToys en tevens zeer verbaasd dat rechter Shook het bedrijf in het gelijk had gesteld. Vlak na de uitspraak werd de Toywar site (<http://www.toywar.com/>) geopend en het beloofde een echte oorlog te worden.

De kunstenaars van etoy hielden bij hoog en bij laag vol dat zij niets te maken hadden met de nieuwe site. Om dit te benadrukken verklaarde Zai tegenover het Duitse internettijdschrift *Telepolis*: "de handen van etoy zijn gebonden, als het gaat om netcampagne technieken".

Etoy richtte zich op de rechtszaak en het vergaren van geld voor het proces middels de verkoop van etoy.shares. Het collectief had tot dat moment al 20 duizend dollar uitgegeven aan het proces en stond aan de rand van faillissement.

Etoys.com had echter nooit verwacht dat zoveel mensen zich zouden aansluiten bij het toyleger en allerlei speeltjes ontwikkelden om het bedrijf langzaam ten gronde te richten.⁽⁵⁾ Tussen 29 november en 12 december 1999, de datum dat RTMark zich in de oorlog mengde, was het aandeel eToys al gezakt van 67 dollar naar 45 dollar. Toeval of niet maar in die periode verkocht een groot aandeelhouder, de Moore Capital Management Inc. haar aandelenpakket eToys ter waarde van 2,5 miljoen dollar.

Computerspel

De eerste slag leek gewonnen, hoewel er in het begin van de Toywar geen duidelijke lijn zat. De RTMark campagne (<http://rtmark.com/etoycampaigns.html>) zorgde echter voor structuur. De Toywar werd geformuleerd als een multi user internet spel waarbij het doel was de NASDAQ-notering van eToys neer te halen.⁽⁶⁾ RTMark woordvoerder Lucha formuleerde het passend met de woorden: "Dit spel is veel interessanter dan welk computerspel dan ook, omdat je een slechterik uit de werkelijke wereld moet bevechten".

RTMark is een soort persiflage op een transnationale onderneming met als product 'sabotage'. De aandelen die je van RTMark koopt vormen een investering in mogelijke acties die mensen bij allerlei fondsen hebben aangemeld. Op internet staan de acties vermeld die bij die fondsen aangemeld zijn, met het investeringsbedrag dat nodig is voor de uitvoering van de actie. Investereerders kunnen zich aandienen en vervolgens is daar de website voteauction.com waar voor de Amerikaanse verkiezingen stemmen konden worden geveild. Ook het Barbie Liberation Front is zo tot stand gekomen. RTMark is in zekere zin een tussenpersoon tussen de geldschieters en de actievoerders. Daarnaast doet RTMark vooral het persbeleid voor de acties.

De RTMark campagne was betrekkelijk eenvoudig van opzet. Er werd een etoy fonds opgezet waar allerlei mogelijke acties en ideeën werden samengebracht waardoor iedereen kon bijdragen in de productie of in het gebruik. Er was voor iedereen iets te vinden, iets individueels, iets collectiefs, iets eenvoudigs, iets complex, iets onschuldigs, iets niet onschuldigs en ga zo maar door. Daarnaast was er een pagina met actuele informatie over de financiële situatie van eToys en een pagina met links naar een groot aantal andere pagina's die opriepen om de eToys servers te verstoren.

Woordvoerder Lucha van RTMark verwoordde het uitgangspunt van de campagne als volgt: "waarom zou de mondiale cultuur gedomineerd moeten worden door de zakenwereld? Het internet is het speelveld dat de mogelijkheid heeft een wereldwijd machtsevenwicht te creëren welke op dit moment niet bestaat".

Etoyssucks

Als eerste deel van het virtuele spel moesten vanaf tien dagen voor kerst de servers van eToys op allerlei manieren volledig lam worden gelegd. Naast RTMark mengden zich dan ook anderen in de strijd.

Op een protest site was een anti eToys videospel te vinden waarbij tien bewapende stoere mannen in eToys t shirts tot bloedens toe moesten worden gedood. Bands als Negativland doneerden MP3s voor de campagne tegen eToys. Een groep hackers ontwikkelde een *'action entertainment product'*, waarmee een internet gebruiker direct eToys.com kon aanvallen.

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Vervolgens gebeurde er niets en het was duidelijk dat het bedrijf de gemoederen wilde sussen. Hierop riepen RTMark en Toywar op tot de tweede en finale slag in de Toywar. RTMark riep op om het aandeel verder naar beneden te halen en Toywar formeerde een *'toy army'* met 1400 activisten die operaties op commando wilden uitvoeren.

Het aandeel eToys stortte in en zakte onder de waarde van uitgifte. Na 81 dagen Toywar gaf het bedrijf het domein *www.etoy.com* terug aan de wettige eigenaars, trok het de aanklacht in en betaalde de proces- en advocaatkosten van etoy.

Naar schatting tweeduizend toy-soldaten hebben tussen november 1999 en februari 2000 aan de Toywar meegedaan. Er werden meer dan 250 Toywar soldaten sites gebouwd en binnen twee maanden daalde het aandeel van toys Inc. dramatisch van 67 dollar op de dag van de aanvang van de Toywar tot 15 dollar op de dag dat het bedrijf volledig door de knieën ging. De schade voor het bedrijf wordt geraamd op 4.5 miljard dollar.

Joichi Ito, een manager uit Japan, die in 1997 door *Time magazine* tot de cyberelite werd gerekend, zei met betrekking tot de Toywar dat het bij het internet niet om het kapitalisme en geld gaat maar "om mensen die doen wat ze willen doen".

Rick van Amersfoort

Noten

- 1. Het domein is het gedeelte achter de @ in je e-mail adres en is meestal de naam van de computer/provider waarop iemand werkt.*
- 2. Een flash plugin is een programma waarmee je internetpagina's die in flash, een edit programma, zijn gemaakt, kunt bekijken.*
- 3. Zie <http://www.xs4all.nl/~ac/klm> en http://www.depor-tation_alliance.com/class/news.html*
- 4. Zie voor vergelijkbare zaken in het verleden en het heden RTMark: <http://rtmark.com/netabuse.html>.*

5. Op de Toywar site is een tijdbalk <http://www.toywar.com/timeline.html> te vinden met de belangrijkste data. De Toywar radio was de dorpsomroeper die de internetgemeenschap op de hoogte hield van de ontwikkelingen. De fanclub van etoy is te vinden onder <http://fanclub.etoy.c3.hu:8080/>

6. De NASDAQ is een technologiefonds notering aan de Amerikaanse beurs.

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The activity on both sites was described as voluntary and involved no contract or exchange of money.

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Under federal law, buying and selling votes is punishable by up to five years in prison, \$10,000 in fines or both.

However, a Massachusetts judge on Monday temporarily halted an Austrian Web site owner from buying or selling votes in the U.S. presidential election.

Suffolk Superior Court Judge Maria Lopez granted an injunction against "the people operating this Web site and anybody else" who attempted to operate the site or sell their vote. Hans Bernhard of Vienna, Austria, who was identified as owning the site, had no representative at the hearing.

Prosecutors told Lopez that as of Monday morning 1,116 state voters had registered with the site that was offering a total of \$13,000 for their votes.

The order meant Massachusetts joined Illinois, California and Nebraska in trying to shut down the Web site.

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Bernhard could not be reached for comment.

The [Associated Press](#) & [Reuters](#) contributed to this report.

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SH04‚É‚æŠ‚!‚é‚Ă‚ĂŽè‚à‚‚é‚©•B

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noise@sawadaspecial.com

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With special care when you think the *ftf* it introduced, Nifty which is the main [server because](#) of maintenance, renewal did not become way. Angry hmm.

Upper ,Ð -.

From present afternoon [becoming](#) the *ftf*, is.

Modification procedure it does in the provider forgetting, the ,Ä, not being able to connect, you were hasty, is.

The , -, with this the news it can renew to noon Japan and China from the *fRf*, don't you think? it is is. Ukekekeke!

- Perhaps, whether, a how from ,¹ this it becomes faster CATV, however it is is, don't you think?!

The 64kbps how you obtain slowly and are slow obtaining! Don't you think? the ,Ä you say, or in the speed aspect were not impressed at all. It is the case that it is the opportunity how plate which nowadays experiences a faster environment and.

Oh, but how much it is slow with say, it keeps connecting as for ,Á ,Ä it is good. Keeps connecting ,Á ,Ä feeling is good. Keeps connecting ,Á ,Ä is warm, there is a sense of relief, body temperature is felt.

When story goes to strange direction with, how without report end.

*f*sf"fof|[f"fo and pin fo pawn fo, fE•[f]•[f,•[f" •ô

f%ofCfffw•[fC, f%ofCff|[f€ and fJf"f_fj|[f" •ô

It is the ,Ó -, it is cartridge viewing. High. It keeps connecting. , as for , , .

Note

* **J- phone Tokai, " J-SH05 " of folding type and " J-N03 " (k tie Watch)**

* **The official contents of all colors finally break 400 contents concerning the official contents of the J-sky November first half! Is, so. fnfA. Such a fVf‡f{ it is and so distantly it is the thinking which is meaning in the color of 256 colors or, as for everyone of the J-PHONE staff. [Contents details: [Annex 1 annex 2 annex 3 annex 4 annex 5](#)]**

* **NFL official sight establishment official information of the NFL in the J- sky concerning, the J - the sky monopoly offer! So, " downloading the logograph of the NFL each team, it can set the main contents to the expecting picture of the portable telephone. " " Information offer of the up-to-date game result and up-to-date news et cetera " and " introduction of all the 31 teams " is, so. Obtaining - with, the football ,Á ,Ä to be good the ,í can well it does the webmaster. How good kana, with. Well, such a thing it does not have to be. As expected the J-PHONE! If we want NFL information, don't you think? carrying is the rule with the J-PHONE! J-PHONE hurray! The J-PHONE highest! [Related article: [In J- sky NFL official sight opening](#) (k tie Watch)]**

* **Business * solution program " JCSP " start industry beginning! It is release, so it does, the development support program in the WEB but. In the webmaster meaning of the word, " business * solution " being the fCf}fCf" precisely not to be able to grasp, it is the new business which it is unable to comment at all. The solution ,Á ,Ä it is the solution and namely " the solution " " the solution method " ,Á ,Ä in sense but. The ,Ü - in a word ", when you used as Japanese " something with word ,Á ,Ä thing of lie smells. In regard to this case how it is good, is. High and the next. [Related article: [J- phone, for enterprise support program of solution offer trader](#) (k tie Watch)]**

* **Concerning the start of request of sky melody request in the home page of the J- phone with entire country acceptance start! [Related article: [J- phone, request acceptance of sky melody start](#) (k tie Watch)]**

* **Mitsubishi entire research, for carrying test use of intramural information service start (k tie Watch) [[Mitsubishi entire research news release](#)]**

* **The new service which can search the portable sight with information seeking and the mail** (the k tie Watch) inputting keyword of the information which we would like to know into the text of the mail, when it transmits to the kensaku@m.infoseek.co.jp, the searching result it replies as a mail, so is. In this searching service and the J-Sky do not correspond, so. The corresponding type temporarily is the EZweb and the i-mode, so. With being the case that it is said, for the time being how it is good, is.

* **Casio, casual fffWfJf• " LV-10 " approximately of 10000 Yen** (the k tie Watch) and the digital turtle ,Á ,Ä of such convenient price of the ,Á ,Ï it is good with the weight 120g, don't you think?. You probably will buy? But, if the fRfœ you buy, [whether](#) the J-SH04 it does also the air which is said and.

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The ,Û, such [mono](#) adhering forever, it is helpless, it is with. News renewal reopening.

Note

* **The Japanese Telecom " J-STYLE ", the J- sky contents transmission** (the k tie Watch) with the L-mode opposite disagreeing with for the PC, it is thing? As for fRfœ.

* **As for the J-PHONE and 16 chord + sampling sound audition** corner webmaster arrival sound with type something which is used with while it is normal electronic sound. Extremely, how it is good, is. Well, when rashly it is strange arrival sound, it is shy it is with hobby exposure.

- The J-T04 which presently is [in the midst of](#) using corresponding 16 chords or. It is -, as for sampling sound, however you are attracted well enough, well. War movie " captain! It is urgent entrance electricity! When it designates that " we would like to see, are as arrival sound of the mail, parenthesis I I... the ,Á ,Ä, it probably is to call such hobby exposure. [Related article: [J- phone east Japan, on home page experience corner](#) (k tie Watch)] of 16 chords

* **The mail and the web of the J- sky, morning of 10/28 o'clock of 9 around 15 minutes - morning o'clock of 11 there was an obstacle, in** around 50 minutes, so is.

It is -? The ,Á , - which is? The webmaster message being not to feel, how is good, is. - You forgot the thing of such former times.

* **The k tie Watch, news access of last week (2000/10/23 - 10/29)** (the k tie Watch) news to access several superior 15 ranks are reported, but we as for J-PHONE-RELATED news in 15 cases barely one case, " [at the J- phone northeast * Niigata area on November 16th just the news,](#) " J-PE03s " sale ". The body cod ,-, that 12 rank in 15 rank.

And it probably is ,Á ,Ï J-PHONE ,Á ,Ä useless what? It probably is minor what? It probably is rubbish what? It probably is kudzu what? There is no value which uses it is probably will be? Having, even personality of the ,é person, it probably is portable telephone kind of what which is doubted? The TVCM to strike it probably is what too much in the habit which either great share is not? Fujiwara period fragrance buying, antipathy the ,é it is probably will be? The webmaster message Fujiwara period fragrance is not accustomed to the favorite, is. The ,° which will be replaced to another person. Kato brown. Kato. If the personal computer you do, it probably will go to the fAfrfo. If that useless Asano loyal trust. That it is, already Fujiwara period fragrance the strange woman of the K-1 f}fj., which is said it is useless what. If times you mention the color printer with the color printer, if there is love at Xerox, you say it is possible to be that, mono is not, it is is. With lie to look at actuality sweetly with deception that it can keep with just love living how, because the ,ç ,á it is not good, the ,° which will appoint Asano loyal trust to the cm of J-PHONE. Don't you think? well, J-PHONE Tokyo. Being appointed at other area, the thing which the webmaster sees it not being possible, being to be trivial. It was the webmaster of the Asano loyal trust fan with the Kato brown fan.

If [addition] it is from laughing direction, with the super great man rather, it is dense dearly or and per master what whether to be, the ,µ,ê,Û,¹,ñ. With favorite something. The all Osaka and Kobe giant many lintels to be, the ,µ,ê,Û,¹,ñ. Or freely using the CG, to come easily, revival. When that it is, not only Kato brown, making also Arai note revive, adding also will village, the fhfšft the image character. The being disgusted ,á which is useless. It fell highly and cleanly. - Don't you think? the anchor and, you age recently and truly it is with increase densely.

*** If 75% input & the picture of the portable user it is improved, information utilization it increases,** (the internet.com) certainly. But most, fee lower temporarily from that. That low level that price is the *fIfWfTf“frfbfNfŠ* with service.

*** " As for the possibility of President Nokia portable telephone infinity " * World Council of Management (NIKKEI)** certainly. Whether it stops taking the shape, " portable telephone " in the future, the ,μ,ê,Û,¹,ñ, as for the portable communication equipment for the individual mono is already becoming general consist of.

*** Mobile radio telephone utilization ratio of the individual, in 1 year 10 point increases * Nomura entire research you inspect (NIKKEI)** perhaps, packet generation influences largely and reaches it is probably will be. Perhaps.

*** In the area whose, portable radio wave such as Furukawa electricity is weak laser radio communication (the NIKKEI)** the ,Ó - is, technical thing however it is not understood well, in any case becomes convenient, if is, it is possible to be that.

*** For the portable telephone solar array development * m * s technology (the NIKKEI)** in carrying the sunlight it is discovered near future there here the spectacle which you bathe, it becomes, it is probably will be?

*** Kyocera, by carrying peripheral device expansion * portable telephone picture exchanging (NIKKEI)**

*** Hitachi, for MPEG4 correspondence carrying picture quality improvement of animated picture image (NIKKEI)**

*** Sale of portable subsidiary company, major communication of border phone and negotiation * Ireland (NIKKEI)**

*** Start of new service " Broadband@nifty " offer of broadband * Internet age [related article: [Nifty and broadband for contents transmission service](#) (internet.com)]**

*** Supervision functional separation of EU and the United States and communication request (NIKKEI)**

*** Information of the December rewriting start software of the Nintendo POWER** as for the outstanding work the combining where is [just](#) the *f•f^f<fXfƉfCf_•[fOf••[fŠ•[fffbfƉfNf^•[fyfJfbfg* of the new work. Obtaining - with, just this ,Á ,Ä cNp edition? When with you think!

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[i](#) NTT“CE¼•ACEÁ'è“d~bCEü,~flfbfg•Ú'±fT•[frfX(NIKKEI)•@ [“CE“ú- [•A¼“ú- []

[i](#) NTTfhfRf,‘ã•X-Øfrf<•v•H(NTTfhfRf,)•@ , ,Ì'nŽ-ffJfC,Æ,ñ,^,èfrf<•A,æ,¤,â,-Š®•¬,Á,µ,½•B•HŽ-,Í'«Š|,-%½'N•H,Â•[•©•A,©,È,èffJfC,Á,•B•æ•T_<{...•è,ð•o,½, ,½,è,©,ç,Á,à,à,Ì,.,²,-fnfbfLfŠŽ'F•o—^,Ü,µ,½,Ì,Á•Bi-modefrf<•B

[i](#) yPC EXPO•zfJfVfi•A2001”N,Éf•f“f_•[fXf“fJf%•[•,Æ,Â,È,^,éfŠfXfgfJf•f%•(fP•[f^fCWatch)•@

[i](#) yPC EXPO•zPalm,ÆfP•[f^fC,ÅfAfhfCEfX,ð,â,è,Æ,è•uIrGEAR for KEITAI•v(fP•[f^fCWatch)•@

[i](#) yPC EXPO•zfmfLfa,Ìf%of“fhfXfgf••[f€Ž••Af,fofCf<fRf)•[fX,É'—Í(fP•[f^fCWatch)•@

[i](#) yWPC EXPO•zŽÊ•^ŽB%oe,â%•Šyf_fEf“f••[fh,Á,«,éPHS(NIKKEI)•@

[i](#) Java,İŽÿ,È,éŠJ'ñ'n,ÍŽ©“®ŽÔ(CNET)•@

[i](#) wfOfk•[fef%•x,İŠJ'—,^“i•q(•ã)(WIRED)•@

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せっかくフレッツ導入したと思ったら、メインサーバである[ニフティがメンテナンス](#)の為、更新がままなりませんでした。カッパン。

うえひー。

今日の午後から[フレッツ](#)になりましたですよ。

プロバイダに変更手続きするのとか忘れてて、接続できなくて焦ったですよ。

あー、これでコレからは昼日中にnews更新できるんですね。ukekekekeke!!

つーか、どうせこれからもっと速いCATVになるかもしれないんですけどね!!

64kbpsなんて遅えよ遅え! ていうか、速度的な面では全然感動しませんでしたね。今時もっと速い環境を体験する機会なんてザラにあるわけですし。

いやあ、しかしいくら遅いとは言え、繋ぎっぱなしってのはいいなあ。繋ぎっぱなしってのは気持ちいいよな。繋ぎっぱなしってのは暖かいよな安心感があるよな体温を感じるよな。

と、なんとなく妙な方向に話が行った辺りで報告終わり。

ピングポーン、ピングポーン、ウーマーヤーン

ライデヘーイ、ライデポーム、カンダニーン

んふー、たまらんです。ハイ。繋ぎっぱなし。はあはあはあ。

note

[__](#) J-フォン東海、折りたたみ型の「J-SH05」と「J-N03」(ケータイWatch)

[__](#) J-スカイ11月前半のオフィシャルコンテンツについて **全てカラーのオフィシャルコンテンツがついに400コンテンツを突破!** だそうです。ハア。あんなショボい256色のカラーにそんなに意味があるとお思いなんですか、J-PHONEスタッフの皆様は。[コンテンツ詳細: [別紙1](#)、[別紙2](#)、[別紙3](#)、[別紙4](#)、[別紙5](#)]

[__](#) J-スカイでのNFL公式サイト開設について **NFLの公式情報をJ-スカイが独占提供!**

で、主なコンテンツは「NFL各チームのロゴをダウンロードして、携帯電話の待ち受け画面に設定できる。」、「最新ゲーム結果、最新ニュースなどの情報提供」、「全31チームの紹介」だそうです。えーと、webmasterはフットボールってよくわかんねえし。どうでもいいかな、と。いや、そんなコトを言うてはいけないな。流石はJ-PHONE! NFL情報が欲しいなら携帯はJ-PHONEで決まりだね! J-PHONE万歳! J-PHONE最高! [関連記事: [J-スカイでNFL公式サイトがオープン](#)(ケータイWatch)]

[__](#) ビジネス・ソリューションプログラム「JCSP」開始 **業界初! WEBにおける開発支援プログラムを公開** だそうです。webmasterには「ビジネス・ソリューション」という言葉の意味

がイマイチ的確に掴めないのになんともコメントしかねる新事業です。ソリューションってな solutionであり即ち「解決」とか「解決法」ってな意味なんです。まー要するに「日本語として使った場合は」なんか嘘臭い類の言葉ってコトで。本件に関してはどうでもいいです。ハイ、次。[関連記事：[J-フォン、企業向けソリューション提供業者のサポートプログラム](#)(ケータイWatch)]

__スカイメロディのリクエスト開始について [J-フォンのホームページでのリクエストを全国で受付開始!](#) [関連記事：[J-フォン、スカイメロディのリクエスト受付を開始](#)(ケータイWatch)]

__三菱総研、携帯向け学内情報サービスの試験運用を開始(ケータイWatch) [[三菱総研ニュースリリース](#)]

__インフォseek、メールで携帯サイトが検索できる新サービス(ケータイWatch) 知りたい情報のキーワードをメールの本文に入力して、kensaku@m.infoseek.co.jpに送信すると、検索結果がメールとして返信されるそうです。が、この検索サービス、J-Skyには対応してないそうで。対応機種はとりあえずEZwebとi-modeだそうで。というわけで、当面どうでもいいです。

__カシオ、重量120gで1万円前後のお気軽デジカメ「LV-10」(ケータイWatch) やっぱこういうお手頃価格のデジカメっていいよね。買おうか。しかし、コレ買うなら[J-SH04](#)かという気もするし。

001030.mon

ま、いつまでも[こんなモノ](#)にこだわっていても仕方ないんで。news更新再開。

note

__日本テレコム「J-STYLE」、J-スカイコンテンツをPC向けに配信(ケータイWatch) L-modeとやらに対抗ってコトですか。コレは。

__J-PHONE、16和音+サンプリングサウンド試聴コーナー webmasterは着信音とかは普通の電子音のままで使うタイプなんで。割とどうでもいいです。いや、なまじ変な着信音だと趣味丸出しで恥ずかしいじゃんよ。

つーか、現在使用中の[J-T04](#)じゃ16和音とか対応してないし。んー、サンプリングサウンドは結構惹かれますけどねえ。戦争映画とかの「大尉! 緊急入電です!」みたいなのをメールの着信音にしたりしたらカッコイイ...って、そういうのを趣味丸出しと言うのでしょうか。[関連記事:[J-フォン東日本、ホームページ上に16和音の体験コーナー](#)(ケータイWatch)]

__J-スカイのmailとweb、10/28の午前9時15分頃~午前11時50分頃に障害 が、あったそうです。

んー? あったっけ? webmasterはあんま感じなかったのどうでもいいです。つーか、そんな昔のコトは忘れました。

__ケータイWatch、先週のニュースアクセス(2000/10/23~10/29)(ケータイWatch) アクセス数上位15位までのニュースをレポートしていますが、我々がJ-PHONE関連ニュースは15件中わずかに一件、「[J-フォン東北・新潟エリアで11月16日に「J-PE03s」発売](#)」というニュースだけ。それも15位中12位という体たらく。

やっぱJ-PHONEってダメなんですか。マイナーなんですか。ゴミなんですか。クズなんですか。使う価値無いんでしょうか。持ってる奴の人格すら疑われてしまうような携帯電話なんですか。大したシェアも無い癖にTVCM打ち過ぎなんですか。藤原紀香が反感買ってるんでしょうか。webmasterもあんま藤原紀香は好きになれないです。別の奴に代えようぜ。加藤茶とか。加藤。パソコンやるならアビバに行こう。それがダメなら浅野忠信とか。それだよ、もう藤原紀香とかいうK-1マニヤの変な女じゃダメなんだ。時代はカラープリンタでカラープリンタと言えればゼロックスで愛があればそれでいいというモノではないんだ。愛だけで生きていけるなんてのは嘘でまやかして現実を甘く見ちゃいけないので、浅野忠信をJ-PHONEのCMに起用しようぜ。ああ、J-PHONE東京ね。他の地域で起用されてもwebmasterが見るコト出来なくてつまらないので。加藤茶ファンで浅野忠信ファンのwebmasterでした。

[追加]お笑い方面からというコトであれば、いっそ超大物というコトで、いとしいし師匠あたりなんかいいかもしれませんな。好きなんで。オール阪神巨人なんかもいいかもしれませんな。もしくはCGを駆使してやすきよ復活とか。それだったら加藤茶だけでなく、荒井注も復活させて、志村も加えてドリフがイメージキャラクターとか。ダメだこりゃ。ハイ、綺麗に落ちました。つーか、いかりや、最近本当に老けこんでますね。

__携帯利用者の75%入力&画面改善されれば情報利用増やす(internet.com) 確かに。しかしとりあえずそれよりなにより、料金下げろよ。あの低レベルなサービスであの値段とはオジサンビックリだ。

__ノキア社長「携帯電話の可能性は無限」・世界経営者会議(NIKKEI) 確かに。将来的には「携帯電話」という形をとらなくなるかもしれませんが、もはや個人用の携帯通信機器は一般的なモノになりつつありますからな。

__個人の移動電話利用割合、1年で10ポイント増・野村総研調べ(NIKKEI) 多分、パケット代が大きく影響していたりするんでしょうな。多分。

__古河電など、携帯電波の弱い地域にレーザー無線通信(NIKKEI) ふーん、技術的なコトはよくわからないけど、とにかく便利になるならばそれでいいよ。

__携帯電話向け太陽電池開発・エム・エステクノロジー(NIKKEI) 携帯に日光浴させる光景が近い未来そこここで見受けられる、とかなるんでしょうか。

__京セラ、携帯周辺機器拡充・携帯電話で画像やりとり(NIKKEI)

__日立、MPEG4対応携帯向け動画の画質向上(NIKKEI)

__携帯子会社の売却、ボーダフォンと交渉・アイルランドの大手通信(NIKKEI)

__ブロードバンド・インターネット時代の新サービス「Broadband@nifty」提供開始 [関連記事:[ニフティ、ブロードバンド向けコンテンツ配信サービス](#)(internet.com)]

__EUと米国、通信の監督機能分離を要求(NIKKEI)

__Nintendo Powerの12月書き換え開始ソフトの情報 めぼしい作品は新作の[メタルスレイダーグロリーディレクターズカット](#)だけですかね。えーと、これってNP版だけ?と思ったら!ちゃんと[プリライト版](#)もあるようです。しかも、NPのお約束「値の張るプリライト版のほうがNP版より数日先にリリース」もしっかり。プリライト版引渡し日は11/29、\5780。NP版書き換え開始は12/1、\2000。\3780余分に払えば、二日早く遊べるわけです。

で、そのプリライト版は予約受け付け期間が10/1-10/31。って、明日までじゃん。欲しい人はとっととローソンへGO!プリライト版は特典として「特製ポストカード5枚付き」だそうです。まー、いわゆる「ファンなら買い」って奴でしょう。プリライト版は例によって数量限定らしいので、その内秋葉の中古屋とかで、微妙な高値をつけられて販売する光景をみかけるでしょうな。webmasterは特別ファンじゃないのでどうでもいいです。明日までにローソン行くなんてかったるいし。

__任天堂、ゲームボーイ25%増産・年末商戦控え(NIKKEI)

__ドリームキャスト用周辺機器「メモリーカード4X(フォーエックス)」新発売のお知らせ
12/14発売、\4800。

従来のVMの4倍の容量で云々・・・と言うコトですが、ネクサスとか買った方がいいんじゃないかと思えます。メリットは「純正品」というコトだけですね。きっと、サードパーティ製のストレージよりムキャストの親和性が高いですよ。いやあ、すごいメリットだなあ。値段が高いのなんか全然関係無いね。欲しいよ、欲しい。

すいません、嘘つきました。心が痛いです。こんなヘタレたストレージ、欲しくもなんともないです。

__セガ、矢口事業所の閉鎖ならびに希望退職募集について

__セガの今期連結、赤字200億円・ゲーム機値下げ響く(NIKKEI)

__新社名「セガ」、11月1日から正式に採用(ZDNet) なんでもいいからさっさと[VF-X](#)出せや。あと、ムキャ版FV2。

__懐かしの喫茶店ゲーム機の興奮をふたたび(WIRED) ポン製作者であるノーラン・ブッシュネル氏がなんか作ったそうで。要するにシステム基板込みのアーケード用筐体作ったってコトでしようかね?

なんでもいいからガントレットをアップライト筐体込みで欲しいなあ。欲しいなあ。

[AOL対MSN、新『ブラウザ大戦争』勃発か\(上\)\(WIRED\)](#) AOL対MSNエクスペローラ
じゃあなんか燃えないなあ。やっぱ「ネスケ対なにか」でなきゃ。

[ドイツに移った「票のオークション」サイト\(WIRED\)](#) ドイツにドメインを移して、メリケン国内からの法的追求を避けるつもりようです。なんかしらんが頑張れvote-auction.com。
ところでこのvote-auction.comサイトのアドレスどなたかご存知ありませんか。最後を<http://voteauction.de/>とかしてみたんですけど、どうも関係ないサイトっぽいし。見つかりません。

[神棚用の櫛をネット販売・ケイフローリスト\(NIKKEI\)](#) あの、櫛ってそんなに需要があるモンなんですか。うーん、そんなに需要がないからこそ、店舗を構える必要のないオンライン販売にしてみた、と言う理由も考えられますが。まーなんにせよ面白い時代ですね。

001029.sun

主よ、今日も迷える子羊に安息を与えて下さりありがとうございます。

[このような暴力的かつ全能たるあなたを恐れぬ内容のゲーム](#)が私めの周辺に出現するコトなき
ようにとのお取り計らい、感謝の念をあなたに捧げずにはおられません。

[あのようなふざけたゴンポリムビーゲー](#)は近々あなたの教えを伝え、そしてその最も忠実な
僕である法王様が閲覧禁止の旨を全世界に向けて発せられる筈ですが、それまではあなたの比
類なきお力で悪しき存在が私めに近付かぬようにお守り下さい。

ああ、今日は安息日でしたね。

あなたの教えどおり、一切の仕事をを行わず、一日をすべてあなたへの祈りに捧げます。
ですので、当然news更新はありません。

001028.sat

webmasterは本日も[バンダイ社製のたわけたデジタルコンテンツパッケージ](#)を入手するコト
能ず。

「リアルタイムあべしシステム」などとイカしたセンスで消費者の購買意欲を煽っておきなが
ら、十全足る生産及び販売体制を整えるコトなく当該製品の販売に踏み切った[バンダイ社](#)の営
業方針には怒りを覚える。社会正義に悖る怠惰な行為は許されるものではない。

[バンダイ社](#)に猛省を求めるとともに、消費者の要望への早急なる対応を求める。

なお、抗議の意思の表れとして、本日も当webページのnews更新を休止させて頂く。

001027.fri

なんか今日はアクセスが多くて「おかしいな？まさか[買ってもない北斗の拳](#)の影響でもある
まい」とか思ってレファを見てみたら。

[この下司野郎](#)の仕業でした。

わざわざトップでさらしてんじゃねえ！

お陰でアクセスが100ばかり増えておりますが、うぬら下司めらにはこの帝王の気持ちはわか
らぬわ！

退かぬ！媚びぬ！顧みぬのだ！

誰かwebmasterに愛を。

愛なくしては夢想転生はまといぬ故。

つーか、こうなったら手に入れるまで死んでもnews更新するか畜生。

あ、ジャギ様胸像応募権を入手できる初回生産分限定ね。まあ、まだ第二ロット？なんてないだろうけど。

001026.thu

[北斗の拳 世紀末救世主伝説](#)を買い損ねたので気分を損ねました。

買えるまで、しばらく更新をお休みさせていただきます。(割と嘘)

001025.wed

note

__J-フォン東北・新潟エリアで11月16日に「J-PE03s」発売(ケータイWatch) じぇいぴーえーぜろすりー...えす？Sってなんじゃらホイ？「答え：普通のJ-PE03からJ-Skyステーション機能を省いたもの」ハイ？ていうか、J-PE03とかの売りって、「J-Skyステーション機能搭載の新機種！」じゃなかったの？

どうやら東北地区では、ステーションサービスの開始が来春開始予定とかいうコトで、要は「まだステーション機能いらねえし」というコトだったようです。

へ～、こんなところにも地域色ってな出るモンなんですねえ。そいでもって、東北新潟エリアでは来春までに「ステーション機能にわざわざ非対応モデル」が続々と販売されるようです。携帯の筐体マニア泣かせの代物...なんですかね。多分そうだろう。

なお、J-フォン東日本 東北支社によると、ステーションのサービス開始後にJ-PE03sなどをステーション機能に対応させるアップグレードサービスの予定は今のところないという。だつてさ。ひっでえ話！怒れ、東北地域J-PHONEユーザ。大体J-SkyWebの公式サイトって東京に情報片寄り過ぎだつての。そらま、人口の1割以上が東京圏内に住んでるなら仕方ないコトなのかも知らんですが。それじゃ、webの意味がねえよ。

__イソラ、携帯電話にメールで地域限定チラシ広告(NIKKEI)

__大ガスと和泉電、動画像などPHSで同時双方向通信できるシステム(NIKKEI)

__ロイター・ジャパン、携帯電話向けに金融情報配信(NIKKEI)

__伊政府、携帯電話事業入札やり直し断念(NIKKEI)

__伊次世代携帯、英BT系が入札脱落・政府期待外れ(NIKKEI)

__ドコモ、料金割引を改定。パケット料金を無料通話分に含める(ケータイWatch) つーか、パケット代そのものを安くするコトの方が先決じゃないの？ドコモがボヤボヤしているうちにそれをやってアドバンテージを稼ぐんだJ-PHONE！なんだったらEZwebでもいいぞ！とにかくNTTは気に入らねえ！

__政府は「IT革命」よりも「通信料値下げ」を(internet.com) そうですねえ。確かに。それと、webmasterとしてはやっぱ現在の携帯電話の通話料(含むパケット代)ってかなり法外だと思っんですよ。それを何とかして欲しいですねえ。モリヨシローさん。無理だろうけど。今日も夜まで国会でなんかやりましたねえ。

__通信、独占企業に新規制・郵政省方針NTTコムなど対象(NIKKEI) ペッ！ザマーミロNTT！つーか、もっと強く締め付けるや！そりゃ無理か！なんつっても天下り先だモンなあ！guhehe!!

__放送された音楽を瞬時に検索・NTTコム(NIKKEI) へー、NTTコミュニケーションって、NTTコムって略すんですね。知らなかった。NTT関連はなんでもかんでも気に食わないwebmasterですが、しばらく前にやっていた山下達郎のBGMで、稲森いずみ？が出てるあのCMは好きでしたねえ。で、この話に特にオチはありません。

__NTT東西、ISDN利用など新セット割引導入(NIKKEI) 「ISDNとかが安くなるんかね？」とか思った僕が馬鹿でした。すっげーどうでもいい、NTT様の新商品です。

__サーバー内のポルノ画像を検出する新フィルター(CNET)

__「罪と罰 地球の継承者」公式サイト 11/21発売。N64用ソフト。予価\6800。製作がトレジャーなので、またひねくれたようなアクションゲームなのでしょう。楽しみ。ところで主人公の名前はやっぱりラスコーリニコフだったりするのでしょうか。そりゃないか。

001024.tue

note

__無料グループウェアサービス「ケースケ」がJ-スカイに対応(ケータイWatch) 「ケースケ」は、携帯電話だけでグループが形成でき、伝言版・スケジューラー・行先案内板などのグループウェア機能が利用できるサービスで、PCからの利用も可能。J-スカイ版のサービス開始により、iモード・J-スカイ・PC間でデータの共有が可能となった。というコトで、PCとi-modeとJ-Skyでアーキテクチャを超えて利用可能ならば結構実用性は高そうですね。「今日の飲み会の集合場所の告知に」「大事な会議に遅れそうな時に」みたいな感じがあ？いやあ、便利便利。

__オフィスノア、リアルタイム動画を携帯電話に配信するシステム(ケータイWatch)

__テレビ朝日、携帯向けサイトをリニューアルして有料化(ケータイWatch) テレビ朝日は、現在iモード・J-スカイ向けに無料で提供しているサイトを「テレ朝 com・plete」として、月額280円の有料サービスでリニューアルオープンするそう。J-Sky版のサービス開始が11/1から。i-modeは11/6、EZwebではauが11/7、ツーカーが11/2だそうです。

従来の無料サイトは、J-Skyとi-mode用のみは並列して存続だそうですが、EZweb版は有料サイトのみになるそうです。えー、多分廃れますね。有料版だけだと。こういうのは無料だから客がくるんだってばさ。

__米国ではiモードは流行らない?(WIRED) 日本語読めないし、第一NTTがないしねえ。違うか。

確かに、あの太くて早い回線を常時接続で、デカくて綺麗なディスプレイを悠々と使っているメリケン国の方々には携帯電話みたいな遅くて小さいモノは我慢出来ないでしょうな。「太くて早い」VS「遅くて小さい」。うーん、後者の方がテクニシャンって感じですか？いや、別になんとなくフとそんなコト思っただけで発言に特に含みなどは一切ありませんが。テクニシャンの方がいいよね。でも、結局最後は愛か？愛だろ、愛。とかいうTVCMもあったしなあ。

で、なんの話でしたっけ？

ああそうそう、何故メリケン国でi-modeが流行らないか、とかいうテーマでしたっけ。米国人は携帯電話でフルモーション映像を観ることに興味がないからだ。だそう。つーか、webmasterもそういうのには興味ないですが、その前に現在のi-modeだとまだそんなコト出来てねえよ、っていうか。近々出来るようになってもやっぱり別に観たくないですがね。大体僕は携帯でwebみるコトすら嫌なのに(お金がかかるから)、そんなタリイコト誰がやるかっての。

__携帯電話やPDAがジュエリーに(WIRED) 携帯機能付きのイヤリング、PDA機能の付いた時計、MP3プレイヤーのタイピン、とか**作っちゃった**らしいです。IBMが。

webmasterは最初この記事のタイトルを見た時に「携帯ががアクセサリか。そうだなー、時計なんて機能より見た目優先で選んでる人はいっぱいいるしな。携帯ももうそこまでこなれた使われ方するレベルにまで来てるのかな」とか思ったんですが、どうやらIBMの連中はwebmasterより一枚上手だったようです。つーか、多分そういうスパイクグッズみたいのはあんまり流行らないから安心して部門を縮小した方がいいと思うよ>IBM

とか言ったら、もしかして流行ったりしてな。それならそれで愉快的な世の中ですが。つーか、webmasterはあんまアクセサリとかつけない人なんでどうでもいいですが。人からシルバーとか貰ってもつけねえし。

__ギガフロップス、携帯サイトの人気ランキングをメールで毎日配信(ケータイWatch)

__MTI、iモードコンテンツをEZweb向けに自動変換するサービス(ケータイWatch) あー、こういうのいいね。気に食わないi-modeサイトをクラックして全部J-SkyWeb完全対応にしちゃうとか。ところでこのサービス、どうもパーソナルユーザ向けではなく、業者向けっぽいんで、大抵の人にはあんまり関係ないみたいです。多分。

__ACCESS、米KOPIN社と提携して小型モバイル端末を開発(ケータイWatch) 商品名

は"BrowserScope"。以前あった、京セラのDataScopeと名前が似てますな。この端末、MPEG-4とかも再生出来ちゃうようで。だから、携帯端末で動画とか観たくねっつの。実用レベルならいいけどよ。どうせそうじゃねえんだろ。

__京セラ米子会社と米Lucent、第3世代「CDMA」で提携(ケータイWatch) ところでこういうニュースってさ、一応知った風な顔でnewsとして流してるけど、全然わかってないのよね。あはははは。なによ、DMAって？デオキシリボ核酸？DNAですな。ああ、HDDのアレ？Direct Memory Accessだっけ？つーわけで、織田裕二には悪いけどなんのコトやらサパリーね。

__公取委、NTT東日本を事情聴取 DSL参入妨害の疑い(asahi) まったく、図体デカイ癖にやるコトはこすっからくてケチ臭い、いかにも親方日の丸野郎といった感じですな。クソNTT。

__広帯域はクラッカー天国？(上)(WIRED)

__「票のオークション」サイトが閉鎖(WIRED) 衆愚政治に陥っているかもしれないとは言え、現代社会システムの最高峰である民主主義。その根幹を成す選挙権の一票をオークションで売ろうと考えるたあ。流石に自由の国メリケンですな。とか、ベタなコトしか考え付かなかったんですが、やっぱなんつーか、自分の一票はもう少しマシなコトに使った方がいいよね、とか死ぬ程まともな考えを述べてみたり。ああダメだ、webmasterは根が善良で善良で仕方が無い人間なので、こういう時はつい正論をぶちまけてしまいますよ。やっぱ男は(女も)白票でしょう！もしくはテメエで立候補しときなさい。で、オークションサイトで票を買って当選しなさい。あ、潰れたのかこのサイト。自分で運営して自分で買いなさい。それなら万事解決。

__メーカー直販で購入希望8割。ただし、「安ければ」(internet.com) メーカー直販って、安くなければ、普通は特にメリットありませんからねえ。まー、自作機を製作可能なレベルのユーザに限っての話ですが。ちなみにwebmasterはGateway2kのG6-350なる型番のレディメイドPCをメインで使用しています。具合悪いです。ガワが特に。お金が出来たらチョコチョコパーツ入れ替えして行きたいと思います。

__セガのオンラインショッピングサイト、売上好調(internet.com) [Dreamcast DIRECT](#)のコトですが...。みんな、何買ってるの？買うモノなんかないじゃん。ムキヤ関連製品って。シェンムーとかTURBとか買ってんのか？まさか。いや、嫌いじゃないですけどね。ムキヤ。ただ、そんな「好調」って程、何が売れてるのかな～、と。

__任天堂「パーフェクトダーク」公式サイト更新

__「脳ペースメーカー」で鬱病治療(WIRED) 「脳にペースメーカー入れる」ってだけでかなり気分悪くなるんですが。鬱病の人にそんなコト言ったらショックで自殺する人とか出ねえか？

001023.mon

note

__腕時計型デジカメでミニスカ盗撮、陸上自衛隊二曹を逮捕(ZAKZAK) ウム！機材を臨機応変に駆使して行くその創意！戦場においては柔軟性こそがなにより役に立つ！お国の為に役に立てよ！つーか、なかなかこの人も頭いいですね。女性(31)のミニスカート内に腕を入れ、手に持った腕時計型デジカメで盗み撮りした疑い。なんだ、誉めて損したよ。タダの頭悪い人じゃん。容疑者は福岡県春日市の陸自福岡駐屯地で不発弾処理の研修を受けた帰りだった。記事の最後にこの文章があるんですが、その不発弾処理とリストカメラで盗撮するのはなんか関連性があるんですか。「人を殺した後はシヨンベンをしたくなる(c)北斗の拳」のと同じように「不発弾処理をした後は盗撮をしたくなる」んでしょうか。ところでこのリストカメラは恐らく[カシオのアレ](#)でしょうな。webmasterも前から欲しかったんですけどね～。こんな使い方があったとは。いや、別に真似する訳じゃないですが。待てよ、J-PHONEユーザが今そのリリースを心待ちにしている[J-SH04](#)は、「携帯電話 + デイ

ジカメ」だし、似たようなカモフラージュが可能だね！バッグかポケットにでもしまえばいいのに、何故か携帯を手を持って街中歩いている奴とか結構いるしさ！激写激写！しかもカシオのアレと違ってこっちゃカラーだぜ！そんでもって撮ったら即座にサイトにアップだ！アクセスもウナギ昇り！

つーか、なんかかなりいいアイデア過ぎて、これは実行する奴いそうだよな～、という感じなんですけどどうでしょうか。賭けましょうか。類似犯が出るかどうか。出る方にうまい棒(めんたいこ味)一本+フィリックス君ガム二つ。時価およそ\30といったところですか。

__丸紅テレコム、携帯の待ち受け画面保管サービス(internet.com)

__丸紅テレコム、携帯電話向けのディスクスペースサービスpandoru.com(ケータイWatch) iモード、EZweb、J-スカイの各端末に対応するディスクスペースサービス。自作の待受画面や着信メロディなどのデータをメールに添付して送信することで、サーバー上で5MBまで保存しておくことができる。画像データの表示については、各端末向けに自動的にファイル形式やサイズを調整する機能も備えている。

携帯向けのストレージサービスですか。便利そうですね。しかし、5MBも転送するとしたらパケット代が恐ろしくてかなわないでしょうな。サービス開始は10/25。[<http://www.pandoru.com/>]

__携帯電話からホームページに簡単アクセス「ワンコールネット」(ケータイWatch)

ユーザーが番号通知機能がついた携帯電話からサーバーに電話をかけ、呼び出し音を聞いて電話を切ると、サーバーから携帯端末宛てにメールが届く。届いたメールには、ホームページのアドレスが掲載されており、ユーザーはURL部分を選択するだけで簡単にアクセスすることができる。

ふんふん、確かに携帯のテンキーで長ったらしいURLを入力するのは骨ですからな。

webmasterはやったコトないけど。

サーバーへの通話料は無料だが、同サービスを利用するには、メールアドレスが電話番号のまま、番号通知設定をオンにしている必要がある。また、ワンコールネットへの掲載については、サイトオーナーより月額5000円程度の料金を徴収。

なるほどほど。利用者側は恐らく無料で利用できるんでしょうな。まあ、面白い試みかもしれない。対応端末はJ-Skyとi-mode。サービス開始は来年1月を予定。

__マキシーの恋愛サポートサービスがJ-スカイに対応(ケータイWatch)

__ノエルのビジュアル系アーティスト情報サイトがJ-スカイに対応(ケータイWatch)

__ぴあ、タウン情報などJ-Skyステーション向けに配信(NIKKEI)

__アラン、携帯に割り引きクーポン配信・会員制で開始(NIKKEI)

__携帯サイトの有害情報排除・業界団体と郵政省が研究会(NIKKEI)

__イリンクスが新技術、携帯情報端末でデータの安全性確保(NIKKEI) 携帯端末のセキュリティっつーのは早くなんとかしてほしい問題ですね。まー、カギなんてモノはこじ開けられる為にあるモノなので、ある程度は仕方ないと思いますけど一応「実用レベル」というところまで行って欲しいですね。

__次世代携帯電話免許は4社に・シンガポール政府、選定方法発表(NIKKEI)

__独、携帯免許収入で国家債務削減・利払い減でインフラ投資も(NIKKEI)

__NEC、次世代携帯を豪でも開発(NIKKEI)

__通信「卸専門」解禁へ・郵政省、接続料下げ促す(NIKKEI)

__BT、一部時間帯で市内通話を無料に(NIKKEI)

__NYでメールアドレスを個人電話帳に掲載・来年から(NIKKEI)

__ニフティ、米ISP第2位のEarthLinkと提携(NIKKEI) アクセスポイントが増えていいですね。[[ニュースリリース](#)]

__メリットは一体何？ネットユーザー、Lモード利用希望は約3割(internet.com) 何？つつわ

れても。こっちが聞きたいよ。

__固定電話網を死守せよ！ NTTが「Lモード」に賭けざるをえない「事情」とは？(NIKKEI)
ん～？なんか思い違いしてねえか？有線電話はなくならないだろ。多分。やっぱ、無線より有線の安定性は当分揺るぎ無いと思うんだけどなあ。

__日本語ドメイン名の次の課題 焦点はアプリケーション対応(NIKKEI) つーか、やっぱ日本語ドメインは疑問符って感じですよ。だって、全然ワールドワイドじゃなくなっちゃうじゃん。第一、日本語入力する手間が面倒だつての。英語でいいよ、英語で。ま、現状なら漢字は不便、つつう話で、世界大戦でも起こって、日本が世界の覇権を握れば「コンピュータで日本語？バリバリオッケーでしょう！」みたいな世界になるかもしれませんが。あ、それイカスね。採用。199X年、世界は核の炎に包まれた！残念、もう2000年でしたね。

__無料のコンテンツ提供「有料ならば使わない」74%(internet.com) 普通使いませんな。webmasterも有料サービスなんてパソコン通信の時代から一度も使ったコトありません。シェアウェアで長者が生まれないのも同様の心理が働いているのが原因でしょうな。ちなみにwebmasterは割と善人なので、最高に良いシェアウェアに対してはきちんとフィーを払わせて頂いております。尻有なんて言葉、意味すら知りませんよ。フィーを払うってな、なかなか楽しいモンです。未レジスト状態で使ってる貧乏人や、拾ってきた尻を通して使っている盗人根性の連中とは訳が違うのだよわはははは、などと思ってしまう。素晴らしいソフトウェアとその製作者には然るべき賞賛と対価を！
まー要するにフリーウェア作者とそのサポート掲示板に集う人達の関係なんです。あんまり有名なソフトだと楽しくないですけどね。反応無いし。お金振り込んで、終わり。

__東芝電池、パソコン内蔵可能な小型の無停電電源装置を開発(NIKKEI)

__理想科学、ネット上にプリントゴッコのサイト開設(NIKKEI) 理想URL<http://e.riso.co.jp/>。

__ファミ通.netオープン 要するにネットウォッチャー系のサイトのようなのですが…。企業がこういうコトするか、普通？多分とんでもなくつまらない方向に進むか、物凄く面白い方向に進むけど上層部からストップかかってサイト停止、のどちらかって気がします。多分、あんまり面白いサイトにはならないんでしょうなあ。

昔のログインやファミコン通信、アイコンと言ったアスキー時代の馬鹿っぽさ溢れるサイトになってくれるなら面白いんじゃないかな～、とは思いますが。さてどうなる。

001022.sun

note

__無線・ISDNルーター、4製品を比較(NIKKEI) つーか、やっぱ今時ISDNってチョイと遅いかな、とか思わないでもないですよ。要するにISDNクラスがスタンダードと言うか、最底辺クラスにまでなってきたってコトですかね。まーまだまだアナログが多数なんでしょうけど。

__パームがPDA向けネット接続サービス パケット通信対応端末使い2001年春開始(NIKKEI)

__Palm、次世代機向けコンテンツの開発者会議開催(NIKKEI)

__携帯電話にゲーム取り込み、切断後も動作可能・仏社が新技術(NIKKEI)

__フィリップス、消費電力3分の1以下の電源用ICを製品化(NIKKEI)

__NTT、次世代ブロードバンド通信の実験に成功(NIKKEI) ISDNが遅い、と感じる証拠。一波長の光で送信できる情報量は毎秒1テラビット超、現在の伝送可能距離は約70kmだそうで。

新技術は光通信で一般的に使われている波長1.55マイクロ(1マイクロは100万分の1)メートルのレーザー光を利用する。研究グループは山のような形をした光信号のすそ野(パルス幅)

が380フェムト(1フェムトは1000兆分の1)秒という極めて短い光信号を作りだし、この信号を極めて短い間隔で送り出した。

__シャープ、衝撃に耐える業務用ザウルス(NIKKEI)

__森首相外交、「びっくり発言」次々 たびたび自ら窮地に(asahi)

__「バッシングだ」 森首相、母校の早大でぼやく(asahi) そんなに自分で首相に向いてないと自覚しているならば、さっさと辞めろよ。ああ、利権がたまんねえだろうからな。やめられねえよな。webmasterも一度首相になってみたいものです。

001021.sat

note

__Gratzer2.74リリース 定番MP3プレイヤー。今回はWinMeに対する動作確認などが為されたようです。最近WinMeを正式にサポートするソフトも増えていますが、そもそもWinMeというOS自体はどうなのでしょうね。「バグだらけ」とかも聞きますが、そんなんだったら別にWin9x系も同じだしなあ。やっぱNTかUNIX系辺りのOSですかね。乗りかえるなら。安定しててよさそうだし。うん、MacもMac OS Xなら既にアレは一応UNIX系の亜種と言えないコトもないし選択肢に入りますなあ。うむうむうむ。

最近本気で新機種導入(asメイン使用OS乗換え)を考えているwebmasterです。つーか、お金無いから新しいモノ買うなんてなかなか出来ないけどね！haha

__任天堂の今西紘史取締役広報室長にインタビュー(mainichi)

001020.fri

で、結局news更新出来ませんでした。[10/22未明記入]

さー、今日こそきちんと更新したいモンですね。コメントが命の当サイト、とにかくたわけたコメントを付けたいモノです。[朝]

001019.thu

午後三時頃、[携帯](#)の音で目が冷めたら知人から「家の電話通じないよ」とありがたいお知らせが。

つーわけで、日中の更新は出来ませんでした。すいません。現在10/20のAM06:55。いわゆる「あした」です。

朝で～す。未明で～す。そろそろ日の出で～す。

やーすんません。15日の更新をしている途中でWindozeが死んじゃいまして。

「政府モード」とか呼称される謎のシステム監察モードすらたちあがらず、「えー、Win再インストールするの面倒臭いな～。ていうか、C:\のバックアップとってなくて困ったな～。つーか、ブックマークだけでも救助してから再構築すっか。でも面倒～」とか思ってたらあつという間に3日ばかり経ってしまいまして。えっへっへ。今週ももう木曜ですね。つーか、実はまだきちんと復旧してません。

今回のトラブルは、ネスケ4.73とWWWdでwebを巡回している最中に、Iria ver.1.06を起動したら何故かHIMEM.SYSがブツ壊れちゃったらしく、Win98起動ディスクからHIMEM.SYSだけをC:\にcopyしたら、何事も無かったかのように、割とあっさり起動してくれちゃったりしたので、「ん～、大丈夫かな?」とか思いつつ恐る恐る使ってます。でも、結構大丈夫臭いのでまたシステム吹っ飛ばすまで再インストールするつもりは無かったり。適当webmaster。

しかしこんなに簡単に復旧できるなら3日も放っとくんじゃなかったなあ。あっはっは。

note

__J-フォン西日本、高級外車が当たるキャンペーン(ケータイWatch) 残念ながら、わたしや東日本。[[ニュースリリース](#)]

001018.wed もういっちょ

note

__ 富士通FIP、キャンパス情報を携帯電話に配信するサービス(ケータイWatch) 今年度から実は学生に復帰のwebmasterちゃんですので、こういうnewsはチョイと気になります。いちいち掲示板みるのかったるいよね。半月に一回くらいしか行ってなかったりするけど:-< まずは、i-mode、EZweb、PC対応版が11月から運用開始予定で、J-Sky対応版は来年度から開始予定だそうです。[[プレスリリース](#)]

__ モトローラ、KDDIに144kbpsデータ通信が可能な通信システム(ケータイWatch)

__ 東大の学生向けにEZwebで学内情報・メール閲覧サービス(ケータイWatch)

__ 東西NTT、iモードの固定回線版「Lモード」を発表(ケータイWatch)

__ NTT東西日本、家庭の固定電話でインターネット(internet.com)

__ 家庭用電話機でiモード NTT東西、「Lモード」を来春スタートへ(ZDNet)

__ 固定電話版「iモード」・NTT東西が来春に新サービス(NIKKEI)

__ NTT東西、固定電話向けネット接続サービス(NIKKEI) [[東日本](#)、[西日本](#)]

__ NTTドコモ代々木ビル竣工(NTTドコモ) あの馬鹿デカイとんがりビル、ようやく完成でした。工事は足掛け何年? つか、かなりデカイです。先週神宮球場を出たあたりからでもものすごくハッキリ視認出来ましたので。i-modeビル。

__ 【PC EXPO】カシオ、2001年にワンダースワンカラーとつながるリストカメラ(ケータイWatch)

__ 【PC EXPO】Palmとケータイでアドレスをやりとり「IrGEAR for KEITAI」(ケータイWatch)

__ 【PC EXPO】ノキアのランドストローム氏、モバイルコマースに注力(ケータイWatch)

__ 【WPC EXPO】写真撮影や音楽ダウンロードできるPHS(NIKKEI)

__ Javaの次なる開拓地は自動車(CNET)

__ 『グヌーテラ』の開発が難航(上)(WIRED)

__ ネット上の匿名性確保を揺るがす裁判所判断下る(WIRED)

__ ネットは「日課」。ネットユーザーの9割が生活の一部と回答(internet.com)

__ ハイテクが愛し合う2人を分かつ?(上)(WIRED)

__ 何だか不満? 日本語ドメイン(NIKKEI) 企業が、ドメインを第三者による利用防止の為に登録料払わなければいけないのはなんだか馬鹿臭い話だ、とかボヤいてますが、それはアンタが自分の会社を持っていないからだと思うな。企業からすればイメージダウンするくらいなら安いモンだろ。持たざる者の採り越し苦労!

つか、どうも最近日経はドメイン関連newsが多いですね。記者にマニヤでもいますか?

__ メッツ運営の新ポータルサイトi-medeia(アイメディア)

__ 日本システムサプライ、業務を継続していくことが困難につき、運営サービスを停止

カービィのクッションが当たるアンケート

001016.mon-001017.tue-001018.wed

note

法林岳之の「週刊モバイルCATCH UP」J-スカイボタンで操作性を追求した「J-PE03」(ケータイWatch)

J-スカイ10月後半のオフィシャルコンテンツについて - 全てカラーのオフィシャルコンテンツが合計389に！ [別紙1](#) [別紙2](#) [別紙3](#) [別紙4](#) [別紙5](#) [別紙6](#)

日本テレコム、J-スカイ公式コンテンツを年内にもODNで提供(ケータイWatch)

インプレス、ITニュースサービス「impress Watch」のJ-スカイ版(ケータイWatch)

J-スカイ向け宿泊情報サイト「宿泊予約ホットライン」(ケータイWatch)

エス・シー・シー、J-スカイ占い情報サイト(ケータイWatch)

丸井、J-スカイ向けに「マルイポケットウェブ」を提供(ケータイWatch)

産経新聞社、「サンケイスポーツ」のJ-スカイ版を提供(ケータイWatch)

ソニー・ミュージック、J-スカイ向け音楽情報サイトをオープン(ケータイWatch)

ゴールドエンチャート、J-スカイに財テク情報サイト(ケータイWatch)

MALL OF TV、J-スカイでショッピングサイトを開設(ケータイWatch)

サクセス、声を着信音として配信するJ-スカイサイト(ケータイWatch)

佐川急便、J-スカイでも配達確認サービス(ケータイWatch)

J-スカイに17の地域別新コンテンツ(ケータイWatch) 要するに、上でズラッと列挙したモノどもです。

コナミ、J-スカイでクイズゲーム「学問ノススメ」(ケータイWatch)

イチレイヨン、J-スカイ向け性知識サイト「Be Safe」(ケータイWatch)

インテルが携帯電話向けの省電力フラッシュメモリを公開(CNET)

指から声の伝わる腕時計型携帯電話(WIRED)

肥満に悩むWebサイト, まだまだ「要ダイエット」(ZDNet)

携帯電話とモバイル機器を固定する「はさむんですよ」(ケータイWatch)

東京めたりっく通信, 東京23区全域の年内開局を宣言(ZDNet)

ドメイン名訴訟、「マドンナ」は本人が勝訴(NIKKEI)

女性押し倒しハイヒール狙う 千葉で容疑の大学生逮捕(asahi) お聞きになりました、奥様？フェチですって！

001015.sun

日曜だし、どうせnews無いよね。

今日は寒いね。

当サイト、最近のレファ 最近やたらとJ-PHONEづいているせいか、[J-PE03](#)で検索をかけ

た結果、当サイトに辿り着いてしまった哀れな人がそれなりにいっぱいいるみたいです。なーんも、有用な情報はありませんよ。すいませんね。パクリニュースばっかで。で、えーと、訪問者の具体的な数字を言うと日に10人くらい。あんまり多くないか。でも、当サイトにしてみれば、10人は多いほうなのです。あっはっは。つーか、webmasterのネスケだと、上記検索結果9件のアンカーすべてが「10日以内に訪問済み」な色になっていて、なんかこいつJ-PHONE好きだなあ、とか自分で思います。

ところでその先日10/13に発売されたJ-PE03、どうなんでしょうね。実際。とりあえず2chの携帯PHS掲示板にあったスレッドを二つ。[J-PE03どーですか？](#)、[J-PE03を](#)。どちらもかなり寂しいスレッドですね。

webmaster思いまするに、携帯はやはりある程度ボタンが多くあった方がいいのではないかと。

「電話機として必要なボタン(10キー+リダイヤル履歴)」、「メールボックス呼出ボタン」、「www接続ボタン」、「4方向程度のカーソルキー」。

ボタンはこれくらいは欲しいですな。それと、出来る限り大きな液晶画面。電池の持ち。どーも、現在のJ-PHONEの新型機種はボタンが少ない奴が多くていけません。J-PE03然り。やっば、J-SHシリーズはなんだかんだでなかなかいいシリーズなのかも知れません。デジタルメ付きの[J-SH04](#)に大期待！

2chを色々みていたら、[SH05情報GET!!](#)などというアホスレを見つけてしまいました。流石2ch。11月発売はないだろ。来月だぜ。

001014.sat

note

[__](#)パーフェクトダーク公式サイト開設(任天堂)

[__](#)DC『L.O.L.』開発終了。次回作・PS2『DOT AT HEART(仮)』に向け開発スタッフ募集中
[ラブデリック](#)のサイトに行ってみたらL.O.L.発売記念パーティを[WOMB](#)でやるそうで(11/8の19:00~24:00まで。チャージは無料だそうです)。つーか、webmasterはそんな洒落た所はほとんど行ったコトないですけどネ！でもゲームは買おうかな！と。いえっひー。

001013.fri

note

[J-スカイ「ステーション」](#)対応機[J-PE03\(by Pioneer\)](#) 本日発売!eSHOPで[新規加入](#)を開始しました はーいお待たせ。J-Skyステーション対応機種がまた新たにリリース。店頭での実勢価格はどんなモンなんでしょね。売れ行きとか。

今更[J-T04](#)使用レポ 今日webmasterは、なんか初期不良っぽかった[J-SH02](#)から[J-T04](#)に機種変更しました。前機種使用6ヶ月以上+J-PHONE CLUB加入で、機種変更料金は\4200+消費税\210の計\4410でした。機種変更の申し込み日は今週日曜日の10/8。J-T04の使用感はえーと、割と悪いです。ボタンのクリック感が死ぬ程イマイチで、しっかりボタンを押し込まないと反応してくれません。特に4方向に別れているマルチファンクションボタンあたりは最悪。お金が出来次第ととと近日発売予定の[J-SH04](#)に乗換えたいと思います。J-T04独自の「お楽しみ機能(Skyウォーカーの送受信回数に応じて徐々に機能追加)」ってのはそれなりに面白いと思いますが、そんなん出来るんだったら最初から使用可能にしとけよなというか。しかも、この機能はJ-T04含む東芝機間でのみ有効な機能が多いので、他社製の筐体を使用している人とのメールのやり取りじゃあんまり関係なかったり。ちょっとナニな機能です。

...いや、ここはやはり逆境を逆手に取り「メル友募集！J-PHONEの方に限ります！出来れば東芝機種の方でお願いします！」とかするべきなのではないでしょうか。 :-<

__ J-スカイ端末価格調査10/12版：東京でカラー機含む4機種値下げ(ケータイWatch) J-SH04の発売が間近になり、多少値下げが行われたようです。

__ iモードはメール端末？有料コンテンツ利用者は2割弱(internet.com) オイラァJ-PHONEユーザーだからi-modeなんて知らねえや。つーか、やっぱ普通有料コンテンツなんてアクセスしないよな。高いし、無線だから接続超不安定だし。大体速度も携帯だから9600だしな。

__ 【CEATEC JAPAN】cdma2000対応ゲーム端末、DC用無線通信ユニットなど(eg)

__ 広島・紀藤と中日・鶴田の交換成立 えっ、紀藤マジで行っちゃうの？つーか昨日戦力外通知出されてたけど急な話だな。交換相手は鶴田か～。なんかかなり微妙なセンですね。年に一度だけスーパーモードになる紀藤の方がまだいいんじゃないかな、とか思わないでも。紀藤は愛知出身なんで里帰りですな。ああ、カープ一筋の男がまた一人いなくなる。[[スポニチ](#)]

__ 「達川節」駆け抜けた 監督の2年間を回顧(中国新聞)

__ 達川監督が退任あいさつ(中国新聞)

__ 2000年回顧 誤算だらけのシーズン(中国新聞)

お疲れさん達川。お疲れさん選手達。来年は再び「光男」として、フジかどこか知らんが広告塔として頑張ってつかあさい。<いい加減な広島弁

__ ダイエーの藤井投手死去(スポニチ) 昨シーズンの活躍があっただけに嘘みたいです。享年31歳。昨年のオフから、間質性肺炎での闘病生活を続けていたそうです。チームは優勝したのになあ。えーと、ダイエーの優勝と絡めて、実は不謹慎な考えとかも頭に浮かんでいるのですが、書くのはやめときます。藤井投手のご冥福をお祈り致します。[[asahi](#)]

__ シレン2でフリーズ [いっしょにTALK!-風来のシレン2「鬼」](#)さんの[小ネタ集](#)にも詳細な情報が載っています。参考にして下さい。つーか、えらく簡単にフリーズするのね。

__ メカデザインに大河原邦男氏を起用 PS2『J-PHOENIX』(eg) 2001年1月発売予定。予価\6800(税別)。PS2用ソフト。大雑把に言えば、アーマードコアのようなゲームなのでしょう。なかなか面白そうではあります。つーか、タイトル「J-PHOENIX」。最近むやみやたらとJ-PHONEづいているwebmasterとしては「J-PHONE X」とか読めちゃって「じえいふおんえっくすう？J-PHONEの広告ゲーか？つーか、大河原邦男がキャラデザ？携帯電話型ロボットモノ？わけわかんねえ！」とか一瞬思ったんですが、思いっきり妄想だったようです。正式タイトルは「機甲兵団 J - PHOENIX」と書いて「パンツァーフレーム ジェイフェニックス」だそうで。じえいふえにつくす。

__ PS『北斗の拳 世紀末救世主伝説』で“ジャギ様胸像”プレゼント(eg) 10/26発売予定。予価\5800(税別)。PS用ソフト。

注目は“リアルタイムあべしシステム”。敵の断末魔の叫び声を、プレイヤーがどのタイミングで秘孔をついたかでそのつど変化するというこだわりのシステムが搭載されている。おなじみ“ひでぶ”や“あべし”だけでなく、全200種類以上にも及ぶ叫び声が飛び出すぞ。キャラクターの声も、神谷明、塩沢兼人などTVアニメの声優陣が集結。数々の名場面が再現されるのだ。

「リアルタイムあべしシステム」コレだけで十分馬鹿ゲーと言った感じです。というコトは、モロにwebmasterのツボなわけですし、買ってしまおうような気がしてきました。購入者には抽選で500名様に「ジャギ様メタル胸像」プレゼントもあるとかいう話でますます楽しみです。つーか、「様」つけるなや。様。兄より優れた弟など存在しねえ！[[公式サイト](#)]

__ ゲームボーイカラー版『ドラゴンクエストIII』の発売日決定!!(ファミ通) 12/8発売。予価\6800。GBC専用ソフト。

ハア？ \6800？高い。舐めてんじゃねえぞ。先日の[GBC版Wiz#1-3](#)といい、どうも名作のリメイクってのは売れるのを当て込んで高くなりがちですな。スワンのFFも結構高いし。高いと買わないよ。

大体このGBC版DQ3、webmaster的には「GBCは嫌い」「SFC版のDQ3の移植じゃ興味無い」「値段が高い」で、なんかかなり買う気失せる代物です。オリジナルのFC版のDQ3を移植してくれよう。

岩井俊雄が WonderWitch を使ったアート作品を展示 原宿で、スワンを使った岩井俊雄のメディアアート展。...なんか直前のこの一文、一語一語の結びつきが全然弱いって言うか噛み合わないって言うか。うーむ。原宿でスワン...。世も末...なんですかね。開催期間は明日の10月14日(土)~24日(火)。会場時間は11:00a.m.~9:00p.m.。会期中無休で入場無料。とりあえず行くしか。

東電、光ファイバー網開放・高速ネット普及を後押し(NIKKEI)

フレッツ・ISDN 開通まで最長3カ月のケースも(mainichi)

Jobs氏の暴露本、今週発売 - Jobs氏の“再来”を信じるのは読者次第(ZDNet) "The Second Coming of Steve Jobs"という本だそうで。その内日本語訳版もどっかから出版されるでしょうな。読みてえ。邦題は「逆襲のJobs」とか。<ガンダムオタク
つーか、いいんだよ、別に実力あるうとなかろうと。Jobsはアイドル(偶像)なんだから。単なるハリポテでいいんだよ。本当に偉いのがWozを筆頭とする優秀なエンジニアなんてのはみんな知ってるんだから。祭り上げて氣勢を上げて楽しんでるだけなんだよ。Jobsは単なる道化さ。hahaha!

001012.thu

note

東急電鉄、「偶数号車では携帯の電源OFF」(ケータイWatch) 東横線田園都市線目黒線あたりの規模の大きな路線だけの話かと思っていたら、どうやら東急全線での話だそうで。てコトは、世田谷線(全車両2両編成の路線)どうすんの？携帯使用可は先頭の一両のみ？とか思ったら[東急のプレスリリース](#)によると、マジでその通りらしいです。ガーン。

20世紀最後の公式戦に『観戦証明書』(サンケイ) 16日に本拠地・千葉マリンで行われるオリックス戦はセ・パを通じて20世紀最後のプロ野球公式戦。そこで、カラーで印刷された本格的な『観戦証明書』を主力選手のサイン入りメッセージとともに先着1万5000人にプレゼントというロケには気の利いたサービスを展開するつもりだったらしいですが、実は最終戦は[明日の西武 - オリックス戦@GS神戸](#)だったりして。つーか、アレですな。webmasterは昨日セにおける20世紀最後の公式戦をきっちり見たので羨ましくもなんともありませんよーだ、と言うか。

ネット上の著作権侵害防止、発信者開示義務付け・郵政省(NIKKEI) 密告屋はいつか後ろから刺されるぞ。kekeke!

警察も名札を着けます 警察庁は来年1月から(asahi) 一瞬、「名札か。ウム、それはいいコトだ。警察官が悪いコトをしてもすぐ判るし、抑止力にもなる」などと思ったのですが、よく考えたら悪いコトしようとする奴が警察官になってんじゃねえよと言うか。世の中狂ってますな。

アンパンマンたべて 列車発進に合わせ弁当とパン発売(asahi) アンパンマンパン。語呂悪すぎ。

__ [メリットが感じられなくなってきたMP3プレーヤー\(CNET\)](#)

__ [シャープ、1メートルの落下に耐えるビジネスザウルス\(CNET\)](#)

__ [未来のブラウザをデザインしよう\(上\)\(WIRED\)](#)

001011.wed

いえっひー。

note

金本3割30本30盗塁達成！ 行って来ました最終戦@神宮。
やりましたよ、知憲(ともあき)は！打ちやがりました第二打席で。ライトスタンドに飛び込む見事な弾丸ライナーでした。辛抱たまらん感じで思わずnoise氏大興奮でした。とりあえず知り合いにメールうちまくりの電話しまくりでした。あはははは。[TERRAZIさん](#)にも電話して「速報で載せとけコラ」などと思わず口走ってしまいご迷惑おかけしました。まあいいじゃないの、ダイエーは優勝したんだし(TERRAZIさんはダイエーファン)。これくらいの迷惑かけられても当然だよあははは。

試合的には、

- ・横山が1失点の完投で、最終戦で今季初勝利という微妙な勝利を記録
- ・ヤクルト先発は今季限りで引退の岡本が1回表をピシャリ(岡林最後の対戦打者は町田。遊飛)
- ・2回表からは最優秀防御率のタイトルがかかる石井がリリーフしそのまま1回1/3イニングスを抑え最優秀防御率のタイトルを手中にし即座に降板
- ・4回表の先頭打者、金本がここでソロホームランを放ち史上7人目の3割30本30盗塁達成(ちなみに前回達成者は1995年の野村。カープでワンツー)
- ・馬場も引退試合(馬場のプロ最後の打席はライトフライ。町田がもぎとりました)
- ・[広島がヤクルトに4年ぶり勝ち越し](#)(しかも今日の勝利なんか「魔の神宮」ですよ！)

という感じでした。

まー先日順位が確定した後の最終戦と言うコトもあり、緊張感に欠けたせいか間抜けなプレーも目立ちましたが、10月にしては暖かい気候でしたし、金本の記録、石井の記録、岡本&馬場の引退試合&セレモニーなんて、歴史的な瞬間にも立ち会えた訳ですし、なかなか楽しめる野球観戦ではありました。ペナントレース真っ最中に怒号を放ち青筋立てて応援するのも面白いですが、こういうのんびり観戦できる試合もいいもんです。達川も最後が勝利でよかったな。

コレで今シーズンの僕の野球は終了。後はストーブリーグだけが楽しみです。日本シリーズなんてなあ…。来季はナゴヤドームで中日戦がスタートですな。

[[関連リンク:金本30号](#)、[金本は3割、30本、30盗塁 - セ全日程終了](#)、[ヤクルト - 広島最終戦](#)、]

__ [J-スカイ向けファッション情報サイト「SHIBUYA109」\(ケータイWatch\) 月額\270。](#)

「画面を見せると割引が受けられるクーポン発行」とかやるようです。つーか、そういうクーポンって使ってる人を見たことないんですけど。あ、テレビのレポート番組とかでわざとらしく「本当に使えるんですかねえ」とか言ってやらせっぽく使用できてるのはよくみるんですけど。

だって、割引してもらおうと思って、携帯の液晶見せたら店員に「ハア？」とか言われたらいやじゃん！ねえ？

つーか、このサイトってば109のサイトだから首都圏の人間以外に利用価値ないじゃん。ダメじゃん。

__ [NEC、Handheld PC 2000搭載の「モバイルギアII」2機種\(ケータイWatch\) DOSの入ってないモバギなんてウンコ。やーい、死んじゃえ。つーか、最近WinCEもちったあマシになってきてるんですかね。「MS製品はver.3から」というジंकスをわざわざ再現せんでもいいのになあ。つーか、携帯マシンにGUIは必要ないよ。常々思うけど。現時点じゃGUIベース](#)

でバランスのいい製品作るの無理でしょ。

001010.tue

やっ、どーも。先週末からチョイと忙しかったんで更新出来ませんでした。が、どうせロクなnewsはなかった筈なのでオッケーなのです。

しかし、ボヤボヤしている間に10月上旬は終わっちゃう勢いですね。

今夜からまた更新再開しますのでよろしく。

note

[__TCA、9月末現在の携帯・PHS加入者数速報\(ケータイWatch\)](#) TCA、ってのは[電気通信事業者協会](#)の略ね。[関連リンク:[携帯電話/IP接続サービス/PHS/無線呼び出し契約数\(平成12年9月末現在\)](#)]

[__J-PHONE、Phone to機能を悪用したメールやwebページについて](#)

[__アップル、マンディッチの引退を発表](#)

[__G4 Cubeの傷の正体 読者のメールから\(ZDNet\)](#)

[__アンチAppleのコラムニストDvorak氏曰く「Steve Jobs氏は単なるまぐれ」\(ZDNet\)](#)
Jobsが気紛れで我儘で自分勝手に利己的で他者を顧みないなんてコトはAppleファンなら誰でも知ってるコトなので、別に今更わざわざDvorakに指摘されるまでもないコトですが、彼もAppleを貶すのが飯のタネなのでまあ仕方のないところでしょう。Jobsはわがまま坊やです。しかもなまじ行動力があったりするから始末が悪いやね。

[__ハドソン、欧州最大のゲームソフトと合併\(NIKKEI\)](#) 新会社名は「アンフォグラムハドソン」

[__ファミコン版『飛龍の拳III』を同梱!『飛龍の拳烈伝GB』限定ボックス](#)

[__JPNIC、汎用JPドメイン名導入方針を公開\(NIKKEI\)](#)

[__ニフティ、南米最大のISPと提携、在ブラジル日系人向けサービスも\(internet.com\)](#)

[__今年は暖冬、気象庁予測\(NIKKEI\)](#)

001006.fri

note

[__J-スカイ端末価格調査10/6版：J-PE03は東京も大阪も未発売。価格変動なし\(ケータイWatch\)](#) 10月から開始された地域情報サービス、「ステーション」対応の第2弾となる「J-PE03」は東京でも大阪でもまだ販売開始していなかった。价格的には、先週からまったく変動は見られない。だそうで、発売前から評判の高いJ-PE03、まだお目見えしてないようです。うーん。J-Skyステーション、とにかくタイトルの更新だけはマメでなかなか使える、とかいう話なんです。対応ハードが少なすぎらあね、まだ。

[__iモードとJ-スカイで宅験の当日採点サービス\(ケータイWatch\)](#) 宅地建物取引主任者資格試験、略して宅験ね。不動産屋の卵に派手なロッド付きの携帯はさぞかし似合うコトでしょうな。あはは。

__アニメ番組日替わり配信・日本アニメなどが新会社(NIKKEI) i-modeであらいくまラスカルを觀たり出来るそうです。

__MP3とウェブラジオを携帯電話で聴こう(WIRED)

__『ネットスケープ6』のファイナル・プレビューリリース(WIRED)

__傷ついた「G4 Cube」の美貌(ZDNet)

__「ダイヤルQ2接続チェックプログラム」ダウンロードの一時停止について
__NTTのダイヤルQ2チェックソフトにバグ(ZDNet) 馬鹿過ぎ。まさにお粗末。

__ハッカーサイトのアドバイス停止を求めるセガ(CNET) 似たような事例として確か、スクウェアがファイナルファンタジー7だか8だかの攻略をweb上でするんじゃねえぞしたら殺す、とか脅しをかけたコトがありましたっけ(一部表現にやや誇張を含んでいます)。そんな無茶な。ま、アングラに逃げちまえばどうしようもないですな。そこまで追って来るかもしれないけど、追い切れるモノではないだろうし。ただ、そこまでしてゲーム攻略情報をwebページに載せたがるハッカーさんがいるかどうか。有名企業とのおっかけっこってのはゲームとしては面白いでしょうがね。

__新種ウイルス「MTX」に注意促す---9月のIPA報告(NIKKEI)

__メモリ価格下落にブレーキ(PCWatch)

__JASRAC、電子透かし技術評価の実証実験(NIKKEI) つーか、もう旧態依然とした著作権の概念しかない、既得権に固執するしか能のないJASRACは消えていい。ような気がします。「じゃあ新しい勸角著作権の概念ってなんだよ」とか筒井康隆に迫られると困りますが。

__ヒトのクローン個体産生禁止の法律が成立の見込み(NIKKEI) ンな法律が成立しても、そうおいそれと個人が手を出せる代物じゃねえよ。東京は大崎の町工場でショボくれたオッサンがヒトのクローン生産に成功！とかそういうイカスnewsは絶対ないでしょうな。

__マリオテニスGB(任天堂) 11/1発売予定。予価\3800(税別)。GBC専用ソフト。[64GBパック](#)及び通信対戦ケーブルに対応。GB版でキャラを育てて、N64版で対戦しよう、という任天堂お得意の戦略です。webmasterは結局マリオテニス64買わなかったんで「ふ〜ん」くらいの感じですが、結構面白いらしいですな。マリオテニス64。持ってる人には朗報なんですか。このnews。

001005.thu

note

__Netscape 6 Preview Release 3リリース

__Netscape 6の最終 版リリース(ZDNet)

__最終ベータ版となる「Netscape 6」Preview Release 3が公開(窓の杜)

[Netscape 6 Preview Release 3日本語版のDLはこちらのリンク](#)からどうぞ。対応しているプラットフォームはWin,Mac,Linuxの三つで、Java版とかはないようです。別にいらないけど。ちなみに日本語版はまだWin用のモノしか用意されていません。[23:46現在]

製品的には、かなり安定性を増したそうなので、結構いいんじゃないか、という話です。特に現行の4.75とかと比べると雲泥の差とか。後は製品版が年末にリリースされるのを待つだけですかね。ちなみにwebmasterはアナログ回線なので、落とすのが面倒でネスケ6の 版は一つも試用していません。こんなんでもネスケファン、ネスケフリークと言えるのでしょうか。まあ

いいか。

__ ネットスケープが新デザインでブラウザのアップデート版発表(CNET) 「この頃は、誰もネットスケープに大して注目していない」 そうかもしれないな。いや、多分そうだろう。ネスケなんてなあ…。4.xxは特によく落ちまくるしなあ…。落涙。

__ Netscape.com がリニューアル(internet.com)

__ アップルコンピュータ株式会社に対する警告について(公正取引委員会)

__ Appleが雇用を凍結 - Jobs氏がスタッフに語る(ZDNet)

__ Cubeで勝手に電源が入ったり切れたりする問題への対処方法(ZDNet)

__ 「EZweb」で世界初の携帯電話向け「カラオケ」コンテンツを提供(KDD) その内電車の中で「車内でのカラオケはご遠慮下さい」とかアナウンスされるようになるのか、コラ。つーか、「携帯+カラオケ」ねえ。まあ、発展期にはこういうナニな冒険も必要だよな。何事もやってみなきゃ。その勇気だけは賞賛するね。やってるコトにゃこれっぽっちも賛同できないが。

__ iモードとローソン店舗を活用した新ECサービス会社「株式会社アイ・コンビニエンス」を設立 J-PHONEでもやれ。仕方ない、こっちはセブンイレブンだヨーカドーだ。ダイエーなんぞに負けるなJ-PHONE。無理か。

__ TNet、PHS単体によるインターネットサービスの技術仕様を公開(internet.com)

__ Nintendo Power9月書き換えベスト10(任天堂) 64シレン効果なんでしょうか。SFC、GB共にシレンがトップを飾っております。つーか、いつも思うんだけどこのランキング、具体的な書き換え数とか掲載して欲しいですよ。数を公表してないのはもしかして脱税とかしてんでしょうか。ていうか、いかにも脱税してそうな感じですね。山内。あっはっは。まあローソンも絡んでますし。中内。やっぱ脱税してそうですね。あっはっは。

__ HP、日本の家庭向けPC市場に本格参入、第一弾はデスクトップ3モデル(CNET)

__ NTT東西、ダイヤルQ2利用のネット自動接続に改善策(CNET) かつでの「マルチメディアブーム」や「Win95発売」などのPCブームから幾星霜、いまだにQ2サイトで月ン万円とか請求される馬鹿がいるんですな。こういうモノが作られるというコトは。信じられませんか。

__ ウェブベースの電子メールサービスにはプライバシーがない(CNET) 常識だろう。だもんで、webmasterはどうもINETってな好きになれませんよ。大体元々が情報を共有する為のスペースだしな。INETは。プライバシーだのどうの言う方がおかしいのかもしれない。

__ いまだ使えない音声認識(ZDNet) 音声認識をににおいに例えたら、真夏に工事現場で週末いっぱい放置されていた仮設便所だ。すげえナイス比喻。音声認識が見事なまでにケチョンケチョンにされています。さすがに「口より手でかく方がレベルが高い」と言い放つだけのコトはありますな。このライターさん、口でするのよりは手でかく方が好きらしいです。

__ 他人に公開は嫌！オンラインブックマークサービス、前途多難(internet.com) ブックマークってまさに自分の書庫と電話帳とを兼ね備えていますからねえ。要は、趣味及び包括的なプライバシー丸出し。それをセキュリティが全然不安なオンラインに置いておくなんてとてもとても。コンセプトとしては悪くないんですがね、オンラインブックマーク。技術的な課題が多過ぎ。

__ 親子でネット利用、約6割(internet.com) まー、後数年もすれば「生まれたときからパソコンもTVゲームもあった世代」が親でしょうし、更に後10年20年経てば「生まれたときからwwwがあった(1990年でしたっけwwwの開発は)世代」なんてのが親になるんでしょうし、こういう馬鹿げた調査もなくなるでしょうな。今更PC(とそれに付随する通信網)のない世界なんて考えられないでしょう。

__歳だからってサーフィンできないわけがない(internet.com) そりゃあ、別にwww使うのはそんなに特殊な技能ではありませんし。ですが、今現在におけるお年寄りの連中に無理矢理PC押し付けるのもどうかと思いますかね。今の電子機器は全然ユーザビリティがなっちゃいないので、新しいモノを習得するのが困難なご老人に無理矢理使わせると言うのは賛同できませんな。本人が使いたいってんならそれはいいコトでしょうが。

今日のカーブ 勝～ち勝～ち、勝っち勝っち、それ勝っち勝ち。6-3。対中日戦。
うおおおっ！打ったぜ金本！ライナーで2ラン1本！これで残り4試合で1本！あながち不可能とも言えなくなってきた！ホレ、[ランニングホームーでもなんでもいいから打て打て！](#)
[山本浩二背番号8](#)

001004.wed

note

__ノキア、J - フォンと第3世代通信システム提供について合意

__ノキア、J-フォンにW-CDMAインフラシステムを提供(ケータイWatch) ぷっぷくぷっぷぷーぷ！ <昔やってたノキアの携帯のCM

W-CDMAシステム提供もいいけど、ついでにもっと筐体自体も提供してくれよ> ノキア

__携帯電話のための「.1」ドメイン(ZDNet) 既存の.comやら.netやらといったTLD(Top Level Domainの略ね)では携帯で打ち込む時には長すぎるから.1、と。他にも、子供向けに作られ、子供にとって害毒を与えないサイト用に.kidsなんて案もあるらしいです。となるとやはり、大人向けサイトは.adultになったり、オタク向けサイトは.nerdとかなるのでしょうか。あっはっは。面白いぞもっとやれ。

___.COMに続く新ドメイン名が明らかに、来年1月にも.WEB/.SITE/.INFOが誕生へ(NIKKEI)

__米大手、漢字アドレスを月内から登録受け付け(NIKKEI)

__ハンドヘルドを超えたハンドヘルド(ZDNet)

__CEATEC JAPAN 2000特集(ZDNet)

__ティーンギャルは未開拓のワイヤレス市場(internet.com) 「ティーンズギャルは未開拓」！なんとも含蓄のある言葉ですね。未開拓！

__市場が閉じても止まらない株価の下落(WIRED) あぼー。

__バーコード読取り装置をハッキング(上)(WIRED)

__違法コピーの次の餌食は電子書籍業界？(上)(WIRED)

__徳間康快氏逝って映画界にささやかれる二つの不安(NIKKEI)

__芥川龍之介のわび状発見 作品無断転載で徳田秋声に(asahi)

__田代まさしさん、駅でビデオ盗撮の疑い 警視庁が聴取(asahi) 東横線の都立大学駅で盗撮してたらしいです。去年の脱線事故と言い、東横線は話題に事欠きませんな。ありゃ日比谷線か。しかしなんで都立大みたいな微妙な駅で？しかも田代まさしみたいな微妙な位置にあるオッサンが。たまに顔に靴墨塗って歌でも歌ってりゃそれなりに幸せにくらせたのになあ。でも売れない芸人は犯罪犯してでも名をあげたいのかもしれないね。

001003.tue

note

暴落しているApple株を買ってみよう！ 昨日「Apple株を買ってみたいけど買い方よくわかんない～ん」と財テク全盛の昨今(嘘)で大恥を掻いてしまったwebmaster。チラッと調べてみました。[1株.com](#)なるダッサイ名前のオンラインショップがあるようです。「Appleの！ピクサーの！ディズニーの株を所持してみたいけどやり方わからん！」という人の為に一株だけ購入して額縁に入れて郵送してあげるヨ、というサービスを展開しているお店のようです。えーと、値段を見てみたのですが、素人目に見ても「Appleの株が一株で三万円近くするのは高すぎねえ？」という感じなので多分お勧めできません<本当に素人判断ですのであまり鵜呑みにすんじゃねえぞコラ<途中から何故かガラが悪い

コレだったら、[Yahoo!のApple株関連掲示板](#)でも見た方がまだいいかもしれません。ここ数日「株買ってみたいけどよくわかんねえ」という人達の質疑応答がなされていますので。

で、Yahoo!の掲示板によると、ゼロからの状態で株を購入したい場合は、証券会社に新規に口座を開設する必要があるそうで、それが数日間(?)くらい時間がかかるそうで、思い立って即日株を買えると言うようなモノではないらしいです。

Apple株は外国の株なんでどこの証券会社でも買えるという訳ではないそうで。大和証券のダイワダイレクト部でなら購入可能だそうです。他は知りません。

webmasterも結局なんだかよくわかっていないのですが、Apple株が安い内にほんの少しいいからオーナーになってみたいものです。そんでもって業績報告書とかもらってみよう！

んー、やっぱ株やってる知人にでも聞くのが一番手っ取り早そうですね。

そういえば、[ビーム](#)で連載している桜玉吉漫画で「アスキー株を買おう！」みたいな企画ありましたね。アレを参考にすればいいのか！...って、あんま参考にならなさそうだなあ。

[__公取委、独禁法違反の疑いでアップルに警告\(ZDNet\)](#) よっ！公取屋！ハイハイハイ、Apple株を買おうかな、とか思ってるwebmasterには朗報と言えましょう。hehehe

[__J-スカイ対応機、全国で300万台突破](#) 「サービス全国化から約6か月で300万台を突破」だそうです。が、これは「J-Sky対応機の販売台数」であって「J-PHONEユーザのweb利用者数」ではないのです。

[__J-PHONEとJR東日本が提携、音楽配信プラットフォームを共同で構築](#) J-PHONEも音楽配信ですか。webmasterの考えとしては今のところ[9/29付けでお伝えしたfeel H](#)のnewsで言った通り、今のところ携帯と音楽配信を結びつけたガジェットにはやや懐疑的ですんで別にどうでもいいです。大体ウチ、田舎だしなあ。新宿渋谷池袋でサービス開始したってあんまり関係ないのよ。つーかやっぱどう考えても電池もたないでしょ。普通に通話とメール使ってるだけで、夕方頃には電池表示がピンチ気味になるのに(使用機種は[J-SH02](#))、その上更にスピーカから音鳴らすなんて自殺行為としか。携帯メーカは、新機能追加はいいから、基本的なポテンシャル上げるコトもきっちり研究しなさい。使用電力と、メモリ管理ユーティリティとか、日本語FEPの品質の向上とか。

[__\[CEATEC JAPAN 2000レポート\]J-フォン、位置情報サービスをアピール\(ケータイWatch\)](#)
写真が荒くてなんだかわかんねーよ>元記事

[__インターネット人口は2414万人 30代女性ほぼ倍増\(asahi\)](#) 携帯電話の影響でしょうな。以前は「あんな小さい端末でwebなんて...ハッ」と冷笑していたwebmasterですが、最近考えを改めまして、微力ながらJ-PHONEの尖兵として日々J-PHONE関連newsをお伝えする毎日であります。

[__PDAと携帯電話の一体型機器は成功するか\(上\)](#)

[__PDAと携帯電話の一体型機器は成功するか\(上\)](#)

[__Microsoft製オリジナル携帯電話の全貌が明らかに](#)

[__家電各社が描く次世代ビデオレコーダーの姿\(ZDNet\)](#) webmaster、実はアナログビデオ

デッキなるものを所持したコトがありません。勿論日常的に使ったコトもありません。どうもあんまりテープメディアって好きになれないのよね。マイコンの記録媒体と音楽用のカセットテープくらいなら使いましたが。ストリーマは憧れでしたな。まあ、どうでもいい話です。これからはDVD!なんですかね。

__ シャープ、携帯情報端末「ザウルス」にキーボード標準装備(NIKKEI) マジ? キーボード標準装備のザウカ。んー、ちょっと興味覚えますね。

__ 「日本語.com」可能に、米NSIが登録開始へ(NIKKEI)

カーブ、今季Bクラス確定 [CCC](#)でわかりやすく説明されているので引用。 [横浜が阪神に勝利](#)。ヤクルトが中日に勝利。阪神は7 6敗で、広島が残り6試合に全敗しても7 5敗であるため、阪神の単独最下位、広島の単独5位以上が確定。横浜は6 6勝で、広島は残り試合に全勝しても6 6勝止まり。ヤクルトは6 3勝で、横浜との残り試合が4。横浜が残り試合に全敗するとすれば、ヤクルトが6 7勝を挙げてしまうため、広島は3位以上に上がることができない。このため広島の単独4位以下が確定した。だそうで、非常に残念なコトです。まー最下位回避できたからいいか。こういうのをブービー賞ってんだね。やったぜカーブ! 詳しい順位表をご覧になりたい方は[Yahoo! Sportsの順位表](#)をじっくりとみて再度ご確認ください。

webmasterも何度も計算し直してみましたが、どうあがいてもカーブのAクラス入りは無理でした。ぬう。

なお、今季のカーブの関東での試合は、

10/04(水) ヤクルト戦 神宮 18:20プレイボール

10/11(水) ヤクルト戦 神宮 18:20プレイボール

の、2試合を残すのみとなりました。10/11の試合は恐らく今季の最終戦でもあるので、暇だったら観戦に行こうかと思えます。秋風吹く神宮はさぞかし寒いでしょうな。

001002.mon

あーはいはいはいはい。今から更新するからまってろよ、私の可愛い小ネズミちゃんたち。こういう場合は普通「子猫ちゃん」か。

note

__ 「CEATEC JAPAN 2000」へのJ-フォンブース出展について [CEATEC JAPAN 2000](#)は幕張メッセにおいて、10/3-7の5日間開催。一般公開日は10/5-7の3日間。入場料は一般1000円、学生500円。行ってはみたいですが、幕張じゃいかんせん遠すぎますね。

__ アストロ・ハート、J-スカイ向け占いサイト「最強の恋愛術」(ケータイWatch)

__ J-スカイ、ゴルフ場予約サイト「GOLFの達人」開始(ケータイWatch)

__ J-スカイ向けホームページ制作サービス「天使のマイページ」(ケータイWatch)

__ J-スカイ向けパチンコ情報サイト「パチンコランド」(ケータイWatch)

__ J-フォン、J-スカイステーション向けコンテンツの提供を開始(ケータイWatch)

__ 真紅のケータイ! ツーカーより"フェラーリモデル"登場(ファミ通)

__ 米国人の半数は携帯電話使用の法的規制望まず (NIKKEI)

__ 市内定額型割引サービス「i・アイプラン」の加入電話への提供拡大について

__ 加入電話初の準定額サービス NTT東西地域が10月16日から (NIKKEI) つーか、webmasterが9月頭に申し込んだフレッツ、まだNTTから連絡こないんですけど。もうISDNじゃなくてもいいからこっちにしちゃうか。アナログだって繋ぎ放題ならそれなりに使い道はあるし。あーもう。死なす。

__ 腕時計タイプのPDA「Chrono-Bit」(ZDNet)

__セガサタンのシリアルナンバーを送ってドリームキャストを手に入れよう！

__Nintendo Online Magazine 10月号(風来のシレン2特集)

__アップル社株は今が買い時か (WIRED) 安いなら欲しいですねえ。悪口を言ってばかりですがやはりApple大好きっ子のwebmasterですので。でも、株ってモノがよくわかんねえですよ。あはははは。

__手に入りにくい書籍はオンラインで。本屋とのすみわけがポイント(internet.com) webmasterはどうでもいような古本を探す時に[EasySeek\(旧BizSeek\)](#)をよく利用していますが、新刊本は普通に本屋で買いますねえ。稀少本は...買うお金がないのでどうでもいいです。

__ロケット倒産 webmasterは今日たまたま秋葉に行ったのですが、その帰り道の電車内でリーマン風のおじさんが持ってる新聞に「ロケット倒産」とか書いてあったので知りました。えーと、高くて有名な量販店ですね。ロケットってのは。通なら知ってはいるけど、全然行くわけなし、みたいなお店でした。別に全然残念じゃないって言うか、あんな店潰れて当然ですな。

__連邦議員がMP3擁護の法案を提出(ZDNet)

__「タイプミスドメイン」をめぐる醜聞(1)(ZDNet)

__スピードネット, 予想を上回るモニター応募(ZDNet)

__AppleがCubeの「亀裂」は「鋳型の形状線」とであると再度強調(ZDNet)

001001.sun

note

広島東洋カーブ、今季単独最下位は回避 現在セ・リーグ5位のカーブは60勝69敗1分で残り6試合。6位のタイガースは今日の敗戦(対ヤクルト。0-3)で、57勝75敗1分で残り3試合。よって、カーブが残り試合を全敗しても現時点でのタイガースの敗戦数に並ぶ75敗で最悪同率最下位。

いくらなんでも今から全敗は考えにくいので、カーブは今シーズンの最下位ほぼ回避と見てオッケーでしょう！

先月中頃までは、再びの3位浮上なども垣間見えていましたが、結局今シーズンはほぼ5位確定ですね。4位ヤクルトが62勝64敗1分残り9試合ですので、最高にコトがうまく運んで、カーブが4勝2敗ヤクルトが2勝7敗で終われば、同率4位。カーブヤクルト両チームの勝敗数が一つずつひっくり返れば当然順位もひっくり返し、カーブ4位ヤクルト5位もありえます。

まず無理でしょうけど、この小さな希望だけを心の支えに秋風が身に染みる10月前半を精一杯生きて行こうと思うwebmasterでした。

カーブファンの心の支え 金本3割30本30盗塁。日本プロ野球史上7人目の。これだけだ。盗塁は後ひとつ、ホームランは後2本。なんとかやってくれ頼むぞ。盗塁王は結局石井が現在34盗塁と、結局順当に軽く金本を抜き去りましたからねえ。ミンチーの最多勝もここ2試合負け続け+昨日バンチが14勝目ゲットで、追いつくには残り試合6ではちょっとなあ、な感じでコレは完全に諦めるしか。というわけで今年は金本アంతしかしいないんだ。がんばってください。

__J-フォン東京は、J-フォン東日本へ。 本日10/1から、J-PHONE北海道、東北、東京が合併してJ-PHONE東日本という名前に。新サイトのアドレスは<http://www.j-phone-east.com/>だそう。即ちJ-PHONE East。イースト。カタカナで書くと、パンの材料みたいでなんだか締まらない名前ですが、慣れてしまえば多分なんてことはないでしょう。各エリア毎の窓口サイトなんてのが[北海道](#)、[東北](#)、[東京](#)、にわかれてあるようで、まだ合併って言ってもどうも組織的

に上手く機能していないような感じがあります。

__ J-PHONE東京、エリア別情報配信サービス「ステーション」本日サービスイン このJ-Sky「ステーション」では、要するに無料のメールマガジンみたいなモンです。情報の内容によって、無料のモノと有料のモノがあります。有料の方の料金は、月額\100でそれ以外の料金(通信費とか情報量とか)は一切発生しないので、内容によっては結構面白いサービスになるかもしれません。

ただ、今のところこのサービスに対応している機種が[J-D03](#)、[J-K03](#)、[J-PE03](#)の三つだけなので、真価を発揮するのはしばらく先でしょうかね。

あっ、そうか。昨日は[J-T04](#)安いいいよな、とか思ってたけどこのJ-Skyステーションがあったか。うーむ、やっぱ機種交換はしばらく「待ち」か。安いからとりあえず[J-T04](#)買って、暫くしたら[J-SH04](#)に乗換えるって手もあるか。

__ 東京・大手町に高速接続のネットカフェ誕生(NIKKEI) ネットカフェ。割と死語っぽいと思うのはwebmasterだけでしょうか。ま、ネットカフェはともかく、従来の公衆電話のようにweb端末が設置されると世の中便利でしょうな。[フランスのコレ](#)みたいにするとか。

__ KDDI、携帯で動画本格伝送・世界最速、2002年開始(NIKKEI)

__ 富士通、携帯電話の通信インフラを仏社から受注(NIKKEI)

__ a u、アナログ方式の携帯電話サービス終了(NIKKEI)

noise@sawadaspecial.com

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[forum.nifty.com/](#) - 52k - [Cached](#) - [Similar pages](#)

[???????](#) - [[Translate this page](#)]

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[www.kustos.ac/lepos/page6/page6.htm](#) - 11k - [Cached](#) - [Similar pages](#)

[usbmidi](#)

usbmidi, Studio Breeze. ...

[homepage3.nifty.com/StudioBreeze/software/usbmidi-e.html](#) - 8k - [Cached](#) - [Similar pages](#)

[????????\(2\)](#) - [[Translate this page](#)]

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[yomi.pekori.to/help/ys4/ins_par2.html](#) - 6k - [Cached](#) - [Similar pages](#)

[All About\(???????\)](#) - [[Translate this page](#)]

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Re: Selective Enforcement

Posted By: Scott A. Miller (smiller@unimin.com) on 2 Nov

2000 at 4:06:26 AM

In-Reply-To: [Re: Selective Enforcement](#) posted by anonymous on 12:41:01 AM 30 Oct 2000

On the contrary, Jim Cody agreed to take down his site after California told him that it contravened state voting laws. California viewed the votes themselves as possessing intrinsic value. See:

California Shuts Down Vote-Trader Web Site Secretary of state calls such swaps illegal

: <<from the website>>

:

: Is it legal? A spokesperson at the U.S. Justice Department, which investigates potential instances of voter fraud, said it is, since the sites "serve as a clearing house. There is no pecuniary exchange, and it is an agreement amongst private parties, no legal violation there in terms of violation fraud. It definitely is an innovative campaign technique, to say the least." (excerpted from the MSNBC article reachable through our media page.)

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::

: : : <<from an email that went out recently to Green Party Affiliates>>

:::

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: : : We've all heard it: "A vote for Nader is a vote for Bush." Wouldn't it be great if you could both vote for Ralph Nader AND against George W. Bush? Now you can-- become a Nader Trader. If you live in a swing state, contact a Gore-voting friend in a strongly Bush-leaning state and informally agree that your friend will vote for Nader, while you will vote for Al Gore. Becoming a Nader Trader hurts George W. Bush, helps Al Gore, and will increase the national totals for Ralph Nader and the Green Party.

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:::

::: Visit <http://www.nadertrader.org> for more information.

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Replies:

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These search terms have been highlighted: **voteauction**



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<[A HREF= "http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2000/10/31/MN119607.DTL"](http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2000/10/31/MN119607.DTL)>California Shuts Down Vote-Trader Web Site Secretary of state calls such swaps illegal

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Pt. 2: This week [May 12 - 19, 2001] in avant garde cinema

From: Scott Stark (ss Stark@HI-BEAM.NET)

Date: Sat May 12 2001 - 09:14:27 PDT

- **Next message:** [Mark L. Feinsod: "Re: Konrad's statement"](#)
 - **Previous message:** [Scott Stark: "Pt. 1: This week \[May 12 - 19, 2001\] in avant garde cinema"](#)
 - **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)
-

This week [May 12 - 19, 2001] in avant garde cinema (part 2)

THURSDAY, MAY 17, 2001

5/17

Brookline, Massachusetts: Coolidge Corner Theatre

<http://www.coolidge.org>

VIDEO BALAGAN: INDEPENDENT EXPOSURE

8pm: Balagan is pleased to host an evening of Experimental works compiled by Joel S. Bachar, Founder of Microcinema and Blackchair Productions based in Seattle, Washington and on the web (www.microcinema.com). Works will include Joel Schlemowitz's EYE MUSIC, Paul Catanese's TWO MINUTES ON A SUBWAY TRAIN, Laura Purdy and Kristy Guevera-Flanagan's BLOW THEM UP and Rica Linders's DEJA VU. The Coolidge Corner Theater is located at 290 Harvard Street in Brookline, Massachusetts. For more information, call (617) 734-2500.

5/17

Cambridge, Massachusetts: Harvard Film Archive

<http://www.harvardfilmarchive.org/index.shtml>

AN EVENING WITH WENDY CLARK

7pm: Wendy Clarke has made a career out of creating contexts for other people (particularly disenfranchised individuals such as teens and prison inmates) to access the tools and resources of video and other new forms of communications technology. Grasping the therapeutic potential of television after making her own video diary in the early 1970s, media artist and educator Clarke has spent the past two decades exploring video as a forum for personal expression. First came her legendary LOVE TAPES, a series begun in the late 1970s in which people spoke extemporaneously on camera about love, videotaping themselves in a special booth. Clarke then spent six years as an artist-in-residence in the California prison system, working with

HIV-positive inmates on a series of media collaborations that led to her REMEMBRANCE project. The stories in REMEMBRANCE, like those from THE LOVE TAPES a decade earlier, range from personal tragedy and deep sadness to humorous attempts at coping. Collectively, the tapes serve as both a forum for contemporary discussion (and healing) and as a historic record of these times. Tonight's program will include ONE ON ONE: KEN AND LOUISE and THE LOVE TAPES (Volume One). This screening will take place at the Archive, the Carpenter Center for the Visual Arts, 24 Quincy Street, Cambridge. For more information, call the Archive at (617) 495-4700.

5/17

London, England: The Lux

<http://www.lux.org.uk>

KURT KREN

7pm: "With thirty-one 16mm works to date, Kren's historical role in Europe is comparable to that of Brakhage in America, as is the way in which each historically represent some aspect of the transition from the existential to the structural in their work" (Malcolm LeGrice, STUDIO INTERNATIONAL Nov/Dec 1975). The programme will be divided into 3 parts, showing 21 of Kren's films chronologically (1957-1969), including the masterpiece 15/67 T.V. and 9/64 O TANNENBAUM-MATERIALAKTION OTTO MUHL. This event will be held at the Lux Centre for Film, Video and Digital Arts, 2-4 Hoxton Square, London N1 6NU; for more information, call the Lux Centre at 020 7684 0200.

5/17

New York, New York: Anthology Film Archives

<http://www.anthologyfilmarchives.org/>

WORKS BY INDEPENDENT MAKERS

7pm: Tonight at Anthology Film Archives, Film/Video Arts, Third World Newsreel and Downtown Community Television present their on-going screening series of works by independent makers. This series takes place once a month throughout the five boroughs alternating between curated screenings of finished work and work-in-progress. Tonight's screening is free and open to the public. For more information contact Duana C. Butler at Film/Video Arts 212.673.9361 ext. 21 or e-mail dcbutler@fva.com. Anthology is located at 32 2nd Avenue, New York; for more information, call (212) 505-5181.

5/17

Pittsburgh, Pennsylvania: Andy Warhol Museum

<http://www.usaor.net:80/warhol/>

MORE MILK YVETTE

12:30pm: A screening of MORE MILK YVETTE (1965), directed by Andy Warhol. With Mario Montez, Paul Caruso, Richard Schmidt. The Andy Warhol Museum is located at 117 Sandusky Street in Pittsburgh; for more information, call (412) 237-8300.

5/17

San Francisco, California: Film Arts Foundation

<http://www.filmarts.org/>

25TH ANNIVERSARY SILVER JUBILEE

8pm: Music: Local Jazz Legend BJ Papa. Live Sets: DJ Moody Eva; DJ Cameron.

And a program from the stage featuring special guests and a FAF 25th

Anniversary Film by Frazer Bradshaw and Dan Weir. And in conjunction with

the San Francisco Cinematheque, two programs: 7:30pm: ALL IN THE FAMILY,

films that address, with humor, love or dismay, the institution which in

some way forms us all, including Curt McDowell's A VISIT TO INDIANA, Chuck

Hudina's PARENTS' VISIT, Barbara Hammer's OPTIC NERVE, Jay Rosenblatt's

SHORT OF BREATH, Ted White's THE PASSION OF GOOSE-EGG TUFFY and Daven Gee's

RISING. 9:30pm: INNER AND OUTER SPACES, films of physical or emotional

landscapes, often marked by the psyches of their makers, including Tim

Blaskovich's INTRO, Michael Rudnick's PANORAMA, Scott Bartlett's METANOMEN,

William Farley's SEA SPACE, Toney Merritt's LONESOME COWBOY, Dean Snider's

ISH AND VINNY, Sal Giammona's WALLS IN THE WOODS, Elise Hurwitz' I RAISE MY

ARM, Mark Taylor's HE WOULD HAVE LOVED ME TO DEATH, Danny Plotnick's DRUNK

#9 DRAMAMINE #5 or ANGEL AND GENO'S WEDDING, and Christian Bruno and

Natalija Vekic's DIGGINS. Complimentary drinks, desserts and hors d'oeuvres

will be served. This event will take place at the Yerba Buena Center for the

Arts, 701 Mission Street, San Francisco; for more information, call the Film

Arts Foundation at (415) 552-8760.

5/17

San Jose, California: Cine16

<http://www.cine16.com/>

VOICE OF THE CONVICT

The United States does a better job of putting people in prison than any

other western nation. Tonight's films are over thirty years old, but are

they irrelevant? Since they were made, the U.S. prison system has grown

tenfold, and now 2 million of our citizens are behind bars in any given day.

These films not only offer a broad perspective on life behind bars, but

provide an insight as to some of the historical reasons we are where we are

today. VOICES INSIDE (Tom Pettit, 1969): This hard-hitting segment of NBC

News "First Tuesday" program describes the seamier aspects of incarceration,

as described by the convicts themselves: rapes, punks, and bad food are

three recurrent themes. THIS CHILD IS RATED X (Martin Carr, 1971): Here,

Edwin Newman delivers a scathing report on the juvenile justice system,

reporting that half the crimes committed by youth (such as running away to

get married) would not have been considered offenses if committed by adults.

While many of the specific issues in the film have been rectified, the

question of police action selectively enforced against those least able to

speak out in their own behalf remains, to a large extent, unaddressed. This

documentary asks whether less draconian measures against non-violent statute

violators may have value, adding a provocative element to the discourse over incarceration that is as vital today as it was thirty years ago. CELL 16 (Martin Duckworth, 1971): At Collins Bay Penitentiary, Kingston, Ontario, we experience convict Peter Madden's bedlam in cinema v*rit*...Cine 16 is held at the Agenda Restaurant and Lounge, 399 South First Street, San Jose, California, and admission is free.

FRIDAY, MAY 18, 2001

5/18

Chicago, Illinois: Chicago Filmmakers

<http://www.chicagofilmmakers.org/>

STAN BRAKHAGE: NEW FILMS

8pm: The legendary Stan Brakhage, who is nearing his 50th year as an experimental filmmaker, is a hard one to keep up with! Tonight's program features five of the dozens of films the ever-prolific Brakhage has made since our last show of his work almost two years ago. Among these is a major new long film, THE GOD OF DAY HAD GONE DOWN UPON HIM (2000), an energetic, powerful, somber, and ultimately majestic portrait of the ocean.

"Miraculously, impossibly GOD OF DAY is like a vision of the ocean as the ocean might see itself, if it had eyes and a sentience capable of assimilating its own complex reality" (Paul Arthur). THE JESUS TRILOGY AND CODA is comprised of four beautiful handpainted films which utilized new step-printing techniques. Made with the assistance of Mary Beth Reed, these four films envision episodes of the New Testament. IN JESUS NAME (2001), THE BABY JESUS (2001), JESUS WEPT (2001), and CHRIST ON CROSS (2001). This event will be held at Columbia College, 600 South Michigan Avenue, Chicago. For more information, call Chicago Filmmakers at (773) 293-1447.

5/18

London, England: The Lux

<http://www.lux.org.uk>

INVISIBLE ADVERSARIES (VALIE EXPORT, 1976)

7pm: Aerial and close-up scenes from one year in the life of Anna, a young photographer living in Vienna. In rendering legible her landscape: headlines, radio news, strangers in the streets and in her home, Anna becomes increasingly convinced the Hyksos, a hostile alien force, are responsible for people's actions and the rising violence around her. This early feature is an excursion into identity splintered by the social and psychological static of the city. With an exclusive, live telephone Q&A with Valie Export from Vienna. This event will be held at the Lux Centre for Film, Video and Digital Arts, 2-4 Hoxton Square, London N1 6NU; for more information, call the Lux Centre at 020 7684 0200.

5/18

New York, New York: Anthology Film Archives

<http://www.anthologyfilmarchives.org/>

METRO PRESENTS: THE NEW YORK STORIES/ANGELIKA FILM FESTIVAL

MetroChannels, a division of Rainbow Media Holdings, and Angelika Entertainment Corporation have created a new film festival dedicated to independent features and shorts made in and about New York. From Friday, May 18, through Sunday, May 20, METRO PRESENTS: THE NEW YORK STORIES/ANGELIKA FILM FESTIVAL will simultaneously present selected shorts, documentaries and features on the Metro Channel and at Anthology Film Archives. Rainbow Media's MetroChannels are the first and only suite of television networks dedicated to the experience of living in the New York metropolitan area. The Film Festival will be presented on Metro, the anchor entertainment channel of MetroChannels' trio of networks, which is seen in more than three million households in the tri-state area. Angelika Entertainment Corporation is a production, distribution and exhibition company headed by Angelika Saleh, who produced such landmark films as STREETWISE and SWEET LORRAINE and co-founded Manhattan's famous Angelika Film Center. Check out the Metro Angelika Website at www.AngelikaFilm.com for Screening Information. Anthology is located at 32 2nd Avenue, New York; for more information, call (212) 505-5181.

5/18

Pittsburgh, Pennsylvania: Andy Warhol Museum

<http://www.usaor.net:80/warhol/>

SCREEN TEST #2

12:30pm: A screening of SCREEN TEST #2 (1965), directed by Andy Warhol. Written by Ronald Tavel. With Mario Montez, Ronald Tavel (offscreen). The Andy Warhol Museum is located at 117 Sandusky Street in Pittsburgh; for more information, call (412) 237-8300.

5/18

Portland, Oregon: Portland Art Museum

http://www.nwfilm.org/exhibition_nowplaying.html

THE 39TH ANNUAL ANN ARBOR FILM FESTIVAL TOUR

8pm: The Film Center is pleased to present the best of the 39TH ANN ARBOR FILM FESTIVAL, one of the oldest and most respected festivals celebrating American and international independent and experimental cinema. From animation to the avant garde, the Ann Arbor Film Festival is the only festival in the nation devoted solely to short works originating in 16mm. This year's winners are still being decided as we go to press, but the tour promises to boast a diverse selection of the celebrated and the unknown. This screening will take place at the Whitsell Theatre of the North West Film Center, SW 9th and Taylor, Portland. For more information, call (503) 221-1156.

5/18

Seattle, Washington: 911 Media Arts Center

<http://www.911media.org/>

ACCESS ORBIT YOUTH SCREENING

8pm: For the first time in television history, youth have created their own Television series distributed via satellite! ACCESS ORBIT provides a forum for young people to express themselves. The series looks at a range of issues that affect young people: family relationships, immigration, police brutality, homelessness, globalization, sex, gang culture, and homophobia. Come to 911 to see what young people from around the country are producing! ACCESS ORBIT is a project of Paper Tiger TV in association with Manhattan Neighborhood Network's Youth Channel, Deep Dish Satellite Network, and Free Speech TV. Each one hour program addresses themes chosen by youth from around the U.S. This event will be held at 911 Media Arts Center, 117 Yale Ave N., Seattle; for more information, call (206) 682-6552.

SATURDAY, MAY 19, 2001

5/19

Cambridge, Massachusetts: Harvard Film Archive

<http://www.harvardfilmarchive.org/index.shtml>

TWO SHORT FILMS BY FREDERIC PARDO AND PIERRE CLEMENTI

7pm: LA REVOLUTION N'EST QU'UN DEBUT: CONTINUOUS (Pierre Cl*menti, 1968):

This recently discovered film by actor/filmmaker Pierre Cl*menti records the tumultuous period leading up to May 1968 and its aftermath. Cl*menti's psychedelic visual style uses filters and superimposed images to create a manifesto for "permanent revolution," "spontaneous creation," and "poetry in the streets." Like the Warhol Factory, Cl*menti and his friends were interested in an expanded notion of art; here we see their band Les Fabuleux Loukoms (later called Les Jeunes rebelles) practicing, together with other activities that form an important document of the period and a portrait of key figures in Zanzibar Films. HOME MOVIE: ON THE SET OF PHILIPPE GARREL'S "LE LIT DE LA VIERGE" (Fr*d*ric Pardo, 1968): Filmmaker Philippe Garrel has always discussed the importance of painting for his cinema and, specifically, the painting of his longtime friend Fr*d*ric Pardo. In this film, Pardo documents the Garrel inner circle in Morocco in 1968 on the set of LE LIT DE LA VIERGE. While the stars of the Garrel film were Pierre Cl*menti and Zouzou, here in Pardo's behind-the-scenes view it is Garrel's peripheral actors who take center stage: Pierre-Richard Br*, Jean-Pierre Kalfon, Babette Lamy, and above all, the luminous Tina Aumont. The Zanzibar equivalent of THE CHELSEA GIRLS, Pardo's home movie is a mystical, life-affirming celebration. LE LIT DE LA VIERGE (Philippe Garrel, 1969): Born in 1948, Philippe Garrel was the wunderkind of French cinema in the 1960s. His fifth feature, LE LIT DE LA VIERGE, is a parable about Jesus set in modern times. Shot in the aftermath of the uprisings of May 1968, the film reverberates with the rebellious spirit of that period. Pierre Cl*menti

plays a Christ reluctant to assume his earthly mission, while the Virgin Mary (Zouzou, doubly cast as Mary Magdalene) attempts to reconcile him with his duty. Garrel invokes the Christian narrative only to reject a strict retelling in a chronicle that is episodic and nonlinear. This screening will take place at the Archive, the Carpenter Center for the Visual Arts, 24 Quincy Street, Cambridge. For more information, call the Archive at (617) 495-4700.

5/19

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MARINA ABRAMOVIC AND KIRA O'REILLY

8pm: A major selection of early performance works, the famous bow and arrow held in pure tension between Abramovic and Ulay with the arrow directed 3 inches from her heart, and Charles Atlas' SSS of 1989 in which Abramovic reclaims personal history after her extensive collaborations with Ulay.

Featured works will include: ART MUST BE BEAUTIFUL, ARTIST MUST BE BEAUTIFUL; FREEING THE VOICE; RELATION IN SPACE; AAA-AAA; TALKING ABOUT SIMILARITY; ANIMA MUNDI; SSS (Abramovic/Atlas 1989) and WET CUP (Kira O'Reilly, 2000). This event will be held at the Lux Centre for Film, Video and Digital Arts, 2-4 Hoxton Square, London N1 6NU; for more information, call the Lux Centre at 020 7684 0200.

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Minneapolis, Minnesota: Intermedia Arts Center

FLAMING FILM FESTIVAL: PLAYING WITH OURSELVES

9:30pm: Curator and filmmaker Maëa Cybelle Carpenter brings her lesbian and trans showcase of sexexplicit video work, exploring the boundaries of sexual fantasy and moving beyond the categories of "porn" and "erotica." Featuring works by: Teri Rice, Kat Pankam, Tobaron Waxman, Liz Miller, Dale Bogucki, Liz Miller, Stacey Goldate, Tejal Shah and others. Some of the video-makers will be in attendance. This event will take place at the Intermedia Arts Center, 2822 Lyndale Avenue South in Minneapolis; for more information, e-mail oleyebrow@technodyke.com or call (612) 871-4444.

5/19

New York, New York: Millennium Film Workshop

<http://www.millenniumfilm.org/>

GIMME A KISS BY LILLY RIVLIN

GIMME A KISS (2000): Parents, the things you know, the things you don't know and the things you find out. After the filmmaker's parents celebrate their 50th anniversary, she documents the discovery of her father's incessant womanizing and her mother's stoic grace, a troubling investigation of family secretsÉ Who of us really ever knows our parents? asks the filmmaker. Against the backdrop of her aging parents (Ben and Bella) as they lie next

to each other in adjoining hospital beds, like two Beckett characters, immobilized by sickness, she seeks to make sense of her parents' marriage. She explores her father's contradictory personality, his relationship to his family and his infidelities. In searching for answers, she reveals the multiple layers of the human condition as she weaves her brother, sister, aunts, her mother's best friend, and, one of her father's lovers into the story. In the end, it is her father who is her mother's chief caretaker, keeping her alive, and giving her the attention she always wanted. And in the process of documenting this story over years, the filmmaker has the conversation she never had with her father: about unfaithfulness, life, death and the meaning of love. This event will take place at Millennium Film Workshop, 66 East 4th Street, New York City. For more information, call (212) 673-0090.

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7:30pm: Tonight we welcome Seattle filmmaker Sandy Osawa (PEPPER'S POW WOW, LIGHTING THE 7TH FIRE, IN THE HEART OF BIG MOUNTAIN) for a screening of her wonderful new portrait of America's foremost Native American comedian. Charlie Hill, an Oneida from Wisconsin, has used his piercing satirical humor to debunk stereotypes of Native Americans and offer wry and insightful commentary on America's history of racism and oppression of minorities. Drawing on a range of influences, from Sioux author and scholar Vine Deloria, Jr., and Native American humorist Will Rogers, to comedian Richard Pryor, Hill's art is testament to the power of humor to inspire thought as well as laughter. This screening will take place at the Guild Theatre of the North West Film Center, SW 9th and Taylor, Portland. For more information, call (503) 221-1156.

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5/19

San Francisco, California: Other Cinema

<http://www.othercinema.com/>

“aARK EMERGENCY BENEFIT

8:30pm: In case you haven't heard, “aark is a cell of mischievous media artists with bold graphics and aggressive wit, who have launched a steady stream of scathingly critical initiatives against the corporate take-over of the democratic process, not to mention everyday life. During the Fall 2000 elections, “aark agent James Baumgartner was sued by the Chicago Board of Elections for his satirical voteauction.com website. Though the ACLU has agreed to defend him, James has already racked up a \$10,000 legal debt. Here's a friggin' raft of prank videos, plus a half-hour set of Negativland music videos-towards his free speech defense. This event will take place at Artists' Television Access, 992 Valencia, San Francisco; for more information, call (415) 824-3890.

5/19

Shreveport, Louisiana: Mini-Cine

<http://www.swampland.org/>

MADCAT

7pm: Minicine Visiting Filmmaker Series host Ariella Ben-Dov of San Francisco to screen The MadCat International Women's Film Festival. Doors open at 7pm for art by Michael Moore, The Double Barrel Project, and the Girly-Girl and Manly-Man Art Show; films roll at 8:30pm. This event will take place at 710 Texas Street (formerly Ivan Smith Furniture) in Shreveport; for more information, write Mini-Cine at minicine@swampland.org.

Let us know about your alternative film/video event!

Send your event announcements and subscription requests to Craig Fischer at fischercj@conrad.appstate.edu.

For info on FrameWorks, contact Pip Chodorov at [<PipChod@aol.com>](mailto:PipChod@aol.com).

- **Next message:** [Mark L. Feinsod: "Re: Konrad's statement"](#)

- **Previous message:** [Scott Stark: "Pt. 1: This week \[May 12 - 19, 2001\] in avant garde cinema"](#)
- **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)



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Pt. 2: This week [May 12 - 19, 2001] in avant garde cinema

From: Scott Stark (sstark@HI-BEAM.NET)

Date: Sat May 12 2001 - 09:14:27 PDT

- **Next message:** [Mark L. Feinsod: "Re: Konrad's statement"](#)
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- **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)

This week [May 12 - 19, 2001] in avant garde cinema (part 2)

THURSDAY, MAY 17, 2001

5/17

Brookline, Massachusetts: Coolidge Corner Theatre

<http://www.coolidge.org>

VIDEO BALAGAN: INDEPENDENT EXPOSURE

8pm: Balagan is pleased to host an evening of Experimental works compiled by Joel S. Bachar, Founder of Microcinema and Blackchair Productions based in Seattle, Washington and on the web (www.microcinema.com). Works will include Joel Schlemowitz's EYE MUSIC, Paul Catanese's TWO MINUTES ON A SUBWAY TRAIN, Laura Purdy and Kristy Guevera-Flanagan's BLOW THEM UP and Rica Linders's DEJA VU. The Coolidge Corner Theater is located at 290 Harvard Street in

Brookline, Massachusetts. For more information, call (617) 734-2500.

5/17

Cambridge, Massachusetts: Harvard Film Archive

<http://www.harvardfilmarchive.org/index.shtml>

AN EVENING WITH WENDY CLARK

7pm: Wendy Clarke has made a career out of creating contexts for other people (particularly disenfranchised individuals such as teens and prison inmates) to access the tools and resources of video and other new forms of communications technology. Grasping the therapeutic potential of television after making her own video diary in the early 1970s, media artist and educator Clarke has spent the past two decades exploring video as a forum for personal expression. First came her legendary LOVE TAPES, a series begun in the late 1970s in which people spoke extemporaneously on camera about love, videotaping themselves in a special booth. Clarke then spent six years as an artist-in-residence in the California prison system, working with HIV-positive inmates on a series of media collaborations that led to her REMEMBRANCE project. The stories in REMEMBRANCE, like those from THE LOVE TAPES a decade earlier, range from personal tragedy and deep sadness to humorous attempts at coping. Collectively, the tapes serve as both a forum for contemporary discussion (and healing) and as a historic record of these times. Tonight's program will include ONE ON ONE: KEN AND LOUISE and THE LOVE TAPES (Volume One). This screening will take place at the Archive, the Carpenter Center for the Visual Arts, 24 Quincy Street, Cambridge. For more information, call the Archive at (617) 495-4700.

5/17

London, England: The Lux

<http://www.lux.org.uk>

KURT KREN

7pm: "With thirty-one 16mm works to date, Kren's historical role in Europe is comparable to that of Brakhage in America, as is the way in which each historically represent some aspect of the transition from the existential to the structural in their work" (Malcolm LeGrice, STUDIO INTERNATIONAL Nov/Dec 1975). The programme will be divided into 3 parts, showing 21 of Kren's films chronologically (1957-1969), including the masterpiece 15/67 T.V. and 9/64 O TANNENBAUM-MATERIALAKTION OTTO MUHL. This event will be held at the Lux Centre for Film, Video and Digital Arts, 2-4 Hoxton Square, London N1 6NU; for more information, call the Lux Centre at 020 7684 0200.

5/17

New York, New York: Anthology Film Archives

<http://www.anthologyfilmarchives.org/>

WORKS BY INDEPENDENT MAKERS

7pm: Tonight at Anthology Film Archives, Film/Video Arts, Third World

Newsreel and Downtown Community Television present their on-going screening series of works by independent makers. This series takes place once a month throughout the five boroughs alternating between curated screenings of finished work and work-in-progress. Tonight's screening is free and open to the public. For more information contact Duana C. Butler at Film/Video Arts 212.673.9361 ext. 21 or e-mail dcbutler@fva.com. Anthology is located at 32 2nd Avenue, New York; for more information, call (212) 505-5181.

5/17

Pittsburgh, Pennsylvania: Andy Warhol Museum

<http://www.usaor.net:80/warhol/>

MORE MILK YVETTE

12:30pm: A screening of MORE MILK YVETTE (1965), directed by Andy Warhol. With Mario Montez, Paul Caruso, Richard Schmidt. The Andy Warhol Museum is located at 117 Sandusky Street in Pittsburgh; for more information, call (412) 237-8300.

5/17

San Francisco, California: Film Arts Foundation

<http://www.filmarts.org/>

25TH ANNIVERSARY SILVER JUBILEE

8pm: Music: Local Jazz Legend BJ Papa. Live Sets: DJ Moody Eva; DJ Cameron. And a program from the stage featuring special guests and a FAF 25th Anniversary Film by Frazer Bradshaw and Dan Weir. And in conjunction with the San Francisco Cinematheque, two programs: 7:30pm: ALL IN THE FAMILY, films that address, with humor, love or dismay, the institution which in some way forms us all, including Curt McDowell's A VISIT TO INDIANA, Chuck Hudina's PARENTS' VISIT, Barbara Hammer's OPTIC NERVE, Jay Rosenblatt's SHORT OF BREATH, Ted White's THE PASSION OF GOOSE-EGG TUFFY and Daven Gee's RISING. 9:30pm: INNER AND OUTER SPACES, films of physical or emotional landscapes, often marked by the psyches of their makers, including Tim Blaskovich's INTRO, Michael Rudnick's PANORAMA, Scott Bartlett's METANOMEN, William Farley's SEA SPACE, Toney Merritt's LONESOME COWBOY, Dean Snider's ISH AND VINNY, Sal Giammona's WALLS IN THE WOODS, Elise Hurwitz' I RAISE MY ARM, Mark Taylor's HE WOULD HAVE LOVED ME TO DEATH, Danny Plotnick's DRUNK #9 DRAMAMINE #5 or ANGEL AND GENO'S WEDDING, and Christian Bruno and Natalija Vekic's DIGGINS. Complimentary drinks, desserts and hors d'oeuvres will be served. This event will take place at the Yerba Buena Center for the Arts, 701 Mission Street, San Francisco; for more information, call the Film Arts Foundation at (415) 552-8760.

5/17

San Jose, California: Cine16

<http://www.cine16.com/>

VOICE OF THE CONVICT

The United States does a better job of putting people in prison than any other western nation. Tonight's films are over thirty years old, but are they irrelevant? Since they were made, the U.S. prison system has grown tenfold, and now 2 million of our citizens are behind bars in any given day. These films not only offer a broad perspective on life behind bars, but provide an insight as to some of the historical reasons we are where we are today. VOICES INSIDE (Tom Pettit, 1969): This hard-hitting segment of NBC News "First Tuesday" program describes the seamier aspects of incarceration, as described by the convicts themselves: rapes, punks, and bad food are three recurrent themes. THIS CHILD IS RATED X (Martin Carr, 1971): Here, Edwin Newman delivers a scathing report on the juvenile justice system, reporting that half the crimes committed by youth (such as running away to get married) would not have been considered offenses if committed by adults. While many of the specific issues in the film have been rectified, the question of police action selectively enforced against those least able to speak out in their own behalf remains, to a large extent, unaddressed. This documentary asks whether less draconian measures against non-violent statute violators may have value, adding a provocative element to the discourse over incarceration that is as vital today as it was thirty years ago. CELL 16 (Martin Duckworth, 1971): At Collins Bay Penitentiary, Kingston, Ontario, we experience convict Peter Madden's bedlam in cinema v*rit*...Cine 16 is held at the Agenda Restaurant and Lounge, 399 South First Street, San Jose, California, and admission is free.

FRIDAY, MAY 18, 2001

5/18

Chicago, Illinois: Chicago Filmmakers

<http://www.chicagofilmmakers.org/>

STAN BRAKHAGE: NEW FILMS

8pm: The legendary Stan Brakhage, who is nearing his 50th year as an experimental filmmaker, is a hard one to keep up with! Tonight's program features five of the dozens of films the ever-prolific Brakhage has made since our last show of his work almost two years ago. Among these is a major new long film, THE GOD OF DAY HAD GONE DOWN UPON HIM (2000), an energetic, powerful, somber, and ultimately majestic portrait of the ocean.

"Miraculously, impossibly GOD OF DAY is like a vision of the ocean as the ocean might see itself, if it had eyes and a sentience capable of assimilating its own complex reality" (Paul Arthur). THE JESUS TRILOGY AND CODA is comprised of four beautiful handpainted films which utilized new step-printing techniques. Made with the assistance of Mary Beth Reed, these four films envision episodes of the New Testament. IN JESUS NAME (2001), THE BABY JESUS (2001), JESUS WEPT (2001), and CHRIST ON CROSS (2001). This event will be held at Columbia College, 600 South Michigan Avenue, Chicago. For more information, call Chicago Filmmakers at (773) 293-1447.

5/18

London, England: The Lux

<http://www.lux.org.uk>

INVISIBLE ADVERSARIES (VALIE EXPORT, 1976)

7pm: Aerial and close-up scenes from one year in the life of Anna, a young photographer living in Vienna. In rendering legible her landscape: headlines, radio news, strangers in the streets and in her home, Anna becomes increasingly convinced the Hyksos, a hostile alien force, are responsible for people's actions and the rising violence around her. This early feature is an excursion into identity splintered by the social and psychological static of the city. With an exclusive, live telephone Q&A with Valie Export from Vienna. This event will be held at the Lux Centre for Film, Video and Digital Arts, 2-4 Hoxton Square, London N1 6NU; for more information, call the Lux Centre at 020 7684 0200.

5/18

New York, New York: Anthology Film Archives

<http://www.anthologyfilmarchives.org/>

METRO PRESENTS: THE NEW YORK STORIES/ANGELIKA FILM FESTIVAL

MetroChannels, a division of Rainbow Media Holdings, and Angelika Entertainment Corporation have created a new film festival dedicated to independent features and shorts made in and about New York. From Friday, May 18, through Sunday, May 20, METRO PRESENTS: THE NEW YORK STORIES/ANGELIKA FILM FESTIVAL will simultaneously present selected shorts, documentaries and features on the Metro Channel and at Anthology Film Archives. Rainbow Media's MetroChannels are the first and only suite of television networks dedicated to the experience of living in the New York metropolitan area. The Film Festival will be presented on Metro, the anchor entertainment channel of MetroChannels' trio of networks, which is seen in more than three million households in the tri-state area. Angelika Entertainment Corporation is a production, distribution and exhibition company headed by Angelika Saleh, who produced such landmark films as STREETWISE and SWEET LORRAINE and co-founded Manhattan's famous Angelika Film Center. Check out the Metro Angelika Website at www.AngelikaFilm.com for Screening Information. Anthology is located at 32 2nd Avenue, New York; for more information, call (212) 505-5181.

5/18

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SCREEN TEST #2

12:30pm: A screening of SCREEN TEST #2 (1965), directed by Andy Warhol. Written by Ronald Tavel. With Mario Montez, Ronald Tavel (offscreen). The Andy Warhol Museum is located at 117 Sandusky Street in Pittsburgh; for more information, call (412) 237-8300.

5/18

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8pm: The Film Center is pleased to present the best of the 39TH ANN ARBOR FILM FESTIVAL, one of the oldest and most respected festivals celebrating American and international independent and experimental cinema. From animation to the avant garde, the Ann Arbor Film Festival is the only festival in the nation devoted solely to short works originating in 16mm. This year's winners are still being decided as we go to press, but the tour promises to boast a diverse selection of the celebrated and the unknown. This screening will take place at the Whitsell Theatre of the North West Film Center, SW 9th and Taylor, Portland. For more information, call (503) 221-1156.

5/18

Seattle, Washington: 911 Media Arts Center

<http://www.911media.org/>

ACCESS ORBIT YOUTH SCREENING

8pm: For the first time in television history, youth have created their own Television series distributed via satellite! ACCESS ORBIT provides a forum for young people to express themselves. The series looks at a range of issues that affect young people: family relationships, immigration, police brutality, homelessness, globalization, sex, gang culture, and homophobia. Come to 911 to see what young people from around the country are producing! ACCESS ORBIT is a project of Paper Tiger TV in association with Manhattan Neighborhood Network's Youth Channel, Deep Dish Satellite Network, and Free Speech TV. Each one hour program addresses themes chosen by youth from around the U.S. This event will be held at 911 Media Arts Center, 117 Yale Ave N., Seattle; for more information, call (206) 682-6552.

SATURDAY, MAY 19, 2001

5/19

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TWO SHORT FILMS BY FREDERIC PARDO AND PIERRE CLEMENTI

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<http://www.othercinema.com/>

“aARK EMERGENCY BENEFIT

8:30pm: In case you haven't heard, “aark is a cell of mischievous media artists with bold graphics and aggressive wit, who have launched a steady stream of scathingly critical initiatives against the corporate take-over of the democratic process, not to mention everyday life. During the Fall 2000 elections, “aark agent James Baumgartner was sued by the Chicago Board of Elections for his satirical **voteauction**.com website. Though the ACLU has agreed to defend him, James has already racked up a \$10,000 legal debt. Here's a friggin' raft of prank videos, plus a half-hour set of Negativland music videos-towards his free speech defense. This event will take place at Artists' Television Access, 992 Valencia, San Francisco; for more information, call (415) 824-3890.

5/19

Shreveport, Louisiana: Mini-Cine

<http://www.swampland.org/>

MADCAT

7pm: Minicine Visiting Filmmaker Series host Ariella Ben-Dov of San Francisco to screen The MadCat International Women's Film Festival. Doors open at 7pm for art by Michael Moore, The Double Barrel Project, and the Girly-Girl and Manly-Man Art Show; films roll at 8:30pm. This event will take place at 710 Texas Street (formerly Ivan Smith Furniture) in

Shreveport; for more information, write Mini-Cine at minicine@swampland.org.

Let us know about your alternative film/video event!

Send your event announcements and subscription requests to Craig Fischer at fischerj@conrad.appstate.edu.

For info on FrameWorks, contact Pip Chodorov at [<PipChod@aol.com>](mailto:PipChod@aol.com).

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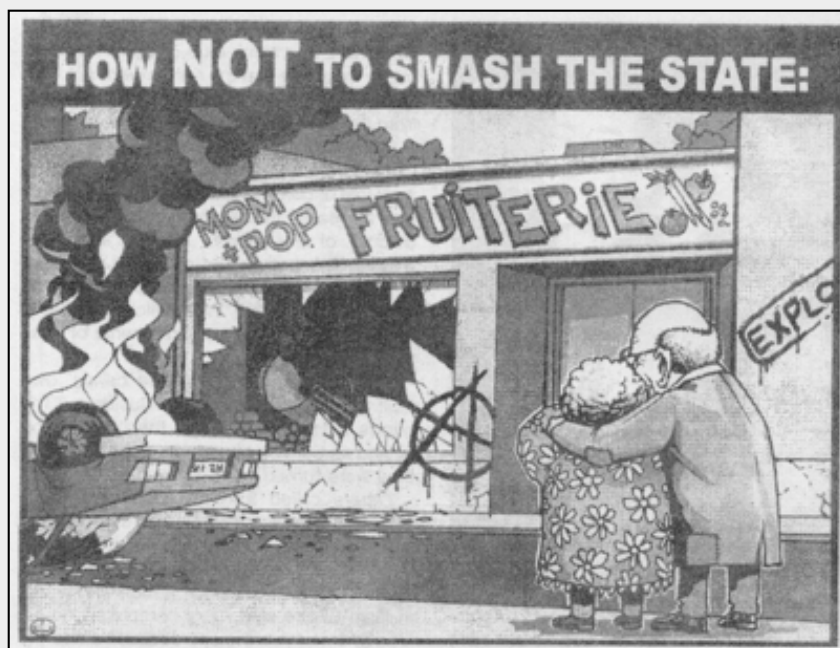
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Ook Duits is het duo Bankleer. Die hebben bedacht dat we zo snel mogelijk van **den arbeid** afgeholpen moeten worden (in plaats van wat alle politici willen; aan het werk). Een interview Bankleer verscheen in [dagblad TAZ](#).

Iedereen **tegen Bush?** Niet deze [twee Denen](#)

De **irisscan** is alweer achterhaald. Dr. Bichelbauer adviseert [de anusscan](#).

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soms ook de spuitbus verkiest.

Nog [meer stickers](#).

Zomaar: Sommige **doden** worden steeds harder gemist. Hier, ter nagedachtenis van Clash-muzikant [Joe Strummer](#).

En tekenaar [Ralph Steadman](#) herdacht Hunter S. Thompson, die er zelf een eind aan maakte.

In geval van HST-achtige depressie helpt het misschien om dit [poezenfilmpje af te draaien](#), naar verluidt een van de grootste hits op internet.

Dacht je dat we met gentech de ergste industriële nachtmerrie voor de kiezen gehad hebben? Nu komt **nanotech** op stoom, uiteraard zonder te vragen of we daar wel zin in hebben. Gelukkig hebben we [op corporatewatch](#) om het uit te leggen.

Binnenkort weer [anarchistisch kamperen](#).

Voor suggesties: info@globalinfo.nl

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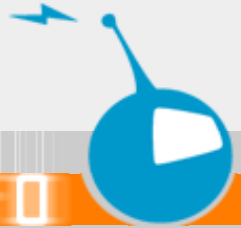
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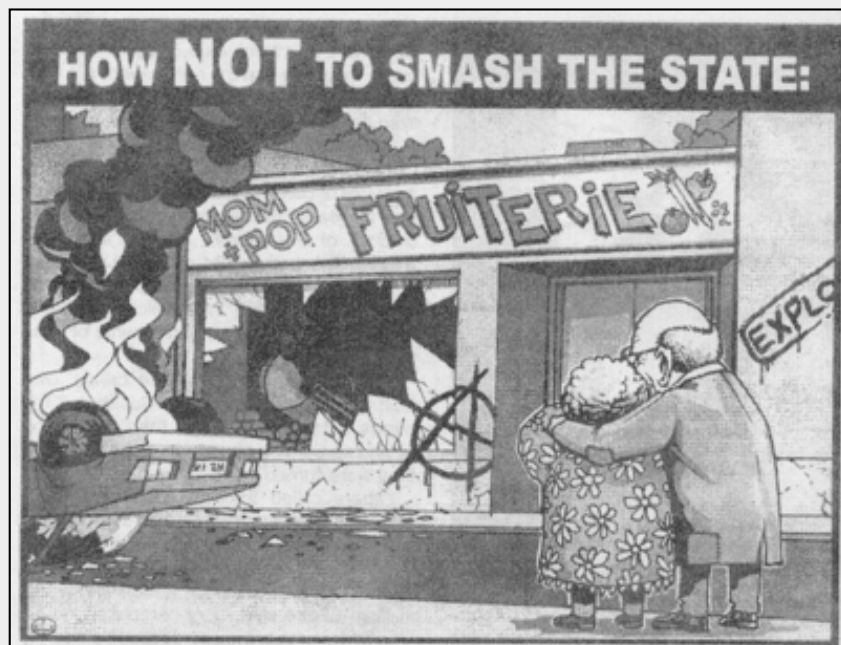
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Ook Duits is het duo Bankleer. Die hebben bedacht dat we zo snel mogelijk van **den arbeid** afgeholpen moeten worden (in plaats van wat alle politici willen; aan het werk). Een interview Bankleer verscheen in [dagblad TAZ](#).

Iedereen **tegen Bush**? Niet deze [twee Denen](#)

De **irisscan** is alweer achterhaald. Dr. Bichelbauer adviseert [de anusscan](#).

Stickers zijn plotseling hip, alternatief en in. Er worden prijzen uitgedeeld voor de beste bij: [stickeraward](#).

Hier heb je een [Nederlands verhaal](#) over kleefplaatjes. Van [influenza](#) die soms ook de spuitbus verkiest.

Nog [meer stickers](#).

Zomaar: Sommige **doden** worden steeds harder gemist. Hier, ter nagedachtenis van Clash-muzikant [Joe Strummer](#).

En tekenaar [Ralph Steadman](#) herdacht Hunter S. Thompson, die er zelf een eind aan maakte.

In geval van HST-achtige depressie helpt het misschien om dit [poezenfilmje af te draaien](#), naar verluidt een van de grootste hits op internet.

Dacht je dat we met gentech de ergste industriële nachtmerrie voor de kiezen gehad hebben? Nu komt **nanotech** op stoom, uiteraard zonder te vragen of we daar wel zin in hebben. Gelukkig hebben we [op corporatewatch](#) om het uit te leggen.

Binnenkort weer [anarchistisch kamperen](#).

Voor suggesties: info@globalinfo.nl

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Stimmenkauf

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Stimmenkauf

In Deutschland ist es weder erlaubt Stimmen für die Bundestagswahl zu kaufen, bzw. zu verkaufen oder zum Verkauf anzubieten. Selbst der Versuch ist strafbar.

Das [Strafgesetzbuch \(§§ 108b, 108c\)](#) sieht dafür Freiheitsstrafen von **mindestens sechs Monaten** bis zu fünf Jahren oder Geldstrafen vor.

Unter diese Regelungen dürften damit auch alle Versuche fallen, über Auktionsplattformen wie [Ebay](#), Wählerstimmen oder Briefwahlunterlagen zu versteigern oder ersteigern.

Vor der Bundestagswahl 2002 wurden einige Ermittlungsverfahren wegen [Wahlstimmenverkaufs](#) eingeleitet.

Bei der amerikanischen Präsidentschaftswahl 2000 sind Stimmenverkäufer wie [Voteauction.com](#) unangenehm aufgefallen.



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[Straftaten gegen Verfassungsorgane sowie bei Wahlen und Abstimmungen](#)

Auszug aus dem StGB (§ 107 - § 108e) mit den für Wahlen und Abstimmungen relevanten Paragraphen.

von [Martin Fehndrich](#)

freedom of statement

Buying of votes

[[right to vote encyclopedia](#)]

Buying of votes

In Germany is it neither permits voices for the election to the Bundestag to buy to sell and/or offer for the sales. Even the attempt is punishable.

[The penal code \(§ § 108b, 108c\)](#) plans duration imprisonments from **at least six months** to five years or fines.

Under these regulations thereby also all attempts might fall, over auction platforms such as [Ebay](#), votes or letter choice documents to auctions or ersteigern.

Before the election to the Bundestag 2002 some preliminary investigations were introduced [because of](#) vote sales.

With the American Praesidenschaftswahl 2000 voice salesmen were noticeable [such as](#) Voteauction.com unpleasantly.



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Injunction generator

From Wikipedia, the free encyclopedia.

The Injunction Generator ^[1] (*http://ipnic.org*) is a artistic software module which claims to generate on request legal injunctions and personalized documentation in .rtf/.pdf format to force a site into taking its contents offline.

Carrying on with their principles of 'radical corporative marketing strategy' ([Media Hacking](#)), the artists group [ubermorgen](#) has produced an effective and credible interface which helps creating one's own documented cease-and-desist request, which is also automatically sent to the DNS administrators, to the site's owner and to some journalists to trick them into supporting the 'public trial'.

The project is published on the IP-NIC domain ipnic.org ^[2] (*http://ipnic.org*), an acronym which mimics the official protocols (Internet Protocol - Network Information Center), revisited as 'Internet Partnership for No Internet Content'.

This sarcastic provocation (a 'public shutdown service') was conceived after experiencing a similar mishap for the **Voteauction**, which invited American citizens to put up their vote for auction. At the time (2000) an email injunction by an American court was sent to the swiss provider hosting the site, who took them immediately offline even though email documents aren't legally considered official and even though Swiss is outside of American jurisdiction.

[\[edit\]](#)

External link

Voteauction (*<http://www.vote-auction.net/>*)

[ubermorgen](http://www.ubermorgen.com/) (*<http://www.ubermorgen.com/>*)

[\(F\)originals / Documents](http://www.foriginals.com/) (*<http://www.foriginals.com/>*)

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DIE ZEIT – "Ein weiter Weg"

DIE ZEIT

17/2001

"Ein weiter Weg"

Mit internationalen Abkommen will der Internet-Jurist Henry H. Perritt globalen Glückssrittern beikommen

Die Fragen stellte Thomas Fischermann

DIE ZEIT: Die Aufsicht der Nationalstaaten über Internet-Geschäfte funktioniert immer weniger. Zollbeamte können Bits und Bytes nicht an der Grenze abfangen, und jetzt entstehen Computerfirmen sogar auf fernen Inseln. Ein Grund zur Sorge?

HENRY H. PERRITT: Die nationalstaatlichen Institutionen fürchten, dass Unternehmen aus dem Wirkungsbereich von Gesetzen verschwinden, die zum Schutz der Bürger gemacht wurden. Dotcom-Unternehmer sollen aber auch nicht von Gerichten und Behörden in aller Welt geknebelt werden. Ich glaube, dass wir uns weltweit darüber verständigen müssen, wie das Internet zu regulieren ist.

ZEIT: Die Staaten der Welt ziehen an einem Strang? Das wäre überraschend.

PERRITT: Einige Gerichtsbeschlüsse zeigen, dass sich überall bestimmte Prinzipien für den Umgang mit dem Internet herauszubilden scheinen. Im Idealfall wird es auf eine Mischung aus verbindlichen staatlichen Grundregeln und einer privaten Selbstaufsicht hinauslaufen. Es gibt auch Debatten über vereinheitlichte nationalstaatliche Regeln in aller Welt, etwa bei der Haager Konferenz für internationales Privatrecht oder der EU-Kommission. Das ist noch ein weiter Weg.

ZEIT: Bis dahin herrscht fröhliche Anarchie, sobald die Unternehmer Grenzen überschreiten?

PERRITT: So schlimm ist es gar nicht. Wir hatten in Chicago einen Fall, bei dem die Wahlbehörden erfolgreich eine Internet-Site verklagt haben, auf der die Leute Stimmen zur Präsidentschaftswahl kaufen und verkaufen konnten. Der Anbieter saß in Österreich, wir konnten den Gerichtsbeschluss also nicht einfach vollstrecken. Aber jede Website braucht eine Adresse, einen so genannten Domain-Namen – in diesem Fall www.voteauction.com –, und der wird von einem Unternehmen vergeben. Das saß in Pennsylvania. Also hat der zuständige Richter den Betreiber in Pennsylvania angewiesen, den Domain-Namen zurückzuziehen, und plötzlich fand sich unter jener Internet-Adresse nichts mehr.

ZEIT: Dann hat sich der Betreiber dieser Website wohl einen anderen Namen besorgt?

PERRITT: So war es. Er nannte sich fortan www.vote-auction.com und hat diesen Namen in der Schweiz registrieren lassen. Wir haben daraufhin Kontakt mit dem schweizerischen Unternehmen aufgenommen, das diesen Domain-Namen vergibt, und wir haben so argumentiert: Okay, es wird wohl lange dauern, bis wir einen Gerichtsbeschluss aus Illinois durch die schweizerischen Instanzen bringen. Aber Ihre eigenen Geschäftsbedingungen verbieten illegale Aktivitäten auf Ihren Websites. Bei uns hat ein Richter entschieden, dass dieses Angebot illegal ist – wollen Sie die Website nicht abstellen? Die Schweizer hielten das für eine gute Idee.

ZEIT: Solche Erfahrungen treiben Internet-Anbieter auf Inseln oder in ferne Länder.

PERRITT: Man braucht für eine Website immer noch einen Domain-Namen, und der muss registriert sein. Die meisten Computer dafür stehen in den Vereinigten Staaten oder zumindest in anderen respektabel regierten Ländern.

ZEIT: Die Rolle der Vereinigten Staaten passt vielen Ländern nicht ...

PERRITT: ... wir können ruhig offen von US-Hegemonie oder Dominanz sprechen ...

ZEIT: ... und diese Ablehnung könnte die Kontrolle auf Dauer infrage stellen. Die Chinesen haben dagegen protestiert, dass ihr System für die Verwaltung von Domain-Namen von Amerika aus gelenkt werden soll.

PERRITT: Wenn jeder seine eigenen Domain-Namen festlegen könnte, würden wir das Internet balkanisieren. Dann könnte bald auch jeder Betrüger sein eigenes System haben.

ZEIT: Programmierer, Hacker, "Cypherpunks" arbeiten bereits an so etwas – und auch an virtuellen Netzen, in denen man keine Domain-Namen mehr braucht. Beunruhigt Sie das nicht?

PERRITT: Ja, wenn man seine Kommunikation im Internet verschlüsselt, können die Behörden nicht mehr wissen, was da passiert. Man kann aber nicht alles verschlüsseln. Wenn man eine Website betreiben will, die etwas kauft oder verkauft, müssen die Kunden sie ja finden können; sie muss also öffentlich sein. Und selbst wenn man anonyme Korrespondenz mit Geschäftspartnern führt, werden diese Daten immer noch auf einem Computer gespeichert. In den meisten Ländern kann man einen Durchsuchungsbefehl bekommen, um diesen Computer zu beschlagnahmen.

ZEIT: Aber das ist genau der Grund, warum jetzt "Datenparadiese" in Mode kommen.

PERRITT: Ja, aber wer will dort auf Dauer leben? Natürlich werden Betrüger sich stets vor den Behörden zu verstecken versuchen. Das heißt aber nicht, dass sie vom Erdboden verschwinden. Terroristen müssen Bomben legen, Geldwäscher und Steuersünder müssen an irgendeinem Punkt auch mit "richtigem" Geld hantieren. Deshalb sind die traditionellen Waffen der Behörden nicht stumpf geworden.

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Mit internationalen Abkommen will der Internet-Jurist Henry H. Perritt globalen Glücksrittern beikommen

Die Fragen stellte Thomas Fischermann

DIE ZEIT: Die Aufsicht der Nationalstaaten über Internet-Geschäfte funktioniert immer weniger. Zollbeamte können Bits und Bytes nicht an der Grenze abfangen, und jetzt entstehen Computerfirmen sogar auf fernen Inseln. Ein Grund zur Sorge?

HENRY H. PERRITT: Die nationalstaatlichen Institutionen fürchten, dass Unternehmen aus dem

Wirkungskreis von Gesetzen verschwinden, die zum Schutz der Bürger gemacht wurden.

Dotcom–Unternehmer sollen aber auch nicht von Gerichten und Behörden in aller Welt geknebelt werden. Ich glaube, dass wir uns weltweit darüber verständigen müssen, wie das Internet zu regulieren ist.

ZEIT: Die Staaten der Welt ziehen an einem Strang? Das wäre überraschend.

PERRITT: Einige Gerichtsbeschlüsse zeigen, dass sich überall bestimmte Prinzipien für den Umgang mit dem Internet herauszubilden scheinen. Im Idealfall wird es auf eine Mischung aus verbindlichen staatlichen Grundregeln und einer privaten Selbstaufsicht hinauslaufen. Es gibt auch Debatten über vereinheitlichte nationalstaatliche Regeln in aller Welt, etwa bei der Haager Konferenz für internationales Privatrecht oder der EU–Kommission. Das ist noch ein weiter Weg.

ZEIT: Bis dahin herrscht fröhliche Anarchie, sobald die Unternehmer Grenzen überschreiten?

PERRITT: So schlimm ist es gar nicht. Wir hatten in Chicago einen Fall, bei dem die Wahlbehörden erfolgreich eine Internet–Site verklagt haben, auf der die Leute Stimmen zur Präsidentschaftswahl kaufen und verkaufen konnten. Der Anbieter saß in Österreich, wir konnten den Gerichtsbeschluss also nicht einfach vollstrecken. Aber jede Website braucht eine Adresse, einen so genannten Domain–Namen – in diesem Fall www.voteauction.com –, und der wird von einem Unternehmen vergeben. Das saß in Pennsylvania. Also hat der zuständige Richter den Betreiber in Pennsylvania angewiesen, den Domain–Namen zurückzuziehen, und plötzlich fand sich unter jener Internet–Adresse nichts mehr.

ZEIT: Dann hat sich der Betreiber dieser Website wohl einen anderen Namen besorgt?

PERRITT: So war es. Er nannte sich fortan [www.vote–auction.com](http://www.vote-auction.com) und hat diesen Namen in der Schweiz registrieren lassen. Wir haben daraufhin Kontakt mit dem schweizerischen Unternehmen aufgenommen, das diesen Domain–Namen vergibt, und wir haben so argumentiert: Okay, es wird wohl lange dauern, bis wir einen Gerichtsbeschluss aus Illinois durch die schweizerischen Instanzen bringen. Aber Ihre eigenen Geschäftsbedingungen verbieten illegale Aktivitäten auf Ihren Websites. Bei uns hat ein Richter entschieden, dass dieses Angebot illegal ist – wollen Sie die Website nicht abstellen? Die Schweizer hielten das für eine

gute Idee.

ZEIT: Solche Erfahrungen treiben Internet-Anbieter auf Inseln oder in ferne Länder.

DIE ZEIT

1

DIE ZEIT – "Ein weiter Weg"

PERRITT: Man braucht für eine Website immer noch einen Domain-Namen, und der muss registriert sein. Die meisten Computer dafür stehen in den Vereinigten Staaten oder zumindest in anderen respektabel regierten Ländern.

ZEIT: Die Rolle der Vereinigten Staaten passt vielen Ländern nicht ...

PERRITT: ... wir können ruhig offen von US-Hegemonie oder Dominanz sprechen ...

ZEIT: ... und diese Ablehnung könnte die Kontrolle auf Dauer infrage stellen. Die Chinesen haben dagegen protestiert, dass ihr System für die Verwaltung von Domain-Namen von Amerika aus gelenkt werden soll.

PERRITT: Wenn jeder seine eigenen Domain-Namen festlegen könnte, würden wir das Internet balkanisieren. Dann könnte bald auch jeder Betrüger sein eigenes System haben.

ZEIT: Programmierer, Hacker, "Cypherpunks" arbeiten bereits an so etwas – und auch an virtuellen Netzen, in denen man keine Domain-Namen mehr braucht. Beunruhigt Sie das nicht?

PERRITT: Ja, wenn man seine Kommunikation im Internet verschlüsselt, können die Behörden nicht mehr wissen, was da passiert. Man kann aber nicht alles verschlüsseln. Wenn man eine Website betreiben will, die etwas kauft oder verkauft, müssen die Kunden sie ja finden können; sie muss also öffentlich sein. Und selbst wenn man anonyme Korrespondenz mit Geschäftspartnern führt, werden diese Daten immer noch auf einem Computer gespeichert. In den meisten Ländern kann man einen Durchsuchungsbefehl bekommen, um diesen Computer zu beschlagnahmen.

ZEIT: Aber das ist genau der Grund, warum jetzt "Datenparadiese" in Mode kommen.

PERRITT: Ja, aber wer will dort auf Dauer leben? Natürlich werden Betrüger sich stets vor den Behörden zu verstecken versuchen. Das heißt aber nicht, dass sie vom Erdboden verschwinden. Terroristen müssen Bomben legen, Geldwäscher und Steuersünder müssen an irgendeinem Punkt auch mit "richtigem" Geld hantieren. Deshalb sind die traditionellen Waffen der Behörden nicht stumpf geworden.

DIE ZEIT

2

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Des "votes" en vente aux enchères sur le web ?

Un homme d'affaire autrichien a décidé de lancer **un site de vente aux enchères avec comme principe "tout est permis"**.

Selon le journal "Wired" du 6/9/2000, Hans Bernard (il n'y a pas de majuscules, ce n'est pas un oubli!) a installé les ordinateurs de son site (voteauction.com) en Bulgarie et déclare "Je me fiche de la loi. A l'avenir, tout sera à vendre et tout sera vendu aux enchères sur Internet".

Ca a le mérite d'être clair, côté stratégie...

Il a ensuite prétendu que 376 électeurs américains (ou la vente de votes est évidemment interdite) lui ont déjà "vendu" leur voix pour la somme minimale de 34,56\$ et que son site serait opérationnel pour toutes les élections à venir en Europe!

Avec en plus une vente d'organes, y aura-t-il des promos ?

Adapté du Canard Enchaîné du 13/9/2000

"votes" on sale with the biddings on the Web?

An Austrian businessman A to decide to launch a site of auction sale with as principle "all is allowed".

According to the newspaper "Wired" of the 6/9/2000, hans Bernard (there are no capital letters, it is not a lapse of memory!) installed the computers of its site (voteauction.com) in Bulgaria and declares "I card-index myself law. In the future, all will be to sell and all will be sold with the biddings on Internet".

Ca has the merit to be clear, side strategy...

It then claimed that 376 American voters (or the sale of votes is cavity prohibited) already "sold to him" their voice for the minimal sum of 34,56\$ and that its site would be operational for all the elections to come to Europe!

With in more will one sale of bodies, be there promos?

Adapted Enchainé Duck of the 13/9/2000

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ARGENTINA: DENUNCIAN A UN ALTO FUNCIONARIO CORDOBÉS SUPUESTO TRÁFICO DE INFLUENCIAS

Un alto funcionario del gobernador José Manuel de la Sota quedó seriamente comprometido y puso en jaque la imagen del gobierno por una denuncia sobre un supuesto tráfico de influencias en favor de una empresa constructora de la que formó parte, la cual habría estafado en unos 180.000 pesos a los habitantes de una pequeña localidad del interior provincial. El caso, puesto al descubierto por el programa televisivo "Telenoche investiga", involucra al contador Jorge Eduardo Acosta, secretario de Finanzas, y a la firma Giacomo, acusada de haber emitido alrededor de 150 cheques sin fondos de una cuenta del Banco de Córdoba. Resultaron perjudicados con esos valores incobrables los habitantes de la localidad de Alto Alegre, ubicada en el departamento Unión y en las proximidades de Villa María, donde la empresa tenía a su cargo la construcción de la ruta hacia la vecina población de Cintra. La obra le fue adjudicada durante la gestión del gobernador anterior, el radical Ramón Mestre. Acosta, que era apoderado de la empresa mientras se desempeñaba en el Tribunal de la provincia, fue acusado de haber intervenido para que el banco no le cerrara la cuenta a la constructora, hecho que finalmente ocurrió el 15 de diciembre del año último. Incluso, el banco inhabilitó por 15 días la firma de Acosta. El interventor en la entidad bancaria, Fabián Maidana, aclaró que no se pagaron cheques en descubierto y aseguró que no se violaron disposiciones del Banco Central. En su defensa, el funcionario aclaró que en 1995 se desvinculó de la empresa -exhibió como prueba un acta notarial fechada el 29 de diciembre de 1995- y que desde entonces no firmó más documentos ni cheques, por lo cual desconoció lo ocurrido con posterioridad. Además, negó haber ejercido influencias sobre el Banco de Córdoba para ordenar algún beneficio. Apenas regresado de un viaje de descanso por Brasil, el gobernador se encontró con este problema y dijo que, en caso de haber irregularidades, las deberá investigar la Justicia. En el caso del Banco de Córdoba, indicó que "si hay algún funcionario que haya violado las responsabilidades que le corresponden, debe tener las sanciones correspondientes". El ministro de Finanzas, José María las Heras, respaldó a su colaborador, aunque trascendió que en el seno del gobierno se analiza el futuro del funcionario denunciado. La Nación 18

de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: DOS EX-MINISTROS ACUSADOS EN TRAFICO DE ARMAS

Dos exministros y un antiguo vice-ministro del gobierno del presidente Carlos Menem fueron acusados de formar parte de una red de venta ilegal de armas. El exministro de Relaciones Exteriores, Guido Di Tella, y el que fue ministro de Defensa, Ermán González, se encuentran bajo sospecha de haber vendido armas a Ecuador y Croacia, cuando ambos países sufrían embargos internacionales. Según informaciones hechas públicas el viernes, al antiguo vice-ministro de Exteriores con Di Tella, Juan Carlos Olima, también se le acusa de estar involucrado en el caso. El fiscal los acusa de 'haber firmado documentos que sabían que eran falsos' y 'haber negligido su deber público'. Los tres acusados formaron parte del gobierno de Carlos Menem, sobre el cual siempre pesaron dudas sobre presuntos casos de corrupción. Una de las acusaciones más graves sería que el gobierno había conspirado para vender armas a Croacia -que se encontraba bajo un embargo de Naciones Unidas a causa del conflicto en los Balcanes. Otras armas fueron supuestamente encontradas cuando eran transportadas a Ecuador, que había estado en guerra contra Perú en 1995. El gobierno de Argentina en aquel momento negó todas las acusaciones asegurando que las armas tenían otras destinaciones y que luego fueron desviadas hacia Croacia y Ecuador. Analistas aseguran que detrás de las nuevas investigaciones judiciales se encuentra la voluntad del nuevo presidente Fernando de la Rúa de erradicar la corrupción de la administración pública. Incluso clarificando escándalos de los gobiernos anteriores. BBC News, August 19, 2000 <http://www.bbc.co.uk/spanish/news000819argentina.shtml>

ARGENTINA: EL PRESIDENTE ARGENTINO RESPALDÓ A SU GABINETE ANTE LAS DENUNCIAS DE CORRUPCIÓN

El presidente argentino, Fernando de la Rúa, ratificó este martes su confianza en todo el gabinete ministerial ante denuncias de corrupción. El mandatario solicitó a los ministros que colaboren con todas las investigaciones sobre las denuncias de sobornos en el Senado para aprobar la reforma laboral, el pasado mes de mayo. Entretanto, las dos ramas de la principal central obrera argentina: la Confederación General del Trabajo, CGT, dividida en oficial y rebelde, pidieron la derogación de la ley de Reforma Laboral, si se comprueban las denuncias de que la oposición en el Senado fue sobornada para aprobar esa norma en mayo pasado. La nueva ley laboral amplía el período de prueba de los trabajadores, fomenta la renovación de los convenios colectivos de trabajo y favorece la reducción de los aportes patronales a las empresas que tomen nuevos empleados. A pesar de la nueva ley, más de cuatro millones de argentinos tienen actualmente problemas para conseguir trabajo. Radio Nederland, Holanda, 23 de Agosto de 2000 <http://www.rnw.nl/>

ARGENTINA: EN CASO DE PRESUNTO PAGO DE SOBORNO EN EL SENADO, PRESENTARON SEIS DENUNCIAS Y LA JUSTICIA YA INVESTIGA

En el marco de la investigación por el presunto pago de sobornos para aprobar la ley de reforma laboral, ayer se realizaron seis denuncias en los tribunales federales de Comodoro Py. Las presentaciones fueron hechas por los abogados Marcelo Parrilli, Ricardo Monner Sans, Juan Carlos Iglesias, Eduardo Barcesat, el diputado frepasista Jorge Giles, y el legislador cavallista Guillermo Francos. Pese a que todas las denuncias cayeron por sorteo en distintos juzgados, la Cámara Federal unificará la investigación en el magistrado que fue sorteado en primer lugar. Ayer, en fuentes judiciales se aseguraba que la causa quedará en manos del juez federal Carlos Liporaci. Los denunciadores coincidieron en solicitar la convocatoria del presidente Fernando de la Rúa y en enmarcar la conducta que se les atribuye a los senadores en la figura de cohecho. Parrilli pidió

además que se interrogue al vicepresidente Carlos "Chacho" Alvarez, al jefe de Gabinete Rodolfo Terragno, al ministro de Trabajo Alberto Flamarique y a los senadores justicialistas Jorge Yoma y Antonio Cafiero. Monner Sans aportó como evidencia el anónimo que detalla la supuesta maniobra que se siguió para repartir las coimas. Mientras que Iglesias señaló que de comprobarse el pago de coimas las instituciones nacionales se asemejarían a "inodoros políticos". Otros denunciantes solicitaron también la declaración testimonial del líder de la Confederación General de Trabajadores (CGT) disidente, el camionero Hugo Moyano, quien meses atrás formuló acusaciones sobre la circulación de dinero sucio en el tratamiento de la nueva ley laboral. "Estamos frente a la crisis institucional más grave desde la reanudación de la vida democrática", opinó Francos. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: EN ESCÁNDALO DE SOBORNOS EN EL SENADO, EL GOBIERNO BUSCA PASAR A LA OFENSIVA

Fernando de la Rúa retomó ayer la iniciativa frente a la denuncia de posibles sobornos en el Senado para aprobar el proyecto oficial de reforma laboral, y después de solidarizarse con sus ministros, los invitó a presentarse ante la Oficina Anticorrupción (OA). La otra parte de la ofensiva oficial quedó en manos del vicepresidente, Carlos "Chacho" Alvarez, quien anoche anunció que hoy presentará una denuncia ante la Justicia solicitando que se investigue el presunto pago de sobornos. Mientras los abogados terminaban el escrito, Chacho Alvarez discutía con sus colaboradores si será él quien se presente hoy ante los Tribunales o si radicará la denuncia mediante alguno de los letrados. La invitación presidencial a sus ministros para concurrir a la Oficina Anticorrupción se produjo durante la reunión de gabinete de ayer, y la primera consecuencia fue que el jefe de la SIDE, Fernando de Santibañes, y el ministro de Trabajo, Alberto Flamarique, se pusieron a disposición del organismo. Es la primera vez que el Presidente de la Nación asume la necesidad de investigar el tema fuera del Senado. Con este paso, De la Rúa retomó un protagonismo propio en un intento por evitar pagar mayores costos políticos por este caso. Durante la semana pasada, mientras desde la Casa Rosada se esforzaban por bajar la tensión en torno al presunto caso de sobornos, la ofensiva había quedado en manos de Alvarez, quien presionó para promover la investigación. De la Rúa cambió así radicalmente su estrategia luego de percibir el impacto creciente de la denuncia, según la cual algún miembro del oficialismo habría pagado con sobornos el voto de algunos senadores, sobre todo del Partido Justicialista, para poder aprobar la reforma laboral. El monto y destino de los presuntos sobornos varía de acuerdo con los rumores: distintas fuentes mencionaron sumas de entre dos y cinco millones de dólares. Algunos sostienen que la suma habría ido dirigida hacia el bloque justicialista, mientras que otros afirman que también habría llegado hasta el bloque radical. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: EN INVESTIGACIÓN DE SOBORNOS EN EL SENADO. LA SECRETARIA DE INTELIGENCIA DEL ESTADO DARÁ A CONOCER SUS CUENTAS

La Secretaría de Inteligencia del Estado (SIDE), presentará hoy ante la Oficina Anticorrupción un detalle sobre el movimiento de sus fondos desde el comienzo de la administración de Fernando de Santibañes. La decisión de la SIDE de abrir sus cuentas responde a un pedido del titular de ese organismo, José Massoni, en el marco de la investigación sobre el presunto pago de coimas en el Senado durante el tratamiento de la ley laboral. El informe incluye el manejo de los aproximadamente 2 millones de pesos mensuales, que dispone la Secretaría en concepto de gastos reservados, que no requieren rendición. Hay una fuerte sospecha --alentada por el vicepresidente, Chacho Alvarez-- de que parte de esos fondos fueron usados para pagar el voto de senadores del

Partido Justicialista --e incluso algunos de la Alianza-- para sacar la ley laboral. El detalle de la SIDE ocupa diez carillas en las que se intentaría demostrar que no hubo, en los meses que llevó el tratamiento de la ley, en los anteriores y en los que siguieron a su sanción, gastos que pudieran comprometer a la Secretaría. Fernando de la Rúa reclamó que todos sus hombres se pongan a disposición de la Oficina Anticorrupción, o donde se los requiera, para despejar sospechas sobre el papel del Gobierno en el escándalo. La tensión natural entre los principales referentes de un gobierno --más tratándose de una coalición de gobierno-- amenaza ahora con fragmentar algunas decisiones, al menos en relación a este escándalo. Por ahora a la de la Oficina Anticorrupción, que investiga desde la semana pasada el escándalo, se suman otras. Los dos bloques mayoritarios del Senado --el del PJ y el de la Alianza-- decidieron trasladar la investigación al procurador Nicolás Becerra. La Procuración inició una investigación --que quedó en manos del fiscal Eduardo Taiano-- sobre el trámite que precedió a la sanción de la ley. El Clarín, 24 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: JUEZ DECIDIRÁ SI PROCESAN A EX SECRETARIA DE RECURSOS NATURALES POR ENRIQUECIMIENTO ILÍCITO

El juez federal Juan José Galeano decidirá en los próximos días la situación procesal de la ex secretaria de Recursos Naturales María Julia Alsogaray en la causa en que se investiga si se enriqueció en forma ilícita durante el gobierno del ex presidente Carlos Menem. Fuentes oficiales consultadas por Clarín dijeron que el plazo de Galeano para decidir si la procesa, sobresee o dicta la falta de mérito se vence mañana, pero no descartaron que el juez prorrogue el tema hasta principios de la semana próxima. El juez Galeano tiene que decidir si las declaraciones y presentaciones de María Julia justifican el considerable incremento que registraron sus bienes entre 1989 y 1999 de 300 mil a 2.500.000 pesos. Esto es así porque en los juicios por enriquecimiento ilícito se invierte la carga de la prueba y, por lo tanto, es el acusado el que tiene que justificar sus bienes. Para los fiscales Eamon Mullen y José Barbaccia, María Julia no justificó ingresos lícitos por 1.800.000 pesos en las presentaciones que viene haciendo desde que se abrió la causa, hace casi siete años. Y los fiscales creen que en los descargos que ya había hecho por escrito no demostró el origen lícito de 1.800.000 dólares. Dudan --además de la herencia anticipada de su padre-- de, por lo menos, dos fuentes que María Julia presentó para justificar su patrimonio. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: OPERACIÓN MANOS LIMPIAS PODRÍA INICIARSE EN ARGENTINA

Un proceso anticorrupción mani pulite (manos limpias), al estilo italiano, podría iniciarse en Argentina, a raíz de la denuncia sobre sobornos en el Senado para sancionar una reforma laboral, dijo ayer el vicepresidente, Carlos Alvarez. El mani pulite fue un proceso de investigación en gran escala de los casos de soborno y corrupción en el más alto nivel político y judicial de Italia, iniciado por el fiscal de Milán, Antonio Di Pietro, en 1992. El Universo, Ecuador (AP), 22 de Agosto de 2000 <http://www.eluniverso.com>

ARGENTINA: PIDEN A LA JUSTICIA QUE INVESTIGUE EL SOBORNO PAGADOS A SENADORES

Los supuestos sobornos pagados en el Senado ya llegaron a la Justicia. Guillermo Francos, diputado de Acción por la República, presentará hoy una denuncia ante los juzgados federales exigiendo que se investigue si es cierta o no la versión que señala que hubo senadores que recibieron favores personales a cambio de aprobar la reforma laboral que impulsaba el Gobierno. En su escrito, el dirigente cavallista solicita a la Justicia que investigue "si el Poder Ejecutivo pagó sobornos a

senadores de la Nación para obtener su voto afirmativo a la sanción de la llamada ley de reforma laboral y eventualmente identificar y llevar a juicio a sus responsables". La denuncia de Francos es la primera que se realiza sobre el tema. El diputado trabajó en ella durante el fin de semana luego de constatar, con sorpresa, que ningún fiscal decidía actuar de oficio para investigar el tema. En su denuncia, Francos no aporta datos nuevos, sino que relata las noticias periodísticas publicadas sobre el tema. Cita el artículo de Joaquín Morales Solá publicado en La Nación y las transcripciones de la denuncia anónima que circuló por diversos ámbitos ligados al poder político. La Nación, 22 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: PRESIDENTE DE LA COMISIÓN DE ASUNTOS CONSTITUCIONALES DESCALIFICÓ DENUNCIAS DE COIMA EN EL SENADO

"Están todos locos, empezando por Alfonsín (Raúl) y De la Rúa (Fernando) que no descalifican tamaña barbaridad", opinó el presidente de la Comisión de Asuntos Constitucionales, senador Jorge Yoma (PJ-La Rioja). Con estas palabras, Yoma desestimó el pedido realizado por el Presidente para que el Senado investigue el presunto pago de favores personales, con el objetivo de que se aprobase el proyecto de reforma laboral impulsado por el Gobierno de la Alianza en medio de fuertes críticas gremiales y de la oposición. El riojano rechazó la propuesta de De la Rúa, que durante los actos de homenaje al general José de San Martín dijo que "es el Senado el que debe dar los pasos para determinar con claridad" la existencia o no de sobornos en el trámite de aprobación de la ley en la Cámara alta. De la Rúa sugirió que debía actuar la Comisión de Asuntos Constitucionales, presidida por Yoma. Esa comisión es la responsable de tramitar todas las cuestiones de privilegio y, en consecuencia, está a cargo de las presentaciones que hicieron los senadores Antonio Cafiero y Jorge Villaverde para que se esclarecieran las versiones que circularon por el presunto pago de favores personales en ese cuerpo legislativo. "Si esto es cierto, el que está involucrado es el propio Gobierno y esto va a ser un verdadero desastre institucional", aseguró Yoma. El legislador riojano calificó de "disparate total" los rumores que circulaban en la Cámara alta en relación con esta supuesta operación. Aunque aclaró que si en el Senado "van a darle entidad al tema, hay que formar una comisión ad hoc que cite a todo el mundo, empezando por el Presidente". El titular de la Comisión de Asuntos Constitucionales opinó que no había que darle entidad a las versiones ni prestar atención a las denuncias anónimas que circularon sobre el tema. La Nación, 18 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: SURGE GRAVE ESCÁNDALO POR SOSPECHA DE SOBORNOS A SENADORES ARGENTINOS

Las insistentes sospechas de que senadores de la oposición peronista habrían sido sobornados para que votaran favorablemente la reforma laboral que el actual gobierno logró hacer aprobar por el Congreso hace tres meses, amenazaban hoy en convertirse en el peor escándalo político argentino de las últimas décadas. Tanto el gobierno del Presidente Fernando de la Rúa como el Partido Justicialista, que controla el Senado, parecían hoy desorientados ante las previsibles derivaciones del caso. Un sector de la actual administración, encabezado por el vicepresidente Carlos Alvarez, y un grupo minoritario de senadores peronistas, reclaman una investigación a fondo para esclarecer las denuncias, lo que provoca alarma en no pocos oficialistas y opositores. Todo comenzó cuando el columnista del diario La Nación, Joaquín Morales Solá, escribió hace algunas semanas que había fundadas sospechas de que un grupo de senadores peronistas habían "negociado" su apoyo a la reforma laboral, a cambio de dinero. La información del periodista provino, aparentemente, de dos legisladores peronistas no involucrados en esta maniobra, identificados como Antonio Cafiero y

Jorge Villaverde, ambos de la provincia de Buenos Aires. La denuncia provocó alarma en el bloque senatorial peronista, cuyas autoridades visitaron la semana pasada al Mandatario De la Rúa, para pedirle que públicamente desautorizara las versiones. De la Rúa así lo hizo y declaró que no dudaba de la honorabilidad de sus adversarios. Pero dos prominentes figuras de la Alianza gobernante, el vicepresidente Alvarez y el ex presidente Raúl Alfonsín, titular de la Unión Cívica Radical (UCR), el partido de De la Rúa, demandaron una investigación. Alvarez manifestó que si las denuncias se confirmaban, significarían una "decadencia terminal" del sistema democrático. Alfonsín, a su vez, refirió que si se probaban los sobornos, renunciaría a la actividad política. De la Rúa, evidentemente preocupado, modificó su postura inicial e indicó que el Senado tendría que investigar las acusaciones contra algunos de sus integrantes. El senador peronista Jorge Yoma, titular de la comisión de asuntos constitucionales, respondió anunciando que citaría al Presidente como el principal imputado. En medios legislativos circuló un libelo anónimo, mencionando por su nombre a los presuntos involucrados en el ofrecimiento y cobro de sobornos. Menciona a algunos funcionarios gubernamentales y a senadores peronistas y de la UCR. El vicepresidente Alvarez, titular del centroizquierdista Frente del País Solidario (Frepasso), el otro integrante de la Alianza, hizo saber a sus amigos que no cejará hasta esclarecer este caso. El destino de la investigación está en manos, aparentemente, de los senadores peronistas Cafiero y Villaverde, a quienes llamaría a declarar esta semana una comisión de la Cámara Alta. El Excelsior, México (AP), 21 de Agosto de 2000 <http://www.excelsior.com.mx/>

ARGENTINA: VICEPRESIDENTE DENUNCIA LA FALTA DE ``VOLUNTAD COLECTIVA`` PARA LUCHAR CONTRA LA CORRUPCION POLITICA

El vicepresidente argentino Carlos "Chacho" Alvarez ha realizado unas declaraciones en las que señala que aún no existe una "voluntad colectiva" para luchar contra la corrupción política del país. "El combate frontal contra las prácticas que la sociedad rechaza de la política no se ganó. Hay mecanismos de acción política que son reprochables y cuestionables en todos lados y todavía no se observa una voluntad colectiva de combate a fondo", ha declarado el vicepresidente. Carlos Álvarez ha criticado que esta actitud es "una de las causas de la degradación de la política o que la gente sospeche sobre la ineficiencia e improductividad de la política. Esto hace que a la política se la asimile con el mejor posicionamiento social de quienes la hacemos, al enriquecimiento ilícito o al incremento patrimonial". Asimismo, el líder frepasista ha mostrado su preocupación porque "las imperfecciones de la política no son desde un lugar excluyente de la sociedad, sino que se trasladan al sistema económico, institucional y social". Noticias Yahoo, (INFOSIC/EP), 20 de agosto de 2000 <http://es.news.yahoo.com/000820/4/i4ej.html>

ARGENTINA: VICEPRESIDENTE PROPUSO UN DESAFUERO COLECTIVO, ASÍ LA JUSTICIA INVESTIGARÍA A SENADORES POR PRESUNTOS SOBORNOS

El vicepresidente Carlos Alvarez reforzó ayer la estrategia del Gobierno para enfrentar las denuncias de pago de "favores personales" a los legisladores en busca de la sanción de la ley de reforma laboral. Y, en esa línea, sostuvo que los legisladores deberían perder sus fueros en forma colectiva para someterse a la Justicia. "Debería desaforarse colectivamente la Cámara para que la Justicia pueda actuar en este tema", dijo Alvarez, tras expresar sus reticencias a que las sospechas sólo sean investigadas por el Congreso cuando, precisamente, atañen a esa institución. "Es muy difícil, al estar involucrada una parte de los senadores en este tema, que el propio cuerpo pueda llevar adelante una investigación objetiva", razonó. En ese sentido, se confesó "pesimista acerca de la posibilidad de autoinvestigación de los senadores". Aseguró que su intención es la de lograr una investigación "a

fondo y sin concesiones", porque su prioridad es "mejorar las instituciones", dijo. "Salvando las distancias, esto es como pasó en Italia cuando comenzó el mani pulite (manos limpias), que empezó con un gran temor", comparó. Para ello, estimó que "un trámite bastante rápido para avanzar sería citar al senador (Antonio) Cafiero (Partido Justicialista-Buenos Aires), que puso el tema en el lugar de las sospechas". Precisamente, fueron los senadores Cafiero y Jorge Villaverde (PJ-Buenos Aires) quienes impulsaron la investigación, luego de los rumores de que hubo colegas suyos que supuestamente recibieron dinero a cambio de sus votos favorables a la reforma laboral. Hoy los dos senadores del PJ se reunirán con los presidentes de las bancadas del Congreso. En ese sentido, Alvarez rechazó sentir temor por las eventuales derivaciones de una investigación y dijo que el más preocupado en esclarecer la situación es el presidente Fernando de la Rúa, a quien, aclaró, no se citará al Congreso. "Nunca puede haber costos en la voluntad de mejorar el funcionamiento de las instituciones", consideró Alvarez. Inmediatamente agregó: "No estoy dispuesto a ser el presidente de un cuerpo que conviva con estas situaciones". Así, Alvarez, presidente de la Cámara alta, puso su propio cuerpo al escándalo que hace poco más de una semana colocó al Gobierno y al Congreso bajo un manto de sospechas. El vicepresidente aprovechó sus declaraciones públicas para defender la figura del ministro de Trabajo, Alberto Flamarique, señalado como el funcionario que habría pagado los presuntos sobornos a los senadores. La Nación, 22 de Agosto de 2000 <http://www.lanacion.com/>

BOLIVIA: DENUNCIAN PRESIDENTE DEL SENADO POR NEPOTISMO

En medio de la guerra sucia que se inició en el Parlamento entre miristas y adenistas, este sábado se denunció que el adenista presidente del Senado, Leopoldo Fernández Ferreira, habría cometido delito de nepotismo al haber brindado trabajo a 13 de sus "parientes cercanos". Sin embargo, confirmaron que sólo dos casos de los denunciados podrían ser indicados como nepotismo puesto que Liliana Zabala Beltran, "es pariente lejana de la esposa de Fernández Ferreira, pero que trabaja en el Senado desde 1993 con el ítem número 427 y un sueldo mensual de 4 mil bolivianos". El otro caso sería el de Evelin Ferreira de Azad que es prima hermana del titular del Senado. Sin embargo, se confirmó que trabaja en esa instancia legislativa desde 1997 con una remuneración mensual de 4.600 Bs. y con el ítem 109. No es desconocido que adenistas y miristas están enfrentados en la Cámara Baja por "pegas y mayores espacios de poder aprovechando la falta de decisión y negociación del ucesista Jaalil Melgar Mustafá". El Deber, 20 de agosto de 2000 http://www.eldeber.com.bo/20000820/nacional_6.html

BOLIVIA: FUNCIONARIOS DE LA ADMINISTRACIÓN PÚBLICA GANAN MÁS QUE EL PRESIDENTE

El diputado de Nueva Fuerza Republicana (NFR) Roberto Fernández Moscoso denunció que en la administración pública existen niveles salariales superiores al del Presidente de la República, por lo que pedirá a la Cámara Baja se haga una corrección salarial. Según el parlamentario, el Decreto Supremo 25056 determina que en el régimen salarial del país, en concordancia con el artículo 21 de la Ley 1826, se dispone que el sueldo mayor en el territorio nacional corresponderá al Presidente de la República, esto actualmente no se está cumpliendo. Sostuvo que el sueldo del Presidente, actualmente, es de Bs 29.900, de los ministros de Estado 20.900; sin embargo, existen en otras instituciones como la Superintendencia y el Banco Central de Bolivia en las que se perciben encima de los 30 mil bolivianos, hasta en unidades técnicas dependientes del Ministerio de Defensa ganan sueldos de más de 5 mil dólares americanos, lo que representa más de 30 mil bolivianos. El diputado enfatizó que, efectivamente, los sueldos de estas entidades son mayores al del Presidente de la República, por lo que frente a esta situación se impone la necesidad de que el Congreso Nacional

analice con detenimiento y corrija estas irregularidades salariales. El diputado Roberto Fernández sostuvo que es indispensable que se plantee una revisión de estas irregularidades y que se cumpla la norma legal que indica claramente que el sueldo mayor debe ser del Presidente. Todos debemos ajustarnos a esa situación, no podemos permitir que haya islas de privilegiados económicamente en el país", señaló el parlamentario. Esta observación se la ha coordinado con otros parlamentarios, por lo que de manera conjunta se pedirá una información, incluso los ministros Herbert Müller han homologado sus sueldos, desconociendo normas, así como el ex ministro Candia han fijado niveles salariales por encima de lo que percibe el Primer Mandatario. Por todas estas razones "se pedirá una sanción e incluso un juicio de responsabilidades, no se puede dañar al Estado, por debajo del sueldo del Presidente tienen que estar los demás sueldos de la administración", señaló el diputado. Por otra parte, mencionó que debe haber la austeridad y se debe copiar lo que hacen los peruanos para controlar la crisis económica. Por ejemplo, Alberto Fujimori frente a la grave crisis económica ha dispuesto que los ministros, diputados subalternos y senadores dejen de tener celulares, porque el gasto económico es muy elevado. Otra medida es que los vehículos oficiales limiten el uso de combustible. Algo contrario sucede en el país, los vehículos oficiales se utilizan para ir al mercado, para llevar a las esposas de funcionarios públicos, acotó. El Diario, 23 de Agosto de 2000 <http://www.eldiario.net/>

BOLIVIA: RESPONSABLES VARIOS FUNCIONARIOS Y EX FUNCIONARIOS DE IRREGULARIDADES EN EL USO DE RECURSOS DEL TESORO NACIONAL

Cinco ex ministros de Estado, varios ex viceministros y ejecutivos de Defensa Civil, un ex prefecto y varios ex funcionarios de la Prefectura de Cochabamba fueron identificados como responsables administrativos, civiles y penales de las diferentes irregularidades cometidas en el uso de los recursos del Tesoro General de la Nación y de la cooperación internacional para la atención de la emergencia del terremoto del 22 de mayo de 1998. La Comisión de Defensa y Fuerzas Armadas de la Cámara de Diputados entregó ayer sus conclusiones requiriendo el inicio de acciones civiles, administrativas y penales contra los involucrados. Las mayores responsabilidades penales recaen sobre los ex funcionarios de la Prefectura de Cochabamba. La Comisión halló también indicios de responsabilidad penal y civil contra ex ejecutivos de organismos que manejaron las donaciones; contra José Ernesto Ayoroa, ex director administrativo del Ministerio de Defensa Nacional, y Luis Montero Zanquis, ex director de Defensa Civil, responsabilidad civil por el sobreprecio en la compra de víveres y la contratación y pago de consultoría por 125.708 bolivianos; responsabilidad penal contra Luis Montero Zanquis, Luis Daza Montero, ex director de Defensa Civil, Guillermo Asturizaga. Ernesto Acosta, Miguel Nogales, Armando Deheza (del Ministerio de Defensa), y Guido Galleguillos, ex director de Bienes e Infraestructura del Ministerio de Defensa por indicios de malversación. En el caso de irregularidades en compra del avión Beechcraft, la Comisión vio indicios de responsabilidad administrativa contra Juan Vera Antezana, ex viceministro de Desarrollo Integral, y Oscar Guillarte Luján, ex comandante de la Fuerza Aérea y actual viceministro de Defensa. También estableció responsabilidad administrativa contra Fernando Kieffer, ex ministro de Defensa Nacional; Guillermo Cuentas, ex viceministro de Salud y actual ministro del área; Edgar Millares, ex ministro de Hacienda; Carlos Iturralde Ballivián, ex ministro de la Presidencia, y Herbert Müller, ex ministro de Hacienda, por contravenir las normas. También tienen responsabilidad administrativa contra Ramón Prada, ex viceministro de Transportes; Armando Méndez y Ramiro Cavero, ambos ex viceministros de Presupuesto. Los Tiempos, 24 de Agosto de 2000 <http://www.lostiempos-bolivia.com/>

BRASIL: PRESIDENTE CARDOSO LANZA UN CÓDIGO DE CONDUCTA PARA FUNCIONARIOS PÚBLICOS

El presidente brasileño, Fernando Henrique Cardoso, lanzó ayer un código de conducta para funcionarios públicos, en un esfuerzo por disipar la mala imagen dejada por un escándalo de corrupción que amenazó su gobierno los últimos meses. Cardoso emitió el código junto a un paquete de medidas que incluye la divulgación del gasto público en la Internet, para poner en evidencia la consternación de su gobierno ante el desvío de 100 millones de dólares de la construcción de un edificio judicial. "Con estas medidas estamos dando un choque de transparencia en la administración pública", declaró Cardoso en una ceremonia en el palacio presidencial de Planalto. Según el código de conducta, los funcionarios públicos deberán enviar a la Comisión de Ética Pública un informe de su patrimonio y no podrán recibir ingresos de otras fuentes que no sean su salario del gobierno mientras ejercen el cargo. Asimismo, se verán impedidos de asumir cargos como asesores de individuos u entidades que mantienen relaciones con el gobierno en los cuatro meses posteriores a su salida del cargo público. Cardoso respondió así al escándalo por el desvío de fondos destinados al Tribunal Regional de Trabajo (TRT) de Sao Paulo, al que calificó como un "símbolo de una crisis que pone en cuestión las instituciones republicanas". El Nacional, Venezuela (Reuters), 22 de Agosto de 2000 <http://www.el-nacional.com/>

CHILE: DESTITUYEN A ALCALDE DE VIÑA DEL MAR

Rodrigo González, hasta ahora alcalde de Viña del Mar, quedó definitivamente destituido del cargo por decisión unánime del Tribunal Calificador de Elecciones (Tricel), máximo organismo electoral del país, y en contra de cuya resolución no cabe recurso alguno. González (PPD) fue destituido por "notable abandono de sus deberes" por tres casos específicos: la situación del ex Hotel Miramar; por una rebaja de derechos municipales que hizo a dos empresas, a pesar de que la ordenanza municipal había restado tal potestad al jefe comunal, y por haber logrado la aprobación para otorgar un bono de productividad en favor del personal de la Municipalidad de Viña del Mar. El alcalde de Viña del Mar quedará oficialmente destituido inmediatamente después de que sea notificado de la resolución del Tricel, lo que podría ocurrir hoy, y deberá dejar en ese instante la municipalidad, ya que la medida no sólo lo afecta en su calidad de alcalde, sino también como concejal. Rodrigo González, quien permaneció durante toda la tarde reunido con sus asesores y amigos más cercanos, señaló ayer que pese a acatar el fallo del Tricel, mantendrá su candidatura a la reelección, por sobre lo que opinen los dirigentes nacionales de su partido, el Partido por la Democracia (PPD). Poco después de conocida la destitución del alcalde de Viña del Mar, el PPD bajó su postulación como candidato a alcalde privilegiado por esa comuna en las próximas elecciones del 29 de octubre. Con esto, la Concertación deberá negociar cuál será ahora su candidato "privilegiado". El Mercurio, 24 de Agosto de 2000 <http://www.elmercurio.cl/>

CHINA: MUSEO DE LA CORRUPCIÓN SE CONVIERTE EN CENTRO TURÍSTICO DE PEKÍN

Cientos de personas abarrotan todos los días el "museo de la corrupción" de la capital china, donde se inauguró la exposición "La ciudad de Pekín golpea duro y advierte contra los delitos económicos", con la que se intenta calmar a la población, cada vez más irritada con la justicia. La muestra, con un despliegue inusitado de fotografías de personalidades corruptas de la vida política o del mundo empresarial chino, recoge también montones de billetes falsificados por delincuentes, cigarrillos introducidos en el país de contrabando y carnés de identidad de personas que se encuentran tras las rejas. La exposición, que abarca varias salas del Museo Militar de Pekín, desea ser la ventana de los esfuerzos del Gobierno por combatir ese mal fuertemente arraigado en China, donde la liberalización económica ha fomentado, especialmente entre la clase gobernante, el culto al dinero. Como si de una

exposición de arte "pop" se tratara, las paredes del museo muestran desde carteles coloridos a vídeos con filmaciones de juicios y tarjetas de crédito falsas con las que grupos de delincuentes desvalijaban los bancos. La mayoría de los visitantes son personas mayores, explican los vigilantes, aunque también acuden jóvenes que desean echar un vistazo a los objetos del museo, que se está convirtiendo, desde que se inauguró hace unos días, en uno de los centros turísticos de Pekín. "Aunque las puertas del museo están vigiladas por militares, también hay gran número de oficiales y soldados que acuden como espectadores", indica el diario "South China Morning Post", editado en inglés en Hong Kong. La fuente agrega que, aunque los visitantes hacen vivos comentarios mientras recorren las salas, "de repente se impone el silencio cuando se entra en la estancia de veinte metros en la que se exponen los documentos que llevaron a la detención y expulsión del Partido Comunista Chino (PCCh) del vicepresidente de la Asamblea Nacional Popular (ANP, legislativo) Cheng Kejie". En la citada sala están colocadas las fotografías, como si de una película se tratara, de Cheng, condenado a muerte el pasado 31 de julio, y de su amante Li Ping, sentenciada a cadena perpetua una semana más tarde. Ambos fueron hallados culpables por una comisión parlamentaria de aceptar sobornos, regalos y joyas, incluidos diamantes, por valor de unos 41 millones de yuanes (4,9 millones de dólares). El "museo de la corrupción" de Pekín es sólo un botón de muestra de lo que está ocurriendo actualmente en China, donde el Gobierno quiere acercarse al pueblo para intentar aplacar el descontento de los ciudadanos, sobre todo de los trabajadores. Hoy, lunes, la Oficina Nacional de Auditorías (ONA) anunció un plan para investigar a gran parte de los miembros del Gobierno y del PCCh, que entrará en vigor cuando dejen el cargo y que afectará incluso a los jubilados. "Va a ser posible abrir investigaciones contra altos responsables de la Administración, como ministros y gobernadores", señaló el auditor general de la ONA, Li Jinhua, quien matizó que el proyecto todavía necesita algo de tiempo para madurar y se llevará a cabo de "forma gradual". Noticias Starmedia (EFE), 21 de Agosto de 2000 <http://www.starmedia.com/>

COLOMBIA: COMO UNO DE LOS MAYORES CASOS DE CORRUPCIÓN CALIFICO LA CONTRALORÍA LA SITUACIÓN DEL INSTITUTO PENITENCIARIO

Como uno de los mayores casos de corrupción y desgreño administrativo encontrado en dependencias del Estado calificó la Contraloría General de la Nación la situación actual que presenta el Instituto Nacional Penitenciario y Carcelario (Inpec). Según la última auditoria, practicada al Inpec, el organismo de control encontró irregularidades administrativas y financieras que, debido a su magnitud, "fue difícil cuantificar". Además, el hacinamiento, la falta de servicios de salud, educación y de programas de resocialización demuestran que el objeto social para el que fue creado el Inpec tampoco se cumple. El común denominador, en la Dirección General y en las seis regionales que manejan los 168 centros de reclusión, fue la violación sistemática de las normas de contratación, entre ellas concentración en las adjudicación de contratos y sobrecostos en la ejecución de obras y servicios. La auditoria encontró que durante 1998 y 1999 el Inpec suscribió contratos por \$48.075 millones para generar 5.600 nuevos cupos y aliviar la situación de hacinamiento en las cárceles. De acuerdo con un estudio del mismo Instituto, la mitad de los centros de reclusión fueron construidos hace más de 40 años y sólo el 6% tiene menos de diez años. Para el director del Inpec, el general de la Policía (r) Fabio Campo Silva, el informe de auditoria de la Contraloría es una clara radiografía del estado en el que encontró el Instituto al asumir su cargo, hace siete meses, y aclaró que esa situación cobija a los directores que lo antecedieron. Pero, aseguró que tomó medidas inmediatas encaminadas a frenar las irregularidades detectadas por el organismo de control en el período 1998-1999. Entre ellas, un corte de cuentas y la designación de un gerente de proyectos, quien se encargará de la revisión, ordenamiento y corrección de las fallas detectadas. El Colombiano, 24 de Agosto de 2000

<http://www.elcolombiano.com.co/>

COLOMBIA: EX ALCALDES ACUSADOS DE SUSTRAR BIENES MUNICIPALES SE DEFIENDEN

Los ex alcaldes de Playas y Durán, Gabino de la A y Oswaldo Peñaherrera, respectivamente, fueron los primeros en reaccionar ante las acusaciones formuladas por sus sucesores, Gregorio Andrade y Mariana Mendieta, en su orden. Gabino de la A Escalante desmintió que se hayan sustraído bienes del Municipio y aseguró que hay un inventario de todo lo que dejó, efectuado por el agente fiscal (e) de La Libertad, Franklin Grau, el 9 de agosto. También denunció ante la Comandancia de la Segunda Zona Militar el operativo efectuado por un contingente de la Base San Antonio, que impidió el acceso de los funcionarios al Municipio. Por su parte, Oswaldo Peñaherrera, ex alcalde de Durán, dijo que desde julio y hasta la fecha hay un auditor de la Contraloría en el Municipio pedido por él, por lo que menos pudieron desaparecer bienes de la institución. "Lo que es del Municipio está ahí y no sé cuál es la intención de la alcaldesa." El Universo, 18 de Agosto de 2000 <http://www.eluniverso.com/>

COLOMBIA: PIDEN INVESTIGAR A 16 FUNCIONARIOS DE LA REGISTRADURÍA NACIONAL, 4 EX REGISTRADORES Y AL ACTUAL REGISTRADOR

Por petición de la Contraloría General, la Procuraduría inició investigación disciplinaria contra 16 funcionarios de la Registraduría Nacional, 4 ex registradores y al actual Registrador, por presunta mala conducta por la firma de un contrato por valor de 67.246 millones de pesos con la empresa francesa Sagem que finalmente incumplió. Según denunció el contralor General Carlos Ossa Escobar, la Registraduría pudo haber violado la contratación estatal al prorrogar en casi el doble del tiempo, estipulado en 22 meses, el contrato con Sagem para desarrollar el proyecto de modernización tecnológica, "que a la fecha no se ha concluido y que, por ende, ha retrasado el proceso electoral", dice el informe electoral. La investigación disciplinaria fue abierta contra los ex registradores Orlando Abello Martínez, Mariela Hernández de Domínguez, Jaime Calderón Brugés y Clara María González, así como al actual Registrador, Iván Duque Escobar. Las presuntas irregularidades disciplinarias también cobijan a los directivos de la Registraduría Gustavo Villamil Rozo, José Alberto Morillo, Álvaro Molina Vásquez, Esperanza Mejía Reyes, Antonio William Gaviria Arana, Sonia Patricia Cáceres Martínez, María Cristina Duque González, Edith Mabel Ovalle Salazar, Gustavo Pedroza Gutiérrez, Álvaro Luis Monterrosa Arrieta, Harold Wilson Salazar Virguez, Miguel Arturo Linero de Cambil, Nagib Chalave González, Epaminondas Franco Ávila y Edgar Daniel Bohórquez Encizo. El Colombiano, 23 de Agosto de 2000} <http://www.elcolombiano.com.co/>

COLOMBIA: SECTOR DE JUSTICIA UNO DE LOS MAS AFECTADOS POR LA CORRUPCIÓN, SEGÚN ESTADÍSTICAS

Uno de los sectores afectados por la corrupción es el que tiene que ver con la justicia. Según estadísticas del Consejo Superior de la Judicatura desde 1992 hasta la fecha han sido sancionados 3.377 abogados y 587 funcionarios judiciales. Tanto los profesionales del Derecho como los auxiliares de la justicia inciden sobre el normal trámite de los procesos del ramo, causando irregularidades que benefician a sus clientes y a ellos mismos. "Colombia atraviesa por una situación crítica en términos de corrupción tanto a nivel político como administrativo, situación que se ve agravada por la percepción generalizada de unas instituciones poco confiables e ineficaces. Un sistema de justicia saludable tiene una gran incidencia sobre la eficiencia económica y el desarrollo de un país", señalaron fuentes de la Corporación Excelencia en la Justicia. Para el organismo es claro que las actuaciones corruptas atentan contra los tres principios que garantizan el buen desempeño de

la justicia de una nación: independencia, autoridad para aplicar las decisiones y una organización eficiente. Así las cosas, la Corporación considera que es necesario desarrollar un sistema de incentivos dentro de la Rama Judicial que haga que tanto los funcionarios como los demás empleados administren justicia de manera responsable y eficiente. En segundo lugar, sugieren que se adopte un régimen disciplinario que sancione rigurosamente a los infractores y que facilite el desarrollo de los procesos dentro de la jurisdicción. Estas estrategias, según la Corporación, se deben acompañar de cambios en los niveles legales, administrativos y organizacionales del sector judicial. Una encuesta del Consejo Superior de la Judicatura realizada en 17.394 hogares de Barranquilla, Bucaramanga, Bogotá, Medellín, Cali y Pasto señala que el 43% de las personas entrevistadas piensan que la justicia no opera y, por lo tanto, no acuden a ella. Entre las razones que dieron están el costo de honorarios (45.1% de los encuestados), el desconocimiento de los derechos (45.1%), la demora de los procesos (39.1%) y la falta de credibilidad en el aparato judicial (30.2%). Fuera de lo anterior, el Consejo Superior de la Judicatura y la Procuraduría General de la Nación, organismos que ejercen control y vigilancia de tipo administrativo y disciplinario sobre la rama judicial, encuentran que ésta se encuentra colapsada. La Corporación Excelencia en la Justicia considera que eso se debe al alto índice de congestión en la jurisdicción disciplinaria, donde la carga laboral supera los 40 mil procesos. Entre 1994 y 1999, la saturación ha pasado de 13.500 a 26.657 procesos sin solución, al cierre del año. Y es que los entes de control no disponen de herramientas para sancionar rápida y drásticamente a los funcionarios correspondientes con el retiro de su cargo cuando existan indicios de prácticas antiéticas o corruptas. El Colombiano, 21 de Agosto de 2000 <http://www.elcolombiano.com.co/>

COSTA RICA: CONSULTA A AUTORIDADES. CORRUPCIÓN TIENE VARIOS PORTILLOS

La creación de instancias extraoficiales que suplantán a las instituciones públicas en la administración de recursos económicos y el manejo de esos dineros con fines político-electorales, son dos de los principales portillos a través de los cuales la corrupción penetra y causa estragos. Ese problema también se infiltra por medio del caos administrativo que impera en diversas entidades y de la falta de una lucha coordinada, en escala nacional, contra los actos ilícitos. De esa manera se resumen los criterios expresados por cinco autoridades nacionales que, como parte de sus funciones, investigan o tratan casos relacionados con actos indebidos. Se trata del fiscal general, Carlos Arias; el contralor general de la República, Luis Fernando Vargas; el procurador, Román Solís; la magistrada de la Sala Constitucional y presidenta de la Comisión Nacional para el Mejoramiento de la Justicia (Conamej), Ana Virginia Calzada, y la defensora de los habitantes, Sandra Pizsk. Fueron consultados, entre el jueves y el viernes pasados, sobre las áreas más frágiles que tiene nuestro país en materia de corrupción. También se les preguntó sobre posibles soluciones. De acuerdo con Arias, uno de los terrenos fértiles para la germinación de actos corruptos son los programas de ayuda social dotados con recursos millonarios. Como ejemplo de esa situación, mencionó el caso de la crisis financiera del sector cooperativo de la vivienda, durante el gobierno anterior, a la cual calificó de "cuestión monstruosa, compleja". Carlos Arias también llamó la atención sobre un campo que, según él, cuando se investigue a fondo superará en dimensiones económicas a cualquiera de los escándalos que han ocurrido en Costa Rica en los últimos años: el contrabando de mercancías. De acuerdo al contralor Vargas, también señaló como surco de la corrupción el afán por atender a toda prisa viejas necesidades que afronta la población, con lo cual en diversas ocasiones se inventan procedimientos y se saltan regulaciones que algunos aprovechan para beneficio propio. En ese sentido, señaló como ejemplo las anomalías con fondos de Asignaciones Familiares. Para el Contralor, otro escenario

propicio para la corrupción es la creación extraoficial de instancias para el manejo de fondos públicos -en sustitución de las oficiales- con el argumento de que estas son lentas y entran. En opinión de Vargas, todo se engloba dentro de una deficiencia básica: la pérdida de la capacidad de planificación en la administración pública. "Lo que se hace a como dé lugar genera desorden y el desorden es uno de los agentes de la corrupción". Por su parte Calzada informó de que Canamej trabaja en la elaboración de un proyecto para crear un grupo -con representantes del Estado y la sociedad civil- que coordine las políticas generales para prevenir actos de corrupción. La idea, dijo, no es que ese comité tenga facultades de investigación, sino que más bien se dedique a cuestiones como orientar a los ciudadanos sobre los caminos adecuados para plantear denuncias. "Uno de los problemas principales es que la gente carece de mucha información", declaró. "Queremos hacer conciencia sobre la necesidad de unificar y coordinar esfuerzos. Una lucha dividida es más débil", afirmó. La Nación, 21 de Agosto de 2000 <http://www.nacion.co.cr/>

ECUADOR: COMISIÓN ANTICORRUPCIÓN TRATÓ 1676 CASOS DESDE 1997

Desde marzo de 1.997 hasta la fecha, la Comisión Anticorrupción (CCC) ha tramitado 1676 denuncias, de las cuales 460 están el trámite de investigación a través de los organismos como la Fiscalía, Contraloría General del Estado, la función Judicial, el Defensor del Pueblo y el Consejo Nacional de la Judicatura. El último proceso sobre el cual se pronunció la CCC fueron irregularidades al interior de la institución policial, donde se habría segmentado contratos con empresas proveedoras de bienes. Los temas de trabajo han abordado investigaciones de corrupción en todas las instituciones del sector público, y en muchas ocasiones, las observaciones de la Comisión han provocado resentimientos de las partes afectadas La CCC tiene oficinas de trabajo en la mayoría de las provincias del país. En Portoviejo se crearon recientemente dos redes cívicas anticorrupción, y que integra a sectores sociales jóvenes de la capital manabita. Las redes que apoyan el trabajo se crearon a partir de la organización de un seminario taller que tuvo lugar el pasado 9 y 10 de agosto del presente año, donde intervinieron Alendra Cantos y Pedro Votruba, altos directivos de la CCC. Cabe añadir que también se creó la Comisión de coordinación interinstitucional que plantee alternativas para agilizar los procesos judiciales por casos de corrupción, iniciativa que nació a partir de un seminario taller entre la CCC, el Consejo Nacional de la Judicatura y la Corte Suprema de Justicia. La filosofía de la CCC es investigar y establecer presunciones de responsabilidad civil o penal respecto de la marcha y administración de los bienes y recursos del Estado. La Hora, 21 de Agosto de 2000 <http://www3.lahora.com.ec/>

ECUADOR: EL TRIBUNAL CONSTITUCIONAL ECUATORIANO CEDIÓ A LAS PRESIONES POLÍTICAS. LA CORRUPCIÓN SIGUE A SUS ANCHAS EN EL PAÍS

Los diputados del bloque de centroizquierda se oponen a la aplicación de la Ley Trole, pues consideran que permitirá que el Estado venda sus empresas más fuertes y que financian el Presupuesto Nacional del Estado. Aunque 6 de los 9 vocales del Tribunal Constitucional se mostraron a favor de la permanencia de la directiva de mayoría en el Congreso Nacional del Ecuador, dicho Tribunal optó por la "salida política" y apoyó a la minoría legislativa, representada por el derechista Partido Social Cristiano, PSC. Así, Carlos Falquez Batallas, exvicepresidente del Congreso Nacional por el PSC, deberá reinstalar la Asamblea General y desconocer todo lo actuado por Susana González, como presidenta del Congreso electa por la mayoría de centroizquierda. Minutos más tarde de la decisión del Tribunal, Susana González declinó su nombramiento, aunque rechazó el muñequero político del Gobierno y su presión al resto de organismos constitucionales. Por su parte, los movimientos sociales, indígenas y campesinos, ya se están organizando para desarrollar protestas

ante la decisión del organismo Constitucional y por la aplicación de la Ley Trole anunciada por el Presidente Gustavo Noboa. Los diputados del bloque de centroizquierda se oponen a la aplicación de la Ley Trole, pues consideran que permitirá que el Estado venda sus empresas más fuertes y que financian el Presupuesto Nacional del Estado. Los socialcristianos, en cambio, respaldan e impulsan la venta de dichas empresas pues son sus militantes los mayores interesados en comprarlas. Informativos Net, España, 23 de Agosto de 2000 <http://www.informativos.net/>

ECUADOR: ESCANDALO BANCARIO - OBRAS DE ARTE DADOS EN GARANTIA FUERON SOBREVALORADAS

Nuevos elementos se suman al proceso judicial que se desarrolla en la Corte Suprema de Justicia en contra de los ex directivos de Filanbanco, William y Roberto Isaías Dasum, mediante los cuales se confirmarían las supuestas irregularidades cometidas en la valoración tanto de las obras de arte entregadas al Banco Central, como de los bienes que recibió en dación de pago la Agencia de Garantía de Depósitos (AGD). Una diferencia de \$ 24 millones existiría entre el valor contabilizado por Filanbanco Trust y el último avalúo efectuado por el Banco Central respecto de las obras de arte entregadas por los ex directivos de Filanbanco como parte del fideicomiso de 400 millones de dólares ofrecido a cambio del préstamo que recibió dicha institución bancaria en noviembre de 1999. La última valoración efectuada por peritos del Banco Central confirmaría la existencia de "manejos fraudulentos y artificiosos por parte de los Isaías Dasum", quienes "habrían inflado los avalúos para hacer creer que lo que en realidad vale 5 millones de dólares, se lo podía hacer pasar por 30 millones". Según la nueva información proporcionada por el superintendente de Bancos, Juan Falconí Puig a la Corte Suprema de Justicia, como prueba de las irregularidades que se habrían cometido a través de la dación en pago de obras de arte por parte de Filanbanco Trust, se desvirtuaría también la valoración efectuada por la empresa Global Silverhawk, que arrojó como resultado la suma de \$10 458 508 dólares en obras de arte, es decir, \$5 263 102 dólares más en relación con la última valoración efectuada por los técnicos del Banco Central. La Superintendencia precisó también en esta ocasión, que sobre los bienes inmuebles que componen el activo de las compañías entregadas en dación en pago a la Agencia de Garantía de Depósitos (excepto los locales comerciales de Puntilla Mall) existen situaciones de carácter legal que "limitan su dominio", entre los cuales se registran juicios de excepciones, juicios coactivos, juicios de expropiación, constitución de hipotecas y fundamentalmente condición resolutoria que podría otorgar a los antiguos propietarios la posibilidad de ejercer la acción de restitución, con lo cual se provocaría aún más perjuicio económico al Estado ecuatoriano. El estudio sobre los bienes estuvo a cargo Pedro Delgado, Intendente General de Supervisión y Entidades Financieras de la Superintendencia de Bancos, cuyo informe se adjuntó al proceso judicial que se desarrolla en contra de los hermanos Isaías Dasum y demás involucrados en el caso. "Intervención urgente" Los peritos del Banco Central reevaluaron 726 obras de arte en el Museo Nahim Isaías de Guayaquil, y 1477 del Museo Filanbanco, de Quito. Las ubicadas en Guayaquil, son en su mayor parte son pinturas que han obtenido una calificación que va de buena a excelente, siendo las más caras una pintura llamada Virgen con cautivos, \$ 42.000, y las esculturas de Santa Catalina de Siena y de La Dolorosa, con un valor de \$40.000 cada una. En cambio, el informe del Banco Central señala que las cientos de obras del Museo Filanbanco, de Quito, tienen una calificación mayoritaria de "no aceptable", "urgente intervención" y "necesita intervención". En el Museo Nahim Isaías se exponen 180 obras que fueron evaluadas, según el informe del Banco Central. Las demás están en reserva. La mayoría de las obras del Museo Filanbanco, en Quito, tienen una calificación de buena, regular y mala. Muchas de ellas ni siquiera tienen avalúo y una buena parte necesitan una reparación urgente. Las obras son parte del patrimonio cultural y corresponden a diversas escuelas

artísticas de la Colonia, especialmente de la Escuela Quiteña. Todas se refieren a motivos religiosos y las más caras corresponden a artistas como Caspicara El superintendente de Bancos, Juan Falconí Puig, expresó su preocupación por la lentitud con la que se estarían tramitando los procesos judiciales relacionados con irregularidades dentro del sistema financiero, entre los cuales se encuentra el de Filanbanco. En el momento existen 31 juicios penales relacionados con irregularidades dentro del sistema financiero, en la mayoría de los cuales no se han cerrado los sumarios, por ejemplo los casos de los bancos de Préstamos, Ecuacambio, del Azuay, del Tungurahua, Progreso, Unión, Popular, Previsora, Bancomex, etc. De dichos procesos, únicamente los casos Filanbanco y Continental se ventilan en la Corte Suprema de Justicia, los demás se encuentran radicados en los juzgados de las provincias del Guayas (13), Pichincha (13), El Oro (1), y Macas (1). (MUP) La Superintendencia también pidió al juez Noveno de lo Penal de Pichincha que se solicite a la Corte Suprema de Justicia se requiera al Gobierno de Estados Unidos que inicie el proceso de extradición de los ex banqueros, hermanos Roberto y William Isaías y de Arturo Quiroz Martín, ex directivo del Banco del Pacífico. La denuncia sostiene que varios medios de comunicación han advertido la presencia de los nombrados en la ciudad de Miami. El abogado de la Superintendencia invocó ante el juez la convención de Estradición entre el Ecuador y Estados Unidos suscrita el 28 de junio de 1872 y el tratado complementario de extradición suscrito por los dos países el 22 de septiembre de 1939. Los abogados de la Superintendencia pidieron también la certificación de que el Instituto de Patrimonio Cultural autorizó la transferencia de dominio de los más de dos mil bienes culturales que se usaron como garantía de pago. Hoy, 22 de agosto de 2000 <http://www.hoy.com.ec/politica/martes/politica.htm>

ECUADOR: EXTRACTO DE CONFERENCIA DE PRENSA DE SECRETARIA DE ESTADO ALBRIGHT

Esta pregunta en la conferencia del 18 de agosto de 2000 se refiere a los profugos ecuatorianos investigados en casos de corrupción: ***** PREGUNTA: Buenas tardes. El presidente de nuestro país, doctor Gustavo Noboa, se había comprometido a solicitar oficialmente al gobierno de Estados Unidos la cancelación de visas de todos aquellos fugitivos de la justicia ecuatoriana, quienes se encuentran al presente en territorio de Estados Unidos. Nosotros no sabemos si usted y las autoridades ecuatorianas tratarían sobre este asunto en la reunión de esta tarde, sin embargo, queremos conocer qué probabilidades existen de que el gobierno norteamericano acepte o acoja la petición hecha por el Ecuador de retirar las visas a los prófugos ecuatorianos, para que ellos vengan acá? Adicionalmente, qué posibilidades hay de que el gobierno norteamericano dé las facilidades necesarias para que podamos extraditar a aquellos prófugos de la justicia porque hasta el momento ha sido muy difícil, por no decir imposible, traerlos al país? ***** SECRETARIA ALBRIGHT: En primer lugar, quiero decirles que no discuto casos de visas, porque eso se hace a través de otro sistema dentro de nuestro gobierno. Realmente no discutimos de eso esta tarde, pero debo decirles que en los casos que se solicita la extradición, es importante que el gobierno lo haga bajo el tratado de extradición, y nosotros estaremos dispuestos a tratar sobre esos temas, pero no quiero hablar sobre casos de visa. ***** CANCELLER MOELLER: Este asunto ha sido manejado por el gobierno ecuatoriano fundamentalmente a través del ministerio de Justicia de Estados Unidos. A propósito, valga esta oportunidad para agradecer una vez más la excelente y permanente colaboración que hemos tenido de la ministra Janet Reno, quien se ha preocupado personalmente de esta situación. Debo anunciar a la prensa ecuatoriana que el día de hoy se dio paso al proceso de extradición de Peñaranda. Hasta el momento él estaba sometido a un proceso de deportación, que lamentablemente tiene que cumplir una serie de requisitos de acuerdo a las leyes americanas. La cancillería, por

disposición del presidente Noboa, presentó una solicitud de extradición aplicando el antiguo tratado que para ciertos casos no es viable, pero para éste sí lo va a ser. Y aunque tengamos que esperar unas semanas más, Peñaranda vendrá a pagar sus culpas a Ecuador. En cuanto al tema de las visas, efectivamente ésta no es la instancia para tratar el tema. La solicitud ya fue hecha hace algunos meses y estamos esperando respuesta de Estados Unidos. Servicio Noticioso desde Washington, 21 de agosto de 2000 <http://www.usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/language/s>

ECUADOR: SE AMPLÍA CASO CONTRA EL EX PRESIDENTE MAHUAD. COMISIÓN ANTICORRUPCIÓN REMITIRÁ INVESTIGACIONES A LA JUSTICIA

Con el propósito de probar los delitos que se habrían configurado con el congelamiento de recursos en el sistema financiero nacional y el feriado bancario, la Comisión Anticorrupción deberá remitir a la Corte Suprema de Justicia las investigaciones efectuadas sobre el caso, en el que están sindicados el ex presidente Jamil Mahuad y su ex ministra de Finanzas, Ana Lucía Armijos. El pedido para que se entregue el informe documentado y debidamente certificado lo hizo el Ministerio Público con el propósito de que la Corte Suprema cuente con los antecedentes e investigaciones que sirvieron de base para solicitar que se dicte el auto cabeza de proceso en contra de los inculpados. Asimismo, la fiscal general, Mariana Yépez, pidió se recepte el testimonio de Jorge Egas Peña, quien a la época del cometimiento de la infracción desempeñaba las funciones de Superintendente de Bancos. El cuestionario de preguntas para que se efectúe esta diligencia la elaborará el Ministerio Público. El Universo, 21 de Agosto de 2000 <http://www.eluniverso.com/>

EE.UU: HASTA LOS VOTOS PUEDAN COMPRARSE POR INTERNET

Un nuevo sitio promete "unir el capitalismo y la democracia" subastando votos para las elecciones presidenciales de los EE.UU. de este año. "La industria electoral gasta cientos de millones de dólares con la intención de influir la elección presidencial", puede leerse desde agosto en voteauction.com. "Este sistema es un desperdicio inútil de dinero para los candidatos y sus seguidores. Voteauction.com se propone mejorar este sistema llevando directamente a los votantes el dinero de los contribuyentes a las campañas". El sitio le permite a los ciudadanos poner su voto en un lote de remate, estado por estado. El mayor postor determina qué candidato a la Casa Blanca se llevará los votos en masa de los participantes de voteauction.com. "No soy cínico", dice su fundador James Baumgartner, un graduado en ciencias políticas. "Soy realista. La mayoría de la gente tiene una visión sincera acerca de como los candidatos se venden. Los votantes deberían ser incluidos en esta situación y obtener parte de los réditos". Al menos un analista político elogió el mensaje propuesto por este sitio. "Es una muy buena forma de hacerle ver a los votantes todo lo que otros (los grandes contribuyentes) ganan con el sistema y qué poco obtienen los votantes en comparación", dice Sheila Krumholz, directora de investigación del Center for Responsive Politics, una organización apartidaria que estudia la influencia del dinero en la política. "Hay que darle reconocimiento a este tipo, por atraer la atención de la gente sobre este tema de manera provocativa", dice. Pero no todo el mundo está de acuerdo. "Deberían clausurarlo", dice Deborah Phillips, presidenta del Voting Integrity Project, un grupo de interés público, sin fines de lucro, que a menudo trata cuestiones relacionadas con la Internet. "Es el cinismo llevado a su máxima expresión. Es destructivo para el proceso democrático. Si los fiscales de los 50 estados no van tras este tipo y cada uno de los votantes participantes, no están haciendo su trabajo". Las autoridades ya han tomado nota sobre casos similares. El Departamento de Justicia de los EE.UU. se puso en contacto esta semana con eBay luego de que un puñado de usuarios ofreciera sus votos a la venta en ese sitio de subastas por

Internet. Ni bien eBay tomó conocimiento de estos ítems cuestionables, los quitó del sitio inmediatamente, dijo su vocero, Kevin Pursglove. "Lo cierto es que incluso si la gente se lo toma como una broma, nosotros nos lo tomamos muy seriamente", dice Pursglove. "Esto es un hecho que podría traer aparejados cargos delictivos". Según las autoridades, tanto quienes venden como quienes compran votos violan leyes estatales y federales, y podrían ser castigados con miles de dólares en multas o años en prisión. Baumgartner dice que él no vende ni compra votos, simplemente provee un foro donde otros pueden hacerlo, quedándose con un porcentaje de la transacción. También sostiene que se encuentra protegido por las recientes decisiones de la Suprema Corte que equiparan al dinero con la libertad de prensa, incluyendo una de los años 70 que sancionaba el uso del dinero en campañas políticas. Pero hasta sus simpatizantes tienen dudas. Krumholz anticipa que el sitio podría dar lugar a graves contiendas legales. "Me preocupa el autor del sitio", dice. Baumgartner, por su parte, se mantiene optimista. "Espero conseguir pronto anuncios e inversionistas", dice. Phillips dice que debería ir preparándose para recibir otra cosa. "Esto es un verdadero fraude electoral en la Internet. No me interesa como lo pinten. Espero que este tipo tenga unos buenos abogados que lo respalden". Noticias CNN, 19 de agosto de 2000 http://cnnenespanol.com/2000/eeuu_canada/08/19/eleccion/index.html

EL SALVADOR: FISCALÍA INVESTIGA FIRMAS FALSAS EN EXPEDIENTE DE FEDERACIÓN DE FÚTBOL, INVESTIGADA POR POSIBLE MALVERSACIÓN

La Fiscalía investigará la posible manipulación de documentos por parte de la Corte de Cuentas, así como la alteración de firmas en los recibos que la Federación de Fútbol (FEDEFUT) presentó para desvanecer un faltante de 35 millones de colones. Fuentes de la Fiscalía confirmaron a este medio que hay, al menos, dos documentos que contienen firmas alteradas. Se trata de recibos emitidos por fuertes sumas de dinero en dólares. La Federación, supuestamente, entregó estos comprobantes a dos miembros del equipo técnico que dirigió a la selección nacional durante las eliminatorias por el Mundial Francia 98. La Fiscalía sospecha que las firmas de los técnicos que aparecen en los recibos son falsas. Más alteraciones. Este periódico conoció, además, de otros casos donde se advierte la alteración de firmas. Dos jugadores de la liga profesional de Estados Unidos que son seleccionados nacionales habrían recibido, según los directivos de la FEDEFUT, un total de 2 mil dólares cada uno. Después de escuchar varias declaraciones en torno a estos casos, la Fiscalía no aceptó los recibos como justificantes de egreso, debido a la sospecha de que las firmas también eran falsas. Sin embargo, el notario Pablo Noé Recinos da fe de que las firmas son originales. El fiscal general, Belisario Artiga, ha girado instrucciones nuevamente para que la investigación sobre el caso FEDEFUT llegue hasta las últimas consecuencias. Actualmente, el equipo de fiscales del Departamento de Procuración, asignado al caso, realiza el cotejo de documentos enviados por la misma Corte de Cuentas y otros obtenidos por la Fiscalía, para verificar la autenticidad de los documentos presentados por la FEDEFUT. La Fiscalía, según confirmaron fuentes del Ministerio Público, también seguirá otra línea de investigación: determinar alteraciones en los informes que los auditores enviaron a la Dirección de Responsabilidades de la Corte de Cuentas. Tal como informó este diario el pasado sábado, autoridades de la Corte obviaron señalamientos importantes emitidos por los auditores en un informe fechado en junio de este año. Los documentos alterados. La Prensa, 22 de Agosto de 2000 <http://www.laprensa.com.sv/>

EL SALVADOR: ANUNCIAN AUDITORÍA A CORTE DE CUENTAS

Un día después que este diario denunciara el estancamiento del proceso de auditoría a la Corte de Cuentas, el presidente de la Asamblea Legislativa se comprometió a resolver la situación. El diputado

Ciro Zepeda anunció ayer que propondrá a la junta directiva de la Asamblea crear una comisión para ese propósito. Zepeda quiere que ya no se cuestione la credibilidad del Partido de Conciliación Nacional (PCN), partido que él dirige. Esa comisión deberá agilizar la contratación de una firma que audite a la Corte de Cuentas. Afirmó que buscarán asesoría internacional para iniciar el proceso. Zepeda dijo que la directiva de la Asamblea "debe dar plenos poderes... para que busque apoyo en las contralorías de otros países". Por tanto, el primer paso será contactar las instituciones contraloras de otros países. Zepeda está consciente que es difícil que el Gobierno les pueda facilitar un refuerzo presupuestario para sufragar los gastos que requiere la fiscalización de la Corte. El democristiano Aristides Alvarenga, secretario de la Asamblea, confirmó que la directiva realizó ayer un "ejercicio financiero" que permitió concluir que la Asamblea tiene insuficiencia de fondos. Recordó que se le recortó alrededor de 26 millones de colones en el presupuesto de este año. Por eso pedirán que en el presupuesto de 2001 se prevea ese gasto. "Según se ha investigado, puede andar entre 10 ó 20 millones de colones" el costo de la fiscalización. La Prensa, 18 de Agosto de 2000 <http://www.laprensa.com.sv/>

EL SALVADOR: FISCALÍA INVESTIGA POSIBLE MALVERSACIÓN DE FONDOS EN FEDERACIÓN DE FÚTBOL

La Fiscalía dijo que continuará investigando una "posible malversación de fondos" en la Federación Salvadoreña de Fútbol (FSF) pese a que la Contraloría multó y obligó a directivos a reintegrar unos 345.000 dólares. "Estamos investigando a fondo (el caso) y con mucha seriedad", declaró a periodistas el fiscal general, Belisario Artiga; "creo que se puede demostrar lo que sucede y si hay culpables, los vamos a hallar". La Contraloría informó el viernes que encontró un faltante de más de 3 millones de colones (unos 345.000 dólares) durante el período 1996-1998 de la administración de la FSF. Una primera auditoría había revelado un faltante de 35 millones de colones (unos 4 millones de dólares), según la prensa local. La Contraloría impuso una multa de unos 4.500 dólares para cinco ex directivos por "responsabilidad administrativa" y obligó además a otros cuatro miembros, entre ellos el actual presidente Juan Torres, a reintegrar unos 345.000 dólares por "responsabilidad patrimonial". Pero Torres y otros dos miembros de la junta directiva no serán sancionados debido a que no reciben salarios en la FSF, dijo la Contraloría, basados en artículos del Reglamento para la Determinación de Responsabilidades. Sin embargo, Artiga señaló que la Fiscalía continuará con las investigaciones debido a "una posible malversación de fondos y administración fraudulenta" en la Federación Salvadoreña de Fútbol. Torres dijo a un periódico local que, "no tenemos absolutamente nada que devolver, lo que haremos es someternos al juicio de cuenta... quiero que esto se vea como un proceso, porque no ha terminado", señaló. La Nación. Costa Rica (AP), 21 de Agosto de 2000 <http://www.nacion.co.cr/>

ESPAÑA: PIDEN DIEZ AÑOS DE INHABILITACIÓN PARA EL ALCALDE DE SALOBREÑA POR UN PRESUNTO DELITO DE PREVARICACIÓN

La Fiscalía de Granada solicitará diez años de inhabilitación para el alcalde de Salobreña, Manuel Pérez Cobo (del Partido Socialista Obrero Español -PSOE-), por un presunto delito de prevaricación cometido en su anterior etapa como regidor por cobrar a una constructora un impuesto de cuatro millones de pesetas sin estar autorizado. Tras varias suspensiones por diferentes cuestiones procesales, Pérez Cobo será juzgado por este caso ocurrido hace diez años en la Audiencia de Granada el próximo 22 de septiembre. El escrito de acusado relata que mayo de 1990 el alcalde de Salobreña concedió a la constructora Comofesa licencia de primera ocupación para la urbanización "Cala Verde", construida dentro de un proyecto más amplio "Vial Central Playa Salobreña", cuyas

contribuciones especiales habían sido suspendidas un año antes por la Sala de lo Contencioso Administrativo de la antigua Audiencia Territorial de Granada (hoy TSJA). Aunque inicialmente denegó la licencia de primera ocupación solicitada por la constructora, el acusado "con conocimiento" de la suspensión de la Sala de lo Contencioso Administrativo "supeditó la concesión de la mencionada licencia al pago de 4.028.427 pesetas", una cantidad que fue ingresado por el municipio "no estando autorizado legalmente" para ello. En su escrito de conclusiones provisionales, la Fiscalía solicita seis años de inhabilitación por un delito de prevaricación y cuatro años de suspensión y multa de 500.000 pesetas por un delito del artículo 202 del antiguo Código Penal que castiga a los funcionarios que exijan el pago de impuestos no autorizados por las leyes o por las corporaciones respectivas. Andalucía 24 Horas, 22 de Agosto de 2000 <http://www.andalucia24horas.com/>

GUATEMALA: LIMITAN TRABAJO A AUDITORES SOCIALES EN EL CONGRESO

Por orden de la Junta Directiva del Congreso, el trabajo de auditoría social que efectúa en ese organismo la entidad cívica Acción Ciudadana (AC), se ha visto limitado. Desde la legislatura anterior, AC se dedica a monitorear el trabajo de los diputados. Entre otras cosas, esa organización civil lleva registro de las leyes aprobadas, así como de los diputados más productivos, los faltistas y los viajeros. Para hacer una evaluación del primer semestre del Congreso, Manfredo Marroquín, director de AC, solicitó el 10 de agosto diversos informes a la Junta Directiva, presidida por Efraín Ríos Montt. Un día más tarde, Carlos Wholers Monroy, secretario del Legislativo, respondió a Marroquín por medio de una misiva. "Para poder brindarle la información (...) es necesario que presente por escrito (...) las actividades a que se dedica la institución que usted dirige, copia de los estatutos bajo las cuales rige sus actividades, así como el instrumento legal por medio del cual se le autoriza para poder operar como institución dentro del país", se anota en la carta que firmó Wholers. "Nos extraña que ahora los eferregistas (del Frete Republicano Guatemalteco), no sepan quiénes somos. Incluso nuestra publicación Agenda Legislativa les sirvió para su trabajo cuando fueron opositores", se quejó Marroquín. A la vez, dijo que si los ahora oficialistas quieren fiscalizar a las organizaciones del Estado, deben dar el ejemplo; de lo contrario, "no tendrán autoridad moral, por impedir nuestro trabajo". También dijo que la actitud de la Directiva parlamentaria es violatoria del texto constitucional. "Toda información de las instituciones públicas es libre", enfatizó Marroquín. A su juicio, el Frente Republicano Guatemalteco está a tiempo de corregir la arbitrariedad en que incurre. Prensa Libre, 22 de Agosto de 2000 <http://www.prensalibre.com.gt/>

GUATEMALA: CONTRALORÍA PIDE RATIFICAR CONVENIO CONTRA CORRUPCIÓN

Al inaugurar el II Foro Internacional sobre Ética y Lucha contra la Corrupción, el jefe de la Contraloría General de Cuentas de la Nación (CGCN), Marco Tulio Abadío, pidió públicamente al presidente Alfonso Portillo que promueva la ratificación de la Convención Americana contra ese flagelo, suscrita por iniciativa de la Organización de Estados Americanos. Según el funcionario, en los momentos actuales la adhesión se hace casi obligatoria por los compromisos sociales que conlleva, y también porque para combatir esa mala práctica y erradicar la impunidad es necesaria la cooperación entre las naciones. Tenemos que sacar a nuestro país de esa lista; este Gobierno tiene que manifestarse para ratificar esa lucha contra la corrupción, porque es vergonzoso que figure en ella, afirmó. Siglo Veintiuno pidió la vocera del mandatario, Fernanda Castejón, una respuesta oficial ante tal planteamiento. La funcionaria dijo que prefería consultar directamente a Portillo y devolver la llamada, lo cual no ocurrió. Al acto estaba invitado Portillo, pero otras actividades le impidieron asistir, según personal de la Secretaría de Comunicación Social. Ello molestó a Abadío, pero se cuidó

de exteriorizarlo. En cambio, el alcalde capitalino, Fritz García-Gallont, a cuyo cargo estuvo la inauguración, aprovechó para hacer notoria la ausencia. Es innegable que muchas personas no están aquí presentes...Es posible que se tengan excusas tales como demasiada carga de trabajo, por compromisos adquiridos con anterioridad o simplemente por rehuir de una realidad que cada día los encierra más, pero que algún día tendrá que pedirles cuentas. Siglo XXI, 18 de Agosto de 2000 <http://www.sigloxxi.com/>

GUATEMALA: DENUNCIAN CORRUPCIÓN EN AUTORIDAD PARA EL MANEJO SUSTENTABLE DE LA CUENCA Y EL LAGO DE AMATITLÁN

Tráfico de influencias, nuevas licitaciones concesionadas a Servicios de Jardinería de la Cruz, sobrevaloración de obras e incumplimiento de contratos, son otras irregularidades halladas por auditores de la Presidencia en la Autoridad para el Manejo Sustentable de la Cuenca y el Lago de Amatitlán (Amsa), durante la gestión de Evelyn Reyna Chacón. La nueva documentación a la que tuvo acceso Siglo Veintiuno y que incluye un informe firmado por Adolfo Efraín Reyes López, asesor del Ejecutivo, fechado 28 de abril del 2000 y dirigido a Arturo Ruiz Wong, jefe de la Unidad Financiera de la Gerencia de la Presidencia, concluye: Los procesos de contratación de bienes y servicios en Amsa para 1999 fueron realizados de forma ilegal en todos sus aspectos, con el fin de obtener beneficios propios para las autoridades de dicha institución y de un grupo de empresarios. Como argumento, el estudio señala: En todos los procesos de cotización se invitaron a las mismas compañías, lo que denota un marcado preferitismo e imparcialidad en las adjudicaciones. Siglo Veintiuno buscó ayer la opinión de Reyna Chacón; empero, Isabel Casas, quien actúa como intermediaria entre la aludida y los medios de comunicación, sostuvo que, de ahora en adelante, la ex funcionaria hablará sólo en presencia de su abogado. Una auditoría realizada por la Presidencia en Amsa reveló que, durante la gestión de la referida, la entidad gubernamental concesionó obras a socios de la ex funcionaria, así como que la infraestructura de la dependencia estatal fue utilizada para promocionar a Construnatura, ente no lucrativo presidido por Reyna Chacón. Además, se descubrió que la firma Servicios de Jardinería de la Cruz, ganadora de varios concursos, es propiedad del hijo de una conserje de Amsa y que, según el informe de Reyes López, tendría alguna relación con Reyna Chacón. El estudio citado también advierte que el gerente de Opciom 3 S.A., que licitó trabajos para Amsa por 987,735.00 quetzales, es Sergio R. Chávez, ex esposo de Reyna Chacón, versión que no se pudo confirmar con el aludido, pues no se encontraba en los momentos en que se le llamó a su trabajo. El reporte añade que algunas empresas contratadas por Amsa incumplieron los plazos establecidos en los contratos, sin que se les aplicaran las multas correspondientes. Luis Mijangos, secretario general de la Presidencia, no descartó que Reyna Chacón haya incurrido en colusión, tráfico de influencias y violaciones a la Ley de Contrataciones del Estado. De esa cuenta, añadió, se revisan todos los contratos para hablar con las empresas ganadoras y verificar que los montos pagados coincidan con las obras ejecutadas. Siglo XXI, 22 de Agosto de 2000 <http://www.sigloxxicom/>

GUATEMALA: ECUATORIANO NAPOLEÓN SALTOS GALARZA, ALTERACIÓN DE LEY ``ES UN ACTO CLARO DE CORRUPCIÓN``

Manipular una ley cuando están en juego intereses de carácter económico es un acto de corrupción", afirmó ayer Napoleón Saltos Galarza, representante de la lucha anticorrupción de Ecuador. El experto, quien tuvo participación activa en el derrocamiento de los ex presidentes ecuatorianos Jamil Mahuad y Abdalá Bucaram, analizó el controvertido caso de la alteración del Decreto 43-2000, Ley del Impuesto a la Distribución de Bebidas Alcohólicas y Gaseosas, caso conocido como "Guategate",

en el cual hay indicios de culpabilidad de varios legisladores del oficialista partido en el congreso FRG (Frente Republicano Guatemalteco). El experto ecuatoriano analizó la situación durante su disertación en un foro anticorrupción realizado ayer en el Gran Teatro Nacional Miguel Angel Asturias. Guatemala, refirió, "desgraciadamente", no escapa a la tendencia peligrosa e ilegítima de vinculación entre intereses económicos de sectores beneficiarios con los políticos. "Cuando esto sucede, pueden darse fenómenos como el que hoy día observamos de alteración de resoluciones para imponer intereses particulares", dijo. El ecuatoriano consideró que el caso de la alteración legislativa debe ser discutido seriamente por los guatemaltecos; "nosotros, como observadores internacionales, simplemente pudimos constatar que hay indicios de responsabilidades que tendrían que ser solventadas internamente", añadió. Para Saltos ahora toca el turno a las autoridades judiciales, quienes deberán determinar las responsabilidades en este hecho. "Más allá del aspecto jurídico, hay una responsabilidad política que afecta la credibilidad del Congreso, y de la propia ley", expresó. A la vez, recomendó al ente investigador actuar con transparencia y evitar la interferencia de otros poderes del Estado. La Prens Libre, 18 de Agosto de 2000 <http://www.prenslibre.com.gt/>

GUATEMALA: EN ESCÁNDALO DE ALTERACIÓN DE UNA LEY. CAIGA QUIEN CAIGA ACATAREMOS RESOLUCIÓN -PRESIDENTE PORTILLO-

Su promesa de respetar el resultado de las investigaciones y su decisión de aceptar el fallo de los órganos correspondientes, caiga quién caiga, ofreció ayer el presidente Alfonso Portillo, al responder algunas de las inquietudes sobre las supuestas ilegalidades de la ley de bebidas alcohólicas. Adicionalmente, el vicepresidente Juan Francisco Reyes López estimó que toca a los acusadores probar las presuntas anomalías, pues, recordó, nadie es culpable hasta que se pruebe lo contrario. El Ministerio Público tiene la investigación y a nosotros no nos queda más que acatar la resolución, destacó Portillo, mientras reiteró que el Ejecutivo publicó el decreto tal y como llegó del Congreso. Agregó que el partido al que pertenece (Frente Republicano Guatemalteco es respetuoso de la ley, por lo que caiga quien caiga acatará lo resuelto, en alusión a un eventual fallo de culpabilidad contra el general Efraín Ríos Montt actual presidente del congreso. Siglo XXI, 23 de Agosto de 2000 <http://www.sigloxxi.com/>

GUATEMALA: ORGANISMO JUDICIAL CREA JUNTA DISCIPLINARIA PARA EVITAR ACTOS DE IMPUNIDAD, NEGLIGENCIA Y CORRUPCIÓN

Con el propósito de evitar actos de impunidad, negligencia y corrupción de los operadores de justicia del Organismo Judicial, OJ, fueron juramentados ayer los integrantes de la primera Junta Disciplinaria de ese poder. La actividad se llevó a cabo en horas de la mañana, allí donde estuvieron presentes el presidente de ese organismo, José Quesada Fernández, y los demás magistrados. El funcionario explicó que dicha ley establece tres procedimientos importantes, como los requisitos para ingresar a la Carrera Judicial y el procedimiento de evaluación. Agregó que un tercer punto es el proceso disciplinario, que enmarca cuáles podrían ser las sanciones para los jueces a quienes se compruebe su responsabilidad en una falta, que oscila desde una sanción verbal hasta ser separado del cargo. "En la Carrera Judicial está contemplado necesariamente el aspecto disciplinario, por ello creemos que esta comisión garantizará una disciplina sumamente rígida", enfatizó. "Si fuera necesario, en el análisis de las denuncias contra los jueces participará la Supervisión de Tribunales", expuso Quesada Fernández. Asimismo, indicó que hasta el momento no hay un lugar específico para instalar a los seis miembros de la Junta Disciplinaria, quienes hoy iniciarán formalmente sus funciones, por lo que en principio trabajarán en el edificio de la CSJ. Los profesionales nombrados como magistrados titulares son Telma Esperanza Aldana Hernández, Carlos Rubén García Peláez. De

suplentes, Zully Eugenia Cantoral Arango, Héctor Mauricio Rodríguez Argueta. Además, la jueza titular, Rosalba Corsantes Zúñiga de Muñoz, y el juez suplente Jorge Mynor Acevedo. Dichos funcionarios se desligarán de sus anteriores cargos, y ejercerán funciones durante un año. Prensa Libre, 22 de Agosto de 2000 <http://www.prensalibre.com.gt/>

HONDURAS: INVESTIGAN EX JEFES MILITARES DE HONDURAS POR MALVERSACIÓN

Cuatro antiguos jefes de las fuerzas armadas de Honduras son investigados por malversación de fondos públicos, informó una funcionaria de un organismo contralor. La investigación fue revelada por la contralora Vera Rubí coincidiendo con un escándalo que involucra al último ex jefe de las fuerzas armadas, general retirado Mario Hung, por el presunto extravío de unos ocho millones de lempiras (537.673 dólares) del Instituto de Previsión Militar (IPM). La Contraloría investiga a los últimos cuatro jefes de las fuerzas armadas que ocuparon el cargo de 1986 a 1998, entre 12 casos de presunta corrupción de funcionarios públicos. Rubí dijo que en las investigaciones de los mandos castrenses se descubrieron "irregularidades que tienen que documentarse", pero "es un poco complicado si no tenemos informaciones fidedignas de los bancos, porque no hemos podido confirmar algunos cheques". La funcionaria formuló la existencia de "irregularidades" en la administración de los fondos militares en estos cuatro mandatos en una conferencia de prensa en la que anunció su dimisión al cargo a partir del martes para lanzarse por la nominación presidencial del gobernante Partido Liberal. Los otros antiguos jefes de las fuerzas armadas que son investigados por la Contraloría son los generales retirados Arnulfo Cantarero, Humberto Regalado y Luis Discua. El cargo de jefe de las fuerzas armadas, que en las décadas de 1960, 1970 y 1980 fue de mayor poder e influencia que los mismos mandatarios civiles, fue suprimido en 1998 y sustituido por el de un ministro de Defensa. Hung se encuentra involucrado en un escándalo de presunta malversación de caudales del IPM, un organismo que nuclea una serie de empresas bajo control militar y cuyo fondos se destinan a pagar las jubilaciones de los militares retirados. La actual administración del IPM asegura que cuando la junta directiva del cartel la presidía Hung se pagaron unos 5,2 millones de lempiras (336.021 dólares) en efectivo por pago de impuestos a la alcaldía de Tegucigalpa. Los funcionarios del IPM dicen que los fondos salieron del organismo, pero los de la alcaldía aseguran que no los recibieron. Hung aseguró el martes que autorizó el desembolso de los fondos para pagar los impuestos. La Nación, 18 de Agosto de 2000 <http://www.nacion.co.cr/>

HONDURAS: LA FISCALÍA GENERAL ACUSA AL INSTITUTO DE PREVISIÓN MILITAR DE CORRUPCIÓN ECONÓMICA

La Fiscalía General de Honduras ha determinado que el Instituto de Previsión Militar (IPM), ha realizado acciones de corrupción económica. Al momento existe un faltante de más de medio millón de dólares. Los principales comprometidos en este dolo son justamente los directores del IPM, los cuales administraban personalmente dichos recursos. El general Mario Hung Pacheco, el ex todopoderoso comandante el jefe de las Fuerzas Armadas, hasta 1999, ha dicho que él no tiene nada que ver en este asunto. Los demás exdirectores del Instituto de Previsión tampoco asumen sus responsabilidades, y más aún, exigen a la alcaldía de Tegucigalpa la devolución de dichos recursos y con un interés del 25% anual. Esto ha sido rechazado por las autoridades civiles de la capital hondureña. Las Fuerzas Armadas y en especial el Instituto de Previsión Militar es considerada como uno de los emporios comerciales más grandes de Honduras, el octavo del país. Su capital se estima en unos 300 millones de dólares, dinero que siempre fue manejado por los comandantes militares como dinero propio y de él sacaban pingües ganancias. Informativos Net, España (Hn/LY/Mt/Ppc/mc), 24

de Agosto de 2000 <http://www.informativos.net/>

HONDURAS: MINISTRO DE SEGURIDAD COMBATIRÁ LA CORRUPCIÓN POLICIAL

El ministro de Seguridad de Honduras, Gautama Fonseca, dijo el miércoles que combatirá la corrupción en la policía y que enjuiciará a cualquier efectivo cuya culpabilidad sea demostrada. Fonseca, un respetado abogado de 68 años, dijo que si a los policías se les encuentra en violación de la ley, ``van a padecer las consecuencias, no se tratará solamente de despidos, sino de seguirle el juicio que corresponda por corrupción``. Fonseca, nombrado el martes nuevo ministro de Seguridad por el presidente Carlos Flores, asume el cargo en medio de una ola de violencia delictiva en Honduras, con asaltos frecuentes a bancos, secuestros, robos de vehículos, asaltos callejeros, atentados y otros crímenes. El clima de inseguridad se acentuó tras descubrirse que dos oficiales de la policía estaban ligados a bandas de narcotraficantes y se suspendió a otros dos. Mientras, el subdirector de la policía, Andrés Urtecho, pidió dos meses de excedencia mientras es sujeto de investigación. Pero Fonseca dijo que la culpa deben asumirla, también, quienes sobornan a los efectivos policiales para evadir castigo por alguna transgresión. Tanto organismos estatales como privados de defensa de los derechos humanos han reclamado al gobierno la depuración de la policía, que estuvo bajo mando de los militares desde 1963 hasta 1998, cuando un civil asumió el cargo de ministro de Seguridad. Noticias Yahoo, (Reuters), 24 de Agosto de 2000 <http://espanol.yahoo.com/noticias/>

INDONESIA: EX PRESIDENTE SUHARTO SERÁ JUZGADO EL 31 DE AGOSTO POR CORRUPCIÓN

El ex presidente de Indonesia caído en desgracia, Suharto, será juzgado por corrupción el 31 de agosto y tendrá que sentarse en el banquillo a pesar de los informes sobre su delicado estado de salud, dijo miembro del tribunal el miércoles. La acusación dice que, al menos, 130 personas serán llamadas para testificar en el que será el juicio del siglo en Indonesia. "Suharto debe someterse a juicio. He dicho que ordenaré a los abogados que le hagan acudir al juicio", dijo el juez jefe, Lalu Mariyun, de la Corte del Sur de Yakarta, en una rueda de prensa. El fiscal general del Estado ha acusado formalmente a Suharto de apoderarse de más de 550 millones de dólares (unos 100.000 millones de pesetas) procedentes de fundaciones de caridad durante su paso por el poder. Los abogados de Suharto han declarado que su cliente estaba demasiado enfermo para someterse a un juicio, alegando que tiene problemas para contestar a cuestiones básicas. El ex general sufrió un ataque el pasado año y tuvo que ser hospitalizado por otro suceso. La presencia del viejo déspota en un banquillo será una imagen extraordinaria para los ciudadanos, muchos de los cuales no habían conocido a otros líder hasta que fue obligado a dejar el poder en 1998 ante las graves crisis económica y de violencia que estalló en el país. Esto profundizará en la humillación para el hombre que dirigió los destinos de Indonesia durante 32 años hacia un crecimiento económico y una estabilidad política sin precedentes que llevó a cabo con mano de hierro y con constantes violaciones de los derechos humanos. La acusación ha dicho que Suharto se enfrenta a más de 20 años de cárcel y a un multa de 30 millones de dólares. Otros funcionarios habían comentado previamente que Suharto podría ser encarcelado de por vida. Sin embargo, el presidente de Indonesia Abdurrahman Wahid ha dicho que perdonaría a Suharto si es condenado. Suharto y su familia han sido acusados de amasar una fortuna a través de prácticas de corrupción valorada en más de 45.000 millones de pesetas durante su mandato. Todos ellos han negado haber actuado de forma errónea. El cuarto país más poblado del mundo sigue luchando por recuperarse de la crisis que marcó el fin de la era de hierro de Suharto. Se ha producido una fuerte presión pública para sentar a Suharto en el banquillo y analistas políticos han declarado

que el gobierno ha tenido que aceptar esta petición ante el temor de enfrentarse a nuevas protestas callejeras. En todo caso, algunos dicen que un posterior indulto probablemente sería aceptado por la mayoría aunque podría provocar protestas estudiantiles. Noticias Yahoo España, (Reuters), 23 de Agosto de 2000 <http://es.news.yahoo.com/>

ISRAEL: LÍDER DEL PARTIDO ULTRAORTODOXO DEBERÁ IR A LA CÁRCEL POR CORRUPCIÓN

Los líderes del partido ultraortodoxo sefardí Shas acogieron ayer con gran violencia verbal la decisión del presidente del Tribunal Supremo de Israel, Aharon Barak, de rechazar la apelación que había presentado el ex-ministro Arie Deri, condenado a tres años de prisión por corrupción. La decisión significa que Deri no tiene derecho a un nuevo juicio y deberá ingresar en la cárcel el próximo 3 de septiembre. En gran medida, la decisión de Aharon Barak (sin relación con el primer ministro Ehud Barak) provocó un guerra de declaraciones entre judíos ashkenazis, es decir, de origen europeo, y judíos sefardíes, o sea, judíos de origen oriental y de la península ibérica. El Comercio, España, 24 de Agosto de 2000 <http://www.elcomerciodigital.com/>

MÉXICO: CONSIGNADAS 877 DENUNCIAS POR DESVÍOS DE RECURSOS FEDERALES EN PROCESOS ELECTORALES

La Comisión Especial 2000 encargada de vigilar que no se desvíen recursos federales a los procesos electorales, entregó su informe final donde consignó que recibió 877 denuncias formales, de las cuales 407 ya son investigadas por las autoridades y dependencias mientras las 385 restantes fueron desechadas por improcedentes. Los programas sociales más denunciados fueron: Progresá, Procampo, Alianza para el Campo, Diconsa, Liconsa, Empleo Temporal, Crédito a la Palabra, Fonden y Conaza. Las dependencias y organismos más señalados por un presunto desvío de recursos públicos hacia las campañas son las secretarías de Desarrollo Social, Agricultura, Medio Ambiente, Defensa Nacional, Relaciones Exteriores así como Petroleos de México (PEMEX), Instituto Mexicano de Seguridad Social (IMSS), El Servicio Postal Mexicano (Sepomex), Comisión para la Regularización de la Tenencia de la Tierra (Corett), Comisión Nacional del Agua (Conagua), Comisión Federal de Electricidad (CFE), Instituto del Fondo Nacional de la Vivienda para los Trabajadores (Infonavit) y Desarrollo Integral de la Familia (DIF). Con motivo de las inundaciones en Tabasco la Cámara de Diputados recibió denuncias por un presunto desvío de la ayuda a los damnificados con fines proselitistas, que están pendientes todavía de analizarse y determinar si hay elementos para fincar responsabilidades. En un reporte firmado por todas las fracciones -menos el PRI- los diputados concluyen que la negativa de las autoridades gubernamentales de los 3 niveles a vigilar y prevenir el desvío de recursos públicos con fines electorales "ha sido resultado de la costumbre de utilizar los programas sociales para beneficio del Partido Revolucionario Institucional, siendo en repetidas ocasiones éstos los mejores medios para hacer proselitismo a favor de sus candidatos tricolores". El texto que aparece en la Gaceta Parlamentaria los diputados salientes de la LVII legislatura recomiendan a sus sucesores "prevenir y sancionar" el uso ilegal de recursos del erario hacia las campañas electorales. El Excelsior, 22 de Agosto de 2000 <http://www.excelsior.com.mx/>

MÉXICO: CONTRALORÍA GENERAL INVESTIGA LICITACIONES EN LA SECRETARÍA DE SEGURIDAD PÚBLICA

La Contraloría General del Distrito Federal investiga a funcionarios de la Secretaría de Seguridad Pública, del área de adquisiciones, a raíz de las distintas quejas, inconformidades y denuncias que

proveedores han interpuesto en su contra. La Contraloría del gobierno capitalino informó, que a pesar de que no se han podido corroborar presuntos actos de extorsión y corrupción por parte de los servidores públicos, ha llamado la atención que en los últimos 12 meses, por lo menos cinco empresas han presentado varios recursos de inconformidad respecto de las asignaciones de las licitaciones en ha emitido esa dependencia. El común denominador que prevalece en cada una de las quejas por parte de los proveedores, es en el sentido de que los encargados de otorgar las licitaciones benefician, de manera dudosa, a determinadas empresas. Esto ha originado que por lo menos este año la SSP no podrá adquirir 8 mil 771 chalecos antibala, 4 helicópteros y motopatruillas, debido a que los recursos destinados a estas licitaciones están "congelados" porque forman parte de juicios mercantiles y penales. A raíz de estas inconformidades, la Contraloría capitalina reconoció que se encuentran sujetos a investigación, Joel Santana Benhumea, director de Recursos Materiales; Federico Cecchetti Peregrini, subdirector de Adquisiciones; capitán piloto aviador, Carlos Antonio Medina Carrasales, director de Servicios Aéreos y Genaro Pérez Rocha, director general de Servicios de Apoyo, de la SSP. El Universal, 23 de Agosto de 2000 <http://www.el-universal.com.mx/>

MÉXICO: NO APLICARÁN CASTIGO A EX FUNCIONARIOS CORRUPTOS

Los diputados locales recibirán hoy un informe para conocer las causas que provocaron que prescribieran 300 expedientes de ex servidores públicos que laboraron durante la administración de Óscar Espinosa Villarreal. Más de 80 ex servidores públicos que trabajaron durante 1995 y 1996 en la gestión del ex regente no serán castigados ni encarcelados por cometer irregularidades administrativas o actos de corrupción, porque sus casos no fueron bien integrados para que la autoridad judicial actuara en su contra y a tiempo. Desde principios de este mes, los diputados que integran la Comisión de Vigilancia de la Contaduría Mayor pidieron una investigación al respecto a la Contraloría Interna de la Contaduría Mayor de Hacienda de la Asamblea Legislativa (CMHALDF), con el fin de que investigara las causas que provocaron esta situación. Trascendió que existe la sospecha de que el Departamento Jurídico de la misma Contaduría tuvo algo que ver en este problema, desde la gestión de la ex contadora Araceli Pitman y en la actual administración a cargo de Carlos Nava. Hay otras versiones que señalan que la actual Ley Orgánica de la Contaduría Mayor de Hacienda tiene diversos errores que obstaculiza la integración de los expedientes y que se entreguen a tiempo. En días pasados, José Narro sostuvo que con la información que van a solicitar sabrán si existe o no responsabilidad por parte de algún funcionario de la Contaduría Mayor o de la Contraloría General del gobierno capitalino. Por su parte, los legisladores perredistas Miguel Ángel Peláez y Ricardo Martínez Atalá, explicaron que durante la reunión de trabajo esperan conocer los resultados finales de esa investigación porque no es justo que ex servidores no sean sancionados, en caso de que hayan cometido algún acto de corrupción. El Universal, 22 de Agosto de 2000 <http://www.el-universal.com.mx/>

NICARAGUA: CIUDADANOS NICARAGÜENSES PIENSAN QUE VIVEN EN EL SENO DE UN ESTADO CORRUPTO

Un informe sobre Desarrollo Humano en Nicaragua, dado a conocer por el Programa de las Naciones Unidas para el Desarrollo PNUD, afirma que el 90 por ciento de los ciudadanos nicaragüenses perciben que existe corrupción en el Estado. El informe expresa que la pobreza afecta casi a la mitad de la población. De estas un 17 por ciento se encuentra en la extrema pobreza, además de no contar con los servicios básicos como energía eléctrica, transporte y comunicaciones, entre otros. Asimismo, el PNUD, señala que el acceso de la población a los beneficios de apertura económica y a las nuevas tecnologías de comunicación están profundizando la brecha entre ricos y pobres, que habitan en los

sectores urbanos y las zonas rurales Por su parte Ana Quiroz, presidenta de la Coordinadora Civil para la Emergencia y la Reconstrucción, CCER, refutó las declaraciones del gobierno en el sentido de que los "nicaragüenses estamos mejor que hace algunos años atrás". Quiroz se preguntó: ¿dónde está la gente que ha mejorado? En este sentido, consideró poco confiables los datos en donde se menciona como logro, el hecho que se hayan mantenido los niveles de educación. Con el crecimiento poblacional, aunque se mantenga la cobertura en la enseñanza, también aumentan los niños y niñas que se quedan sin educación, indicó Ana Quiroz. Sobre la estrategia del gobierno, para la reducción de la pobreza Ana Quiroz, consideró que la corrupción y la pobreza son el principal obstáculo para el desarrollo. Esto se refleja en el incremento del desempleo, la migración y las difíciles condiciones de vida de la mayoría de nicaragüenses, indicó. Informativos Net, España (Ni/QR/Ong-Oi/Pe/mc), 22 de Agosto de 2000 <http://www.informativos.net/>

NICARAGUA: INFORME DE PROGRAMA DE NACIONES UNIDAS REFLEJA PERCEPCIÓN GENERALIZADA DE CORRUPCIÓN Y CRECIDA POBREZA

En general, la opinión de la ciudadanía expresada en encuestas anuales desde 1997 al 2000, han mostrado que cerca del 90 por ciento de los ciudadanos perciben que existe corrupción en el Estado. Este es uno de los datos reflejados en el informe de Desarrollo Humano en Nicaragua 2000, presentado por el Programa de Naciones Unidas para el Desarrollo (PNUD). El informe también expresa que la pobreza afecta casi la mitad de la población, un equivalente a 2.3 millones de personas. De éstas, un 17 por ciento, o sea 830 mil, se encuentran en la extrema pobreza. Así mismo se señala que a consecuencia de dos décadas de bajas inversiones, existe una infraestructura inadecuada en energía, transporte y comunicaciones. El acceso desigual de la población a los beneficios de la apertura económica y a las nuevas tecnologías de comunicación están profundizando la brecha entre ricos y pobres, entre las personas capacitadas y las carentes de formación, de los sectores urbanos y las zonas rurales. Aunque el documento muestra algunas dificultades del país, también fue altamente refutado por recalcar avances sociales que Ana Quirós, la presidenta de la Coordinadora Civil para la Emergencia y la Reconstrucción (CCER), consideró poco confiables. En el campo de la construcción de una democracia participativa y un Estado de Derecho, Nicaragua presenta avances en algunos campos, pero también muestra una institucionalidad frágil. Además, en ámbito del medio ambiente menciona que de continuar la ampliación de la frontera agrícola, el país tendrá más amenazas y riesgos de desastres naturales. Ante la falta de oportunidades en el país, la migración se convierten en un recurso para asegurar la sobrevivencia. Las remesas familiares de 1999 se calculan entre 300 millones y 600 millones de dólares. Por su parte, Carmelo Angulo Barturen, representante del PNUD, dijo que "la cooperación externa no llegó para quedarse. Esto puede crear vicios. Es importante que Nicaragua se desarrolle para que el país logre salir adelante por sí sola". Agregó que el informe del PNUD no es acusador, sino que presenta datos que puedan servir de base para que el país incida en los aspectos primordiales. El Nuevo Diario, 18 de Agosto de 2000 <http://www.elnuevodiario.com.ni/>

NICARAGUA: PRESIDENTE ARNOLDO ALEMÁN, INCAPAZ DE COMBATIR LA CORRUPCIÓN SEGÚN ENCUESTA

Más de 72 por ciento de los nicaragüenses piensa que el Presidente Arnoldo Alemán ha sido incapaz de combatir la corrupción durante sus tres años de gobierno, según una encuesta de la firma costarricense Cid-Gallup divulgada hoy aquí. El sondeo, efectuado entre 1,245 personas de todo el país a inicios de este mes, reveló que 24 por ciento de la población considera "mala" la gestión del Mandatario para disminuir los ilícitos en el gobierno, mientras 48.3 por ciento la calificó como

"pésima". Solamente uno por ciento de los encuestados catalogó de "excelente" la labor del Presidente y 7.5 opinó que es "buena", de acuerdo a la consulta que abordó diversos problemas locales y la opinión popular sobre las autoridades y líderes políticos del país. Para 42 por ciento de los consultados, las condiciones de vida (pobreza y desempleo) han empeorado en Nicaragua desde que Alemán asumió la Presidencia en 1997. Consultado sobre la encuesta, cuya primera parte fue publicada ayer en medios locales, Alemán desestimó las cifras que indican una baja popularidad del gobierno y del oficial Partido Liberal Constitucionalista (PLC) de cara a los comicios municipales del próximo 5 de noviembre. "El 5 de noviembre va a ser la mejor encuesta y la más verdadera", dijo al asegurar que en los comicios el PLC obtendrá más de 100 de las 147 alcaldías del país. "Mi partido ha hecho obras y el pueblo lo ve, no necesita encuestas para ganar", dijo. El Excelsior, México (DPA, Xinhua y AP) 24 de Agosto de 2000 <http://www.excelsior.com.mx/>

PANAMÁ: ``CONTRALOR DEBE ABSTENERSE DE PRONUNCIAMIENTOS APRESURADOS SOBRE INVESTIGACIÓN CONTRA ALTOS FUNCIONARIOS``

Las tensiones entre la Contraloría y la Directiva de la Caja de Seguro Social no bajan de intensidad. Mientras el Subcontralor Enrique Lau anuncia "nuevos hallazgos" en la investigación promovida contra altos funcionarios de la Institución, éstos le exigen a la agencia fiscalizadora que se abstenga de pronunciamientos apresurados. Luis A. González González la Junta Directiva de la Caja de Seguro Social, por votación unánime, decidió pedir al Contralor General de la República, Alvin Weeden, que se abstenga de hacer algún pronunciamiento en cuanto a las investigaciones que adelanta sobre supuestos nuevos "hallazgos" en el Seguro, hasta tanto se hayan concluido las mismas y se cumpla fehacientemente con el debido proceso legal. La decisión fue dada a conocer mediante nota dirigida al Contralor, la cual fue leída y entregada a los medios de comunicación social por el presidente de la Junta Directiva, Rafael Medina, luego de culminar la sesión ordinaria de esta semana que duró casi cinco horas. Los demás miembros de la Junta estuvieron presentes. Asimismo, la decisión fue acordada por los directores después de que el Subcontralor, Enrique Lau, quien actuó como principal en la reunión, se retiró del salón tras manifestar que la Contraloría lleva a cabo una investigación "sobre hallazgos graves" dentro de la CSS que aparentemente involucra a altos funcionarios de la Institución. Cabe señalar que el director del Seguro, doctor Juan Jované, reiteró su interés de seguir cumpliendo con su trabajo como hasta ahora lo hace. De hecho, la Junta Directiva de la Caja aprobó, en la misma votación, pedir también un informe relacionado a los señalamientos expresados por el Subcontralor en dicha sesión. Lau, quien estuvo sólo por unas horas en la Junta no quiso adelantar mayores detalles sobre el caso al salir del salón de reuniones. Igualmente, la nota señala que al Subcontralor le fue aclarado que en ningún momento se ha pedido una investigación en su contra, tal como lo publicó un diario local, por lo que tampoco existe ninguna acción interna que lo involucre. El Siglo, 18 de Agosto de 2000 <http://www.elsiglo.com/>

PANAMÁ: AUDITORÍA CONFIRMA ANOMALÍAS EN PASADA GESTIÓN DE LA CAJA DE SEGURO SOCIAL

El ex director de Relaciones Públicas de la Caja de Seguro Social (CSS) Santiago Quiróz contrató, mientras ocupó ese cargo, los servicios de tres empresas del mismo grupo comercial, cuyos directivos eran allegados suyos, según señala un informe preliminar de auditoría de la Contraloría que está próximo a ser concluido, informaron fuentes allegadas a las investigaciones. Consultado al respecto, Santiago Quiróz -en declaraciones previas- negó haber cometido tales irregularidades, y además aseguró que cuando las autoridades competentes lo consideren prudente, explicará las dudas surgidas en torno a su actuación como jefe de Relaciones Públicas de la CSS. Los trabajos de auditoría ya

culminaron, aseguró una de las fuentes, y ahora se entrará en la etapa de recepción de declaración a las personas presuntamente relacionadas con estas anomalías. Entre estas anomalías hay cheques pagados sin documentos sustentadores por un monto de 220 mil 919 dólares con 10 centésimos. Culminada esta fase, explicó, se procederá a enviar el informe final al contralor, Alvin Weeden Gamboa, y éste le dará traspaso a las instancias judiciales correspondientes. De acuerdo con la fuente, el estudio consistió en la evaluación de la metodología utilizada por Relaciones Públicas de la Caja para la adquisición de bienes y servicios a través del proceso de compras menores; la verificación de las partidas presupuestarias comprometidas por el Departamento de Presupuesto y los pagos efectuados por la Dirección Nacional de Contabilidad. Las empresas beneficiadas con estos negocios son Corporación de Publicidad, S.A., Publich Photo, S.A., y Publich Production, S.A. Según el Registro Público -se anota en el informe- en las tres empresas aparecen como directivos Enith Marlene Atencio, Melva Flores y Elizabeth Atencio. Enith Marlene Atencio, según otras fuentes, es la prometida de Quiróz, mientras que Elizabeth Atencio es una de las hermanas de ésta. Melva Flores, por su parte, mantiene una relación de amistad con todos ellos. Tal relación fue negada igualmente por Quiróz. Los pagos de las órdenes de compras emitidas para la adquisición de panfletos, afiches, revistas y otros, realizadas por el departamento de Relaciones Públicas de la CSS, según el informe, totalizaron 234 mil 754 con 60 centésimos, y los beneficiados fueron los parientes de Quiróz. En la auditoría se descubrió, asimismo, la existencia de cheques pagados sin los documentos sustentadores y se encontró la utilización de partidas presupuestarias de otros departamentos, sin hacerse las transferencias correspondientes. Igualmente el estudio reflejó la división de la materia en las compras efectuadas que no permitieron la debida competencia y ello -a juicio de los funcionarios de Contraloría- "le restó transparencia a los procesos" al no publicarse en los medios escritos y evitó, a su vez, la participación de mayores oferentes. Por ejemplo, el 5 de noviembre de 1998 se emitió una orden de compra sin número a favor de la empresa Corporación de Publicidad para el suministro de 250 afiches, y esta presentó una cotización por un valor de mil dólares, pese a que la empresa ALFLO, S.A. había cotizado la suma de 680 dólares. A juicio de los auditores de Contraloría, en casos como el señalado "no se veló por los mejores intereses de la institución, al elegirse a un proveedor con un precio mayor". De igual forma, el 27 de noviembre de 1998 se suscribió una orden de compra a favor de Publich Photo, S.A. por 3 mil 780 dólares para el suministro de 5 mil panfletos, sin embargo, el cheque de pago salió a nombre de Corporación de Publicidad, S.A., sin que mediara cesión de pago a favor de esta última. Quiróz, quien en la actualidad labora como asesor de los magistrados del Tribunal Electoral (TE), asumió la jefatura de Relaciones Públicas de la Caja tras la llegada de Ricardo Martinelli a esa institución. Durante la pasada campaña proselitista, ejerció funciones en la jefatura de prensa del aspirante presidencial Martín Torrijos. La fuente allegada a las investigaciones en la Contraloría fue enfática al señalar que "se han acreditado todas las irregularidades. Si están allí [consignadas] es porque esas irregularidades están probadas". La Prensa, 21 de Agosto de 2000 <http://www.sinfo.net/prensa/>

PANAMÁ: CONTRALOR DE LA REPÚBLICA ANUNCIA INVESTIGACIÓN CONTRA EL SUBCONTRALOR LAU

El Contralor de la República, Alvin Weeden, anunció en conferencia de prensa la iniciación de un proceso de investigación al Subcontralor Enrique Lau, debido a denuncias de que el mismo cuando fungía como subdirector de la CSS, recibió un equipo valorado en no menos de un millón de balboas, sabiendo que estaba incompleto. Según el Contralor Weeden estas investigaciones no se realizarán porque directivos de la Caja de Seguro Social lo hayan solicitado, sino porque el mismo Subcontralor Lau, se lo pidió. A la vez manifiesta Weeden que en días anteriores el Subcontralor puso a

disposición de su cargo (del Contralor), para que realizara estas investigaciones. Las declaraciones del Contralor Weeden surgen luego de que directivos de la Caja de Seguro Social emitieran una información en donde pedían a éste investigaran al Subcontralor, lo cual él desmintió. En informaciones sobre el caso, se da a conocer que los representantes de la empresa que entregó el equipo a la CSS (Tomógrafo axial), prefirieron no comentar nada sobre el asunto, pero una fuente de entero crédito mencionó que el equipo entregado cumplía con los requisitos exigidos y que de ello pueden dar fe consultores internacionales que así lo certificaron. Un memorándum que se refiere al Informe sobre la gestión realizada con referencia al recibo del tomógrafo axial computarizado, describe la forma como Lau favoreció la admisión del aparato y desatendió instrucciones de Marianela Morales (quien en la época fungía como directora de la CSS). El Siglo, 18 de Agosto de 2000 <http://www.elsiglo.com/>

PANAMÁ: CONTRALORÍA CITA A EX JEFE DE RELACIONES PÚBLICAS DE LA CAJA DE SEGURO SOCIAL PARA QUE ACLARE PRESUNTAS IRREGULARIDADES

La Contraloría General citó a Santiago Quiróz, ex jefe de Relaciones Públicas de la Caja de Seguro Social (CSS), con el fin de que "aclare" su participación en el manejo presuntamente irregular en el proceso de compras efectuado por ese departamento entre los años 1998 y 1999. Tal información fue facilitada por una fuente allegada a las investigaciones, quien aseguró que la referida citación está suscrita por el propio contralor, Alvin Weeden Gamboa. Dicha citación, explicó la fuente, está dirigida a que Quiróz, quien ejerce funciones de asesoría de los magistrados del Tribunal Electoral (TE), tenga la oportunidad de facilitar los documentos que aclaren las anomalías registradas. La Contraloría realiza una investigación destinada a determinar responsabilidad en el proceso de compra llevado a cabo en el referido departamento de la CSS, cuando Quiróz ejercía las tareas de jefe del aludido departamento. Según las diligencias, recordó el informante, en el departamento de Relaciones Públicas de la CSS durante el período mencionado se efectuaron pagos por bienes, cuya recepción no está debidamente documentada con sus informes y las correspondientes facturas. Quiróz, mientras ocupó ese cargo, contrató los servicios de tres empresas del mismo grupo comercial, cuyos directivos eran allegados suyos, según las investigaciones realizadas por la Contraloría. Entre las pruebas hay cheques pagados sin los documentos sustentadores y se encontró la utilización de partidas presupuestarias de otros departamentos, sin hacerse las transferencias correspondientes. La Prensa, 22 de Agosto de 2000 <http://www.sinfo.net/prensa/hoy/>

PARAGUAY: ASUMIÓ NUEVO CONTRALOR Y PROMETE INVESTIGAR A SU ANTECESOR. DESPIDEN A FRETES VENTRE CON EL GRITO DE CORRUPTO

La salida del ex contralor fue tan tumultuosa, tal como lo fue una gran parte de su administración. Entre empujones, empellones y gritos de ¡bandido, corrupto! por parte de los funcionarios detractores, Daniel Fretes Ventre dejó el cargo que ocupó por cinco años. Su sucesor, Francisco Javier Galiano, abogado de 43 años, anunció que investigará la gestión de su antecesor, quien está acusado de 19 delitos. Una batahola infernal generó la salida de Fretes Ventre de la Contraloría General de la República, luego de la forzada conferencia de prensa que en principio no tenía pensado realizar. Al dejar el local, el ex contralor, en forma increíble y maleducada y ya dentro del automóvil, realizó un "corte de manga" dirigido a los que, en ese momento, se encontraban en el patio de la institución. Este hecho generó una acalorada discusión, para que minutos después se inicie un intercambio de golpes de puño entre los propios funcionarios de la Contraloría, ante la pasiva mirada de los policías presentes en el lugar. Momentos antes, Fretes Ventre en conferencia de prensa y en forma inconcebible, primero acusó a la prensa de ser la culpable de todos los delitos que se lo inculpa

y amenazó a aquellos que lo denunciaron, aunque no quiso dar nombres. Más tarde dijo que las denuncias en su contra tienen un interés político, realizado por un grupo de personas, absteniéndose nuevamente de dar nombres. Al tiempo de anunciar transparencia en su gestión, el flamante contralor general de la República, Francisco Javier Galiano, dijo que investigará a su antecesor, quien está acusado de la comisión de unos 19 hechos punibles durante el ejercicio del cargo. Fretes Ventre se "salvó" de la investigación judicial gracias al apoyo de los libero-oviedistas de la Cámara de Diputados, quienes negaron el pedido de desafuero que realizaron autoridades judiciales. Fue luego que la Cámara de Diputados haya tomado el juramento al mismo y al subcontralor, Mario Estigarribia, durante la sesión ordinaria de este cuerpo legislativo. El mismo grupo de diputados que dio una manta de impunidad a Fretes Ventre es el que votó por al candidatura de Galiano para que llegue a la Contraloría. Ayer, luego del juramento, Galiano explicó que una comisión ya está realizando una especie de auditoría a la gestión de Fretes Ventre, a fin de determinar su responsabilidad en los hechos delictivos en los cuales se lo involucra. Diario ABC Color, 18 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PARAGUAY: DENUNCIAN PEDIDO DE COIMAS EN ADUANA DE LA CIUDAD DE MARISCAL

Graves denuncias pesan contra la aduana de la ciudad de Mariscal Estigarribia, donde a diario comerciantes son objeto de amenazas, chantaje y secuestro de documentos para obligarles a la entrega de jugosas coimas. Acorde a la denuncia radicada en la fiscalía local, solamente el último fin de semana los funcionarios aduaneros se apoderaron de 2.300 dólares y dos motores de la marca Honda; todo esto, lógicamente, sin expedir recibo alguno. En el primer caso, la aduana de la ciudad de Mariscal Estigarribia atajó un cargamento de 130.000 kilos de sal fina, proveniente de Bolivia. De los choferes bolivianos Armino Centro, Rubén Flores y Mario Centro los funcionarios secuestraron la documentación personal, el título de los vehículos (tres camiones) y les obligaron a pagar 300 dólares, sin recibo, acorde a la denuncia realizada posteriormente ante el agente fiscal Gustavo Patiño. El hecho involucra a los funcionarios aduaneros Juan González y Ludserio Borba. El cargamento, que posteriormente fue liberado, entró de esta manera de contrabando al Chaco central, donde fue comercializado. En el segundo caso fue amenazado en la Picada 500 el comerciante boliviano Freddy Toledo, quien vino con 24 motores de la marca Honda, importados desde Villa Montes, Bolivia. Acorde a la denuncia, el comerciante fue amenazado en la Picada 500 supuestamente por agentes de la Dinar, quienes exigieron el pago de 10.000 dólares. Al no prosperar el chantaje, los agentes habrían avisado a la aduana en la ciudad de Mariscal Estigarribia, donde el cargamento fue atajado. Del chofer secuestraron toda su documentación personal y del vehículo, incluso la factura de la mercadería, que indicaba el valor de la mercadería con un valor de 9.990 dólares. El agente aduanero -en evidente estado de ebriedad, acorde a la denuncia- alegó la ilegalidad de la factura e insistió en que el cargamento era mercadería de contrabando y con un valor de 100 millones de guaraníes. El jefe de la aduana habría exigido el pago de 5.000 dólares y la entrega de algunos de los motores, y en reiteradas ocasiones habría dicho a los comerciantes que "la solución del problema depende de ustedes". Posteriormente, los socios comerciantes Ernst Loewen y Willy Toews trataron de pagar la tasa normal de importación, lo que fue rechazado por el agente aduanero. Del hecho fueron informados después el intendente de Mariscal Estigarribia y la jueza María Teresa Brítez, quien finalmente llegó al lugar del hecho y trató de solucionar el inconveniente. El agente Raúl Villanueva, finalmente, habría cobrado la suma de 2.000 dólares y se apoderó además de dos motores de la marca Honda, todo esto sin documentación alguna, acorde a la denuncia. Al recibir el dinero y la mercadería, los aduaneros devolvieron a los choferes sus documentos. De los hechos fue

informado el mismo domingo el funcionario aduanero Sixto Cáceres, de la aduana de Asunción. Estos últimos hechos se suman a una serie de denuncias similares que mantienen en zozobra a comerciantes y empresas de transporte público que tratan de mantener relaciones comerciales con el vecino país a través del Chaco. Fuentes fidedignas aseguran que el puesto aduanero de la ciudad de Mariscal Estigarribia "recauda" por semana entre 10 y 15.000 dólares, manteniendo en zozobra a la población de esta zona del país. Diario ABC Color, 23 de Agosto de 2000 <http://www.abc.com.py/>

PARAGUAY: HARÁN AUDITORÍA EN LA VICEPRESIDENCIA. HABRÍA MANEJO DOLOSO, SEGÚN LEGISLADOR

El Partido Liberal Radical Auténtico (PLRA) está en conocimiento de contrataciones de nuevos funcionarios que se han hecho desde que el cargo quedó vacante. El legislador Espínola informó que la Vicepresidencia ejecutó el 52 por ciento del presupuesto asignado para el presente año, que equivale a aproximadamente a un monto de 1.500 millones de guaraníes. Esta situación contrasta con otros órganos estatales que apenas han alcanzado a ejecutar más del 20 por ciento de lo presupuestado para el 2.000, debido al difícil momento que atraviesan las arcas del Estado. Concretamente comparó con el Congreso nacional, que apenas ha usado el 26 por ciento de los recursos asignados para el presente año. "Ante todo, lo que el Vicepresidente debe hacer es una auditoría a fondo de la Vicepresidencia para ver cómo ha sucedido este milagro de la dilapidación del dinero del pueblo. Se han nombrado funcionarios sin que haya Vicepresidente, se imaginan la burla, la bofetada que esto significa para el pueblo. En ese lugar sigue un montón de gente que está chupándole la sangre al pueblo", dijo el legislador. Indicó que una vez que se aclaren todas estas cosas, el Vicepresidente podrá pensar cómo y con qué elementos cuenta para conformar su equipo de trabajo y empezar a trabajar por el bien del país. Diario Noticias, 22 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PARAGUAY: JURADO PROCESA AL FISCAL DENUNCIADO POR PRESUNTA COIMA

El Jurado de Enjuiciamiento de Magistrados inició la investigación del denunciado fiscal de Ciudad del Este, Edward Friedrich Armas Godoy y solicitó ayer a la Corte Suprema de Justicia la suspensión del mismo en el ejercicio de sus funciones. Asimismo, previo procesamiento, envió todos los antecedentes al juez penal de garantías de la circunscripción judicial del Alto Paraná y Canindeyú, para la apertura del sumario penal por la presunta comisión de varios delitos. Igualmente, el Jurado dispuso la suspensión de la tramitación de la causa en espera de una sentencia definitiva por parte de la jurisdicción penal, ya que la condena por delitos comunes conlleva separación del cargo. Como antecedente se recuerda que la jueza Beatriz Venialgo, en compañía del fiscal de turno, encontró en la oficina de Armas Godoy en el Alto Paraná cinco mil dólares. La mencionada suma le fue entregada al fiscal Armas Godoy por un ciudadano brasileño en concepto de coima para lograr el levantamiento de la medida cautelar que pesaba contra las mercaderías incautadas de su propiedad. El mencionado fiscal le había solicitado para la liberación de las mercaderías quince mil dólares. Ante esta situación el ciudadano brasileño radicó la denuncia ante la jueza Venialgo y le entregó cinco mil dólares marcados a Armas Godoy, suma que durante el allanamiento fue encontrada en su oficina. "Esta resolución no constituye en modo alguno prejuizgamiento sobre el fondo de la cuestión, por el contrario, somete al denunciado a la Justicia Ordinaria, a los efectos de que, en ese ámbito, pueda esclarecerse los hechos que se le atribuyen", señala la resolución del Jurado de Enjuiciamiento de Magistrados. Diario Noticias, 22 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PERÚ: 4,000 VECINOS EXIGEN INVESTIGAR IRREGULARIDADES DE ALCALDE

CHIROQUE

Unos 4,000 vecinos de San Juan de Lurigancho marcharon ayer al mediodía hasta la Contraloría de la República, para exigir a su titular Carmen Higaonna investigue la gestión del alcalde distrital Ricardo Chiroque. Los manifestantes, en su mayoría madres del Vaso de Leche, provistas de pancartas y altavoces, acusaron a Chiroque de malversar fondos y reclamaron cese en sus funciones edilicias. Las mujeres de ese distrito pidieron se les restituya los tres días de leche a la semana y los cuatro restantes de cereal, que ahora ha sido reducido a dos de leche y cinco de cereal. La presidenta del gremio de madres del Vaso de Leche, Rosa Inga Morales, informó que anteriormente, los cereales tenían un alto índice nutritivo y de buen sabor, pero ahora les entregan productos embolsados sin registro ni marca y con residuos de tierra, debido al interés del alcalde por abaratar precios a costa de la calidad. Asimismo pidieron la destitución del cargo de presidenta del Comité de Administración del Vaso de Leche de María Elías y al jefe de la citada organización, Jaime Bernedos. Por su parte el alcalde Ricardo Chiroque ha negado todas las denuncias anteriores defendiendo su gestión como correcta y transparente. Reiterando que él mismo ha solicitado a la Contraloría General de la República se investigue el caso a fondo. La República, 18 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: CONTRA EX RECTOR DE UNIVERSIDAD RICARDO PALMA, LO SEÑALAN COMO RESPONSABLE DE DESFALCO

El rector de la Universidad Ricardo Palma, Iván Rodríguez Chávez, demandó a los magistrados de la primera Sala Penal de la Corte Suprema actuar de acuerdo a ley en el caso seguido contra el ex rector Sixto Ludeña Luque quien desfinanció con cerca de dos millones de soles a esta casa superior de estudios. Explicó que durante su gestión desde febrero del 91 hasta julio del 96 Ludeña Luque realizó pagos indebidos con dinero de la Universidad, entre ellas sus deudas personales a la Superintendencia de Administración Tributaria (Sunat). "Cuando ingresé en el rectorado la universidad estaba con sus bienes embargados, con una deuda de dos millones de dólares. Existen pruebas de estos hechos y por lo cual Ludeña estuvo preso en el Penal San Jorge, sin embargo, fue absuelto por el Tribunal Supremo", reveló. Preciso que la Sunat, la Universidad y el Ministerio Público han presentado recursos de nulidad a las sentencia absolutoria de los anteriores magistrados que fueron recusados por que adelantaron opinión, y ahora el caso está en manos de la Primera Sala Penal Transitoria especializada en delitos tributarios. Rodríguez Chávez dijo que otro de los problemas que encontró al asumir el rectorado de la universidad fue la deserción de estudiantes y el bajo número de postulantes, lo cual revertió con la reestructuración curricular y saneamiento económico y administrativo. La República, 24 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: CONTRALORA GENERAL EXPLICARÁ ATRASOS EN INFORMACIÓN DE CUENTA GENERAL

La Comisión Revisora de la Cuenta General de la República acordó ayer invitar a la Contralora General de la República, Carmen Higaonna y al Contador General de la Nación, para que expliquen las razones por las cuales existen atrasos en la presentación de la información de la Cuenta General de la República de 1999. El acuerdo fue adoptado ayer en la sesión vespertina de la comisión que preside el oficialista Willy Serrato, tras analizar un comunicado, publicado en los medios de comunicación, que da cuenta de que existen numerosas instituciones que no han presentado la información correspondiente sobre los gastos del dinero del Tesoro Público. Willy Serrato dijo que tiene la información de que hasta el momento por lo menos unas 160 instituciones públicas, la mayoría municipalidades, no han presentado la información requerida por la Contraloría. El Contador de la Nación, Oscar Pajuelo Ramírez, ha sido invitado para el próximo lunes, mientras que la

Contralora Carmen Higaonna se presentará el 4 de setiembre. La República, 22 de Agosto de 2000
<http://www.larepublica.com.pe/>

PERÚ: INFORMAN SOBRE MALOS MANEJOS DE EX ALCALDE DE HUARAZ

Para Oswaldo Villafuerte, quien fuera teniente alcalde de la gestión del ex alcalde de Huaraz Waldo Ríos, la declaración de vacancia a su cargo obedece a un afán de evitar que se fiscalicen los supuestos malos manejos en la gestión del ahora congresista Ríos. Villafuerte ofreció ayer una conferencia de prensa junto con el congresista Ernesto Gamarra. Ellos indicaron que tras haber denunciado serias irregularidades en el municipio de Huaraz, Villafuerte fue destituido. Sin embargo fue repuesto tras demostrar que su vacancia fue una acción equivocada. "Una vez repuesto en mi cargo, Ríos solicitó que se reconsiderara el caso, hecho que fue atendido casi de inmediato declarándose mi vacancia nuevamente el 14 de julio de este año", comentó Villafuerte. Tras estos hechos, Gamarra señaló que podría ser cierta la versión que fue el propio Vladimiro Montesinos quien le entregó a Ríos la resolución de la vacancia de Villafuerte. Admitió el error cometido por el Frente Independiente Moralizador (FIM) al haber aceptado en sus filas a Ríos quien tenía antecedentes negativos como alcalde. El Comercio, 24 de Agosto de 2000 <http://www.elcomerciooperu.com/>

PERÚ: PIDEN INVESTIGAR A PRESIDENTE DEL COMANDO CONJUNTO DE LAS FUERZAS ARMADAS POR PRESUNTOS SIGNOS DE ENRIQUECIMIENTO

La congresista de Somos Perú, Anel Townsend, presentó ayer una moción para conformar una comisión especial que investigue el desbalance entre los ingresos y los bienes inmuebles del presidente del Comando Conjunto de las Fuerzas Armadas, general EP José Villanueva Ruesta. Suscriben la moción sus compañeros de bancada Manuel Masías, Ronnie Jurado, Jorge Chávez Sibina y Luis Guerrero, quienes solicitan el establecimiento de una comisión para que en un plazo de 30 días, emita un informe con conclusiones y recomendaciones sobre la propiedad, ingresos y patrimonio del alto oficial. El pedido parlamentario también incluye a la familia de Villanueva Ruesta, por los presuntos signos exteriores de riqueza y el desbalance entre remuneraciones y egresos que tendría el comandante general del Ejército. De acuerdo con la agencia Imediaperú, el general Villanueva poseería una importante cantidad de propiedades, como un inmueble de más de 2,500 metros cuadrados en Chosica, usado como casa de invierno por él y su familia, y que aparece como propiedad de la empresa Long View Corporation. Según la investigación periodística, el oficial también tiene otras siete propiedades de bienes inmuebles compradas por su esposa, una residencia ubicada en la urbanización Los Pinos, en Monterrico, y un local en el Centro Comercial El Polo, frente a la embajada de los Estados Unidos. La República, 23 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: POR ACUERDO DE COMISIÓN DE FISCALIZACIÓN MINISTRO DE DEFENSA INFORMARÁ SOBRE INMUEBLES ADQUIRIDOS

El ministro de Defensa, general José Villanueva Ruesta, deberá enviar a la comisión de Fiscalización del Congreso la información que permita conocer los bienes inmuebles que adquirió desde que asumió ese cargo público y que, según un medio de prensa, abarcaría a 7 inmuebles ubicados en zonas exclusivas de Lima. La propuesta, que surgió del oficialismo, fue una salida a las propuestas de los parlamentarios Luis Iberico (FIM) y Anel Townsend (Somos Perú), quienes solicitaron se conforme una subcomisión investigadora para que se dedique a este caso. La propuesta de Moisés Wolfenson (Perú 2000), para que antes que se presente el ministro Villanueva lo haga el periodista que realizó la investigación, puso en aprietos a su bancada, cuando los parlamentarios de la minoría

solicitaron que dicha invitación se someta a debate. Wolfenson tuvo que retirarse de la sala de sesiones cuando se sometió a votación su propuesta y regresar cuando ésta fue rechazada por la mayoría. La denuncia de Iberico indicó que desde 1993 hasta la fecha, el general Villanueva y su esposa, María del Pilar Mesa Ramírez, se han comprado 7 propiedades inmuebles, entre departamentos, una casa con piscina y hasta una tienda en el centro comercial El Polo, además de una camioneta valorizada en más de US\$ 50,000. Según los partes de la Oficina Nacional de Registros Públicos mostrados por el congresista Iberico, la mayor parte de las propiedades están a nombre de la esposa del militar, quien es ama de casa y no tiene registro alguno ante la Superintendencia Nacional de Administración Tributaria (Sunat). Iberico además mostró las pruebas de una conexión entre el hijo mayor del titular de Defensa, José Villanueva Villanueva, con el coronel Mario Arbulú Seminario a través de la empresa Long View Corporation, mediante la cual han comprado varios terrenos en el balneario de Cerro Azul, para construir un complejo de verano. La República, 22 de Agosto de 2000 <http://www.larepublica.com.pe/>

PUERTO RICO: ALEGAN QUE EL PARTIDO NUEVO PROGRESISTA JUSTIFICA CORRUPCIÓN CON PERSECUCIÓN

Cinismo, desesperación y la justificación de la corrupción fueron algunas de las explicaciones dadas por líderes y ex líderes universitarios independentistas a la nueva teoría de que los cargos federales por corrupción a miembros del Partido Nuevo Progresista (PNP) buscan desestabilizar el anexionismo como antes lo hicieron con el independentismo. "Decir que se persigue a los anexionistas es decir que se crea artificialmente una idea de que son corruptos, que se fabrica la imagen de corruptos", dijo Miguel Rivera, secretario nacional de organización de la Federación de Universitarios Pro Independencia (FUPI). La nueva teoría, agregó, equivale a decir "que no son tan corruptos". Según la nueva tesis, la Fiscalía Federal y del Negociado Federal de Investigaciones (FBI) han montado todo un operativo para influenciar las elecciones a favor del Partido Popular Democrático (PPD) y del "statu quo" con la radicación de cargos por corrupción contra alcaldes y líderes del PNP. El Nuevo Día, 22 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: CONDICIONAN SUBSIDIO DE \$130 MILLONES A VIVIENDA A CAMBIO DE AUSENCIA DE CORRUPCIÓN

Cuando regrese en septiembre, el Congreso decidirá el futuro de los \$130 millones en subsidios adicionales para vivienda pública en Puerto Rico, condicionando la aprobación a la erradicación de la corrupción en la Administración de Vivienda Pública (AVP). En septiembre el senador republicano por Missouri, Christopher Bond, discutirá con sus colegas las posibles vías de acción congresional sobre el acuerdo del Departamento de Vivienda y Desarrollo Urbano (HUD) de otorgar \$130 millones adicionales a Puerto Rico, informó ayer la oficina de Bond. En cualquier caso, el desembolso de los \$130 millones tiene que contar con garantías de que esos fondos no serán tocados por la corrupción en la AVP, señaló un ayudante congresional de Bond. "Entre las opciones que se están considerando está una certificación independiente de que el sistema de vivienda pública en Puerto Rico está libre de corrupción", señaló el ayudante de Bond. El Nuevo Día, 24 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: DÉFICITS Y ATRASOS EN INFORMES FINANCIEROS ANTE EL CONTRALOR

Siete municipios del país están en la lista de deudores de estados financieros de la Oficina del Contralor. En cuatro de ellos los alcaldes aspiran a la reelección y seis operaban con déficit en el

último informe que entregaron. La lista de deudores la encabeza el Municipio de Río Grande, donde el último informe que entregó el alcalde del Partido Nuevo Progresista (PNP) César Méndez fue el del año fiscal 1995-1996. El Municipio de Adjuntas, administrado por el alcalde del Partido Popular Democrático (PPD), Roberto Vera Monroig, y el de Juncos, que dirige el novoprogresista Gilberto Conde Román, también están en la lista. El último informe que entregaron ambos alcaldes a la Oficina del Contralor fue el del año fiscal 1996-97. Los municipios de Villalba, Guayanilla, Naguabo y Utuado deben los estados financieros de los años 1998-99 y 1999-2000. Seis de los siete municipios que son considerados deudores de informes, tenían déficit en el último estado financiero que entregaron. En el estado financiero 1996-97, Adjuntas tenía un déficit de \$3.3 millones, mientras que el de Juncos alcanzaba los \$2.1 millones. En el informe del año 1997-98 Villalba tenía un déficit de \$1.4 millones y el déficit en Guayanilla era de \$1.2 millones. En Naguabo las arcas municipales estaban en rojo con un déficit de \$656 mil y en Utuado con un déficit de \$2.9 millones. El Alcalde de Río Grande, quien adeuda cuatro informes, incluyendo el del año que concluyó el 30 de junio pasado, no aspirará a la reelección Tampoco lo harán los alcaldes novoprogresistas de L Naguabo y Utuado, José A. Meléndez y Juan L. Ortiz, respectivamente. En el caso de Villalba, el alcalde Bernardo Negrón Montalvo sí aspira a la reelección. Sin embargo, el PNP solicitó al Tribunal de Ponce que lo descalifique por ser uno de los acusados en el escándalo del Centro de Recaudación de Ingreso Municipales (CRIM). El contralor, Manuel Díaz Saldaña, dijo estar satisfecho de que la mayoría de los municipios tengan al día sus estados financieros. Díaz Saldaña recordó que cuando asumió esa posición, sólo 13 de los 78 municipios estaban al día. Aun así, el funcionario solicitó la ayuda de la Oficina del Comisionado de Asuntos Municipales para penalizar con algún tipo de multa a los municipios que no tengan sus estados financieros al día. El Contralor dijo que antes del 7 de septiembre su oficina presentará un informe de auditoría sobre el municipio de Río Grande. El Nuevo Día, 23 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: IMPONE COMISIÓN DE ÉTICA DE LA CÁMARA LOS REQUISITOS MÁS ESTRUCTOS DE TODO EL GOBIERNO PARA DAR INICIO A INVESTIGACIONES

A pesar de que la Constitución de Puerto Rico establece que la Asamblea Legislativa será la única juez de sus miembros, la Comisión de Etica de la Cámara de Representantes impone los requisitos más estrictos de todo el Gobierno para darle paso a cualquier investigación. Contrario a su contraparte en el Senado, la Comisión cameral requiere prueba "robusta" y "convinciente" para iniciar siquiera una investigación a fondo. Requiere también que el querellante consiga la evidencia y la presente a la Comisión en 30 días después de tomar conocimiento de la supuesta violación. Esta administración eliminó la prescripción para los delitos por corrupción y violaciones a la ética, pero si un querellante de un representante presenta su denuncia en el día 31, la Comisión cameral la tiene que declarar prescrita, según la ley que crea el organismo. La Comisión de Etica senatorial sólo exige "prueba justa y razonable", y no impone un término mínimo para radicar la denuncia, según su ley. Ni los jueces en la Rama Judicial ni los funcionarios públicos en la Rama Ejecutiva imponen términos restrictivos para radicar denuncias ni exigen prueba fuera de toda duda razonable para evaluar un caso por ética contra uno de los suyos, según sus reglamentos. Para presentar una querrela contra un juez sólo hay que identificar los hechos y juramentar la querrela. Para radicar una querrela contra un funcionario en la Rama Ejecutiva es lo mismo: se requiere un juramento, y sólo se exige una exposición de todos los hechos, según la Ley de la Oficina de Etica Gubernamental. La Cámara exige que al querellante le conste de "propio y personal conocimiento" la violación que imputa a un legislador. Y apercibe de un procesamiento por perjurio del Código Penal en la misma radicación de la queja. Como si fuera poco, la Comisión cameral impide al querellante hablar del caso, pero no lo

trata como parte a la hora de darle el derecho -como en todo proceso judicial- de obtener documentos de la otra parte, según el último querellante, Héctor Ferrer, quien radicó un caso contra el representante presidente de la Comisión cameral, Luis Aramburu. Ante la vergüenza pública por una discusión de un acto deshonesto de uno de sus miembros, la Comisión senatorial puede activarse sola, por decisión de los senadores. La de la Cámara no. La Cámara necesita que alguien haya tomado conocimiento personal del acto deshonesto y en menos de 30 días lo presente a la Comisión. Esta Comisión también tiene una veda para radicar las denuncias. Tres meses antes de las elecciones, la Comisión cameral no acepta querellas contra sus legisladores amparada en que no quiere convertirse en una herramienta para hacer política. Ese cierre comienza el 7 de septiembre. Sin embargo, la ley es tan cómoda para los legisladores que no define lo que es "prueba robusta y convincente" ni lo que es "propio y personal conocimiento". El Nuevo Día, 21 de Agosto de 2000 <http://www.endi.com/>

REGION ANDINA: HOJA INFORMATIVA SOBRE ESFUERZOS ANTINARCOTICOS

A continuación extractos de una hoja informativa emitida por el Departamento de Estado el 16 de agosto sobre los esfuerzos antinarcóticos en la región andina, la cual destaca el éxito de las tareas de erradicación de cultivos ilícitos de coca en Perú y Bolivia: ***** El cultivo neto de la coca andina y el potencial de producción de cocaína siguió declinando en 1999 y actualmente está en su nivel más bajo desde 1987. En general, el cultivo neto de coca andina declinó a 180.000 hectáreas en 1999, cifra 4 por ciento menor que la de 1998, y 15 por ciento menor que la de 1995. La producción potencial de cocaína bajó a 765 toneladas métricas, una baja del 7 por ciento a partir de la cifra de 1998, y una baja del 18 por ciento desde 1995. ***** La decidida erradicación de los cultivos ilícitos de coca, las operaciones de interceptación y los programas de desarrollo alternativo en Perú y Bolivia redujeron el cultivo de coca en esos países en 66 y 55 por ciento, respectivamente, desde 1995. En gran parte debido a los exitosos programas antinarcóticos en Perú y Bolivia, el cultivo de la coca en la región andina ha cambiado a los territorios controlados por la guerrilla y los paramilitares en Colombia. ***** Colombia actualmente abastece de drogas ilícitas a Estados Unidos más que ningún otro país del mundo. Noventa por ciento de la cocaína en el mercado de Estados Unidos viene de Colombia --como ocurre, de acuerdo con estimados, con hasta dos tercios de la heroína en la costa este. ***** Los problemas en Colombia afectan la vida de los norteamericanos en nuestro país y en el extranjero. Las drogas ilícitas le cuestan a nuestra sociedad 52.000 vidas y casi 110.000 millones de dólares al año, debido a los costos en salud, accidentes y productividad perdida. ***** Las organizaciones dedicadas al tráfico de drogas en Colombia son una perniciosa fuente de inestabilidad. Canalizan fondos a los insurgentes y a los paramilitares que actúan como policías no autorizados, para obtener protección y otros servicios. Mientras tanto, la constante intimidación y la influencia corruptora de los traficantes constituye una grave amenaza al imperio del derecho y las instituciones democráticas de libre mercado en Colombia. Servicio Noticioso desde Washington , 21 de agosto de 2000 <http://www.usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/language/s>

REPUBLICA DOMINICANA: LA FISCALÍA ANTICORRUPCIÓN DESATA UN DEBATE JURÍDICO

La creación de una Fiscalía especializada en la persecución y castigo de los casos de corrupción comenzó a crear controversia entre los juristas, algunos de los cuales consideran que las funciones de esa institución restarían competencia a los fiscales distritales y contravendrían a la Constitución. "El punto nervioso es que sus funciones se confrontarían con la competencia del fiscal, ya que tendría jurisdicción nacional", explicó el jurista Julio Cury, al exhortar a los legisladores a realizar un

examen detallado para impedir que la aprobación del proyecto determine alguna acción anticonstitucional. Cury indicó que el establecimiento de la nueva dependencia también podría necesitar de diversos cambios legales con la meta de evitar contradicciones entre la pieza legislativa que la fundamentará, la Constitución de la República y otras leyes. Recordó que de acuerdo con el artículo 55 de la Constitución, los funcionarios que dependen del poder Ejecutivo de ninguna forma pueden gozar de inamovilidad, como ocurre con el titular del ministerio público y los fiscales distritales. "No se puede obrar a la ligera al crear una nueva institución de esta categoría", agregó Cury, al insistir en la necesidad de que los legisladores analicen con detenimiento la pieza presentada el pasado 22 de agosto ante el Congreso Nacional por el consultor jurídico de la Presidencia, Guido Gómez. El proyecto de Ley para la Creación de la Fiscalía Nacional Anticorrupción prevé que la institución goce de autonomía e independencia económica, política y administrativa. La pieza legislativa, que consta de 20 artículos, también considera necesario que el titular de la dependencia, quien tendría jurisdicción nacional, sea elegido por el Senado de una terna presentada por el Presidente de la República por un período inamovible de cinco años. El Listín, 24 de Agosto de 2000 <http://listin.com.do/>

REPUBLICA DOMINICANA: NUEVO PRESIDENTE PROPONE QUE EL FISCAL NACIONAL ANTICORRUPCIÓN SERÁ INAMOVIBLE DURANTE CINCO AÑOS

El Fiscal Nacional Anticorrupción será designado por un período de cinco años, e inamovible, por el Congreso Nacional, según el proyecto de ley sometido ayer ante el Senado de la República por el presidente Hipólito Mejía. El Fiscal Anticorrupción será inamovible por la naturaleza de sus funciones, salvo que cometa una falta grave y previa comprobación de la misma, y sólo podrá ser destituido por las causas graves. El funcionario se ocupará principalmente de las denuncias sobre los casos de peculado, cohecho, soborno, extorsión, concusión, agiotismo, fraudes en el sistema financiero, enriquecimiento ilícito, y acciones fraudulentas en general, que impacten los recursos del fisco o de las instituciones del sector público, incluyendo aquellas que participen colateralmente con el sector privado, las autónomas y descentralizadas, creadas por leyes especiales. De igual forma, el Fiscal Anticorrupción, en representación de la sociedad, podrá constituirse en parte civil contra todos aquellos que hayan actuado en perjuicio del patrimonio del Estado dominicano, sin ser necesariamente autorizado por el Presidente de la República, y todo lo reivindicado pasará al Fiscal Nacional. El mensaje presidencial que acompaña la pieza legislativa explica que el Fiscal Anticorrupción tendrá como objetivo la persecución eficaz de aquéllos servidores públicos que en el ejercicio de sus funciones incurran en la comisión de actos de corrupción. El mandatario explica a los senadores que el proyecto de ley facultad a la Fiscalía Nacional Anticorrupción para que, además de adoptar las acciones requeridas para la prevención, la investigación, la identificación e individualización de los actos de corrupción se encargue de la difusión de los valores y principios de probidad, integridad y transparencia en los manejos de los asuntos públicos. "Espero, pues, que los legisladores, compartan conmigo la importancia que tiene para el saneamiento de nuestra vida institucional, la adopción del nuevo estatuto legal que someto a su consideración, por lo que espero que impartan al mismo su voto de aprobación", dice el presidente Mejía en su mensaje a los congresistas. La Fiscalía Nacional Anticorrupción gozará de autonomía e independencia económica, política y administrativa, según lo establece el artículo 1 de la ley que lo instituye y actuará en representación de la ciudadanía. Tendrá competencia en todo el territorio de la República, y su sede en Santo Domingo, constituyendo delegaciones en los departamentos judiciales y distritos judiciales que considere convenientes. La Fiscalía Anticorrupción recibirá, tramitará y procederá a investigar denuncias en torno a actos de corrupción cometidos por mandatarios o servidores públicos,

magistrados, dignatarios, autoridades, funcionarios y empleados de los organismos del Estado y las personas particulares involucradas en los hechos que se investigan y de encontrarse indicios de responsabilidad penal en las referidas investigaciones pondrán sus conclusiones en conocimiento del ministerio público, de la Contraloría General de la República o del órgano jurisdiccional que fuere competente de acuerdo con la ley. El Fiscal Nacional Anticorrupción será designado por el Congreso Nacional por un período de cinco años, de una terna presentada por el Presidente de la República. El Listín, 23 de Agosto de 2000 <http://listin.com.do/>

REPUBLICA DOMINICANA: TOMA POSESIÓN NUEVO TITULAR DEL DEPARTAMENTO DE PREVENCIÓN DE LA CORRUPCIÓN

En la toma de posesión, el nuevo titular del Departameto de Prevención de la Corrupción, Jesús Félix, se comprometió a que durante su gestión "nadie, ni de esta administración, ni de gobiernos pasados, incidirá en mi trabajo, ni con una llamada telefónica, ni con una tarjeta". Al ser juramentado en el cargo por el consultor jurídico de la Presidencia, Guido Gómez Mazara, Félix aseguró que "voy a reivindicar el anhelo de la población en el sentido de que el dinero del pueblo no se va quedar en los bolsillos de los funcionarios". Félix, cuyo departamento desaparecería en caso de que el Congreso apruebe la creación de la Fiscalía Nacional Anticorrupción, indicó que revisará todos los expedientes sobre corrupción que reposan en la Procuraduría General de la República y someterá ante la justicia a todas las nuevas denuncias que estén fundamentadas de manera suficiente. El Listín, 24 de Agosto de 2000 <http://listin.com.do/>

URUGUAY: DENUNCIAN PASIVIDAD DE ORGANISMOS FISCALIZADORES

"El contrabando y la ilegalidad están causando verdaderos destrozos en el comercio y la industria instalada en el interior del país, y el gobierno parece no tener una verdadera dimensión de esta situación" afirmó Helios Maderni, presidente de la Comisión de Relacionamiento con el Interior de la Cámara de Industrias del Uruguay. Maderni dijo que la industria ha declarado su falta de competitividad, pero en el interior, el contrabando y las prácticas desleales de comercio son alarmantes, y a ello se suma la inactividad. Como consecuencia, las ventas del comercio establecido y la producción están lejos de contrarrestar esos efectos perniciosos. "Creo que el gobierno no tiene conciencia cabal de lo que está pasando en el interior" sostuvo el dirigente, y se remitió a sendas declaraciones de instituciones empresariales de dos zonas del país. El 8 de julio, representantes de la CIU (Camara de Industrias del Uruguay), CEDU (Confederación Empresarial del Uruguay) y los Centros Comerciales de Lascano, Castillo, Rocha, Cerro Largo y Treinta y Tres resolvieron "reclamar a los gobiernos nacional y departamental, que se cumplan las leyes que combaten el contrabando y el informalismo que afectan y provocan la crisis actual de la industria y el comercio establecido". El 25 de julio, los Centros Comerciales del departamento de Colonia y la CIU se reunieron con legisladores del departamento por el tema contrabando y comercio informal. Preocupados por el "desmedido avance" de ambas actividades, se denuncia "la pasividad de los órganos encargados del contralor impositivo y de la seguridad social" frente a hechos evidentes de prácticas desleales de comercio. Maderni dijo que en las giras realizadas por el interior, las entidades locales han denunciado la impunidad con la cual actúan el contrabando y el informalismo, así como la corrupción que evidencian los controles aduaneros. Estas opiniones fueron trasladadas por los dirigentes capitalinos al director nacional de Aduanas, Jorge Sienra, reclamándole la aplicación de las medidas que prevé la propia ley al respecto. "Es imprescindible que se haga algo de inmediato para frenar estas actividades" subrayó Maderni. "Se habla de 'peces gordos' o de gente que hace contrabando en gran escala" agregó, sin que por ello se tomen las medidas adecuadas. Diario el País, 21 de Agosto de

2000 <http://www.diarioelpais.com/>

URUGUAY: LA ASOCIACIÓN DE TRABAJADORES DE LA SEGURIDAD SOCIAL DENUNCIÓ UN ``DESVÍO DE FONDOS``

Una delegación de la Asociación de Trabajadores de la Seguridad Social (ATSS) afirmó que los funcionarios que cumplen tareas inspectivas nunca recibieron los fondos destinados a locomoción y que esos dineros fueron "desviados" o producto de un "mal uso presupuestal". Daniel Inthamoussu, miembro de la asociación, dijo el lunes 14 en una Comisión de Diputados que el gremio hizo averiguaciones sobre el destino de los dineros para locomoción y concluyó que existe "un problema administrativo, un mal manejo de los fondos". Solicitó que se investigue qué se hizo con ese "crédito presupuestal". "El crédito presupuestal asignado para locomoción y para otra partida de compensación que percibimos, existe. Se nos dijo que hubo un problema administrativo, pero desde nuestro punto de vista hubo un desvío de fondos --han pagado otras cosas que no son locomoción--, una falta administrativa o un mal uso presupuestal, que se intentará tapar rebajando nuestras partidas y haciendo ver que se trata de un recorte", señaló el sindicalista. El Observador, 23 de Agosto de 2000 <http://www.observador.com.uy/>

URUGUAY: SE DEFIENDE EX MINISTRO DE TURISMO, DIJO QUE NO COMETIÓ DELITO DURANTE SU GESTIÓN

El ex ministro de Turismo, Benito Stern, dijo ayer que las trasposiciones de rubros que ordenó durante su gestión no significaron un "abuso de funciones" y que tampoco obtuvo por ello "beneficio personal alguno". En una declaración distribuida a los medios, Stern se defendió de la denuncia penal que presentaron las actuales autoridades del Ministerio de Turismo y del pedido de procesamiento en su contra del fiscal Enrique Moller, por el delito de abuso de funciones. Moller también pidió el procesamiento por coautoría de falsificación de documento, del ex director general de Turismo, Juan Rodríguez Siri, de un gerente y de un funcionario de esa cartera. En su declaración, Stern dijo que si bien "formalmente" el procedimiento de trasposición de rubros "puede ser cuestionable", la "necesidad lo impuso dado que hubo de optarse entre un Ministerio de Turismo sin actividad ni promoción suficiente (...) o una cartera que cumpliera legítima y plenamente con sus funciones, aunque tuviera para ello que alterar el destino de los gastos". "No hemos incurrido en conductas dolosas ni en abusos que significaran beneficio personal alguno. Si hay otros hechos, ocurridos en la vida administrativa, que merezcan esos calificativos, somos ajenos a ellos", afirmó Stern. El Observador, 18 de Agosto de 2000 <http://www.observador.com.uy/>

URUGUAY: UN EX MINISTRO DE TURISMO PODRÍA IR A LA CÁRCEL POR MALVERSACIÓN DE FONDOS

El ex ministro de Turismo, Benito Stern, podría ir a la cárcel por haber desviado fondos de la ley de subvenciones turísticas. El miércoles fue rechazado el recurso de nulidad presentado por la defensa del ex ministro, quien alega inmunidad constitucional. La fiscalía considera que el ex ministro no goza de inmunidad y que por lo tanto el proceso judicial debe continuar su marcha. Benito Stern fue titular de la cartera de Turismo durante el gobierno de Julio María Sanguinetti, y es miembro del Partido Colorado. La acusación partió del actual ministro Alfonso Varela, también del Partido Colorado, pero integrante de la Lista 15, que responde al actual Presidente Jorge Batlle. Según la Ley Anticorrupción y si se comprueba la culpabilidad del ex ministro, éste podría ir a prisión de tres meses a tres años. No podrá ocupar cargos públicos en un período de dos y cuatro años, y podría llegar a pagar una multa que va desde los 160 a los 50 mil dólares. Si Benito Stern es condenado a

prisión, sería el segundo caso de un político que va a la cárcel por cometer delitos de "cuello blanco". El primero fue el contador Enrique Braga, hombre vinculado al Partido Nacional y de confianza del ex presidente, Luis Alberto Lacalle. Lacalle estuvo en el poder entre 1990 y 1995. Su gobierno es catalogado como uno de los más corruptos de todos los tiempos. Informativos Net, España (Uy/QR/Au/Ppc/ap), 18 de Agosto de 2000 <http://www.informativos.net/>

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ARGENTINA: THEY DENOUNCE A HIGH CORDOVAN CIVIL EMPLOYEE SUPPOSED INFLUENCE PEDDLING

A high civil employee of the governor Jose Manuel of the Sota was seriously it jeopardize and put in check the image of the government by a denunciation on a supposed influence peddling in please a construction company of which he comprised, which would have swindled in about 180,000 pesos to the inhabitants of a small locality of the provincial interior. The case, position in the open by the televising program "Telenoche investigates", involves to the accountant Jorge Eduardo Acosta, secretary of Finances, and to the Giacomo company, defendant of to have emitted around 150 bad checks of an account of the Bank of Cordova. They were harmed with those incobrables values the inhabitants of the High locality from Glad, located in the department Union and the proximities of Villa Maria, where the company had to its position the construction of the route towards the neighboring population of Arch. The work was adjudged to him during the management of the previous governor, the radical Ramon Mestre. Acosta, that was empowered of the company while it evolved in the Court of the province, was accused to have taken part so that the bank did not close the account to him to the constructor, fact that finally happened the 15 of December of the last year. Even, the bank disqualified by 15 days the company/signature of Acosta. The inspector in the banking organization, Fabian Maidana, clarified that checks were not paid in discovered and assured that dispositions of the Central bank were not violated. In his defense, the civil employee clarified that in 1995 he broke contact himself with the company - exhibited like test a notarized deed dated the 29 of December of 1995- and that since then did not sign more documents nor checks, thus it did not know the happened thing later. In addition, he denied to have exerted influences on the Bank of Cordova to order some benefit. Hardly returned of a trip of rest by Brazil, the governor was with this problem and said that, in case of having irregularities, them he will have to investigate Justice. In the case of the Bank of Cordova, he indicated that "if there is some civil employee who has violated the responsibilities that correspond to him, must have the corresponding sanctions". The minister of Finances, Jose Maria the Heras, endorsed his collaborator, although he extended that in the government he analyzes himself the future of the denounced civil employee. Nation 18 of August of 2000 <http://www.lanacion.com/>

ARGENTINA: TWO Ex--Ministers ACCUSED IN I DEAL OF ARMS

Two exministros and an old vice-minister of the government of president Carlos Menem were accused to comprise of a network of illegal sale of arms. Exministro of Outer Relations, Guido Di Tella, and the one that was minister of Defense, Ermán González, is under suspicion of to have sold arms to Ecuador and the Croatia, when both countries underwent international embargoes. According to done information public Friday, to the old vice-minister of Exteriors with I gave Tella, Juan Carlos Olima, also is accused to him to be involved in the case. The public prosecutor accuses them to ´haber signed documents that knew that they were falsos´ and to ´haber negligido his to have público´. The three defendant comprised of the government of Carlos Menem, on who always doubts weighed on presumed cases of corruption. One of the most serious accusations would be than the government had conspired to sell arms to the Croatia - that was under an embargo of Nations United because of the conflict in the Balkan Mountains. Other arms supposedly were found when they were transporadas to Ecuador, that was been in war against Peru in 1995. The government of Argentina at that moment denied all the accusations assuring that the arms had other destinations and that soon they were turned aside towards the Croatia and Ecuador. Analysts assure that behind the new judicial investigations is the will of new president Fernando of the Rúa to eradicate the corruption of the public administration. Even clarify scandals of the previous governments. BBC News, August 19, 2000 <http://www.bbc.co.uk/spanish/news000819argentina.shtml>

ARGENTINA: The ARGENTINE PRESIDENT ENDORSED To HIS CABINET BEFORE The CORRUPTION DENUNCIATIONS

The Argentine president, Fernando of the Rúa, ratified east Tuesday his confidence in all the ministerial cabinet before corruption denunciations. The agent chief executive asked for the ministers who collaborate with all the investigations on the denunciations of bribes in the Senate to approve the reform labor, the past month of May. Meanwhile, the two branches of the main Argentine Workers Union: the General Confederation of Work, CGT, divided in official and rebel, requested the derogation of the law of the Labor Reformation, if the denunciations are verified of which the opposition in the Senate was bribed to approve that norm in last May. The new labor law extends the period of test of the workers, foments the renovation of the collective agreements of work and favors the reduction of the supervisory contributions to the companies that take new employees. In spite of the new law, more than four million Argentineans they have problems at the moment to find a job. Radio Nederland, Holland, 23 of August of 2000 <http://www.rnw.nl/>

ARGENTINA: IN CASE OF PRESUMED PAYMENT OF BRIBE IN The SENATE, THEY PRESENTED/DISPLAYED SIX DENUNCIATIONS And JUSTICE ALREADY INVESTIGATES

Within the framework of the investigation by the presumed payment of bribes to approve the law of labor reform, six denunciations were made yesterday in the federal courts of Comodoro Py. The presentations were done by lawyers Marcelo Parrilli, Ricardo Monner Sans, Juan Carlos Churches, Eduardo Barcesat, the frepasista deputy Jorge Giles, and Frank the cavallista legislator Guillermo. Although all the denunciations fell by drawing in different courts, the Federal Camera will unify the investigation in the magistrate who was drawn for in the first place. Yesterday, in judicial sources one made sure that the cause will be into the hands of federal judge Carlos Liporaci. The denouncers agreed in asking for the call of president Fernando of the Rúa and in framing the conduct that is attributed to them to the senators in the bribe figure. Parrilli requested in addition that interrogates to vice-president Carlos "Chacho" Alvarez, to the head of Cabinet Rodolfo Terragno, to the Secretary of Labor Alberto Flamarique and to the justicialistas senators Jorge Yoma and Antonio Cafiero. Monner Sans contributed as it demonstrates the anonymous one that details the supposed maneuver that was followed to distribute the briberies. Whereas Churches indicated that to verify the payment of briberies the national institutions would be resembled "political toilets". Other denouncers also asked for the testimonial declaration of the leader of the

General Confederation of Workers (CGT) dissident, the truck driver Hugo Moyano, who months back formulated accusations on the circulation of drug trafficking money in the treatment of the new labor law. "We are as opposed to more serious the institutional crisis from the renewal of the democratic life", thought Francs. The Bugler, 23 of August of 2000 [to http://www.clarin.com.ar/](http://www.clarin.com.ar/)

ARGENTINA: IN SCANDAL OF BRIBES IN The SENATE, The GOVERNMENT LOOKS FOR TO TAKE The OFFENSIVE

Fernando of the Rúa retook yesterday the initiative as opposed to the denunciation of possible bribes in the Senate to approve the project official of labor reform, and after supporting with his ministers, he invited them to appear before the Anticorrupción Office (OA). The other part of the official offensive was left into the hands of vice-president, Carlos "Chacho" Alvarez, who last night announced that today she will present/display a denunciation before the Justice soliciing that investigates the presumed payment of sobornos. Mientras the lawyers finished the writing, Chacho Alvarez discussed with its collaborators if he will be he who appears today before the Courts or if is the denunciation by means of some of the lawyers. The presidential invitation to its ministers to concur to the Anticorrupción Office took place during the meeting of cabinet of yesterday, and the first consequence was that the head of the SIDE, Fernando de Santibañes, and the Secretary of Labor, Alberto Flamarique, made available of the organism. It is the first time that the President of the Nation assumes the necessity to investigate the subject outside the Senate. With this step, Of the Rúa it retook an own protagonism in an attempt to avoid to pay greater political costs by this case. During the last week, while from the Pink House they made an effort to lower the tension around the presumed case of bribes, the offensive had been into the hands of Alvarez, whom it pressed to promote the investigation. Of the Rúa it thus changed radically his strategy after perceiving the increasing impact of the denunciation, according to which some member of the oficialismo would have paid with bribes the vote of some senators, mainly of the Justicialista Party, to be able to approve the reform labor. The amount and destiny of the presumed bribes vary in agreement with the rumors: different sources mentioned sum of between two and five million dollars. Some maintain that the sum would have gone directed towards the justicialista block, whereas others affirm that also it would have arrived until the radical block. The Bugler, 23 of August of 2000 [to http://www.clarin.com.ar/](http://www.clarin.com.ar/)

ARGENTINA: EN INVESTIGACIÓN DE SOBORNOS EN EL SENADO. LA SECRETARIA DE INTELIGENCIA DEL ESTADO DARÁ A CONOCER SUS CUENTAS

La Secretaría de Inteligencia del Estado (SIDE), presentará hoy ante la Oficina Anticorrupción un detalle sobre el movimiento de sus fondos desde el comienzo de la administración de Fernando de Santibañes. La decisión de la SIDE de abrir sus cuentas responde a un pedido del titular de ese organismo, José Massoni, en el marco de la investigación sobre el presunto pago de coimas en el Senado durante el tratamiento de la ley laboral. El informe incluye el manejo de los aproximadamente 2 millones de pesos mensuales, que dispone la Secretaría en concepto de gastos reservados, que no requieren rendición. Hay una fuerte sospecha --alentada por el vicepresidente, Chacho Alvarez-- de que parte de esos fondos fueron usados para pagar el voto de senadores del Partido Justicialista --e incluso algunos de la Alianza-- para sacar la ley laboral. El detalle de la SIDE ocupa diez carillas en las que se intentaría demostrar que no hubo, en los meses que llevó el tratamiento de la ley, en los anteriores y en los que siguieron a su sanción, gastos que pudieran comprometer a la Secretaría. Fernando de la Rúa reclamó que todos sus hombres se pongan a disposición de la Oficina Anticorrupción, o donde se los requiera, para despejar sospechas sobre el papel del Gobierno en el escándalo. La tensión natural entre los principales referentes de un gobierno --más tratándose de una coalición de gobierno-- amenaza ahora con fragmentar algunas decisiones, al menos en relación a este escándalo. Por ahora a la de la Oficina Anticorrupción, que investiga desde la semana pasada el escándalo, se suman otras. Los dos bloques mayoritarios del

Senado --el del PJ y el de la Alianza-- decidieron trasladar la investigación al procurador Nicolás Becerra. La Procuración inició una investigación --que quedó en manos del fiscal Eduardo Taiano-- sobre el trámite que precedió a la sanción de la ley. El Clarín, 24 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: JUEZ DECIDIRÁ SI PROCESAN A EX SECRETARIA DE RECURSOS NATURALES POR ENRIQUECIMIENTO ILÍCITO

El juez federal Juan José Galeano decidirá en los próximos días la situación procesal de la ex secretaria de Recursos Naturales María Julia Alsogaray en la causa en que se investiga si se enriqueció en forma ilícita durante el gobierno del ex presidente Carlos Menem. Fuentes oficiales consultadas por Clarín dijeron que el plazo de Galeano para decidir si la procesa, sobresee o dicta la falta de mérito se vence mañana, pero no descartaron que el juez prorrogue el tema hasta principios de la semana próxima. El juez Galeano tiene que decidir si las declaraciones y presentaciones de María Julia justifican el considerable incremento que registraron sus bienes entre 1989 y 1999 de 300 mil a 2.500.000 pesos. Esto es así porque en los juicios por enriquecimiento ilícito se invierte la carga de la prueba y, por lo tanto, es el acusado el que tiene que justificar sus bienes. Para los fiscales Eamon Mullen y José Barbaccia, María Julia no justificó ingresos lícitos por 1.800.000 pesos en las presentaciones que viene haciendo desde que se abrió la causa, hace casi siete años. Y los fiscales creen que en los descargos que ya había hecho por escrito no demostró el origen lícito de 1.800.000 dólares. Dudan --además de la herencia anticipada de su padre-- de, por lo menos, dos fuentes que María Julia presentó para justificar su patrimonio. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: OPERACIÓN MANOS LIMPIAS PODRÍA INICIARSE EN ARGENTINA

Un proceso anticorrupción mani pulite (manos limpias), al estilo italiano, podría iniciarse en Argentina, a raíz de la denuncia sobre sobornos en el Senado para sancionar una reforma laboral, dijo ayer el vicepresidente, Carlos Alvarez. El mani pulite fue un proceso de investigación en gran escala de los casos de soborno y corrupción en el más alto nivel político y judicial de Italia, iniciado por el fiscal de Milán, Antonio Di Pietro, en 1992. El Universo, Ecuador (AP), 22 de Agosto de 2000 <http://www.eluniverso.com>

ARGENTINA: PIDEN A LA JUSTICIA QUE INVESTIGUE EL SOBORNO PAGADOS A SENADORES

Los supuestos sobornos pagados en el Senado ya llegaron a la Justicia. Guillermo Francos, diputado de Acción por la República, presentará hoy una denuncia ante los juzgados federales exigiendo que se investigue si es cierta o no la versión que señala que hubo senadores que recibieron favores personales a cambio de aprobar la reforma laboral que impulsaba el Gobierno. En su escrito, el dirigente cavallista solicita a la Justicia que investigue "si el Poder Ejecutivo pagó sobornos a senadores de la Nación para obtener su voto afirmativo a la sanción de la llamada ley de reforma laboral y eventualmente identificar y llevar a juicio a sus responsables". La denuncia de Francos es la primera que se realiza sobre el tema. El diputado trabajó en ella durante el fin de semana luego de constatar, con sorpresa, que ningún fiscal decidía actuar de oficio para investigar el tema. En su denuncia, Francos no aporta datos nuevos, sino que relata las noticias periodísticas publicadas sobre el tema. Cita el artículo de Joaquín Morales Solá publicado en La Nación y las transcripciones de la denuncia anónima que circuló por diversos ámbitos ligados al poder político. La Nación, 22 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: PRESIDENTE DE LA COMISIÓN DE ASUNTOS CONSTITUCIONALES DESCALIFICÓ DENUNCIAS DE COIMA EN EL SENADO

"Están todos locos, empezando por Alfonsín (Raúl) y De la Rúa (Fernando) que no descalifican

tamaño barbaridad", opinó el presidente de la Comisión de Asuntos Constitucionales, senador Jorge Yoma (PJ-La Rioja). Con estas palabras, Yoma desestimó el pedido realizado por el Presidente para que el Senado investigue el presunto pago de favores personales, con el objetivo de que se aprobase el proyecto de reforma laboral impulsado por el Gobierno de la Alianza en medio de fuertes críticas gremiales y de la oposición. El riojano rechazó la propuesta de De la Rúa, que durante los actos de homenaje al general José de San Martín dijo que "es el Senado el que debe dar los pasos para determinar con claridad" la existencia o no de sobornos en el trámite de aprobación de la ley en la Cámara alta. De la Rúa sugirió que debía actuar la Comisión de Asuntos Constitucionales, presidida por Yoma. Esa comisión es la responsable de tramitar todas las cuestiones de privilegio y, en consecuencia, está a cargo de las presentaciones que hicieron los senadores Antonio Cafiero y Jorge Villaverde para que se esclarecieran las versiones que circularon por el presunto pago de favores personales en ese cuerpo legislativo. "Si esto es cierto, el que está involucrado es el propio Gobierno y esto va a ser un verdadero desastre institucional", aseguró Yoma. El legislador riojano calificó de "disparate total" los rumores que circulaban en la Cámara alta en relación con esta supuesta operación. Aunque aclaró que si en el Senado "van a darle entidad al tema, hay que formar una comisión ad hoc que cite a todo el mundo, empezando por el Presidente". El titular de la Comisión de Asuntos Constitucionales opinó que no había que darle entidad a las versiones ni prestar atención a las denuncias anónimas que circularon sobre el tema. La Nación, 18 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: SURGE GRAVE ESCÁNDALO POR SOSPECHA DE SOBORNOS A SENADORES ARGENTINOS

Las insistentes sospechas de que senadores de la oposición peronista habrían sido sobornados para que votaran favorablemente la reforma laboral que el actual gobierno logró hacer aprobar por el Congreso hace tres meses, amenazaban hoy en convertirse en el peor escándalo político argentino de las últimas décadas. Tanto el gobierno del Presidente Fernando de la Rúa como el Partido Justicialista, que controla el Senado, parecían hoy desorientados ante las previsibles derivaciones del caso. Un sector de la actual administración, encabezado por el vicepresidente Carlos Alvarez, y un grupo minoritario de senadores peronistas, reclaman una investigación a fondo para esclarecer las denuncias, lo que provoca alarma en no pocos oficialistas y opositores. Todo comenzó cuando el columnista del diario La Nación, Joaquín Morales Solá, escribió hace algunas semanas que había fundadas sospechas de que un grupo de senadores peronistas habían "negociado" su apoyo a la reforma laboral, a cambio de dinero. La información del periodista provino, aparentemente, de dos legisladores peronistas no involucrados en esta maniobra, identificados como Antonio Cafiero y Jorge Villaverde, ambos de la provincia de Buenos Aires. La denuncia provocó alarma en el bloque senatorial peronista, cuyas autoridades visitaron la semana pasada al Mandatario De la Rúa, para pedirle que públicamente desautorizara las versiones. De la Rúa así lo hizo y declaró que no dudaba de la honorabilidad de sus adversarios. Pero dos prominentes figuras de la Alianza gobernante, el vicepresidente Alvarez y el ex presidente Raúl Alfonsín, titular de la Unión Cívica Radical (UCR), el partido de De la Rúa, demandaron una investigación. Alvarez manifestó que si las denuncias se confirmaban, significarían una "decadencia terminal" del sistema democrático. Alfonsín, a su vez, refirió que si se probaban los sobornos, renunciaría a la actividad política. De la Rúa, evidentemente preocupado, modificó su postura inicial e indicó que el Senado tendría que investigar las acusaciones contra algunos de sus integrantes. El senador peronista Jorge Yoma, titular de la comisión de asuntos constitucionales, respondió anunciando que citaría al Presidente como el principal imputado. En medios legislativos circuló un libelo anónimo, mencionando por su nombre a los presuntos involucrados en el ofrecimiento y cobro de sobornos. Menciona a algunos funcionarios gubernamentales y a senadores peronistas y de la UCR. El vicepresidente Alvarez, titular del centroizquierdista Frente del País Solidario (Frepasso), el otro integrante de la Alianza, hizo saber a sus amigos que no cejará hasta esclarecer este caso. El destino de la investigación

está en manos, aparentemente, de los senadores peronistas Cafiero y Villaverde, a quienes llamaría a declarar esta semana una comisión de la Cámara Alta. El Excelsior, México (AP), 21 de Agosto de 2000 <http://www.excelsior.com.mx/>

ARGENTINA: VICEPRESIDENTE DENUNCIA LA FALTA DE ``VOLUNTAD COLECTIVA`` PARA LUCHAR CONTRA LA CORRUPCION POLITICA

El vicepresidente argentino Carlos "Chacho" Alvarez ha realizado unas declaraciones en las que señala que aún no existe una "voluntad colectiva" para luchar contra la corrupción política del país. "El combate frontal contra las prácticas que la sociedad rechaza de la política no se ganó. Hay mecanismos de acción política que son reprochables y cuestionables en todos lados y todavía no se observa una voluntad colectiva de combate a fondo", ha declarado el vicepresidente. Carlos Álvarez ha criticado que esta actitud es "una de las causas de la degradación de la política o que la gente sospeche sobre la ineficiencia e improductividad de la política. Esto hace que a la política se la asimile con el mejor posicionamiento social de quienes la hacemos, al enriquecimiento ilícito o al incremento patrimonial". Asimismo, el líder frepasista ha mostrado su preocupación porque "las imperfecciones de la política no son desde un lugar excluyente de la sociedad, sino que se trasladan al sistema económico, institucional y social". Noticias Yahoo, (INFOSIC/EP), 20 de agosto de 2000 <http://es.news.yahoo.com/000820/4/i4ej.html>

ARGENTINA: VICEPRESIDENTE PROPUSO UN DESAFUERO COLECTIVO, ASÍ LA JUSTICIA INVESTIGARÍA A SENADORES POR PRESUNTOS SOBORNOS

El vicepresidente Carlos Alvarez reforzó ayer la estrategia del Gobierno para enfrentar las denuncias de pago de "favores personales" a los legisladores en busca de la sanción de la ley de reforma laboral. Y, en esa línea, sostuvo que los legisladores deberían perder sus fueros en forma colectiva para someterse a la Justicia. "Debería desaforsarse colectivamente la Cámara para que la Justicia pueda actuar en este tema", dijo Alvarez, tras expresar sus reticencias a que las sospechas sólo sean investigadas por el Congreso cuando, precisamente, atañen a esa institución. "Es muy difícil, al estar involucrada una parte de los senadores en este tema, que el propio cuerpo pueda llevar adelante una investigación objetiva", razonó. En ese sentido, se confesó "pesimista acerca de la posibilidad de autoinvestigación de los senadores". Aseguró que su intención es la de lograr una investigación "a fondo y sin concesiones", porque su prioridad es "mejorar las instituciones", dijo. "Salvando las distancias, esto es como pasó en Italia cuando comenzó el mani pulite (manos limpias), que empezó con un gran temor", comparó. Para ello, estimó que "un trámite bastante rápido para avanzar sería citar al senador (Antonio) Cafiero (Partido Justicialista-Buenos Aires), que puso el tema en el lugar de las sospechas". Precisamente, fueron los senadores Cafiero y Jorge Villaverde (PJ-Buenos Aires) quienes impulsaron la investigación, luego de los rumores de que hubo colegas suyos que supuestamente recibieron dinero a cambio de sus votos favorables a la reforma laboral. Hoy los dos senadores del PJ se reunirán con los presidentes de las bancadas del Congreso. En ese sentido, Alvarez rechazó sentir temor por las eventuales derivaciones de una investigación y dijo que el más preocupado en esclarecer la situación es el presidente Fernando de la Rúa, a quien, aclaró, no se citará al Congreso. "Nunca puede haber costos en la voluntad de mejorar el funcionamiento de las instituciones", consideró Alvarez. Inmediatamente agregó: "No estoy dispuesto a ser el presidente de un cuerpo que conviva con estas situaciones". Así, Alvarez, presidente de la Cámara alta, puso su propio cuerpo al escándalo que hace poco más de una semana colocó al Gobierno y al Congreso bajo un manto de sospechas. El vicepresidente aprovechó sus declaraciones públicas para defender la figura del ministro de Trabajo, Alberto Flamarique, señalado como el funcionario que habría pagado los presuntos sobornos a los senadores. La Nación, 22 de Agosto de 2000 <http://www.lanacion.com/>

BOLIVIA: DENUNCIAN PRESIDENTE DEL SENADO POR NEPOTISMO

En medio de la guerra sucia que se inició en el Parlamento entre miristas y adenistas, este sábado se denunció que el adenista presidente del Senado, Leopoldo Fernández Ferreira, habría cometido delito de nepotismo al haber brindado trabajo a 13 de sus "parientes cercanos". Sin embargo, confirmaron que sólo dos casos de los denunciados podrían ser indicados como nepotismo puesto que Liliana Zabala Beltran, "es pariente lejano de la esposa de Fernández Ferreira, pero que trabaja en el Senado desde 1993 con el ítem número 427 y un sueldo mensual de 4 mil bolivianos". El otro caso sería el de Evelin Ferreira de Azad que es prima hermana del titular del Senado. Sin embargo, se confirmó que trabaja en esa instancia legislativa desde 1997 con una remuneración mensual de 4.600 Bs. y con el ítem 109. No es desconocido que adenistas y miristas están enfrentados en la Cámara Baja por "pegas y mayores espacios de poder aprovechando la falta de decisión y negociación del ucesista Jaalil Melgar Mustafá". El Deber, 20 de agosto de 2000 http://www.eldeber.com.bo/20000820/nacional_6.html

BOLIVIA: FUNCIONARIOS DE LA ADMINISTRACIÓN PÚBLICA GANAN MÁS QUE EL PRESIDENTE

El diputado de Nueva Fuerza Republicana (NFR) Roberto Fernández Moscoso denunció que en la administración pública existen niveles salariales superiores al del Presidente de la República, por lo que pedirá a la Cámara Baja se haga una corrección salarial. Según el parlamentario, el Decreto Supremo 25056 determina que en el régimen salarial del país, en concordancia con el artículo 21 de la Ley 1826, se dispone que el sueldo mayor en el territorio nacional corresponderá al Presidente de la República, esto actualmente no se está cumpliendo. Sostuvo que el sueldo del Presidente, actualmente, es de Bs 29.900, de los ministros de Estado 20.900; sin embargo, existen en otras instituciones como la Superintendencia y el Banco Central de Bolivia en las que se perciben encima de los 30 mil bolivianos, hasta en unidades técnicas dependientes del Ministerio de Defensa ganan sueldos de más de 5 mil dólares americanos, lo que representa más de 30 mil bolivianos. El diputado enfatizó que, efectivamente, los sueldos de estas entidades son mayores al del Presidente de la República, por lo que frente a esta situación se impone la necesidad de que el Congreso Nacional analice con detenimiento y corrija estas irregularidades salariales. El diputado Roberto Fernández sostuvo que es indispensable que se plantee una revisión de estas irregularidades y que se cumpla la norma legal que indica claramente que el sueldo mayor debe ser del Presidente. Todos debemos ajustarnos a esa situación, no podemos permitir que haya islas de privilegiados económicamente en el país", señaló el parlamentario. Esta observación se la ha coordinado con otros parlamentarios, por lo que de manera conjunta se pedirá una información, incluso los ministros Herbert Müller han homologado sus sueldos, desconociendo normas, así como el ex ministro Candia han fijado niveles salariales por encima de lo que percibe el Primer Mandatario. Por todas estas razones "se pedirá una sanción e incluso un juicio de responsabilidades, no se puede dañar al Estado, por debajo del sueldo del Presidente tienen que estar los demás sueldos de la administración", señaló el diputado. Por otra parte, mencionó que debe haber la austeridad y se debe copiar lo que hacen los peruanos para controlar la crisis económica. Por ejemplo, Alberto Fujimori frente a la grave crisis económica ha dispuesto que los ministros, diputados subalternos y senadores dejen de tener celulares, porque el gasto económico es muy elevado. Otra medida es que los vehículos oficiales limiten el uso de combustible. Algo contrario sucede en el país, los vehículos oficiales se utilizan para ir al mercado, para llevar a las esposas de funcionarios públicos, acotó. El Diario, 23 de Agosto de 2000 <http://www.eldiario.net/>

BOLIVIA: RESPONSABLES VARIOS FUNCIONARIOS Y EX FUNCIONARIOS DE IRREGULARIDADES EN EL USO DE RECURSOS DEL TESORO NACIONAL

Cinco ex ministros de Estado, varios ex viceministros y ejecutivos de Defensa Civil, un ex prefecto y varios ex funcionarios de la Prefectura de Cochabamba fueron identificados como responsables administrativos, civiles y penales de las diferentes irregularidades cometidas en el uso de los

recursos del Tesoro General de la Nación y de la cooperación internacional para la atención de la emergencia del terremoto del 22 de mayo de 1998. La Comisión de Defensa y Fuerzas Armadas de la Cámara de Diputados entregó ayer sus conclusiones requiriendo el inicio de acciones civiles, administrativas y penales contra los involucrados. Las mayores responsabilidades penales recaen sobre los ex funcionarios de la Prefectura de Cochabamba. La Comisión halló también indicios de responsabilidad penal y civil contra ex ejecutivos de organismos que manejaron las donaciones; contra José Ernesto Ayoroa, ex director administrativo del Ministerio de Defensa Nacional, y Luis Montero Zanquis, ex director de Defensa Civil, responsabilidad civil por el sobreprecio en la compra de víveres y la contratación y pago de consultoría por 125.708 bolivianos; responsabilidad penal contra Luis Montero Zanquis, Luis Daza Montero, ex director de Defensa Civil, Guillermo Asturizaga, Ernesto Acosta, Miguel Nogales, Armando Deheza (del Ministerio de Defensa), y Guido Galleguillos, ex director de Bienes e Infraestructura del Ministerio de Defensa por indicios de malversación. En el caso de irregularidades en compra del avión Beechcraft, la Comisión vio indicios de responsabilidad administrativa contra Juan Vera Antezana, ex viceministro de Desarrollo Integral, y Oscar Guillarte Luján, ex comandante de la Fuerza Aérea y actual viceministro de Defensa. También estableció responsabilidad administrativa contra Fernando Kieffer, ex ministro de Defensa Nacional; Guillermo Cuentas, ex viceministro de Salud y actual ministro del área; Edgar Millares, ex ministro de Hacienda; Carlos Iturralde Ballivián, ex ministro de la Presidencia, y Herbert Müller, ex ministro de Hacienda, por contravenir las normas. También tienen responsabilidad administrativa contra Ramón Prada, ex viceministro de Transportes; Armando Méndez y Ramiro Cavero, ambos ex viceministros de Presupuesto. Los Tiempos, 24 de Agosto de 2000 <http://www.lostiempos-bolivia.com/>

BRASIL: PRESIDENTE CARDOSO LANZA UN CÓDIGO DE CONDUCTA PARA FUNCIONARIOS PÚBLICOS

El presidente brasileño, Fernando Henrique Cardoso, lanzó ayer un código de conducta para funcionarios públicos, en un esfuerzo por disipar la mala imagen dejada por un escándalo de corrupción que amenazó su gobierno los últimos meses. Cardoso emitió el código junto a un paquete de medidas que incluye la divulgación del gasto público en la Internet, para poner en evidencia la consternación de su gobierno ante el desvío de 100 millones de dólares de la construcción de un edificio judicial. "Con estas medidas estamos dando un choque de transparencia en la administración pública", declaró Cardoso en una ceremonia en el palacio presidencial de Planalto. Según el código de conducta, los funcionarios públicos deberán enviar a la Comisión de Ética Pública un informe de su patrimonio y no podrán recibir ingresos de otras fuentes que no sean su salario del gobierno mientras ejercen el cargo. Asimismo, se verán impedidos de asumir cargos como asesores de individuos u entidades que mantienen relaciones con el gobierno en los cuatro meses posteriores a su salida del cargo público. Cardoso respondió así al escándalo por el desvío de fondos destinados al Tribunal Regional de Trabajo (TRT) de Sao Paulo, al que calificó como un "símbolo de una crisis que pone en cuestión las instituciones republicanas". El Nacional, Venezuela (Reuters), 22 de Agosto de 2000 <http://www.el-nacional.com/>

CHILE: DESTITUYEN A ALCALDE DE VIÑA DEL MAR

Rodrigo González, hasta ahora alcalde de Viña del Mar, quedó definitivamente destituido del cargo por decisión unánime del Tribunal Calificador de Elecciones (Tricel), máximo organismo electoral del país, y en contra de cuya resolución no cabe recurso alguno. González (PPD) fue destituido por "notable abandono de sus deberes" por tres casos específicos: la situación del ex Hotel Miramar; por una rebaja de derechos municipales que hizo a dos empresas, a pesar de que la ordenanza municipal había restado tal potestad al jefe comunal, y por haber logrado la aprobación para otorgar un bono de productividad en favor del personal de la Municipalidad de Viña del Mar. El alcalde de Viña del Mar quedará oficialmente destituido inmediatamente después de que sea notificado de la resolución del Tricel, lo que podría ocurrir hoy, y deberá dejar en ese instante la

municipalidad, ya que la medida no sólo lo afecta en su calidad de alcalde, sino también como concejal. Rodrigo González, quien permaneció durante toda la tarde reunido con sus asesores y amigos más cercanos, señaló ayer que pese a acatar el fallo del Tricel, mantendrá su candidatura a la reelección, por sobre lo que opinen los dirigentes nacionales de su partido, el Partido por la Democracia (PPD). Poco después de conocida la destitución del alcalde de Viña del Mar, el PPD bajó su postulación como candidato a alcalde privilegiado por esa comuna en las próximas elecciones del 29 de octubre. Con esto, la Concertación deberá negociar cuál será ahora su candidato "privilegiado". El Mercurio, 24 de Agosto de 2000 <http://www.elmercurio.cl/>

CHINA: MUSEO DE LA CORRUPCIÓN SE CONVIERTE EN CENTRO TURÍSTICO DE PEKÍN

Cientos de personas abarrotan todos los días el "museo de la corrupción" de la capital china, donde se inauguró la exposición "La ciudad de Pekín golpea duro y advierte contra los delitos económicos", con la que se intenta calmar a la población, cada vez más irritada con la justicia. La muestra, con un despliegue inusitado de fotografías de personalidades corruptas de la vida política o del mundo empresarial chino, recoge también montones de billetes falsificados por delincuentes, cigarrillos introducidos en el país de contrabando y carnés de identidad de personas que se encuentran tras las rejas. La exposición, que abarca varias salas del Museo Militar de Pekín, desea ser la ventana de los esfuerzos del Gobierno por combatir ese mal fuertemente arraigado en China, donde la liberalización económica ha fomentado, especialmente entre la clase gobernante, el culto al dinero. Como si de una exposición de arte "pop" se tratara, las paredes del museo muestran desde carteles coloridos a vídeos con filmaciones de juicios y tarjetas de crédito falsas con las que grupos de delincuentes desvalijaban los bancos. La mayoría de los visitantes son personas mayores, explican los vigilantes, aunque también acuden jóvenes que desean echar un vistazo a los objetos del museo, que se está convirtiendo, desde que se inauguró hace unos días, en uno de los centros turísticos de Pekín. "Aunque las puertas del museo están vigiladas por militares, también hay gran número de oficiales y soldados que acuden como espectadores", indica el diario "South China Morning Post", editado en inglés en Hong Kong. La fuente agrega que, aunque los visitantes hacen vivos comentarios mientras recorren las salas, "de repente se impone el silencio cuando se entra en la estancia de veinte metros en la que se exponen los documentos que llevaron a la detención y expulsión del Partido Comunista Chino (PCCh) del vicepresidente de la Asamblea Nacional Popular (ANP, legislativo) Cheng Kejie". En la citada sala están colocadas las fotografías, como si de una película se tratara, de Cheng, condenado a muerte el pasado 31 de julio, y de su amante Li Ping, sentenciada a cadena perpetua una semana más tarde. Ambos fueron hallados culpables por una comisión parlamentaria de aceptar sobornos, regalos y joyas, incluidos diamantes, por valor de unos 41 millones de yuanes (4,9 millones de dólares). El "museo de la corrupción" de Pekín es sólo un botón de muestra de lo que está ocurriendo actualmente en China, donde el Gobierno quiere acercarse al pueblo para intentar aplacar el descontento de los ciudadanos, sobre todo de los trabajadores. Hoy, lunes, la Oficina Nacional de Auditorías (ONA) anunció un plan para investigar a gran parte de los miembros del Gobierno y del PCCh, que entrará en vigor cuando dejen el cargo y que afectará incluso a los jubilados. "Va a ser posible abrir investigaciones contra altos responsables de la Administración, como ministros y gobernadores", señaló el auditor general de la ONA, Li Jinhua, quien matizó que el proyecto todavía necesita algo de tiempo para madurar y se llevará a cabo de "forma gradual". Noticias Starmedia (EFE), 21 de Agosto de 2000 <http://www.starmedia.com/>

COLOMBIA: COMO UNO DE LOS MAYORES CASOS DE CORRUPCIÓN CALIFICO LA CONTRALORÍA LA SITUACIÓN DEL INSTITUTO PENITENCIARIO

Como uno de los mayores casos de corrupción y desgüeño administrativo encontrado en dependencias del Estado calificó la Contraloría General de la Nación la situación actual que presenta el Instituto Nacional Penitenciario y Carcelario (Inpec). Según la última auditoría, practicada al

Inpec, el organismo de control encontró irregularidades administrativas y financieras que, debido a su magnitud, "fue difícil cuantificar". Además, el hacinamiento, la falta de servicios de salud, educación y de programas de resocialización demuestran que el objeto social para el que fue creado el Inpec tampoco se cumple. El común denominador, en la Dirección General y en las seis regionales que manejan los 168 centros de reclusión, fue la violación sistemática de las normas de contratación, entre ellas concentración en las adjudicación de contratos y sobrecostos en la ejecución de obras y servicios. La auditoria encontró que durante 1998 y 1999 el Inpec suscribió contratos por \$48.075 millones para generar 5.600 nuevos cupos y aliviar la situación de hacinamiento en las cárceles. De acuerdo con un estudio del mismo Instituto, la mitad de los centros de reclusión fueron construidos hace más de 40 años y sólo el 6% tiene menos de diez años. Para el director del Inpec, el general de la Policía (r) Fabio Campo Silva, el informe de auditoria de la Contraloría es una clara radiografía del estado en el que encontró el Instituto al asumir su cargo, hace siete meses, y aclaró que esa situación cobija a los directores que lo antecedieron. Pero, aseguró que tomó medidas inmediatas encaminadas a frenar las irregularidades detectadas por el organismo de control en el período 1998-1999. Entre ellas, un corte de cuentas y la designación de un gerente de proyectos, quien se encargará de la revisión, ordenamiento y corrección de las fallas detectadas. El Colombiano, 24 de Agosto de 2000 <http://www.elcolombiano.com.co/>

COLOMBIA: EX ALCALDES ACUSADOS DE SUSTRAR BIENES MUNICIPALES SE DEFIENDEN

Los ex alcaldes de Playas y Durán, Gabino de la A y Oswaldo Peñaherrera, respectivamente, fueron los primeros en reaccionar ante las acusaciones formuladas por sus sucesores, Gregorio Andrade y Mariana Mendieta, en su orden. Gabino de la A Escalante desmintió que se hayan sustraído bienes del Municipio y aseguró que hay un inventario de todo lo que dejó, efectuado por el agente fiscal (e) de La Libertad, Franklin Grau, el 9 de agosto. También denunció ante la Comandancia de la Segunda Zona Militar el operativo efectuado por un contingente de la Base San Antonio, que impidió el acceso de los funcionarios al Municipio. Por su parte, Oswaldo Peñaherrera, ex alcalde de Durán, dijo que desde julio y hasta la fecha hay un auditor de la Contraloría en el Municipio pedido por él, por lo que menos pudieron desaparecer bienes de la institución. "Lo que es del Municipio está ahí y no sé cuál es la intención de la alcaldesa." El Universo, 18 de Agosto de 2000 <http://www.eluniverso.com/>

COLOMBIA: PIDEN INVESTIGAR A 16 FUNCIONARIOS DE LA REGISTRADURÍA NACIONAL, 4 EX REGISTRADORES Y AL ACTUAL REGISTRADOR

Por petición de la Contraloría General, la Procuraduría inició investigación disciplinaria contra 16 funcionarios de la Registraduría Nacional, 4 ex registradores y al actual Registrador, por presunta mala conducta por la firma de un contrato por valor de 67.246 millones de pesos con la empresa francesa Sagem que finalmente incumplió. Según denunció el contralor General Carlos Ossa Escobar, la Registraduría pudo haber violado la contratación estatal al prorrogar en casi el doble del tiempo, estipulado en 22 meses, el contrato con Sagem para desarrollar el proyecto de modernización tecnológica, "que a la fecha no se ha concluido y que, por ende, ha retrasado el proceso electoral", dice el informe electoral. La investigación disciplinaria fue abierta contra los ex registradores Orlando Abello Martínez, Mariela Hernández de Domínguez, Jaime Calderón Brugés y Clara María González, así como al actual Registrador, Iván Duque Escobar. Las presuntas irregularidades disciplinarias también cobijan a los directivos de la Registraduría Gustavo Villamil Rozo, José Alberto Morillo, Álvaro Molina Vásquez, Esperanza Mejía Reyes, Antonio William Gaviria Arana, Sonia Patricia Cáceres Martínez, María Cristina Duque González, Edith Mabel Ovalle Salazar, Gustavo Pedroza Gutiérrez, Álvaro Luis Monterrosa Arrieta, Harold Wilson Salazar Virguez, Miguel Arturo Linero de Cambil, Nagib Chalave González, Epaminondas Franco Ávila y Edgar Daniel

Bohórquez Encizo. El Colombiano, 23 de Agosto de 2000} <http://www.elcolombiano.com.co/>

COLOMBIA: SECTOR DE JUSTICIA UNO DE LOS MAS AFECTADOS POR LA CORRUPCIÓN, SEGÚN ESTADÍSTICAS

Uno de los sectores afectados por la corrupción es el que tiene que ver con la justicia. Según estadísticas del Consejo Superior de la Judicatura desde 1992 hasta la fecha han sido sancionados 3.377 abogados y 587 funcionarios judiciales. Tanto los profesionales del Derecho como los auxiliares de la justicia inciden sobre el normal trámite de los procesos del ramo, causando irregularidades que benefician a sus clientes y a ellos mismos. "Colombia atraviesa por una situación crítica en términos de corrupción tanto a nivel político como administrativo, situación que se ve agravada por la percepción generalizada de unas instituciones poco confiables e ineficaces. Un sistema de justicia saludable tiene una gran incidencia sobre la eficiencia económica y el desarrollo de un país", señalaron fuentes de la Corporación Excelencia en la Justicia. Para el organismo es claro que las actuaciones corruptas atentan contra los tres principios que garantizan el buen desempeño de la justicia de una nación: independencia, autoridad para aplicar las decisiones y una organización eficiente. Así las cosas, la Corporación considera que es necesario desarrollar un sistema de incentivos dentro de la Rama Judicial que haga que tanto los funcionarios como los demás empleados administren justicia de manera responsable y eficiente. En segundo lugar, sugieren que se adopte un régimen disciplinario que sancione rigurosamente a los infractores y que facilite el desarrollo de los procesos dentro de la jurisdicción. Estas estrategias, según la Corporación, se deben acompañar de cambios en los niveles legales, administrativos y organizacionales del sector judicial. Una encuesta del Consejo Superior de la Judicatura realizada en 17.394 hogares de Barranquilla, Bucaramanga, Bogotá, Medellín, Cali y Pasto señala que el 43% de las personas entrevistadas piensan que la justicia no opera y, por lo tanto, no acuden a ella. Entre las razones que dieron están el costo de honorarios (45.1% de los encuestados), el desconocimiento de los derechos (45.1%), la demora de los procesos (39.1%) y la falta de credibilidad en el aparato judicial (30.2%). Fuera de lo anterior, el Consejo Superior de la Judicatura y la Procuraduría General de la Nación, organismos que ejercen control y vigilancia de tipo administrativo y disciplinario sobre la rama judicial, encuentran que ésta se encuentra colapsada. La Corporación Excelencia en la Justicia considera que eso se debe al alto índice de congestión en la jurisdicción disciplinaria, donde la carga laboral supera los 40 mil procesos. Entre 1994 y 1999, la saturación ha pasado de 13.500 a 26.657 procesos sin solución, al cierre del año. Y es que los entes de control no disponen de herramientas para sancionar rápida y drásticamente a los funcionarios correspondientes con el retiro de su cargo cuando existan indicios de prácticas antiéticas o corruptas. El Colombiano, 21 de Agosto de 2000 <http://www.elcolombiano.com.co/>

COSTA RICA: CONSULTA A AUTORIDADES. CORRUPCIÓN TIENE VARIOS PORTILLOS

La creación de instancias extraoficiales que suplantán a las instituciones públicas en la administración de recursos económicos y el manejo de esos dineros con fines político-electorales, son dos de los principales portillos a través de los cuales la corrupción penetra y causa estragos. Ese problema también se infiltra por medio del caos administrativo que impera en diversas entidades y de la falta de una lucha coordinada, en escala nacional, contra los actos ilícitos. De esa manera se resumen los criterios expresados por cinco autoridades nacionales que, como parte de sus funciones, investigan o tratan casos relacionados con actos indebidos. Se trata del fiscal general, Carlos Arias; el contralor general de la República, Luis Fernando Vargas; el procurador, Román Solís; la magistrada de la Sala Constitucional y presidenta de la Comisión Nacional para el Mejoramiento de la Justicia (Conamej), Ana Virginia Calzada, y la defensora de los habitantes, Sandra Pizsk. Fueron consultados, entre el jueves y el viernes pasados, sobre las áreas más frágiles que tiene nuestro país en materia de corrupción. También se les preguntó sobre posibles soluciones. De acuerdo con Arias, uno de los terrenos fértiles para la germinación de actos

corruptos son los programas de ayuda social dotados con recursos millonarios. Como ejemplo de esa situación, mencionó el caso de la crisis financiera del sector cooperativo de la vivienda, durante el gobierno anterior, a la cual calificó de "cuestión monstruosa, compleja". Carlos Arias también llamó la atención sobre un campo que, según él, cuando se investigue a fondo superará en dimensiones económicas a cualquiera de los escándalos que han ocurrido en Costa Rica en los últimos años: el contrabando de mercancías. De acuerdo al contralor Vargas, también señaló como surco de la corrupción el afán por atender a toda prisa viejas necesidades que afronta la población, con lo cual en diversas ocasiones se inventan procedimientos y se saltan regulaciones que algunos aprovechan para beneficio propio. En ese sentido, señaló como ejemplo las anomalías con fondos de Asignaciones Familiares. Para el Contralor, otro escenario propicio para la corrupción es la creación extraoficial de instancias para el manejo de fondos públicos -en sustitución de las oficiales- con el argumento de que estas son lentas y entran. En opinión de Vargas, todo se engloba dentro de una deficiencia básica: la pérdida de la capacidad de planificación en la administración pública. "Lo que se hace a como dé lugar genera desorden y el desorden es uno de los agentes de la corrupción". Por su parte Calzada informó de que Canamej trabaja en la elaboración de un proyecto para crear un grupo -con representantes del Estado y la sociedad civil- que coordine las políticas generales para prevenir actos de corrupción. La idea, dijo, no es que ese comité tenga facultades de investigación, sino que más bien se dedique a cuestiones como orientar a los ciudadanos sobre los caminos adecuados para plantear denuncias. "Uno de los problemas principales es que la gente carece de mucha información", declaró. "Queremos hacer conciencia sobre la necesidad de unificar y coordinar esfuerzos. Una lucha dividida es más débil", afirmó. La Nación, 21 de Agosto de 2000 <http://www.nacion.co.cr/>

ECUADOR: COMISIÓN ANTICORRUPCIÓN TRATÓ 1676 CASOS DESDE 1997

Desde marzo de 1.997 hasta la fecha, la Comisión Anticorrupción (CCC) ha tramitado 1676 denuncias, de las cuales 460 están el trámite de investigación a través de los organismos como la Fiscalía, Contraloría General del Estado, la función Judicial, el Defensor del Pueblo y el Consejo Nacional de la Judicatura. El último proceso sobre el cual se pronunció la CCC fueron irregularidades al interior de la institución policial, donde se habría segmentado contratos con empresas proveedoras de bienes. Los temas de trabajo han abordado investigaciones de corrupción en todas las instituciones del sector público, y en muchas ocasiones, las observaciones de la Comisión han provocado resentimientos de las partes afectadas. La CCC tiene oficinas de trabajo en la mayoría de las provincias del país. En Portoviejo se crearon recientemente dos redes cívicas anticorrupción, y que integra a sectores sociales jóvenes de la capital manabita. Las redes que apoyan el trabajo se crearon a partir de la organización de un seminario taller que tuvo lugar el pasado 9 y 10 de agosto del presente año, donde intervinieron Alendra Cantos y Pedro Votruba, altos directivos de la CCC. Cabe añadir que también se creó la Comisión de coordinación interinstitucional que plantee alternativas para agilizar los procesos judiciales por casos de corrupción, iniciativa que nació a partir de un seminario taller entre la CCC, el Consejo Nacional de la Judicatura y la Corte Suprema de Justicia. La filosofía de la CCC es investigar y establecer presunciones de responsabilidad civil o penal respecto de la marcha y administración de los bienes y recursos del Estado. La Hora, 21 de Agosto de 2000 <http://www3.lahora.com.ec/>

ECUADOR: EL TRIBUNAL CONSTITUCIONAL ECUATORIANO CEDIÓ A LAS PRESIONES POLÍTICAS. LA CORRUPCIÓN SIGUE A SUS ANCHAS EN EL PAÍS

Los diputados del bloque de centroizquierda se oponen a la aplicación de la Ley Trole, pues consideran que permitirá que el Estado venda sus empresas más fuertes y que financian el Presupuesto Nacional del Estado. Aunque 6 de los 9 vocales del Tribunal Constitucional se mostraron a favor de la permanencia de la directiva de mayoría en el Congreso Nacional del Ecuador, dicho Tribunal optó por la "salida política" y apoyó a la minoría legislativa, representada

por el derechista Partido Social Cristiano, PSC. Así, Carlos Falquez Batallas, exvicepresidente del Congreso Nacional por el PSC, deberá reinstalar la Asamblea General y desconocer todo lo actuado por Susana González, como presidenta del Congreso electa por la mayoría de centroizquierda. Minutos más tarde de la decisión del Tribunal, Susana González declinó su nombramiento, aunque rechazó el muñequero político del Gobierno y su presión al resto de organismos constitucionales. Por su parte, los movimientos sociales, indígenas y campesinos, ya se están organizando para desarrollar protestas ante la decisión del organismo Constitucional y por la aplicación de la Ley Trole anunciada por el Presidente Gustavo Noboa. Los diputados del bloque de centroizquierda se oponen a la aplicación de la Ley Trole, pues consideran que permitirá que el Estado venda sus empresas más fuertes y que financian el Presupuesto Nacional del Estado. Los socialcristianos, en cambio, respaldan e impulsan la venta de dichas empresas pues son sus militantes los mayores interesados en comprarlas. Informativos Net, España, 23 de Agosto de 2000 <http://www.informativos.net/>

ECUADOR: ESCANDALO BANCARIO - OBRAS DE ARTE DADOS EN GARANTIA FUERON SOBREALORADAS

Nuevos elementos se suman al proceso judicial que se desarrolla en la Corte Suprema de Justicia en contra de los ex directivos de Filanbanco, William y Roberto Isaías Dasum, mediante los cuales se confirmarían las supuestas irregularidades cometidas en la valoración tanto de las obras de arte entregadas al Banco Central, como de los bienes que recibió en dación de pago la Agencia de Garantía de Depósitos (AGD). Una diferencia de \$ 24 millones existiría entre el valor contabilizado por Filanbanco Trust y el último avalúo efectuado por el Banco Central respecto de las obras de arte entregadas por los ex directivos de Filanbanco como parte del fideicomiso de 400 millones de dólares ofrecido a cambio del préstamo que recibió dicha institución bancaria en noviembre de 1999. La última valoración efectuada por peritos del Banco Central confirmaría la existencia de "manejos fraudulentos y artificiosos por parte de los Isaías Dasum", quienes "habrían inflado los avalúos para hacer creer que lo que en realidad vale 5 millones de dólares, se lo podía hacer pasar por 30 millones". Según la nueva información proporcionada por el superintendente de Bancos, Juan Falconí Puig a la Corte Suprema de Justicia, como prueba de las irregularidades que se habrían cometido a través de la dación en pago de obras de arte por parte de Filanbanco Trust, se desvirtuaría también la valoración efectuada por la empresa Global Silverhawk, que arrojó como resultado la suma de \$10 458 508 dólares en obras de arte, es decir, \$5 263 102 dólares más en relación con la última valoración efectuada por los técnicos del Banco Central. La Superintendencia precisó también en esta ocasión, que sobre los bienes inmuebles que componen el activo de las compañías entregadas en dación en pago a la Agencia de Garantía de Depósitos (excepto los locales comerciales de Puntilla Mall) existen situaciones de carácter legal que "limitan su dominio", entre los cuales se registran juicios de excepciones, juicios coactivos, juicios de expropiación, constitución de hipotecas y fundamentalmente condición resolutoria que podría otorgar a los antiguos propietarios la posibilidad de ejercer la acción de restitución, con lo cual se provocaría aún más perjuicio económico al Estado ecuatoriano. El estudio sobre los bienes estuvo a cargo Pedro Delgado, Intendente General de Supervisión y Entidades Financieras de la Superintendencia de Bancos, cuyo informe se adjuntó al proceso judicial que se desarrolla en contra de los hermanos Isaías Dasum y demás involucrados en el caso. "Intervención urgente" Los peritos del Banco Central reevaluaron 726 obras de arte en el Museo Nahim Isaías de Guayaquil, y 1477 del Museo Filanbanco, de Quito. Las ubicadas en Guayaquil, son en su mayor parte son pinturas que han obtenido una calificación que va de buena a excelente, siendo las más caras una pintura llamada Virgen con cautivos, \$ 42.000, y las esculturas de Santa Catalina de Siena y de La Dolorosa, con un valor de \$40.000 cada una. En cambio, el informe del Banco Central señala que las cientos de obras del Museo Filanbanco, de Quito, tienen una calificación mayoritaria de "no aceptable", "urgente intervención" y "necesita intervención". En el Museo Nahim Isaías se exponen 180 obras

que fueron evaluadas, según el informe del Banco Central. Las demás están en reserva. La mayoría de las obras del Museo Filanbanco, en Quito, tienen una calificación de buena, regular y mala. Muchas de ellas ni siquiera tienen avalúo y una buena parte necesitan una reparación urgente. Las obras son parte del patrimonio cultural y corresponden a diversas escuelas artísticas de la Colonia, especialmente de la Escuela Quiteña. Todas se refieren a motivos religiosos y las más caras corresponden a artistas como Caspicara El superintendente de Bancos, Juan Falconí Puig, expresó su preocupación por la lentitud con la que se estarían tramitando los procesos judiciales relacionados con irregularidades dentro del sistema financiero, entre los cuales se encuentra el de Filanbanco. En el momento existen 31 juicios penales relacionados con irregularidades dentro del sistema financiero, en la mayoría de los cuales no se han cerrado los sumarios, por ejemplo los casos de los bancos de Préstamos, Ecuacambio, del Azuay, del Tungurahua, Progreso, Unión, Popular, Previsora, Bancomex, etc. De dichos procesos, únicamente los casos Filanbanco y Continental se ventilan en la Corte Suprema de Justicia, los demás se encuentran radicados en los juzgados de las provincias del Guayas (13), Pichincha (13), El Oro (1), y Macas (1). (MUP) La Superintendencia también pidió al juez Noveno de lo Penal de Pichincha que se solicite a la Corte Suprema de Justicia se requiera al Gobierno de Estados Unidos que inicie el proceso de extradición de los ex banqueros, hermanos Roberto y William Isaías y de Arturo Quiroz Martín, ex directivo del Banco del Pacífico. La denuncia sostiene que varios medios de comunicación han advertido la presencia de los nombrados en la ciudad de Miami. El abogado de la Superintendencia invocó ante el juez la convención de Estradición entre el Ecuador y Estados Unidos suscrita el 28 de junio de 1872 y el tratado complementario de extradición suscrito por los dos países el 22 de septiembre de 1939. Los abogados de la Superintendencia pidieron también la certificación de que el Instituto de Patrimonio Cultural autorizó la transferencia de dominio de los más de dos mil bienes culturales que se usaron como garantía de pago. Hoy, 22 de agosto de 2000 <http://www.hoy.com.ec/politica/martes/politica.htm>

ECUADOR: EXTRACTO DE CONFERENCIA DE PRENSA DE SECRETARIA DE ESTADO ALBRIGHT

Esta pregunta en la conferencia del 18 de agosto de 2000 se refiere a los profugos ecuatorianos investigados en casos de corrupción: ***** PREGUNTA: Buenas tardes. El presidente de nuestro país, doctor Gustavo Noboa, se había comprometido a solicitar oficialmente al gobierno de Estados Unidos la cancelación de visas de todos aquellos fugitivos de la justicia ecuatoriana, quienes se encuentran al presente en territorio de Estados Unidos. Nosotros no sabemos si usted y las autoridades ecuatorianas tratarían sobre este asunto en la reunión de esta tarde, sin embargo, queremos conocer qué probabilidades existen de que el gobierno norteamericano acepte o acoja la petición hecha por el Ecuador de retirar las visas a los prófugos ecuatorianos, para que ellos vengan acá? Adicionalmente, qué posibilidades hay de que el gobierno norteamericano dé las facilidades necesarias para que podamos extraditar a aquellos prófugos de la justicia porque hasta el momento ha sido muy difícil, por no decir imposible, traerlos al país? ***** SECRETARIA ALBRIGHT: En primer lugar, quiero decirles que no discuto casos de visas, porque eso se hace a través de otro sistema dentro de nuestro gobierno. Realmente no discutimos de eso esta tarde, pero debo decirles que en los casos que se solicita la extradición, es importante que el gobierno lo haga bajo el tratado de extradición, y nosotros estaremos dispuestos a tratar sobre esos temas, pero no quiero hablar sobre casos de visa. ***** CANCELLER MOELLER: Este asunto ha sido manejado por el gobierno ecuatoriano fundamentalmente a través del ministerio de Justicia de Estados Unidos. A propósito, valga esta oportunidad para agradecer una vez más la excelente y permanente colaboración que hemos tenido de la ministra Janet Reno, quien se ha preocupado personalmente de esta situación. Debo anunciar a la prensa ecuatoriana que el día de hoy se dio paso al proceso de extradición de Peñaranda. Hasta el momento él estaba sometido a un proceso de deportación, que lamentablemente tiene que cumplir una serie de requisitos de acuerdo a las

leyes americanas. La cancillería, por disposición del presidente Noboa, presentó una solicitud de extradición aplicando el antiguo tratado que para ciertos casos no es viable, pero para éste sí lo va a ser. Y aunque tengamos que esperar unas semanas más, Peñaranda vendrá a pagar sus culpas a Ecuador. En cuanto al tema de las visas, efectivamente ésta no es la instancia para tratar el tema. La solicitud ya fue hecha hace algunos meses y estamos esperando respuesta de Estados Unidos. Servicio Noticioso desde Washington, 21 de agosto de 2000 <http://www.usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/language/s>

ECUADOR: SE AMPLÍA CASO CONTRA EL EX PRESIDENTE MAHUAD. COMISIÓN ANTICORRUPCIÓN REMITIRÁ INVESTIGACIONES A LA JUSTICIA

Con el propósito de probar los delitos que se habrían configurado con el congelamiento de recursos en el sistema financiero nacional y el feriado bancario, la Comisión Anticorrupción deberá remitir a la Corte Suprema de Justicia las investigaciones efectuadas sobre el caso, en el que están sindicados el ex presidente Jamil Mahuad y su ex ministra de Finanzas, Ana Lucía Armijos. El pedido para que se entregue el informe documentado y debidamente certificado lo hizo el Ministerio Público con el propósito de que la Corte Suprema cuente con los antecedentes e investigaciones que sirvieron de base para solicitar que se dicte el auto cabeza de proceso en contra de los inculpados. Asimismo, la fiscal general, Mariana Yépez, pidió se recepte el testimonio de Jorge Egas Peña, quien a la época del cometimiento de la infracción desempeñaba las funciones de Superintendente de Bancos. El cuestionario de preguntas para que se efectúe esta diligencia la elaborará el Ministerio Público. El Universo, 21 de Agosto de 2000 <http://www.eluniverso.com/>

EE.UU: HASTA LOS VOTOS PUEDAN COMPRARSE POR INTERNET

Un nuevo sitio promete "unir el capitalismo y la democracia" subastando votos para las elecciones presidenciales de los EE.UU. de este año. "La industria electoral gasta cientos de millones de dólares con la intención de influir la elección presidencial", puede leerse desde agosto en voteauction.com. "Este sistema es un desperdicio inútil de dinero para los candidatos y sus seguidores. [Voteauction.com](http://voteauction.com) se propone mejorar este sistema llevando directamente a los votantes el dinero de los contribuyentes a las campañas". El sitio le permite a los ciudadanos poner su voto en un lote de remate, estado por estado. El mayor postor determina qué candidato a la Casa Blanca se llevará los votos en masa de los participantes de voteauction.com. "No soy cínico", dice su fundador James Baumgartner, un graduado en ciencias políticas. "Soy realista. La mayoría de la gente tiene una visión sincera acerca de como los candidatos se venden. Los votantes deberían ser incluidos en esta situación y obtener parte de los réditos". Al menos un analista político elogió el mensaje propuesto por este sitio. "Es una muy buena forma de hacerle ver a los votantes todo lo que otros (los grandes contribuyentes) ganan con el sistema y qué poco obtienen los votantes en comparación", dice Sheila Krumholz, directora de investigación del Center for Responsive Politics, una organización apartidaria que estudia la influencia del dinero en la política. "Hay que darle reconocimiento a este tipo, por atraer la atención de la gente sobre este tema de manera provocativa", dice. Pero no todo el mundo está de acuerdo. "Deberían clausurarlo", dice Deborah Phillips, presidenta del Voting Integrity Project, un grupo de interés público, sin fines de lucro, que a menudo trata cuestiones relacionadas con la Internet. "Es el cinismo llevado a su máxima expresión. Es destructivo para el proceso democrático. Si los fiscales de los 50 estados no van tras este tipo y cada uno de los votantes participantes, no están haciendo su trabajo". Las autoridades ya han tomado nota sobre casos similares. El Departamento de Justicia de los EE.UU. se puso en contacto esta semana con eBay luego de que un puñado de usuarios ofreciera sus votos a la venta en ese sitio de subastas por Internet. Ni bien eBay tomó conocimiento de estos ítems cuestionables, los quitó del sitio inmediatamente, dijo su vocero, Kevin Pursglove. "Lo cierto es que incluso si la gente se lo toma como una broma, nosotros nos lo tomamos muy seriamente", dice Pursglove. "Esto es un hecho que podría traer aparejados cargos delictivos". Según las autoridades,

tanto quienes venden como quienes compran votos violan leyes estatales y federales, y podrían ser castigados con miles de dólares en multas o años en prisión. Baumgartner dice que él no vende ni compra votos, simplemente provee un foro donde otros pueden hacerlo, quedándose con un porcentaje de la transacción. También sostiene que se encuentra protegido por las recientes decisiones de la Suprema Corte que equiparan al dinero con la libertad de prensa, incluyendo una de los años 70 que sancionaba el uso del dinero en campañas políticas. Pero hasta sus simpatizantes tienen dudas. Krumholz anticipa que el sitio podría dar lugar a graves contiendas legales. "Me preocupa el autor del sitio", dice. Baumgartner, por su parte, se mantiene optimista. "Espero conseguir pronto anuncios e inversionistas", dice. Phillips dice que debería ir preparándose para recibir otra cosa. "Esto es un verdadero fraude electoral en la Internet. No me interesa como lo pinten. Espero que este tipo tenga unos buenos abogados que lo respalden". Noticias CNN, 19 de agosto de 2000 http://cnnespanol.com/2000/eeuu_canada/08/19/eleccion/index.html

EL SALVADOR: FISCALÍA INVESTIGA FIRMAS FALSAS EN EXPEDIENTE DE FEDERACIÓN DE FÚTBOL, INVESTIGADA POR POSIBLE MALVERSACIÓN

La Fiscalía investigará la posible manipulación de documentos por parte de la Corte de Cuentas, así como la alteración de firmas en los recibos que la Federación de Fútbol (FEDEFUT) presentó para desvanecer un faltante de 35 millones de colones. Fuentes de la Fiscalía confirmaron a este medio que hay, al menos, dos documentos que contienen firmas alteradas. Se trata de recibos emitidos por fuertes sumas de dinero en dólares. La Federación, supuestamente, entregó estos comprobantes a dos miembros del equipo técnico que dirigió a la selección nacional durante las eliminatorias por el Mundial Francia 98. La Fiscalía sospecha que las firmas de los técnicos que aparecen en los recibos son falsas. Más alteraciones. Este periódico conoció, además, de otros casos donde se advierte la alteración de firmas. Dos jugadores de la liga profesional de Estados Unidos que son seleccionados nacionales habrían recibido, según los directivos de la FEDEFUT, un total de 2 mil dólares cada uno. Después de escuchar varias declaraciones en torno a estos casos, la Fiscalía no aceptó los recibos como justificantes de egreso, debido a la sospecha de que las firmas también eran falsas. Sin embargo, el notario Pablo Noé Recinos da fe de que las firmas son originales. El fiscal general, Belisario Artiga, ha girado instrucciones nuevamente para que la investigación sobre el caso FEDEFUT llegue hasta las últimas consecuencias. Actualmente, el equipo de fiscales del Departamento de Procuración, asignado al caso, realiza el cotejo de documentos enviados por la misma Corte de Cuentas y otros obtenidos por la Fiscalía, para verificar la autenticidad de los documentos presentados por la FEDEFUT. La Fiscalía, según confirmaron fuentes del Ministerio Público, también seguirá otra línea de investigación: determinar alteraciones en los informes que los auditores enviaron a la Dirección de Responsabilidades de la Corte de Cuentas. Tal como informó este diario el pasado sábado, autoridades de la Corte obviaron señalamientos importantes emitidos por los auditores en un informe fechado en junio de este año. Los documentos alterados. La Prensa, 22 de Agosto de 2000 <http://www.laprensa.com.sv/>

EL SALVADOR: ANUNCIAN AUDITORÍA A CORTE DE CUENTAS

Un día después que este diario denunciara el estancamiento del proceso de auditoría a la Corte de Cuentas, el presidente de la Asamblea Legislativa se comprometió a resolver la situación. El diputado Ciro Zepeda anunció ayer que propondrá a la junta directiva de la Asamblea crear una comisión para ese propósito. Zepeda quiere que ya no se cuestione la credibilidad del Partido de Conciliación Nacional (PCN), partido que él dirige. Esa comisión deberá agilizar la contratación de una firma que audite a la Corte de Cuentas. Afirmó que buscarán asesoría internacional para iniciar el proceso. Zepeda dijo que la directiva de la Asamblea "debe dar plenos poderes... para que busque apoyo en las contralorías de otros países". Por tanto, el primer paso será contactar las instituciones contraloras de otros países. Zepeda está consciente que es difícil que el Gobierno les pueda facilitar un refuerzo presupuestario para sufragar los gastos que requiere la fiscalización de

la Corte. El democristiano Aristides Alvarenga, secretario de la Asamblea, confirmó que la directiva realizó ayer un "ejercicio financiero" que permitió concluir que la Asamblea tiene insuficiencia de fondos. Recordó que se le recortó alrededor de 26 millones de colones en el presupuesto de este año. Por eso pedirán que en el presupuesto de 2001 se prevea ese gasto. "Según se ha investigado, puede andar entre 10 ó 20 millones de colones" el costo de la fiscalización. La Prensa, 18 de Agosto de 2000 <http://www.laprensa.com.sv/>

EL SALVADOR: FISCALÍA INVESTIGA POSIBLE MALVERSACIÓN DE FONDOS EN FEDERACIÓN DE FÚTBOL

La Fiscalía dijo que continuará investigando una posible malversación de fondos en la Federación Salvadoreña de Fútbol (FSF) pese a que la Contraloría multó y obligó a directivos a reintegrar unos 345.000 dólares. "Estamos investigando a fondo (el caso) y con mucha seriedad", declaró a periodistas el fiscal general, Belisario Artiga; "creo que se puede demostrar lo que sucede y si hay culpables, los vamos a hallar". La Contraloría informó el viernes que encontró un faltante de más de 3 millones de colones (unos 345.000 dólares) durante el período 1996-1998 de la administración de la FSF. Una primera auditoría había revelado un faltante de 35 millones de colones (unos 4 millones de dólares), según la prensa local. La Contraloría impuso una multa de unos 4.500 dólares para cinco ex directivos por "responsabilidad administrativa" y obligó además a otros cuatro miembros, entre ellos el actual presidente Juan Torres, a reintegrar unos 345.000 dólares por "responsabilidad patrimonial". Pero Torres y otros dos miembros de la junta directiva no serán sancionados debido a que no reciben salarios en la FSF, dijo la Contraloría, basados en artículos del Reglamento para la Determinación de Responsabilidades. Sin embargo, Artiga señaló que la Fiscalía continuará con las investigaciones debido a "una posible malversación de fondos y administración fraudulenta" en la Federación Salvadoreña de Fútbol. Torres dijo a un periódico local que, "no tenemos absolutamente nada que devolver, lo que haremos es someternos al juicio de cuenta... quiero que esto se vea como un proceso, porque no ha terminado", señaló. La Nación. Costa Rica (AP), 21 de Agosto de 2000 <http://www.nacion.co.cr/>

ESPAÑA: PIDEN DIEZ AÑOS DE INHABILITACIÓN PARA EL ALCALDE DE SALOBREÑA POR UN PRESUNTO DELITO DE PREVARICACIÓN

La Fiscalía de Granada solicitará diez años de inhabilitación para el alcalde de Salobreña, Manuel Pérez Cobo (del Partido Socialista Obrero Español -PSOE-), por un presunto delito de prevaricación cometido en su anterior etapa como regidor por cobrar a una constructora un impuesto de cuatro millones de pesetas sin estar autorizado. Tras varias suspensiones por diferentes cuestiones procesales, Pérez Cobo será juzgado por este caso ocurrido hace diez años en la Audiencia de Granada el próximo 22 de septiembre. El escrito de acusado relata que mayo de 1990 el alcalde de Salobreña concedió a la constructora Comofesa licencia de primera ocupación para la urbanización "Cala Verde", construida dentro de un proyecto más amplio "Vial Central Playa Salobreña", cuyas contribuciones especiales habían sido suspendidas un año antes por la Sala de lo Contencioso Administrativo de la antigua Audiencia Territorial de Granada (hoy TSJA). Aunque inicialmente denegó la licencia de primera ocupación solicitada por la constructora, el acusado "con conocimiento" de la suspensión de la Sala de lo Contencioso Administrativo "supeditó la concesión de la mencionada licencia al pago de 4.028.427 pesetas", una cantidad que fue ingresado por el municipio "no estando autorizado legalmente" para ello. En su escrito de conclusiones provisionales, la Fiscalía solicita seis años de inhabilitación por un delito de prevaricación y cuatro años de suspensión y multa de 500.000 pesetas por un delito del artículo 202 del antiguo Código Penal que castiga a los funcionarios que exijan el pago de impuestos no autorizados por las leyes o por las corporaciones respectivas. Andalucía 24 Horas, 22 de Agosto de 2000 <http://www.andalucia24horas.com/>

GUATEMALA: LIMITAN TRABAJO A AUDITORES SOCIALES EN EL CONGRESO

Por orden de la Junta Directiva del Congreso, el trabajo de auditoría social que efectúa en ese organismo la entidad cívica Acción Ciudadana (AC), se ha visto limitado. Desde la legislatura anterior, AC se dedica a monitorear el trabajo de los diputados. Entre otras cosas, esa organización civil lleva registro de las leyes aprobadas, así como de los diputados más productivos, los faltistas y los viajeros. Para hacer una evaluación del primer semestre del Congreso, Manfredo Marroquín, director de AC, solicitó el 10 de agosto diversos informes a la Junta Directiva, presidida por Efraín Ríos Montt. Un día más tarde, Carlos Wholers Monroy, secretario del Legislativo, respondió a Marroquín por medio de una misiva. "Para poder brindarle la información (...) es necesario que presente por escrito (...) las actividades a que se dedica la institución que usted dirige, copia de los estatutos bajo las cuales rige sus actividades, así como el instrumento legal por medio del cual se le autoriza para poder operar como institución dentro del país", se anota en la carta que firmó Wholers. "Nos extraña que ahora los eferregistas (del Frete Republicano Guatemalteco), no sepan quiénes somos. Incluso nuestra publicación Agenda Legislativa les sirvió para su trabajo cuando fueron opositores", se quejó Marroquín. A la vez, dijo que si los ahora oficialistas quieren fiscalizar a las organizaciones del Estado, deben dar el ejemplo; de lo contrario, "no tendrán autoridad moral, por impedir nuestro trabajo". También dijo que la actitud de la Directiva parlamentaria es violatoria del texto constitucional. "Toda información de las instituciones públicas es libre", enfatizó Marroquín. A su juicio, el Frente Republicano Guatemalteco está a tiempo de corregir la arbitrariedad en que incurre. Prensa Libre, 22 de Agosto de 2000 <http://www.prensalibre.com.gt/>

GUATEMALA: CONTRALORÍA PIDE RATIFICAR CONVENIO CONTRA CORRUPCIÓN

Al inaugurar el II Foro Internacional sobre Ética y Lucha contra la Corrupción, el jefe de la Contraloría General de Cuentas de la Nación (CGCN), Marco Tulio Abadío, pidió públicamente al presidente Alfonso Portillo que promueva la ratificación de la Convención Americana contra ese flagelo, suscrita por iniciativa de la Organización de Estados Americanos. Según el funcionario, en los momentos actuales la adhesión se hace casi obligatoria por los compromisos sociales que conlleva, y también porque para combatir esa mala práctica y erradicar la impunidad es necesaria la cooperación entre las naciones. Tenemos que sacar a nuestro país de esa lista; este Gobierno tiene que manifestarse para ratificar esa lucha contra la corrupción, porque es vergonzoso que figure en ella, afirmó. Siglo Veintiuno pidió la vocera del mandatario, Fernanda Castejón, una respuesta oficial ante tal planteamiento. La funcionaria dijo que prefería consultar directamente a Portillo y devolver la llamada, lo cual no ocurrió. Al acto estaba invitado Portillo, pero otras actividades le impidieron asistir, según personal de la Secretaría de Comunicación Social. Ello molestó a Abadío, pero se cuidó de exteriorizarlo. En cambio, el alcalde capitalino, Fritz García-Gallont, a cuyo cargo estuvo la inauguración, aprovechó para hacer notoria la ausencia. Es innegable que muchas personas no están aquí presentes...Es posible que se tengan excusas tales como demasiada carga de trabajo, por compromisos adquiridos con anterioridad o simplemente por rehuir de una realidad que cada día los encierra más, pero que algún día tendrá que pedirles cuentas. Siglo XXI, 18 de Agosto de 2000 <http://www.sigloxxi.com/>

GUATEMALA: DENUNCIAN CORRUPCIÓN EN AUTORIDAD PARA EL MANEJO SUSTENTABLE DE LA CUENCA Y EL LAGO DE AMATITLÁN

Tráfico de influencias, nuevas licitaciones concesionadas a Servicios de Jardinería de la Cruz, sobrevaloración de obras e incumplimiento de contratos, son otras irregularidades halladas por auditores de la Presidencia en la Autoridad para el Manejo Sustentable de la Cuenca y el Lago de Amatitlán (Amsa), durante la gestión de Evelyn Reyna Chacón. La nueva documentación a la que tuvo acceso Siglo Veintiuno y que incluye un informe firmado por Adolfo Efraín Reyes López, asesor del Ejecutivo, fechado 28 de abril del 2000 y dirigido a Arturo Ruiz Wong, jefe de la Unidad Financiera de la Gerencia de la Presidencia, concluye: Los procesos de contratación de bienes y

servicios en Amsa para 1999 fueron realizados de forma ilegal en todos sus aspectos, con el fin de obtener beneficios propios para las autoridades de dicha institución y de un grupo de empresarios. Como argumento, el estudio señala: En todos los procesos de cotización se invitaron a las mismas compañías, lo que denota un marcado preferitismo e imparcialidad en las adjudicaciones. Siglo Veintiuno buscó ayer la opinión de Reyna Chacón; empero, Isabel Casas, quien actúa como intermediaria entre la aludida y los medios de comunicación, sostuvo que, de ahora en adelante, la ex funcionaria hablará sólo en presencia de su abogado. Una auditoría realizada por la Presidencia en Amsa reveló que, durante la gestión de la referida, la entidad gubernamental concesionó obras a socios de la ex funcionaria, así como que la infraestructura de la dependencia estatal fue utilizada para promocionar a Construnatura, ente no lucrativo presidido por Reyna Chacón. Además, se descubrió que la firma Servicios de Jardinería de la Cruz, ganadora de varios concursos, es propiedad del hijo de una conserje de Amsa y que, según el informe de Reyes López, tendría alguna relación con Reyna Chacón. El estudio citado también advierte que el gerente de Opcion 3 S.A., que licitó trabajos para Amsa por 987,735.00 quetzales, es Sergio R. Chávez, ex esposo de Reyna Chacón, versión que no se pudo confirmar con el aludido, pues no se encontraba en los momentos en que se le llamó a su trabajo. El reporte añade que algunas empresas contratadas por Amsa incumplieron los plazos establecidos en los contratos, sin que se les aplicaran las multas correspondientes. Luis Mijangos, secretario general de la Presidencia, no descartó que Reyna Chacón haya incurrido en colusión, tráfico de influencias y violaciones a la Ley de Contrataciones del Estado. De esa cuenta, añadió, se revisan todos los contratos para hablar con las empresas ganadoras y verificar que los montos pagados coincidan con las obras ejecutadas. Siglo XXI, 22 de Agosto de 2000 <http://www.sigloxxicom/>

GUATEMALA: ECUATORIANO NAPOLEÓN SALTOS GALARZA, ALTERACIÓN DE LEY `` ES UN ACTO CLARO DE CORRUPCIÓN ``

Manipular una ley cuando están en juego intereses de carácter económico es un acto de corrupción", afirmó ayer Napoleón Saltos Galarza, representante de la lucha anticorrupción de Ecuador. El experto, quien tuvo participación activa en el derrocamiento de los ex presidentes ecuatorianos Jamil Mahuad y Abdalá Bucaram, analizó el controvertido caso de la alteración del Decreto 43-2000, Ley del Impuesto a la Distribución de Bebidas Alcohólicas y Gaseosas, caso conocido como "Guategate", en el cual hay indicios de culpabilidad de varios legisladores del oficialista partido en el congreso FRG (Frente Republicano Guatemalteco). El experto ecuatoriano analizó la situación durante su disertación en un foro anticorrupción realizado ayer en el Gran Teatro Nacional Miguel Angel Asturias. Guatemala, refirió, "desgraciadamente", no escapa a la tendencia peligrosa e ilegítima de vinculación entre intereses económicos de sectores beneficiarios con los políticos. "Cuando esto sucede, pueden darse fenómenos como el que hoy día observamos de alteración de resoluciones para imponer intereses particulares", dijo. El ecuatoriano consideró que el caso de la alteración legislativa debe ser discutido seriamente por los guatemaltecos; "nosotros, como observadores internacionales, simplemente pudimos constatar que hay indicios de responsabilidades que tendrían que ser solventadas internamente", añadió. Para Saltos ahora toca el turno a las autoridades judiciales, quienes deberán determinar las responsabilidades en este hecho. "Más allá del aspecto jurídico, hay una responsabilidad política que afecta la credibilidad del Congreso, y de la propia ley", expresó. A la vez, recomendó al ente investigador actuar con transparencia y evitar la interferencia de otros poderes del Estado. La Prens Libre, 18 de Agosto de 2000 <http://www.prenslibre.com.gt/>

GUATEMALA: EN ESCÁNDALO DE ALTERACIÓN DE UNA LEY. CAIGA QUIEN CAIGA ACATAREMOS RESOLUCIÓN -PRESIDENTE PORTILLO-

Su promesa de respetar el resultado de las investigaciones y su decisión de aceptar el fallo de los órganos correspondientes, caiga quién caiga, ofreció ayer el presidente Alfonso Portillo, al

responder algunas de las inquietudes sobre las supuestas ilegalidades de la ley de bebidas alcohólicas. Adicionalmente, el vicepresidente Juan Francisco Reyes López estimó que toca a los acusadores probar las presuntas anomalías, pues, recordó, nadie es culpable hasta que se pruebe lo contrario. El Ministerio Público tiene la investigación y a nosotros no nos queda más que acatar la resolución, destacó Portillo, mientras reiteró que el Ejecutivo publicó el decreto tal y como llegó del Congreso. Agregó que el partido al que pertenece (Frente Republicano Guatemalteco es respetuoso de la ley, por lo que caiga quien caiga acatará lo resuelto, en alusión a un eventual fallo de culpabilidad contra el general Efraín Ríos Montt actual presidente del congreso. Siglo XXI, 23 de Agosto de 2000 <http://www.sigloxxi.com/>

GUATEMALA: ORGANISMO JUDICIAL CREA JUNTA DISCIPLINARIA PARA EVITAR ACTOS DE IMPUNIDAD, NEGLIGENCIA Y CORRUPCIÓN

Con el propósito de evitar actos de impunidad, negligencia y corrupción de los operadores de justicia del Organismo Judicial, OJ, fueron juramentados ayer los integrantes de la primera Junta Disciplinaria de ese poder. La actividad se llevó a cabo en horas de la mañana, allí donde estuvieron presentes el presidente de ese organismo, José Quesada Fernández, y los demás magistrados. El funcionario explicó que dicha ley establece tres procedimientos importantes, como los requisitos para ingresar a la Carrera Judicial y el procedimiento de evaluación. Agregó que un tercer punto es el proceso disciplinario, que enmarca cuáles podrían ser las sanciones para los jueces a quienes se compruebe su responsabilidad en una falta, que oscila desde una sanción verbal hasta ser separado del cargo. "En la Carrera Judicial está contemplado necesariamente el aspecto disciplinario, por ello creemos que esta comisión garantizará una disciplina sumamente rígida", enfatizó. "Si fuera necesario, en el análisis de las denuncias contra los jueces participará la Supervisión de Tribunales", expuso Quesada Fernández. Asimismo, indicó que hasta el momento no hay un lugar específico para instalar a los seis miembros de la Junta Disciplinaria, quienes hoy iniciarán formalmente sus funciones, por lo que en principio trabajarán en el edificio de la CSJ. Los profesionales nombrados como magistrados titulares son Telma Esperanza Aldana Hernández, Carlos Rubén García Peláez. De suplentes, Zully Eugenia Cantoral Arango, Héctor Mauricio Rodríguez Argueta. Además, la jueza titular, Rosalba Corsantes Zúñiga de Muñoz, y el juez suplente Jorge Mynor Acevedo. Dichos funcionarios se desligarán de sus anteriores cargos, y ejercerán funciones durante un año. Prensa Libre, 22 de Agosto de 2000 <http://www.prensalibre.com.gt/>

HONDURAS: INVESTIGAN EX JEFES MILITARES DE HONDURAS POR MALVERSACIÓN

Cuatro antiguos jefes de las fuerzas armadas de Honduras son investigados por malversación de fondos públicos, informó una funcionaria de un organismo contralor. La investigación fue revelada por la contralora Vera Rubí coincidiendo con un escándalo que involucra al último ex jefe de las fuerzas armadas, general retirado Mario Hung, por el presunto extravío de unos ocho millones de lempiras (537.673 dólares) del Instituto de Previsión Militar (IPM). La Contraloría investiga a los últimos cuatro jefes de las fuerzas armadas que ocuparon el cargo de 1986 a 1998, entre 12 casos de presunta corrupción de funcionarios públicos. Rubí dijo que en las investigaciones de los mandos castrenses se descubrieron "irregularidades que tienen que documentarse", pero "es un poco complicado si no tenemos informaciones fidedignas de los bancos, porque no hemos podido confirmar algunos cheques". La funcionaria formuló la existencia de "irregularidades" en la administración de los fondos militares en estos cuatro mandatos en una conferencia de prensa en la que anunció su dimisión al cargo a partir del martes para lanzarse por la nominación presidencial del gobernante Partido Liberal. Los otros antiguos jefes de las fuerzas armadas que son investigados por la Contraloría son los generales retirados Arnulfo Cantarero, Humberto Regalado y Luis Discua. El cargo de jefe de las fuerzas armadas, que en las décadas de 1960, 1970 y 1980 fue de mayor poder e influencia que los mismos mandatarios civiles, fue suprimido en 1998 y sustituido por el de un ministro de Defensa. Hung se encuentra involucrado en un escándalo de presunta

malversación de caudales del IPM, un organismo que nuclea una serie de empresas bajo control militar y cuyo fondos se destinan a pagar las jubilaciones de los militares retirados. La actual administración del IPM asegura que cuando la junta directiva del cartel la presidía Hung se pagaron unos 5,2 millones de lempiras (336.021 dólares) en efectivo por pago de impuestos a la alcaldía de Tegucigalpa. Los funcionarios del IPM dicen que los fondos salieron del organismo, pero los de la alcaldía aseguran que no los recibieron. Hung aseguró el martes que autorizó el desembolso de los fondos para pagar los impuestos. La Nación, 18 de Agosto de 2000 <http://www.nacion.co.cr/>

HONDURAS: LA FISCALÍA GENERAL ACUSA AL INSTITUTO DE PREVISIÓN MILITAR DE CORRUPCIÓN ECONÓMICA

La Fiscalía General de Honduras ha determinado que el Instituto de Previsión Militar (IPM), ha realizado acciones de corrupción económica. Al momento existe un faltante de más de medio millón de dólares. Los principales comprometidos en este dolo son justamente los directores del IPM, los cuales administraban personalmente dichos recursos. El general Mario Hung Pacheco, el ex todopoderoso comandante el jefe de las Fuerzas Armadas, hasta 1999, ha dicho que él no tiene nada que ver en este asunto. Los demás exdirectores del Instituto de Previsión tampoco asumen sus responsabilidades, y más aún, exigen a la alcaldía de Tegucigalpa la devolución de dichos recursos y con un interés del 25% anual. Esto ha sido rechazado por las autoridades civiles de la capital hondureña. Las Fuerzas Armadas y en especial el Instituto de Previsión Militar es considerada como uno de los emporios comerciales más grandes de Honduras, el octavo del país. Su capital se estima en unos 300 millones de dólares, dinero que siempre fue manejado por los comandantes militares como dinero propio y de él sacaban pingües ganancias. Informativos Net, España (Hn/LY/Mt/Ppc/mc), 24 de Agosto de 2000 <http://www.informativos.net/>

HONDURAS: MINISTRO DE SEGURIDAD COMBATIRÁ LA CORRUPCIÓN POLICIAL

El ministro de Seguridad de Honduras, Gautama Fonseca, dijo el miércoles que combatirá la corrupción en la policía y que enjuiciará a cualquier efectivo cuya culpabilidad sea demostrada. Fonseca, un respetado abogado de 68 años, dijo que si a los policías se les encuentra en violación de la ley, ``van a padecer las consecuencias, no se tratará solamente de despidos, sino de seguirle el juicio que corresponda por corrupción ``. Fonseca, nombrado el martes nuevo ministro de Seguridad por el presidente Carlos Flores, asume el cargo en medio de una ola de violencia delictiva en Honduras, con asaltos frecuentes a bancos, secuestros, robos de vehículos, asaltos callejeros, atentados y otros crímenes. El clima de inseguridad se acentuó tras descubrirse que dos oficiales de la policía estaban ligados a bandas de narcotraficantes y se suspendió a otros dos. Mientras, el subdirector de la policía, Andrés Urtecho, pidió dos meses de excedencia mientras es sujeto de investigación. Pero Fonseca dijo que la culpa deben asumirla, también, quienes sobornan a los efectivos policiales para evadir castigo por alguna transgresión. Tanto organismos estatales como privados de defensa de los derechos humanos han reclamado al gobierno la depuración de la policía, que estuvo bajo mando de los militares desde 1963 hasta 1998, cuando un civil asumió el cargo de ministro de Seguridad. Noticias Yahoo, (Reuters), 24 de Agosto de 2000 <http://espanol.yahoo.com/noticias/>

INDONESIA: EX PRESIDENTE SUHARTO SERÁ JUZGADO EL 31 DE AGOSTO POR CORRUPCIÓN

El ex presidente de Indonesia caído en desgracia, Suharto, será juzgado por corrupción el 31 de agosto y tendrá que sentarse en el banquillo a pesar de los informes sobre su delicado estado de salud, dijo miembro del tribunal el miércoles. La acusación dice que, al menos, 130 personas serán llamadas para testificar en el que será el juicio del siglo en Indonesia. "Suharto debe someterse a juicio. He dicho que ordenaré a los abogados que le hagan acudir al juicio", dijo el juez jefe, Lalu Mariyun, de la Corte del Sur de Yakarta, en una rueda de prensa. El fiscal general del Estado ha

acusado formalmente a Suharto de apoderarse de más de 550 millones de dólares (unos 100.000 millones de pesetas) procedentes de fundaciones de caridad durante su paso por el poder. Los abogados de Suharto han declarado que su cliente estaba demasiado enfermo para someterse a un juicio, alegando que tiene problemas para contestar a cuestiones básicas. El ex general sufrió un ataque el pasado año y tuvo que ser hospitalizado por otro suceso. La presencia del viejo déspota en un banquillo será una imagen extraordinaria para los ciudadanos, muchos de los cuales no habían conocido a otros líder hasta que fue obligado a dejar el poder en 1998 ante las graves crisis económica y de violencia que estalló en el país. Esto profundizará en la humillación para el hombre que dirigió los destinos de Indonesia durante 32 años hacia un crecimiento económico y una estabilidad política sin precedentes que llevó a cabo con mano de hierro y con constantes violaciones de los derechos humanos. La acusación ha dicho que Suharto se enfrenta a más de 20 años de cárcel y a una multa de 30 millones de dólares. Otros funcionarios habían comentado previamente que Suharto podría ser encarcelado de por vida. Sin embargo, el presidente de Indonesia Abdurrahman Wahid ha dicho que perdonaría a Suharto si es condenado. Suharto y su familia han sido acusados de amasar una fortuna a través de prácticas de corrupción valorada en más de 45.000 millones de pesetas durante su mandato. Todos ellos han negado haber actuado de forma errónea. El cuarto país más poblado del mundo sigue luchando por recuperarse de la crisis que marcó el fin de la era de hierro de Suharto. Se ha producido una fuerte presión pública para sentar a Suharto en el banquillo y analistas políticos han declarado que el gobierno ha tenido que aceptar esta petición ante el temor de enfrentarse a nuevas protestas callejeras. En todo caso, algunos dicen que un posterior indulto probablemente sería aceptado por la mayoría aunque podría provocar protestas estudiantiles. Noticias Yahoo España, (Reuters), 23 de Agosto de 2000 <http://es.news.yahoo.com/>

ISRAEL: LÍDER DEL PARTIDO ULTRAORTODOXO DEBERÁ IR A LA CÁRCEL POR CORRUPCIÓN

Los líderes del partido ultraortodoxo sefardí Shas acogieron ayer con gran violencia verbal la decisión del presidente del Tribunal Supremo de Israel, Aharon Barak, de rechazar la apelación que había presentado el ex-ministro Arie Deri, condenado a tres años de prisión por corrupción. La decisión significa que Deri no tiene derecho a un nuevo juicio y deberá ingresar en la cárcel el próximo 3 de septiembre. En gran medida, la decisión de Aharon Barak (sin relación con el primer ministro Ehud Barak) provocó un guerra de declaraciones entre judíos ashkenazis, es decir, de origen europeo, y judíos sefardíes, o sea, judíos de origen oriental y de la península ibérica. El Comercio, España, 24 de Agosto de 2000 <http://www.elcomerciodigital.com/>

MÉXICO: CONSIGNADAS 877 DENUNCIAS POR DESVÍOS DE RECURSOS FEDERALES EN PROCESOS ELECTORALES

La Comisión Especial 2000 encargada de vigilar que no se desvíen recursos federales a los procesos electorales, entregó su informe final donde consignó que recibió 877 denuncias formales, de las cuales 407 ya son investigadas por las autoridades y dependencias mientras las 385 restantes fueron desechadas por improcedentes. Los programas sociales más denunciados fueron: Progresá, Procampo, Alianza para el Campo, Diconsa, Liconsa, Empleo Temporal, Crédito a la Palabra, Fonden y Conaza. Las dependencias y organismos más señalados por un presunto desvío de recursos públicos hacia las campañas son las secretarías de Desarrollo Social, Agricultura, Medio Ambiente, Defensa Nacional, Relaciones Exteriores así como Petroleos de México (PEMEX), Instituto Mexicano de Seguridad Social (IMSS), El Servicio Postal Mexicano (Sepomex), Comisión para la Regularización de la Tenencia de la Tierra (Corett), Comisión Nacional del Agua (Conagua), Comisión Federal de Electricidad (CFE), Instituto del Fondo Nacional de la Vivienda para los Trabajadores (Infonavit) y Desarrollo Integral de la Familia (DIF). Con motivo de las inundaciones en Tabasco la Cámara de Diputados recibió denuncias por un presunto desvío de la ayuda a los

damnificados con fines proselitistas, que están pendientes todavía de analizarse y determinar si hay elementos para fincar responsabilidades. En un reporte firmado por todas las fracciones -menos el PRI- los diputados concluyen que la negativa de las autoridades gubernamentales de los 3 niveles a vigilar y prevenir el desvío de recursos públicos con fines electorales "ha sido resultado de la costumbre de utilizar los programas sociales para beneficio del Partido Revolucionario Institucional, siendo en repetidas ocasiones éstos los mejores medios para hacer proselitismo a favor de sus candidatos tricolores". El texto que aparece en la Gaceta Parlamentaria los diputados salientes de la LVII legislatura recomiendan a sus sucesores "prevenir y sancionar" el uso ilegal de recursos del erario hacia las campañas electorales. El Excelsior, 22 de Agosto de 2000 <http://www.excelsior.com.mx/>

MÉXICO: CONTRALORÍA GENERAL INVESTIGA LICITACIONES EN LA SECRETARÍA DE SEGURIDAD PÚBLICA

La Contraloría General del Distrito Federal investiga a funcionarios de la Secretaría de Seguridad Pública, del área de adquisiciones, a raíz de las distintas quejas, inconformidades y denuncias que proveedores han interpuesto en su contra. La Contraloría del gobierno capitalino informó, que a pesar de que no se han podido corroborar presuntos actos de extorsión y corrupción por parte de los servidores públicos, ha llamado la atención que en los últimos 12 meses, por lo menos cinco empresas han presentado varios recursos de inconformidad respecto de las asignaciones de las licitaciones en ha emitido esa dependencia. El común denominador que prevalece en cada una de las quejas por parte de los proveedores, es en el sentido de que los encargados de otorgar las licitaciones benefician, de manera dudosa, a determinadas empresas. Esto ha originado que por lo menos este año la SSP no podrá adquirir 8 mil 771 chalecos antibala, 4 helicópteros y motopatrullas, debido a que los recursos destinados a estas licitaciones están "congelados" porque forman parte de juicios mercantiles y penales. A raíz de estas inconformidades, la Contraloría capitalina reconoció que se encuentran sujetos a investigación, Joel Santana Benhumea, director de Recursos Materiales; Federico Cecchetti Peregrini, subdirector de Adquisiciones; capitán piloto aviador, Carlos Antonio Medina Carrasales, director de Servicios Aéreos y Genaro Pérez Rocha, director general de Servicios de Apoyo, de la SSP. El Universal, 23 de Agosto de 2000 <http://www.el-universal.com.mx/>

MÉXICO: NO APLICARÁN CASTIGO A EX FUNCIONARIOS CORRUPTOS

Los diputados locales recibirán hoy un informe para conocer las causas que provocaron que prescribieran 300 expedientes de ex servidores públicos que laboraron durante la administración de Óscar Espinosa Villarreal. Más de 80 ex servidores públicos que trabajaron durante 1995 y 1996 en la gestión del ex regente no serán castigados ni encarcelados por cometer irregularidades administrativas o actos de corrupción, porque sus casos no fueron bien integrados para que la autoridad judicial actuara en su contra y a tiempo. Desde principios de este mes, los diputados que integran la Comisión de Vigilancia de la Contaduría Mayor pidieron una investigación al respecto a la Contraloría Interna de la Contaduría Mayor de Hacienda de la Asamblea Legislativa (CMHALDF), con el fin de que investigara las causas que provocaron esta situación. Trascendió que existe la sospecha de que el Departamento Jurídico de la misma Contaduría tuvo algo que ver en este problema, desde la gestión de la ex contadora Araceli Pitman y en la actual administración a cargo de Carlos Nava. Hay otras versiones que señalan que la actual Ley Orgánica de la Contaduría Mayor de Hacienda tiene diversos errores que obstaculiza la integración de los expedientes y que se entreguen a tiempo. En días pasados, José Narro sostuvo que con la información que van a solicitar sabrán si existe o no responsabilidad por parte de algún funcionario de la Contaduría Mayor o de la Contraloría General del gobierno capitalino. Por su parte, los legisladores perredistas Miguel Ángel Peláez y Ricardo Martínez Atalá, explicaron que durante la reunión de trabajo esperan conocer los resultados finales de esa investigación porque no es justo que ex servidores no sean sancionados,

en caso de que hayan cometido algún acto de corrupción. El Universal, 22 de Agosto de 2000
<http://www.el-universal.com.mx/>

NICARAGUA: CIUDADANOS NICARAGÜENSES PIENSAN QUE VIVEN EN EL SENO DE UN ESTADO CORRUPTO

Un informe sobre Desarrollo Humano en Nicaragua, dado a conocer por el Programa de las Naciones Unidas para el Desarrollo PNUD, afirma que el 90 por ciento de los ciudadanos nicaragüenses perciben que existe corrupción en el Estado. El informe expresa que la pobreza afecta casi a la mitad de la población. De estas un 17 por ciento se encuentra en la extrema pobreza, además de no contar con los servicios básicos como energía eléctrica, transporte y comunicaciones, entre otros. Asimismo, el PNUD, señala que el acceso de la población a los beneficios de apertura económica y a las nuevas tecnologías de comunicación están profundizando la brecha entre ricos y pobres, que habitan en los sectores urbanos y las zonas rurales. Por su parte Ana Quiroz, presidenta de la Coordinadora Civil para la Emergencia y la Reconstrucción, C CER, refutó las declaraciones del gobierno en el sentido de que los "nicaragüenses estamos mejor que hace algunos años atrás". Quiroz se preguntó: ¿dónde está la gente que ha mejorado? En este sentido, consideró poco confiables los datos en donde se menciona como logro, el hecho que se hayan mantenido los niveles de educación. Con el crecimiento poblacional, aunque se mantenga la cobertura en la enseñanza, también aumentan los niños y niñas que se quedan sin educación, indicó Ana Quiroz. Sobre la estrategia del gobierno, para la reducción de la pobreza Ana Quiroz, consideró que la corrupción y la pobreza son el principal obstáculo para el desarrollo. Esto se refleja en el incremento del desempleo, la migración y las difíciles condiciones de vida de la mayoría de nicaragüenses, indicó. Informativos Net, España (Ni/QR/Ong-Oi/Pe/mc), 22 de Agosto de 2000
<http://www.informativos.net/>

NICARAGUA: INFORME DE PROGRAMA DE NACIONES UNIDAS REFLEJA PERCEPCIÓN GENERALIZADA DE CORRUPCIÓN Y CRECIDA POBREZA

En general, la opinión de la ciudadanía expresada en encuestas anuales desde 1997 al 2000, han mostrado que cerca del 90 por ciento de los ciudadanos perciben que existe corrupción en el Estado. Este es uno de los datos reflejados en el informe de Desarrollo Humano en Nicaragua 2000, presentado por el Programa de Naciones Unidas para el Desarrollo (PNUD). El informe también expresa que la pobreza afecta casi la mitad de la población, un equivalente a 2.3 millones de personas. De éstas, un 17 por ciento, o sea 830 mil, se encuentran en la extrema pobreza. Así mismo se señala que a consecuencia de dos décadas de bajas inversiones, existe una infraestructura inadecuada en energía, transporte y comunicaciones. El acceso desigual de la población a los beneficios de la apertura económica y a las nuevas tecnologías de comunicación están profundizando la brecha entre ricos y pobres, entre las personas capacitadas y las carentes de formación, de los sectores urbanos y las zonas rurales. Aunque el documento muestra algunas dificultades del país, también fue altamente refutado por recalcar avances sociales que Ana Quirós, la presidenta de la Coordinadora Civil para la Emergencia y la Reconstrucción (C CER), consideró poco confiables. En el campo de la construcción de una democracia participativa y un Estado de Derecho, Nicaragua presenta avances en algunos campos, pero también muestra una institucionalidad frágil. Además, en ámbito del medio ambiente menciona que de continuar la ampliación de la frontera agrícola, el país tendrá más amenazas y riesgos de desastres naturales. Ante la falta de oportunidades en el país, la migración se convierte en un recurso para asegurar la sobrevivencia. Las remesas familiares de 1999 se calculan entre 300 millones y 600 millones de dólares. Por su parte, Carmelo Angulo Barturen, representante del PNUD, dijo que "la cooperación externa no llegó para quedarse. Esto puede crear vicios. Es importante que Nicaragua se desarrolle para que el país logre salir adelante por sí sola". Agregó que el informe del PNUD no es acusador, sino que presenta datos que puedan servir de base para que el país incida en los aspectos

primordiales. El Nuevo Diario, 18 de Agosto de 2000 <http://www.elnuevodiario.com.ni/>

NICARAGUA: PRESIDENTE ARNOLDO ALEMÁN, INCAPAZ DE COMBATIR LA CORRUPCIÓN SEGÚN ENCUESTA

Más de 72 por ciento de los nicaragüenses piensa que el Presidente Arnoldo Alemán ha sido incapaz de combatir la corrupción durante sus tres años de gobierno, según una encuesta de la firma costarricense Cid-Gallup divulgada hoy aquí. El sondeo, efectuado entre 1,245 personas de todo el país a inicios de este mes, reveló que 24 por ciento de la población considera "mala" la gestión del Mandatario para disminuir los ilícitos en el gobierno, mientras 48.3 por ciento la calificó como "pésima". Solamente uno por ciento de los encuestados catalogó de "excelente" la labor del Presidente y 7.5 opinó que es "buena", de acuerdo a la consulta que abordó diversos problemas locales y la opinión popular sobre las autoridades y líderes políticos del país. Para 42 por ciento de los consultados, las condiciones de vida (pobreza y desempleo) han empeorado en Nicaragua desde que Alemán asumió la Presidencia en 1997. Consultado sobre la encuesta, cuya primera parte fue publicada ayer en medios locales, Alemán desestimó las cifras que indican una baja popularidad del gobierno y del oficial Partido Liberal Constitucionalista (PLC) de cara a los comicios municipales del próximo 5 de noviembre. "El 5 de noviembre va a ser la mejor encuesta y la más verdadera", dijo al asegurar que en los comicios el PLC obtendrá más de 100 de las 147 alcaldías del país. "Mi partido ha hecho obras y el pueblo lo ve, no necesita encuestas para ganar", dijo. El Excelsior, México (DPA, Xinhua y AP) 24 de Agosto de 2000 <http://www.excelsior.com.mx/>

PANAMÁ: CONTRALOR DEBE ABSTENERSE DE PRONUNCIAMIENTOS APRESURADOS SOBRE INVESTIGACIÓN CONTRA ALTOS FUNCIONARIOS

Las tensiones entre la Contraloría y la Directiva de la Caja de Seguro Social no bajan de intensidad. Mientras el Subcontralor Enrique Lau anuncia "nuevos hallazgos" en la investigación promovida contra altos funcionarios de la Institución, éstos le exigen a la agencia fiscalizadora que se abstenga de pronunciamientos apresurados. Luis A. González González la Junta Directiva de la Caja de Seguro Social, por votación unánime, decidió pedir al Contralor General de la República, Alvin Weeden, que se abstenga de hacer algún pronunciamiento en cuanto a las investigaciones que adelanta sobre supuestos nuevos "hallazgos" en el Seguro, hasta tanto se hayan concluido las mismas y se cumpla fehacientemente con el debido proceso legal. La decisión fue dada a conocer mediante nota dirigida al Contralor, la cual fue leída y entregada a los medios de comunicación social por el presidente de la Junta Directiva, Rafael Medina, luego de culminar la sesión ordinaria de esta semana que duró casi cinco horas. Los demás miembros de la Junta estuvieron presentes. Asimismo, la decisión fue acordada por los directores después de que el Subcontralor, Enrique Lau, quien actuó como principal en la reunión, se retiró del salón tras manifestar que la Contraloría lleva a cabo una investigación "sobre hallazgos graves" dentro de la CSS que aparentemente involucra a altos funcionarios de la Institución. Cabe señalar que el director del Seguro, doctor Juan Jované, reiteró su interés de seguir cumpliendo con su trabajo como hasta ahora lo hace. De hecho, la Junta Directiva de la Caja aprobó, en la misma votación, pedir también un informe relacionado a los señalamientos expresados por el Subcontralor en dicha sesión. Lau, quien estuvo sólo por unas horas en la Junta no quiso adelantar mayores detalles sobre el caso al salir del salón de reuniones. Igualmente, la nota señala que al Subcontralor le fue aclarado que en ningún momento se ha pedido una investigación en su contra, tal como lo publicó un diario local, por lo que tampoco existe ninguna acción interna que lo involucre. El Siglo, 18 de Agosto de 2000 <http://www.elsiglo.com/>

PANAMÁ: AUDITORÍA CONFIRMA ANOMALÍAS EN PASADA GESTIÓN DE LA CAJA DE SEGURO SOCIAL

El ex director de Relaciones Públicas de la Caja de Seguro Social (CSS) Santiago Quiróz contrató,

mientras ocupó ese cargo, los servicios de tres empresas del mismo grupo comercial, cuyos directivos eran allegados suyos, según señala un informe preliminar de auditoría de la Contraloría que está próximo a ser concluido, informaron fuentes allegadas a las investigaciones. Consultado al respecto, Santiago Quiróz -en declaraciones previas- negó haber cometido tales irregularidades, y además aseguró que cuando las autoridades competentes lo consideren prudente, explicará las dudas surgidas en torno a su actuación como jefe de Relaciones Públicas de la CSS. Los trabajos de auditoría ya culminaron, aseguró una de las fuentes, y ahora se entrará en la etapa de recepción de declaración a las personas presuntamente relacionadas con estas anomalías. Entre estas anomalías hay cheques pagados sin documentos sustentadores por un monto de 220 mil 919 dólares con 10 centésimos. Culminada esta fase, explicó, se procederá a enviar el informe final al contralor, Alvin Weeden Gamboa, y éste le dará traspaso a las instancias judiciales correspondientes. De acuerdo con la fuente, el estudio consistió en la evaluación de la metodología utilizada por Relaciones Públicas de la Caja para la adquisición de bienes y servicios a través del proceso de compras menores; la verificación de las partidas presupuestarias comprometidas por el Departamento de Presupuesto y los pagos efectuados por la Dirección Nacional de Contabilidad. Las empresas beneficiadas con estos negocios son Corporación de Publicidad, S.A., Public Photo, S. A., y Public Production, S.A. Según el Registro Público -se anota en el informe- en las tres empresas aparecen como directivos Enith Marlene Atencio, Melva Flores y Elizabeth Atencio. Enith Marlene Atencio, según otras fuentes, es la prometida de Quiróz, mientras que Elizabeth Atencio es una de las hermanas de ésta. Melva Flores, por su parte, mantiene una relación de amistad con todos ellos. Tal relación fue negada igualmente por Quiróz. Los pagos de las órdenes de compras emitidas para la adquisición de panfletos, afiches, revistas y otros, realizadas por el departamento de Relaciones Públicas de la CSS, según el informe, totalizaron 234 mil 754 con 60 centésimos, y los beneficiados fueron los parientes de Quiróz. En la auditoría se descubrió, asimismo, la existencia de cheques pagados sin los documentos sustentadores y se encontró la utilización de partidas presupuestarias de otros departamentos, sin hacerse las transferencias correspondientes. Igualmente el estudio reflejó la división de la materia en las compras efectuadas que no permitieron la debida competencia y ello -a juicio de los funcionarios de Contraloría- "le restó transparencia a los procesos" al no publicarse en los medios escritos y evitó, a su vez, la participación de mayores oferentes. Por ejemplo, el 5 de noviembre de 1998 se emitió una orden de compra sin número a favor de la empresa Corporación de Publicidad para el suministro de 250 afiches, y esta presentó una cotización por un valor de mil dólares, pese a que la empresa ALFLO, S. A. había cotizado la suma de 680 dólares. A juicio de los auditores de Contraloría, en casos como el señalado "no se veló por los mejores intereses de la institución, al elegirse a un proveedor con un precio mayor". De igual forma, el 27 de noviembre de 1998 se suscribió una orden de compra a favor de Public Photo, S.A. por 3 mil 780 dólares para el suministro de 5 mil panfletos, sin embargo, el cheque de pago salió a nombre de Corporación de Publicidad, S.A., sin que mediara cesión de pago a favor de esta última. Quiróz, quien en la actualidad labora como asesor de los magistrados del Tribunal Electoral (TE), asumió la jefatura de Relaciones Públicas de la Caja tras la llegada de Ricardo Martinelli a esa institución. Durante la pasada campaña proselitista, ejerció funciones en la jefatura de prensa del aspirante presidencial Martín Torrijos. La fuente allegada a las investigaciones en la Contraloría fue enfática al señalar que "se han acreditado todas las irregularidades. Si están allí [consignadas] es porque esas irregularidades están probadas". La Prensa, 21 de Agosto de 2000 <http://www.sinfo.net/prensa/>

PANAMÁ: CONTRALOR DE LA REPÚBLICA ANUNCIA INVESTIGACIÓN CONTRA EL SUBCONTRALOR LAU

El Contralor de la República, Alvin Weeden, anunció en conferencia de prensa la iniciación de un proceso de investigación al Subcontralor Enrique Lau, debido a denuncias de que el mismo cuando fungía como subdirector de la CSS, recibió un equipo valorado en no menos de un millón de

balboas, sabiendo que estaba incompleto. Según el Contralor Weeden estas investigaciones no se realizarán porque directivos de la Caja de Seguro Social lo hayan solicitado, sino porque el mismo Subcontralor Lau, se lo pidió. A la vez manifiesta Weeden que en días anteriores el Subcontralor puso a disposición de su cargo (del Contralor), para que realizara estas investigaciones. Las declaraciones del Contralor Weeden surgen luego de que directivos de la Caja de Seguro Social emitieran una información en donde pedían a éste investigaran al Subcontralor, lo cual él desmintió. En informaciones sobre el caso, se da a conocer que los representantes de la empresa que entregó el equipo a la CSS (Tomógrafo axial), prefirieron no comentar nada sobre el asunto, pero una fuente de entero crédito mencionó que el equipo entregado cumplía con los requisitos exigidos y que de ello pueden dar fe consultores internacionales que así lo certificaron. Un memorándum que se refiere al Informe sobre la gestión realizada con referencia al recibo del tomógrafo axial computarizado, describe la forma como Lau favoreció la admisión del aparato y desatendió instrucciones de Marianela Morales (quien en la época fungía como directora de la CSS). El Siglo, 18 de Agosto de 2000 <http://www.elsiglo.com/>

PANAMÁ: CONTRALORÍA CITA A EX JEFE DE RELACIONES PÚBLICAS DE LA CAJA DE SEGURO SOCIAL PARA QUE ACLARE PRESUNTAS IRREGULARIDADES

La Contraloría General citó a Santiago Quiróz, ex jefe de Relaciones Públicas de la Caja de Seguro Social (CSS), con el fin de que "aclare" su participación en el manejo presuntamente irregular en el proceso de compras efectuado por ese departamento entre los años 1998 y 1999. Tal información fue facilitada por una fuente allegada a las investigaciones, quien aseguró que la referida citación está suscrita por el propio contralor, Alvin Weeden Gamboa. Dicha citación, explicó la fuente, está dirigida a que Quiróz, quien ejerce funciones de asesoría de los magistrados del Tribunal Electoral (TE), tenga la oportunidad de facilitar los documentos que aclaren las anomalías registradas. La Contraloría realiza una investigación destinada a determinar responsabilidad en el proceso de compra llevado a cabo en el referido departamento de la CSS, cuando Quiróz ejercía las tareas de jefe del aludido departamento. Según las diligencias, recordó el informante, en el departamento de Relaciones Públicas de la CSS durante el período mencionado se efectuaron pagos por bienes, cuya recepción no está debidamente documentada con sus informes y las correspondientes facturas. Quiróz, mientras ocupó ese cargo, contrató los servicios de tres empresas del mismo grupo comercial, cuyos directivos eran allegados suyos, según las investigaciones realizadas por la Contraloría. Entre las pruebas hay cheques pagados sin los documentos sustentadores y se encontró la utilización de partidas presupuestarias de otros departamentos, sin hacerse las transferencias correspondientes. La Prensa, 22 de Agosto de 2000 <http://www.sinfo.net/prensa/hoy/>

PARAGUAY: ASUMIÓ NUEVO CONTRALOR Y PROMETE INVESTIGAR A SU ANTECESOR. DESPIDEN A FRETES VENTRE CON EL GRITO DE CORRUPTO

La salida del ex contralor fue tan tumultuosa, tal como lo fue una gran parte de su administración. Entre empujones, empellones y gritos de ¡bandido, corrupto! por parte de los funcionarios detractores, Daniel Fretes Ventre dejó el cargo que ocupó por cinco años. Su sucesor, Francisco Javier Galiano, abogado de 43 años, anunció que investigará la gestión de su antecesor, quien está acusado de 19 delitos. Una batahola infernal generó la salida de Fretes Ventre de la Contraloría General de la República, luego de la forzada conferencia de prensa que en principio no tenía pensado realizar. Al dejar el local, el ex contralor, en forma increíble y maleducada y ya dentro del automóvil, realizó un "corte de manga" dirigido a los que, en ese momento, se encontraban en el patio de la institución. Este hecho generó una acalorada discusión, para que minutos después se inicie un intercambio de golpes de puño entre los propios funcionarios de la Contraloría, ante la pasiva mirada de los policías presentes en el lugar. Momentos antes, Fretes Ventre en conferencia de prensa y en forma inconcebible, primero acusó a la prensa de ser la culpable de todos los delitos

que se lo inculpa y amenazó a aquellos que lo denunciaron, aunque no quiso dar nombres. Más tarde dijo que las denuncias en su contra tienen un interés político, realizado por un grupo de personas, absteniéndose nuevamente de dar nombres. Al tiempo de anunciar transparencia en su gestión, el flamante contralor general de la República, Francisco Javier Galiano, dijo que investigará a su antecesor, quien está acusado de la comisión de unos 19 hechos punibles durante el ejercicio del cargo. Fretes Ventre se "salvó" de la investigación judicial gracias al apoyo de los libero-oviedistas de la Cámara de Diputados, quienes negaron el pedido de desafuero que realizaron autoridades judiciales. Fue luego que la Cámara de Diputados haya tomado el juramento al mismo y al subcontralor, Mario Estigarribia, durante la sesión ordinaria de este cuerpo legislativo. El mismo grupo de diputados que dio una manta de impunidad a Fretes Ventre es el que votó por al candidatura de Galiano para que llegue a la Contraloría. Ayer, luego del juramento, Galiano explicó que una comisión ya está realizando una especie de auditoría a la gestión de Fretes Ventre, a fin de determinar su responsabilidad en los hechos delictivos en los cuales se lo involucra. Diario ABC Color, 18 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PARAGUAY: DENUNCIAN PEDIDO DE COIMAS EN ADUANA DE LA CIUDAD DE MARISCAL

Graves denuncias pesan contra la aduana de la ciudad de Mariscal Estigarribia, donde a diario comerciantes son objeto de amenazas, chantaje y secuestro de documentos para obligarles a la entrega de jugosas coimas. Acorde a la denuncia radicada en la fiscalía local, solamente el último fin de semana los funcionarios aduaneros se apoderaron de 2.300 dólares y dos motores de la marca Honda; todo esto, lógicamente, sin expedir recibo alguno. En el primer caso, la aduana de la ciudad de Mariscal Estigarribia atajó un cargamento de 130.000 kilos de sal fina, proveniente de Bolivia. De los choferes bolivianos Armindo Centro, Rubén Flores y Mario Centro los funcionarios secuestraron la documentación personal, el título de los vehículos (tres camiones) y les obligaron a pagar 300 dólares, sin recibo, acorde a la denuncia realizada posteriormente ante el agente fiscal Gustavo Patiño. El hecho involucra a los funcionarios aduaneros Juan González y Ludserio Borba. El cargamento, que posteriormente fue liberado, entró de esta manera de contrabando al Chaco central, donde fue comercializado. En el segundo caso fue amenazado en la Picada 500 el comerciante boliviano Freddy Toledo, quien vino con 24 motores de la marca Honda, importados desde Villa Montes, Bolivia. Acorde a la denuncia, el comerciante fue amenazado en la Picada 500 supuestamente por agentes de la Dinar, quienes exigieron el pago de 10.000 dólares. Al no prosperar el chantaje, los agentes habrían avisado a la aduana en la ciudad de Mariscal Estigarribia, donde el cargamento fue atajado. Del chofer secuestraron toda su documentación personal y del vehículo, incluso la factura de la mercadería, que indicaba el valor de la mercadería con un valor de 9.990 dólares. El agente aduanero -en evidente estado de ebriedad, acorde a la denuncia- alegó la ilegalidad de la factura e insistió en que el cargamento era mercadería de contrabando y con un valor de 100 millones de guaraníes. El jefe de la aduana habría exigido el pago de 5.000 dólares y la entrega de algunos de los motores, y en reiteradas ocasiones habría dicho a los comerciantes que "la solución del problema depende de ustedes". Posteriormente, los socios comerciantes Ernst Loewen y Willy Toews trataron de pagar la tasa normal de importación, lo que fue rechazado por el agente aduanero. Del hecho fueron informados después el intendente de Mariscal Estigarribia y la jueza María Teresa Brítez, quien finalmente llegó al lugar del hecho y trató de solucionar el inconveniente. El agente Raúl Villanueva, finalmente, habría cobrado la suma de 2.000 dólares y se apoderó además de dos motores de la marca Honda, todo esto sin documentación alguna, acorde a la denuncia. Al recibir el dinero y la mercadería, los aduaneros devolvieron a los choferes sus documentos. De los hechos fue informado el mismo domingo el funcionario aduanero Sixto Cáceres, de la aduana de Asunción. Estos últimos hechos se suman a una serie de denuncias similares que mantienen en zozobra a comerciantes y empresas de transporte público que tratan de mantener relaciones comerciales con el vecino país a través del Chaco. Fuentes fidedignas aseguran que el puesto aduanero de la ciudad de Mariscal Estigarribia "recauda" por semana

entre 10 y 15.000 dólares, manteniendo en zozobra a la población de esta zona del país. Diario ABC Color, 23 de Agosto de 2000 <http://www.abc.com.py/>

PARAGUAY: HARÁN AUDITORÍA EN LA VICEPRESIDENCIA. HABRÍA MANEJO DOLOSO, SEGÚN LEGISLADOR

El Partido Liberal Radical Auténtico (PLRA) está en conocimiento de contrataciones de nuevos funcionarios que se han hecho desde que el cargo quedó vacante. El legislador Espínola informó que la Vicepresidencia ejecutó el 52 por ciento del presupuesto asignado para el presente año, que equivale a aproximadamente a un monto de 1.500 millones de guaraníes. Esta situación contrasta con otros órganos estatales que apenas han alcanzado a ejecutar más del 20 por ciento de lo presupuestado para el 2.000, debido al difícil momento que atraviesan las arcas del Estado.

Concretamente comparó con el Congreso nacional, que apenas ha usado el 26 por ciento de los recursos asignados para el presente año. "Ante todo, lo que el Vicepresidente debe hacer es una auditoría a fondo de la Vicepresidencia para ver cómo ha sucedido este milagro de la dilapidación del dinero del pueblo. Se han nombrado funcionarios sin que haya Vicepresidente, se imaginan la burla, la bofetada que esto significa para el pueblo. En ese lugar sigue un montón de gente que está chupándole la sangre al pueblo", dijo el legislador. Indicó que una vez que se aclaren todas estas cosas, el Vicepresidente podrá pensar cómo y con qué elementos cuenta para conformar su equipo de trabajo y empezar a trabajar por el bien del país. Diario Noticias, 22 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PARAGUAY: JURADO PROCESA AL FISCAL DENUNCIADO POR PRESUNTA COIMA

El Jurado de Enjuiciamiento de Magistrados inició la investigación del denunciado fiscal de Ciudad del Este, Edward Friedrich Armas Godoy y solicitó ayer a la Corte Suprema de Justicia la suspensión del mismo en el ejercicio de sus funciones. Asimismo, previo procesamiento, envió todos los antecedentes al juez penal de garantías de la circunscripción judicial del Alto Paraná y Canindeyú, para la apertura del sumario penal por la presunta comisión de varios delitos. Igualmente, el Jurado dispuso la suspensión de la tramitación de la causa en espera de una sentencia definitiva por parte de la jurisdicción penal, ya que la condena por delitos comunes conlleva separación del cargo.

Como antecedente se recuerda que la jueza Beatriz Venialgo, en compañía del fiscal de turno, encontró en la oficina de Armas Godoy en el Alto Paraná cinco mil dólares. La mencionada suma le fue entregada al fiscal Armas Godoy por un ciudadano brasileño en concepto de coima para lograr el levantamiento de la medida cautelar que pesaba contra las mercaderías incautadas de su propiedad. El mencionado fiscal le había solicitado para la liberación de las mercaderías quince mil dólares. Ante esta situación el ciudadano brasileño radicó la denuncia ante la jueza Venialgo y le entregó cinco mil dólares marcados a Armas Godoy, suma que durante el allanamiento fue encontrada en su oficina. "Esta resolución no constituye en modo alguno prejuzgamiento sobre el fondo de la cuestión, por el contrario, somete al denunciado a la Justicia Ordinaria, a los efectos de que, en ese ámbito, pueda esclarecerse los hechos que se le atribuyen", señala la resolución del Jurado de Enjuiciamiento de Magistrados. Diario Noticias, 22 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PERÚ: 4,000 VECINOS EXIGEN INVESTIGAR IRREGULARIDADES DE ALCALDE CHIROQUE

Unos 4,000 vecinos de San Juan de Lurigancho marcharon ayer al mediodía hasta la Contraloría de la República, para exigir a su titular Carmen Higaonna investigue la gestión del alcalde distrital Ricardo Chiroque. Los manifestantes, en su mayoría madres del Vaso de Leche, provistas de pancartas y altavoces, acusaron a Chiroque de malversar fondos y reclamaron cese en sus funciones edilicias. Las mujeres de ese distrito pidieron se les restituya los tres días de leche a la semana y los cuatro restantes de cereal, que ahora ha sido reducido a dos de leche y cinco de

cereal. La presidenta del gremio de madres del Vaso de Leche, Rosa Inga Morales, informó que anteriormente, los cereales tenían un alto índice nutritivo y de buen sabor, pero ahora les entregan productos embolsados sin registro ni marca y con residuos de tierra, debido al interés del alcalde por abaratar precios a costa de la calidad. Asimismo pidieron la destitución del cargo de presidenta del Comité de Administración del Vaso de Leche de María Elías y al jefe de la citada organización, Jaime Bernedos. Por su parte el alcalde Ricardo Chiroque ha negado todas las denuncias anteriores defendiendo su gestión como correcta y transparente. Reiterando que él mismo ha solicitado a la Contraloría General de la República se investigue el caso a fondo. La República, 18 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: CONTRA EX RECTOR DE UNIVERSIDAD RICARDO PALMA, LO SEÑALAN COMO RESPONSABLE DE DESFALCO

El rector de la Universidad Ricardo Palma, Iván Rodríguez Chávez, demandó a los magistrados de la primera Sala Penal de la Corte Suprema actuar de acuerdo a ley en el caso seguido contra el ex rector Sixto Ludeña Luque quien desfinanció con cerca de dos millones de soles a esta casa superior de estudios. Explicó que durante su gestión desde febrero del 91 hasta julio del 96 Ludeña Luque realizó pagos indebidos con dinero de la Universidad, entre ellas sus deudas personales a la Superintendencia de Administración Tributaria (Sunat). "Cuando ingresé en el rectorado la universidad estaba con sus bienes embargados, con una deuda de dos millones de dólares. Existen pruebas de estos hechos y por lo cual Ludeña estuvo preso en el Penal San Jorge, sin embargo, fue absuelto por el Tribunal Supremo", reveló. Preciso que la Sunat, la Universidad y el Ministerio Público han presentado recursos de nulidad a las sentencia absolutoria de los anteriores magistrados que fueron recusados por que adelantaron opinión, y ahora el caso está en manos de la Primera Sala Penal Transitoria especializada en delitos tributarios. Rodríguez Chávez dijo que otro de los problemas que encontró al asumir el rectorado de la universidad fue la deserción de estudiantes y el bajo número de postulantes, lo cual revertió con la reestructuración curricular y saneamiento económico y administrativo. La República, 24 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: CONTRALORA GENERAL EXPLICARÁ ATRASOS EN INFORMACIÓN DE CUENTA GENERAL

La Comisión Revisora de la Cuenta General de la República acordó ayer invitar a la Contralora General de la República, Carmen Higaonna y al Contador General de la Nación, para que expliquen las razones por las cuales existen atrasos en la presentación de la información de la Cuenta General de la República de 1999. El acuerdo fue adoptado ayer en la sesión vespertina de la comisión que preside el oficialista Willy Serrato, tras analizar un comunicado, publicado en los medios de comunicación, que da cuenta de que existen numerosas instituciones que no han presentado la información correspondiente sobre los gastos del dinero del Tesoro Público. Willy Serrato dijo que tiene la información de que hasta el momento por lo menos unas 160 instituciones públicas, la mayoría municipalidades, no han presentado la información requerida por la Contraloría. El Contador de la Nación, Oscar Pajuelo Ramírez, ha sido invitado para el próximo lunes, mientras que la Contralora Carmen Higaonna se presentará el 4 de setiembre. La República, 22 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: INFORMAN SOBRE MALOS MANEJOS DE EX ALCALDE DE HUARAZ

Para Oswaldo Villafuerte, quien fuera teniente alcalde de la gestión del ex alcalde de Huaraz Waldo Ríos, la declaración de vacancia a su cargo obedece a un afán de evitar que se fiscalicen los supuestos malos manejos en la gestión del ahora congresista Ríos. Villafuerte ofreció ayer una conferencia de prensa junto con el congresista Ernesto Gamarra. Ellos indicaron que tras haber denunciado serias irregularidades en el municipio de Huaraz, Villafuerte fue destituido. Sin embargo

fue repuesto tras demostrar que su vacancia fue una acción equivocada. "Una vez repuesto en mi cargo, Ríos solicitó que se reconsidere el caso, hecho que fue atendido casi de inmediato declarándose mi vacancia nuevamente el 14 de julio de este año", comentó Villafuerte. Tras estos hechos, Gamarra señaló que podría ser cierta la versión que fue el propio Vladimiro Montesinos quien le entregó a Ríos la resolución de la vacancia de Villafuerte. Admitió el error cometido por el Frente Independiente Moralizador (FIM) al haber aceptado en sus filas a Ríos quien tenía antecedentes negativos como alcalde. El Comercio, 24 de Agosto de 2000 <http://www.elcomercio.com/>

PERÚ: PIDEN INVESTIGAR A PRESIDENTE DEL COMANDO CONJUNTO DE LAS FUERZAS ARMADAS POR PRESUNTOS SIGNOS DE ENRIQUECIMIENTO

La congresista de Somos Perú, Anel Townsend, presentó ayer una moción para conformar una comisión especial que investigue el desbalance entre los ingresos y los bienes inmuebles del presidente del Comando Conjunto de las Fuerzas Armadas, general EP José Villanueva Ruesta. Suscriben la moción sus compañeros de bancada Manuel Masias, Ronnie Jurado, Jorge Chávez Sibina y Luis Guerrero, quienes solicitan el establecimiento de una comisión para que en un plazo de 30 días, emita un informe con conclusiones y recomendaciones sobre la propiedad, ingresos y patrimonio del alto oficial. El pedido parlamentario también incluye a la familia de Villanueva Ruesta, por los presuntos signos exteriores de riqueza y el desbalance entre remuneraciones y egresos que tendría el comandante general del Ejército. De acuerdo con la agencia Imediaperú, el general Villanueva poseería una importante cantidad de propiedades, como un inmueble de más de 2,500 metros cuadrados en Chosica, usado como casa de invierno por él y su familia, y que aparece como propiedad de la empresa Long View Corporation. Según la investigación periodística, el oficial también tiene otras siete propiedades de bienes inmuebles compradas por su esposa, una residencia ubicada en la urbanización Los Pinos, en Monterrico, y un local en el Centro Comercial El Polo, frente a la embajada de los Estados Unidos. La República, 23 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: POR ACUERDO DE COMISIÓN DE FISCALIZACIÓN MINISTRO DE DEFENSA INFORMARÁ SOBRE INMUEBLES ADQUIRIDOS

El ministro de Defensa, general José Villanueva Ruesta, deberá enviar a la comisión de Fiscalización del Congreso la información que permita conocer los bienes inmuebles que adquirió desde que asumió ese cargo público y que, según un medio de prensa, abarcaría a 7 inmuebles ubicados en zonas exclusivas de Lima. La propuesta, que surgió del oficialismo, fue una salida a las propuestas de los parlamentarios Luis Iberico (FIM) y Anel Townsend (Somos Perú), quienes solicitaron se conforme una subcomisión investigadora para que se dedique a este caso. La propuesta de Moisés Wolfenson (Perú 2000), para que antes que se presente el ministro Villanueva lo haga el periodista que realizó la investigación, puso en aprietos a su bancada, cuando los parlamentarios de la minoría solicitaron que dicha invitación se someta a debate. Wolfenson tuvo que retirarse de la sala de sesiones cuando se sometió a votación su propuesta y regresar cuando ésta fue rechazada por la mayoría. La denuncia de Iberico indicó que desde 1993 hasta la fecha, el general Villanueva y su esposa, María del Pilar Mesa Ramírez, se han comprado 7 propiedades inmuebles, entre departamentos, una casa con piscina y hasta una tienda en el centro comercial El Polo, además de una camioneta valorizada en más de US\$ 50,000. Según los partes de la Oficina Nacional de Registros Públicos mostrados por el congresista Iberico, la mayor parte de las propiedades están a nombre de la esposa del militar, quien es ama de casa y no tiene registro alguno ante la Superintendencia Nacional de Administración Tributaria (Sunat). Iberico además mostró las pruebas de una conexión entre el hijo mayor del titular de Defensa, José Villanueva Villanueva, con el coronel Mario Arbulú Seminario a través de la empresa Long View Corporation, mediante la cual han comprado varios terrenos en el balneario de Cerro Azul, para construir un complejo de verano.

La República, 22 de Agosto de 2000 <http://www.larepublica.com.pe/>

PUERTO RICO: ALEGAN QUE EL PARTIDO NUEVO PROGRESISTA JUSTIFICA CORRUPCIÓN CON PERSECUCIÓN

Cinismo, desesperación y la justificación de la corrupción fueron algunas de las explicaciones dadas por líderes y ex líderes universitarios independentistas a la nueva teoría de que los cargos federales por corrupción a miembros del Partido Nuevo Progresista (PNP) buscan desestabilizar el anexionismo como antes lo hicieron con el independentismo. "Decir que se persigue a los anexionistas es decir que se crea artificialmente una idea de que son corruptos, que se fabrica la imagen de corruptos", dijo Miguel Rivera, secretario nacional de organización de la Federación de Universitarios Pro Independencia (FUPI). La nueva teoría, agregó, equivale a decir "que no son tan corruptos". Según la nueva tesis, la Fiscalía Federal y del Negociado Federal de Investigaciones (FBI) han montado todo un operativo para influenciar las elecciones a favor del Partido Popular Democrático (PPD) y del "statu quo" con la radicación de cargos por corrupción contra alcaldes y líderes del PNP. El Nuevo Día, 22 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: CONDICIONAN SUBSIDIO DE \$130 MILLONES A VIVIENDA A CAMBIO DE AUSENCIA DE CORRUPCIÓN

Cuando regrese en septiembre, el Congreso decidirá el futuro de los \$130 millones en subsidios adicionales para vivienda pública en Puerto Rico, condicionando la aprobación a la erradicación de la corrupción en la Administración de Vivienda Pública (AVP). En septiembre el senador republicano por Missouri, Christopher Bond, discutirá con sus colegas las posibles vías de acción congresional sobre el acuerdo del Departamento de Vivienda y Desarrollo Urbano (HUD) de otorgar \$130 millones adicionales a Puerto Rico, informó ayer la oficina de Bond. En cualquier caso, el desembolso de los \$130 millones tiene que contar con garantías de que esos fondos no serán tocados por la corrupción en la AVP, señaló un ayudante congresional de Bond. "Entre las opciones que se están considerando está una certificación independiente de que el sistema de vivienda pública en Puerto Rico está libre de corrupción", señaló el ayudante de Bond. El Nuevo Día, 24 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: DÉFICITS Y ATRASOS EN INFORMES FINANCIEROS ANTE EL CONTRALOR

Siete municipios del país están en la lista de deudores de estados financieros de la Oficina del Contralor. En cuatro de ellos los alcaldes aspiran a la reelección y seis operaban con déficit en el último informe que entregaron. La lista de deudores la encabeza el Municipio de Río Grande, donde el último informe que entregó el alcalde del Partido Nuevo Progresista (PNP) César Méndez fue el del año fiscal 1995-1996. El Municipio de Adjuntas, administrado por el alcalde del Partido Popular Democrático (PPD), Roberto Vera Monroig, y el de Juncos, que dirige el novoprogresista Gilberto Conde Román, también están en la lista. El último informe que entregaron ambos alcaldes a la Oficina del Contralor fue el del año fiscal 1996-97. Los municipios de Villalba, Guayanilla, Naguabo y Utuado deben los estados financieros de los años 1998-99 y 1999-2000. Seis de los siete municipios que son considerados deudores de informes, tenían déficit en el último estado financiero que entregaron. En el estado financiero 1996-97, Adjuntas tenía un déficit de \$3.3 millones, mientras que el de Juncos alcanzaba los \$2.1 millones. En el informe del año 1997-98 Villalba tenía un déficit de \$1.4 millones y el déficit en Guayanilla era de \$1.2 millones. En Naguabo las arcas municipales estaban en rojo con un déficit de \$656 mil y en Utuado con un déficit de \$2.9 millones. El Alcalde de Río Grande, quien adeuda cuatro informes, incluyendo el del año que concluyó el 30 de junio pasado, no aspirará a la reelección Tampoco lo harán los alcaldes novoprogresistas de L. Naguabo y Utuado, José A. Meléndez y Juan L. Ortiz, respectivamente. En el caso de Villalba, el alcalde Bernardo Negrón Montalvo sí aspira a la reelección. Sin embargo, el PNP solicitó al Tribunal

de Ponce que lo descalifique por ser uno de los acusados en el escándalo del Centro de Recaudación de Ingreso Municipales (CRIM). El contralor, Manuel Díaz Saldaña, dijo estar satisfecho de que la mayoría de los municipios tengan al día sus estados financieros. Díaz Saldaña recordó que cuando asumió esa posición, sólo 13 de los 78 municipios estaban al día. Aun así, el funcionario solicitó la ayuda de la Oficina del Comisionado de Asuntos Municipales para penalizar con algún tipo de multa a los municipios que no tengan sus estados financieros al día. El Contralor dijo que antes del 7 de septiembre su oficina presentará un informe de auditoría sobre el municipio de Río Grande. El Nuevo Día, 23 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: IMPONE COMISIÓN DE ÉTICA DE LA CÁMARA LOS REQUISITOS MÁS ESTRUCTOS DE TODO EL GOBIERNO PARA DAR INICIO A INVESTIGACIONES

A pesar de que la Constitución de Puerto Rico establece que la Asamblea Legislativa será la única juez de sus miembros, la Comisión de Etica de la Cámara de Representantes impone los requisitos más estrictos de todo el Gobierno para darle paso a cualquier investigación. Contrario a su contraparte en el Senado, la Comisión cameral requiere prueba "robusta" y "convinciente" para iniciar siquiera una investigación a fondo. Requiere también que el querellante consiga la evidencia y la presente a la Comisión en 30 días después de tomar conocimiento de la supuesta violación. Esta administración eliminó la prescripción para los delitos por corrupción y violaciones a la ética, pero si un querellante de un representante presenta su denuncia en el día 31, la Comisión cameral la tiene que declarar prescrita, según la ley que crea el organismo. La Comisión de Etica senatorial sólo exige "prueba justa y razonable", y no impone un término mínimo para radicar la denuncia, según su ley. Ni los jueces en la Rama Judicial ni los funcionarios públicos en la Rama Ejecutiva imponen términos restrictivos para radicar denuncias ni exigen prueba fuera de toda duda razonable para evaluar un caso por ética contra uno de los suyos, según sus reglamentos. Para presentar una querrela contra un juez sólo hay que identificar los hechos y juramentar la querrela. Para radicar una querrela contra un funcionario en la Rama Ejecutiva es lo mismo: se requiere un juramento, y sólo se exige una exposición de todos los hechos, según la Ley de la Oficina de Etica Gubernamental. La Cámara exige que al querellante le conste de "propio y personal conocimiento" la violación que imputa a un legislador. Y apercibe de un procesamiento por perjurio del Código Penal en la misma radicación de la queja. Como si fuera poco, la Comisión cameral impide al querellante hablar del caso, pero no lo trata como parte a la hora de darle el derecho -como en todo proceso judicial- de obtener documentos de la otra parte, según el último querellante, Héctor Ferrer, quien radicó un caso contra el representante presidente de la Comisión cameral, Luis Aramburu. Ante la vergüenza pública por una discusión de un acto deshonoroso de uno de sus miembros, la Comisión senatorial puede activarse sola, por decisión de los senadores. La de la Cámara no. La Cámara necesita que alguien haya tomado conocimiento personal del acto deshonoroso y en menos de 30 días lo presente a la Comisión. Esta Comisión también tiene una veda para radicar las denuncias. Tres meses antes de las elecciones, la Comisión cameral no acepta querrelas contra sus legisladores amparada en que no quiere convertirse en una herramienta para hacer política. Ese cierre comienza el 7 de septiembre. Sin embargo, la ley es tan cómoda para los legisladores que no define lo que es "prueba robusta y convincente" ni lo que es "propio y personal conocimiento". El Nuevo Dia, 21 de Agosto de 2000 <http://www.endi.com/>

REGION ANDINA: HOJA INFORMATIVA SOBRE ESFUERZOS ANTINARCOTICOS

A continuación extractos de una hoja informativa emitida por el Departamento de Estado el 16 de agosto sobre los esfuerzos antinarcóticos en la región andina, la cual destaca el éxito de las tareas de erradicación de cultivos ilícitos de coca en Perú y Bolivia: ***** El cultivo neto de la coca andina y el potencial de producción de cocaína siguió declinando en 1999 y actualmente está en su nivel más bajo desde 1987. En general, el cultivo neto de coca andina declinó a 180.000 hectáreas en 1999, cifra 4 por ciento menor que la de 1998, y 15 por ciento menor que la de 1995. La

producción potencial de cocaína bajó a 765 toneladas métricas, una baja del 7 por ciento a partir de la cifra de 1998, y una baja del 18 por ciento desde 1995. ***** La decidida erradicación de los cultivos ilícitos de coca, las operaciones de interceptación y los programas de desarrollo alternativo en Perú y Bolivia redujeron el cultivo de coca en esos países en 66 y 55 por ciento, respectivamente, desde 1995. En gran parte debido a los exitosos programas antinarcóticos en Perú y Bolivia, el cultivo de la coca en la región andina ha cambiado a los territorios controlados por la guerrilla y los paramilitares en Colombia. ***** Colombia actualmente abastece de drogas ilícitas a Estados Unidos más que ningún otro país del mundo. Noventa por ciento de la cocaína en el mercado de Estados Unidos viene de Colombia --como ocurre, de acuerdo con estimados, con hasta dos tercios de la heroína en la costa este. ***** Los problemas en Colombia afectan la vida de los norteamericanos en nuestro país y en el extranjero. Las drogas ilícitas le cuestan a nuestra sociedad 52.000 vidas y casi 110.000 millones de dólares al año, debido a los costos en salud, accidentes y productividad perdida. ***** Las organizaciones dedicadas al tráfico de drogas en Colombia son una perniciosa fuente de inestabilidad. Canalizan fondos a los insurgentes y a los paramilitares que actúan como policías no autorizados, para obtener protección y otros servicios. Mientras tanto, la constante intimidación y la influencia corruptora de los traficantes constituye una grave amenaza al imperio del derecho y las instituciones democráticas de libre mercado en Colombia. Servicio Noticioso desde Washington , 21 de agosto de 2000 <http://www.usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/language/s>

REPUBLICA DOMINICANA: LA FISCALÍA ANTICORRUPCIÓN DESATA UN DEBATE JURÍDICO

La creación de una Fiscalía especializada en la persecución y castigo de los casos de corrupción comenzó a crear controversia entre los juristas, algunos de los cuales consideran que las funciones de esa institución restarían competencia a los fiscales distritales y contravendrían a la Constitución. "El punto nervioso es que sus funciones se confrontarían con la competencia del fiscal, ya que tendría jurisdicción nacional", explicó el jurista Julio Cury, al exhortar a los legisladores a realizar un examen detallado para impedir que la aprobación del proyecto determine alguna acción anticonstitucional. Cury indicó que el establecimiento de la nueva dependencia también podría necesitar de diversos cambios legales con la meta de evitar contradicciones entre la pieza legislativa que la fundamentará, la Constitución de la República y otras leyes. Recordó que de acuerdo con el artículo 55 de la Constitución, los funcionarios que dependan del poder Ejecutivo de ninguna forma pueden gozar de inamovilidad, como ocurre con el titular del ministerio público y los fiscales distritales. "No se puede obrar a la ligera al crear una nueva institución de esta categoría", agregó Cury, al insistir en la necesidad de que los legisladores analicen con detenimiento la pieza presentada el pasado 22 de agosto ante el Congreso Nacional por el consultor jurídico de la Presidencia, Guido Gómez. El proyecto de Ley para la Creación de la Fiscalía Nacional Anticorrupción prevé que la institución goce de autonomía e independencia económica, política y administrativa. La pieza legislativa, que consta de 20 artículos, también considera necesario que el titular de la dependencia, quien tendría jurisdicción nacional, sea elegido por el Senado de una terna presentada por el Presidente de la República por un período inamovible de cinco años. El Listín, 24 de Agosto de 2000 <http://listin.com.do/>

REPUBLICA DOMINICANA: NUEVO PRESIDENTE PROPONE QUE EL FISCAL NACIONAL ANTICORRUPCIÓN SERÁ INAMOVIBLE DURANTE CINCO AÑOS

El Fiscal Nacional Anticorrupción será designado por un período de cinco años, e inamovible, por el Congreso Nacional, según el proyecto de ley sometido ayer ante el Senado de la República por el presidente Hipólito Mejía. El Fiscal Anticorrupción será inamovible por la naturaleza de sus funciones, salvo que cometa una falta grave y previa comprobación de la misma, y sólo podrá ser destituido por las causas graves. El funcionario se ocupará principalmente de las denuncias sobre

los casos de peculado, cohecho, soborno, extorsión, concusión, agiotismo, fraudes en el sistema financiero, enriquecimiento ilícito, y acciones fraudulentas en general, que impacten los recursos del fisco o de las instituciones del sector público, incluyendo aquellas que participen colateralmente con el sector privado, las autónomas y descentralizadas, creadas por leyes especiales. De igual forma, el Fiscal Anticorrupción, en representación de la sociedad, podrá constituirse en parte civil contra todos aquellos que hayan actuado en perjuicio del patrimonio del Estado dominicano, sin ser necesariamente autorizado por el Presidente de la República, y todo lo reivindicado pasará al Fiscal Nacional. El mensaje presidencial que acompaña la pieza legislativa explica que el Fiscal Anticorrupción tendrá como objetivo la persecución eficaz de aquéllos servidores públicos que en el ejercicio de sus funciones incurran en la comisión de actos de corrupción. El mandatario explica a los senadores que el proyecto de ley facultad a la Fiscalía Nacional Anticorrupción para que, además de adoptar las acciones requeridas para la prevención, la investigación, la identificación e individualización de los actos de corrupción se encargue de la difusión de los valores y principios de probidad, integridad y transparencia en los manejos de los asuntos públicos. "Espero, pues, que los legisladores, compartan conmigo la importancia que tiene para el saneamiento de nuestra vida institucional, la adopción del nuevo estatuto legal que someto a su consideración, por lo que espero que impartan al mismo su voto de aprobación", dice el presidente Mejía en su mensaje a los congresistas. La Fiscalía Nacional Anticorrupción gozará de autonomía e independencia económica, política y administrativa, según lo establece el artículo 1 de la ley que lo instituye y actuará en representación de la ciudadanía. Tendrá competencia en todo el territorio de la República, y su sede en Santo Domingo, constituyendo delegaciones en los departamentos judiciales y distritos judiciales que considere convenientes. La Fiscalía Anticorrupción recibirá, tramitará y procederá a investigar denuncias en torno a actos de corrupción cometidos por mandatarios o servidores públicos, magistrados, dignatarios, autoridades, funcionarios y empleados de los organismos del Estado y las personas particulares involucradas en los hechos que se investigan y de encontrarse indicios de responsabilidad penal en las referidas investigaciones pondrán sus conclusiones en conocimiento del ministerio público, de la Contraloría General de la República o del órgano jurisdiccional que fuere competente de acuerdo con la ley. El Fiscal Nacional Anticorrupción será designado por el Congreso Nacional por un período de cinco años, de una terna presentada por el Presidente de la República. El Listín, 23 de Agosto de 2000 <http://listin.com.do/>

REPUBLICA DOMINICANA: TOMA POSESIÓN NUEVO TITULAR DEL DEPARTAMENTO DE PREVENCIÓN DE LA CORRUPCIÓN

En la toma de posesión, el nuevo titular del Departameto de Prevención de la Corrupción, Jesús Félix, se comprometió a que durante su gestión "nadie, ni de esta administración, ni de gobiernos pasados, incidirá en mi trabajo, ni con una llamada telefónica, ni con una tarjeta". Al ser juramentado en el cargo por el consultor jurídico de la Presidencia, Guido Gómez Mazara, Félix aseguró que "voy a reivindicar el anhelo de la población en el sentido de que el dinero del pueblo no se va quedar en los bolsillos de los funcionarios". Félix, cuyo departamento desaparecería en caso de que el Congreso apruebe la creación de la Fiscalía Nacional Anticorrupción, indicó que revisará todos los expedientes sobre corrupción que reposan en la Procuraduría General de la República y someterá ante la justicia a todas las nuevas denuncias que estén fundamentadas de manera suficiente. El Listín, 24 de Agosto de 2000 <http://listin.com.do/>

URUGUAY: DENUNCIAN PASIVIDAD DE ORGANISMOS FISCALIZADORES

"El contrabando y la ilegalidad están causando verdaderos destrozos en el comercio y la industria instalada en el interior del país, y el gobierno parece no tener una verdadera dimensión de esta situación" afirmó Helios Maderni, presidente de la Comisión de Relacionamento con el Interior de la Cámara de Industrias del Uruguay. Maderni dijo que la industria ha declarado su falta de competitividad, pero en el interior, el contrabando y las prácticas desleales de comercio son

alarmantes, y a ello se suma la inactividad. Como consecuencia, las ventas del comercio establecido y la producción están lejos de contrarrestar esos efectos perniciosos. "Creo que el gobierno no tiene conciencia cabal de lo que está pasando en el interior" sostuvo el dirigente, y se remitió a sendas declaraciones de instituciones empresariales de dos zonas del país. El 8 de julio, representantes de la CIU (Camara de Industrias del Uruguay), CEDU (Confederación Empresarial del Uruguay) y los Centros Comerciales de Lascano, Castillo, Rocha, Cerro Largo y Treinta y Tres resolvieron "reclamar a los gobiernos nacional y departamental, que se cumplan las leyes que combaten el contrabando y el informalismo que afectan y provocan la crisis actual de la industria y el comercio establecido". El 25 de julio, los Centros Comerciales del departamento de Colonia y la CIU se reunieron con legisladores del departamento por el tema contrabando y comercio informal. Preocupados por el "desmedido avance" de ambas actividades, se denuncia "la pasividad de los órganos encargados del contralor impositivo y de la seguridad social" frente a hechos evidentes de prácticas desleales de comercio. Maderni dijo que en las giras realizadas por el interior, las entidades locales han denunciado la impunidad con la cual actúan el contrabando y el informalismo, así como la corrupción que evidencian los controles aduaneros. Estas opiniones fueron trasladadas por los dirigentes capitalinos al director nacional de Aduanas, Jorge Sierra, reclamándole la aplicación de las medidas que prevé la propia ley al respecto. "Es imprescindible que se haga algo de inmediato para frenar estas actividades" subrayó Maderni. "Se habla de ´peces gordos´ o de gente que hace contrabando en gran escala" agregó, sin que por ello se tomen las medidas adecuadas. Diario el País, 21 de Agosto de 2000 <http://www.diarioelpais.com/>

URUGUAY: LA ASOCIACIÓN DE TRABAJADORES DE LA SEGURIDAD SOCIAL DENUNCIÓ UN DESVÍO DE FONDOS

Una delegación de la Asociación de Trabajadores de la Seguridad Social (ATSS) afirmó que los funcionarios que cumplen tareas inspectivas nunca recibieron los fondos destinados a locomoción y que esos dineros fueron "desviados" o producto de un "mal uso presupuestal". Daniel Inthamoussu, miembro de la asociación, dijo el lunes 14 en una Comisión de Diputados que el gremio hizo averiguaciones sobre el destino de los dineros para locomoción y concluyó que existe "un problema administrativo, un mal manejo de los fondos". Solicitó que se investigue qué se hizo con ese "crédito presupuestal". "El crédito presupuestal asignado para locomoción y para otra partida de compensación que percibimos, existe. Se nos dijo que hubo un problema administrativo, pero desde nuestro punto de vista hubo un desvío de fondos --han pagado otras cosas que no son locomoción--, una falta administrativa o un mal uso presupuestal, que se intentará tapar rebajando nuestras partidas y haciendo ver que se trata de un recorte", señaló el sindicalista. El Observador, 23 de Agosto de 2000 <http://www.observador.com.uy/>

URUGUAY: SE DEFIENDE EX MINISTRO DE TURISMO, DIJO QUE NO COMETIÓ DELITO DURANTE SU GESTIÓN

El ex ministro de Turismo, Benito Stern, dijo ayer que las trasposiciones de rubros que ordenó durante su gestión no significaron un "abuso de funciones" y que tampoco obtuvo por ello "beneficio personal alguno". En una declaración distribuida a los medios, Stern se defendió de la denuncia penal que presentaron las actuales autoridades del Ministerio de Turismo y del pedido de procesamiento en su contra del fiscal Enrique Moller, por el delito de abuso de funciones. Moller también pidió el procesamiento por coautoría de falsificación de documento, del ex director general de Turismo, Juan Rodríguez Siri, de un gerente y de un funcionario de esa cartera. En su declaración, Stern dijo que si bien "formalmente" el procedimiento de trasposición de rubros "puede ser cuestionable", la "necesidad lo impuso dado que hubo de optarse entre un Ministerio de Turismo sin actividad ni promoción suficiente (...) o una cartera que cumpliera legítima y plenamente con sus funciones, aunque tuviera para ello que alterar el destino de los gastos". "No hemos incurrido en conductas dolosas ni en abusos que significaran beneficio personal alguno. Si

hay otros hechos, ocurridos en la vida administrativa, que merezcan esos calificativos, somos ajenos a ellos", afirmó Stern. El Observador, 18 de Agosto de 2000 <http://www.observador.com.uy/>

URUGUAY: UN EX MINISTRO DE TURISMO PODRÍA IR A LA CÁRCEL POR MALVERSACIÓN DE FONDOS

El ex ministro de Turismo, Benito Stern, podría ir a la cárcel por haber desviado fondos de la ley de subvenciones turísticas. El miércoles fue rechazado el recurso de nulidad presentado por la defensa del ex ministro, quien alega inmunidad constitucional. La fiscalía considera que el ex ministro no goza de inmunidad y que por lo tanto el proceso judicial debe continuar su marcha. Benito Stern fue titular de la cartera de Turismo durante el gobierno de Julio María Sanguinetti, y es miembro del Partido Colorado. La acusación partió del actual ministro Alfonso Varela, también del Partido Colorado, pero integrante de la Lista 15, que responde al actual Presidente Jorge Batlle. Según la Ley Anticorrupción y si se comprueba la culpabilidad del ex ministro, éste podría ir a prisión de tres meses a tres años. No podrá ocupar cargos públicos en un período de dos y cuatro años, y podría llegar a pagar una multa que va desde los 160 a los 50 mil dólares. Si Benito Stern es condenado a prisión, sería el segundo caso de un político que va a la cárcel por cometer delitos de "cuello blanco". El primero fue el contador Enrique Braga, hombre vinculado al Partido Nacional y de confianza del ex presidente, Luis Alberto Lacalle. Lacalle estuvo en el poder entre 1990 y 1995. Su gobierno es catalogado como uno de los más corruptos de todos los tiempos. Informativos Net, España (Uy/QR/Au/Ppc/ap), 18 de Agosto de 2000 <http://www.informativos.net/>

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ARGENTINA: DENUNCIAN A UN ALTO FUNCIONARIO CORDOBÉS SUPUESTO TRÁFICO DE INFLUENCIAS

Un alto funcionario del gobernador José Manuel de la Sota quedó seriamente comprometido y puso en jaque la imagen del gobierno por una denuncia sobre un supuesto tráfico de influencias en favor de una empresa constructora de la que formó parte, la cual habría estafado en unos 180.000 pesos a los habitantes de una pequeña localidad del interior provincial. El caso, puesto al descubierto por el programa televisivo "Telenoche investiga", involucra al contador Jorge Eduardo Acosta, secretario de Finanzas, y a la firma Giacomo, acusada de haber emitido alrededor de 150 cheques sin fondos de una cuenta del Banco de Córdoba. Resultaron perjudicados con esos valores incobrables los

habitantes de la localidad de Alto Alegre, ubicada en el departamento Unión y en las proximidades de Villa María, donde la empresa tenía a su cargo la construcción de la ruta hacia la vecina población de Cintra. La obra le fue adjudicada durante la gestión del gobernador anterior, el radical Ramón Mestre. Acosta, que era apoderado de la empresa mientras se desempeñaba en el Tribunal de la provincia, fue acusado de haber intervenido para que el banco no le cerrara la cuenta a la constructora, hecho que finalmente ocurrió el 15 de diciembre del año último. Incluso, el banco inhabilitó por 15 días la firma de Acosta. El interventor en la entidad bancaria, Fabián Maidana, aclaró que no se pagaron cheques en descubierto y aseguró que no se violaron disposiciones del Banco Central. En su defensa, el funcionario aclaró que en 1995 se desvinculó de la empresa -exhibió como prueba un acta notarial fechada el 29 de diciembre de 1995- y que desde entonces no firmó más documentos ni cheques, por lo cual desconoció lo ocurrido con posterioridad. Además, negó haber ejercido influencias sobre el Banco de Córdoba para ordenar algún beneficio. Apenas regresado de un viaje de descanso por Brasil, el gobernador se encontró con este problema y dijo que, en caso de haber irregularidades, las deberá investigar la Justicia. En el caso del Banco de Córdoba, indicó que "si hay algún funcionario que haya violado las responsabilidades que le corresponden, debe tener las sanciones correspondientes". El ministro de Finanzas, José María las Heras, respaldó a su colaborador, aunque trascendió que en el seno del gobierno se analiza el futuro del funcionario denunciado. La Nación 18 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: DOS EX-MINISTROS ACUSADOS EN TRAFICO DE ARMAS

Dos exministros y un antiguo vice-ministro del gobierno del presidente Carlos Menem fueron acusados de formar parte de una red de venta ilegal de armas. El exministro de Relaciones Exteriores, Guido Di Tella, y el que fue ministro de Defensa, Ermán González, se encuentran bajo sospecha de haber vendido armas a Ecuador y Croacia, cuando ambos países sufrían embargos internacionales. Según informaciones hechas públicas el viernes, al antiguo vice-ministro de Exteriores con Di Tella, Juan Carlos Olima, también se le acusa de estar involucrado en el caso. El fiscal los acusa de 'haber firmado documentos que sabían que eran falsos' y 'haber negligido su deber público'. Los tres acusados formaron parte del gobierno de Carlos Menem, sobre el cual siempre pesaron dudas sobre presuntos casos de corrupción. Una de las acusaciones más graves sería que el gobierno había conspirado para vender armas a Croacia -que se encontraba bajo un embargo de Naciones Unidas a causa del conflicto en los Balcanes. Otras armas fueron supuestamente encontradas cuando eran transportadas a Ecuador, que había estado en guerra contra Perú en 1995. El gobierno de Argentina en aquel momento negó todas las acusaciones asegurando que las armas tenían otras destinaciones y que luego fueron desviadas hacia Croacia y Ecuador. Analistas aseguran que detrás de las nuevas investigaciones judiciales se encuentra la voluntad del nuevo presidente Fernando de la Rúa de erradicar la corrupción de la administración pública. Incluso clarificando escándalos de los gobiernos anteriores. BBC News, August 19, 2000 <http://www.bbc.co.uk/spanish/news000819argentina.shtml>

ARGENTINA: EL PRESIDENTE ARGENTINO RESPALDÓ A SU GABINETE ANTE LAS DENUNCIAS DE CORRUPCIÓN

El presidente argentino, Fernando de la Rúa, ratificó este martes su confianza en todo el gabinete ministerial ante denuncias de corrupción. El mandatario solicitó a los ministros que colaboren con todas las investigaciones sobre las denuncias de sobornos en el Senado para aprobar la reforma laboral, el pasado mes de mayo. Entretanto, las dos ramas de la principal central obrera argentina: la Confederación General del Trabajo, CGT, dividida en oficial y rebelde, pidieron la derogación de la ley de Reforma Laboral, si se comprueban las denuncias de que la oposición en el Senado fue

sobornada para aprobar esa norma en mayo pasado. La nueva ley laboral amplía el período de prueba de los trabajadores, fomenta la renovación de los convenios colectivos de trabajo y favorece la reducción de los aportes patronales a las empresas que tomen nuevos empleados. A pesar de la nueva ley, más de cuatro millones de argentinos tienen actualmente problemas para conseguir trabajo. Radio Nederland, Holanda, 23 de Agosto de 2000 <http://www.rnw.nl/>

ARGENTINA: EN CASO DE PRESUNTO PAGO DE SOBORNO EN EL SENADO, PRESENTARON SEIS DENUNCIAS Y LA JUSTICIA YA INVESTIGA

En el marco de la investigación por el presunto pago de sobornos para aprobar la ley de reforma laboral, ayer se realizaron seis denuncias en los tribunales federales de Comodoro Py. Las presentaciones fueron hechas por los abogados Marcelo Parrilli, Ricardo Monner Sans, Juan Carlos Iglesias, Eduardo Barcesat, el diputado frepasista Jorge Giles, y el legislador cavallista Guillermo Francos. Pese a que todas las denuncias cayeron por sorteo en distintos juzgados, la Cámara Federal unificará la investigación en el magistrado que fue sorteado en primer lugar. Ayer, en fuentes judiciales se aseguraba que la causa quedará en manos del juez federal Carlos Liporaci. Los denunciantes coincidieron en solicitar la convocatoria del presidente Fernando de la Rúa y en enmarcar la conducta que se les atribuye a los senadores en la figura de cohecho. Parrilli pidió además que se interrogue al vicepresidente Carlos "Chacho" Alvarez, al jefe de Gabinete Rodolfo Terragno, al ministro de Trabajo Alberto Flamarique y a los senadores justicialistas Jorge Yoma y Antonio Cafiero. Monner Sans aportó como evidencia el anónimo que detalla la supuesta maniobra que se siguió para repartir las coimas. Mientras que Iglesias señaló que de comprobarse el pago de coimas las instituciones nacionales se asemejarían a "inodoros políticos". Otros denunciantes solicitaron también la declaración testimonial del líder de la Confederación General de Trabajadores (CGT) disidente, el camionero Hugo Moyano, quien meses atrás formuló acusaciones sobre la circulación de dinero sucio en el tratamiento de la nueva ley laboral. "Estamos frente a la crisis institucional más grave desde la reanudación de la vida democrática", opinó Francos. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: EN ESCÁNDALO DE SOBORNOS EN EL SENADO, EL GOBIERNO BUSCA PASAR A LA OFENSIVA

Fernando de la Rúa retomó ayer la iniciativa frente a la denuncia de posibles sobornos en el Senado para aprobar el proyecto oficial de reforma laboral, y después de solidarizarse con sus ministros, los invitó a presentarse ante la Oficina Anticorrupción (OA). La otra parte de la ofensiva oficial quedó en manos del vicepresidente, Carlos "Chacho" Alvarez, quien anoche anunció que hoy presentará una denuncia ante la Justicia solicitando que se investigue el presunto pago de sobornos. Mientras los abogados terminaban el escrito, Chacho Alvarez discutía con sus colaboradores si será él quien se presente hoy ante los Tribunales o si radicará la denuncia mediante alguno de los letrados. La invitación presidencial a sus ministros para concurrir a la Oficina Anticorrupción se produjo durante la reunión de gabinete de ayer, y la primera consecuencia fue que el jefe de la SIDE, Fernando de Santibañes, y el ministro de Trabajo, Alberto Flamarique, se pusieron a disposición del organismo. Es la primera vez que el Presidente de la Nación asume la necesidad de investigar el tema fuera del Senado. Con este paso, De la Rúa retomó un protagonismo propio en un intento por evitar pagar mayores costos políticos por este caso. Durante la semana pasada, mientras desde la Casa Rosada se esforzaban por bajar la tensión en torno al presunto caso de sobornos, la ofensiva había quedado en manos de Alvarez, quien presionó para promover la investigación. De la Rúa cambió así radicalmente su estrategia luego de percibir el impacto creciente de la denuncia, según la cual algún miembro del

oficialismo habría pagado con sobornos el voto de algunos senadores, sobre todo del Partido Justicialista, para poder aprobar la reforma laboral. El monto y destino de los presuntos sobornos varía de acuerdo con los rumores: distintas fuentes mencionaron sumas de entre dos y cinco millones de dólares. Algunos sostienen que la suma habría ido dirigida hacia el bloque justicialista, mientras que otros afirman que también habría llegado hasta el bloque radical. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: EN INVESTIGACIÓN DE SOBORNOS EN EL SENADO. LA SECRETARIA DE INTELIGENCIA DEL ESTADO DARÁ A CONOCER SUS CUENTAS

La Secretaría de Inteligencia del Estado (SIDE), presentará hoy ante la Oficina Anticorrupción un detalle sobre el movimiento de sus fondos desde el comienzo de la administración de Fernando de Santibañes. La decisión de la SIDE de abrir sus cuentas responde a un pedido del titular de ese organismo, José Massoni, en el marco de la investigación sobre el presunto pago de coimas en el Senado durante el tratamiento de la ley laboral. El informe incluye el manejo de los aproximadamente 2 millones de pesos mensuales, que dispone la Secretaría en concepto de gastos reservados, que no requieren rendición. Hay una fuerte sospecha --alentada por el vicepresidente, Chacho Alvarez-- de que parte de esos fondos fueron usados para pagar el voto de senadores del Partido Justicialista --e incluso algunos de la Alianza-- para sacar la ley laboral. El detalle de la SIDE ocupa diez carillas en las que se intentaría demostrar que no hubo, en los meses que llevó el tratamiento de la ley, en los anteriores y en los que siguieron a su sanción, gastos que pudieran comprometer a la Secretaría. Fernando de la Rúa reclamó que todos sus hombres se pongan a disposición de la Oficina Anticorrupción, o donde se los requiera, para despejar sospechas sobre el papel del Gobierno en el escándalo. La tensión natural entre los principales referentes de un gobierno --más tratándose de una coalición de gobierno-- amenaza ahora con fragmentar algunas decisiones, al menos en relación a este escándalo. Por ahora a la de la Oficina Anticorrupción, que investiga desde la semana pasada el escándalo, se suman otras. Los dos bloques mayoritarios del Senado --el del PJ y el de la Alianza-- decidieron trasladar la investigación al procurador Nicolás Becerra. La Procuración inició una investigación --que quedó en manos del fiscal Eduardo Taiano-- sobre el trámite que precedió a la sanción de la ley. El Clarín, 24 de Agosto de 2000 <http://www.clarin.com.ar/>

ARGENTINA: JUEZ DECIDIRÁ SI PROCESAN A EX SECRETARIA DE RECURSOS NATURALES POR ENRIQUECIMIENTO ILÍCITO

El juez federal Juan José Galeano decidirá en los próximos días la situación procesal de la ex secretaria de Recursos Naturales María Julia Alsogaray en la causa en que se investiga si se enriqueció en forma ilícita durante el gobierno del ex presidente Carlos Menem. Fuentes oficiales consultadas por Clarín dijeron que el plazo de Galeano para decidir si la procesa, sobresee o dicta la falta de mérito se vence mañana, pero no descartaron que el juez prorrogue el tema hasta principios de la semana próxima. El juez Galeano tiene que decidir si las declaraciones y presentaciones de María Julia justifican el considerable incremento que registraron sus bienes entre 1989 y 1999 de 300 mil a 2.500.000 pesos. Esto es así porque en los juicios por enriquecimiento ilícito se invierte la carga de la prueba y, por lo tanto, es el acusado el que tiene que justificar sus bienes. Para los fiscales Eamon Mullen y José Barbaccia, María Julia no justificó ingresos lícitos por 1.800.000 pesos en las presentaciones que viene haciendo desde que se abrió la causa, hace casi siete años. Y los fiscales creen que en los descargos que ya había hecho por escrito no demostró el origen lícito de 1.800.000 dólares. Dudan --además de la herencia anticipada de su padre-- de, por lo menos, dos fuentes que María Julia presentó para justificar su patrimonio. El Clarín, 23 de Agosto de 2000 <http://www.clarin.com.ar/>

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ARGENTINA: OPERACIÓN MANOS LIMPIAS PODRÍA INICIARSE EN ARGENTINA

Un proceso anticorrupción mani pulite (manos limpias), al estilo italiano, podría iniciarse en Argentina, a raíz de la denuncia sobre sobornos en el Senado para sancionar una reforma laboral, dijo ayer el vicepresidente, Carlos Alvarez. El mani pulite fue un proceso de investigación en gran escala de los casos de soborno y corrupción en el más alto nivel político y judicial de Italia, iniciado por el fiscal de Milán, Antonio Di Pietro, en 1992. El Universo, Ecuador (AP), 22 de Agosto de 2000 <http://www.eluniverso.com>

ARGENTINA: PIDEN A LA JUSTICIA QUE INVESTIGUE EL SOBORNO PAGADOS A SENADORES

Los supuestos sobornos pagados en el Senado ya llegaron a la Justicia. Guillermo Francos, diputado de Acción por la República, presentará hoy una denuncia ante los juzgados federales exigiendo que se investigue si es cierta o no la versión que señala que hubo senadores que recibieron favores personales a cambio de aprobar la reforma laboral que impulsaba el Gobierno. En su escrito, el dirigente cavallista solicita a la Justicia que investigue "si el Poder Ejecutivo pagó sobornos a senadores de la Nación para obtener su voto afirmativo a la sanción de la llamada ley de reforma laboral y eventualmente identificar y llevar a juicio a sus responsables". La denuncia de Francos es la primera que se realiza sobre el tema. El diputado trabajó en ella durante el fin de semana luego de constatar, con sorpresa, que ningún fiscal decidía actuar de oficio para investigar el tema. En su denuncia, Francos no aporta datos nuevos, sino que relata las noticias periodísticas publicadas sobre el tema. Cita el artículo de Joaquín Morales Solá publicado en La Nación y las transcripciones de la denuncia anónima que circuló por diversos ámbitos ligados al poder político. La Nación, 22 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: PRESIDENTE DE LA COMISIÓN DE ASUNTOS CONSTITUCIONALES DESCALIFICÓ DENUNCIAS DE COIMA EN EL SENADO

"Están todos locos, empezando por Alfonsín (Raúl) y De la Rúa (Fernando) que no descalifican tamaña barbaridad", opinó el presidente de la Comisión de Asuntos Constitucionales, senador Jorge Yoma (PJ-La Rioja). Con estas palabras, Yoma desestimó el pedido realizado por el Presidente para que el Senado investigue el presunto pago de favores personales, con el objetivo de que se aprobase el proyecto de reforma laboral impulsado por el Gobierno de la Alianza en medio de fuertes críticas gremiales y de la oposición. El riojano rechazó la propuesta de De la Rúa, que durante los actos de homenaje al general José de San Martín dijo que "es el Senado el que debe dar los pasos para determinar con claridad" la existencia o no de sobornos en el trámite de aprobación de la ley en la Cámara alta. De la Rúa sugirió que debía actuar la Comisión de Asuntos Constitucionales, presidida por Yoma. Esa comisión es la responsable de tramitar todas las cuestiones de privilegio y, en consecuencia, está a cargo de las presentaciones que hicieron los senadores Antonio Cafiero y Jorge Villaverde para que se esclarecieran las versiones que circularon por el presunto pago de favores personales en ese cuerpo legislativo. "Si esto es cierto, el que está involucrado es el propio Gobierno y esto va a ser un verdadero desastre institucional", aseguró Yoma. El legislador riojano calificó de "disparate total" los rumores que circulaban en la Cámara alta en relación con esta supuesta operación. Aunque aclaró que si en el Senado "van a darle entidad al tema, hay que formar una comisión ad hoc que cite a todo el mundo, empezando por el Presidente". El titular de la Comisión de Asuntos Constitucionales opinó que no había que darle entidad a las versiones ni prestar atención a

las denuncias anónimas que circularon sobre el tema. La Nación, 18 de Agosto de 2000 <http://www.lanacion.com/>

ARGENTINA: SURGE GRAVE ESCÁNDALO POR SOSPECHA DE SOBORNOS A SENADORES ARGENTINOS

Las insistentes sospechas de que senadores de la oposición peronista habrían sido sobornados para que votaran favorablemente la reforma laboral que el actual gobierno logró hacer aprobar por el Congreso hace tres meses, amenazaban hoy en convertirse en el peor escándalo político argentino de las últimas décadas. Tanto el gobierno del Presidente Fernando de la Rúa como el Partido Justicialista, que controla el Senado, parecían hoy desorientados ante las previsibles derivaciones del caso. Un sector de la actual administración, encabezado por el vicepresidente Carlos Alvarez, y un grupo minoritario de senadores peronistas, reclaman una investigación a fondo para esclarecer las denuncias, lo que provoca alarma en no pocos oficialistas y opositores. Todo comenzó cuando el columnista del diario La Nación, Joaquín Morales Solá, escribió hace algunas semanas que había fundadas sospechas de que un grupo de senadores peronistas habían "negociado" su apoyo a la reforma laboral, a cambio de dinero. La información del periodista provino, aparentemente, de dos legisladores peronistas no involucrados en esta maniobra, identificados como Antonio Cafiero y Jorge Villaverde, ambos de la provincia de Buenos Aires. La denuncia provocó alarma en el bloque senatorial peronista, cuyas autoridades visitaron la semana pasada al Mandatario De la Rúa, para pedirle que públicamente desautorizara las versiones. De la Rúa así lo hizo y declaró que no dudaba de la honorabilidad de sus adversarios. Pero dos prominentes figuras de la Alianza gobernante, el vicepresidente Alvarez y el ex presidente Raúl Alfonsín, titular de la Unión Cívica Radical (UCR), el partido de De la Rúa, demandaron una investigación. Alvarez manifestó que si las denuncias se confirmaban, significarían una "decadencia terminal" del sistema democrático. Alfonsín, a su vez, refirió que si se probaban los sobornos, renunciaría a la actividad política. De la Rúa, evidentemente preocupado, modificó su postura inicial e indicó que el Senado tendría que investigar las acusaciones contra algunos de sus integrantes. El senador peronista Jorge Yoma, titular de la comisión de asuntos constitucionales, respondió anunciando que citaría al Presidente como el principal imputado. En medios legislativos circuló un libelo anónimo, mencionando por su nombre a los presuntos involucrados en el ofrecimiento y cobro de sobornos. Menciona a algunos funcionarios gubernamentales y a senadores peronistas y de la UCR. El vicepresidente Alvarez, titular del centroizquierdista Frente del País Solidario (Frepaso), el otro integrante de la Alianza, hizo saber a sus amigos que no cejará hasta esclarecer este caso. El destino de la investigación está en manos, aparentemente, de los senadores peronistas Cafiero y Villaverde, a quienes llamaría a declarar esta semana una comisión de la Cámara Alta. El Excelsior, México (AP), 21 de Agosto de 2000 <http://www.excelsior.com.mx/>

ARGENTINA: VICEPRESIDENTE DENUNCIA LA FALTA DE ``VOLUNTAD COLECTIVA`` PARA LUCHAR CONTRA LA CORRUPCION POLITICA

El vicepresidente argentino Carlos "Chacho" Alvarez ha realizado unas declaraciones en las que señala que aún no existe una "voluntad colectiva" para luchar contra la corrupción política del país. "El combate frontal contra las prácticas que la sociedad rechaza de la política no se ganó. Hay mecanismos de acción política que son reprochables y cuestionables en todos lados y todavía no se observa una voluntad colectiva de combate a fondo", ha declarado el vicepresidente. Carlos Álvarez ha criticado que esta actitud es "una de las causas de la degradación de la política o que la gente sospeche sobre la ineficiencia e improductividad de la política. Esto hace que a la política se la

asimile con el mejor posicionamiento social de quienes la hacemos, al enriquecimiento ilícito o al incremento patrimonial". Asimismo, el líder frepasista ha mostrado su preocupación porque "las imperfecciones de la política no son desde un lugar excluyente de la sociedad, sino que se trasladan al sistema económico, institucional y social". Noticias Yahoo, (INFOSIC/EP), 20 de agosto de 2000 <http://es.news.yahoo.com/000820/4/i4ej.html>

ARGENTINA: VICEPRESIDENTE PROPUSO UN DESAFUERO COLECTIVO, ASÍ LA JUSTICIA INVESTIGARÍA A SENADORES POR PRESUNTOS SOBORNOS

El vicepresidente Carlos Alvarez reforzó ayer la estrategia del Gobierno para enfrentar las denuncias de pago de "favores personales" a los legisladores en busca de la sanción de la ley de reforma laboral. Y, en esa línea, sostuvo que los legisladores deberían perder sus fueros en forma colectiva para someterse a la Justicia. "Debería desaforsarse colectivamente la Cámara para que la Justicia pueda actuar en este tema", dijo Alvarez, tras expresar sus reticencias a que las sospechas sólo sean investigadas por el Congreso cuando, precisamente, atañen a esa institución. "Es muy difícil, al estar involucrada una parte de los senadores en este tema, que el propio cuerpo pueda llevar adelante una investigación objetiva", razonó. En ese sentido, se confesó "pesimista acerca de la posibilidad de autoinvestigación de los senadores". Aseguró que su intención es la de lograr una investigación "a fondo y sin concesiones", porque su prioridad es "mejorar las instituciones", dijo. "Salvando las distancias, esto es como pasó en Italia cuando comenzó el mani pulite (manos limpias), que empezó con un gran temor", comparó. Para ello, estimó que "un trámite bastante rápido para avanzar sería citar al senador (Antonio) Cafiero (Partido Justicialista-Buenos Aires), que puso el tema en el lugar de las sospechas". Precisamente, fueron los senadores Cafiero y Jorge Villaverde (PJ-Buenos Aires) quienes impulsaron la investigación, luego de los rumores de que hubo colegas suyos que supuestamente recibieron dinero a cambio de sus votos favorables a la reforma laboral. Hoy los dos senadores del PJ se reunirán con los presidentes de las bancadas del Congreso. En ese sentido, Alvarez rechazó sentir temor por las eventuales derivaciones de una investigación y dijo que el más preocupado en esclarecer la situación es el presidente Fernando de la Rúa, a quien, aclaró, no se citará al Congreso. "Nunca puede haber costos en la voluntad de mejorar el funcionamiento de las instituciones", consideró Alvarez. Inmediatamente agregó: "No estoy dispuesto a ser el presidente de un cuerpo que conviva con estas situaciones". Así, Alvarez, presidente de la Cámara alta, puso su propio cuerpo al escándalo que hace poco más de una semana colocó al Gobierno y al Congreso bajo un manto de sospechas. El vicepresidente aprovechó sus declaraciones públicas para defender la figura del ministro de Trabajo, Alberto Flamarique, señalado como el funcionario que habría pagado los presuntos sobornos a los senadores. La Nación, 22 de Agosto de 2000 <http://www.lanacion.com/>

BOLIVIA: DENUNCIAN PRESIDENTE DEL SENADO POR NEPOTISMO

En medio de la guerra sucia que se inició en el Parlamento entre miristas y adenistas, este sábado se denunció que el adenista presidente del Senado, Leopoldo Fernández Ferreira, habría cometido delito de nepotismo al haber brindado trabajo a 13 de sus "parientes cercanos". Sin embargo, confirmaron que sólo dos casos de los denunciados podrían ser indicados como nepotismo puesto que Liliana Zabala Beltran, "es pariente lejana de la esposa de Fernández Ferreira, pero que trabaja en el Senado desde 1993 con el ítem número 427 y un sueldo mensual de 4 mil bolivianos". El otro caso sería el de Evelin Ferreira de Azad que es prima hermana del titular del Senado. Sin embargo, se confirmó que trabaja en esa instancia legislativa desde 1997 con una remuneración mensual de 4.600 Bs. y con el ítem 109. No es desconocido que adenistas y miristas están enfrentados en la Cámara Baja por "pegas y mayores espacios de poder aprovechando la falta de decisión y negociación del ucesista Jaalil

Melgar Mustafá". El Deber, 20 de agosto de 2000 http://www.eldeber.com.bo/20000820/nacional_6.html

BOLIVIA: FUNCIONARIOS DE LA ADMINISTRACIÓN PÚBLICA GANAN MÁS QUE EL PRESIDENTE

El diputado de Nueva Fuerza Republicana (NFR) Roberto Fernández Moscoso denunció que en la administración pública existen niveles salariales superiores al del Presidente de la República, por lo que pedirá a la Cámara Baja se haga una corrección salarial. Según el parlamentario, el Decreto Supremo 25056 determina que en el régimen salarial del país, en concordancia con el artículo 21 de la Ley 1826, se dispone que el sueldo mayor en el territorio nacional corresponderá al Presidente de la República, esto actualmente no se está cumpliendo. Sostuvo que el sueldo del Presidente, actualmente, es de Bs 29.900, de los ministros de Estado 20.900; sin embargo, existen en otras instituciones como la Superintendencia y el Banco Central de Bolivia en las que se perciben encima de los 30 mil bolivianos, hasta en unidades técnicas dependientes del Ministerio de Defensa ganan sueldos de más de 5 mil dólares americanos, lo que representa más de 30 mil bolivianos. El diputado enfatizó que, efectivamente, los sueldos de estas entidades son mayores al del Presidente de la República, por lo que frente a esta situación se impone la necesidad de que el Congreso Nacional analice con detenimiento y corrija estas irregularidades salariales. El diputado Roberto Fernández sostuvo que es indispensable que se plantee una revisión de estas irregularidades y que se cumpla la norma legal que indica claramente que el sueldo mayor debe ser del Presidente. Todos debemos ajustarnos a esa situación, no podemos permitir que haya islas de privilegiados económicamente en el país", señaló el parlamentario. Esta observación se la ha coordinado con otros parlamentarios, por lo que de manera conjunta se pedirá una información, incluso los ministros Herbert Müller han homologado sus sueldos, desconociendo normas, así como el ex ministro Candia han fijado niveles salariales por encima de lo que percibe el Primer Mandatario. Por todas estas razones "se pedirá una sanción e incluso un juicio de responsabilidades, no se puede dañar al Estado, por debajo del sueldo del Presidente tienen que estar los demás sueldos de la administración", señaló el diputado. Por otra parte, mencionó que debe haber la austeridad y se debe copiar lo que hacen los peruanos para controlar la crisis económica. Por ejemplo, Alberto Fujimori frente a la grave crisis económica ha dispuesto que los ministros, diputados subalternos y senadores dejen de tener celulares, porque el gasto económico es muy elevado. Otra medida es que los vehículos oficiales limiten el uso de combustible. Algo contrario sucede en el país, los vehículos oficiales se utilizan para ir al mercado, para llevar a las esposas de funcionarios públicos, acotó. El Diario, 23 de Agosto de 2000 <http://www.eldiario.net/>

BOLIVIA: RESPONSABLES VARIOS FUNCIONARIOS Y EX FUNCIONARIOS DE IRREGULARIDADES EN EL USO DE RECURSOS DEL TESORO NACIONAL

Cinco ex ministros de Estado, varios ex viceministros y ejecutivos de Defensa Civil, un ex prefecto y varios ex funcionarios de la Prefectura de Cochabamba fueron identificados como responsables administrativos, civiles y penales de las diferentes irregularidades cometidas en el uso de los recursos del Tesoro General de la Nación y de la cooperación internacional para la atención de la emergencia del terremoto del 22 de mayo de 1998. La Comisión de Defensa y Fuerzas Armadas de la Cámara de Diputados entregó ayer sus conclusiones requiriendo el inicio de acciones civiles, administrativas y penales contra los involucrados. Las mayores responsabilidades penales recaen sobre los ex funcionarios de la Prefectura de Cochabamba. La Comisión halló también indicios de responsabilidad penal y civil contra ex ejecutivos de organismos que manejaron las donaciones; contra José Ernesto Ayoroa, ex director administrativo del Ministerio de Defensa Nacional, y Luis Montero Zankis, ex

director de Defensa Civil, responsabilidad civil por el sobreprecio en la compra de víveres y la contratación y pago de consultoría por 125.708 bolivianos; responsabilidad penal contra Luis Montero Zankis, Luis Daza Montero, ex director de Defensa Civil, Guillermo Asturizaga. Ernesto Acosta, Miguel Nogales, Armando Deheza (del Ministerio de Defensa), y Guido Galleguillos, ex director de Bienes e Infraestructura del Ministerio de Defensa por indicios de malversación. En el caso de irregularidades en compra del avión Beechcraft, la Comisión vio indicios de responsabilidad administrativa contra Juan Vera Antezana, ex viceministro de Desarrollo Integral, y Oscar Guillarte Luján, ex comandante de la Fuerza Aérea y actual viceministro de Defensa. También estableció responsabilidad administrativa contra Fernando Kieffer, ex ministro de Defensa Nacional; Guillermo Cuentas, ex viceministro de Salud y actual ministro del área; Edgar Millares, ex ministro de Hacienda; Carlos Iturralde Ballivián, ex ministro de la Presidencia, y Herbert Müller, ex ministro de Hacienda, por contravenir las normas. También tienen responsabilidad administrativa contra Ramón Prada, ex viceministro de Transportes; Armando Méndez y Ramiro Cavero, ambos ex viceministros de Presupuesto. Los Tiempos, 24 de Agosto de 2000 <http://www.lostiempos-bolivia.com/>

BRASIL: PRESIDENTE CARDOSO LANZA UN CÓDIGO DE CONDUCTA PARA FUNCIONARIOS PÚBLICOS

El presidente brasileño, Fernando Henrique Cardoso, lanzó ayer un código de conducta para funcionarios públicos, en un esfuerzo por disipar la mala imagen dejada por un escándalo de corrupción que amenazó su gobierno los últimos meses. Cardoso emitió el código junto a un paquete de medidas que incluye la divulgación del gasto público en la Internet, para poner en evidencia la consternación de su gobierno ante el desvío de 100 millones de dólares de la construcción de un edificio judicial. "Con estas medidas estamos dando un choque de transparencia en la administración pública", declaró Cardoso en una ceremonia en el palacio presidencial de Planalto. Según el código de conducta, los funcionarios públicos deberán enviar a la Comisión de Ética Pública un informe de su patrimonio y no podrán recibir ingresos de otras fuentes que no sean su salario del gobierno mientras ejercen el cargo. Asimismo, se verán impedidos de asumir cargos como asesores de individuos u entidades que mantienen relaciones con el gobierno en los cuatro meses posteriores a su salida del cargo público. Cardoso respondió así al escándalo por el desvío de fondos destinados al Tribunal Regional de Trabajo (TRT) de Sao Paulo, al que calificó como un "símbolo de una crisis que pone en cuestión las instituciones republicanas". El Nacional, Venezuela (Reuters), 22 de Agosto de 2000 <http://www.el-nacional.com/>

CHILE: DESTITUYEN A ALCALDE DE VIÑA DEL MAR

Rodrigo González, hasta ahora alcalde de Viña del Mar, quedó definitivamente destituido del cargo por decisión unánime del Tribunal Calificador de Elecciones (Tricel), máximo organismo electoral del país, y en contra de cuya resolución no cabe recurso alguno. González (PPD) fue destituido por "notable abandono de sus deberes" por tres casos específicos: la situación del ex Hotel Miramar; por una rebaja de derechos municipales que hizo a dos empresas, a pesar de que la ordenanza municipal había restado tal potestad al jefe comunal, y por haber logrado la aprobación para otorgar un bono de productividad en favor del personal de la Municipalidad de Viña del Mar. El alcalde de Viña del Mar quedará oficialmente destituido inmediatamente después de que sea notificado de la resolución del Tricel, lo que podría ocurrir hoy, y deberá dejar en ese instante la municipalidad, ya que la medida no sólo lo afecta en su calidad de alcalde, sino también como concejal. Rodrigo González, quien permaneció durante toda la tarde reunido con sus asesores y amigos más cercanos, señaló ayer que pese a acatar el fallo del Tricel, mantendrá su candidatura a la reelección, por sobre lo que opinen los

dirigentes nacionales de su partido, el el Partido por la Democracia (PPD). Poco después de conocida la destitución del alcalde de Viña del Mar, el PPD bajó su postulación como candidato a alcalde privilegiado por esa comuna en las próximas elecciones del 29 de octubre. Con esto, la Concertación deberá negociar cuál será ahora su candidato "privilegiado". El Mercurio, 24 de Agosto de 2000 <http://www.elmercurio.cl/>

CHINA: MUSEO DE LA CORRUPCIÓN SE CONVIERTE EN CENTRO TURÍSTICO DE PEKÍN

Cientos de personas abarrotan todos los días el "museo de la corrupción" de la capital china, donde se inauguró la exposición "La ciudad de Pekín golpea duro y advierte contra los delitos económicos", con la que se intenta calmar a la población, cada vez más irritada con la justicia. La muestra, con un despliegue inusitado de fotografías de personalidades corruptas de la vida política o del mundo empresarial chino, recoge también montones de billetes falsificados por delincuentes, cigarrillos introducidos en el país de contrabando y carnés de identidad de personas que se encuentran tras las rejas. La exposición, que abarca varias salas del Museo Militar de Pekín, desea ser la ventana de los esfuerzos del Gobierno por combatir ese mal fuertemente arraigado en China, donde la liberalización económica ha fomentado, especialmente entre la clase gobernante, el culto al dinero. Como si de una exposición de arte "pop" se tratara, las paredes del museo muestran desde carteles coloridos a vídeos con filmaciones de juicios y tarjetas de crédito falsas con las que grupos de delincuentes desvalijaban los bancos. La mayoría de los visitantes son personas mayores, explican los vigilantes, aunque también acuden jóvenes que desean echar un vistazo a los objetos del museo, que se está convirtiendo, desde que se inauguró hace unos días, en uno de los centros turísticos de Pekín. "Aunque las puertas del museo están vigiladas por militares, también hay gran número de oficiales y soldados que acuden como espectadores", indica el diario "South China Morning Post", editado en inglés en Hong Kong. La fuente agrega que, aunque los visitantes hacen vivos comentarios mientras recorren las salas, "de repente se impone el silencio cuando se entra en la estancia de veinte metros en la que se exponen los documentos que llevaron a la detención y expulsión del Partido Comunista Chino (PCCh) del vicepresidente de la Asamblea Nacional Popular (ANP, legislativo) Cheng Kejie". En la citada sala están colocadas las fotografías, como si de una película se tratara, de Cheng, condenado a muerte el pasado 31 de julio, y de su amante Li Ping, sentenciada a cadena perpetua una semana más tarde. Ambos fueron hallados culpables por una comisión parlamentaria de aceptar sobornos, regalos y joyas, incluidos diamantes, por valor de unos 41 millones de yuanes (4,9 millones de dólares). El "museo de la corrupción" de Pekín es sólo un botón de muestra de lo que está ocurriendo actualmente en China, donde el Gobierno quiere acercarse al pueblo para intentar aplacar el descontento de los ciudadanos, sobre todo de los trabajadores. Hoy, lunes, la Oficina Nacional de Auditorías (ONA) anunció un plan para investigar a gran parte de los miembros del Gobierno y del PCCh, que entrará en vigor cuando dejen el cargo y que afectará incluso a los jubilados. "Va a ser posible abrir investigaciones contra altos responsables de la Administración, como ministros y gobernadores", señaló el auditor general de la ONA, Li Jinhua, quien matizó que el proyecto todavía necesita algo de tiempo para madurar y se llevará a cabo de "forma gradual". Noticias Starmedia (EFE), 21 de Agosto de 2000 <http://www.starmedia.com/>

COLOMBIA: COMO UNO DE LOS MAYORES CASOS DE CORRUPCIÓN CALIFICO LA CONTRALORÍA LA SITUACIÓN DEL INSTITUTO PENITENCIARIO

Como uno de los mayores casos de corrupción y desgreño administrativo encontrado en dependencias del Estado calificó la Contraloría General de la Nación la situación actual que presenta el Instituto

Nacional Penitenciario y Carcelario (Inpec). Según la última auditoria, practicada al Inpec, el organismo de control encontró irregularidades administrativas y financieras que, debido a su magnitud, "fue difícil cuantificar". Además, el hacinamiento, la falta de servicios de salud, educación y de programas de resocialización demuestran que el objeto social para el que fue creado el Inpec tampoco se cumple. El común denominador, en la Dirección General y en las seis regionales que manejan los 168 centros de reclusión, fue la violación sistemática de las normas de contratación, entre ellas concentración en las adjudicación de contratos y sobrecostos en la ejecución de obras y servicios. La auditoria encontró que durante 1998 y 1999 el Inpec suscribió contratos por \$48.075 millones para generar 5.600 nuevos cupos y aliviar la situación de hacinamiento en las cárceles. De acuerdo con un estudio del mismo Instituto, la mitad de los centros de reclusión fueron construidos hace más de 40 años y sólo el 6% tiene menos de diez años. Para el director del Inpec, el general de la Policía (r) Fabio Campo Silva, el informe de auditoria de la Contraloría es una clara radiografía del estado en el que encontró el Instituto al asumir su cargo, hace siete meses, y aclaró que esa situación cobija a los directores que lo antecedieron. Pero, aseguró que tomó medidas inmediatas encaminadas a frenar las irregularidades detectadas por el organismo de control en el período 1998-1999. Entre ellas, un corte de cuentas y la designación de un gerente de proyectos, quien se encargará de la revisión, ordenamiento y corrección de las fallas detectadas. El Colombiano, 24 de Agosto de 2000 <http://www.elcolombiano.com.co/>

COLOMBIA: EX ALCALDES ACUSADOS DE SUSTRAR BIENES MUNICIPALES SE DEFIENDEN

Los ex alcaldes de Playas y Durán, Gabino de la A y Oswaldo Peñaherrera, respectivamente, fueron los primeros en reaccionar ante las acusaciones formuladas por sus sucesores, Gregorio Andrade y Mariana Mendieta, en su orden. Gabino de la A Escalante desmintió que se hayan sustraído bienes del Municipio y aseguró que hay un inventario de todo lo que dejó, efectuado por el agente fiscal (e) de La Libertad, Franklin Grau, el 9 de agosto. También denunció ante la Comandancia de la Segunda Zona Militar el operativo efectuado por un contingente de la Base San Antonio, que impidió el acceso de los funcionarios al Municipio. Por su parte, Oswaldo Peñaherrera, ex alcalde de Durán, dijo que desde julio y hasta la fecha hay un auditor de la Contraloría en el Municipio pedido por él, por lo que menos pudieron desaparecer bienes de la institución. "Lo que es del Municipio está ahí y no sé cuál es la intención de la alcaldesa." El Universo, 18 de Agosto de 2000 <http://www.eluniverso.com/>

COLOMBIA: PIDEN INVESTIGAR A 16 FUNCIONARIOS DE LA REGISTRADURÍA NACIONAL, 4 EX REGISTRADORES Y AL ACTUAL REGISTRADOR

Por petición de la Contraloría General, la Procuraduría inició investigación disciplinaria contra 16 funcionarios de la Registraduría Nacional, 4 ex registradores y al actual Registrador, por presunta mala conducta por la firma de un contrato por valor de 67.246 millones de pesos con la empresa francesa Sagem que finalmente incumplió. Según denunció el contralor General Carlos Ossa Escobar, la Registraduría pudo haber violado la contratación estatal al prorrogar en casi el doble del tiempo, estipulado en 22 meses, el contrato con Sagem para desarrollar el proyecto de modernización tecnológica, "que a la fecha no se ha concluido y que, por ende, ha retrasado el proceso electoral", dice el informe electoral. La investigación disciplinaria fue abierta contra los ex registradores Orlando Abello Martínez, Mariela Hernández de Domínguez, Jaime Calderón Brugés y Clara María González, así como al actual Registrador, Iván Duque Escobar. Las presuntas irregularidades disciplinarias también cobijan a los directivos de la Registraduría Gustavo Villamil Rozo, José Alberto Morillo, Álvaro Molina Vásquez, Esperanza Mejía Reyes, Antonio William Gaviria Arana,

Sonia Patricia Cáceres Martínez, María Cristina Duque González, Edith Mabel Ovalle Salazar, Gustavo Pedroza Gutiérrez, Álvaro Luis Monterrosa Arrieta, Harold Wilson Salazar Virguez, Miguel Arturo Linero de Cambil, Nagib Chalave González, Epaminondas Franco Ávila y Edgar Daniel Bohórquez Encizo. El Colombiano, 23 de Agosto de 2000} <http://www.elcolombiano.com.co/>

COLOMBIA: SECTOR DE JUSTICIA UNO DE LOS MAS AFECTADOS POR LA CORRUPCIÓN, SEGÚN ESTADÍSTICAS

Uno de los sectores afectados por la corrupción es el que tiene que ver con la justicia. Según estadísticas del Consejo Superior de la Judicatura desde 1992 hasta la fecha han sido sancionados 3.377 abogados y 587 funcionarios judiciales. Tanto los profesionales del Derecho como los auxiliares de la justicia inciden sobre el normal trámite de los procesos del ramo, causando irregularidades que benefician a sus clientes y a ellos mismos. "Colombia atraviesa por una situación crítica en términos de corrupción tanto a nivel político como administrativo, situación que se ve agravada por la percepción generalizada de unas instituciones poco confiables e ineficaces. Un sistema de justicia saludable tiene una gran incidencia sobre la eficiencia económica y el desarrollo de un país", señalaron fuentes de la Corporación Excelencia en la Justicia. Para el organismo es claro que las actuaciones corruptas atentan contra los tres principios que garantizan el buen desempeño de la justicia de una nación: independencia, autoridad para aplicar las decisiones y una organización eficiente. Así las cosas, la Corporación considera que es necesario desarrollar un sistema de incentivos dentro de la Rama Judicial que haga que tanto los funcionarios como los demás empleados administren justicia de manera responsable y eficiente. En segundo lugar, sugieren que se adopte un régimen disciplinario que sancione rigurosamente a los infractores y que facilite el desarrollo de los procesos dentro de la jurisdicción. Estas estrategias, según la Corporación, se deben acompañar de cambios en los niveles legales, administrativos y organizacionales del sector judicial. Una encuesta del Consejo Superior de la Judicatura realizada en 17.394 hogares de Barranquilla, Bucaramanga, Bogotá, Medellín, Cali y Pasto señala que el 43% de las personas entrevistadas piensan que la justicia no opera y, por lo tanto, no acuden a ella. Entre las razones que dieron están el costo de honorarios (45.1% de los encuestados), el desconocimiento de los derechos (45.1%), la demora de los procesos (39.1%) y la falta de credibilidad en el aparato judicial (30.2%). Fuera de lo anterior, el Consejo Superior de la Judicatura y la Procuraduría General de la Nación, organismos que ejercen control y vigilancia de tipo administrativo y disciplinario sobre la rama judicial, encuentran que ésta se encuentra colapsada. La Corporación Excelencia en la Justicia considera que eso se debe al alto índice de congestión en la jurisdicción disciplinaria, donde la carga laboral supera los 40 mil procesos. Entre 1994 y 1999, la saturación ha pasado de 13.500 a 26.657 procesos sin solución, al cierre del año. Y es que los entes de control no disponen de herramientas para sancionar rápida y drásticamente a los funcionarios correspondientes con el retiro de su cargo cuando existan indicios de prácticas antiéticas o corruptas. El Colombiano, 21 de Agosto de 2000 <http://www.elcolombiano.com.co/>

COSTA RICA: CONSULTA A AUTORIDADES. CORRUPCIÓN TIENE VARIOS PORTILLOS

La creación de instancias extraoficiales que suplantán a las instituciones públicas en la administración de recursos económicos y el manejo de esos dineros con fines político-electorales, son dos de los principales portillos a través de los cuales la corrupción penetra y causa estragos. Ese problema también se infiltra por medio del caos administrativo que impera en diversas entidades y de la falta de una lucha coordinada, en escala nacional, contra los actos ilícitos. De esa manera se resumen los

criterios expresados por cinco autoridades nacionales que, como parte de sus funciones, investigan o tratan casos relacionados con actos indebidos. Se trata del fiscal general, Carlos Arias; el contralor general de la República, Luis Fernando Vargas; el procurador, Román Solís; la magistrada de la Sala Constitucional y presidenta de la Comisión Nacional para el Mejoramiento de la Justicia (Conamej), Ana Virginia Calzada, y la defensora de los habitantes, Sandra Pizsk. Fueron consultados, entre el jueves y el viernes pasados, sobre las áreas más frágiles que tiene nuestro país en materia de corrupción. También se les preguntó sobre posibles soluciones. De acuerdo con Arias, uno de los terrenos fértiles para la germinación de actos corruptos son los programas de ayuda social dotados con recursos millonarios. Como ejemplo de esa situación, mencionó el caso de la crisis financiera del sector cooperativo de la vivienda, durante el gobierno anterior, a la cual calificó de "cuestión monstruosa, compleja". Carlos Arias también llamó la atención sobre un campo que, según él, cuando se investigue a fondo superará en dimensiones económicas a cualquiera de los escándalos que han ocurrido en Costa Rica en los últimos años: el contrabando de mercancías. De acuerdo al contralor Vargas, también señaló como surco de la corrupción el afán por atender a toda prisa viejas necesidades que afronta la población, con lo cual en diversas ocasiones se inventan procedimientos y se saltan regulaciones que algunos aprovechan para beneficio propio. En ese sentido, señaló como ejemplo las anomalías con fondos de Asignaciones Familiares. Para el Contralor, otro escenario propicio para la corrupción es la creación extraoficial de instancias para el manejo de fondos públicos -en sustitución de las oficiales- con el argumento de que estas son lentas y entran. En opinión de Vargas, todo se engloba dentro de una deficiencia básica: la pérdida de la capacidad de planificación en la administración pública. "Lo que se hace a como dé lugar genera desorden y el desorden es uno de los agentes de la corrupción". Por su parte Calzada informó de que Canamej trabaja en la elaboración de un proyecto para crear un grupo -con representantes del Estado y la sociedad civil- que coordine las políticas generales para prevenir actos de corrupción. La idea, dijo, no es que ese comité tenga facultades de investigación, sino que más bien se dedique a cuestiones como orientar a los ciudadanos sobre los caminos adecuados para plantear denuncias. "Uno de los problemas principales es que la gente carece de mucha información", declaró. "Queremos hacer conciencia sobre la necesidad de unificar y coordinar esfuerzos. Una lucha dividida es más débil", afirmó. La Nación, 21 de Agosto de 2000 <http://www.nacion.co.cr/>

ECUADOR: COMISIÓN ANTICORRUPCIÓN TRATÓ 1676 CASOS DESDE 1997

Desde marzo de 1.997 hasta la fecha, la Comisión Anticorrupción (CCC) ha tramitado 1676 denuncias, de las cuales 460 están el trámite de investigación a través de los organismos como la Fiscalía, Contraloría General del Estado, la función Judicial, el Defensor del Pueblo y el Consejo Nacional de la Judicatura. El último proceso sobre el cual se pronunció la CCC fueron irregularidades al interior de la institución policial, donde se habría segmentado contratos con empresas proveedoras de bienes. Los temas de trabajo han abordado investigaciones de corrupción en todas las instituciones del sector público, y en muchas ocasiones, las observaciones de la Comisión han provocado resentimientos de las partes afectadas. La CCC tiene oficinas de trabajo en la mayoría de las provincias del país. En Portoviejo se crearon recientemente dos redes cívicas anticorrupción, y que integra a sectores sociales jóvenes de la capital manabita. Las redes que apoyan el trabajo se crearon a partir de la organización de un seminario taller que tuvo lugar el pasado 9 y 10 de agosto del presente año, donde intervinieron Alendra Cantos y Pedro Votruba, altos directivos de la CCC. Cabe añadir que también se creó la Comisión de coordinación interinstitucional que plantee alternativas para agilizar los procesos judiciales por casos de corrupción, iniciativa que nació a partir de un seminario taller entre la CCC, el Consejo Nacional de la Judicatura y la Corte Suprema de Justicia. La filosofía

de la CCC es investigar y establecer presunciones de responsabilidad civil o penal respecto de la marcha y administración de los bienes y recursos del Estado. La Hora, 21 de Agosto de 2000 <http://www3.lahora.com.ec/>

ECUADOR: EL TRIBUNAL CONSTITUCIONAL ECUATORIANO CEDIÓ A LAS PRESIONES POLÍTICAS. LA CORRUPCIÓN SIGUE A SUS ANCHAS EN EL PAÍS

Los diputados del bloque de centroizquierda se oponen a la aplicación de la Ley Trole, pues consideran que permitirá que el Estado venda sus empresas más fuertes y que financian el Presupuesto Nacional del Estado. Aunque 6 de los 9 vocales del Tribunal Constitucional se mostraron a favor de la permanencia de la directiva de mayoría en el Congreso Nacional del Ecuador, dicho Tribunal optó por la "salida política" y apoyó a la minoría legislativa, representada por el derechista Partido Social Cristiano, PSC. Así, Carlos Falquez Batallas, exvicepresidente del Congreso Nacional por el PSC, deberá reinstalar la Asamblea General y desconocer todo lo actuado por Susana González, como presidenta del Congreso electa por la mayoría de centroizquierda. Minutos más tarde de la decisión del Tribunal, Susana González declinó su nombramiento, aunque rechazó el muñequero político del Gobierno y su presión al resto de organismos constitucionales. Por su parte, los movimientos sociales, indígenas y campesinos, ya se están organizando para desarrollar protestas ante la decisión del organismo Constitucional y por la aplicación de la Ley Trole anunciada por el Presidente Gustavo Noboa. Los diputados del bloque de centroizquierda se oponen a la aplicación de la Ley Trole, pues consideran que permitirá que el Estado venda sus empresas más fuertes y que financian el Presupuesto Nacional del Estado. Los socialcristianos, en cambio, respaldan e impulsan la venta de dichas empresas pues son sus militantes los mayores interesados en comprarlas. Informativos Net, España, 23 de Agosto de 2000 <http://www.informativos.net/>

ECUADOR: ESCANDALO BANCARIO - OBRAS DE ARTE DADOS EN GARANTIA FUERON SOBREVALORADAS

Nuevos elementos se suman al proceso judicial que se desarrolla en la Corte Suprema de Justicia en contra de los ex directivos de Filanbanco, William y Roberto Isaías Dasum, mediante los cuales se confirmarían las supuestas irregularidades cometidas en la valoración tanto de las obras de arte entregadas al Banco Central, como de los bienes que recibió en dación de pago la Agencia de Garantía de Depósitos (AGD). Una diferencia de \$ 24 millones existiría entre el valor contabilizado por Filanbanco Trust y el último avalúo efectuado por el Banco Central respecto de las obras de arte entregadas por los ex directivos de Filanbanco como parte del fideicomiso de 400 millones de dólares ofrecido a cambio del préstamo que recibió dicha institución bancaria en noviembre de 1999. La última valoración efectuada por peritos del Banco Central confirmaría la existencia de "manejos fraudulentos y artificiosos por parte de los Isaías Dasum", quienes "habrían inflado los avalúos para hacer creer que lo que en realidad vale 5 millones de dólares, se lo podía hacer pasar por 30 millones". Según la nueva información proporcionada por el superintendente de Bancos, Juan Falconí Puig a la Corte Suprema de Justicia, como prueba de las irregularidades que se habrían cometido a través de la dación en pago de obras de arte por parte de Filanbanco Trust, se desvirtuaría también la valoración efectuada por la empresa Global Silverhawk, que arrojó como resultado la suma de \$10 458 508 dólares en obras de arte, es decir, \$5 263 102 dólares más en relación con la última valoración efectuada por los técnicos del Banco Central. La Superintendencia precisó también en esta ocasión, que sobre los bienes inmuebles que componen el activo de las compañías entregadas en dación en pago a la Agencia de Garantía de Depósitos (excepto los locales comerciales de Puntilla Mall) existen situaciones de carácter legal que "limitan su dominio", entre los cuales se registran

juicios de excepciones, juicios coactivos, juicios de expropiación, constitución de hipotecas y fundamentalmente condición resolutoria que podría otorgar a los antiguos propietarios la posibilidad de ejercer la acción de restitución, con lo cual se provocaría aún más perjuicio económico al Estado ecuatoriano. El estudio sobre los bienes estuvo a cargo Pedro Delgado, Intendente General de Supervisión y Entidades Financieras de la Superintendencia de Bancos, cuyo informe se adjuntó al proceso judicial que se desarrolla en contra de los hermanos Isaías Dasum y demás involucrados en el caso. "Intervención urgente" Los peritos del Banco Central reevaluaron 726 obras de arte en el Museo Nahim Isaías de Guayaquil, y 1477 del Museo Filanbanco, de Quito. Las ubicadas en Guayaquil, son en su mayor parte son pinturas que han obtenido una calificación que va de buena a excelente, siendo las más caras una pintura llamada Virgen con cautivos, \$ 42.000, y las esculturas de Santa Catalina de Siena y de La Dolorosa, con un valor de \$40.000 cada una. En cambio, el informe del Banco Central señala que las cientos de obras del Museo Filanbanco, de Quito, tienen una calificación mayoritaria de "no aceptable", "urgente intervención" y "necesita intervención". En el Museo Nahim Isaías se exponen 180 obras que fueron evaluadas, según el informe del Banco Central. Las demás están en reserva. La mayoría de las obras del Museo Filanbanco, en Quito, tienen una calificación de buena, regular y mala. Muchas de ellas ni siquiera tienen avalúo y una buena parte necesitan una reparación urgente. Las obras son parte del patrimonio cultural y corresponden a diversas escuelas artísticas de la Colonia, especialmente de la Escuela Quiteña. Todas se refieren a motivos religiosos y las más caras corresponden a artistas como Caspicara El superintendente de Bancos, Juan Falconí Puig, expresó su preocupación por la lentitud con la que se estarían tramitando los procesos judiciales relacionados con irregularidades dentro del sistema financiero, entre los cuales se encuentra el de Filanbanco. En el momento existen 31 juicios penales relacionados con irregularidades dentro del sistema financiero, en la mayoría de los cuales no se han cerrado los sumarios, por ejemplo los casos de los bancos de Préstamos, Ecuacambio, del Azuay, del Tungurahua, Progreso, Unión, Popular, Previsora, Bancomex, etc. De dichos procesos, únicamente los casos Filanbanco y Continental se ventilan en la Corte Suprema de Justicia, los demás se encuentran radicados en los juzgados de las provincias del Guayas (13), Pichincha (13), El Oro (1), y Macas (1). (MUP) La Superintendencia también pidió al juez Noveno de lo Penal de Pichincha que se solicite a la Corte Suprema de Justicia se requiera al Gobierno de Estados Unidos que inicie el proceso de extradición de los ex banqueros, hermanos Roberto y William Isaías y de Arturo Quiroz Martín, ex directivo del Banco del Pacífico. La denuncia sostiene que varios medios de comunicación han advertido la presencia de los nombrados en la ciudad de Miami. El abogado de la Superintendencia invocó ante el juez la convención de Estradición entre el Ecuador y Estados Unidos suscrita el 28 de junio de 1872 y el tratado complementario de extradición suscrito por los dos países el 22 de septiembre de 1939. Los abogados de la Superintendencia pidieron también la certificación de que el Instituto de Patrimonio Cultural autorizó la transferencia de dominio de los más de dos mil bienes culturales que se usaron como garantía de pago. Hoy, 22 de agosto de 2000 <http://www.hoy.com.ec/politica/martes/politica.htm>

ECUADOR: EXTRACTO DE CONFERENCIA DE PRENSA DE SECRETARIA DE ESTADO ALBRIGHT

Esta pregunta en la conferencia del 18 de agosto de 2000 se refiere a los profugos ecuatorianos investigados en casos de corrupción: ***** PREGUNTA: Buenas tardes. El presidente de nuestro país, doctor Gustavo Noboa, se había comprometido a solicitar oficialmente al gobierno de Estados Unidos la cancelación de visas de todos aquellos fugitivos de la justicia ecuatoriana, quienes se encuentran al presente en territorio de Estados Unidos. Nosotros no sabemos si usted y las

autoridades ecuatorianas tratarían sobre este asunto en la reunión de esta tarde, sin embargo, queremos conocer qué probabilidades existen de que el gobierno norteamericano acepte o acoja la petición hecha por el Ecuador de retirar las visas a los prófugos ecuatorianos, para que ellos vengán acá? Adicionalmente, qué posibilidades hay de que el gobierno norteamericano dé las facilidades necesarias para que podamos extraditar a aquellos prófugos de la justicia porque hasta el momento ha sido muy difícil, por no decir imposible, traerlos al país? ***** SECRETARIA ALBRIGHT: En primer lugar, quiero decirles que no discuto casos de visas, porque eso se hace a través de otro sistema dentro de nuestro gobierno. Realmente no discutimos de eso esta tarde, pero debo decirles que en los casos que se solicita la extradición, es importante que el gobierno lo haga bajo el tratado de extradición, y nosotros estaremos dispuestos a tratar sobre esos temas, pero no quiero hablar sobre casos de visa. ***** CANCELLER MOELLER: Este asunto ha sido manejado por el gobierno ecuatoriano fundamentalmente a través del ministerio de Justicia de Estados Unidos. A propósito, valga esta oportunidad para agradecer una vez más la excelente y permanente colaboración que hemos tenido de la ministra Janet Reno, quien se ha preocupado personalmente de esta situación. Debo anunciar a la prensa ecuatoriana que el día de hoy se dio paso al proceso de extradición de Peñaranda. Hasta el momento él estaba sometido a un proceso de deportación, que lamentablemente tiene que cumplir una serie de requisitos de acuerdo a las leyes americanas. La cancillería, por disposición del presidente Noboa, presentó una solicitud de extradición aplicando el antiguo tratado que para ciertos casos no es viable, pero para éste sí lo va a ser. Y aunque tengamos que esperar unas semanas más, Peñaranda vendrá a pagar sus culpas a Ecuador. En cuanto al tema de las visas, efectivamente ésta no es la instancia para tratar el tema. La solicitud ya fue hecha hace algunos meses y estamos esperando respuesta de Estados Unidos. Servicio Noticioso desde Washington, 21 de agosto de 2000 <http://www.usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/language/s>

ECUADOR: SE AMPLÍA CASO CONTRA EL EX PRESIDENTE MAHUAD. COMISIÓN ANTICORRUPCIÓN REMITIRÁ INVESTIGACIONES A LA JUSTICIA

Con el propósito de probar los delitos que se habrían configurado con el congelamiento de recursos en el sistema financiero nacional y el feriado bancario, la Comisión Anticorrupción deberá remitir a la Corte Suprema de Justicia las investigaciones efectuadas sobre el caso, en el que están sindicados el ex presidente Jamil Mahuad y su ex ministra de Finanzas, Ana Lucía Armijos. El pedido para que se entregue el informe documentado y debidamente certificado lo hizo el Ministerio Público con el propósito de que la Corte Suprema cuente con los antecedentes e investigaciones que sirvieron de base para solicitar que se dicte el auto cabeza de proceso en contra de los inculpados. Asimismo, la fiscal general, Mariana Yépez, pidió se recepte el testimonio de Jorge Egas Peña, quien a la época del cometimiento de la infracción desempeñaba las funciones de Superintendente de Bancos. El cuestionario de preguntas para que se efectúe esta diligencia la elaborará el Ministerio Público. El Universo, 21 de Agosto de 2000 <http://www.eluniverso.com/>

EE.UU: HASTA LOS VOTOS PUEDAN COMPRARSE POR INTERNET

Un nuevo sitio promete "unir el capitalismo y la democracia" subastando votos para las elecciones presidenciales de los EE.UU. de este año. "La industria electoral gasta cientos de millones de dólares con la intención de influir la elección presidencial", puede leerse desde agosto en voteauction.com. "Este sistema es un desperdicio inútil de dinero para los candidatos y sus seguidores. Voteauction.com se propone mejorar este sistema llevando directamente a los votantes el dinero de los contribuyentes a las campañas". El sitio le permite a los ciudadanos poner su voto en un lote de

remate, estado por estado. El mayor postor determina qué candidato a la Casa Blanca se llevará los votos en masa de los participantes de **voteauction.com**. "No soy cínico", dice su fundador James Baumgartner, un graduado en ciencias políticas. "Soy realista. La mayoría de la gente tiene una visión sincera acerca de como los candidatos se venden. Los votantes deberían ser incluidos en esta situación y obtener parte de los réditos". Al menos un analista político elogió el mensaje propuesto por este sitio. "Es una muy buena forma de hacerle ver a los votantes todo lo que otros (los grandes contribuyentes) ganan con el sistema y qué poco obtienen los votantes en comparación", dice Sheila Krumholz, directora de investigación del Center for Responsive Politics, una organización apartidaria que estudia la influencia del dinero en la política. "Hay que darle reconocimiento a este tipo, por atraer la atención de la gente sobre este tema de manera provocativa", dice. Pero no todo el mundo está de acuerdo. "Deberían clausurarlo", dice Deborah Phillips, presidenta del Voting Integrity Project, un grupo de interés público, sin fines de lucro, que a menudo trata cuestiones relacionadas con la Internet. "Es el cinismo llevado a su máxima expresión. Es destructivo para el proceso democrático. Si los fiscales de los 50 estados no van tras este tipo y cada uno de los votantes participantes, no están haciendo su trabajo". Las autoridades ya han tomado nota sobre casos similares. El Departamento de Justicia de los EE.UU. se puso en contacto esta semana con eBay luego de que un puñado de usuarios ofreciera sus votos a la venta en ese sitio de subastas por Internet. Ni bien eBay tomó conocimiento de estos ítems cuestionables, los quitó del sitio inmediatamente, dijo su vocero, Kevin Pursglove. "Lo cierto es que incluso si la gente se lo toma como una broma, nosotros nos lo tomamos muy seriamente", dice Pursglove. "Esto es un hecho que podría traer aparejados cargos delictivos". Según las autoridades, tanto quienes venden como quienes compran votos violan leyes estatales y federales, y podrían ser castigados con miles de dólares en multas o años en prisión. Baumgartner dice que él no vende ni compra votos, simplemente provee un foro donde otros pueden hacerlo, quedándose con un porcentaje de la transacción. También sostiene que se encuentra protegido por las recientes decisiones de la Suprema Corte que equiparan al dinero con la libertad de prensa, incluyendo una de los años 70 que sancionaba el uso del dinero en campañas políticas. Pero hasta sus simpatizantes tienen dudas. Krumholz anticipa que el sitio podría dar lugar a graves contiendas legales. "Me preocupa el autor del sitio", dice. Baumgartner, por su parte, se mantiene optimista. "Espero conseguir pronto anuncios e inversionistas", dice. Phillips dice que debería ir preparándose para recibir otra cosa. "Esto es un verdadero fraude electoral en la Internet. No me interesa como lo pinten. Espero que este tipo tenga unos buenos abogados que lo respalden". Noticias CNN, 19 de agosto de 2000 http://cnnenespanol.com/2000/eeuu_canada/08/19/eleccion/index.html

EL SALVADOR: FISCALÍA INVESTIGA FIRMAS FALSAS EN EXPEDIENTE DE FEDERACIÓN DE FÚTBOL, INVESTIGADA POR POSIBLE MALVERSACIÓN

La Fiscalía investigará la posible manipulación de documentos por parte de la Corte de Cuentas, así como la alteración de firmas en los recibos que la Federación de Fútbol (FEDEFUT) presentó para desvanecer un faltante de 35 millones de colones. Fuentes de la Fiscalía confirmaron a este medio que hay, al menos, dos documentos que contienen firmas alteradas. Se trata de recibos emitidos por fuertes sumas de dinero en dólares. La Federación, supuestamente, entregó estos comprobantes a dos miembros del equipo técnico que dirigió a la selección nacional durante las eliminatorias por el Mundial Francia 98. La Fiscalía sospecha que las firmas de los técnicos que aparecen en los recibos son falsas. Más alteraciones. Este periódico conoció, además, de otros casos donde se advierte la alteración de firmas. Dos jugadores de la liga profesional de Estados Unidos que son seleccionados nacionales habrían recibido, según los directivos de la FEDEFUT, un total de 2 mil dólares cada uno.

Después de escuchar varias declaraciones en torno a estos casos, la Fiscalía no aceptó los recibos como justificantes de egreso, debido a la sospecha de que las firmas también eran falsas. Sin embargo, el notario Pablo Noé Recinos da fe de que las firmas son originales. El fiscal general, Belisario Artiga, ha girado instrucciones nuevamente para que la investigación sobre el caso FEDEFUT llegue hasta las últimas consecuencias. Actualmente, el equipo de fiscales del Departamento de Procuración, asignado al caso, realiza el cotejo de documentos enviados por la misma Corte de Cuentas y otros obtenidos por la Fiscalía, para verificar la autenticidad de los documentos presentados por la FEDEFUT. La Fiscalía, según confirmaron fuentes del Ministerio Público, también seguirá otra línea de investigación: determinar alteraciones en los informes que los auditores enviaron a la Dirección de Responsabilidades de la Corte de Cuentas. Tal como informó este diario el pasado sábado, autoridades de la Corte obviaron señalamientos importantes emitidos por los auditores en un informe fechado en junio de este año. Los documentos alterados. La Prensa, 22 de Agosto de 2000 <http://www.laprensa.com.sv/>

EL SALVADOR: ANUNCIAN AUDITORÍA A CORTE DE CUENTAS

Un día después que este diario denunciara el estancamiento del proceso de auditoría a la Corte de Cuentas, el presidente de la Asamblea Legislativa se comprometió a resolver la situación. El diputado Ciro Zepeda anunció ayer que propondrá a la junta directiva de la Asamblea crear una comisión para ese propósito. Zepeda quiere que ya no se cuestione la credibilidad del Partido de Conciliación Nacional (PCN), partido que él dirige. Esa comisión deberá agilizar la contratación de una firma que audite a la Corte de Cuentas. Afirmó que buscarán asesoría internacional para iniciar el proceso. Zepeda dijo que la directiva de la Asamblea "debe dar plenos poderes... para que busque apoyo en las contralorías de otros países". Por tanto, el primer paso será contactar las instituciones contraloras de otros países. Zepeda está consciente que es difícil que el Gobierno les pueda facilitar un refuerzo presupuestario para sufragar los gastos que requiere la fiscalización de la Corte. El democristiano Aristides Alvarenga, secretario de la Asamblea, confirmó que la directiva realizó ayer un "ejercicio financiero" que permitió concluir que la Asamblea tiene insuficiencia de fondos. Recordó que se le recortó alrededor de 26 millones de colones en el presupuesto de este año. Por eso pedirán que en el presupuesto de 2001 se prevea ese gasto. "Según se ha investigado, puede andar entre 10 ó 20 millones de colones" el costo de la fiscalización. La Prensa, 18 de Agosto de 2000 <http://www.laprensa.com.sv/>

EL SALVADOR: FISCALÍA INVESTIGA POSIBLE MALVERSACIÓN DE FONDOS EN FEDERACIÓN DE FÚTBOL

La Fiscalía dijo que continuará investigando una "posible malversación de fondos" en la Federación Salvadoreña de Fútbol (FSF) pese a que la Contraloría multó y obligó a directivos a reintegrar unos 345.000 dólares. "Estamos investigando a fondo (el caso) y con mucha seriedad", declaró a periodistas el fiscal general, Belisario Artiga; "creo que se puede demostrar lo que sucede y si hay culpables, los vamos a hallar". La Contraloría informó el viernes que encontró un faltante de más de 3 millones de colones (unos 345.000 dólares) durante el período 1996-1998 de la administración de la FSF. Una primera auditoría había revelado un faltante de 35 millones de colones (unos 4 millones de dólares), según la prensa local. La Contraloría impuso una multa de unos 4.500 dólares para cinco ex directivos por "responsabilidad administrativa" y obligó además a otros cuatro miembros, entre ellos el actual presidente Juan Torres, a reintegrar unos 345.000 dólares por "responsabilidad patrimonial". Pero Torres y otros dos miembros de la junta directiva no serán sancionados debido a que no reciben salarios en la FSF, dijo la Contraloría, basados en artículos del Reglamento para la

Determinación de Responsabilidades. Sin embargo, Artiga señaló que la Fiscalía continuará con las investigaciones debido a ``una posible malversación de fondos y administración fraudulenta`` en la Federación Salvadoreña de Fútbol. Torres dijo a un periódico local que, ``no tenemos absolutamente nada que devolver, lo que haremos es someternos al juicio de cuenta... quiero que esto se vea como un proceso, porque no ha terminado``, señaló. La Nación. Costa Rica (AP), 21 de Agosto de 2000 <http://www.nacion.co.cr/>

ESPAÑA: PIDEN DIEZ AÑOS DE INHABILITACIÓN PARA EL ALCALDE DE SALOBREÑA POR UN PRESUNTO DELITO DE PREVARICACIÓN

La Fiscalía de Granada solicitará diez años de inhabilitación para el alcalde de Salobreña, Manuel Pérez Cobo (del Partido Socialista Obrero Español -PSOE-), por un presunto delito de prevaricación cometido en su anterior etapa como regidor por cobrar a una constructora un impuesto de cuatro millones de pesetas sin estar autorizado. Tras varias suspensiones por diferentes cuestiones procesales, Pérez Cobo será juzgado por este caso ocurrido hace diez años en la Audiencia de Granada el próximo 22 de septiembre. El escrito de acusado relata que mayo de 1990 el alcalde de Salobreña concedió a la constructora Comofesa licencia de primera ocupación para la urbanización "Cala Verde", construida dentro de un proyecto más amplio "Vial Central Playa Salobreña", cuyas contribuciones especiales habían sido suspendidas un año antes por la Sala de lo Contencioso Administrativo de la antigua Audiencia Territorial de Granada (hoy TSJA). Aunque inicialmente denegó la licencia de primera ocupación solicitada por la constructora, el acusado "con conocimiento" de la suspensión de la Sala de lo Contencioso Administrativo "supeditó la concesión de la mencionada licencia al pago de 4.028.427 pesetas", una cantidad que fue ingresado por el municipio "no estando autorizado legalmente" para ello. En su escrito de conclusiones provisionales, la Fiscalía solicita seis años de inhabilitación por un delito de prevaricación y cuatro años de suspensión y multa de 500.000 pesetas por un delito del artículo 202 del antiguo Código Penal que castiga a los funcionarios que exijan el pago de impuestos no autorizados por las leyes o por las corporaciones respectivas. Andalucía 24 Horas, 22 de Agosto de 2000 <http://www.andalucia24horas.com/>

GUATEMALA: LIMITAN TRABAJO A AUDITORES SOCIALES EN EL CONGRESO

Por orden de la Junta Directiva del Congreso, el trabajo de auditoría social que efectúa en ese organismo la entidad cívica Acción Ciudadana (AC), se ha visto limitado. Desde la legislatura anterior, AC se dedica a monitorear el trabajo de los diputados. Entre otras cosas, esa organización civil lleva registro de las leyes aprobadas, así como de los diputados más productivos, los faltistas y los viajeros. Para hacer una evaluación del primer semestre del Congreso, Manfredo Marroquín, director de AC, solicitó el 10 de agosto diversos informes a la Junta Directiva, presidida por Efraín Ríos Montt. Un día más tarde, Carlos Wholers Monroy, secretario del Legislativo, respondió a Marroquín por medio de una misiva. "Para poder brindarle la información (...) es necesario que presente por escrito (...) las actividades a que se dedica la institución que usted dirige, copia de los estatutos bajo las cuales rige sus actividades, así como el instrumento legal por medio del cual se le autoriza para poder operar como institución dentro del país", se anota en la carta que firmó Wholers. "Nos extraña que ahora los eferregistas (del Frete Republicano Guatemalteco), no sepan quiénes somos. Incluso nuestra publicación Agenda Legislativa les sirvió para su trabajo cuando fueron opositores", se quejó Marroquín. A la vez, dijo que si los ahora oficialistas quieren fiscalizar a las organizaciones del Estado, deben dar el ejemplo; de lo contrario, "no tendrán autoridad moral, por impedir nuestro trabajo". También dijo que la actitud de la Directiva parlamentaria es violatoria del

texto constitucional. "Toda información de las instituciones públicas es libre", enfatizó Marroquín. A su juicio, el Frente Republicano Guatemalteco está a tiempo de corregir la arbitrariedad en que incurre. Prensa Libre, 22 de Agosto de 2000 <http://www.prensalibre.com.gt/>

GUATEMALA: CONTRALORÍA PIDE RATIFICAR CONVENIO CONTRA CORRUPCIÓN

Al inaugurar el II Foro Internacional sobre Ética y Lucha contra la Corrupción, el jefe de la Contraloría General de Cuentas de la Nación (CGCN), Marco Tulio Abadío, pidió públicamente al presidente Alfonso Portillo que promueva la ratificación de la Convención Americana contra ese flagelo, suscrita por iniciativa de la Organización de Estados Americanos. Según el funcionario, en los momentos actuales la adhesión se hace casi obligatoria por los compromisos sociales que conlleva, y también porque para combatir esa mala práctica y erradicar la impunidad es necesaria la cooperación entre las naciones. Tenemos que sacar a nuestro país de esa lista; este Gobierno tiene que manifestarse para ratificar esa lucha contra la corrupción, porque es vergonzoso que figure en ella, afirmó. Siglo Veintiuno pidió la vocera del mandatario, Fernanda Castejón, una respuesta oficial ante tal planteamiento. La funcionaria dijo que prefería consultar directamente a Portillo y devolver la llamada, lo cual no ocurrió. Al acto estaba invitado Portillo, pero otras actividades le impidieron asistir, según personal de la Secretaría de Comunicación Social. Ello molestó a Abadío, pero se cuidó de exteriorizarlo. En cambio, el alcalde capitalino, Fritz García-Gallont, a cuyo cargo estuvo la inauguración, aprovechó para hacer notoria la ausencia. Es innegable que muchas personas no están aquí presentes...Es posible que se tengan excusas tales como demasiada carga de trabajo, por compromisos adquiridos con anterioridad o simplemente por rehuir de una realidad que cada día los encierra más, pero que algún día tendrá que pedirles cuentas. Siglo XXI, 18 de Agosto de 2000 <http://www.sigloxxi.com/>

GUATEMALA: DENUNCIAN CORRUPCIÓN EN AUTORIDAD PARA EL MANEJO SUSTENTABLE DE LA CUENCA Y EL LAGO DE AMATITLÁN

Tráfico de influencias, nuevas licitaciones concesionadas a Servicios de Jardinería de la Cruz, sobrevaloración de obras e incumplimiento de contratos, son otras irregularidades halladas por auditores de la Presidencia en la Autoridad para el Manejo Sustentable de la Cuenca y el Lago de Amatitlán (Amsa), durante la gestión de Evelyn Reyna Chacón. La nueva documentación a la que tuvo acceso Siglo Veintiuno y que incluye un informe firmado por Adolfo Efraín Reyes López, asesor del Ejecutivo, fechado 28 de abril del 2000 y dirigido a Arturo Ruiz Wong, jefe de la Unidad Financiera de la Gerencia de la Presidencia, concluye: Los procesos de contratación de bienes y servicios en Amsa para 1999 fueron realizados de forma ilegal en todos sus aspectos, con el fin de obtener beneficios propios para las autoridades de dicha institución y de un grupo de empresarios. Como argumento, el estudio señala: En todos los procesos de cotización se invitaron a las mismas compañías, lo que denota un mercado preferitismo e imparcialidad en las adjudicaciones. Siglo Veintiuno buscó ayer la opinión de Reyna Chacón; empero, Isabel Casas, quien actúa como intermediaria entre la aludida y los medios de comunicación, sostuvo que, de ahora en adelante, la ex funcionaria hablará sólo en presencia de su abogado. Una auditoría realizada por la Presidencia en Amsa reveló que, durante la gestión de la referida, la entidad gubernamental concesionó obras a socios de la ex funcionaria, así como que la infraestructura de la dependencia estatal fue utilizada para promocionar a Construnatura, ente no lucrativo presidido por Reyna Chacón. Además, se descubrió que la firma Servicios de Jardinería de la Cruz, ganadora de varios concursos, es propiedad del hijo de una conserje de Amsa y que, según el informe de Reyes López, tendría alguna relación con Reyna Chacón. El estudio citado también advierte que el gerente de Opcion 3 S.A., que licitó

trabajos para Amsa por 987,735.00 quetzales, es Sergio R. Chávez, ex esposo de Reyna Chacón, versión que no se pudo confirmar con el aludido, pues no se encontraba en los momentos en que se le llamó a su trabajo. El reporte añade que algunas empresas contratadas por Amsa incumplieron los plazos establecidos en los contratos, sin que se les aplicaran las multas correspondientes. Luis Mijangos, secretario general de la Presidencia, no descartó que Reyna Chacón haya incurrido en colusión, tráfico de influencias y violaciones a la Ley de Contrataciones del Estado. De esa cuenta, añadió, se revisan todos los contratos para hablar con las empresas ganadoras y verificar que los montos pagados coincidan con las obras ejecutadas. Siglo XXI, 22 de Agosto de 2000 <http://www.sigloxxicom/>

GUATEMALA: ECUATORIANO NAPOLEÓN SALTOS GALARZA, ALTERACIÓN DE LEY ``ES UN ACTO CLARO DE CORRUPCIÓN``

Manipular una ley cuando están en juego intereses de carácter económico es un acto de corrupción", afirmó ayer Napoleón Saltos Galarza, representante de la lucha anticorrupción de Ecuador. El experto, quien tuvo participación activa en el derrocamiento de los ex presidentes ecuatorianos Jamil Mahuad y Abdalá Bucaram, analizó el controvertido caso de la alteración del Decreto 43-2000, Ley del Impuesto a la Distribución de Bebidas Alcohólicas y Gaseosas, caso conocido como "Guategate", en el cual hay indicios de culpabilidad de varios legisladores del oficialista partido en el congreso FRG (Frente Republicano Guatemalteco). El experto ecuatoriano analizó la situación durante su disertación en un foro anticorrupción realizado ayer en el Gran Teatro Nacional Miguel Angel Asturias. Guatemala, refirió, "desgraciadamente", no escapa a la tendencia peligrosa e ilegítima de vinculación entre intereses económicos de sectores beneficiarios con los políticos. "Cuando esto sucede, pueden darse fenómenos como el que hoy día observamos de alteración de resoluciones para imponer intereses particulares", dijo. El ecuatoriano consideró que el caso de la alteración legislativa debe ser discutido seriamente por los guatemaltecos; "nosotros, como observadores internacionales, simplemente pudimos constatar que hay indicios de responsabilidades que tendrían que ser solventadas internamente", añadió. Para Saltos ahora toca el turno a las autoridades judiciales, quienes deberán determinar las responsabilidades en este hecho. "Más allá del aspecto jurídico, hay una responsabilidad política que afecta la credibilidad del Congreso, y de la propia ley", expresó. A la vez, recomendó al ente investigador actuar con transparencia y evitar la interferencia de otros poderes del Estado. La Prens Libre, 18 de Agosto de 2000 <http://www.prens Libre.com.gt/>

GUATEMALA: EN ESCÁNDALO DE ALTERACIÓN DE UNA LEY. CAIGA QUIEN CAIGA ACATAREMOS RESOLUCIÓN -PRESIDENTE PORTILLO-

Su promesa de respetar el resultado de las investigaciones y su decisión de aceptar el fallo de los órganos correspondientes, caiga quién caiga, ofreció ayer el presidente Alfonso Portillo, al responder algunas de las inquietudes sobre las supuestas ilegalidades de la ley de bebidas alcohólicas. Adicionalmente, el vicepresidente Juan Francisco Reyes López estimó que toca a los acusadores probar las presuntas anomalías, pues, recordó, nadie es culpable hasta que se pruebe lo contrario. El Ministerio Público tiene la investigación y a nosotros no nos queda más que acatar la resolución, destacó Portillo, mientras reiteró que el Ejecutivo publicó el decreto tal y como llegó del Congreso. Agregó que el partido al que pertenece (Frente Republicano Guatemalteco es respetuoso de la ley, por lo que caiga quien caiga acatará lo resuelto, en alusión a un eventual fallo de culpabilidad contra el general Efraín Ríos Montt actual presidente del congreso. Siglo XXI, 23 de Agosto de 2000 <http://www.sigloxxi.com/>

GUATEMALA: ORGANISMO JUDICIAL CREA JUNTA DISCIPLINARIA PARA EVITAR ACTOS DE IMPUNIDAD, NEGLIGENCIA Y CORRUPCIÓN

Con el propósito de evitar actos de impunidad, negligencia y corrupción de los operadores de justicia del Organismo Judicial, OJ, fueron juramentados ayer los integrantes de la primera Junta Disciplinaria de ese poder. La actividad se llevó a cabo en horas de la mañana, allí donde estuvieron presentes el presidente de ese organismo, José Quesada Fernández, y los demás magistrados. El funcionario explicó que dicha ley establece tres procedimientos importantes, como los requisitos para ingresar a la Carrera Judicial y el procedimiento de evaluación. Agregó que un tercer punto es el proceso disciplinario, que enmarca cuáles podrían ser las sanciones para los jueces a quienes se compruebe su responsabilidad en una falta, que oscila desde una sanción verbal hasta ser separado del cargo. "En la Carrera Judicial está contemplado necesariamente el aspecto disciplinario, por ello creemos que esta comisión garantizará una disciplina sumamente rígida", enfatizó. "Si fuera necesario, en el análisis de las denuncias contra los jueces participará la Supervisión de Tribunales", expuso Quesada Fernández. Asimismo, indicó que hasta el momento no hay un lugar específico para instalar a los seis miembros de la Junta Disciplinaria, quienes hoy iniciarán formalmente sus funciones, por lo que en principio trabajarán en el edificio de la CSJ. Los profesionales nombrados como magistrados titulares son Telma Esperanza Aldana Hernández, Carlos Rubén García Peláez. De suplentes, Zully Eugenia Cantoral Arango, Héctor Mauricio Rodríguez Argueta. Además, la jueza titular, Rosalba Corsantes Zúñiga de Muñoz, y el juez suplente Jorge Mynor Acevedo. Dichos funcionarios se desligarán de sus anteriores cargos, y ejercerán funciones durante un año. Prensa Libre, 22 de Agosto de 2000 <http://www.prensalibre.com.gt/>

HONDURAS: INVESTIGAN EX JEFES MILITARES DE HONDURAS POR MALVERSACIÓN

Cuatro antiguos jefes de las fuerzas armadas de Honduras son investigados por malversación de fondos públicos, informó una funcionaria de un organismo contralor. La investigación fue revelada por la contralora Vera Rubí coincidiendo con un escándalo que involucra al último ex jefe de las fuerzas armadas, general retirado Mario Hung, por el presunto extravío de unos ocho millones de lempiras (537.673 dólares) del Instituto de Previsión Militar (IPM). La Contraloría investiga a los últimos cuatro jefes de las fuerzas armadas que ocuparon el cargo de 1986 a 1998, entre 12 casos de presunta corrupción de funcionarios públicos. Rubí dijo que en las investigaciones de los mandos castrenses se descubrieron "irregularidades que tienen que documentarse", pero "es un poco complicado si no tenemos informaciones fidedignas de los bancos, porque no hemos podido confirmar algunos cheques". La funcionaria formuló la existencia de "irregularidades" en la administración de los fondos militares en estos cuatro mandatos en una conferencia de prensa en la que anunció su dimisión al cargo a partir del martes para lanzarse por la nominación presidencial del gobernante Partido Liberal. Los otros antiguos jefes de las fuerzas armadas que son investigados por la Contraloría son los generales retirados Arnulfo Cantarero, Humberto Regalado y Luis Discua. El cargo de jefe de las fuerzas armadas, que en las décadas de 1960, 1970 y 1980 fue de mayor poder e influencia que los mismos mandatarios civiles, fue suprimido en 1998 y sustituido por el de un ministro de Defensa. Hung se encuentra involucrado en un escándalo de presunta malversación de caudales del IPM, un organismo que nuclea una serie de empresas bajo control militar y cuyo fondos se destinan a pagar las jubilaciones de los militares retirados. La actual administración del IPM asegura que cuando la junta directiva del cartel la presidía Hung se pagaron unos 5,2 millones de lempiras (336.021 dólares) en efectivo por pago de impuestos a la alcaldía de Tegucigalpa. Los funcionarios del IPM dicen que los fondos salieron del organismo, pero los de la alcaldía aseguran que

no los recibieron. Hung aseguró el martes que autorizó el desembolso de los fondos para pagar los impuestos. La Nación, 18 de Agosto de 2000 <http://www.nacion.co.cr/>

HONDURAS: LA FISCALÍA GENERAL ACUSA AL INSTITUTO DE PREVISIÓN MILITAR DE CORRUPCIÓN ECONÓMICA

La Fiscalía General de Honduras ha determinado que el Instituto de Previsión Militar (IPM), ha realizado acciones de corrupción económica. Al momento existe un faltante de más de medio millón de dólares. Los principales comprometidos en este dolo son justamente los directores del IPM, los cuales administraban personalmente dichos recursos. El general Mario Hung Pacheco, el ex todopoderoso comandante el jefe de las Fuerzas Armadas, hasta 1999, ha dicho que él no tiene nada que ver en este asunto. Los demás exdirectores del Instituto de Previsión tampoco asumen sus responsabilidades, y más aún, exigen a la alcaldía de Tegucigalpa la devolución de dichos recursos y con un interés del 25% anual. Esto ha sido rechazado por las autoridades civiles de la capital hondureña. Las Fuerzas Armadas y en especial el Instituto de Previsión Militar es considerada como uno de los emporios comerciales más grandes de Honduras, el octavo del país. Su capital se estima en unos 300 millones de dólares, dinero que siempre fue manejado por los comandantes militares como dinero propio y de él sacaban pingües ganancias. Informativos Net, España (Hn/LY/Mt/Ppc/mc), 24 de Agosto de 2000 <http://www.informativos.net/>

HONDURAS: MINISTRO DE SEGURIDAD COMBATIRÁ LA CORRUPCIÓN POLICIAL

El ministro de Seguridad de Honduras, Gautama Fonseca, dijo el miércoles que combatirá la corrupción en la policía y que enjuiciará a cualquier efectivo cuya culpabilidad sea demostrada. Fonseca, un respetado abogado de 68 años, dijo que si a los policías se les encuentra en violación de la ley, ``van a padecer las consecuencias, no se tratará solamente de despidos, sino de seguirle el juicio que corresponda por corrupción``. Fonseca, nombrado el martes nuevo ministro de Seguridad por el presidente Carlos Flores, asume el cargo en medio de una ola de violencia delictiva en Honduras, con asaltos frecuentes a bancos, secuestros, robos de vehículos, asaltos callejeros, atentados y otros crímenes. El clima de inseguridad se acentuó tras descubrirse que dos oficiales de la policía estaban ligados a bandas de narcotraficantes y se suspendió a otros dos. Mientras, el subdirector de la policía, Andrés Urtecho, pidió dos meses de excedencia mientras es sujeto de investigación. Pero Fonseca dijo que la culpa deben asumirla, también, quienes sobornan a los efectivos policiales para evadir castigo por alguna transgresión. Tanto organismos estatales como privados de defensa de los derechos humanos han reclamado al gobierno la depuración de la policía, que estuvo bajo mando de los militares desde 1963 hasta 1998, cuando un civil asumió el cargo de ministro de Seguridad. Noticias Yahoo, (Reuters), 24 de Agosto de 2000 <http://espanol.yahoo.com/noticias/>

INDONESIA: EX PRESIDENTE SUHARTO SERÁ JUZGADO EL 31 DE AGOSTO POR CORRUPCIÓN

El ex presidente de Indonesia caído en desgracia, Suharto, será juzgado por corrupción el 31 de agosto y tendrá que sentarse en el banquillo a pesar de los informes sobre su delicado estado de salud, dijo miembro del tribunal el miércoles. La acusación dice que, al menos, 130 personas serán llamadas para testificar en el que será el juicio del siglo en Indonesia. "Suharto debe someterse a juicio. He dicho que ordenaré a los abogados que le hagan acudir al juicio", dijo el juez jefe, Lalu Mariyun, de la Corte del Sur de Yakarta, en una rueda de prensa. El fiscal general del Estado ha acusado formalmente a Suharto de apoderarse de más de 550 millones de dólares (unos 100.000 millones de

pesetas) procedentes de fundaciones de caridad durante su paso por el poder. Los abogados de Suharto han declarado que su cliente estaba demasiado enfermo para someterse a un juicio, alegando que tiene problemas para contestar a cuestiones básicas. El ex general sufrió un ataque el pasado año y tuvo que ser hospitalizado por otro suceso. La presencia del viejo déspota en un banquillo será una imagen extraordinaria para los ciudadanos, muchos de los cuales no habían conocido a otros líder hasta que fue obligado a dejar el poder en 1998 ante las graves crisis económica y de violencia que estalló en el país. Esto profundizará en la humillación para el hombre que dirigió los destinos de Indonesia durante 32 años hacia un crecimiento económico y una estabilidad política sin precedentes que llevó a cabo con mano de hierro y con constantes violaciones de los derechos humanos. La acusación ha dicho que Suharto se enfrenta a más de 20 años de cárcel y a una multa de 30 millones de dólares. Otros funcionarios habían comentado previamente que Suharto podría ser encarcelado de por vida. Sin embargo, el presidente de Indonesia Abdurrahman Wahid ha dicho que perdonaría a Suharto si es condenado. Suharto y su familia han sido acusados de amasar una fortuna a través de prácticas de corrupción valorada en más de 45.000 millones de pesetas durante su mandato. Todos ellos han negado haber actuado de forma errónea. El cuarto país más poblado del mundo sigue luchando por recuperarse de la crisis que marcó el fin de la era de hierro de Suharto. Se ha producido una fuerte presión pública para sentar a Suharto en el banquillo y analistas políticos han declarado que el gobierno ha tenido que aceptar esta petición ante el temor de enfrentarse a nuevas protestas callejeras. En todo caso, algunos dicen que un posterior indulto probablemente sería aceptado por la mayoría aunque podría provocar protestas estudiantiles. Noticias Yahoo España, (Reuters), 23 de Agosto de 2000 <http://es.news.yahoo.com/>

ISRAEL: LÍDER DEL PARTIDO ULTRAORTODOXO DEBERÁ IR A LA CÁRCEL POR CORRUPCIÓN

Los líderes del partido ultraortodoxo sefardí Shas acogieron ayer con gran violencia verbal la decisión del presidente del Tribunal Supremo de Israel, Aharon Barak, de rechazar la apelación que había presentado el ex-ministro Arie Deri, condenado a tres años de prisión por corrupción. La decisión significa que Deri no tiene derecho a un nuevo juicio y deberá ingresar en la cárcel el próximo 3 de septiembre. En gran medida, la decisión de Aharon Barak (sin relación con el primer ministro Ehud Barak) provocó un guerra de declaraciones entre judíos ashkenazis, es decir, de origen europeo, y judíos sefardíes, o sea, judíos de origen oriental y de la península ibérica. El Comercio, España, 24 de Agosto de 2000 <http://www.elcomerciodigital.com/>

MÉXICO: CONSIGNADAS 877 DENUNCIAS POR DESVÍOS DE RECURSOS FEDERALES EN PROCESOS ELECTORALES

La Comisión Especial 2000 encargada de vigilar que no se desvíen recursos federales a los procesos electorales, entregó su informe final donde consignó que recibió 877 denuncias formales, de las cuales 407 ya son investigadas por las autoridades y dependencias mientras las 385 restantes fueron desechadas por improcedentes. Los programas sociales más denunciados fueron: Progresá, Procampo, Alianza para el Campo, Diconsa, Liconsa, Empleo Temporal, Crédito a la Palabra, Fonden y Conaza. Las dependencias y organismos más señalados por un presunto desvío de recursos públicos hacia las campañas son las secretarías de Desarrollo Social, Agricultura, Medio Ambiente, Defensa Nacional, Relaciones Exteriores así como Petroleos de México (PEMEX), Instituto Mexicano de Seguridad Social (IMSS), El Servicio Postal Mexicano (Sepomex), Comisión para la Regularización de la Tenencia de la Tierra (Corett), Comisión Nacional del Agua (Conagua), Comisión Federal de Electricidad (CFE), Instituto del Fondo Nacional de la Vivienda para los

Trabajadores (Infonavit) y Desarrollo Integral de la Familia (DIF). Con motivo de las inundaciones en Tabasco la Cámara de Diputados recibió denuncias por un presunto desvío de la ayuda a los damnificados con fines proselitistas, que están pendientes todavía de analizarse y determinar si hay elementos para fincar responsabilidades. En un reporte firmado por todas las fracciones -menos el PRI- los diputados concluyen que la negativa de las autoridades gubernamentales de los 3 niveles a vigilar y prevenir el desvío de recursos públicos con fines electorales "ha sido resultado de la costumbre de utilizar los programas sociales para beneficio del Partido Revolucionario Institucional, siendo en repetidas ocasiones éstos los mejores medios para hacer proselitismo a favor de sus candidatos tricolores". El texto que aparece en la Gaceta Parlamentaria los diputados salientes de la LVII legislatura recomiendan a sus sucesores "prevenir y sancionar" el uso ilegal de recursos del erario hacia las campañas electorales. El Excelsior, 22 de Agosto de 2000 <http://www.excelsior.com.mx/>

MÉXICO: CONTRALORÍA GENERAL INVESTIGA LICITACIONES EN LA SECRETARÍA DE SEGURIDAD PÚBLICA

La Contraloría General del Distrito Federal investiga a funcionarios de la Secretaría de Seguridad Pública, del área de adquisiciones, a raíz de las distintas quejas, inconformidades y denuncias que proveedores han interpuesto en su contra. La Contraloría del gobierno capitalino informó, que a pesar de que no se han podido corroborar presuntos actos de extorsión y corrupción por parte de los servidores públicos, ha llamado la atención que en los últimos 12 meses, por lo menos cinco empresas han presentado varios recursos de inconformidad respecto de las asignaciones de las licitaciones en ha emitido esa dependencia. El común denominador que prevalece en cada una de las quejas por parte de los proveedores, es en el sentido de que los encargados de otorgar las licitaciones benefician, de manera dudosa, a determinadas empresas. Esto ha originado que por lo menos este año la SSP no podrá adquirir 8 mil 771 chalecos antibala, 4 helicópteros y motopatruillas, debido a que los recursos destinados a estas licitaciones están "congelados" porque forman parte de juicios mercantiles y penales. A raíz de estas inconformidades, la Contraloría capitalina reconoció que se encuentran sujetos a investigación, Joel Santana Benhumea, director de Recursos Materiales; Federico Cecchetti Peregrini, subdirector de Adquisiciones; capitán piloto aviador, Carlos Antonio Medina Carrasales, director de Servicios Aéreos y Genaro Pérez Rocha, director general de Servicios de Apoyo, de la SSP. El Universal, 23 de Agosto de 2000 <http://www.el-universal.com.mx/>

MÉXICO: NO APLICARÁN CASTIGO A EX FUNCIONARIOS CORRUPTOS

Los diputados locales recibirán hoy un informe para conocer las causas que provocaron que prescribieran 300 expedientes de ex servidores públicos que laboraron durante la administración de Óscar Espinosa Villarreal. Más de 80 ex servidores públicos que trabajaron durante 1995 y 1996 en la gestión del ex regente no serán castigados ni encarcelados por cometer irregularidades administrativas o actos de corrupción, porque sus casos no fueron bien integrados para que la autoridad judicial actuara en su contra y a tiempo. Desde principios de este mes, los diputados que integran la Comisión de Vigilancia de la Contaduría Mayor pidieron una investigación al respecto a la Contraloría Interna de la Contaduría Mayor de Hacienda de la Asamblea Legislativa (CMHALDF), con el fin de que investigara las causas que provocaron esta situación. Trascendió que existe la sospecha de que el Departamento Jurídico de la misma Contaduría tuvo algo que ver en este problema, desde la gestión de la ex contadora Araceli Pitman y en la actual administración a cargo de Carlos Nava. Hay otras versiones que señalan que la actual Ley Orgánica de la Contaduría Mayor de Hacienda tiene diversos errores que obstaculiza la integración de los expedientes y que se entreguen a

tiempo. En días pasados, José Narro sostuvo que con la información que van a solicitar sabrán si existe o no responsabilidad por parte de algún funcionario de la Contaduría Mayor o de la Contraloría General del gobierno capitalino. Por su parte, los legisladores perredistas Miguel Ángel Peláez y Ricardo Martínez Atalá, explicaron que durante la reunión de trabajo esperan conocer los resultados finales de esa investigación porque no es justo que ex servidores no sean sancionados, en caso de que hayan cometido algún acto de corrupción. El Universal, 22 de Agosto de 2000 <http://www.el-universal.com.mx/>

NICARAGUA: CIUDADANOS NICARAGÜENSES PIENSAN QUE VIVEN EN EL SENO DE UN ESTADO CORRUPTO

Un informe sobre Desarrollo Humano en Nicaragua, dado a conocer por el Programa de las Naciones Unidas para el Desarrollo PNUD, afirma que el 90 por ciento de los ciudadanos nicaragüenses perciben que existe corrupción en el Estado. El informe expresa que la pobreza afecta casi a la mitad de la población. De estas un 17 por ciento se encuentra en la extrema pobreza, además de no contar con los servicios básicos como energía eléctrica, transporte y comunicaciones, entre otros. Asimismo, el PNUD, señala que el acceso de la población a los beneficios de apertura económica y a las nuevas tecnologías de comunicación están profundizando la brecha entre ricos y pobres, que habitan en los sectores urbanos y las zonas rurales. Por su parte Ana Quiroz, presidenta de la Coordinadora Civil para la Emergencia y la Reconstrucción, CCER, refutó las declaraciones del gobierno en el sentido de que los "nicaragüenses estamos mejor que hace algunos años atrás". Quiroz se preguntó: ¿dónde está la gente que ha mejorado? En este sentido, consideró poco confiables los datos en donde se menciona como logro, el hecho que se hayan mantenido los niveles de educación. Con el crecimiento poblacional, aunque se mantenga la cobertura en la enseñanza, también aumentan los niños y niñas que se quedan sin educación, indicó Ana Quiroz. Sobre la estrategia del gobierno, para la reducción de la pobreza Ana Quiroz, consideró que la corrupción y la pobreza son el principal obstáculo para el desarrollo. Esto se refleja en el incremento del desempleo, la migración y las difíciles condiciones de vida de la mayoría de nicaragüenses, indicó. Informativos Net, España (Ni/QR/Ong-Oi/Pe/mc), 22 de Agosto de 2000 <http://www.informativos.net/>

NICARAGUA: INFORME DE PROGRAMA DE NACIONES UNIDAS REFLEJA PERCEPCIÓN GENERALIZADA DE CORRUPCIÓN Y CRECIDA POBREZA

En general, la opinión de la ciudadanía expresada en encuestas anuales desde 1997 al 2000, han mostrado que cerca del 90 por ciento de los ciudadanos perciben que existe corrupción en el Estado. Este es uno de los datos reflejados en el informe de Desarrollo Humano en Nicaragua 2000, presentado por el Programa de Naciones Unidas para el Desarrollo (PNUD). El informe también expresa que la pobreza afecta casi la mitad de la población, un equivalente a 2.3 millones de personas. De éstas, un 17 por ciento, o sea 830 mil, se encuentran en la extrema pobreza. Así mismo se señala que a consecuencia de dos décadas de bajas inversiones, existe una infraestructura inadecuada en energía, transporte y comunicaciones. El acceso desigual de la población a los beneficios de la apertura económica y a las nuevas tecnologías de comunicación están profundizando la brecha entre ricos y pobres, entre las personas capacitadas y las carentes de formación, de los sectores urbanos y las zonas rurales. Aunque el documento muestra algunas dificultades del país, también fue altamente refutado por recalcar avances sociales que Ana Quirós, la presidenta de la Coordinadora Civil para la Emergencia y la Reconstrucción (CCER), consideró poco confiables. En el campo de la construcción de una democracia participativa y un Estado de Derecho, Nicaragua presenta avances en algunos campos, pero también muestra una institucionalidad frágil. Además, en

ámbito del medio ambiente menciona que de continuar la ampliación de la frontera agrícola, el país tendrá más amenazas y riesgos de desastres naturales. Ante la falta de oportunidades en el país, la migración se convierte en un recurso para asegurar la sobrevivencia. Las remesas familiares de 1999 se calculan entre 300 millones y 600 millones de dólares. Por su parte, Carmelo Angulo Barturen, representante del PNUD, dijo que "la cooperación externa no llegó para quedarse. Esto puede crear vicios. Es importante que Nicaragua se desarrolle para que el país logre salir adelante por sí sola". Agregó que el informe del PNUD no es acusador, sino que presenta datos que puedan servir de base para que el país incida en los aspectos primordiales. El Nuevo Diario, 18 de Agosto de 2000 <http://www.elnuevodiario.com.ni/>

NICARAGUA: PRESIDENTE ARNOLDO ALEMÁN, INCAPAZ DE COMBATIR LA CORRUPCIÓN SEGÚN ENCUESTA

Más de 72 por ciento de los nicaragüenses piensa que el Presidente Arnoldo Alemán ha sido incapaz de combatir la corrupción durante sus tres años de gobierno, según una encuesta de la firma costarricense Cid-Gallup divulgada hoy aquí. El sondeo, efectuado entre 1,245 personas de todo el país a inicios de este mes, reveló que 24 por ciento de la población considera "mala" la gestión del Mandatario para disminuir los ilícitos en el gobierno, mientras 48.3 por ciento la calificó como "pésima". Solamente uno por ciento de los encuestados catalogó de "excelente" la labor del Presidente y 7.5 opinó que es "buena", de acuerdo a la consulta que abordó diversos problemas locales y la opinión popular sobre las autoridades y líderes políticos del país. Para 42 por ciento de los consultados, las condiciones de vida (pobreza y desempleo) han empeorado en Nicaragua desde que Alemán asumió la Presidencia en 1997. Consultado sobre la encuesta, cuya primera parte fue publicada ayer en medios locales, Alemán desestimó las cifras que indican una baja popularidad del gobierno y del oficial Partido Liberal Constitucionalista (PLC) de cara a los comicios municipales del próximo 5 de noviembre. "El 5 de noviembre va a ser la mejor encuesta y la más verdadera", dijo al asegurar que en los comicios el PLC obtendrá más de 100 de las 147 alcaldías del país. "Mi partido ha hecho obras y el pueblo lo ve, no necesita encuestas para ganar", dijo. El Excelsior, México (DPA, Xinhua y AP) 24 de Agosto de 2000 <http://www.excelsior.com.mx/>

PANAMÁ: ``CONTRALOR DEBE ABSTENERSE DE PRONUNCIAMIENTOS APRESURADOS SOBRE INVESTIGACIÓN CONTRA ALTOS FUNCIONARIOS``

Las tensiones entre la Contraloría y la Directiva de la Caja de Seguro Social no bajan de intensidad. Mientras el Subcontralor Enrique Lau anuncia "nuevos hallazgos" en la investigación promovida contra altos funcionarios de la Institución, éstos le exigen a la agencia fiscalizadora que se abstenga de pronunciamientos apresurados. Luis A. González González la Junta Directiva de la Caja de Seguro Social, por votación unánime, decidió pedir al Contralor General de la República, Alvin Weeden, que se abstenga de hacer algún pronunciamiento en cuanto a las investigaciones que adelanta sobre supuestos nuevos "hallazgos" en el Seguro, hasta tanto se hayan concluido las mismas y se cumpla fehacientemente con el debido proceso legal. La decisión fue dada a conocer mediante nota dirigida al Contralor, la cual fue leída y entregada a los medios de comunicación social por el presidente de la Junta Directiva, Rafael Medina, luego de culminar la sesión ordinaria de esta semana que duró casi cinco horas. Los demás miembros de la Junta estuvieron presentes. Asimismo, la decisión fue acordada por los directores después de que el Subcontralor, Enrique Lau, quien actuó como principal en la reunión, se retiró del salón tras manifestar que la Contraloría lleva a cabo una investigación "sobre hallazgos graves" dentro de la CSS que aparentemente involucra a altos funcionarios de la Institución. Cabe señalar que el director del Seguro, doctor Juan Jované, reiteró su interés de seguir

cumpliendo con su trabajo como hasta ahora lo hace. De hecho, la Junta Directiva de la Caja aprobó, en la misma votación, pedir también un informe relacionado a los señalamientos expresados por el Subcontralor en dicha sesión. Lau, quien estuvo sólo por unas horas en la Junta no quiso adelantar mayores detalles sobre el caso al salir del salón de reuniones. Igualmente, la nota señala que al Subcontralor le fue aclarado que en ningún momento se ha pedido una investigación en su contra, tal como lo publicó un diario local, por lo que tampoco existe ninguna acción interna que lo involucre. El Siglo, 18 de Agosto de 2000 <http://www.elsiglo.com/>

PANAMÁ: AUDITORÍA CONFIRMA ANOMALÍAS EN PASADA GESTIÓN DE LA CAJA DE SEGURO SOCIAL

El ex director de Relaciones Públicas de la Caja de Seguro Social (CSS) Santiago Quiróz contrató, mientras ocupó ese cargo, los servicios de tres empresas del mismo grupo comercial, cuyos directivos eran allegados suyos, según señala un informe preliminar de auditoría de la Contraloría que está próximo a ser concluido, informaron fuentes allegadas a las investigaciones. Consultado al respecto, Santiago Quiróz -en declaraciones previas- negó haber cometido tales irregularidades, y además aseguró que cuando las autoridades competentes lo consideren prudente, explicará las dudas surgidas en torno a su actuación como jefe de Relaciones Públicas de la CSS. Los trabajos de auditoría ya culminaron, aseguró una de las fuentes, y ahora se entrará en la etapa de recepción de declaración a las personas presuntamente relacionadas con estas anomalías. Entre estas anomalías hay cheques pagados sin documentos sustentadores por un monto de 220 mil 919 dólares con 10 centésimos. Culminada esta fase, explicó, se procederá a enviar el informe final al contralor, Alvin Weeden Gamboa, y éste le dará traspaso a las instancias judiciales correspondientes. De acuerdo con la fuente, el estudio consistió en la evaluación de la metodología utilizada por Relaciones Públicas de la Caja para la adquisición de bienes y servicios a través del proceso de compras menores; la verificación de las partidas presupuestarias comprometidas por el Departamento de Presupuesto y los pagos efectuados por la Dirección Nacional de Contabilidad. Las empresas beneficiadas con estos negocios son Corporación de Publicidad, S.A., Publich Photo, S.A., y Publich Production, S.A. Según el Registro Público -se anota en el informe- en las tres empresas aparecen como directivos Enith Marlene Atencio, Melva Flores y Elizabeth Atencio. Enith Marlene Atencio, según otras fuentes, es la prometida de Quiróz, mientras que Elizabeth Atencio es una de las hermanas de ésta. Melva Flores, por su parte, mantiene una relación de amistad con todos ellos. Tal relación fue negada igualmente por Quiróz. Los pagos de las órdenes de compras emitidas para la adquisición de panfletos, afiches, revistas y otros, realizadas por el departamento de Relaciones Públicas de la CSS, según el informe, totalizaron 234 mil 754 con 60 centésimos, y los beneficiados fueron los parientes de Quiróz. En la auditoría se descubrió, asimismo, la existencia de cheques pagados sin los documentos sustentadores y se encontró la utilización de partidas presupuestarias de otros departamentos, sin hacerse las transferencias correspondientes. Igualmente el estudio reflejó la división de la materia en las compras efectuadas que no permitieron la debida competencia y ello -a juicio de los funcionarios de Contraloría- "le restó transparencia a los procesos" al no publicarse en los medios escritos y evitó, a su vez, la participación de mayores oferentes. Por ejemplo, el 5 de noviembre de 1998 se emitió una orden de compra sin número a favor de la empresa Corporación de Publicidad para el suministro de 250 afiches, y esta presentó una cotización por un valor de mil dólares, pese a que la empresa ALFLO, S.A. había cotizado la suma de 680 dólares. A juicio de los auditores de Contraloría, en casos como el señalado "no se veló por los mejores intereses de la institución, al elegirse a un proveedor con un precio mayor". De igual forma, el 27 de noviembre de 1998 se suscribió una orden de compra a favor de Publich Photo, S.A. por 3 mil 780 dólares para el suministro de 5 mil panfletos,

sin embargo, el cheque de pago salió a nombre de Corporación de Publicidad, S.A., sin que mediara cesión de pago a favor de esta última. Quiróz, quien en la actualidad labora como asesor de los magistrados del Tribunal Electoral (TE), asumió la jefatura de Relaciones Públicas de la Caja tras la llegada de Ricardo Martinelli a esa institución. Durante la pasada campaña proselitista, ejerció funciones en la jefatura de prensa del aspirante presidencial Martín Torrijos. La fuente allegada a las investigaciones en la Contraloría fue enfática al señalar que "se han acreditado todas las irregularidades. Si están allí [consignadas] es porque esas irregularidades están probadas". La Prensa, 21 de Agosto de 2000 <http://www.sinfo.net/prensa/>

PANAMÁ: CONTRALOR DE LA REPÚBLICA ANUNCIA INVESTIGACIÓN CONTRA EL SUBCONTRALOR LAU

El Contralor de la República, Alvin Weeden, anunció en conferencia de prensa la iniciación de un proceso de investigación al Subcontralor Enrique Lau, debido a denuncias de que el mismo cuando fungía como subdirector de la CSS, recibió un equipo valorado en no menos de un millón de balboas, sabiendo que estaba incompleto. Según el Contralor Weeden estas investigaciones no se realizarán porque directivos de la Caja de Seguro Social lo hayan solicitado, sino porque el mismo Subcontralor Lau, se lo pidió. A la vez manifiesta Weeden que en días anteriores el Subcontralor puso a disposición de su cargo (del Contralor), para que realizara estas investigaciones. Las declaraciones del Contralor Weeden surgen luego de que directivos de la Caja de Seguro Social emitieran una información en donde pedían a éste investigaran al Subcontralor, lo cual él desmintió. En informaciones sobre el caso, se da a conocer que los representantes de la empresa que entregó el equipo a la CSS (Tomógrafo axial), prefirieron no comentar nada sobre el asunto, pero una fuente de entero crédito mencionó que el equipo entregado cumplía con los requisitos exigidos y que de ello pueden dar fe consultores internacionales que así lo certificaron. Un memorándum que se refiere al Informe sobre la gestión realizada con referencia al recibo del tomógrafo axial computarizado, describe la forma como Lau favoreció la admisión del aparato y desatendió instrucciones de Marianela Morales (quien en la época fungía como directora de la CSS). El Siglo, 18 de Agosto de 2000 <http://www.elsiglo.com/>

PANAMÁ: CONTRALORÍA CITA A EX JEFE DE RELACIONES PÚBLICAS DE LA CAJA DE SEGURO SOCIAL PARA QUE ACLARE PRESUNTAS IRREGULARIDADES

La Contraloría General citó a Santiago Quiróz, ex jefe de Relaciones Públicas de la Caja de Seguro Social (CSS), con el fin de que "aclare" su participación en el manejo presuntamente irregular en el proceso de compras efectuado por ese departamento entre los años 1998 y 1999. Tal información fue facilitada por una fuente allegada a las investigaciones, quien aseguró que la referida citación está suscrita por el propio contralor, Alvin Weeden Gamboa. Dicha citación, explicó la fuente, está dirigida a que Quiróz, quien ejerce funciones de asesoría de los magistrados del Tribunal Electoral (TE), tenga la oportunidad de facilitar los documentos que aclaren las anomalías registradas. La Contraloría realiza una investigación destinada a determinar responsabilidad en el proceso de compra llevado a cabo en el referido departamento de la CSS, cuando Quiróz ejercía las tareas de jefe del aludido departamento. Según las diligencias, recordó el informante, en el departamento de Relaciones Públicas de la CSS durante el período mencionado se efectuaron pagos por bienes, cuya recepción no está debidamente documentada con sus informes y las correspondientes facturas. Quiróz, mientras ocupó ese cargo, contrató los servicios de tres empresas del mismo grupo comercial, cuyos directivos eran allegados suyos, según las investigaciones realizadas por la Contraloría. Entre las pruebas hay cheques pagados sin los documentos sustentadores y se encontró la utilización de partidas

presupuestarias de otros departamentos, sin hacerse las transferencias correspondientes. La Prensa, 22 de Agosto de 2000 <http://www.sinfo.net/prensa/hoy/>

PARAGUAY: ASUMIÓ NUEVO CONTRALOR Y PROMETE INVESTIGAR A SU ANTECESOR. DESPIDEN A FRETES VENTRE CON EL GRITO DE CORRUPTO

La salida del ex contralor fue tan tumultuosa, tal como lo fue una gran parte de su administración. Entre empujones, empellones y gritos de ¡bandido, corrupto! por parte de los funcionarios detractores, Daniel Fretes Ventre dejó el cargo que ocupó por cinco años. Su sucesor, Francisco Javier Galiano, abogado de 43 años, anunció que investigará la gestión de su antecesor, quien está acusado de 19 delitos. Una batahola infernal generó la salida de Fretes Ventre de la Contraloría General de la República, luego de la forzada conferencia de prensa que en principio no tenía pensado realizar. Al dejar el local, el ex contralor, en forma increíble y maleducada y ya dentro del automóvil, realizó un "corte de manga" dirigido a los que, en ese momento, se encontraban en el patio de la institución. Este hecho generó una acalorada discusión, para que minutos después se inicie un intercambio de golpes de puño entre los propios funcionarios de la Contraloría, ante la pasiva mirada de los policías presentes en el lugar. Momentos antes, Fretes Ventre en conferencia de prensa y en forma inconcebible, primero acusó a la prensa de ser la culpable de todos los delitos que se lo inculpa y amenazó a aquellos que lo denunciaron, aunque no quiso dar nombres. Más tarde dijo que las denuncias en su contra tienen un interés político, realizado por un grupo de personas, absteniéndose nuevamente de dar nombres. Al tiempo de anunciar transparencia en su gestión, el flamante contralor general de la República, Francisco Javier Galiano, dijo que investigará a su antecesor, quien está acusado de la comisión de unos 19 hechos punibles durante el ejercicio del cargo. Fretes Ventre se "salvó" de la investigación judicial gracias al apoyo de los libero-oviedistas de la Cámara de Diputados, quienes negaron el pedido de desafuero que realizaron autoridades judiciales. Fue luego que la Cámara de Diputados haya tomado el juramento al mismo y al subcontralor, Mario Estigarribia, durante la sesión ordinaria de este cuerpo legislativo. El mismo grupo de diputados que dio una manta de impunidad a Fretes Ventre es el que votó por al candidatura de Galiano para que llegue a la Contraloría. Ayer, luego del juramento, Galiano explicó que una comisión ya está realizando una especie de auditoría a la gestión de Fretes Ventre, a fin de determinar su responsabilidad en los hechos delictivos en los cuales se lo involucra. Diario ABC Color, 18 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PARAGUAY: DENUNCIAN PEDIDO DE COIMAS EN ADUANA DE LA CIUDAD DE MARISCAL

Graves denuncias pesan contra la aduana de la ciudad de Mariscal Estigarribia, donde a diario comerciantes son objeto de amenazas, chantaje y secuestro de documentos para obligarles a la entrega de jugosas coimas. Acorde a la denuncia radicada en la fiscalía local, solamente el último fin de semana los funcionarios aduaneros se apoderaron de 2.300 dólares y dos motores de la marca Honda; todo esto, lógicamente, sin expedir recibo alguno. En el primer caso, la aduana de la ciudad de Mariscal Estigarribia atajó un cargamento de 130.000 kilos de sal fina, proveniente de Bolivia. De los choferes bolivianos Armindo Centro, Rubén Flores y Mario Centro los funcionarios secuestraron la documentación personal, el título de los vehículos (tres camiones) y les obligaron a pagar 300 dólares, sin recibo, acorde a la denuncia realizada posteriormente ante el agente fiscal Gustavo Patiño. El hecho involucra a los funcionarios aduaneros Juan González y Ludserio Borba. El cargamento, que posteriormente fue liberado, entró de esta manera de contrabando al Chaco central, donde fue comercializado. En el segundo caso fue amenazado en la Picada 500 el comerciante

boliviano Freddy Toledo, quien vino con 24 motores de la marca Honda, importados desde Villa Montes, Bolivia. Acorde a la denuncia, el comerciante fue amenazado en la Picada 500 supuestamente por agentes de la Dinar, quienes exigieron el pago de 10.000 dólares. Al no prosperar el chantaje, los agentes habrían avisado a la aduana en la ciudad de Mariscal Estigarribia, donde el cargamento fue atajado. Del chofer secuestraron toda su documentación personal y del vehículo, incluso la factura de la mercadería, que indicaba el valor de la mercadería con un valor de 9.990 dólares. El agente aduanero -en evidente estado de ebriedad, acorde a la denuncia- alegó la ilegalidad de la factura e insistió en que el cargamento era mercadería de contrabando y con un valor de 100 millones de guaraníes. El jefe de la aduana habría exigido el pago de 5.000 dólares y la entrega de algunos de los motores, y en reiteradas ocasiones habría dicho a los comerciantes que "la solución del problema depende de ustedes". Posteriormente, los socios comerciantes Ernst Loewen y Willy Toews trataron de pagar la tasa normal de importación, lo que fue rechazado por el agente aduanero. Del hecho fueron informados después el intendente de Mariscal Estigarribia y la jueza María Teresa Brítez, quien finalmente llegó al lugar del hecho y trató de solucionar el inconveniente. El agente Raúl Villanueva, finalmente, habría cobrado la suma de 2.000 dólares y se apoderó además de dos motores de la marca Honda, todo esto sin documentación alguna, acorde a la denuncia. Al recibir el dinero y la mercadería, los aduaneros devolvieron a los choferes sus documentos. De los hechos fue informado el mismo domingo el funcionario aduanero Sixto Cáceres, de la aduana de Asunción. Estos últimos hechos se suman a una serie de denuncias similares que mantienen en zozobra a comerciantes y empresas de transporte público que tratan de mantener relaciones comerciales con el vecino país a través del Chaco. Fuentes fidedignas aseguran que el puesto aduanero de la ciudad de Mariscal Estigarribia "recauda" por semana entre 10 y 15.000 dólares, manteniendo en zozobra a la población de esta zona del país. Diario ABC Color, 23 de Agosto de 2000 <http://www.abc.com.py/>

PARAGUAY: HARÁN AUDITORÍA EN LA VICEPRESIDENCIA. HABRÍA MANEJO DOLOSO, SEGÚN LEGISLADOR

El Partido Liberal Radical Auténtico (PLRA) está en conocimiento de contrataciones de nuevos funcionarios que se han hecho desde que el cargo quedó vacante. El legislador Espínola informó que la Vicepresidencia ejecutó el 52 por ciento del presupuesto asignado para el presente año, que equivale a aproximadamente a un monto de 1.500 millones de guaraníes. Esta situación contrasta con otros órganos estatales que apenas han alcanzado a ejecutar más del 20 por ciento de lo presupuestado para el 2.000, debido al difícil momento que atraviesan las arcas del Estado. Concretamente comparó con el Congreso nacional, que apenas ha usado el 26 por ciento de los recursos asignados para el presente año. "Ante todo, lo que el Vicepresidente debe hacer es una auditoría a fondo de la Vicepresidencia para ver cómo ha sucedido este milagro de la dilapidación del dinero del pueblo. Se han nombrado funcionarios sin que haya Vicepresidente, se imaginan la burla, la bofetada que esto significa para el pueblo. En ese lugar sigue un montón de gente que está chupándole la sangre al pueblo", dijo el legislador. Indicó que una vez que se aclaren todas estas cosas, el Vicepresidente podrá pensar cómo y con qué elementos cuenta para conformar su equipo de trabajo y empezar a trabajar por el bien del país. Diario Noticias, 22 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PARAGUAY: JURADO PROCESA AL FISCAL DENUNCIADO POR PRESUNTA COIMA

El Jurado de Enjuiciamiento de Magistrados inició la investigación del denunciado fiscal de Ciudad del Este, Edward Friedrich Armas Godoy y solicitó ayer a la Corte Suprema de Justicia la suspensión del mismo en el ejercicio de sus funciones. Asimismo, previo procesamiento, envió todos los

antecedentes al juez penal de garantías de la circunscripción judicial del Alto Paraná y Canindeyú, para la apertura del sumario penal por la presunta comisión de varios delitos. Igualmente, el Jurado dispuso la suspensión de la tramitación de la causa en espera de una sentencia definitiva por parte de la jurisdicción penal, ya que la condena por delitos comunes conlleva separación del cargo. Como antecedente se recuerda que la jueza Beatriz Venialgo, en compañía del fiscal de turno, encontró en la oficina de Armas Godoy en el Alto Paraná cinco mil dólares. La mencionada suma le fue entregada al fiscal Armas Godoy por un ciudadano brasileño en concepto de coima para lograr el levantamiento de la medida cautelar que pesaba contra las mercaderías incautadas de su propiedad. El mencionado fiscal le había solicitado para la liberación de las mercaderías quince mil dólares. Ante esta situación el ciudadano brasileño radicó la denuncia ante la jueza Venialgo y le entregó cinco mil dólares marcados a Armas Godoy, suma que durante el allanamiento fue encontrada en su oficina. "Esta resolución no constituye en modo alguno prejuzgamiento sobre el fondo de la cuestión, por el contrario, somete al denunciado a la Justicia Ordinaria, a los efectos de que, en ese ámbito, pueda esclarecerse los hechos que se le atribuyen", señala la resolución del Jurado de Enjuiciamiento de Magistrados. Diario Noticias, 22 de Agosto de 2000 <http://www.diarionoticias.com.py/>

PERÚ: 4,000 VECINOS EXIGEN INVESTIGAR IRREGULARIDADES DE ALCALDE CHIROQUE

Unos 4,000 vecinos de San Juan de Lurigancho marcharon ayer al mediodía hasta la Contraloría de la República, para exigir a su titular Carmen Higaonna investigue la gestión del alcalde distrital Ricardo Chiroque. Los manifestantes, en su mayoría madres del Vaso de Leche, provistas de pancartas y altavoces, acusaron a Chiroque de malversar fondos y reclamaron cese en sus funciones edilicias. Las mujeres de ese distrito pidieron se les restituya los tres días de leche a la semana y los cuatro restantes de cereal, que ahora ha sido reducido a dos de leche y cinco de cereal. La presidenta del gremio de madres del Vaso de Leche, Rosa Inga Morales, informó que anteriormente, los cereales tenían un alto índice nutritivo y de buen sabor, pero ahora les entregan productos embolsados sin registro ni marca y con residuos de tierra, debido al interés del alcalde por abaratar precios a costa de la calidad. Asimismo pidieron la destitución del cargo de presidenta del Comité de Administración del Vaso de Leche de María Elías y al jefe de la citada organización, Jaime Bernedos. Por su parte el alcalde Ricardo Chiroque ha negado todas las denuncias anteriores defendiendo su gestión como correcta y transparente. Reiterando que él mismo ha solicitado a la Contraloría General de la República se investigue el caso a fondo. La República, 18 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: CONTRA EX RECTOR DE UNIVERSIDAD RICARDO PALMA, LO SEÑALAN COMO RESPONSABLE DE DESFALCO

El rector de la Universidad Ricardo Palma, Iván Rodríguez Chávez, demandó a los magistrados de la primera Sala Penal de la Corte Suprema actuar de acuerdo a ley en el caso seguido contra el ex rector Sixto Ludeña Luque quien desfinanció con cerca de dos millones de soles a esta casa superior de estudios. Explicó que durante su gestión desde febrero del 91 hasta julio del 96 Ludeña Luque realizó pagos indebidos con dinero de la Universidad, entre ellas sus deudas personales a la Superintendencia de Administración Tributaria (Sunat). "Cuando ingresé en el rectorado la universidad estaba con sus bienes embargados, con una deuda de dos millones de dólares. Existen pruebas de estos hechos y por lo cual Ludeña estuvo preso en el Penal San Jorge, sin embargo, fue absuelto por el Tribunal Supremo", reveló. Preciso que la Sunat, la Universidad y el Ministerio Público han presentado recursos de nulidad a las sentencia absolutoria de los anteriores magistrados que fueron recusados por que adelantaron opinión, y ahora el caso está en manos de la Primera Sala

Penal Transitoria especializada en delitos tributarios. Rodríguez Chávez dijo que otro de los problemas que encontró al asumir el rectorado de la universidad fue la deserción de estudiantes y el bajo número de postulantes, lo cual reversionó con la reestructuración curricular y saneamiento económico y administrativo. La República, 24 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: CONTRALORA GENERAL EXPLICARÁ ATRASOS EN INFORMACIÓN DE CUENTA GENERAL

La Comisión Revisora de la Cuenta General de la República acordó ayer invitar a la Contralora General de la República, Carmen Higaonna y al Contador General de la Nación, para que expliquen las razones por las cuales existen atrasos en la presentación de la información de la Cuenta General de la República de 1999. El acuerdo fue adoptado ayer en la sesión vespertina de la comisión que preside el oficialista Willy Serrato, tras analizar un comunicado, publicado en los medios de comunicación, que da cuenta de que existen numerosas instituciones que no han presentado la información correspondiente sobre los gastos del dinero del Tesoro Público. Willy Serrato dijo que tiene la información de que hasta el momento por lo menos unas 160 instituciones públicas, la mayoría municipalidades, no han presentado la información requerida por la Contraloría. El Contador de la Nación, Oscar Pajuelo Ramírez, ha sido invitado para el próximo lunes, mientras que la Contralora Carmen Higaonna se presentará el 4 de setiembre. La República, 22 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: INFORMAN SOBRE MALOS MANEJOS DE EX ALCALDE DE HUARAZ

Para Oswaldo Villafuerte, quien fuera teniente alcalde de la gestión del ex alcalde de Huaraz Waldo Ríos, la declaración de vacancia a su cargo obedece a un afán de evitar que se fiscalicen los supuestos malos manejos en la gestión del ahora congresista Ríos. Villafuerte ofreció ayer una conferencia de prensa junto con el congresista Ernesto Gamarra. Ellos indicaron que tras haber denunciado serias irregularidades en el municipio de Huaraz, Villafuerte fue destituido. Sin embargo fue repuesto tras demostrar que su vacancia fue una acción equivocada. "Una vez repuesto en mi cargo, Ríos solicitó que se reconsidere el caso, hecho que fue atendido casi de inmediato declarándose mi vacancia nuevamente el 14 de julio de este año", comentó Villafuerte. Tras estos hechos, Gamarra señaló que podría ser cierta la versión que fue el propio Vladimiro Montesinos quien le entregó a Ríos la resolución de la vacancia de Villafuerte. Admitió el error cometido por el Frente Independiente Moralizador (FIM) al haber aceptado en sus filas a Ríos quien tenía antecedentes negativos como alcalde. El Comercio, 24 de Agosto de 2000 <http://www.elcomercio Peru.com/>

PERÚ: PIDEN INVESTIGAR A PRESIDENTE DEL COMANDO CONJUNTO DE LAS FUERZAS ARMADAS POR PRESUNTOS SIGNOS DE ENRIQUECIMIENTO

La congresista de Somos Perú, Anel Townsend, presentó ayer una moción para conformar una comisión especial que investigue el desbalance entre los ingresos y los bienes inmuebles del presidente del Comando Conjunto de las Fuerzas Armadas, general EP José Villanueva Ruesta. Suscriben la moción sus compañeros de bancada Manuel Masías, Ronnie Jurado, Jorge Chávez Sibina y Luis Guerrero, quienes solicitan el establecimiento de una comisión para que en un plazo de 30 días, emita un informe con conclusiones y recomendaciones sobre la propiedad, ingresos y patrimonio del alto oficial. El pedido parlamentario también incluye a la familia de Villanueva Ruesta, por los presuntos signos exteriores de riqueza y el desbalance entre remuneraciones y egresos que tendría el comandante general del Ejército. De acuerdo con la agencia Imediaperú, el general Villanueva poseería una importante cantidad de propiedades, como un inmueble de más de 2,500

metros cuadrados en Chosica, usado como casa de invierno por él y su familia, y que aparece como propiedad de la empresa Long View Corporation. Según la investigación periodística, el oficial también tiene otras siete propiedades de bienes inmuebles compradas por su esposa, una residencia ubicada en la urbanización Los Pinos, en Monterrico, y un local en el Centro Comercial El Polo, frente a la embajada de los Estados Unidos. La República, 23 de Agosto de 2000 <http://www.larepublica.com.pe/>

PERÚ: POR ACUERDO DE COMISIÓN DE FISCALIZACIÓN MINISTRO DE DEFENSA INFORMARÁ SOBRE INMUEBLES ADQUIRIDOS

El ministro de Defensa, general José Villanueva Ruesta, deberá enviar a la comisión de Fiscalización del Congreso la información que permita conocer los bienes inmuebles que adquirió desde que asumió ese cargo público y que, según un medio de prensa, abarcaría a 7 inmuebles ubicados en zonas exclusivas de Lima. La propuesta, que surgió del oficialismo, fue una salida a las propuestas de los parlamentarios Luis Iberico (FIM) y Anel Townsend (Somos Perú), quienes solicitaron se conforme una subcomisión investigadora para que se dedique a este caso. La propuesta de Moisés Wolfenson (Perú 2000), para que antes que se presente el ministro Villanueva lo haga el periodista que realizó la investigación, puso en aprietos a su bancada, cuando los parlamentarios de la minoría solicitaron que dicha invitación se someta a debate. Wolfenson tuvo que retirarse de la sala de sesiones cuando se sometió a votación su propuesta y regresar cuando ésta fue rechazada por la mayoría. La denuncia de Iberico indicó que desde 1993 hasta la fecha, el general Villanueva y su esposa, María del Pilar Mesa Ramírez, se han comprado 7 propiedades inmuebles, entre departamentos, una casa con piscina y hasta una tienda en el centro comercial El Polo, además de una camioneta valorizada en más de US\$ 50,000. Según los partes de la Oficina Nacional de Registros Públicos mostrados por el congresista Iberico, la mayor parte de las propiedades están a nombre de la esposa del militar, quien es ama de casa y no tiene registro alguno ante la Superintendencia Nacional de Administración Tributaria (Sunat). Iberico además mostró las pruebas de una conexión entre el hijo mayor del titular de Defensa, José Villanueva Villanueva, con el coronel Mario Arbulú Seminario a través de la empresa Long View Corporation, mediante la cual han comprado varios terrenos en el balneario de Cerro Azul, para construir un complejo de verano. La República, 22 de Agosto de 2000 <http://www.larepublica.com.pe/>

PUERTO RICO: ALEGAN QUE EL PARTIDO NUEVO PROGRESISTA JUSTIFICA CORRUPCIÓN CON PERSECUCIÓN

Cinismo, desesperación y la justificación de la corrupción fueron algunas de las explicaciones dadas por líderes y ex líderes universitarios independentistas a la nueva teoría de que los cargos federales por corrupción a miembros del Partido Nuevo Progresista (PNP) buscan desestabilizar el anexionismo como antes lo hicieron con el independentismo. "Decir que se persigue a los anexionistas es decir que se crea artificialmente una idea de que son corruptos, que se fabrica la imagen de corruptos", dijo Miguel Rivera, secretario nacional de organización de la Federación de Universitarios Pro Independencia (FUPI). La nueva teoría, agregó, equivale a decir "que no son tan corruptos". Según la nueva tesis, la Fiscalía Federal y del Negociado Federal de Investigaciones (FBI) han montado todo un operativo para influenciar las elecciones a favor del Partido Popular Democrático (PPD) y del "statu quo" con la radicación de cargos por corrupción contra alcaldes y líderes del PNP. El Nuevo Día, 22 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: CONDICIONAN SUBSIDIO DE \$130 MILLONES A VIVIENDA A

CAMBIO DE AUSENCIA DE CORRUPCIÓN

Cuando regrese en septiembre, el Congreso decidirá el futuro de los \$130 millones en subsidios adicionales para vivienda pública en Puerto Rico, condicionando la aprobación a la erradicación de la corrupción en la Administración de Vivienda Pública (AVP). En septiembre el senador republicano por Missouri, Christopher Bond, discutirá con sus colegas las posibles vías de acción congressional sobre el acuerdo del Departamento de Vivienda y Desarrollo Urbano (HUD) de otorgar \$130 millones adicionales a Puerto Rico, informó ayer la oficina de Bond. En cualquier caso, el desembolso de los \$130 millones tiene que contar con garantías de que esos fondos no serán tocados por la corrupción en la AVP, señaló un ayudante congressional de Bond. "Entre las opciones que se están considerando está una certificación independiente de que el sistema de vivienda pública en Puerto Rico está libre de corrupción", señaló el ayudante de Bond. El Nuevo Día, 24 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: DÉFICITS Y ATRASOS EN INFORMES FINANCIEROS ANTE EL CONTRALOR

Siete municipios del país están en la lista de deudores de estados financieros de la Oficina del Contralor. En cuatro de ellos los alcaldes aspiran a la reelección y seis operaban con déficit en el último informe que entregaron. La lista de deudores la encabeza el Municipio de Río Grande, donde el último informe que entregó el alcalde del Partido Nuevo Progresista (PNP) César Méndez fue el del año fiscal 1995-1996. El Municipio de Adjuntas, administrado por el alcalde del Partido Popular Democrático (PPD), Roberto Vera Monroig, y el de Juncos, que dirige el novoprogresista Gilberto Conde Román, también están en la lista. El último informe que entregaron ambos alcaldes a la Oficina del Contralor fue el del año fiscal 1996-97. Los municipios de Villalba, Guayanilla, Naguabo y Utuado deben los estados financieros de los años 1998-99 y 1999-2000. Seis de los siete municipios que son considerados deudores de informes, tenían déficit en el último estado financiero que entregaron. En el estado financiero 1996-97, Adjuntas tenía un déficit de \$3.3 millones, mientras que el de Juncos alcanzaba los \$2.1 millones. En el informe del año 1997-98 Villalba tenía un déficit de \$1.4 millones y el déficit en Guayanilla era de \$1.2 millones. En Naguabo las arcas municipales estaban en rojo con un déficit de \$656 mil y en Utuado con un déficit de \$2.9 millones. El Alcalde de Río Grande, quien adeuda cuatro informes, incluyendo el del año que concluyó el 30 de junio pasado, no aspirará a la reelección Tampoco lo harán los alcaldes novoprogresistas de L Naguabo y Utuado, José A. Meléndez y Juan L. Ortiz, respectivamente. En el caso de Villalba, el alcalde Bernardo Negrón Montalvo sí aspira a la reelección. Sin embargo, el PNP solicitó al Tribunal de Ponce que lo descalifique por ser uno de los acusados en el escándalo del Centro de Recaudación de Ingreso Municipales (CRIM). El contralor, Manuel Díaz Saldaña, dijo estar satisfecho de que la mayoría de los municipios tengan al día sus estados financieros. Díaz Saldaña recordó que cuando asumió esa posición, sólo 13 de los 78 municipios estaban al día. Aun así, el funcionario solicitó la ayuda de la Oficina del Comisionado de Asuntos Municipales para penalizar con algún tipo de multa a los municipios que no tengan sus estados financieros al día. El Contralor dijo que antes del 7 de septiembre su oficina presentará un informe de auditoría sobre el municipio de Río Grande. El Nuevo Día, 23 de Agosto de 2000 <http://endi.zonai.com/>

PUERTO RICO: IMPONE COMISIÓN DE ÉTICA DE LA CÁMARA LOS REQUISITOS MÁS ESTRUCTOS DE TODO EL GOBIERNO PARA DAR INICIO A INVESTIGACIONES

A pesar de que la Constitución de Puerto Rico establece que la Asamblea Legislativa será la única juez de sus miembros, la Comisión de Etica de la Cámara de Representantes impone los requisitos

más estrictos de todo el Gobierno para darle paso a cualquier investigación. Contrario a su contraparte en el Senado, la Comisión cameral requiere prueba "robusta" y "convinciente" para iniciar siquiera una investigación a fondo. Requiere también que el querellante consiga la evidencia y la presente a la Comisión en 30 días después de tomar conocimiento de la supuesta violación. Esta administración eliminó la prescripción para los delitos por corrupción y violaciones a la ética, pero si un querellante de un representante presenta su denuncia en el día 31, la Comisión cameral la tiene que declarar prescrita, según la ley que crea el organismo. La Comisión de Etica senatorial sólo exige "prueba justa y razonable", y no impone un término mínimo para radicar la denuncia, según su ley. Ni los jueces en la Rama Judicial ni los funcionarios públicos en la Rama Ejecutiva imponen términos restrictivos para radicar denuncias ni exigen prueba fuera de toda duda razonable para evaluar un caso por ética contra uno de los suyos, según sus reglamentos. Para presentar una querrela contra un juez sólo hay que identificar los hechos y juramentar la querrela. Para radicar una querrela contra un funcionario en la Rama Ejecutiva es lo mismo: se requiere un juramento, y sólo se exige una exposición de todos los hechos, según la Ley de la Oficina de Etica Gubernamental. La Cámara exige que al querellante le conste de "propio y personal conocimiento" la violación que imputa a un legislador. Y apercibe de un procesamiento por perjurio del Código Penal en la misma radicación de la queja. Como si fuera poco, la Comisión cameral impide al querellante hablar del caso, pero no lo trata como parte a la hora de darle el derecho -como en todo proceso judicial- de obtener documentos de la otra parte, según el último querellante, Héctor Ferrer, quien radicó un caso contra el representante presidente de la Comisión cameral, Luis Aramburu. Ante la vergüenza pública por una discusión de un acto deshonoroso de uno de sus miembros, la Comisión senatorial puede activarse sola, por decisión de los senadores. La de la Cámara no. La Cámara necesita que alguien haya tomado conocimiento personal del acto deshonoroso y en menos de 30 días lo presente a la Comisión. Esta Comisión también tiene una veda para radicar las denuncias. Tres meses antes de las elecciones, la Comisión cameral no acepta querrelas contra sus legisladores amparada en que no quiere convertirse en una herramienta para hacer política. Ese cierre comienza el 7 de septiembre. Sin embargo, la ley es tan cómoda para los legisladores que no define lo que es "prueba robusta y convincente" ni lo que es "propio y personal conocimiento". El Nuevo Dia, 21 de Agosto de 2000

<http://www.endi.com/>

REGION ANDINA: HOJA INFORMATIVA SOBRE ESFUERZOS ANTINARCOTICOS

A continuación extractos de una hoja informativa emitida por el Departamento de Estado el 16 de agosto sobre los esfuerzos antinarcóticos en la región andina, la cual destaca el éxito de las tareas de erradicación de cultivos ilícitos de coca en Perú y Bolivia: ***** El cultivo neto de la coca andina y el potencial de producción de cocaína siguió declinando en 1999 y actualmente está en su nivel más bajo desde 1987. En general, el cultivo neto de coca andina declinó a 180.000 hectáreas en 1999, cifra 4 por ciento menor que la de 1998, y 15 por ciento menor que la de 1995. La producción potencial de cocaína bajó a 765 toneladas métricas, una baja del 7 por ciento a partir de la cifra de 1998, y una baja del 18 por ciento desde 1995. ***** La decidida erradicación de los cultivos ilícitos de coca, las operaciones de interceptación y los programas de desarrollo alternativo en Perú y Bolivia redujeron el cultivo de coca en esos países en 66 y 55 por ciento, respectivamente, desde 1995. En gran parte debido a los exitosos programas antinarcóticos en Perú y Bolivia, el cultivo de la coca en la región andina ha cambiado a los territorios controlados por la guerrilla y los paramilitares en Colombia. ***** Colombia actualmente abastece de drogas ilícitas a Estados Unidos más que ningún otro país del mundo. Noventa por ciento de la cocaína en el mercado de Estados Unidos viene de Colombia --como ocurre, de acuerdo con estimados, con hasta dos tercios de la heroína en la costa

este. ***** Los problemas en Colombia afectan la vida de los norteamericanos en nuestro país y en el extranjero. Las drogas ilícitas le cuestan a nuestra sociedad 52.000 vidas y casi 110.000 millones de dólares al año, debido a los costos en salud, accidentes y productividad perdida. ***** Las organizaciones dedicadas al tráfico de drogas en Colombia son una pernicioso fuente de inestabilidad. Canalizan fondos a los insurgentes y a los paramilitares que actúan como policías no autorizados, para obtener protección y otros servicios. Mientras tanto, la constante intimidación y la influencia corruptora de los traficantes constituye una grave amenaza al imperio del derecho y las instituciones democráticas de libre mercado en Colombia. Servicio Noticioso desde Washington , 21 de agosto de 2000 <http://www.usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/language/s>

REPUBLICA DOMINICANA: LA FISCALÍA ANTICORRUPCIÓN DESATA UN DEBATE JURÍDICO

La creación de una Fiscalía especializada en la persecución y castigo de los casos de corrupción comenzó a crear controversia entre los juristas, algunos de los cuales consideran que las funciones de esa institución restarían competencia a los fiscales distritales y contravendrían a la Constitución. "El punto nervioso es que sus funciones se confrontarían con la competencia del fiscal, ya que tendría jurisdicción nacional", explicó el jurista Julio Cury, al exhortar a los legisladores a realizar un examen detallado para impedir que la aprobación del proyecto determine alguna acción anticonstitucional. Cury indicó que el establecimiento de la nueva dependencia también podría necesitar de diversos cambios legales con la meta de evitar contradicciones entre la pieza legislativa que la fundamentará, la Constitución de la República y otras leyes. Recordó que de acuerdo con el artículo 55 de la Constitución, los funcionarios que dependan del poder Ejecutivo de ninguna forma pueden gozar de inamovilidad, como ocurre con el titular del ministerio público y los fiscales distritales. "No se puede obrar a la ligera al crear una nueva institución de esta categoría", agregó Cury, al insistir en la necesidad de que los legisladores analicen con detenimiento la pieza presentada el pasado 22 de agosto ante el Congreso Nacional por el consultor jurídico de la Presidencia, Guido Gómez. El proyecto de Ley para la Creación de la Fiscalía Nacional Anticorrupción prevé que la institución goce de autonomía e independencia económica, política y administrativa. La pieza legislativa, que consta de 20 artículos, también considera necesario que el titular de la dependencia, quien tendría jurisdicción nacional, sea elegido por el Senado de una terna presentada por el Presidente de la República por un período inamovible de cinco años. El Listín, 24 de Agosto de 2000 <http://listin.com.do/>

REPUBLICA DOMINICANA: NUEVO PRESIDENTE PROPONE QUE EL FISCAL NACIONAL ANTICORRUPCIÓN SERÁ INAMOVIBLE DURANTE CINCO AÑOS

El Fiscal Nacional Anticorrupción será designado por un período de cinco años, e inamovible, por el Congreso Nacional, según el proyecto de ley sometido ayer ante el Senado de la República por el presidente Hipólito Mejía. El Fiscal Anticorrupción será inamovible por la naturaleza de sus funciones, salvo que cometa una falta grave y previa comprobación de la misma, y sólo podrá ser destituido por las causas graves. El funcionario se ocupará principalmente de las denuncias sobre los casos de peculado, cohecho, soborno, extorsión, concusión, agiotismo, fraudes en el sistema financiero, enriquecimiento ilícito, y acciones fraudulentas en general, que impacten los recursos del fisco o de las instituciones del sector público, incluyendo aquellas que participen colateralmente con el sector privado, las autónomas y descentralizadas, creadas por leyes especiales. De igual forma, el Fiscal Anticorrupción, en representación de la sociedad, podrá constituirse en parte civil contra todos aquellos que hayan actuado en perjuicio del patrimonio del Estado dominicano, sin ser

necesariamente autorizado por el Presidente de la República, y todo lo reivindicado pasará al Fiscal Nacional. El mensaje presidencial que acompaña la pieza legislativa explica que el Fiscal Anticorrupción tendrá como objetivo la persecución eficaz de aquellos servidores públicos que en el ejercicio de sus funciones incurran en la comisión de actos de corrupción. El mandatario explica a los senadores que el proyecto de ley facultad a la Fiscalía Nacional Anticorrupción para que, además de adoptar las acciones requeridas para la prevención, la investigación, la identificación e individualización de los actos de corrupción se encargue de la difusión de los valores y principios de probidad, integridad y transparencia en los manejos de los asuntos públicos. "Espero, pues, que los legisladores, compartan conmigo la importancia que tiene para el saneamiento de nuestra vida institucional, la adopción del nuevo estatuto legal que someto a su consideración, por lo que espero que impartan al mismo su voto de aprobación", dice el presidente Mejía en su mensaje a los congresistas. La Fiscalía Nacional Anticorrupción gozará de autonomía e independencia económica, política y administrativa, según lo establece el artículo 1 de la ley que lo instituye y actuará en representación de la ciudadanía. Tendrá competencia en todo el territorio de la República, y su sede en Santo Domingo, constituyendo delegaciones en los departamentos judiciales y distritos judiciales que considere convenientes. La Fiscalía Anticorrupción recibirá, tramitará y procederá a investigar denuncias en torno a actos de corrupción cometidos por mandatarios o servidores públicos, magistrados, dignatarios, autoridades, funcionarios y empleados de los organismos del Estado y las personas particulares involucradas en los hechos que se investigan y de encontrarse indicios de responsabilidad penal en las referidas investigaciones pondrán sus conclusiones en conocimiento del ministerio público, de la Contraloría General de la República o del órgano jurisdiccional que fuere competente de acuerdo con la ley. El Fiscal Nacional Anticorrupción será designado por el Congreso Nacional por un período de cinco años, de una terna presentada por el Presidente de la República. El Listín, 23 de Agosto de 2000 <http://listin.com.do/>

REPUBLICA DOMINICANA: TOMA POSESIÓN NUEVO TITULAR DEL DEPARTAMENTO DE PREVENCIÓN DE LA CORRUPCIÓN

En la toma de posesión, el nuevo titular del Departameto de Prevención de la Corrupción, Jesús Félix, se comprometió a que durante su gestión "nadie, ni de esta administración, ni de gobiernos pasados, incidirá en mi trabajo, ni con una llamada telefónica, ni con una tarjeta". Al ser juramentado en el cargo por el consultor jurídico de la Presidencia, Guido Gómez Mazara, Félix aseguró que "voy a reivindicar el anhelo de la población en el sentido de que el dinero del pueblo no se va quedar en los bolsillos de los funcionarios". Félix, cuyo departamento desaparecería en caso de que el Congreso apruebe la creación de la Fiscalía Nacional Anticorrupción, indicó que revisará todos los expedientes sobre corrupción que reposan en la Procuraduría General de la República y someterá ante la justicia a todas las nuevas denuncias que estén fundamentadas de manera suficiente. El Listín, 24 de Agosto de 2000 <http://listin.com.do/>

URUGUAY: DENUNCIAN PASIVIDAD DE ORGANISMOS FISCALIZADORES

"El contrabando y la ilegalidad están causando verdaderos destrozos en el comercio y la industria instalada en el interior del país, y el gobierno parece no tener una verdadera dimensión de esta situación" afirmó Helios Maderni, presidente de la Comisión de Relacionamiento con el Interior de la Cámara de Industrias del Uruguay. Maderni dijo que la industria ha declarado su falta de competitividad, pero en el interior, el contrabando y las prácticas desleales de comercio son alarmantes, y a ello se suma la inactividad. Como consecuencia, las ventas del comercio establecido y la producción están lejos de contrarrestar esos efectos perniciosos. "Creo que el gobierno no tiene

conciencia cabal de lo que está pasando en el interior" sostuvo el dirigente, y se remitió a sendas declaraciones de instituciones empresariales de dos zonas del país. El 8 de julio, representantes de la CIU (Camara de Industrias del Uruguay), CEDU (Confederación Empresarial del Uruguay) y los Centros Comerciales de Lascano, Castillo, Rocha, Cerro Largo y Treinta y Tres resolvieron "reclamar a los gobiernos nacional y departamental, que se cumplan las leyes que combaten el contrabando y el informalismo que afectan y provocan la crisis actual de la industria y el comercio establecido". El 25 de julio, los Centros Comerciales del departamento de Colonia y la CIU se reunieron con legisladores del departamento por el tema contrabando y comercio informal. Preocupados por el "desmedido avance" de ambas actividades, se denuncia "la pasividad de los órganos encargados del contralor impositivo y de la seguridad social" frente a hechos evidentes de prácticas desleales de comercio. Maderni dijo que en las giras realizadas por el interior, las entidades locales han denunciado la impunidad con la cual actúan el contrabando y el informalismo, así como la corrupción que evidencian los controles aduaneros. Estas opiniones fueron trasladadas por los dirigentes capitalinos al director nacional de Aduanas, Jorge Sienra, reclamándole la aplicación de las medidas que prevé la propia ley al respecto. "Es imprescindible que se haga algo de inmediato para frenar estas actividades" subrayó Maderni. "Se habla de ´peces gordos´ o de gente que hace contrabando en gran escala" agregó, sin que por ello se tomen las medidas adecuadas. Diario el País, 21 de Agosto de 2000 <http://www.diarioelpais.com/>

URUGUAY: LA ASOCIACIÓN DE TRABAJADORES DE LA SEGURIDAD SOCIAL DENUNCIÓ UN ``DESVÍO DE FONDOS``

Una delegación de la Asociación de Trabajadores de la Seguridad Social (ATSS) afirmó que los funcionarios que cumplen tareas inspectivas nunca recibieron los fondos destinados a locomoción y que esos dineros fueron "desviados" o producto de un "mal uso presupuestal". Daniel Inthamoussu, miembro de la asociación, dijo el lunes 14 en una Comisión de Diputados que el gremio hizo averiguaciones sobre el destino de los dineros para locomoción y concluyó que existe "un problema administrativo, un mal manejo de los fondos". Solicitó que se investigue qué se hizo con ese "crédito presupuestal". "El crédito presupuestal asignado para locomoción y para otra partida de compensación que percibimos, existe. Se nos dijo que hubo un problema administrativo, pero desde nuestro punto de vista hubo un desvío de fondos --han pagado otras cosas que no son locomoción--, una falta administrativa o un mal uso presupuestal, que se intentará tapar rebajando nuestras partidas y haciendo ver que se trata de un recorte", señaló el sindicalista. El Observador, 23 de Agosto de 2000 <http://www.observador.com.uy/>

URUGUAY: SE DEFIENDE EX MINISTRO DE TURISMO, DIJO QUE NO COMETIÓ DELITO DURANTE SU GESTIÓN

El ex ministro de Turismo, Benito Stern, dijo ayer que las trasposiciones de rubros que ordenó durante su gestión no significaron un "abuso de funciones" y que tampoco obtuvo por ello "beneficio personal alguno". En una declaración distribuida a los medios, Stern se defendió de la denuncia penal que presentaron las actuales autoridades del Ministerio de Turismo y del pedido de procesamiento en su contra del fiscal Enrique Moller, por el delito de abuso de funciones. Moller también pidió el procesamiento por coautoría de falsificación de documento, del ex director general de Turismo, Juan Rodríguez Siri, de un gerente y de un funcionario de esa cartera. En su declaración, Stern dijo que si bien "formalmente" el procedimiento de trasposición de rubros "puede ser cuestionable", la "necesidad lo impuso dado que hubo de optarse entre un Ministerio de Turismo sin actividad ni promoción suficiente (...) o una cartera que cumpliera legítima y plenamente con sus funciones,

aunque tuviera para ello que alterar el destino de los gastos". "No hemos incurrido en conductas dolosas ni en abusos que significaran beneficio personal alguno. Si hay otros hechos, ocurridos en la vida administrativa, que merezcan esos calificativos, somos ajenos a ellos", afirmó Stern. El Observador, 18 de Agosto de 2000 <http://www.observador.com.uy/>

URUGUAY: UN EX MINISTRO DE TURISMO PODRÍA IR A LA CÁRCEL POR MALVERSACIÓN DE FONDOS

El ex ministro de Turismo, Benito Stern, podría ir a la cárcel por haber desviado fondos de la ley de subvenciones turísticas. El miércoles fue rechazado el recurso de nulidad presentado por la defensa del ex ministro, quien alega inmunidad constitucional. La fiscalía considera que el ex ministro no goza de inmunidad y que por lo tanto el proceso judicial debe continuar su marcha. Benito Stern fue titular de la cartera de Turismo durante el gobierno de Julio María Sanguinetti, y es miembro del Partido Colorado. La acusación partió del actual ministro Alfonso Varela, también del Partido Colorado, pero integrante de la Lista 15, que responde al actual Presidente Jorge Batlle. Según la Ley Anticorrupción y si se comprueba la culpabilidad del ex ministro, éste podría ir a prisión de tres meses a tres años. No podrá ocupar cargos públicos en un período de dos y cuatro años, y podría llegar a pagar una multa que va desde los 160 a los 50 mil dólares. Si Benito Stern es condenado a prisión, sería el segundo caso de un político que va a la cárcel por cometer delitos de "cuello blanco". El primero fue el contador Enrique Braga, hombre vinculado al Partido Nacional y de confianza del ex presidente, Luis Alberto Lacalle. Lacalle estuvo en el poder entre 1990 y 1995. Su gobierno es catalogado como uno de los más corruptos de todos los tiempos. Informativos Net, España (Uy/QR/Au/Ppc/ap), 18 de Agosto de 2000 <http://www.informativos.net/>

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From: Ralf Hildebrandt (hildeb@innominate.de)

Date: Fri Nov 03 2000 - 08:48:25 CST

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Out: 502 Error: command not implemented

In: Received: from LISTSERV.GMD.DE by LISTSERV.GMD.DE (LISTSERV-TCP/IP release

Out: 502 Error: command not implemented

In: 1.8d) with spool id 27866081 for TKRNEWS-L@LISTSERV.GMD.DE; Fri, 3

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In: Nov 2000 13:53:20 +0200

Out: 502 Error: command not implemented

In: Received: from mx1.globe.de (194.162.30.68) by mail.listserv.gmd.de (LSMTP for

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In: OpenVMS v1.1a) with SMTP id <13.E250DCA3@mail.listserv.gmd.de>; Fri,

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In: 3 Nov 2000 13:53:18 +0100

Out: 502 Error: command not implemented

In: Received: (qmail 20072 invoked from network); 3 Nov 2000 12:53:11 -0000

Out: 502 Error: command not implemented
In: Received: from acb1b4e0.ipt.aol.com (HELO digital-law.net)
(172.177.180.224) by
Out: 502 Error: command not implemented
In: mail.digital-law.net with SMTP; 3 Nov 2000 12:53:11 -0000
Out: 502 Error: command not implemented
In: X-Mailer: Mozilla 4.7 [de] (Win98; U)
Out: 502 Error: command not implemented
In: X-Accept-Language: de,en-US
Out: 502 Error: command not implemented
In: MIME-Version: 1.0
Out: 502 Error: command not implemented
In: Content-Type: text/plain; charset=iso-8859-1
Out: 502 Error: command not implemented
In: Content-Transfer-Encoding: 8bit
Out: 502 Error: command not implemented
In: Approved-By: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
<gruenwald@DIGITAL-LAW.NET>
Out: 502 Error: command not implemented
In: Message-ID: <3A02B581.1DE08BAE@digital-law.net>
Out: 502 Error: command not implemented
In: Date: Fri, 3 Nov 2000 13:54:25 +0100
Out: 502 Error: command not implemented
In: Reply-To: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
<gruenwald@digital-law.net>
Out: 502 Error: command not implemented
In: Sender: International Communications Law and Policy
Out: 502 Error: command not implemented
In: <TKRNEWS-L@LISTSERV.GMD.DE>
Out: 502 Error: command not implemented
In: From: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
<gruenwald@digital-law.net>
Out: 502 Error: command not implemented
In: Organization: Digital Law Net GbR
Out: 502 Error: command not implemented
In: Subject: [TKRNEWS-L] Communications News 11/03/2000
Out: 502 Error: command not implemented
In: To: TKRNEWS-L@LISTSERV.GMD.DE
Out: 502 Error: command not implemented
In:
Out: 500 Error: bad syntax
In: Communications News: 11/03/2000
Out: 502 Error: command not implemented
In: -----
Out: 502 Error: command not implemented
In: Created for TKRNEWS-L (International Communications Law and Policy)
Out: 502 Error: command not implemented
In: ---Forward-this-message-and-inform-your-colleagues---
Out: 502 Error: command not implemented

In: To subscribe to TKRNEWS-L, send mail to LISTSERV@LISTSERV.GMD.DE with

Out: 502 Error: command not implemented

In: the command SUBSCRIBE TKRNEWS-L

Out: 502 Error: command not implemented

In: -----

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In:

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In: [BROADCASTING] 11/03/00

Out: 502 Error: command not implemented

In: Private Rundfunkanbieter fordern rasche Erneuerung der Medienpolitik

Out: 502 Error: command not implemented

In:

Out: 500 Error: bad syntax

In: Eine rasche Erneuerung der Medienpolitik hat der Pr?sident des Verbandes

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Out: 502 Error: command not implemented

In: des freien Zugangs der Rundfunkveranstalter zu den Kabelnetzen und

Out: 502 Error: command not implemented

In: digitalen Plattformen. Ein derzeit akutes Problem bestehe in der

Out: 502 Error: command not implemented

In: Auseinandersetzung mit den privaten Erwerbern der liberalisierten

Out: 502 Error: command not implemented

In: Kabelnetze. Die Investitionen zum Ausbau der Netze machten neue

Out: 502 Error: command not implemented

In: Gesch?ftsmodelle notwendig. Doetz sagte, der private Rundfunk sehe mit

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In: Full story at: <http://www.newsroom.de/>

Out: 502 Error: command not implemented

In: -----

Out: 502 Error: command not implemented

In: [ENCRYPTION] 10/20/00

Out: 502 Error: command not implemented

In: ["E-DEMOCRACY"] 11/02/00

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In: 'Vote-Buying' Internet Site Closes

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In: group sent the board email saying it was acting "since it does

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In: effectively appear that this domain name is used in connection with

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In: Circuit Judge Michael Murphy issued at the request of Chicago election

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In: officials, requiring a similar-sounding site, voteauction.com, or any

Out: 502 Error: command not implemented

Out: 421 Error: too many errors

Session aborted, reason: too many errors

-
- **Next message:** [Sunny Cheung: "Postfix to be a open relay"](#)

- **Previous message:** [marco.blume@ngi-net.de: "Some Ldap Probs"](#)
- **Next in thread:** [Wietse Venema: "Re: Fwd: errors from mail.listserv.gmd.de\[192.88.97.5\]"](#)
- **Reply:** [Wietse Venema: "Re: Fwd: errors from mail.listserv.gmd.de\[192.88.97.5\]"](#)
- **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)

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These search terms have been highlighted: **voteauction**



NEOHAPSIS ARCHIVES

LOCATION: [Neohapsis](#) / [Archives](#) / [Postfix](#) / [Message Index](#) / Fwd: errors from mail.listserv.gmd.de[192.88.97.5]

Subject: Fwd: errors from mail.listserv.gmd.de[192.88.97.5]

From: Ralf Hildebrandt (hildeb@innominate.de)

Date: Fri Nov 03 2000 - 08:48:25 CST

- **Next message:** [Sunny Cheung: "Postfix to be a open relay"](#)
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What kind of mailer software is THAT broken?

(mail.listserv.gmd.de[192.88.97.5]) -- shouldn't a SMTP dialog start with HELO, then MAIL FROM: and RCPT TO: ??

Transcript of session follows.

Out: 220 ns.pop-berlin.com ESMTP Postfix

In: Received: from mail.listserv.gmd.de (192.88.97.5) by mail.listserv.gmd.de

(LSMTP for OpenVMS v1.1a) with SMTP id <6.E9C31770@ mail.listserv.gmd.de>;

Fri, 3 Nov 2000 13:53:30 +0100

Out: 502 Error: command not implemented
In: Received: from LISTSERV.GMD.DE by LISTSERV.GMD.DE (LISTSERV-TCP/IP release
Out: 502 Error: command not implemented
In: 1.8d) with spool id 27866081 for TKRNEWS-L@LISTSERV.GMD.DE;
Fri, 3
Out: 502 Error: command not implemented
In: Nov 2000 13:53:20 +0200
Out: 502 Error: command not implemented
In: Received: from mx1.globe.de (194.162.30.68) by mail.listserv.gmd.de (LSMTP for
Out: 502 Error: command not implemented
In: OpenVMS v1.1a) with SMTP id <13.E250DCA3@mail.listserv.gmd.de>;
Fri,
Out: 502 Error: command not implemented
In: 3 Nov 2000 13:53:18 +0100
Out: 502 Error: command not implemented
In: Received: (qmail 20072 invoked from network); 3 Nov 2000 12:53:11 -0000
Out: 502 Error: command not implemented
In: Received: from acb1b4e0.ipt.aol.com (HELO digital-law.net) (172.177.180.224) by
Out: 502 Error: command not implemented
In: mail.digital-law.net with SMTP; 3 Nov 2000 12:53:11 -0000
Out: 502 Error: command not implemented
In: X-Mailer: Mozilla 4.7 [de] (Win98; U)
Out: 502 Error: command not implemented
In: X-Accept-Language: de,en-US
Out: 502 Error: command not implemented
In: MIME-Version: 1.0
Out: 502 Error: command not implemented
In: Content-Type: text/plain; charset=iso-8859-1
Out: 502 Error: command not implemented
In: Content-Transfer-Encoding: 8bit
Out: 502 Error: command not implemented
In: Approved-By: Andreas =?iso-8859-1?Q?Gr=FCnwald?=<gruenwald@DIGITAL-LAW.NET>
Out: 502 Error: command not implemented
In: Message-ID: <3A02B581.1DE08BAE@digital-law.net>
Out: 502 Error: command not implemented
In: Date: Fri, 3 Nov 2000 13:54:25 +0100
Out: 502 Error: command not implemented
In: Reply-To: Andreas =?iso-8859-1?Q?Gr=FCnwald?=<gruenwald@digital-law.net>
Out: 502 Error: command not implemented
In: Sender: International Communications Law and Policy
Out: 502 Error: command not implemented
In: <TKRNEWS-L@LISTSERV.GMD.DE>
Out: 502 Error: command not implemented
In: From: Andreas =?iso-8859-1?Q?Gr=FCnwald?=<gruenwald@digital-law.net>

<gruenwald@digital-law.net>

Out: 502 Error: command not implemented

In: Organization: Digital Law Net GbR

Out: 502 Error: command not implemented

In: Subject: [TKRNEWS-L] Communications News 11/03/2000

Out: 502 Error: command not implemented

In: To: TKRNEWS-L@LISTSERV.GMD.DE

Out: 502 Error: command not implemented

In:

Out: 500 Error: bad syntax

In: Communications News: 11/03/2000

Out: 502 Error: command not implemented

In: -----

Out: 502 Error: command not implemented

In: Created for TKRNEWS-L (International Communications Law and Policy)

Out: 502 Error: command not implemented

In: ---Forward-this-message-and-inform-your-colleagues---

Out: 502 Error: command not implemented

In: To subscribe to TKRNEWS-L, send mail to LISTSERV@LISTSERV.GMD.DE with

Out: 502 Error: command not implemented

In: the command SUBSCRIBE TKRNEWS-L

Out: 502 Error: command not implemented

In: -----

Out: 502 Error: command not implemented

In:

Out: 500 Error: bad syntax

In: [BROADCASTING] 11/03/00

Out: 502 Error: command not implemented

In: Private Rundfunkanbieter fordern rasche Erneuerung der Medienpolitik

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LOCATION: [Neohapsis](#) / [Archives](#) / [Postfix](#) / [Message Index](#) / Re: Fwd: errors from mail.listserv.gmd.de[192.88.97.5]

Subject: Re: Fwd: errors from mail.listserv.gmd.de[192.88.97.5]

From: Wietse Venema (wietse@porcupine.org)

Date: Fri Nov 03 2000 - 10:30:30 CST

- **Next message:** foutajallon@yahoo.com: "local mail getting deferred"
- **Previous message:** [Ricardo Campos Passanezi](#): "Re: Really slow delivery time when tons of messages in queue...."
- **In reply to:** [Ralf Hildebrandt](#): "Fwd: errors from mail.listserv.gmd.de[192.88.97.5]"
- **Reply:** [Wietse Venema](#): "Re: Fwd: errors from mail.listserv.gmd.de[192.88.97.5]"
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Shortly before the release of Postfix, one of the alpha testers (Elon Gishri) received lots of SMTP protocol error notifications from Postfix, and they all looked like sessions that began with mail body material (in his case, lots of HTML-formatted mail).

The listserv at gmd.de was one of the few sending machines involved. Tcpcdump recordings showed that the SMTP client indeed began a session with mail content instead of HELO. The problem was never resolved, whether it was due to a BANDWIZ bandwidth management system or due to LSMTP mixing up data streams.

If this happens more often, it's worthwhile to capture the SMTP sessions with tcpcdump.

Wietse

Ralf Hildebrandt:

- > *What kind of mailer software is THAT broken?*
- > ([mail.listserv.gmd.de\[192.88.97.5\]](mailto:mail.listserv.gmd.de[192.88.97.5])) -- shouldn't a SMTP dialog start with
- > HELO, then MAIL FROM: and RCPT TO: ??
- >
- > *Transcript of session follows.*
- >
- > *Out: 220 ns.pop-berlin.com ESMTP Postfix*
- > *In: Received: from mail.listserv.gmd.de (192.88.97.5) by mail.listserv.gmd.de*
- > *(LSMTP for OpenVMS v1.1a) with SMTP id <6.E9C31770@ mail.listserv.gmd.de>;*

> Fri, 3 Nov 2000 13:53:30 +0100
> Out: 502 Error: command not implemented
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> release
> Out: 502 Error: command not implemented
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> Fri, 3
> Out: 502 Error: command not implemented
> In: Nov 2000 13:53:20 +0200
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> In: Received: (qmail 20072 invoked from network); 3 Nov 2000 12:53:11 -0000
> Out: 502 Error: command not implemented
> In: Received: from acb1b4e0.ipt.aol.com (HELO digital-law.net)
> (172.177.180.224) by
> Out: 502 Error: command not implemented
> In: mail.digital-law.net with SMTP; 3 Nov 2000 12:53:11 -0000
> Out: 502 Error: command not implemented
> In: X-Mailer: Mozilla 4.7 [de] (Win98; U)
> Out: 502 Error: command not implemented
> In: X-Accept-Language: de,en-US
> Out: 502 Error: command not implemented
> In: MIME-Version: 1.0
> Out: 502 Error: command not implemented
> In: Content-Type: text/plain; charset=iso-8859-1
> Out: 502 Error: command not implemented
> In: Content-Transfer-Encoding: 8bit
> Out: 502 Error: command not implemented
> In: Approved-By: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
> <gruenwald@DIGITAL-LAW.NET>
> Out: 502 Error: command not implemented
> In: Message-ID: <3A02B581.1DE08BAE@digital-law.net>
> Out: 502 Error: command not implemented
> In: Date: Fri, 3 Nov 2000 13:54:25 +0100
> Out: 502 Error: command not implemented
> In: Reply-To: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
> <gruenwald@digital-law.net>
> Out: 502 Error: command not implemented
> In: Sender: International Communications Law and Policy
> Out: 502 Error: command not implemented
> In: <TKRNEWS-L@LISTSERV.GMD.DE>
> Out: 502 Error: command not implemented

> In: From: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
> <gruenwald@digital-law.net>
> Out: 502 Error: command not implemented
> In: Organization: Digital Law Net GbR
> Out: 502 Error: command not implemented
> In: Subject: [TKRNEWS-L] Communications News 11/03/2000
> Out: 502 Error: command not implemented
> In: To: TKRNEWS-L@LISTSERV.GMD.DE
> Out: 502 Error: command not implemented
> In:
> Out: 500 Error: bad syntax
> In: Communications News: 11/03/2000
> Out: 502 Error: command not implemented
> In: -----
> Out: 502 Error: command not implemented
> In: Created for TKRNEWS-L (International Communications Law and Policy)
> Out: 502 Error: command not implemented
> In: ---Forward-this-message-and-inform-your-colleagues---
> Out: 502 Error: command not implemented
> In: To subscribe to TKRNEWS-L, send mail to LISTSERV@LISTSERV.GMD.DE with
> Out: 502 Error: command not implemented
> In: the command SUBSCRIBE TKRNEWS-L
> Out: 502 Error: command not implemented
> In: -----
> Out: 502 Error: command not implemented
> In:
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> In: Private Rundfunkanbieter fordern rasche Erneuerung der Medienpolitik
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> In: *Gesch?ftsmodelle notwendig. Doetz sagte, der private Rundfunk sehe mit*
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> In: *auch die ?ffentlich-rechtlichen Anbieter ein, denn der Vorsto? der*
> Out: 502 Error: command not implemented
> In: *privaten Kabelnetzbetreiber richte sich gegen den Rundfunk insgesamt.*
> Out: 502 Error: command not implemented
> In: *Full story at: <http://www.newsroom.de/>*
> Out: 502 Error: command not implemented
> In: *-----*
> Out: 502 Error: command not implemented
> In:
> Out: 500 Error: bad syntax
> In: *[3G/UMTS] 11/02/00*
> Out: 502 Error: command not implemented
> In: *Dutch authority mulls wireless phone auction probe*
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> *In: effectively appear that this domain name is used in connection with*
> *Out: 502 Error: command not implemented*
> *In: unlawful activity." The message referred to an order that Cook County*
> *Out: 502 Error: command not implemented*
> *In: Circuit Judge Michael Murphy issued at the request of Chicago election*
> *Out: 502 Error: command not implemented*
> *In: officials, requiring a similar-sounding site, voteauction.com, or any*
> *Out: 502 Error: command not implemented*
> *Out: 421 Error: too many errors*
>
> *Session aborted, reason: too many errors*
>
>
>

-
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 - **In reply to:** [Ralf Hildebrandt: "Fwd: errors from mail.listserv.gmd.de\[192.88.97.5\]"](#)
 - **Reply:** [Wietse Venema: "Re: Fwd: errors from mail.listserv.gmd.de\[192.88.97.5\]"](#)
 - **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)

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These search terms have been highlighted: **voteauction**



NEOHAPSIS ARCHIVES

LOCATION: [Neohapsis](#) / [Archives](#) / [Postfix](#) / [Message Index](#) / Re: Fwd: errors from mail.listserv.gmd.de[192.88.97.5]

Subject: Re: Fwd: errors from mail.listserv.gmd.de[192.88.97.5]

From: Wietse Venema (wietse@porcupine.org)

Date: Fri Nov 03 2000 - 10:30:30 CST

- **Next message:** [foutajallon@yahoo.com: "local mail getting deferred"](#)
- **Previous message:** [Ricardo Campos Passanezi: "Re: Really slow delivery time when tons of messages in queue...."](#)
- **In reply to:** [Ralf Hildebrandt: "Fwd: errors from mail.listserv.gmd.de\[192.88.97.5\]"](#)
- **Reply:** [Wietse Venema: "Re: Fwd: errors from mail.listserv.gmd.de\[192.88.97.5\]"](#)
- **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)

Shortly before the release of Postfix, one of the alpha testers (Elon Gishri) received lots of SMTP protocol error notifications from Postfix, and they all looked like sessions that began with mail body material (in his case, lots of HTML-formatted mail).

The listserv at gmd.de was one of the few sending machines involved. Tcpdump recordings showed that the SMTP client indeed began a session with mail content instead of HELO. The problem was never resolved, whether it was due to a BANDWIZ bandwidth management

system or due to LSMTP mixing up data streams.

If this happens more often, it's worthwhile to capture the SMTP sessions with tcpdump.

Wietse

Ralf Hildebrandt:

> *What kind of mailer software is THAT broken?*
> *(mail.listserv.gmd.de[192.88.97.5]) -- shouldn't a SMTP dialog start with*
> *HELO, then MAIL FROM: and RCPT TO: ??*
>
> *Transcript of session follows.*
>
> *Out: 220 ns.pop-berlin.com ESMTP Postfix*
> *In: Received: from mail.listserv.gmd.de (192.88.97.5) by mail.listserv.gmd.de*
> *(LSMTP for OpenVMS v1.1a) with SMTP id <6.E9C31770@ mail.listserv.gmd.de>;*
> *Fri, 3 Nov 2000 13:53:30 +0100*
> *Out: 502 Error: command not implemented*
> *In: Received: from LISTSERV.GMD.DE by LISTSERV.GMD.DE (LISTSERV-TCP/IP*
> *release*
> *Out: 502 Error: command not implemented*
> *In: 1.8d) with spool id 27866081 for TKRNEWS-L@ LISTSERV.GMD.DE;*
> *Fri, 3*
> *Out: 502 Error: command not implemented*
> *In: Nov 2000 13:53:20 +0200*
> *Out: 502 Error: command not implemented*
> *In: Received: from mx1.globe.de (194.162.30.68) by mail.listserv.gmd.de*
> *(LSMTP for*
> *Out: 502 Error: command not implemented*
> *In: OpenVMS v1.1a) with SMTP id <13.E250DCA3@ mail.listserv.gmd.de>;*
> *Fri,*
> *Out: 502 Error: command not implemented*
> *In: 3 Nov 2000 13:53:18 +0100*
> *Out: 502 Error: command not implemented*
> *In: Received: (qmail 20072 invoked from network); 3 Nov 2000 12:53:11 -0000*
> *Out: 502 Error: command not implemented*
> *In: Received: from acb1b4e0.ipt.aol.com (HELO digital-law.net)*
> *(172.177.180.224) by*
> *Out: 502 Error: command not implemented*
> *In: mail.digital-law.net with SMTP; 3 Nov 2000 12:53:11 -0000*
> *Out: 502 Error: command not implemented*
> *In: X-Mailer: Mozilla 4.7 [de] (Win98; U)*
> *Out: 502 Error: command not implemented*
> *In: X-Accept-Language: de,en-US*
> *Out: 502 Error: command not implemented*
> *In: MIME-Version: 1.0*
> *Out: 502 Error: command not implemented*
> *In: Content-Type: text/plain; charset=iso-8859-1*

> Out: 502 Error: command not implemented
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> <gruenwald@digital-law.net>
> Out: 502 Error: command not implemented
> In: Sender: International Communications Law and Policy
> Out: 502 Error: command not implemented
> In: <TKRNEWS-L@LISTSERV.GMD.DE>
> Out: 502 Error: command not implemented
> In: From: Andreas =?iso-8859-1?Q?Gr=FCnwald?=
> <gruenwald@digital-law.net>
> Out: 502 Error: command not implemented
> In: Organization: Digital Law Net GbR
> Out: 502 Error: command not implemented
> In: Subject: [TKRNEWS-L] Communications News 11/03/2000
> Out: 502 Error: command not implemented
> In: To: TKRNEWS-L@LISTSERV.GMD.DE
> Out: 502 Error: command not implemented
> In:
> Out: 500 Error: bad syntax
> In: Communications News: 11/03/2000
> Out: 502 Error: command not implemented
> In: -----
> Out: 502 Error: command not implemented
> In: Created for TKRNEWS-L (International Communications Law and Policy)
> Out: 502 Error: command not implemented
> In: ---Forward-this-message-and-inform-your-colleagues---
> Out: 502 Error: command not implemented
> In: To subscribe to TKRNEWS-L, send mail to LISTSERV@LISTSERV.GMD.DE with
> Out: 502 Error: command not implemented
> In: the command SUBSCRIBE TKRNEWS-L
> Out: 502 Error: command not implemented
> In: -----
> Out: 502 Error: command not implemented
> In:
> Out: 500 Error: bad syntax
> In: [BROADCASTING] 11/03/00
> Out: 502 Error: command not implemented
> In: Private Rundfunkanbieter fordern rasche Erneuerung der Medienpolitik
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> In: Full story at: <http://www.newsroom.de/>
> Out: 502 Error: command not implemented
> In: -----

> Out: 502 Error: command not implemented
> In:
> Out: 500 Error: bad syntax
> In: [3G/UMTS] 11/02/00
> Out: 502 Error: command not implemented
> In: Dutch authority mulls wireless phone auction probe
> Out: 502 Error: command not implemented
> In:
> Out: 500 Error: bad syntax
> In: The Dutch competition authority NMa is considering making an
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isc.incidents.org/ - 21k - [Cached](#) - [Similar pages](#)

[SecurePoint - Search Checkpoint FireWall-1 and Other Security ...](#)

Home · Security-Mart · FireWall-1 Resource Directory · Mailing Lists:

StoneBeat · PIX · BIG-IP · More... FireWall-1. ...

msg.securepoint.com/ - 18k - [Cached](#) - [Similar pages](#)

attrition.org

Attrition is an eclectic collection of general internet and computer security resources.

Some of the resources are an extensive archive of defaced/hacked web sites ...

www.attrition.org/ - 5k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[SecuriTeam.com](http://www.securiteam.com)

All Sections, Security News - Security Reviews - Exploits ...

www.securiteam.com/ - 40k - [Cached](#) - [Similar pages](#)

[New Order - computer security and networking portal](#)

Computer security and networking portal.

neworder.box.sk/ - 37k - [Cached](#) - [Similar pages](#)

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cast

(in der reihenfolge ihres auftritts)

larry tuxbury	himself
ricardo dominguez	himself
robin gross	herself
andreas bichlbauer j. d.	himself
zai	etoy.ZAI
kubli	etoy.KUBLI
george w. bush	himself
jon lech johansen	himself
frank guerrero	mr.y
ray thomas	mr.x
per-johan johansen	himself
emmanuel goldstein	Eric Corley
jack valenti	himself
hans bernhard	Luzius Bernhard
lizvlx	Maria Haas
oscar obereder	himself
inger marie sunde	herself
halvor manshaas	himself
wolfgang staenie	himself
svein y. willassen	himself
douglas rushkoff	himself
reverend billy	Bill Talen
santa claus(es)	®™mark members

miss monorom	etoy.MONOROM
toywarrior 1	Günter Hack
toywarrior 2	etoy. STEMBERGER
toywarrior 3	Reinhard Storz
fair use bonmot	Mark Hosler
eToys Vicepresident	Janine Bousquette
voice voteauction creator	James Baumgartner
voice nigam letter	Susana Mensah
voice touretzky letter	David Touretzky
narrator	Gordon Catlin

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cast

(in the order of their appearance)

larry tuxbury	himself
ricardo dominguez	himself
robin largely	eleven
Andreas' bichlbauer J. D.	himself
zai	etoy.ZAI
kubli	etoy.KUBLI
george w. bush	himself
jon lech johansen	himself
franc guerrero	mr.y
ray Thomas	mr.x
by johan johansen	himself
emmanuel Goldstein	Eric Corley
jack valenti	himself
Hans' Bernhard	Luzius Bernhard
lizvlx	Maria Haas
OSCAR upper that	himself
more inger marie sunde	eleven
halvor one house	himself
Wolfgang steel	himself
svein y. want- ate	himself
Douglas rushkoff	himself
reverend billy	Bill Talen
santa claus(es)	®"mark members

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fair use bonmot Mark of Hosler
eToys Ianine
Vicepresident Bousquette
voice James
voteauction Baumgartner
creator
voice nigam Susana Mensah
type character
voice touretzky David Touretzky
type character
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cast

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julio valenti	himself
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lizvix	Maria Haas
oscar obereder	himself
inger marie sunde	herself
halvor manshaus	himself
wolfgang staehle	himself
svein y. willassen	himself
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Message | **Discussion - Using MyWebServer**

www

Posted by [noname](#) (69.50.164.154) on November 13, 2004 at 17:32:50:

Error 404 - Page not found

Sorry, the page you have requested could not be found on this website.

If this was due to a bad link within this website please let us know.

Warning: Missing argument 1 for side 4
in **/home/html/common.php** on line **188**

Post Followup Message | **Discussion - Using MyWebServer**

Name:

E-Mail:

Subject:

Comments:

Optional Link URL:

Link Title:

Optional Image URL:

Using MyWebServer

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Using MyWebServer

[Create Followup Message](#)

[Return ton of Discussion](#)

[Help](#)

Message | **Discussion - Using MyWebServer**

WWW

Posted by [noname](#) (69.50.164.154) on November 13, 2004 RKS 17:32:50:

Error 404 - PAGE emergency found

Sorry, the PAGE you have requested could emergency found on this website.

If this which due tons of A bath left within this website please let US know.

Warning : MISSING argument 1 for side 4
in **/home/html/common.php** on **LINE 188**

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Sorry, the page you have requested could not be found on this website.

If this was due to a bad link within this website please let us know.

Warning: Missing argument 1 for side 4 in `/home/html/common.php` on line **188**

Name:

E-Mail:

Subject:

Comments:

Optional Link URL:

Link Title:

Optional Image URL:

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News Under the Radar

NewsTrolls by [diva Pasty Drone](#), [Hackworth](#), [CJ](#), and [Downes](#)

Monday, October 23, 2000

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Our Articles

The Rapidly Changing face of Computing: [The Beginning of Something New](#) by Jeffrey Harrow
Submitted on Oct 23 2000 - 18.18

New Media: [Causes of Conflict](#) by Stephen Downes
Submitted on Oct 19 2000 - 14.58

The Rapidly Changing Face of Computing: [Forecasting Our Tomorrows...](#) by Jeffrey Harrow
"Our goal is to empower youth to recognize their role and responsibility in world affairs and become active participants in the new millennium."
Submitted on Oct 16 2000 - 11.13

Calgold says: [The Cat: A Maniac's Best Friend](#) by Calgold

Calgold Says: [An Insight into the U.S. State Department Personnel Dilemma](#) by calgold

The Rapidly Changing Face of Computing:

Open Sesame

[I Don't Like Your Examples!](#)
I, thankfully before buying the book, was able to peruse a copy of your latest PL/SQL programming book. I think you have forgotten one basic principle when you planned the examples. This was supposed to be a book about PL/SQL, not blatant sociopolitical rantings. If I had bought the book, I would be returning it immediately for a complete refund. It doesn't matter whether I agreed or disagreed with your views (in some cases I agreed, in some cases I strongly disagreed). I found the examples so distracting that I was unable to get the information I needed out of the book. Please in the future, remember that we, the book buyers, are looking for information about using PL/SQL. I am as tired of the emp and dept tables as you are, but less distracting

Eastern Visions

China deploys guided missiles around Hong Kong to protect it [from Taiwan...](#)
'The decision to set up an air defense zone was reportedly in preparation for a possible outbreak of war in the Taiwan Strait as the island may retaliate by directing its missiles at Shenzhen and Hong Kong.'

Submitted on Oct 23 2000 - 08.05 by diva

Black Tigers willingly go to their deaths in [suicide battles...](#)
Submitted on Oct 23 2000 - 08.03 by diva

French President Chirac makes a special plea to Zemin for [religious freedom in Tibet...](#)
'On Tibet, Chirac reiterated that France accepts unequivocally that the region is part of China but would like to see more religious and political freedom for Tibetans.'

Submitted on Oct 23 2000 - 07.56 by diva

Good news for automakers of the

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In the Ether

The siege of the Branch Davidian HQ near Waco, Texas, may have ended in 1993 but the [Waco controversy](#) lives on the internet...
Submitted on Oct 23 2000 - 18.47 by Downes

Real Media goes after the [radio broadcasting](#) market with RealAudio 8, a higher quality low bandwidth solution aimed at reducing broadcasting costs...

Bandwidth can account for as much as 95 percent of the cost of broadcasting existing content on the Internet. RealNetworks says the new file format will allow broadcasters to deliver the same quality sound at

[Convergence and Ecommerce Updates](#) by Jeffrey Harrow
Submitted on Oct 9 2000 - 11.41

NewsTrolls Service: [NewsTrolls WebFeeds](#)
Put a NewsTrolls topic on your own web site
Submitted on Oct 9 2000 - 11.24

The Rapidly Changing Face of Computing
[High Speed, Always On...](#) by Jeffrey Harrow
Submitted on Oct 2 2000 - 11.02

The Rapidly Changing Face of Computing
[Assuring The Domestic Tranquility](#) by Jeffrey Harrow
Submitted on Sept 25 2000 - 12.26

New Media: [Interview with Presidential Candidate Jackie Strike](#)
by Stephen Downes
Submitted on Sept 20 2000 - 12.05



examples would have been more appropriate

Submitted on Oct 23 2000 - 18.28 by hack

[Microsoft directly targeting Linux?](#) And check out the ad!: [An open operating system does not just have advantages](#)

Submitted on Oct 23 2000 - 18.09 by hack

[Can XML save tech?](#)

Although a few days old, and slightly high-level, this is still a decent article.

At least there is hope for that future. A successor to HTML is emerging, called XML. With XML, Web sites will be able to talk to and exchange information among each other and with other programs inside your computer or wireless devices. It should make the Web more flexible and open the way for services not yet dreamed of. Microsoft is pointing its whole ship at XML. Others are becoming XML fans, including Bricklin. "XML is going slowly, but we're all sure about it," he says.

Submitted on Oct 23 2000 - 18.04 by hack

[Is there too much web page bloat?](#) Just a quick little FYI: NewsTrolls is slightly

oversaturated US market... [Asia will need 5 million cars a year in the next 10 years...](#)

Submitted on Oct 23 2000 - 07.53 by diva

EU meets with China over [trade and human rights...](#)

'China originally welcomed the creation of the European currency as an alternative to the U.S. dollar, but Chinese officials say weakness in the euro has made Beijing hesitate about increasing the proportion of the unit in its reserves.'

Submitted on Oct 23 2000 - 07.44 by diva

NewsTrolls Special Productions:

[Tibetan Issues in the News](#)

[Keep Up with Tibet Celebrations: Tibetan Events Calendar](#)

two-thirds of the bandwidth cost. Because RealNetworks software is widely used by broadcasters, a 30 percent cost savings could make the industry more viable.

Submitted on Oct 23 2000 - 18.44 by Downes

[Content syndication](#) is the next big meme on the rise. It must be... it's in Wired. heh. And speaking of Wired, and of irony, check out this quote:

"If content companies don't compel their customers to interact with media, within 12 months they will lose those all of those customers," Clemente said.

Submitted on Oct 23 2000 - 18.40 by Downes

The new eBook Awards launch and guess who dominates the [nominations...](#) yup...

Before we raise a hue and cry about corporate New York dominating the awards, perhaps it's best to first consider that they might simply have submitted the best titles. Entirely possible.

Submitted on Oct 23 2000 - 18.33 by Downes

New journal, [Interactive Educational Multimedia](#), launches...

Submitted on Oct 23 2000 - 18.26 by Downes

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[Grab the Javascript!](#)

Newest UserTrolls

[ClimateVoice.org](#)

Concerned about global warming changing the world's climate, disrupting weather systems, causing drought, floods, disease and threatening the survival of countless species? Why run the risk? Tell world leaders to use November's climate summit to reduce the pollution that causes global warming. It's time to speak out together for a cleaner, safer future!
by Eric LaManque

bloaty. Our front page is 54KB.

Two of the web's most popular front pages, Yahoo and Lycos, manage to cram everything into just 37KB and 30KB, and that's the kind of benchmark the rest of us should be aiming for, says a report by Byte Level Research.

Submitted on Oct 23 2000 - 17.55 by hack

What a cool idea! I love it, I wish he'd send me a camera! [The Photo Trust Project](#)

Every month (or so), I'm going to send a disposable camera out to a different person that I've met through the web or been inspired by. The photo part of the title is easy to understand, but the 'trust' element actually comes into play even more often. I have to trust that I'll actually get my camera back, and everyone taking a picture on the roll has to trust that the people ahead of them will continue through completion.

Submitted on Oct 23 2000 - 17.53 by hack

Brash Bulls & Babbling Bears

[DOT to airlines: disclose those fares!](#)

Here's a somewhat amusing statement from the International Air Transportation Association...

"The legal conclusion, that an airline's failure to advise an inquiring consumer that she might purchase a 'cheaper' ticket on the Internet is a violation of the United States Code, is supported with nothing beyond the Petitioner's rhetoric,"

Submitted on Oct 23 2000 - 19.09 by hack

[US looking to level the international ecommerce field](#) Hmmm.

International laws enforced by the WTO. I'm not so sure this will work...

"This new initiative will create a lasting set of rules and agreements which help to ensure that the trading system provides for electronic business the same guarantees of freedom, fair competition, respect for intellectual property rights, and access to markets that more conventional commerce enjoys,"

Submitted on Oct 23 2000 - 19.05 by hack

[The Washington Monthly](#)
[The Washington Monthly](#)

On the Planet

Still bombing Iraq... [And the US government acts surprised when they get attacked.](#) ala Cole.

The warplanes have routinely bombed Iraqi air defenses in retaliation for what Washington and London have called repeated challenges to the presence of the western warplanes.

Submitted on Oct 23 2000 - 23.18 by cj

Amazon tribe protesting the [stringing of electricity through the jungle](#) will meet with the Chavez (president of Venezuela).

The Pemon tribe is split over the issue of the power lines, which are to carry electricity to undeveloped regions in southeastern Venezuela and northern Brazil. But some members of the tribe have acknowledged sabotaging the project by knocking down more than 30 towers supporting power lines.

Submitted on Oct 22 2000 - 23.41 by cj

[Colombia loses another](#)

For all you die-hard Apple (AAPL) fans who smartly bought back in its dark days of \$13 a share to sell for a heap of profits, now may be your time again as [Wall Street starts doubting Apple again...](#)

"`This a very challenging, difficult situation," said Bear Stearns analyst Andrew Neff. "`They could re-engineer things or they could spiral out of control. It's in their hands.'"

Desperate E*Trade (EGRP) raise its fees [in Japan...](#)

'The company, whose shares have fallen nearly 63 per cent since its IPO on Nasdaq Japan last month, said it wanted to avoid repeating mistakes made in the US, where commission wars have forced many online brokers into a loss. However, analysts said that Japanese online brokers were not much better off and things would only get worse.'

Oil back up again as [US inventories are unexpectedly lower...](#)

'Bulls were galvanized by a reported 3.1 million barrel fall in U.S. crude inventories to 280.72 million barrels in the week to October 13, the second hefty slide in as many weeks. The figures

Was S26 an indication of a growing international movement against the IMF, WTO, and the World Bank?

Yes. The group is growing larger and more people are fed up.

No. It's hype and circuses. People don't care about the WTO, IMF, and World Bank.

Yes. It's a sign of the growing global recession no one wants to talk about.

The answer isn't yes or no...see my response in the discussion thread.

[Discuss in threads](#)

Hackt Up, Hei Ke!

We've covered this over and over and over, but some of you out there are still clueless about it...if you've got an Internet connection, especially a broadband connection [you've GOT to get a firewall of some kind...](#) but the blame for this also lies on the sellers of broadband who should be required to offer a firewall with an installation...

'But broadband providers say that the service they provide to their users is safe -- though they do concede that

[Who'll Be Next to Join the Dow?](#)

If the GE/Honeywell merger goes through, some of the favorites are Cisco and AOL.

Submitted on Oct 23 2000 - 18.59 by hack

[A sea of change?](#)

Yes there is still money to be made in tech...

And the sea change is this: Maybe, just maybe, there is some new leadership coming about in tech. Forget about Cisco (CSCO:Nasdaq - news) and Dell (DELL:Nasdaq - news). How about Applied Micro Circuits (AMCC:Nasdaq - news) and BEA Systems (BEAS:Nasdaq - news)?

Submitted on Oct 23 2000 - 18.40 by hack

[Zen and the Art of Index Investing](#)

But in investing, as in theology, there's an awful lot to be said for consistency. It's equally difficult, the indexers add, to try to time your investments. Better by far to practice dollar-cost averaging. If you invest regularly, then eventually you'll find you have bought on the dips as well as the peaks. But look what's really happening: lots of money going into index funds when the market seems to be surging ahead, much less when it's lagging. Why? I suspect that the hardest

[copter](#) and 50 men in

fridays clashes. Submitted on Oct 22 2000 - 23.35 by cj

2000 US Marines land in [Yemen, sparking occupation fears from the citizens.](#)

"The longer they stay, the more problems there will be," said Awadi, a shopkeeper standing in the sultry Tawil marketplace. "It's OK for ordinary Americans to be here, but soldiers with guns, people won't like that. The religious Muslims won't like that."

Submitted on Oct 22 2000 - 23.26 by cj

More children die [with a rock as weapon and a proud parent.](#) oh lament the insanity of it all...

"My son was a man who defended Jerusalem and I am ready to sacrifice more," said Imad, 52, who has nine more sons and eight daughters. "At least he died with a stone in his fist."

Submitted on Oct 22 2000 - 23.10 by cj

from the American Petroleum Institute (API) industry group served as a reminder of how vulnerable the world's largest oil consumer will be to any supply disruptions in the next few months. Inventories are almost 21 million barrels below year-ago levels and just two million above a 24-year low hit in August.'

What some of the pros are [buying and selling...](#)

Microsoft's numbers [come out today...](#)

'Indeed, Microsoft itself has turned into the biggest drag on the Dow Jones Industrial Average this year, lopping off a total of 392.52 from the blue-chip index since the beginning of the year.'

SUBWAY [SERIES!!!](#)

'And so a half-century after Willie, Mickey and the Duke dominated baseball, it will be Bernie, Benny and El Duque in the first Subway Series since the Yankees beat the Brooklyn Dodgers in 1956.'

Chase (CMB) who was already eyed skeptically for paying 4 times the value for JP Morgan now [also misses forecasts...](#)

'The No. 2 U.S. commercial bank said earnings excluding one-

consumers who are especially concerned about safety should install security software to protect their computers.'

Submitted on Oct 23 2000 - 08.16 by diva

Pretty cool...a woman in Canada saves the life of an attempted suicide in Scotland [via a chat room...](#)

'The man, who had taken the lethal Valium and alcohol cocktail while depressed, asked for help in the chat-room. He was apparently having difficulty typing and was slurring his words while speaking via his computer microphone. The woman in Calgary called the emergency services in Canada and informed them of the situation. Quick-thinking staff at Calgary Emergency Medical Serve contacted Scottish police, who whipped an ambulance round to the man's home and took him to hospital in Bannockburn, northwest of Edinburgh, where he was treated.'

Submitted on Oct 23 2000 - 08.13 by diva

Taking a movement you don't understand and co-opting it to fit your own personal

part of the indexing faith for most folks to embrace is the most Zen-like: Only in the Fullness of Time will we know that we did the right thing. I have trouble with that part myself. But then I reflect that about 30% of the U.S. equity holdings of institutional funds — many of them run by people who have to invest with one eye on an actuarial table — are pegged to an index, and the proportion is growing.

Submitted on Oct 23 2000 - 18.37 by hack

SEARCH
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NewsTrolls Book Choice

Ain't Nobody's Business

[Ain't Nobody's Business If You Do: The Absurdity of Consensual Crimes in Our Free Country](#)
by Peter McWilliams

Butterfly Economics

[Butterfly Economics : A New General Theory of Social and Economic Behavior](#)

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[diva's Picks](#)

time items fell to \$905 million, or 68 cents a share, from about \$1.2 billion, or 92 cents a share, a year earlier. Wall Street analysts had forecast profits of 93 cents a share for the latest quarter...'

AT&T's woes stem from a [Wall Street Journal article...](#) sure, everyone's annoyed at their handling of AWE, but their PE is now under 12...and there are bound to be announcements from all the pressure...it looks like a good time to reconsider...

Trading curbs kicked in yesterday which helped to prop up the descent but [IBM's numbers are set to continue the trend...](#)

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bold, vertical
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Courtesy of
**THE
Hunger Site**

view of the world...or how [hackers and evangelists are similar...](#) hmm...who wants to be a poster child?...not me...
Submitted on Oct 23 2000 - 08.09 by diva

More emerges on Carnivore being [only the tip of the iceberg...](#)

"The software was updated in September 1999 and May 2000, and the FBI is working on a new update, or Version 2.0 of Carnivore that includes an application called "Packeteer" to process packets of data and "CoolMiner" to display and organize the intercepted data. "Collectively, the three applications, Carnivore, Packeteer and CoolMiner, are referred to by the FBI lab as the 'DragonWare suite,'" said SecurityFocus.'

Submitted on Oct 23 2000 - 08.00 by diva

What Microsoft is scared to do, AT&T is contemplating in [Project Grand Slam...](#)

"The plan, called "Project Grand Slam," would divide the company into business, consumer long distance, wireless and broadband businesses...The four split units would be

[CJ's Picks](#)
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**Furious activity
is no substitute
for
understanding.**

--H. H. Williams

*able to concentrate on
their own strategies
and grow more quickly
than they would while
confined to the larger
AT&T scheme,
according to the
reports.'*

by diva

None of the Above

Voteauction.com [was
a big joke](#) Fabricated
from the begining...
well done!

*"We've said
from the beginning
that they may think it's
a parody," said Tom
Leach of the Chicago
Board of Election
Commissioners. "But
we don't think it's
funny.... If I'm going
on an airplane and
yelling fire even if
there's no fire, it's still
a federal crime."*

Submitted on Oct 23
2000 - 17.04 by cj

On ['meet the press'](#)
Hagelin, Browne and
Phillips debated.

*In fact, the
exclusion from the
debate of these five
other candidates is
possibly one of the
clearest indications
that an elite group has
an inordinate amount
of influence over
American politics and
the American people.*
by cj

A Yale conference
paper titled:
[Libertarianism,
Property & Harm by
James Boyle](#)

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quote or cite without
permission*

Submitted on Oct 23
2000 - 16.34 by cj

[Newspaper
endorsements:](#) To me
this seems a bit like
telling readers that this
newspaper is indeed
biased. My
endorsement goes to....
None of the Above,
make your own damn
informed decision. by
cj

Nader the [Gore
spoiler?](#)

*The seriousness
of the Nader threat to
Gore abruptly
escalated last week
with the publication of
a poll in Minnesota, a
state previously
considered solidly in
Gore's camp. It
showed Bush ahead 44
percent to 41 percent,
with 8 percent going
to Nader. "Nader
could make it close,"*

Submitted on Oct 22
2000 - 23.59 by cj



NewsTrolls Propaganda

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sweatshirts, mugs and mousepads**



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News Under the Radar

NewsTrolls by [diva Pasty Drone](#), [Hackworth, CJ](#), and [Downes](#)

Monday, October 23, 2000

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Our Articles

The Rapidly Changing face of Computing: [The Beginning of Something New](#) by Jeffrey Harrow
Submitted on Oct 23 2000 - 18.18

New Media: [Causes of Conflict](#) by Stephen Downes
Submitted on Oct 19 2000 - 14.58

The Rapidly Changing Face of Computing: [Forecasting Our Tomorrows...](#) by Jeffrey Harrow
"Our goal is to empower youth to recognize their role and responsibility in world affairs and become active participants in the new millennium."
Submitted on Oct 16 2000

Open Sesame

[I Don't Like Your Examples!](#)
I, thankfully before buying the book, was able to peruse a copy of your latest PL/SQL programming book. I think you have forgotten one basic principle when you planned the examples. This was supposed to be a book about PL/SQL, not blatant sociopolitical rantings. If I had bought the book, I would be returning it immediately for a complete refund. It doesn't matter whether I agreed or disagreed with your views (in some cases I agreed, in some cases I strongly disagreed). I

Eastern Visions

China deploys guided missiles around Hong Kong to protect it [from Taiwan...](#)
'The decision to set up an air defense zone was reportedly in preparation for a possible outbreak of war in the Taiwan Strait as the island may retaliate by directing its missiles at Shenzhen and Hong Kong.'
Submitted on Oct 23 2000 - 08.05 by diva
[Black Tigers](#) willingly go to their deaths in [suicide battles...](#)
Submitted on Oct 23 2000 - 08.03 by diva
French President Chirac makes a special plea to Zemin for [religious](#)

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In the Ether

The seige of the Branch Davidian HQ near Waco, texas, may have ended in 1993 but the [Waco controversy](#) lives on the internet...
Submitted on Oct 23 2000 - 18.47 by Downes
Real Media goes after the

- 11.13

Calgold says:
[The Cat: A Maniac's Best Friend](#) by Calgold

Calgold Says:
[An Insight into the U.S. State Department Personnel Dilemma](#) by calgold

The Rapidly Changing Face of Computing:
[Convergence and Ecommerce Updates](#) by Jeffrey Harrow
Submitted on Oct 9 2000 - 11.41

NewsTrolls Service:
[NewsTrolls WebFeeds](#)
Put a NewsTrolls topic on your own web site
Submitted on Oct 9 2000 - 11.24

The Rapidly Changing Face of Computing
[High Speed, Always On...](#) by Jeffrey Harrow
Submitted on Oct 2 2000 - 11.02

The Rapidly Changing Face of Computing
[Assuring The Domestic Tranquility](#) by Jeffrey Harrow
Submitted on Sept 25 2000 - 12.26

New Media: [Interview with Presidential Candidate Jackie Strike](#)
by Stephen Downes
Submitted on Sept 20 2000 - 12.05

found the examples so distracting that I was unable to get the information I needed out of the book. Please in the future, remember that we, the book buyers, are looking for information about using PL/SQL. I am as tired of the emp and dept tables as you are, but less distracting examples would have been more appropriate

Submitted on Oct 23 2000 - 18.28 by hack

[Microsoft directly targeting Linux?](#) And check out the ad!: [An open operating system does not just have advantages](#)

Submitted on Oct 23 2000 - 18.09 by hack

[Can XML save tech?](#)
Although a few days old, and slightly high-level, this is still a decent article.

At least there is hope for that future. A successor to HTML is emerging, called XML. With XML, Web sites will be able to talk to and exchange information among each other and with other programs inside your computer or wireless devices. It should make the Web more flexible and open the way for services not yet dreamed of. Microsoft is pointing its whole ship at XML.

[freedom in Tibet...](#)

'On Tibet, Chirac reiterated that France accepts unequivocally that the region is part of China but would like to see more religious and political freedom for Tibetans.'

Submitted on Oct 23 2000 - 07.56 by diva

Good news for automakers of the oversaturated US market... [Asia will need 5 million cars a year in the next 10 years...](#)

Submitted on Oct 23 2000 - 07.53 by diva

EU meets with China over [trade and human rights...](#)

'China originally welcomed the creation of the European currency as an alternative to the U.S. dollar, but Chinese officials say weakness in the euro has made Beijing hesitate about increasing the proportion of the unit in its reserves.'

Submitted on Oct 23 2000 - 07.44 by diva

[radio broadcasting](#)

market with RealAudio 8, a higher quality low bandwidth solution aimed at reducing broadcasting costs...

Bandwidth can account for as much as 95 percent of the cost of broadcasting existing content on the Internet. RealNetworks says the new file format will allow broadcasters to deliver the same quality sound at two-thirds of the bandwidth cost. Because RealNetworks software is widely used by broadcasters, a 30 percent cost savings could make the industry more viable.

Submitted on Oct 23 2000 - 18.44 by Downes

[Content syndication](#) is the next big meme on the rise. It must be... it's in Wired. heh. And speaking of Wired, and of irony, check out this quote:

"If content companies don't compel their customers to interact with media, within 12 months they will lose those all of those customers," Clemente said.

Submitted on Oct 23 2000 - 18.40 by Downes

The new eBook Awards launch and guess who dominates the [nominations...](#) yup...

Before we raise a hue and cry about



Others are becoming XML fans, including Bricklin. "XML is going slowly, but we're all sure about it," he says.

Submitted on Oct 23 2000 - 18.04 by hack

[Is there too much web page bloat?](#) Just a quick little FYI: NewsTrolls is slightly bloaty. Our front page is 54KB.

Two of the web's most popular front pages, Yahoo and Lycos, manage to cram everything into just 37KB and 30KB, and that's the kind of benchmark the rest of us should be aiming for, says a report by Byte Level Research.

Submitted on Oct 23 2000 - 17.55 by hack

What a cool idea! I love it, I wish he'd send me a camera! [The Photo Trust Project](#)

Every month (or so), I'm going to send a disposable camera out to a different person that I've met through the web or been inspired by. The photo part of the title is easy to understand, but the 'trust' element actually comes into play even more often. I have to trust that I'll actually get my camera back, and everyone taking a picture on the roll has

NewsTrolls Special Productions:

[Tibetan Issues in the News](#)

[Keep Up with Tibet Celebrations: Tibetan Events Calendar](#)

Brash Bulls & Babbling Bears

[DOT to airlines: disclose those fares!](#)

Here's a somewhat amusing statement from the International Air Transportation Association...

"The legal conclusion, that an airline's failure to advise an inquiring consumer that she might purchase a 'cheaper' ticket on the Internet is a violation of the United States Code, is supported with nothing beyond the Petitioner's rhetoric,"

Submitted on Oct 23 2000 - 19.09 by hack

[US looking to level the international ecommerce field](#) Hmmm.

International laws enforced by the WTO. I'm not so sure this will work...

"This new initiative will create a lasting set of rules and agreements which help to ensure that the trading system provides

corporate New York dominating the awards, perhaps it's best to first consider that they might simply have submitted the best titles. Entirely possible.

Submitted on Oct 23 2000 - 18.33 by Downes

New journal, [Interactive Educational Multimedia](#), launches...

Submitted on Oct 23 2000 - 18.26 by Downes

[The Washington Monthly](#)
[The Washington Monthly](#)

On the Planet

Still bombing Iraq... [And the US government acts surprised when they get attacked.](#) ala Cole.

The warplanes have routinely bombed Iraqi air defenses in retaliation for what Washington and London have called repeated challenges to the presence of the western warplanes.

Submitted on Oct 23 2000 - 23.18 by cj

Amazon tribe protesting the [stringing of electricity through the jungle](#) will meet with the Chavez (president of Venezuela).

The Pemon tribe is split over the issue of

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Newest UserTrolls

[ClimateVoice.org](#)

Concerned about global warming changing the world's climate, disrupting weather systems, causing drought, floods, disease and threatening the survival of countless species? Why run the risk? Tell world leaders to use November's climate summit to reduce the pollution that causes global warming. It's time to speak out together for a cleaner, safer future!
by Eric LaManque

For all you die-hard Apple (AAPL) fans who smartly bought back in its dark days of \$13 a share to sell for a heap of profits, now may be your time again as [Wall Street starts doubting Apple again...](#)

"`This a very challenging, difficult situation," said Bear Stearns analyst Andrew Neff. "`They could re-engineer things or they could spiral out of control. It's in their hands.'"

Desperate E*Trade (EGRP) raise its fees [in Japan...](#)

The company, whose shares have fallen nearly 63 per cent since its IPO on Nasdaq Japan last month, said it wanted to avoid repeating mistakes

to trust that the people ahead of them will continue through completion.

Submitted on Oct 23 2000 - 17.53 by hack

Was S26 an indication of a growing international movement against the IMF, WTO, and the World Bank?

Yes. The group is growing larger and more people are fed up.

No. It's hype and circuses. People don't care about the WTO, IMF, and World Bank.

Yes. It's a sign of the growing global recession no one wants to talk about.

The answer isn't yes or no...see my response in the discussion thread.

[Discuss in threads](#)

Hackt Up, Hei Ke!

We've covered this over and over and over, but some of you out there are still clueless about it...if you've got an Internet connection, especially a broadband connection [you've GOT to get a firewall of some kind...](#) but the blame for this also lies

for electronic business the same guarantees of freedom, fair competition, respect for intellectual property rights, and access to markets that more conventional commerce enjoys,"

Submitted on Oct 23 2000 - 19.05 by hack

[Who'll Be Next to Join the Dow?](#) If the GE/

Honeywell merger goes through, some of the favorites are Cisco and AOL.

Submitted on Oct 23 2000 - 18.59 by hack

[A sea of change?](#) Yes there is still money to be made in tech...

And the sea change is this: Maybe, just maybe, there is some new leadership coming about in tech. Forget about Cisco (CSCO:Nasdaq - news) and Dell (DELL:Nasdaq - news). How about Applied Micro Circuits (AMCC:Nasdaq - news) and BEA Systems (BEAS:Nasdaq - news)?

Submitted on Oct 23 2000 - 18.40 by hack

[Zen and the Art of Index Investing](#)

But in investing, as in theology, there's an awful lot to be said for consistency. It's equally difficult, the indexers add, to try to time your investments. Better by far to practice

the power lines, which are to carry electricity to undeveloped regions in southeastern Venezuela and northern Brazil. But some members of the tribe have acknowledged sabotaging the project by knocking down more than 30 towers supporting power lines.

Submitted on Oct 22 2000 - 23.41 by cj

[Colombia loses another copter](#) and 50 men in fridays clashes.

Submitted on Oct 22 2000 - 23.35 by cj

2000 US Marines land in [Yemen, sparking occupation fears from the citizens.](#)

"The longer they stay, the more problems there will be," said Awadi, a shopkeeper standing in the sultry Tawil marketplace. "It's OK for ordinary Americans to be here, but soldiers with guns, people won't like that. The religious Muslims won't like that."

Submitted on Oct 22 2000 - 23.26 by cj

More children die [with a rock as weapon and a proud parent.](#) oh lament the insanity of it all...

"My son was a man who defended Jerusalem and I am ready to sacrifice more," said Imad, 52, who has nine more sons and eight daughters. "At least he

made in the US, where commission wars have forced many online brokers into a loss. However, analysts said that Japanese online brokers were not much better off and things would only get worse.'

Oil back up again as [US inventories are unexpectedly lower...](#)

'Bulls were galvanized by a reported 3.1 million barrel fall in U.S. crude inventories to 280.72 million barrels in the week to October 13, the second hefty slide in as many weeks. The figures from the American Petroleum Institute (API) industry group served as a reminder of how vulnerable the world's largest oil consumer will be to any supply disruptions in the next few months. Inventories are almost 21 million barrels below year-ago levels and just two million above a 24-year low hit in August.'

What some of the pros are [buying and selling...](#)

Microsoft's numbers [come out today...](#)

'Indeed, Microsoft itself has turned into the biggest drag on the Dow Jones Industrial Average this year, lopping off a total of 392.52 from the blue-chip index since the beginning of the year.'

on the sellers of broadband who should be required to offer a firewall with an installation...

'But broadband providers say that the service they provide to their users is safe -- though they do concede that consumers who are especially concerned about safety should install security software to protect their computers.'

Submitted on Oct 23 2000 - 08.16 by diva

Pretty cool...a woman in Canada saves the life of an attempted suicide in Scotland [via a chat room...](#)

'The man, who had taken the lethal Valium and alcohol cocktail while depressed, asked for help in the chat-room. He was apparently having difficulty typing and was slurring his words while speaking via his computer microphone. The woman in Calgary called the emergency services in Canada and informed them of the situation. Quick-thinking staff at Calgary Emergency Medical Serve contacted Scottish police, who whipped an ambulance round to the man's home and took him to hospital in Bannockburn,

dollar-cost averaging. If you invest regularly, then eventually you'll find you have bought on the dips as well as the peaks. But look what's really happening: lots of money going into index funds when the market seems to be surging ahead, much less when it's lagging. Why? I suspect that the hardest part of the indexing faith for most folks to embrace is the most Zen-like: Only in the Fullness of Time will we know that we did the right thing. I have trouble with that part myself. But then I reflect that about 30% of the U. S. equity holdings of institutional funds â€” many of them run by people who have to invest with one eye on an actuarial table â€” are pegged to an index, and the proportion is growing.

Submitted on Oct 23 2000 - 18.37 by hack

died with a stone in his fist."

Submitted on Oct 22 2000 - 23.10 by cj

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NewsTrolls Book Choice

Ain't Nobody's Business
[Ain't Nobody's Business If You Do: The Absurdity of Consensual Crimes in Our Free Country](#)
by Peter McWilliams

Butterfly Economics
[Butterfly Economics : A New General Theory of](#)

SUBWAY [SERIES!!!](#)

'And so a half-century after Willie, Mickey and the Duke dominated baseball, it will be Bernie, Benny and El Duque in the first Subway Series since the Yankees beat the Brooklyn Dodgers in 1956.'

Chase (CMB) who was already eyed skeptically for paying 4 times the value for JP Morgan now [also misses forecasts...](#)

'The No. 2 U.S. commercial bank said earnings excluding one-time items fell to \$905 million, or 68 cents a share, from about \$1.2 billion, or 92 cents a share, a year earlier. Wall Street analysts had forecast profits of 93 cents a share for the latest quarter...'

AT&T's woes stem from a [Wall Street Journal article...](#) sure, everyone's annoyed at their handling of AWE, but their PE is now under 12...and there are bound to be announcements from all the pressure...it looks like a good time to reconsider...

Trading curbs kicked in yesterday which helped to prop up the descent but [IBM's numbers are set to continue the trend...](#)

northwest of Edinburgh, where he was treated.'

Submitted on Oct 23 2000 - 08.13 by diva

Taking a movement you don't understand and co-opting it to fit your own personal view of the world...or how [hackers and evangelists are](#)

[similar...](#) hmm...who wants to be a poster child?...not me...
Submitted on Oct 23 2000 - 08.09 by diva

More emerges on Carnivore being [only the tip of the iceberg...](#)

'The software was updated in September 1999 and May 2000, and the FBI is working on a new update, or Version 2.0 of Carnivore that includes an application called "Packeteer" to process packets of data and "CoolMiner" to display and organize the intercepted data. "Collectively, the three applications, Carnivore, Packeteer and CoolMiner, are referred to by the FBI lab as the "DragonWare suite," said SecurityFocus.'

Submitted on Oct 23 2000 - 08.00 by diva

What Microsoft is scared to do, AT&T is

[Social and Economic Behavior](#)

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**Furious activity
is no substitute
for
understanding.**
--H. H. Williams

contemplating in
[Project Grand Slam...](#)

*"The plan,
called "Project Grand
Slam," would divide
the company into
business, consumer
long distance, wireless
and broadband
businesses...The four
split units would be
able to concentrate on
their own strategies
and grow more quickly
than they would while
confined to the larger
AT&T scheme,
according to the
reports.'*

by diva

None of the Above

[Voteauction.com](#) was
[a big joke](#) Fabricated
from the begining...
well done!

*"We've said
from the beginning
that they may think it's
a parody," said Tom
Leach of the Chicago
Board of Election
Commissioners. "But
we don't think it's
funny.... If I'm going
on an airplane and
yelling fire even if
there's no fire, it's still
a federal crime."*

Submitted on Oct 23
2000 - 17.04 by cj

On '[meet the press](#)'
Hagelin, Browne and
Phillips debated.

*In fact, the
exclusion from the*

debate of these five other candidates is possibly one of the clearest indications that an elite group has an inordinate amount of influence over American politics and the American people.

by cj

A Yale conference paper titled: [Libertarianism, Property & Harm by James Boyle](#)

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Submitted on Oct 23 2000 - 16.34 by cj

[Newspaper endorsements](#): To me this seems a bit like telling readers that this newspaper is indeed biased. My endorsement goes to.... None of the Above, make your own damn informed decision. by cj

Nader the [Gore spoiler?](#)

The seriousness of the Nader threat to Gore abruptly escalated last week with the publication of a poll in Minnesota, a state previously considered solidly in Gore's camp. It showed Bush ahead 44 percent to 41 percent, with 8 percent going to Nader. "Nader could make it close,"

Submitted on Oct 22
2000 - 23.59 by cj



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Links to several articles discussing whether voting machines are being used to rig elections.

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News on relief, development, social, economic and political affairs, by the Integrated Regional Informati...

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[**Thomas Cochrane**](#)

Abstract: The son of the ninth Earl of Dundonald, was born in Annsfield, Lanarkshire in 1775. He was...

[**Welcome to Voter March**](#)

Organizes marches in favor of a variety of voting reforms in the aftermath of the 2000 US presidential...

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In the hypothetical future where all votes are traded on the Internet, it's easy to see how bipartisan...

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capitol punishment: does **voteauction**.com subvert ...

[**Elections...or, cheering for the State**](#)

Site which advocates Anarcho-Capitalism (anarchy combined with free market capitalism) with pointers...

[**Poynter Online - Election Coverage**](#)

Ongoing analysis of the role of journalism and the media in the political campaigns.

[**Michael Graham \[home\]**](#)

Political humorist and radio talk host offers comedy and columns with a conservative or libertarian theme.

[**Save Democracy - Votes are being stolen -- Home**](#)

Campaign to prevent abuse of the voting system, including fraud and intimidation.

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[**US presidential election, 2004 - Wikipedia, the free encyclopedia**](#)

Encyclopedia article provides information about the candidates, the debates, battleground states and...

[**Network America**](#)

Advocates for exposing computer vote fraud, imprecise election practices and media responses.

[**Burnt Orange Report**](#)

National, state and local coverage includes news, features and voter information. Washington State.

[**The Thief in Chief.com**](#)

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[**The American Mind**](#)

A daily weblog of politics and culture.

[**ReDefeat Bush**](#)

PAC with the goal of registering one million new Democratic voters in battleground states. Offers...

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Offers information for Florida voters about the candidates, election process, electors, and registration.

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A comprehensive collection of progressive links and resources, including forums, activist tools, webrings...

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Vote for candidates in the largest online straw poll for Democrats, and discuss choices with fellow...

[**Topplebush.com: Combining anti-Bush humor with intelligent ...**](#)

Articles, humor and items devoted to defeating President Bush in 2004.

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Articles and resources on Corporate crime waves, business scams, workplace ethics, identity theft,...

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Newsletter guide for buyers and sellers with resources, tips, and tricks to online auctions.

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[ESPN.com - TVLISTINGS - Show 36 transcript:](#)

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ESPN report on sports memorabilia fraud.

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Dedicated to providing a safe and secure forum for exchanging characters and equipment from on-line games.

[**Auction Sentry review by PC Magazine**](#)

Review of an auction tool.

[**BizReport**](#)

Focuses on the Liquidation Universe Ebay Laptop Computer Scam. Assistance and resources for victims...

[**Welcome to NetScalped.com**](#)

Source for news about internet issues--including scams, hoaxes, and fraud. Links to related websites,...

[**The Gemstone Forecaster**](#)

Analyzes Burma ruby and sapphire gems and collector gemstone markets.

[**CNN.com - eBay identity theft hits close to home - February 18 ...**](#)

[CNN]

[**Internet Sword Collectors Association**](#)

Information, articles and links on antique and collectible swords and edged weapons.

[**WVAG: Consumer Protection: Main Entrance**](#)

Consumer Protection and Antiturst Divisions of the West Virginia Attorney General. Includes contact...

[**eAuctionWorld - A World of Savings!**](#)

Buy or sell books, CD's, DVD's, games and instruments.

[**Auction Fire - Free Auctions - Online Auction Site - Internet ...**](#)

Offers a variety of categories. Includes image hosting, consignment service, message board and fraud...

[**Technology News: Security**](#)

Members can examine, post and manage incidents concerning online auction problem users, scam and fraud...

[**Elverta News**](#)

[Stock Broker Fraud](#) Local, regional, and statewide news collected from diverse sources on the web.

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Professional investigative agency specializing in high technology crime investigation, including Internet...

[YourHobby.Com - Numismatic Link List](#)

Links to sites covering rare coins, bullion, dollars, and silver/gold coins.

[Building A Home Internet Business.](#)

Learn how online business opportunities work and which one is right for you: Affiliate marketing,...

[Public Advisory: Special Report for Consumers on Identity Theft](#)

Tips and reports from the Solicitor General of Canada.

[E-Commerce & the Internet](#)

Information from the FTC on E-commerce and the Internet. Includes anti-fraud tips.

[419 Legal :: Home - South African Police Services](#)

Advance Free Fraud forums, information and links to fraudulent sites.

[American Art Pottery Association](#)

Membership information, links to pottery sites, discussion groups, and book reviews.

[\(rr1.net\) Cumberland Internet serving Neoga, Greenup, Toledo ...](#)

Internet service provider, with many local links.

[Consumer Guide To Preventing eBay Fraud, Escrow Fraud, Auto Fraud ...](#)

Consumer guide to preventing and fighting eBay, escrow, auto, internet, cashiers check, and Nigerian...

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[Payment Service Ratings](#)

Rates all internet payment services published in a monthly newsletter.

[KVOA 4 Home](#)

Explains some common phishing methods and dangers.

[Internet Fraud Mitanette Calvin](#)

Describing the author's experience purchasing commercial merchandise through an EBay auction.

[disinformation](#)

capitol punishment: does [voteauction](#).com subvert ...

[MyMontana - Montana's Internet Portal Missoula](#)

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Covering business, news and entertainment. Featuring a classifieds area.

[Law Enforcers Target "Top 10" Online Scams](#)

Consumer Protection Cops From 9 Countries, 5 US Agencies, And 23 States Tackle Internet Fraud [FTC]

[CNN.com - Technology - FTC exposes top 10 Web scams - October 31 ...](#)

[CNN]

[Cyber Criminals Most Wanted Website](#)

Overview of cyber criminal activity that includes safety, security, viruses, scams, filtering, encryption...

[INTERNET SAFETY Menu - The Police Notebook](#)

A law enforcement site promoting safety and crime prevention for kids.

[Security Statistics - Home](#)

Provides a central repository for computer crime and Internet security statistics, reports, trends,...

[Stamp Collectors Against Dodgy Sellers \(SCADS\) - eBay stamp ...](#)

Association of philatelists works to reduce sales of fraudulent or misdescribed items and to inform...

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[**Latest Email Hoaxes - Current Internet Scams - Hoax-Slayer ...**](#)

Information about email hoaxes; includes weekly newsletter, archives and list of the latest email hoaxes.

[**The Unger Memorial Library \(Plainview, Texas\)**](#)

Located in Plainview, Texas. Includes contact information, hours, location, programs, links, and newsletter,

[**AuctionBlackList.com: Auction Fraud Reporting And Prevention**](#)

Auction fraud protection and research service and database of known auction frauds to assist users...

[**Kentucky-in-Touch: Winchester, Kentucky's ISP**](#)

Internet service provider. Features a local business directory and community information.

[**CarBuyingTips.com new car buying guide, avoiding dealer scams, new ...**](#)

Comprehensive resource guides car buyers through the buying process and also explains dealer sales...

[**eBay Auction Tips and Tools - AuctionInsights.com**](#)

Resource dedicated to providing insights for beginner and veteran internet auction participants.

[**Phishing scams and spoof email hoax scams - MillerSmiles**](#)

Offers information about online identity theft, spoof email and phishing scams.

[**Computer and Internet-related Crime**](#)

UK law in relation to Internet crime, how to report illegal material.

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Femenino.net.art: feminización de la cultura y red Internet

Remedios Zafra

Femenino.net.art: feminización de la cultura y red Internet forma parte de la tesis doctoral "Arte, Internet y Colectividad: nuevas prácticas artísticas de la red y nuevas formas de Colectividad y Acción Social".

Teniendo en cuenta que lo femenino ha sido uno de los "otros" visibilizados en las últimas décadas, origen y sentido de relevantes cambios sociales, nos encontramos con la dificultad que supone "definirse" para la mujer o para cualquier "otro" que haya estado excluido del juego social. A partir de esta dificultad indagamos en el doble juego de deconstrucción de su imagen pasada y la afirmación de un "querer ser" (darse forma a sí mismo), sólo posible como proceso (siempre inacabado). De esta manera vemos cómo se favorecen 'identidades' que rehuyen el esencialismo y se definen en lo provisional. Teniendo en cuenta que muchas manifestaciones de la provisionalidad y multiplicidad en nuestra cultura, incluida la adopción de personalidades online, están contribuyendo a un replanteamiento general de las tradicionales concepciones unitarias de la identidad, las experiencias en la red Internet nos ayudan a elaborar estas nuevas visiones del "yo".

En Internet el mundo (nosotros) sólo existe en nuestros representantes (temporales), en el e-mail, en el chat, en la WWW,.... en la interacción concluida. El mundo en Internet es "un chapoteo, una polvareda", una estela que se autodestruye cuando finaliza la comunicación. En Internet aquella idea de Deleuze en relación al pensamiento Leibniziano que sugiere una percepción por texturas y no por estructuras, tendría un referente. Las texturas son las que conforman múltiples posibles formas de ser y hacer en la red, son las que liberan el inconsciente (como quien se disfraza para dar rienda suelta a sus facetas más escondidas y liberadoras). Texturas y pliegues que se convierten en autónomos y desbordan al cuerpo, bien para destruirlo, reestablecerlo o elevarlo, pero siempre para darle la vuelta y moldear su interior.

Para indagar en todo ello hemos ideado una estructura conceptual que engloba dos apartados que atenderán a los siguientes criterios de organización: en un primero esbozaremos un análisis desde enfoques históricos y sociológicos de la relación mantenida entre mujer, arte y tecnología en los últimos cincuenta años.

1. CONSTRUCCIONES SOBRE EL GÉNERO, LA TECNOLOGÍA, EL TRABAJO Y EL ARTE EN LO RELATIVO A LA MUJER

En un segundo nos acercaremos a las prácticas y recorridos artísticos y políticos online y especularemos sobre el papel de las mujeres en los nuevos espacios tecnológicos y artísticos de la red Internet, así como sobre las posibilidades de dar por cumplidas las esperanzas emancipatorias, deconstructivistas y feminizadoras de la mujer en la red.

2. EL PODER DE LO SUBVERSIVO EN LA FEMINIZACIÓN DE LOS NUEVOS ESPACIOS ARTÍSTICOS Y TECNOLÓGICOS

Para ello nos acercaremos a las distintas visiones que sobre el ciberfeminismo se están gestando y analizaremos proyectos de net.art que tratan de manera explícita el tema del género y en los que colisionan "arte, feminismo e Internet" y aquellos que, si bien no introducen explícitamente cuestiones feministas en sus obras, investigan líneas propias del metalenguaje de la red, indagando sobre los límites que separan lo real de lo virtual, los nuevos lenguajes que cuestionan las formas convencionales de narratividad, y la re-creación de subjetividades ficticias y virtuales en un nuevo espacio epistemológico y existencial del ser.

En estos dos apartados apuntaremos distintos conceptos sobre la feminización para llegar al que surge subversivamente de lo 'no dicho' y proclama su espacio de acción en las nuevas estructuras tecnológicas donde se están construyendo los sistemas de comunicación del futuro. Para ello acudimos al pensamiento de Derrida y de Kristeva para los que la mujer es la sede privilegiada desde la cual es posible desmontar el pensamiento occidental falocéntrico. También encontramos importantes referencias en las propuestas de escritura femenina de Cixous según la cual se pretendía desarticular (deconstruir) el discurso dominante, bajo una primacía, no de la mirada sino de lo simultáneo, lo que fluye, lo que se opone a todo tipo de figura o idea rígidamente

construido. Esta propuesta, que nosotros vinculamos a las escrituras online, plantean una estrategia de destrucción del modo de funcionamiento del discurso tradicional, una relación de una "economía femenina" cercana al cuerpo, a lo que fluye, al ritmo, y opuesta a la economía masculina apoyada en lo filosófico, lo simbólico y lo discursivo. Esta sería una escritura que hablaría de lo inconsciente, lo reprimido, lo excluido, de los miedos y deseos no materializados. Escritura que se relacionaría con "lo otro viviente", lo "otro salvado" lo "otro ya no amenazado por la destrucción", proponiendo una feminidad que sería el "verdadero objetivo de ambos sexos".

En esta propuesta de feminización de la cultura podemos encontrar coincidencias en la crítica filosófica del esencialismo de Derrida. Tal vez, paradójicamente, pues aunque la idea de esencia es rechazada por la teoría posestructuralista, (recordemos que para Derrida el esencialismo era cómplice de la metafísica occidental y plantear la oposición hombre-mujer suponía plantear un falso universalismo -seguir prisionero de la metafísica con su ilusión de presencia, ser identidades estables-) el programa de "écriture feminine" que se basa en los mismos fundamentos, sí se mueve ocasionalmente hacia posturas esencialistas.

No podemos pensar ninguna realidad auténtica que no contemple la importante dimensión que todo (cualquier) real excluye. Es lo excluido (lo "otro") lo que marca las economías del deseo, así como de los cambios sociales y políticos, lo que marca la tensión mantenida del progreso.

En una sociedad en red, en una época donde no tiene sentido hablar de arte, artista, objeto y sujeto en los mismos términos que hace una década, la diferenciación biológica y sexual basada en la confrontación dual resulta insuficiente y se torna poco concreta. Las identidades fijas y condicionadas, reforzadas por una imagen del género como herramienta de subordinación, propiciatorias de una actuación políticamente diferencial (y por supuesto no neutral), dejan paso a identidades múltiples, re-hechas, re-articuladas, que intervienen su anterior lógica binaria y la subvierten.

Estrategias de (auto)creación basadas en el injerto, en la re-contextualización de fragmentos, en el copy-paste, convierten el interfaz, como campo maquínico de mediación intersubjetiva, en un nuevo espacio epistemológico del ser. Cuerpos articulados con escrituras digitales que interrumpen los discursos de la dualidad cuestionando la inmóvil "mismidad" del sujeto en las múltiples morfologías del interfaz, condicionando su inscripción social al efímero de su duración, a su genuina temporalidad y total contingencia.

En el ciberespacio somos cuerpos (géneros) hechos a través de la máquina, con palabras e imágenes, con fusiones y códigos que nos inscriben social y culturalmente mediante una tecno-anatomía. El ratón es a la vida digital (social -en red-) un inmediato y efectivo bisturí que, mediante código y palabras, modela sujetos online cual ciber-cirugía orlaniana.

Históricamente el género ha sido un instrumento de jerarquización proveedor de formas falsas y concretas a los cuerpos. Ahora, en una época donde se cuestiona todo lo aceptado como inamovible, el género se convierte en algo así como un "espectáculo diario" compuesto de imágenes que se dibujan en la pulsión del cambio posible, imágenes en permanente construcción.

En este nuevo espacio hablar de lo femenino nos remite a hablar de "la feminización" de la red Internet, de la acción desjerarquizadora de la misma, en términos de resistencia, deconstructivos. Términos que no supondrían, por tanto, recuperar los atributos tradicionales de la mujer, sino deconstruir el ser "feminizado" (revelador de una estructura de poder-sometimiento) y ejercitar la voluntad de "querer ser" en un espacio concebido sin jerarquías, un espacio al que se le presupone (sobre todo en sus inicios) una menor carga de prejuicios sobre las formas posibles de ser en el mundo. Esta feminización, tal como sugiere Derrida, debe "por un gesto doble, una ciencia doble, una escritura doble, practicar una inversión de la oposición clásica y un desplazamiento general del sistema".

Si recordamos la construcción de la conciencia feminista anterior y posterior a los setenta tiene en la naturaleza de la identidad femenina un punto de inflexión en su tratamiento y consideración. A principios de esta década (los setenta) las artistas empezaron a ser verdaderamente conscientes de la artificialidad y del poder represivo de la "construcción social del género". Uno de sus objetivos sería descubrir en una imagen de sí mismas (gravemente deteriorada por el pasado, la historia y la imposición social de un papel a cumplir) una auténtica voz que pudieran utilizar como sustento para una nueva construcción de su identidad.

De esta manera, concebir una feminización de las prácticas artísticas de la red implica, más allá de suponer solamente la presencia femenina en dichas prácticas, indagar si su presencia y su labor incita una deconstrucción de los modelos de enfrentamiento dual en torno al género.

- Deconstrucción mediante dispositivos digitales, protocolos, lenguajes hipertextuales, correo electrónico, código ... todos ellos piezas clave en la producción de l@s net.artistas a lo largo de la última década. Dispositivos donde la "matriz" como comienzo, origen, principio de sentido - también digital- es una de las metáforas de acción y teorización recurrente y de mayor carga simbólica. Con esta analogía nos adelantamos a la dualidad bajo la que hemos construido nuestra estructura social y moral, cuya raíz descubrimos en el código binario de nuestro sexo y en el código digital de la máquina.
- Deconstrucción mediante nuevos lenguajes. Palabras que se dimensionalizan, sistemas conceptuales que abandonan nociones como linealidad, centro, margen o jerarquía y las reemplazan por otras apoyadas en multilinealidad, enlaces, nodos y redes de relaciones.
- Deconstrucción mediante dispositivos de comunicación global en red, mediante activismo informatizado. No sin motivo las prácticas artísticas más relevantes que desde los años sesenta se han manifestado y consolidado mediante debates estéticos, en lo relativo a la producción femenina, han estado protagonizadas por "mujeres con conciencia de serlo", es decir por artistas que han desarrollado su trabajo desde perspectivas críticas y feministas, desde discursos de la resistencia. En este sentido, Maria Damon nos habla de las "ciberfems de la utopía futurista": un tipo de posfeministas que basan sus acciones en la consideración de la red Internet como espacio óptimo para sacar partido a la incorporeidad del sujeto y la posibilidad de su realización para sí y para el contexto al que se vincula mediante la tecnología. Sadie Plant ejemplifica en sus teorías la importancia de este vínculo "ciber-fems" constatando a través del mismo algunas de las más agudas reivindicaciones de las mujeres en relación a la tecnología, así como la necesidad de tenerla presente en la construcción contemporánea del género, por cuanto su emancipación se verá facilitada en la gestación del ciberespacio como nuevo espacio de acción.

Las producciones de las net.artistas habitantes de esta "frontera", generada a partir de los diversos mundos posibles en torno a la red, tendrían en este contexto una doble lectura. Por una parte, las prácticas que evidencian un tratamiento explícito del género y que se posicionan desde una perspectiva crítica y feminista. Por otra, las producciones que introducen estas cuestiones de manera implícita en la investigación de líneas propias del metalenguaje de la red, en los nuevos lenguajes que cuestionan las formas convencionales de narratividad, y en la re-creación de subjetividades ficticias en el nuevo espacio epistemológico y existencial del ser.

Por otra parte, no podemos olvidar que la feminización que promueven estas prácticas no es exclusiva de la mujer, y entre las producciones y actitudes de artistas como VNSMatrix, Anne de Haan, Shu Lee Cheang, Victoria Vesna o Kathy Rae Huffman, y entre las proclamas "The vagina is the boss on the Internet" o "The clitoris is a direct line to the matrix", encontramos también exponentes -más sutiles- en los Keikos Suzukis y las Sociedades Anónimas del ciberespacio, en cuyos gestos descubrimos también el carácter diferencial y deconstructivo de Internet.

Y es que aquí, en la frontera de los mundos posibles, no es difícil imaginar un futuro cuyas producciones artísticas tengan detrás de sí, no artistas, ni hombres, ni mujeres, sólo productores y sociedades anónimas con nostalgia, o tal vez no, de su cuerpo.

En la red lo "no dicho" adquiere otra dimensión, parece como si lindásemos su frontera (su abismo), como si acercarnos a "esa ausencia" fuera ahora más fácil. Un mundo por construir siempre es lo más sugerente, un espacio en blanco para quien ha visto rellenar y usurpar su espacio a otros, es, cuando menos, una oportunidad para adueñarse de sus actos, de su vida. Y aun cuando esta sensación es efímera, y podemos decir que dura 'un instante', 'un infraleve', lo que dura la ilusión del espacio virgen antes de ser mancillado por la ausencia de imaginación y la repetición de los mismos parangones sociales y los mismos temores a la diferencia, el deseo sigue perviviendo, y en relación a la red, el deseo es el motor de la construcción de un lugar de "lo individual" y de "lo común" para todos.

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Hacking vs Hacktivism: Sniffing the net

Outline of my research during my grant period in MECAD

Jenny Marketou

2000-2001

<http://smellbytes.banff.org>
Sniffing/Splashing 2000 (CD-ROM)

"As hackers become politicized and as activists become computerized, we are going to see an increase in the number of cyber-activists who engage in what will become more widely known as Electronic Civil Disobedience."
Stefan Wray, 1998

The discussion of the political impact of the internet has focused on a number of issues: Access, technological determinism, encryption, commodification, software, intellectual property, the public sphere, decentralization, anarchy, hacktivism, gender." On the other hand the net is the paradise of no-copyright, plagiarism, confusion and exchange. Hacking means reappropriating, reforming and regenerating not only culture but also redefining systems and processes, and it can account for a new coinage when the process is an open system. There is no question that Hacktivism is a new breed of activism -- wired and confrontational.

My current investigation has been focused on hacking vs hacktivism and the role those actions have played in the construct of a sociopolitical imaginary in our networked culture . I am particularly interested a how the above tactics have been dynamically appropriated and how the computer underground hacktivism has been infiltrated and interpreted in the work of many internet artists and collective groups working on the net as a meaningful political activity and radical practice.

Some of the following topics I would like to address:

- 1- Defining characteristics of the internet and therefore of "hacktivism".
- 2- Hacking vs Activism vs Electronic Civil Disobedience vs meaningful political practice.
- 3 Hacking + hacktivist culture and the e- community that hackers + hacktivist claim to embody.
- 4- What about e-Girl e-Geeks?
- 5 -Hacktivism as a conceptual art practice and artists as cultural hackers.
- 6- Hacktivism as performance, as hard sport, as an activist intervention, as radical practice/subversion, as erotic fantasy.
- 7- Stunts and Pranks and other tactics.
- 8- Sensationalism and e-Media Hype.
- 9- Other artistic - isms -contemporary or historical as basis for comparison.

In reference to the above research the following interviews have been published and projects and panels have been presented by the artists.

- 1-Interview Jenny Marketou with Cornelia Sollfrank, Artist, "Hacking Sublime", SYNOPSIS 1, catalog, Museum of Contemporary Art, Athens, Greece, September 2000.

2- Interview Jenny Marketou with Claudia Giannetti, Director, MECAD, Hactivism No 5 MECAD e-journal on-line, MECAD, Sabadell, Spain, 2001.

3- Open Source Lounge: Game Patching and Hacking Sublime and Viewers as Artists, a collective project, organised by Jenny Marketou in collaboration with Steve Dietz, curator of New Media Initiatives, Walker Art Center, USA. This project was first presented during the Medi@terra 2000, Art and Technology Festival, Athens, Greece.

4- NO CENSORS/ DYSTOPIA, 2001. A panel discussion with Marina Griznic, Natalie Bookchin and Jenny Marketou organized by Christine Wang, Curator New Media Initiatives, Alternative Museum, New York City.

The Net Alternative, or, Who's manipulating who? Corporate Sponsors, Public Relations, and Art

Natalie Bookchin

From a talk held at Künstlerhaus Bethanien Feb 2001
<http://www.bethanien.de/mal/netsplit.html>

In preparation for this talk I was sent a series of speculative questions by Gerrit Gohlke proposing issues to be covered on this panel. He suggests that thus far, net art has failed to deliver what it had originally promised. It has not destabilized and offered a way out of the traditional art system or provided access to a social reality through the networks. Proposing a "net split" he argues that many of net art's protagonists have either turned away from art and towards political activism or entered a mainstream art world with worn-out strategies, and he ends by suggesting that perhaps the Internet has been overrated as an aesthetic medium.

I wanted to begin with this summery because it contains some common assumptions about net art that I would like to call into question. First, I should begin by saying that there is no doubt the net is here to stay and artists are and will continue using it. The question proposed as the topic for the panel can not begin to account for the fact that the net has become an indispensable tool and material for numerous artists. Moreover, as audiences on the net get larger so do the possibilities for artists to tap into them. As activities on the net become more formalized, so do the possibilities for artists to manipulate those same forms. Thus, the more relevant question for me is less whether net art is making enough innovative strides at the moment, or if net art failed, but rather how has the net altered artistic production?

I also wonder how useful it is to qualify and limit our understanding of the diverse ways that artists are using now the net by applying the label net art to all these different artistic activities. Such practices include the regular emergence of international collectives and networks of artists developing projects across distances, performative network manipulations (such as this past summer's borderhack project in Tijuana which was as much of an international net performance as it was a live local event), or even the ways in which the net still functions as a cheap and easy method for artists to have direct contact with audiences, regardless of whether they choose to be or are accepted in the traditional art system.

It is not uncommon today in some circles to harp back nostalgically to the early days of net art when there was an apparent wave of creativity that has now subsided, those days when a small international group of people named and produced a lot of "net dot art". Where have they all gone?

But there is another way to think about this. I think the fact that art production on the net was thrust into the limelight very quickly and for a short period of time had more to do with both very creative manipulation of networks and with a growing awareness of how information could travel over the net, than with a rush of artists' websites sweeping the net. These creative manipulations were used in such a way that propelled a particular group of people into a highly visible place, and this activity was then, quite self consciously labeled net.art.

This is not to dismiss early net.art as mere self promotion. Rather I am arguing that the "art" was

located less in the individual web sites and more in the fierce collective manipulation of all aspects of the networks: mailing lists, spam, email, websites, links, web rings and mirrored sites: all devices for trespassing into and parasiting networks for alternative ends. This concerted effort created the earliest net art "movement", a first wave of artists who knew how to work the net.

As Health Bunting wrote to me in an email in 1997,

"i think self promotion is a viable tactic for infiltration in this current art star system. many of my european friends who have not yet suffered advanced capitalism (thatcherism) still have an aversion to these methods."

By focusing primarily on network manipulation, these works took on and engaged the materials of the net. Their self referentiality was an important aspect of an art grappling with new materials and a new medium.

Artists are of course still manipulating the net, but in the most compelling works, the focus is no longer just on the process itself, nor on artists simply directing attention to themselves. For example, it is not enough just to hijack people to your site, as it was in 1995. (Moreover so called hijacking has since been appropriated by the porn industry. Last year a porn company was sued for "hijacking" unwitting audiences who claimed they were taken to porn sites against their will, and their jobs were put into jeopardy when they were discovered by their bosses viewing this same porn). The question for artists now is what to do with your captive audience once you have their attention.

I would like to refer back now to another speculation that I received in the preliminary email about this panel, which suggested that many net artists have moved away from art into political activism. This position assumes that one is either making art or making politics and sets up a great divide between the two spheres. In fact, I think that the net has facilitated just the opposite - that is, an ease in which one can move between different spheres and contexts in the same work, not just referring to, but actually entering into them. It is of little effect for artists to refer to the political only from privileged spaces dedicated to the viewing of art nor the expected social spaces delegated to political activism. The net has made it simple to shuffle between these different areas, permitting artists to show up where they are neither expected nor particularly wanted.

As artists have become more adapt at working the material of the net, questions of how to use this manipulation to engage in different levels and subjects have become more critical. Early net artists' investigations into alternative distribution systems are now being put to use by newer art collectives, but the subject is now not distribution itself, but rather a distributed political or social critique.

Today there are artists whose creative and subversive uses of the net intentionally rub themselves against the grain not just of the art system but of the larger mainstream in a way that produces a quite visible effect. This work reaches sizable audiences unthinkable before the net, stretching as far and wide as the offices of major political candidates, the Pentagon, the director general of the WTO, and frequently showing up in the channels of mainstream media. One recent example is the project voteauction.com, which used all the conventions of the online auction house to highlight and provoke a corrupt system posing as a democracy, and in turn, created a not insignificant ripple in art, mainstream media and political realms.

There is an important legacy of artists who have been concerned not just with the depiction of political content, but with the politics of distribution and display. Since we are in Berlin, I will mention Berlin's own John Heartfield. A proto-net artist of sorts, he made political performance out of the manipulation of his public identity by cutting his name Helmut Herzfeld and pasting a new anglicized one, John Heartfield, in a show of disgust for the nationalist proto-fascist regime under which he was living. Perhaps more relevant to today's conversation were his innovative methods of distribution, whereby he used the new mass media to disseminate his subversive and political photomontages, aiming for and reaching not the galleries and museums, but the streets.

Finally I would like turn to a brief discussion of a project I am currently developing, first because it attempts use the methods I have been outlining and second because it is a project that would be unthinkable without the Internet. It first requires a little bit of background information .

There are a series of shows and commissions on the subject of genetics currently underway in the States. As part of this initiative, I was invited by a NY public art organization to develop a public art project.

Along the way, I made an intermediary piece (with Jin Lee), a power point presentation called Biotaylorism, which addresses how, by combining Taylorist and Fordist methods with biotechnology, organic life is now being internally optimized for better business solutions. The project was included in a traveling exhibit called "Paradise Now, Picturing the Genetic Revolution" in NY this past fall. As it turned out, the show had a range of biotechnology corporate sponsorship, backing an unusually extensive amount of promotion, included full page ads in the NY Times and a panel discussion featuring no artists, but instead biotechnology industry luminaries such as Craig Venter. (CEO of Celera).

This show is not unique. As I mentioned, there are currently underway a number of other such well funded shows and grants to artists to produce work in this area. Regardless of the good intentions of the curators, the bill is being partially footed by biotech companies and their PR firms. And in Europe, Ars Electronica has had biotechnology as its theme for the last 2 years. One of its main sponsors is none other than the Swiss biotech giant, Novartis.

Although corporate sponsored shows on biotechnology are by now nothing new, (see Yvonne Volkart's essay "Art Strategies of the New World Order, or, What do resistant art works look like?") this new burst of sponsorship for "gene-art" coincides with a major PR campaign begun last year by a consortium of the world's seven top biotechnology companies called "Good Ideas are Growing". The industry saw it as a critical time to push for public acceptance of genetic research and development, particularly in the States. While there had been general complacency on the part of Americans in the past in regards to genetically modified foods and research, the mood was starting to change. The aim was thus to avoid a public relations disaster such as the one that had taken place in Europe over the past few years, where biotechnology was met with fierce public resistance. The campaign consists of so called educational science exhibitions, ads, and the sponsorship of genetics-theme based cultural programs such as art exhibitions, conferences and art commissions.

The question was then what do these corporations want from artists, and how can we possibly avoid giving it to them?

Corporate sponsors are pretty certain that artists will serve as a comfortable buffer offering the public non-threatening points of entry into these otherwise threatening industries. With artists making biotechnology and genetics the subject of aesthetic contemplation and creative visual representation, what might have seemed disturbing becomes engaging, accessible and easier to accept as our present reality. Colorful and so called "open discussions" on the complex ethical dilemmas are likely to assuage public anxieties, conveying the impression that democratic discussion is taking place. The very question of whether biotechnology or genetics should continue in their present tracks is not even broached. This instead becomes a given - an inevitability. Less aesthetic questions concerning economic interests are generally not discussed. And by keeping these discussions in the safe spaces delegated to art, even the most critical of questions will not threaten the industry.

In developing a project, it has been essential for me to think tactically about how to negate the instant neutralization of this highly politicized subject. All the issues discussed above - context, distribution, and form - have been essential considerations. For this reason, I realized that I need to make a project that can function autonomously - and move easily in or outside of the sphere of "art". Second, it is critical to make central to the project the issues of economic and corporate interests and how they shape and define the science. Thirdly because images are always easier to co-opt than action, I will set up a structure that will encourage participants to become both invested in and involved with politicized and socially charged actions.

I decided to make an on-line game-called Superpetz (also with Jin Lee) modeled on a virtual Tamagotchi game, where the virtual pet is a human worker and you, the player, become a manager. You begin the game by selecting traits that you think are most desirable for your worker/pet. Next you must run your pet through a genetic screening test, which although unreliable and costly, will determine whether he or she qualifies for health insurance or is employable, and at what level. The test results of course may affect your pet's happiness, anxiety and energy levels. Knowing the potential risks may motivate you to make certain lifestyle choices, should you have enough points to afford to do so.

The game takes place in a virtual work place, where you must earn points to feed, replenish and manipulate your pet. Feeding keeps up energy and happiness levels so that your pet can work efficiently and earn more points. Working your pet depletes its energy and food levels and overwork or over supervision can lower efficiency, happiness and health levels.

There are numerous options for modifying your pet's body and mood to potentially affect its value, performance and job ranking, but these modifications entail costly and at times risky procedures. Overmodification or an abuse of rejuvenators can lead to inefficiency, job demotion, job or insurance loss, and an untimely death.

If you don't have enough money - for example in the case of a pet that has not been given a job or health insurance as a result of the genetic screening test - or if you simply want to earn more points, you can leave the workplace and temporarily enter another game environment where you have other options for earning points. There, you can play a "knowledge game" on the subject of work, science, health or reproduction. Or you can venture into the thrills and challenges of real life actions and participate in a variety of on or off line interventions or subversive projects on the subject, thus earning mega-points for your pet.

One final word in on the net: the net is the only site where we could realistically develop such a project that could function with ease either as a real game, as an investigation into the interests of corporate biotechnology and genetics industries and as an art project, and that in its different faces could potentially attract a broad and not always prepared audience. Using the format of a game puts players inside the story, implicating them in this political narrative, and the net allows me to subsequently direct these same audiences/players to an extensive database of information and to activities on the subject, and potentially propel them towards various actions -all under the same umbrella. To close, I don't think it is time to either celebrate or bemoan art on the net as simply a new genre in the museums, nor is it time for artists interested in productive critical strategies to close the book (turn off the switch) on net art.

See also

Jackie Stevens, "The Industry Behind the Curtain"

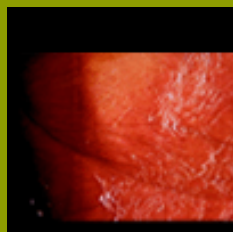
<http://rtmark.com/rockwell.html>

Natalie Jeremijenko ,

PARADISE NOW/INVEST NOW

<http://www.cat.nyu.edu/investnow/>

Yvonne Volkart, "Art Strategies of the New World Order, or, What do resistant art works look like?"



Dioses, cyborgs y monstruos (Gods, Cyborgs and Monsters)

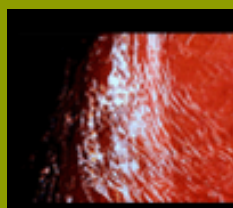
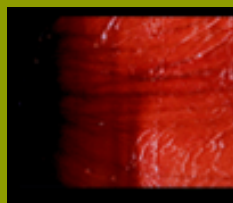
Idoia García de Cortázar

El proyecto presentado bajo el título "Dioses, cyborgs y monstruos" es una tesis doctoral que explora la dimensión artística de las nuevas tecnologías, así como examina las articulaciones reales, posibles e imaginarias entre los seres humanos (cuerpos) y las móquinas. El trabajo está dividido en tres partes:

La primera parte está dedicada al análisis de los nuevos rituales tecnológicos en los que la dicotomía tradicional mente/cuerpo ha sido reemplazada por la tricotomía mente/cuerpo/móquina.

El ritual tecnológico funciona como las cosmologías primitivas: intenta explicar, predecir y controlar el mundo. Define una experiencia señalada por la expectativa de un placer mágico, casi se diría que por una especie de redención o catarsis controlada y, al mismo tiempo, por la compulsión y la adicción, la hipnosis o la anestesia, la frustración reiterada y permanente ante el nuevo dios, junto con una suerte de ataraxia frente a una realidad de todos modos evanescente. Espectáculo mediático que se ajusta a las definiciones clásicas del término ritual, participa de sus propiedades y funciones, y presenta peculiaridades propias.

El espectáculo tecnológico es una demostración del orden sociocultural, dramatización del triunfo de la móquina, tragedia de haber perdido el cuerpo y la naturaleza, de ser y no ser humanos, simulacro, escena ritual, donde un hecho puntual permite la observación de la cultura global.





La segunda parte trata del uso del cuerpo, no como objeto de deseo, sino como objeto de diseño. Un cuerpo invadido por la tecnología y con modificaciones (prótesis tecnológicas): los cyborgs.

Un cyborg es un organismo cibernético, un híbrido mitad máquina, mitad organismo. Pero el cyborg puede ser también una ficción capaz de construir nuestra realidad social y biológica como un recurso imaginario que trabaja con la noción de híbrido, buscando superar los dualismos omnipresentes en el pensamiento tradicional.

La tecnología invierte las polaridades del mundo en que vivimos: las máquinas de finales del siglo XX han tornado totalmente ambigua la diferencia entre lo natural y lo artificial, la mente y el cuerpo, el desarrollo interno y el diseño externo, y muchas otras distinciones que se aplicaban a los organismos y a las máquinas. Nuestras máquinas están inquietantemente vivas y nosotros mismos terriblemente inertes.

Y por último se reflexiona sobre los monstruos o los fantasmas, los cuerpos en la red.

El mundo es reducido a un ritual mediático mediante estrategias de representación electrónica de la realidad. Se produce una escenificación de lo real y de nuestra presencia simulada en ella, que define de una forma espectacular la participación social del espectador transmutando lo privado en público. El evento mediático no es una reproducción ni una extensión de los sentidos, sino que configura una prodigiosa maquinaria conceptual, iconográfica y semiológica como sustituto de la realidad.

Curiosamente, justo cuando penetramos en el espacio incorpóreo de las abstracciones binarias, el cuerpo se convierte en uno de los temas referentes a la constante intrusión en el mundo artificial del ordenador, por medio de la telepresencia, la telerrobótica y la creación de cuerpos virtuales.

En la red, el cuerpo simboliza las diversas intersecciones entre el mundo virtual y el real, es representado, reinventado, conectado e incluso alterado física y virtualmente. Se convierte en arquitectura, en un espacio navegable, en la metáfora de la entrega total.

Relaciones de Incertidumbre

Dina Roisman

"Todo había sido un problema de conexiones fallidas, de mala sincronización, de andar a ciegas. Siempre perdiendo la ocasión de encontrarnos por muy poco. Siempre a unos centímetros de descubrirlo todo. A eso es a lo que se reduce la historia, creo. A una serie de oportunidades perdidas. Teníamos todas las piezas desde el principio, pero nadie supo encajarlas..."

Paul Auster, *El palacio de la luna* 1

Relación número uno: nociones generales

Los puntos de partida de este proyecto han sido el concepto de **azar**, como generador de sensaciones, y la **relación entre incertidumbre y certeza** (como dicotomía dialéctica).

Con estos dos elementos como ejes fundamentales, el trabajo no pretende brindar respuestas, sino plantear el problema y sus múltiples (quizá infinitas) posibilidades. Por este motivo, la estructura que lo rige está compuesta por preguntas:

¿Qué es el azar? ¿Es un producto de nuestra ignorancia o un derecho propio de la naturaleza? ¿El azar es una necesidad intrínseca del hombre (un imaginario) o existe realmente? ¿Es una búsqueda voluntaria? ¿Es posible que exista un principio "armonizador", que organice los eventos azarosos dentro de una grilla ordenada? ¿Puede definirse el grado de probabilidad de un acontecimiento?

Estos interrogantes han generado una larga historia de estudios, hipótesis y discusiones: Por qué las cosas son como son, y no de otra manera completamente distinta. Un enigma que han querido desvelar las ciencias exactas, la religión y la filosofía, pero hasta ahora nadie ha llegado a resolver.

• Relación número dos: objetivos propuestos

Se trata de poner en crisis, mediante la interactividad y la posibilidad de un *efecto random* (no predecible), la sensación de seguridad frente a lo esperado.

A través de situaciones azarosas, o *aparentemente* azarosas (de eso se trata), se busca activar el sentimiento de incertidumbre o de certeza ante diferentes condiciones propuestas, y provocar de esta forma reacciones diversas en cada individuo.

• Relación número tres: el otro

La interacción del usuario es fundamental. El proyecto perdería sentido si no existiera este vínculo. El propósito consiste en lograr una participación activa en cada página (ingresando textos y números, armando rompecabezas) y no sólo una navegación hacia adelante o hacia atrás. En cada momento se deben tomar decisiones que influyen inevitablemente en el recorrido, de manera de que cada navegante elige caminos diferentes de los de los demás, e incluso de los que él mismo ya realizó con anterioridad.

Cada uno hace su propia navegación, construye su recorrido. Esto significa que también construye su propia noción de orden, de azar: su realidad, que implica, como fin último, la construcción de su identidad.

• Relación número cuatro: el soporte electrónico

Al trabajar en el medio digital, el concepto de azar se traduce en la experiencia de la aleatoriedad (tanto en la imagen como en el sonido) en la posibilidad de crear un espacio con un recorrido no-lineal, que al ser atravesado permite el descubrimiento de nuevas piezas.

Cada página del proyecto fue planteada como un pseudo juego, una invitación a navegar detenidamente y a investigar sus elementos (siempre hay objetos y enlaces ocultos).

El ordenador adquiere en ciertos momentos *personalidad propia* (piensa un número, concede un deseo); esta personificación se relaciona con lo inesperado, con la sorpresa, con la angustia frente a la posibilidad de ser dirigidos por un *ordenador* que predetermine nuestras elecciones.

Relación número cinco: el juego

Es un elemento fundamental de este trabajo. Para ahondar en el concepto de lo lúdico, se ha tomado el texto del teórico James Carse, que define **dos tipos de juego: finito e infinito**:

"Un **juego finito** es un juego que tiene reglas fijas y límites, que se juega con el propósito de ganar y terminar la partida."

"Un **juego infinito** no tiene reglas fijas ni límites. En este juego, cada uno juega con las reglas y el objetivo es continuar la partida."

"Los que participan de juegos finitos tratan de controlar el juego, de predecir todo lo que va a

ocurrir, y aventajarse. Tratan de determinar el futuro basándose en el pasado. Los jugadores de juegos infinitos disfrutan sorprendiéndose. Continuamente se sumergen en lo desconocido, con tal de que esto garantice la continuidad del juego. El significado de los cambios del pasado cambia dependiendo de lo que ocurra en el futuro.
Todos los juegos son voluntarios. Siempre habrá consecuencias si uno no juega o no sigue las reglas, y siempre será necesaria una elección previa. Hay ciertas reglas definidas, aparentemente externas, que debemos elegir si respetamos o no. Si no se respetan, se abandona el juego."

"Pero: no hay ninguna regla que diga que hay que seguir las reglas." **2**

En **[relaciones de incertidumbre]** se propone un juego infinito, pero precisamente porque todos los juegos son voluntarios, depende de cada uno el tipo de juego en el que quiera participar, o la desición de abandonarlo en cualquier momento.

El *puzzle* o rompecabezas representa aquí un enigma, invita a actuar, a mover las piezas, con la particularidad de que está siempre presente la posibilidad de que no pueda llegar a armarse nunca (no hay ninguna pauta que indique cuál es la forma correcta de armarlo).

• Relación número seis: el proceso

Para la realización del trabajo se comenzó con una primera etapa de investigación teórica, recopilación y selección de textos. Se tomaron 4 ejes como guía estructural:

- a) Filosófico y psicológico (se analizaron textos de Carl Jung, Paul Watzlawik y Henri Bergson, entre otros).
- b) Lúdico (en relación a los *juegos de azar*, sobre textos de James P. Carse, John Conway).
- c) Artístico (textos y métodos de William Burroughs, la aleatoriedad en la música desde producciones de John Cage, la cinematografía de Kristof Kieslowski y la producción literaria de Paul Auster, entre otros).
- d) Científico (las ciencias exactas y las múltiples corrientes relacionadas con el azar y sus derivados a través de Gregory Chaitin, Jorge Wagensberg, François Jacob).

El paso siguiente consistió en materializar las teorías y los conceptos más fuertes de los distintos ejes en la gráfica.

Se trabajó sobre una iconografía relacionada con los juegos de azar, específicamente los dados (utilizados para apuestas y juegos de este tipo desde hace por lo menos 5000 años), y con símbolos matemáticos.

Las imágenes utilizadas son de creación propia, y el sonido fue generado y editado por la autora, paralelamente al desarrollo gráfico.

• Relación número siete: una conclusión posible

Como se planteó desde el inicio, el objetivo de este proyecto no es brindar una respuesta, una única visión acerca del tema: se propone, por el contrario, multiplicar las preguntas.

La idea consiste en que se puedan investigar las páginas y detenerse en ellas, sin una trayectoria establecida, de forma tal que el camino se genere en cada uno, en cada navegación individual.

Conexiones fallidas. Sucesos arbitrarios.
La necesidad inevitable de elegir
el tres, (y no el cuatro)
y sentarse a ver qué pasa.

• Conceptos y aclaraciones

El título: la fórmula elegida para el título del proyecto forma parte de una serie de fórmulas presentadas por Werner Heisenberg en 1927.

En este ejemplo **p** y **q** representan el **momento** (o velocidad) y **posición**, respectivamente, de un electrón o partícula. La fórmula señala que si se mide con máxima precisión una de las dos coordenadas (velocidad o posición) de una partícula, no se puede obtener simultáneamente un valor preciso para la otra coordenada.

Por lo tanto: cuanto más exactamente se determina la velocidad de una partícula, tanto menos exactamente puede determinarse la posición de la misma partícula y viceversa. Esta relación se ha considerado muchas veces como prueba de que hay indeterminismo en el universo físico.

Sincronía: de acuerdo a las investigaciones y los textos de Carl Jung, se define como un principio explicativo. Implica una conexión entre eventos que parecen sin sentido para el observador: precognición, coincidencias de sueños independientes, la recurrente aparición de números en un corto período en una larga secuencia. Pero su encuentro no es casual.

En general, las sincronías, en lugar de brindar una sensación de tranquilidad y armonía, generan exactamente lo opuesto: angustia, repulsión, desesperación.

Sistema: grupo de piezas que, en el interior de un mecanismo, trabajan en función una con la otra para asegurar el (*buen*) funcionamiento del mecanismo completo.
En el campo científico: conjunto de principios y teorías destinadas a brindar una explicación que permita aclarar un fenómeno.

Algunas nociones sobre el azar

-*juego de azar*: que no requiere ni cálculo ni dirección.

-*números al azar*: números estocásticos.

-acontecimiento particular e inexplicable.

-causa de algo que se produce sin razón aparente, fuerza que produce acontecimientos que no obedecen a ninguna regla. Un acontecimiento depende del azar (o es aleatorio), cuando su realización, o no realización, en circunstancias precisas, no puede predecirse con certeza.

-un acontecimiento se produce al azar cuando no existe ningún vínculo entre la naturaleza de su categoría y la causa determinante de esa categoría.

Notas

1 Auster, Paul, *El Palacio de la Luna*. Barcelona, Anagrama, 1998, p. 254.



2 Carse, James, *Finite and Infinite Games - A Vision of Life as Play and Possibility*. Ballantine, 1997.

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Femenino.net.art: feminización of the culture and network Internet

Remedies Drip jar

Femenino.net.art: feminización of the culture and network Internet comprises of the doctoral thesis "Art, Internet and Colectivity: new artistic practices of the network and new forms of Colectivity and Social Action".

Considering that the feminine thing has been one of "other" visibilizados in the last decades, origin and sense of excellent changes of articles of incorporation, we were with the difficulty that suppose "to define themselves" for the woman or for any "another one" that been has excluded from the social game. From this difficulty we investigated in the double game of deconstrucción of its last image and the affirmation of "wanting to be" (to occur form to itself), only possible like process (always unfinished). This way we see how they favor 'identidades' that avoids the esencialismo and they are defined in the provisional thing. Considering that many manifestations of the provisional state and multiplicity in our culture, including the adoption of personalities online, are contributing to a general reframing of the traditional unitary conceptions of the identity, the experiences in network Internet help us to elaborate these new visions of "I".

In Internet the world (we) only exists in our representatives (temporary), in the email, chat, in the WWW... in the concluded interaction. The world in Internet is "I wade, one polvareda", a wake that autodestruye when the communication finalizes. In Internet that idea of Deleuze in relation to the Leibniziano thought that suggests a perception by textures and not by structures, would have a referring one. The textures are those that conform manifold possible forms to be and to do in the network, are those that release the unconscious one (like who disguises itself to give loose rein more to his hidden and liberating facets). Textures and you fold that they become independent and they overflow to the body, or to destroy it, to reestablecer it or to elevate it, but always to give the return him and to mold its interior.

In order to investigate in all it we have devised a conceptual structure that includes two sections that will take care of the following criteria of organization: in first we will outline an analysis from historical and sociological approaches of the relation maintained between woman, art and technology in the last fifty years.

1. CONSTRUCTIONS ON The SORT, The TECHNOLOGY, The WORK And The ART WITH RESPECT TO The WOMAN

In a second we will approach the practices and artistic and political routes online and will speculate on the paper of the women in the new technological and artistic spaces of network Internet, as well as on the possibilities of giving by fulfilled the hopes emancipatorias, deconstructivistas and feminizadoras of the woman in the network.

2. The POWER OF The REBEL IN The FEMINIZACIÓN OF The NEW ARTISTIC And TECHNOLOGICAL SPACES

For it we will approach the different visions that on the ciberfeminismo are being developed and we will analyze projects of net.art that deal with explicit way the subject of the sort and in which "art.feminism and Internet" collide and those that, although explicitly do not introduce feministas questions in their works, investigate own lines of the metalanguage of the network, investigating on the limits which they separate the real thing of the virtual thing, the new languages which they question the conventional forms of narratividad, and the recreation of fictitious and virtual subjectivities in a new epistemologic and existencial space of the being.

In these two sections we will point different concepts on the feminización to arrive at which arises subversively from 'dichó and does not proclaim its space of action in the new technological structures where the systems of communication of the future are being constructed. For it we went to the thought of Derrida and Kristeva for which the woman is the privileged seat from which it is possible to disassemble the falocéntrico western thought. Also we found important references in the proposals of feminine writing of Cixous according to which it was tried to disarticulate (to deconstruir) the dominant speech, under one primacia, of the glance but of simultaneous, which flows, which is not against all type of figure or rigidly constructed idea. This proposal, that we tied to the writings online, raises a strategy of destruction of the way of operation of the traditional

speech, a relation of a "feminine economy" near the body, to which it flows, to the rate, and opposed to the supported masculine economy in the philosophical thing, symbolic and the discursive. This would be a writing that would speak of the unconscious thing, the repressed thing, the excluded thing, of the fears and desires nonmaterialized. Scripture that would be related to "the other living thing", the "other bran" the "other no longer threatened by the destruction", proposing a feminidad that would be the "true objective of both sexes".

In this proposal of feminización of the culture we can find coincidences in the philosophical critic of the esencialismo of Derrida. Perhaps, paradójicamente, because although the essence idea is rejected by the posestructuralista theory, (we remember that for Derrida the esencialismo was accomplice of western metaphysics and to raise the opposition man-woman supposed to raise a false universalismo - to follow prisoner of metaphysics with its illusion of presence, to be stable identities -) the program of "écriture feminine" that are based such on foundations, yes moves occasionally towards esencialistas positions.

We cannot think no authentic reality that it does not contemplate the important dimension that everything (nobody) real excludes. He is the excluded thing (the "other") what the economies of desire mark, as well as of and political the changes of articles of incorporation, which marks the maintained tension of the progress.

In a society in network, at a time where it does not have sense to speak of art, artist, object and subject in such terms that for one decade, the biological differentiation and sexual cradle in the dual confrontation is insufficient and it becomes little makes specific. The fixed identities and conditional, reinforced by an image of the sort like subordination tool, propiciatorias of a performance politically differential (and of course nonneutral), open the way to multiple identities, remade, re-articulated, that take part their previous binary logic and they subspill it.

Strategies of (auto)creación based on the graft, the re-contextualización of fragments, the Copy-paste, turn the interface, like maquinico field of intersubjective mediation, in a new epistemologic space of the being. Bodies articulated with digital writings that interrupt the speeches of the dualidad questioning the immovable "mismidad" of the subject in the multiple morphologies of the interface, conditioning their social inscription to the ephemeral one of their duration, to their genuine temporalidad and total contingency.

In the cyberspace we are bodies (sorts) facts through the machine, with words and images, fusions and codes that register to us social and culturally by means of an tecno-anatomy. The mouse is to the digital life (social - in network -) an immediate and effective bistoury that, by means of code and words, models subjects online as orlaniana ciber-surgery.

Historically the sort has been a hierarchial structuring instrument supplier of false and concrete forms to the bodies. Now, a time where all the accepted one like unremovable is questioned, the sort becomes something as well as a "daily spectacle" composed of images which they are drawn in the pulsión of the possible change, images in permanent construction.

In this new space to speak of the feminine thing sends to speak to us of "the feminización" of network Internet, of the desjerarquizadora action of the same one, in terms of resistance, deconstructivos. Terms that would not suppose, therefore, to recover the traditional attributes of the woman, but to deconstruir "the feminizado" being (revealing of a power-submission structure) and to exercise the will "to want to be" in a space conceived without hierarchies, a space to which a smaller load of prejudices is estimated to him (mainly in its beginnings) on the forms possible to be in the world. This feminización, as it suggests Derrida, must "by a double gesture, a double science, a double writing, to practice an investment of the classic opposition and a general displacement of the system".

If we remembered the construction of the feminista conscience previous and later to the seventy it has in the nature of the feminine identity a point of flexion in its treatment and consideration. At the beginning of this decade (the seventy) the artists began to be truly conscious of the artificialidad and the repressive power of the "social construction of the sort". One of its objectives would be to discover in an image of themselves (seriously deteriorated by the past, the history and the social imposition of a paper to fulfill) an authentic voice that could use as sustenance for a new construction of their identity.

This way, to conceive a feminización of the artistic practices of the network implies, beyond only supposing the feminine presence in these practices, investigating if its presence and its work urge a deconstrucción of the models of dual confrontation around the sort.

- Deconstrucción by means of digital devices, hypertextual protocols, languages, electronic mail, code... all of them pieces nails in the production of l@s net.artistas throughout the last decade. Devices where the "matrix" like beginning, origin, principle of sense - also digital it is one of the metaphors of action and recurrent teorización and greater symbolic load. With this analogy we went ahead to the dualidad under which we have constructed our social and moral structure, whose root we discovered in the binary code of our sex and in the digital code of the machine.
- Deconstrucción by means of new languages. Words that are dimensionalizan, conceptual systems that leave slight knowledge like linearity, center, margin or hierarchy and replace them by supported others in multilinearity, I connect, nodes and networks of relations.
- Deconstrucción mediante dispositivos de comunicación global en red, mediante activismo informatizado. No sin motivo las prácticas artísticas más relevantes que desde los años sesenta se han manifestado y consolidado mediante debates estéticos, en lo relativo a la producción femenina, han estado protagonizadas por "mujeres con conciencia de serlo", es decir por artistas que han desarrollado su trabajo desde perspectivas críticas y feministas, desde discursos de la resistencia. En este sentido, Maria Damon nos habla de las "ciberfems de la utopía futurista": un tipo de posfeministas que basan sus acciones en la consideración de la red Internet como espacio óptimo para sacar partido a la incorporeidad del sujeto y la posibilidad de su realización para sí y para el contexto al que se vincula mediante la tecnología. Sadie Plant ejemplifica en sus teorías la importancia de este vínculo "ciber-fems" constatando a través del mismo algunas de las más agudas reivindicaciones de las mujeres en relación a la tecnología, así como la necesidad de tenerla presente en la construcción contemporánea del género, por cuanto su emancipación se verá facilitada en la gestación del ciberespacio como nuevo espacio de acción.

Las producciones de las net.artistas habitantes de esta "frontera", generada a partir de los diversos mundos posibles en torno a la red, tendrían en este contexto una doble lectura. Por una parte, las prácticas que evidencian un tratamiento explícito del género y que se posicionan desde una perspectiva crítica y feminista. Por otra, las producciones que introducen estas cuestiones de manera implícita en la investigación de líneas propias del metalenguaje de la red, en los nuevos lenguajes que cuestionan las formas convencionales de narratividad, y en la re-creación de subjetividades ficticias en el nuevo espacio epistemológico y existencial del ser.

Por otra parte, no podemos olvidar que la feminización que promueven estas prácticas no es exclusiva de la mujer, y entre las producciones y actitudes de artistas como VNSMatrix, Anne de Haan, Shu Lee Cheang, Victoria Vesna o Kathy Rae Huffman, y entre las proclamas "The vagina is the boss on the Internet" o "The clitoris is a direct line to the matrix", encontramos también exponentes -más sutiles- en los Keikos Suzukis y las Sociedades Anónimas del ciberespacio, en cuyos gestos descubrimos también el carácter diferencial y deconstructivo de Internet.

Y es que aquí, en la frontera de los mundos posibles, no es difícil imaginar un futuro cuyas producciones artísticas tengan detrás de sí, no artistas, ni hombres, ni mujeres, sólo productores y sociedades anónimas con nostalgia, o tal vez no, de su cuerpo.

En la red lo "no dicho" adquiere otra dimensión, parece como si lindásemos su frontera (su abismo), como si acercarnos a "esa ausencia" fuera ahora más fácil. Un mundo por construir siempre es lo más sugerente, un espacio en blanco para quien ha visto rellenar y usurpar su espacio a otros, es, cuando menos, una oportunidad para adueñarse de sus actos, de su vida. Y aun cuando esta sensación es efímera, y podemos decir que dura 'un instante', 'un infraleve', lo que dura la ilusión del espacio virgen antes de ser mancillado por la ausencia de imaginación y la repetición de los mismos parangones sociales y los mismos temores a la diferencia, el deseo sigue perviviendo, y en relación a la red, el deseo es el motor de la construcción de un lugar de "lo individual" y de "lo común" para todos.

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Hacking vs Hacktivism: Sniffing the net

Outline of my research during my grant period in MECAD

Jenny Marketou

2000-2001

<http://smellbytes.banff.org>

Sniffing/Splashing 2000 (CD-ROM)

"As hackers become politicized and as activists become computerized, we are going to see an increase in the number of cyber-activists who engage in what will become more widely known as Electronic Civil Disobedience."

Stefan Wray, 1998

The discussion of the political impact of the internet has focused on a number of issues: Access, technological determinism, encryption, comodification, software, intellectual property, the public sphere, decentralization, anarchy, hacktivism, gender." On the other hand the net is the paradise of no-copyright, plagiarism, confusion and exchange. Hacking means reappropriating, reforming and regenerating not only culture but also redefining systems and processes, and it can account for a new coinage when the process is an open system. There is no question that Hacktivism is a new breed of activism -- wired and confrontational.

My current investigation has been focused on hacking vs hacktivism and the role those actions have played in the construct of a sociopolitical imaginary in our networked culture . I am particularly interested a how the above tactics have been dynamically appropriated and how the computer underground hacktivism has been infiltrated and interpreted in the work of many internet artists and collective groups working on the net as a meaningful political activity and radical practice.

Some of the following topics I would like to address:

- 1- Defining characteristics of the internet and therefore of "hacktivism".
- 2- Hacking vs Activism vs Electronic Civil Disobedience vs meaningful political practice.
- 3 Hacking + hacktivist culture and the e- community that hackers + hacktivist claim to embody.
- 4- What about e-Girl e-Geeks?
- 5 -Hacktivism as a conceptual art practice and artists as cultural hackers.
- 6- Hacktivism as performance, as hard sport, as an activist intervention, as radical practice/subversion, as erotic fantasy.
- 7- Stunts and Pranks and other tactics.
- 8- Sensationalism and e-Media Hype.
- 9- Other artistic - isms -contemporary or historical as basis for comparison.

In reference to the above research the following interviews have been published and projects and panels have been presented by the artists.

1-Interview Jenny Marketou with Cornelia Sollfrank, Artist, "Hacking Sublime", SYNOPSIS 1, catalog, Museum of Contemporary Art, Athens, Greece, September 2000.

2- Interview Jenny Marketou with Claudia Giannetti, Director, MECAD,

Hactivism No 5 MECAD e-journal on-line, MECAD, Sabadell, Spain, 2001.

3- Open Source Lounge: Game Patching and Hacking Sublime and Viewers as Artists, a collective project, organised by Jenny Marketou in collaboration with Steve Dietz, curator of New Media Initiatives, Walker Art Center, USA. This project was first presented during the Medi@terra 2000, Art and Technology Festival, Athens, Greece.

4- NO CENSORS/ DYSTOPIA, 2001. A panel discussion with Marina Griznic, Natalie Bookchin and Jenny Marketou organized by Christine Wang, Curator New Media Initiatives, Alternative Museum, New York City.

The Net Alternative, or, Who's manipulating who? Corporate Sponsors, Public Relations, and Art

Natalie Bookchin

From a talk held at Künstlerhaus Bethanien Feb 2001
<http://www.bethanien.de/mal/netsplit.html>

In preparation for this talk I was sent a series of speculative questions by Gerrit Gohlke proposing issues to be covered on this panel. He suggests that thus far, net art has failed to deliver what it had originally promised. It has not destabilized and offered a way out of the traditional art system or provided access to a social reality through the networks. Proposing a "net split" he argues that many of net art's protagonists have either turned away from art and towards political activism or entered a mainstream art world with worn-out strategies, and he ends by suggesting that perhaps the Internet has been overrated as an aesthetic medium.

I wanted to begin with this summery because it contains some common assumptions about net art that I would like to call into question. First, I should begin by saying that there is no doubt the net is here to stay and artists are and will continue using it. The question proposed as the topic for the panel can not begin to account for the fact that the net has become an indispensable tool and material for numerous artists. Moreover, as audiences on the net get larger so do the possibilities for artists to tap into them. As activities on the net become more formalized, so do the possibilities for artists to manipulate those same forms. Thus, the more relevant question for me is less whether net art is making enough innovative strides at the moment, or if net art failed, but rather how has the net altered artistic production?

I also wonder how useful it is to qualify and limit our understanding of the diverse ways that artists are using now the net by applying the label net art to all these different artistic activities. Such practices include the regular emergence of international collectives and networks of artists developing projects across distances, performative network manipulations (such as this past summer's borderhack project in Tijuana which was as much of an international net performance as it was a live local event), or even the ways in which the net still functions as a cheap and easy method for artists to have direct contact with audiences, regardless of whether they choose to be or are accepted in the traditional art system.

It is not uncommon today in some circles to harp back nostalgically to the early days of net art when there was an apparent wave of creativity that has now subsided, those days when a small international group of people named and produced a lot of "net dot art". Where have they all gone?

But there is another way to think about this. I think the fact that art production on the net was thrust into the limelight very quickly and for a short period of time had more to do with both very creative manipulation of networks and with a growing awareness of how information could travel over the net, than with a rush of artists' websites sweeping the net. These creative manipulations were used in such a way that propelled a particular group of people into a highly visible place, and this activity was then, quite self consciously labeled net.art.

This is not to dismiss early net.art as mere self promotion. Rather I am arguing that the "art" was located less in the individual web sites and more in the fierce collective manipulation of all aspects

of the networks: mailing lists, spam, email, websites, links, web rings and mirrored sites: all devices for trespassing into and parasiting networks for alternative ends. This concerted effort created the earliest net art "movement", a first wave of artists who knew how to work the net.

As Health Bunting wrote to me in an email in 1997,

"i think self promotion is a viable tactic for infiltration in this current art star system. many of my european friends who have not yet suffered advanced capitalism (thatcherism) still have an aversion to these methods."

By focusing primarily on network manipulation, these works took on and engaged the materials of the net. Their self referentiality was an important aspect of an art grappling with new materials and a new medium.

Artists are of course still manipulating the net, but in the most compelling works, the focus is no longer just on the process itself, nor on artists simply directing attention to themselves. For example, it is not enough just to hijack people to your site, as it was in 1995. (Moreover so called hijacking has since been appropriated by the porn industry. Last year a porn company was sued for "hijacking" unwitting audiences who claimed they were taken to porn sites against their will, and their jobs were put into jeopardy when they were discovered by their bosses viewing this same porn). The question for artists now is what to do with your captive audience once you have their attention.

I would like to refer back now to another speculation that I received in the preliminary email about this panel, which suggested that many net artists have moved away from art into political activism. This position assumes that one is either making art or making politics and sets up a great divide between the two spheres. In fact, I think that the net has facilitated just the opposite - that is, an ease in which one can move between different spheres and contexts in the same work, not just referring to, but actually entering into them. It is of little effect for artists to refer to the political only from privileged spaces dedicated to the viewing of art nor the expected social spaces delegated to political activism. The net has made it simple to shuffle between these different areas, permitting artists to show up where they are neither expected nor particularly wanted.

As artists have become more adapt at working the material of the net, questions of how to use this manipulation to engage in different levels and subjects have become more critical. Early net artists' investigations into alternative distribution systems are now being put to use by newer art collectives, but the subject is now not distribution itself, but rather a distributed political or social critique.

Today there are artists whose creative and subversive uses of the net intentionally rub themselves against the grain not just of the art system but of the larger mainstream in a way that produces a quite visible effect. This work reaches sizable audiences unthinkable before the net, stretching as far and wide as the offices of major political candidates, the Pentagon, the director general of the WTO, and frequently showing up in the channels of mainstream media. One recent example is the project voteauction.com, which used all the conventions of the online auction house to highlight and provoke a corrupt system posing as a democracy, and in turn, created a not insignificant ripple in art, mainstream media and political realms.

There is an important legacy of artists who have been concerned not just with the depiction of political content, but with the politics of distribution and display. Since we are in Berlin, I will mention Berlin's own John Heartfield. A proto-net artist of sorts, he made political performance out of the manipulation of his public identity by cutting his name Helmut Herzfeld and pasting a new anglicized one, John Heartfield, in a show of disgust for the nationalist proto-fascist regime under which he was living. Perhaps more relevant to today's conversation were his innovative methods of distribution, whereby he used the new mass media to disseminate his subversive and political photomontages, aiming for and reaching not the galleries and museums, but the streets.

Finally I would like turn to a brief discussion of a project I am currently developing, first because it attempts use the methods I have been outlining and second because it is a project that would be unthinkable without the Internet. It first requires a little bit of background information .

There are a series of shows and commissions on the subject of genetics currently underway in the States. As part of this initiative, I was invited by a NY public art organization to develop a public art project.

Along the way, I made an intermediary piece (with Jin Lee), a power point presentation called Biotaylorism, which addresses how, by combining Taylorist and Fordist methods with biotechnology, organic life is now being internally optimized for better business solutions. The project was included in a traveling exhibit called "Paradise Now, Picturing the Genetic Revolution" in NY this past fall. As it turned out, the show had a range of biotechnology corporate sponsorship, backing an unusually extensive amount of promotion, included full page ads in the NY Times and a panel discussion featuring no artists, but instead biotechnology industry luminaries such as Craig Venter. (CEO of Celera).

This show is not unique. As I mentioned, there are currently underway a number of other such well funded shows and grants to artists to produce work in this area. Regardless of the good intentions of the curators, the bill is being partially footed by biotech companies and their PR firms. And in Europe, Ars Electronica has had biotechnology as its theme for the last 2 years. One of its main sponsors is none other than the Swiss biotech giant, Novartis.

Although corporate sponsored shows on biotechnology are by now nothing new, (see Yvonne Volkart's essay "Art Strategies of the New World Order, or, What do resistant art works look like?") this new burst of sponsorship for "gene-art" coincides with a major PR campaign begun last year by a consortium of the world's seven top biotechnology companies called "Good Ideas are Growing". The industry saw it as a critical time to push for public acceptance of genetic research and development, particularly in the States. While there had been general complacency on the part of Americans in the past in regards to genetically modified foods and research, the mood was starting to change. The aim was thus to avoid a public relations disaster such as the one that had taken place in Europe over the past few years, where biotechnology was met with fierce public resistance. The campaign consists of so called educational science exhibitions, ads, and the sponsorship of genetics-theme based cultural programs such as art exhibitions, conferences and art commissions.

The question was then what do these corporations want from artists, and how can we possibly avoid giving it to them?

Corporate sponsors are pretty certain that artists will serve as a comfortable buffer offering the public non-threatening points of entry into these otherwise threatening industries. With artists making biotechnology and genetics the subject of aesthetic contemplation and creative visual representation, what might have seemed disturbing becomes engaging, accessible and easier to accept as our present reality. Colorful and so called "open discussions" on the complex ethical dilemmas are likely to assuage public anxieties, conveying the impression that democratic discussion is taking place. The very question of whether biotechnology or genetics should continue in their present tracks is not even broached. This instead becomes a given - an inevitability. Less aesthetic questions concerning economic interests are generally not discussed. And by keeping these discussions in the safe spaces delegated to art, even the most critical of questions will not threaten the industry.

In developing a project, it has been essential for me to think tactically about how to negate the instant neutralization of this highly politicized subject. All the issues discussed above - context, distribution, and form - have been essential considerations. For this reason, I realized that I need to make a project that can function autonomously - and move easily in or outside of the sphere of "art". Second, it is critical to make central to the project the issues of economic and corporate interests and how they shape and define the science. Thirdly because images are always easier to co-opt than action, I will set up a structure that will encourage participants to become both invested in and involved with politicized and socially charged actions.

I decided to make an on-line game-called Superpetz (also with Jin Lee) modeled on a virtual Tamagotchi game, where the virtual pet is a human worker and you, the player, become a manager. You begin the game by selecting traits that you think are most desirable for your worker/pet. Next you must run your pet through a genetic screening test, which although unreliable and costly, will determine whether he or she qualifies for health insurance or is employable, and at what level. The test results of course may affect your pet's happiness, anxiety and energy levels. Knowing the potential risks may motivate you to make certain lifestyle choices, should you have enough points to afford to do so.

The game takes place in a virtual work place, where you must earn points to feed, replenish and manipulate your pet. Feeding keeps up energy and happiness levels so that your pet can work efficiently and earn more points. Working your pet depletes its energy and food levels and overwork or over supervision can lower efficiency, happiness and health levels.

There are numerous options for modifying your pet's body and mood to potentially affect its

value, performance and job ranking, but these modifications entail costly and at times risky procedures. Overmodification or an abuse of rejuvenators can lead to inefficiency, job demotion, job or insurance loss, and an untimely death.

If you don't have enough money - for example in the case of a pet that has not been given a job or health insurance as a result of the genetic screening test - or if you simply want to earn more points, you can leave the workplace and temporarily enter another game environment where you have other options for earning points. There, you can play a "knowledge game" on the subject of work, science, health or reproduction. Or you can venture into the thrills and challenges of real life actions and participate in a variety of on or off line interventions or subversive projects on the subject, thus earning mega-points for your pet.

One final word in on the net: the net is the only site where we could realistically develop such a project that could function with ease either as a real game, as an investigation into the interests of corporate biotechnology and genetics industries and as an art project, and that in its different faces could potentially attract a broad and not always prepared audience. Using the format of a game puts players inside the story, implicating them in this political narrative, and the net allows me to subsequently direct these same audiences/players to an extensive database of information and to activities on the subject, and potentially propel them towards various actions -all under the same umbrella. To close, I don't think it is time to either celebrate or bemoan art on the net as simply a new genre in the museums, nor is it time for artists interested in productive critical strategies to close the book (turn off the switch) on net art.

See also

Jackie Stevens, "The Industry Behind the Curtain"
<http://rtmark.com/rockwell.html>

Natalie Jeremijenko ,
 PARADISE NOW/INVEST NOW
<http://www.cat.nyu.edu/investnow/>

Yvonne Volkart, "Art Strategies of the New World Order, or, What do resistant art works look like?"



Dioses, cyborgs y monstruos (Gods, Cyborgs and Monsters)

Idoia García de Cortázar

El proyecto presentado bajo el título "Dioses, cyborgs y monstruos" es una tesis doctoral que explora la dimensión artística de las nuevas tecnologías, así como examina las articulaciones reales, posibles e imaginarias entre los seres humanos (cuerpos) y las móquinas. El trabajo está dividido en tres partes:

La primera parte está dedicada al análisis de los nuevos rituales tecnológicos en los que la dicotomía tradicional mente/cuerpo ha sido reemplazada por la tricotomía mente/cuerpo/móquina.

El ritual tecnológico funciona como las cosmologías primitivas: intenta explicar, predecir y controlar el mundo. Define una experiencia señalada por la expectativa de un placer mágico, casi se diría que por una especie de redención o catarsis controlada y, al mismo tiempo, por la compulsión y la adicción, la hipnosis o la anestesia, la frustración reiterada y permanente ante el nuevo dios, junto con una suerte de ataraxia frente a una realidad de todos modos evanescente. Espectáculo mediático que se ajusta a las definiciones clásicas del término ritual, participa de sus propiedades y funciones, y presenta peculiaridades propias.

El espectáculo tecnológico es una demostración del orden sociocultural, dramatización del triunfo de la móquina, tragedia de haber perdido el cuerpo y la naturaleza, de ser y no ser humanos, simulacro, escena ritual, donde un hecho puntual permite la observación de la cultura global.

La segunda parte trata del uso del cuerpo, no como objeto de deseo, sino como objeto de diseño.



Un cuerpo invadido por la tecnología y con modificaciones (prótesis tecnológicas): los cyborgs.

Un cyborg es un organismo cibernético, un híbrido mitad móquina, mitad organismo. Pero el cyborg puede ser también una ficción capaz de construir nuestra realidad social y biológica como un recurso imaginario que trabaja con la noción de híbrido, buscando superar los dualismos omnipresentes en el pensamiento tradicional.

La tecnología invierte las polaridades del mundo en que vivimos: las móquinas de finales del siglo XX han tornado totalmente ambigua la diferencia entre lo natural y lo artificial, la mente y el cuerpo, el desarrollo interno y el diseño externo, y muchas otras distinciones que se aplicaban a los organismos y a las móquinas. Nuestras móquinas están inquietantemente vivas y nosotros mismos terriblemente inertes.

Y por último se reflexiona sobre los monstruos o los fantasmas, los cuerpos en la red.

El mundo es reducido a un ritual mediático mediante estrategias de representación electrónica de la realidad. Se produce una escenificación de lo real y de nuestra presencia simulada en ella, que define de una forma espectacular la participación social del espectador transmutando lo privado en público. El evento mediático no es una reproducción ni una extensión de los sentidos, sino que configura una prodigiosa maquinaria conceptual, iconográfica y semiológica como sustituto de la realidad.

Curiosamente, justo cuando penetramos en el espacio incorpóreo de las abstracciones binarias, el cuerpo se convierte en uno de los temas referentes a la constante intrusión en el mundo artificial del ordenador, por medio de la telepresencia, la telerrobótica y la creación de cuerpos virtuales.

En la red, el cuerpo simboliza las diversas intersecciones entre el mundo virtual y el real, es representado, reinventado, conectado e incluso alterado física y virtualmente. Se convierte en arquitectura, en un espacio navegable, en la metófora de la entrega total.

Relaciones de Incertidumbre

Dina Roisman

"Todo había sido un problema de conexiones fallidas, de mala sincronización, de andar a ciegas. Siempre perdiendo la ocasión de encontrarnos por muy poco. Siempre a unos centímetros de descubrirlo todo. A eso es a lo que se reduce la historia, creo. A una serie de oportunidades perdidas. Teníamos todas las piezas desde el principio, pero nadie supo encajarlas..."

Paul Auster, *El palacio de la luna* 1

Relación número uno: nociones generales

Los puntos de partida de este proyecto han sido el concepto de **azar**, como generador de sensaciones, y la **relación entre incertidumbre y certeza** (como dicotomía dialéctica).

Con estos dos elementos como ejes fundamentales, el trabajo no pretende brindar respuestas, sino plantear el problema y sus múltiples (quizá infinitas) posibilidades. Por este motivo, la estructura que lo rige está compuesta por preguntas:

¿Qué es el azar? ¿Es un producto de nuestra ignorancia o un derecho propio de la naturaleza? ¿El azar es una necesidad intrínseca del hombre (un imaginario) o existe realmente? ¿Es una búsqueda voluntaria? ¿Es posible que exista un principio "armonizador", que organice los eventos azarosos dentro de una grilla ordenada? ¿Puede definirse el grado de probabilidad de un acontecimiento?

Estos interrogantes han generado una larga historia de estudios, hipótesis y discusiones: Por qué las cosas son como son, y no de otra manera completamente distinta. Un enigma que han querido desvelar las ciencias exactas, la religión y la filosofía, pero hasta ahora nadie ha llegado a resolver.

• Relación número dos: objetivos propuestos

Se trata de poner en crisis, mediante la interactividad y la posibilidad de un *efecto random* (no predecible), la sensación de seguridad frente a lo esperado.

A través de situaciones azarosas, o *aparentemente* azarosas (de eso se trata), se busca activar el sentimiento de incertidumbre o de certeza ante diferentes condiciones propuestas, y provocar de esta forma reacciones diversas en cada individuo.

• Relación número tres: el otro

La interacción del usuario es fundamental. El proyecto perdería sentido si no existiera este vínculo. El propósito consiste en lograr una participación activa en cada página (ingresando textos y números, armando rompecabezas) y no sólo una navegación hacia adelante o hacia atrás. En cada momento se deben tomar decisiones que influyen inevitablemente en el recorrido, de manera de que cada navegante elige caminos diferentes de los de los demás, e incluso de los que él mismo ya realizó con anterioridad.

Cada uno hace su propia navegación, construye su recorrido. Esto significa que también construye su propia noción de orden, de azar: su realidad, que implica, como fin último, la construcción de su identidad.

• Relación número cuatro: el soporte electrónico

Al trabajar en el medio digital, el concepto de azar se traduce en la experiencia de la aleatoriedad (tanto en la imagen como en el sonido) en la posibilidad de crear un espacio con un recorrido no-lineal, que al ser atravesado permite el descubrimiento de nuevas piezas.

Cada página del proyecto fue planteada como un pseudo juego, una invitación a navegar detenidamente y a investigar sus elementos (siempre hay objetos y enlaces ocultos).

El ordenador adquiere en ciertos momentos *personalidad propia* (piensa un número, concede un deseo); esta personificación se relaciona con lo inesperado, con la sorpresa, con la angustia frente a la posibilidad de ser dirigidos por un *ordenador* que predetermine nuestras elecciones.

Relación número cinco: el juego

Es un elemento fundamental de este trabajo. Para ahondar en el concepto de lo lúdico, se ha tomado el texto del teórico James Carse, que define **dos tipos de juego: finito e infinito**:

"Un **juego finito** es un juego que tiene reglas fijas y límites, que se juega con el propósito de ganar y terminar la partida."

"Un **juego infinito** no tiene reglas fijas ni límites. En este juego, cada uno juega con las reglas y el objetivo es continuar la partida."

"Los que participan de juegos finitos tratan de controlar el juego, de predecir todo lo que va a ocurrir, y aventajarse. Tratan de determinar el futuro basándose en el pasado."

Los jugadores de juegos infinitos disfrutan sorprendiéndose. Continuamente se sumergen en lo desconocido, con tal de que esto garantice la continuidad del juego. El significado de los cambios del pasado cambia dependiendo de lo que ocurra en el futuro.

Todos los juegos son voluntarios. Siempre habrá consecuencias si uno no juega o no sigue las reglas, y siempre será necesaria una elección previa. Hay ciertas reglas definidas, aparentemente externas, que debemos elegir si respetamos o no. Si no se respetan, se abandona el juego."

"Pero: no hay ninguna regla que diga que hay que seguir las reglas." 2

En **[relaciones de incertidumbre]** se propone un juego infinito, pero precisamente porque todos los juegos son voluntarios, depende de cada uno el tipo de juego en el que quiera participar, o la desición de abandonarlo en cualquier momento.

El *puzzle* o rompecabezas representa aquí un enigma, invita a actuar, a mover las piezas, con la particularidad de que está siempre presente la posibilidad de que no pueda llegar a armarse nunca (no hay ninguna pauta que indique cuál es la forma correcta de armarlo).

• Relación número seis: el proceso

Para la realización del trabajo se comenzó con una primera etapa de investigación teórica, recopilación y selección de textos. Se tomaron 4 ejes como guía estructural:

a) Filosófico y psicológico (se analizaron textos de Carl Jung, Paul Watzlawik y Henri Bergson, entre otros).

b) Lúdico (en relación a los *juegos de azar*, sobre textos de James P. Carse, John Conway).

c) Artístico (textos y métodos de William Burroughs, la aleatoriedad en la música desde producciones de John Cage, la cinematografía de Kristof Kieslowski y la producción literaria de Paul Auster, entre otros).

d) Científico (las ciencias exactas y las múltiples corrientes relacionadas con el azar y sus derivados a través de Gregory Chaitin, Jorge Wagensberg, François Jacob).

El paso siguiente consistió en materializar las teorías y los conceptos más fuertes de los distintos ejes en la gráfica.

Se trabajó sobre una iconografía relacionada con los juegos de azar, específicamente los dados (utilizados para apuestas y juegos de este tipo desde hace por lo menos 5000 años), y con símbolos matemáticos.

Las imágenes utilizadas son de creación propia, y el sonido fue generado y editado por la autora, paralelamente al desarrollo gráfico.

• Relación número siete: una conclusión posible

Como se planteó desde el inicio, el objetivo de este proyecto no es brindar una respuesta, una única visión acerca del tema: se propone, por el contrario, multiplicar las preguntas.

La idea consiste en que se puedan investigar las páginas y detenerse en ellas, sin una trayectoria establecida, de forma tal que el camino se genere en cada uno, en cada navegación individual.

Conexiones fallidas. Sucesos arbitrarios.
La necesidad inevitable de elegir
el tres, (y no el cuatro)
y sentarse a ver qué pasa.

• Conceptos y aclaraciones

El título: la fórmula elegida para el título del proyecto forma parte de una serie de fórmulas presentadas por Werner Heisenberg en 1927.

En este ejemplo **p** y **q** representan el **momento** (o velocidad) y **posición**, respectivamente, de un electrón o partícula. La fórmula señala que si se mide con máxima precisión una de las dos coordenadas (velocidad o posición) de una partícula, no se puede obtener simultáneamente un valor preciso para la otra coordenada.

Por lo tanto: cuanto más exactamente se determina la velocidad de una partícula, tanto menos exactamente puede determinarse la posición de la misma partícula y viceversa. Esta relación se ha considerado muchas veces como prueba de que hay indeterminismo en el universo físico.

Sincronía: de acuerdo a las investigaciones y los textos de Carl Jung, se define como un principio explicativo. Implica una conexión entre eventos que parecen sin sentido para el observador: precognición, coincidencias de sueños independientes, la recurrente aparición de números en un corto período en una larga secuencia.

Pero su encuentro no es casual.

En general, las sincronías, en lugar de brindar una sensación de tranquilidad y armonía, generan exactamente lo opuesto: angustia, repulsión, desesperación.

Sistema: grupo de piezas que, en el interior de un mecanismo, trabajan en función una con la otra para asegurar el (*buen*) funcionamiento del mecanismo completo.

En el campo científico: conjunto de principios y teorías destinadas a brindar una explicación que permita aclarar un fenómeno.

Algunas nociones sobre el azar

-*juego de azar:* que no requiere ni cálculo ni dirección.

-*números al azar:* números estocásticos.

-acontecimiento particular e inexplicable.

-causa de algo que se produce sin razón aparente, fuerza que produce acontecimientos que no obedecen a ninguna regla. Un acontecimiento depende del azar (o es aleatorio), cuando su realización, o no realización, en circunstancias precisas, no puede predecirse con certeza.

-un acontecimiento se produce al azar cuando no existe ningún vínculo entre la naturaleza de su categoría y la causa determinante de esa categoría.

Notas

1 Auster, Paul, *El Palacio de la Luna*. Barcelona, Anagrama, 1998, p. 254.



2 Carse, James, *Finite and Infinite Games - A Vision of Life as Play and Possibility*. Ballantine, 1997.



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Femenino.net.art: feminización de la cultura y red Internet

Remedios Zafrá

Femenino.net.art: feminización de la cultura y red Internet forma parte de la tesis doctoral "Arte, Internet y Colectividad: nuevas prácticas artísticas de la red y nuevas formas de Colectividad y Acción Social".

Teniendo en cuenta que lo femenino ha sido uno de los "otros" visibilizados en las últimas décadas, origen y sentido de relevantes cambios sociales, nos encontramos con la dificultad que supone "definirse" para la mujer o para cualquier "otro" que haya estado excluido del juego social. A partir de esta dificultad indagamos en el doble juego de deconstrucción de su imagen pasada y la afirmación de un "querer ser" (darse forma a sí mismo), sólo posible como proceso (siempre inacabado). De esta manera vemos cómo se favorecen 'identidades' que rehuyen el esencialismo y se definen en lo provisional. Teniendo en cuenta que muchas manifestaciones de la provisionalidad y multiplicidad en nuestra cultura, incluida la adopción de personalidades online, están contribuyendo a un replanteamiento general de las tradicionales concepciones unitarias de la identidad, las experiencias en la red Internet nos ayudan a elaborar estas nuevas visiones del "yo".

En Internet el mundo (nosotros) sólo existe en nuestros representantes (temporales), en el e-mail, en el chat, en la WWW,.... en la interacción concluida. El mundo en Internet es "un chapoteo, una polvareda", una estela que se autodestruye cuando finaliza la comunicación. En Internet aquella idea de Deleuze en relación al pensamiento Leibniziano que sugiere una percepción por texturas y no por estructuras, tendría un referente. Las texturas son las que conforman múltiples posibles formas de ser y hacer en la red, son las que liberan el inconsciente (como quien se disfraza para dar rienda suelta a sus facetas más escondidas y liberadoras). Texturas y pliegues que se convierten en autónomos y desbordan al cuerpo, bien para destruirlo, reestablecerlo o elevarlo, pero siempre para darle la vuelta y moldear su interior.

Para indagar en todo ello hemos ideado una estructura conceptual que engloba dos apartados que atenderán a los siguientes criterios de organización: en un primero esbozaremos un análisis desde enfoques históricos y sociológicos de la relación mantenida entre mujer, arte y tecnología en los últimos cincuenta años.

1. CONSTRUCCIONES SOBRE EL GÉNERO, LA TECNOLOGÍA, EL TRABAJO Y EL ARTE EN LO RELATIVO A LA MUJER

En un segundo nos acercaremos a las prácticas y recorridos artísticos y políticos online y especularemos sobre el papel de las mujeres en los nuevos espacios tecnológicos y artísticos de la red Internet, así como sobre las posibilidades de dar por cumplidas las esperanzas emancipatorias, deconstructivistas y feminizadoras de la mujer en la red.

2. EL PODER DE LO SUBVERSIVO EN LA FEMINIZACIÓN DE LOS NUEVOS ESPACIOS ARTÍSTICOS

Y TECNOLÓGICOS

Para ello nos acercaremos a las distintas visiones que sobre el ciberfeminismo se están gestando y analizaremos proyectos de net.art que tratan de manera explícita el tema del género y en los que colisionan "arte, feminismo e Internet" y aquellos que, si bien no introducen explícitamente cuestiones feministas en sus obras, investigan líneas propias del metalenguaje de la red, indagando sobre los límites que separan lo real de lo virtual, los nuevos lenguajes que cuestionan las formas convencionales de narratividad, y la re-creación de subjetividades ficticias y virtuales en un nuevo espacio epistemológico y existencial del ser.

En estos dos apartados apuntaremos distintos conceptos sobre la feminización para llegar al que surge subversivamente de lo 'no dicho' y proclama su espacio de acción en las nuevas estructuras tecnológicas donde se están construyendo los sistemas de comunicación del futuro. Para ello acudimos al pensamiento de Derrida y de Kristeva para los que la mujer es la sede privilegiada desde la cual es posible desmontar el pensamiento occidental falocéntrico. También encontramos importantes referencias en las propuestas de escritura femenina de Cixous según la cual se pretendía desarticular (deconstruir) el discurso dominante, bajo una primacía, no de la mirada sino de lo simultáneo, lo que fluye, lo que se opone a todo tipo de figura o idea rígidamente construido. Esta propuesta, que nosotros vinculamos a las escrituras online, plantean una estrategia de destrucción del modo de funcionamiento del discurso tradicional, una relación de una "economía femenina" cercana al cuerpo, a lo que fluye, al ritmo, y opuesta a la economía masculina apoyada en lo filosófico, lo simbólico y lo discursivo. Esta sería una escritura que hablaría de lo inconsciente, lo reprimido, lo excluido, de los miedos y deseos no materializados. Escritura que se relacionaría con "lo otro viviente", lo "otro salvado" lo "otro ya no amenazado por la destrucción", proponiendo una feminidad que sería el "verdadero objetivo de ambos sexos".

En esta propuesta de feminización de la cultura podemos encontrar coincidencias en la crítica filosófica del esencialismo de Derrida. Tal vez, paradójicamente, pues aunque la idea de esencia es rechazada por la teoría posestructuralista, (recordemos que para Derrida el esencialismo era cómplice de la metafísica occidental y plantear la oposición hombre-mujer suponía plantear un falso universalismo -seguir prisionero de la metafísica con su ilusión de presencia, ser identidades estables-) el programa de "écriture feminine" que se basa en los mismos fundamentos, sí se mueve ocasionalmente hacia posturas esencialistas.

No podemos pensar ninguna realidad auténtica que no contemple la importante dimensión que todo (cualquier) real excluye. Es lo excluido (lo "otro") lo que marca las economías del deseo, así como de los cambios sociales y políticos, lo que marca la tensión mantenida del progreso.

En una sociedad en red, en una época donde no tiene sentido hablar de arte, artista, objeto y sujeto en los mismos términos que hace una década, la diferenciación biológica y sexual basada en la confrontación dual resulta insuficiente y se torna poco concreta. Las identidades fijas y condicionadas, reforzadas por una imagen del género como herramienta de subordinación, propiciatorias de una actuación políticamente diferencial (y por supuesto no neutral), dejan paso a identidades múltiples, re-hechas, re-articuladas, que intervienen su anterior lógica binaria y la subvierten.

Estrategias de (auto)creación basadas en el injerto, en la re-contextualización de fragmentos, en el copy-paste, convierten el interfaz, como campo maquínico de mediación intersubjetiva, en un nuevo espacio epistemológico del ser. Cuerpos articulados con escrituras digitales que interrumpen los discursos de la dualidad cuestionando la inmóvil "mismidad" del sujeto en las múltiples morfologías del interfaz, condicionando su inscripción social al efímero de su duración, a su genuina temporalidad y total contingencia.

En el ciberespacio somos cuerpos (géneros) hechos a través de la máquina, con palabras e imágenes, con fusiones y códigos que nos inscriben social y culturalmente mediante una tecno-anatomía. El ratón es a la vida digital (social -en red-) un inmediato y efectivo bisturí que, mediante código y palabras, modela sujetos online cual ciber-cirugía orlaniana.

Históricamente el género ha sido un instrumento de jerarquización proveedor de formas falsas y concretas a los cuerpos. Ahora, en una época donde se cuestiona todo lo aceptado como inamovible, el género se convierte en algo así como un "espectáculo diario" compuesto de imágenes que se dibujan en la pulsión del cambio posible, imágenes en permanente construcción.

En este nuevo espacio hablar de lo femenino nos remite a hablar de "la feminización" de la red Internet, de la acción desjerarquizadora de la misma, en términos de resistencia, deconstructivos. Términos que no supondrían, por tanto, recuperar los atributos tradicionales de la mujer, sino deconstruir el ser "feminizado" (revelador de una estructura de poder-sometimiento) y ejercitar la

voluntad de "querer ser" en un espacio concebido sin jerarquías, un espacio al que se le presupone (sobre todo en sus inicios) una menor carga de prejuicios sobre las formas posibles de ser en el mundo. Esta feminización, tal como sugiere Derrida, debe "por un gesto doble, una ciencia doble, una escritura doble, practicar una inversión de la oposición clásica y un desplazamiento general del sistema".

Si recordamos la construcción de la conciencia feminista anterior y posterior a los setenta tiene en la naturaleza de la identidad femenina un punto de inflexión en su tratamiento y consideración. A principios de esta década (los setenta) las artistas empezaron a ser verdaderamente conscientes de la artificialidad y del poder represivo de la "construcción social del género". Uno de sus objetivos sería descubrir en una imagen de sí mismas (gravemente deteriorada por el pasado, la historia y la imposición social de un papel a cumplir) una auténtica voz que pudieran utilizar como sustento para una nueva construcción de su identidad.

De esta manera, concebir una feminización de las prácticas artísticas de la red implica, más allá de suponer solamente la presencia femenina en dichas prácticas, indagar si su presencia y su labor incita una deconstrucción de los modelos de enfrentamiento dual en torno al género.

- Deconstrucción mediante dispositivos digitales, protocolos, lenguajes hipertextuales, correo electrónico, código ... todos ellos piezas clave en la producción de I@s net.artistas a lo largo de la última década. Dispositivos donde la "matriz" como comienzo, origen, principio de sentido - también digital- es una de las metáforas de acción y teorización recurrente y de mayor carga simbólica. Con esta analogía nos adelantamos a la dualidad bajo la que hemos construido nuestra estructura social y moral, cuya raíz descubrimos en el código binario de nuestro sexo y en el código digital de la máquina.

- Deconstrucción mediante nuevos lenguajes. Palabras que se dimensionalizan, sistemas conceptuales que abandonan nociones como linealidad, centro, margen o jerarquía y las reemplazan por otras apoyadas en multilinealidad, enlaces, nodos y redes de relaciones.

- Deconstrucción mediante dispositivos de comunicación global en red, mediante activismo informatizado. No sin motivo las prácticas artísticas más relevantes que desde los años sesenta se han manifestado y consolidado mediante debates estéticos, en lo relativo a la producción femenina, han estado protagonizadas por "mujeres con conciencia de serlo", es decir por artistas que han desarrollado su trabajo desde perspectivas críticas y feministas, desde discursos de la resistencia. En este sentido, Maria Damon nos habla de las "ciberfems de la utopía futurista": un tipo de posfeministas que basan sus acciones en la consideración de la red Internet como espacio óptimo para sacar partido a la incorporeidad del sujeto y la posibilidad de su realización para sí y para el contexto al que se vincula mediante la tecnología. Sadie Plant ejemplifica en sus teorías la importancia de este vínculo "ciber-fems" constatando a través del mismo algunas de las más agudas reivindicaciones de las mujeres en relación a la tecnología, así como la necesidad de tenerla presente en la construcción contemporánea del género, por cuanto su emancipación se verá facilitada en la gestación del ciberespacio como nuevo espacio de acción.

Las producciones de las net.artistas habitantes de esta "frontera", generada a partir de los diversos mundos posibles en torno a la red, tendrían en este contexto una doble lectura. Por una parte, las prácticas que evidencian un tratamiento explícito del género y que se posicionan desde una perspectiva crítica y feminista. Por otra, las producciones que introducen estas cuestiones de manera implícita en la investigación de líneas propias del metalenguaje de la red, en los nuevos lenguajes que cuestionan las formas convencionales de narratividad, y en la re-creación de subjetividades ficticias en el nuevo espacio epistemológico y existencial del ser.

Por otra parte, no podemos olvidar que la feminización que promueven estas prácticas no es exclusiva de la mujer, y entre las producciones y actitudes de artistas como VNSMatrix, Anne de Haan, Shu Lee Cheang, Victoria Vesna o Kathy Rae Huffman, y entre las proclamas "The vagina is the boss on the Internet" o "The clitoris is a direct line to the matrix", encontramos también exponentes -más sutiles- en los Keikos Suzukis y las Sociedades Anónimas del ciberespacio, en cuyos gestos descubrimos también el carácter diferencial y deconstructivo de Internet.

Y es que aquí, en la frontera de los mundos posibles, no es difícil imaginar un futuro cuyas producciones artísticas tengan detrás de sí, no artistas, ni hombres, ni mujeres, sólo productores y sociedades anónimas con nostalgia, o tal vez no, de su cuerpo.

En la red lo "no dicho" adquiere otra dimensión, parece como si lindásemos su frontera (su abismo), como si acercarnos a "esa ausencia" fuera ahora más fácil. Un mundo por construir siempre es lo más sugerente, un espacio en blanco para quien ha visto rellenar y usurpar su espacio a otros, es, cuando menos, una oportunidad para adueñarse de sus actos, de su vida. Y

aun cuando esta sensación es efímera, y podemos decir que dura 'un instante', 'un infraleve', lo que dura la ilusión del espacio virgen antes de ser mancillado por la ausencia de imaginación y la repetición de los mismos parangones sociales y los mismos temores a la diferencia, el deseo sigue perviviendo, y en relación a la red, el deseo es el motor de la construcción de un lugar de "lo individual" y de "lo común" para todos.

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Hacking vs Hacktivism: Sniffing the net

Outline of my research during my grant period in MECAD

Jenny Marketou

2000-2001

<http://smellbytes.banff.org>
Sniffing/Splashing 2000 (CD-ROM)

"As hackers become politicized and as activists become computerized, we are going to see an increase in the number of cyber-activists who engage in what will become more widely known as Electronic Civil Disobedience."
Stefan Wray, 1998

The discussion of the political impact of the internet has focused on a number of issues: Access, technological determinism, encryption, comodification, software, intellectual property, the public sphere, decentralization, anarchy, hacktivism, gender." On the other hand the net is the paradise of no-copyright, plagiarism, confusion and exchange. Hacking means reappropriating, reforming and regenerating not only culture but also redefining systems and processes, and it can account for a new coinage when the process is an open system. There is no question that Hacktivism is a new breed of activism -- wired and confrontational.

My current investigation has been focused on hacking vs hacktivism and the role those actions have played in the construct of a sociopolitical imaginary in our networked culture . I am particularly interested a how the above tactics have been dynamically appropriated and how the computer underground hacktivism has been infiltrated and interpreted in the work of many internet artists and collective groups working on the net as a meaningful political activity and radical practice.

Some of the following topics I would like to address:

- 1- Defining characteristics of the internet and therefore of "hacktivism".
- 2- Hacking vs Activism vs Electronic Civil Disobedience vs meaningful political practice.

- 3 Hacking + hacktivist culture and the e- community that hackers + hacktivist claim to embody.
- 4- What about e-Girl e-Geeks?
- 5 -Hacktivism as a conceptual art practice and artists as cultural hackers.
- 6- Hacktivism as performance, as hard sport, as an activist intervention, as radical practice/subversion, as erotic fantasy.
- 7- Stunts and Pranks and other tactics.
- 8- Sensationalism and e-Media Hype.
- 9- Other artistic - isms -contemporary or historical as basis for comparison.

In reference to the above research the following interviews have been published and projects and panels have been presented by the artists.

1-Interview Jenny Marketou with Cornelia Sollfrank, Artist, "Hacking Sublime", SYNOPSIS 1, catalog, Museum of Contemporary Art, Athens, Greece, September 2000.

2- Interview Jenny Marketou with Claudia Giannetti, Director, MECAD, Hacktivism No 5 MECAD e-journal on-line, MECAD, Sabadell, Spain, 2001.

3- Open Source Lounge: Game Patching and Hacking Sublime and Viewers as Artists, a collective project, organised by Jenny Marketou in collaboration with Steve Dietz, curator of New Media Initiatives, Walker Art Center, USA. This project was first presented during the Medi@terra 2000, Art and Technology Festival, Athens, Greece.

4- NO CENSORS/ DYSTOPIA, 2001. A panel discussion with Marina Griznic, Natalie Bookchin and Jenny Marketou organized by Christine Wang, Curator New Media Initiatives, Alternative Museum, New York City.

The Net Alternative, or, Who's manipulating who? Corporate Sponsors, Public Relations, and Art

Natalie Bookchin

From a talk held at Künstlerhaus Bethanien Feb 2001
<http://www.bethanien.de/mal/netsplit.html>

In preparation for this talk I was sent a series of speculative questions by Gerrit Gohlke proposing issues to be covered on this panel. He suggests that thus far, net art has failed to deliver what it had originally promised. It has not destabilized and offered a way out of the traditional art system or provided access to a social reality through the networks. Proposing a "net split" he argues that many of net art's protagonists have either turned away from art and towards political activism or entered a mainstream art world with worn-out strategies, and he ends by suggesting that perhaps the Internet has been overrated as an aesthetic medium.

I wanted to begin with this summery because it contains some common assumptions about net art that I would like to call into question. First, I should begin by saying that there is no doubt the net is here to stay and artists are and will continue using it. The question proposed as the topic for the panel can not begin to account for the fact that the net has become an indispensable tool and material for numerous artists. Moreover, as audiences on the net get larger so do the possibilities for artists to tap into them. As activities on the net become more formalized, so do the possibilities for artists to manipulate those same forms. Thus, the more relevant question for me is less whether net art is making enough innovative strides at the moment, or if net art failed, but rather how has the net altered artistic production?

I also wonder how useful it is to qualify and limit our understanding of the diverse ways that artists are using now the net by applying the label net art to all these different artistic activities. Such practices include the regular emergence of international collectives and networks of artists developing projects across distances, performative network manipulations (such as this past

summer's borderhack project in Tijuana which was as much of an international net performance as it was a live local event), or even the ways in which the net still functions as a cheap and easy method for artists to have direct contact with audiences, regardless of whether they choose to be or are accepted in the traditional art system.

It is not uncommon today in some circles to harp back nostalgically to the early days of net art when there was an apparent wave of creativity that has now subsided, those days when a small international group of people named and produced a lot of "net dot art". Where have they all gone?

But there is another way to think about this. I think the fact that art production on the net was thrust into the limelight very quickly and for a short period of time had more to do with both very creative manipulation of networks and with a growing awareness of how information could travel over the net, than with a rush of artists' websites sweeping the net. These creative manipulations were used in such a way that propelled a particular group of people into a highly visible place, and this activity was then, quite self consciously labeled net.art.

This is not to dismiss early net.art as mere self promotion. Rather I am arguing that the "art" was located less in the individual web sites and more in the fierce collective manipulation of all aspects of the networks: mailing lists, spam, email, websites, links, web rings and mirrored sites: all devices for trespassing into and parasiting networks for alternative ends. This concerted effort created the earliest net art "movement", a first wave of artists who knew how to work the net.

As Health Bunting wrote to me in an email in 1997,

"i think self promotion is a viable tactic for infiltration in this current art star system. many of my european friends who have not yet suffered advanced capitalism (thatcherism) still have an aversion to these methods."

By focusing primarily on network manipulation, these works took on and engaged the materials of the net. Their self referentiality was an important aspect of an art grappling with new materials and a new medium.

Artists are of course still manipulating the net, but in the most compelling works, the focus is no longer just on the process itself, nor on artists simply directing attention to themselves. For example, it is not enough just to highjack people to your site, as it was in 1995. (Moreover so called hijacking has since been appropriated by the porn industry. Last year a porn company was sued for "highjacking" unwitting audiences who claimed they were taken to porn sites against their will, and their jobs were put into jeopardy when they were discovered by their bosses viewing this same porn). The question for artists now is what to do with your captive audience once you have their attention.

I would like to refer back now to another speculation that I received in the preliminary email about this panel, which suggested that many net artists have moved away from art into political activism. This position assumes that one is either making art or making politics and sets up a great divide between the two spheres. In fact, I think that the net has facilitated just the opposite - that is, an ease in which one can move between different spheres and contexts in the same work, not just referring to, but actually entering into them. It is of little effect for artists to refer to the political only from privileged spaces dedicated to the viewing of art nor the expected social spaces delegated to political activism. The net has made it simple to shuffle between these different areas, permitting artists to show up where they are neither expected nor particularly wanted.

As artists have become more adapt at working the material of the net, questions of how to use this manipulation to engage in different levels and subjects have become more critical. Early net artists' investigations into alternative distribution systems are now being put to use by newer art collectives, but the subject is now not distribution itself, but rather a distributed political or social critique.

Today there are artists whose creative and subversive uses of the net intentionally rub themselves against the grain not just of the art system but of the larger mainstream in a way that produces a quite visible effect. This work reaches sizable audiences unthinkable before the net, stretching as far and wide as the offices of major political candidates, the Pentagon, the director general of the WTO, and frequently showing up in the channels of mainstream media. One recent example is the project voteauction.com, which used all the conventions of the online auction house to highlight and provoke a corrupt system posing as a democracy, and in turn, created a

not insignificant ripple in art, mainstream media and political realms.

There is an important legacy of artists who have been concerned not just with the depiction of political content, but with the politics of distribution and display. Since we are in Berlin, I will mention Berlin's own John Heartfield. A proto-net artist of sorts, he made political performance out of the manipulation of his public identity by cutting his name Helmut Herzfeld and pasting a new anglicized one, John Heartfield, in a show of disgust for the nationalist proto-fascist regime under which he was living. Perhaps more relevant to today's conversation were his innovative methods of distribution, whereby he used the new mass media to disseminate his subversive and political photomontages, aiming for and reaching not the galleries and museums, but the streets.

Finally I would like turn to a brief discussion of a project I am currently developing, first because it attempts use the methods I have been outlining and second because it is a project that would be unthinkable without the Internet. It first requires a little bit of background information .

There are a series of shows and commissions on the subject of genetics currently underway in the States. As part of this initiative, I was invited by a NY public art organization to develop a public art project.

Along the way, I made an intermediary piece (with Jin Lee), a power point presentation called Biotaylorism, which addresses how, by combining Taylorist and Fordist methods with biotechnology, organic life is now being internally optimized for better business solutions. The project was included in a traveling exhibit called "Paradise Now, Picturing the Genetic Revolution" in NY this past fall. As it turned out, the show had a range of biotechnology corporate sponsorship, backing an unusually extensive amount of promotion, included full page ads in the NY Times and a panel discussion featuring no artists, but instead biotechnology industry luminaries such as Craig Venter. (CEO of Celera).

This show is not unique. As I mentioned, there are currently underway a number of other such well funded shows and grants to artists to produce work in this area. Regardless of the good intentions of the curators, the bill is being partially footed by biotech companies and their PR firms. And in Europe, Ars Electronica has had biotechnology as its theme for the last 2 years. One of its main sponsors is none other than the Swiss biotech giant, Novartis.

Although corporate sponsored shows on biotechnology are by now nothing new, (see Yvonne Volkart's essay "Art Strategies of the New World Order, or, What do resistant art works look like?") this new burst of sponsorship for "gene-art" coincides with a major PR campaign begun last year by a consortium of the world's seven top biotechnology companies called "Good Ideas are Growing". The industry saw it as a critical time to push for public acceptance of genetic research and development, particularly in the States. While there had been general complacency on the part of Americans in the past in regards to genetically modified foods and research, the mood was starting to change. The aim was thus to avoid a public relations disaster such as the one that had taken place in Europe over the past few years, where biotechnology was met with fierce public resistance. The campaign consists of so called educational science exhibitions, ads, and the sponsorship of genetics-theme based cultural programs such as art exhibitions, conferences and art commissions.

The question was then what do these corporations want from artists, and how can we possibly avoid giving it to them?

Corporate sponsors are pretty certain that artists will serve as a comfortable buffer offering the public non-threatening points of entry into these otherwise threatening industries. With artists making biotechnology and genetics the subject of aesthetic contemplation and creative visual representation, what might have seemed disturbing becomes engaging, accessible and easier to accept as our present reality. Colorful and so called "open discussions" on the complex ethical dilemmas are likely to assuage public anxieties, conveying the impression that democratic discussion is taking place. The very question of whether biotechnology or genetics should continue in their present tracks is not even broached. This instead becomes a given - an inevitability. Less aesthetic questions concerning economic interests are generally not discussed. And by keeping these discussions in the safe spaces delegated to art, even the most critical of questions will not threaten the industry.

In developing a project, it has been essential for me to think tactically about how to negate the instant neutralization of this highly politicized subject. All the issues discussed above - context, distribution, and form - have been essential considerations. For this reason, I realized that I need to make a project that can function autonomously - and move easily in or outside of the sphere of "art". Second, it is critical to make central to the project the issues of economic and corporate

interests and how they shape and define the science. Thirdly because images are always easier to co-opt than action, I will set up a structure that will encourage participants to become both invested in and involved with politicized and socially charged actions.

I decided to make an on-line game-called Superpetz (also with Jin Lee) modeled on a virtual Tamagotchi game, where the virtual pet is a human worker and you, the player, become a manager. You begin the game by selecting traits that you think are most desirable for your worker/pet. Next you must run your pet through a genetic screening test, which although unreliable and costly, will determine whether he or she qualifies for health insurance or is employable, and at what level. The test results of course may affect your pet's happiness, anxiety and energy levels. Knowing the potential risks may motivate you to make certain lifestyle choices, should you have enough points to afford to do so.

The game takes place in a virtual work place, where you must earn points to feed, replenish and manipulate your pet. Feeding keeps up energy and happiness levels so that your pet can work efficiently and earn more points. Working your pet depletes its energy and food levels and overwork or over supervision can lower efficiency, happiness and health levels.

There are numerous options for modifying your pet's body and mood to potentially affect its value, performance and job ranking, but these modifications entail costly and at times risky procedures. Overmodification or an abuse of rejuvenators can lead to inefficiency, job demotion, job or insurance loss, and an untimely death.

If you don't have enough money - for example in the case of a pet that has not been given a job or health insurance as a result of the genetic screening test - or if you simply want to earn more points, you can leave the workplace and temporarily enter another game environment where you have other options for earning points. There, you can play a "knowledge game" on the subject of work, science, health or reproduction. Or you can venture into the thrills and challenges of real life actions and participate in a variety of on or off line interventions or subversive projects on the subject, thus earning mega-points for your pet.

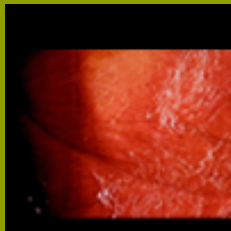
One final word in on the net: the net is the only site where we could realistically develop such a project that could function with ease either as a real game, as an investigation into the interests of corporate biotechnology and genetics industries and as an art project, and that in its different faces could potentially attract a broad and not always prepared audience. Using the format of a game puts players inside the story, implicating them in this political narrative, and the net allows me to subsequently direct these same audiences/players to an extensive database of information and to activities on the subject, and potentially propel them towards various actions -all under the same umbrella. To close, I don't think it is time to either celebrate or bemoan art on the net as simply a new genre in the museums, nor is it time for artists interested in productive critical strategies to close the book (turn off the switch) on net art.

See also

Jackie Stevens, "The Industry Behind the Curtain"
<http://rtmark.com/rockwell.html>

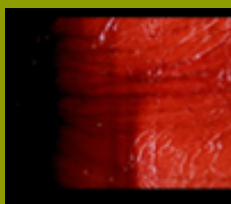
Natalie Jeremijenko ,
PARADISE NOW/INVEST NOW
<http://www.cat.nyu.edu/investnow/>

Yvonne Volkart, "Art Strategies of the New World Order, or, What do resistant art works look like?"



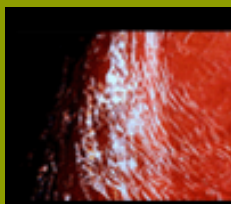
Dioses, cyborgs y monstruos (Gods, Cyborgs and Monsters)

Idoia García de Cortázar



El proyecto presentado bajo el título "Dioses, cyborgs y monstruos" es una tesis doctoral que explora la dimensión artística de las nuevas tecnologías, así como examina las articulaciones reales, posibles e imaginarias entre los seres humanos (cuerpos) y las móquinas. El trabajo está dividido en tres partes:

La primera parte está dedicada al análisis de los nuevos rituales tecnológicos en los que la dicotomía tradicional mente/cuerpo ha sido reemplazada por la tricotomía mente/cuerpo/móquina.



El ritual tecnológico funciona como las cosmologías primitivas: intenta explicar, predecir y controlar el mundo. Define una experiencia señalada por la expectativa de un placer mágico, casi se diría que por una especie de redención o catarsis controlada y, al mismo tiempo, por la compulsión y la adicción, la hipnosis o la anestesia, la frustración reiterada y permanente ante el nuevo dios, junto con una suerte de ataraxia frente a una realidad de todos modos evanescente. Espectáculo mediático que se ajusta a las definiciones clásicas del término ritual, participa de sus propiedades y funciones, y presenta peculiaridades propias.



El espectáculo tecnológico es una demostración del orden sociocultural, dramatización del triunfo de la móquina, tragedia de haber perdido el cuerpo y la naturaleza, de ser y no ser humanos, simulacro, escena ritual, donde un hecho puntual permite la observación de la cultura global.

La segunda parte trata del uso del cuerpo, no como objeto de deseo, sino como objeto de diseño. Un cuerpo invadido por la tecnología y con modificaciones (prótesis tecnológicas): los cyborgs.

Un cyborg es un organismo cibernético, un híbrido mitad móquina, mitad organismo. Pero el cyborg puede ser también una ficción capaz de construir nuestra realidad social y biológica como un recurso imaginario que trabaja con la noción de híbrido, buscando superar los dualismos omnipresentes en el pensamiento tradicional.

La tecnología invierte las polaridades del mundo en que vivimos: las móquinas de finales del siglo XX han tornado totalmente ambigua la diferencia entre lo natural y lo artificial, la mente y el cuerpo, el desarrollo interno y el diseño externo, y muchas otras distinciones que se aplicaban a los organismos y a las móquinas. Nuestras móquinas están inquietantemente vivas y nosotros mismos terriblemente inertes.

Y por último se reflexiona sobre los monstruos o los fantasmas, los cuerpos en la red.

El mundo es reducido a un ritual mediático mediante estrategias de representación electrónica de la realidad. Se produce una escenificación de lo real y de nuestra presencia simulada en ella, que define de una forma espectacular la participación social del espectador transmutando lo privado en público. El evento mediático no es una reproducción ni una extensión de los sentidos, sino que configura una prodigiosa maquinaria conceptual, iconográfica y semiológica como sustituto de la realidad.

Curiosamente, justo cuando penetramos en el espacio incorpóreo de las abstracciones binarias, el cuerpo se convierte en uno de los temas referentes a la constante intrusión en el mundo artificial del ordenador, por medio de la telepresencia, la telerrobótica y la creación de cuerpos virtuales.

En la red, el cuerpo simboliza las diversas intersecciones entre el mundo virtual y el real, es representado, reinventado, conectado e incluso alterado física y virtualmente. Se convierte en arquitectura, en un espacio navegable, en la metáfora de la entrega total.

Relaciones de Incertidumbre

Dina Roisman

"Todo había sido un problema de conexiones fallidas, de mala sincronización, de andar a ciegas. Siempre perdiendo la ocasión de encontrarnos por muy poco. Siempre a unos centímetros de descubrirlo todo. A eso es a lo que se reduce la historia, creo. A una serie de oportunidades perdidas. Teníamos todas las piezas desde el principio, pero nadie supo encajarlas..."

Paul Auster, *El palacio de la luna* 1

Relación número uno: nociones generales

Los puntos de partida de este proyecto han sido el concepto de **azar**, como generador de sensaciones, y la **relación entre incertidumbre y certeza** (como dicotomía dialéctica).

Con estos dos elementos como ejes fundamentales, el trabajo no pretende brindar respuestas, sino plantear el problema y sus múltiples (quizá infinitas) posibilidades. Por este motivo, la estructura que lo rige está compuesta por preguntas:

¿Qué es el azar? ¿Es un producto de nuestra ignorancia o un derecho propio de la naturaleza? ¿El azar es una necesidad intrínseca del hombre (un imaginario) o existe realmente? ¿Es una búsqueda voluntaria? ¿Es posible que exista un principio "armonizador", que organice los eventos azarosos dentro de una grilla ordenada? ¿Puede definirse el grado de probabilidad de un acontecimiento?

Estos interrogantes han generado una larga historia de estudios, hipótesis y discusiones: Por qué las cosas son como son, y no de otra manera completamente distinta. Un enigma que han querido desvelar las ciencias exactas, la religión y la filosofía, pero hasta ahora nadie ha llegado a resolver.

• Relación número dos: objetivos propuestos

Se trata de poner en crisis, mediante la interactividad y la posibilidad de un *efecto random* (no predecible), la sensación de seguridad frente a lo esperado.

A través de situaciones azarosas, o *aparentemente* azarosas (de eso se trata), se busca activar el sentimiento de incertidumbre o de certeza ante diferentes condiciones propuestas, y provocar de esta forma reacciones diversas en cada individuo.

• Relación número tres: el otro

La interacción del usuario es fundamental. El proyecto perdería sentido si no existiera este vínculo. El propósito consiste en lograr una participación activa en cada página (ingresando textos y números, armando rompecabezas) y no sólo una navegación hacia adelante o hacia atrás. En cada momento se deben tomar decisiones que influyen inevitablemente en el recorrido, de manera de que cada navegante elige caminos diferentes de los de los demás, e incluso de los que él mismo ya realizó con anterioridad.

Cada uno hace su propia navegación, construye su recorrido. Esto significa que también construye su propia noción de orden, de azar: su realidad, que implica, como fin último, la construcción de su identidad.

• Relación número cuatro: el soporte electrónico

Al trabajar en el medio digital, el concepto de azar se traduce en la experiencia de la aleatoriedad (tanto en la imagen como en el sonido) en la posibilidad de crear un espacio con un recorrido no-lineal, que al ser atravesado permite el descubrimiento de nuevas piezas.

Cada página del proyecto fue planteada como un pseudo juego, una invitación a navegar detenidamente y a investigar sus elementos (siempre hay objetos y enlaces ocultos).

El ordenador adquiere en ciertos momentos *personalidad propia* (piensa un número, concede un deseo); esta personificación se relaciona con lo inesperado, con la sorpresa, con la angustia frente a la posibilidad de ser dirigidos por un *ordenador* que predetermine nuestras elecciones.

Relación número cinco: el juego

Es un elemento fundamental de este trabajo. Para ahondar en el concepto de lo lúdico, se ha tomado el texto del teórico James Carse, que define **dos tipos de juego: finito e infinito**:

"Un **juego finito** es un juego que tiene reglas fijas y límites, que se juega con el propósito de ganar y terminar la partida."

"Un **juego infinito** no tiene reglas fijas ni límites. En este juego, cada uno juega con las reglas y el objetivo es continuar la partida."

"Los que participan de juegos finitos tratan de controlar el juego, de predecir todo lo que va a ocurrir, y aventajarse. Tratan de determinar el futuro basándose en el pasado.

Los jugadores de juegos infinitos disfrutan sorprendiéndose. Continuamente se sumergen en lo desconocido, con tal de que esto garantice la continuidad del juego. El significado de los cambios del pasado cambia dependiendo de lo que ocurra en el futuro.

Todos los juegos son voluntarios. Siempre habrá consecuencias si uno no juega o no sigue las reglas, y siempre será necesaria una elección previa. Hay ciertas reglas definidas, aparentemente externas, que debemos elegir si respetamos o no. Si no se respetan, se abandona el juego."

"Pero: no hay ninguna regla que diga que hay que seguir las reglas." **2**

En [**relaciones de incertidumbre**] se propone un juego infinito, pero precisamente porque todos los juegos son voluntarios, depende de cada uno el tipo de juego en el que quiera participar, o la decisión de abandonarlo en cualquier momento.

El *puzzle* o rompecabezas representa aquí un enigma, invita a actuar, a mover las piezas, con la particularidad de que está siempre presente la posibilidad de que no pueda llegar a armarse nunca (no hay ninguna pauta que indique cuál es la forma correcta de armarlo).

• Relación número seis: el proceso

Para la realización del trabajo se comenzó con una primera etapa de investigación teórica, recopilación y selección de textos. Se tomaron 4 ejes como guía estructural:

a) Filosófico y psicológico (se analizaron textos de Carl Jung, Paul Watzlawik y Henri Bergson, entre otros).

b) Lúdico (en relación a los *juegos de azar*, sobre textos de James P. Carse, John Conway).

c) Artístico (textos y métodos de William Burroughs, la aleatoriedad en la música desde

producciones de John Cage, la cinematografía de Kristof Kieslowski y la producción literaria de Paul Auster, entre otros).

d) Científico (las ciencias exactas y las múltiples corrientes relacionadas con el azar y sus derivados a través de Gregory Chaitin, Jorge Wagensberg, François Jacob).

El paso siguiente consistió en materializar las teorías y los conceptos más fuertes de los distintos ejes en la gráfica.

Se trabajó sobre una iconografía relacionada con los juegos de azar, específicamente los dados (utilizados para apuestas y juegos de este tipo desde hace por lo menos 5000 años), y con símbolos matemáticos.

Las imágenes utilizadas son de creación propia, y el sonido fue generado y editado por la autora, paralelamente al desarrollo gráfico.

• Relación número siete: una conclusión posible

Como se planteó desde el inicio, el objetivo de este proyecto no es brindar una respuesta, una única visión acerca del tema: se propone, por el contrario, multiplicar las preguntas.

La idea consiste en que se puedan investigar las páginas y detenerse en ellas, sin una trayectoria establecida, de forma tal que el camino se genere en cada uno, en cada navegación individual.

Conexiones fallidas. Sucesos arbitrarios.
La necesidad inevitable de elegir
el tres, (y no el cuatro)
y sentarse a ver qué pasa.

• Conceptos y aclaraciones

El título: la fórmula elegida para el título del proyecto forma parte de una serie de fórmulas presentadas por Werner Heisenberg en 1927.

En este ejemplo **p** y **q** representan el **momento** (o velocidad) y **posición**, respectivamente, de un electrón o partícula. La fórmula señala que si se mide con máxima precisión una de las dos coordenadas (velocidad o posición) de una partícula, no se puede obtener simultáneamente un valor preciso para la otra coordenada.

Por lo tanto: cuanto más exactamente se determina la velocidad de una partícula, tanto menos exactamente puede determinarse la posición de la misma partícula y viceversa. Esta relación se ha considerado muchas veces como prueba de que hay indeterminismo en el universo físico.

Sincronía: de acuerdo a las investigaciones y los textos de Carl Jung, se define como un principio explicativo. Implica una conexión entre eventos que parecen sin sentido para el observador: precognición, coincidencias de sueños independientes, la recurrente aparición de números en un corto período en una larga secuencia.

Pero su encuentro no es casual.

En general, las sincronías, en lugar de brindar una sensación de tranquilidad y armonía, generan exactamente lo opuesto: angustia, repulsión, desesperación.

Sistema: grupo de piezas que, en el interior de un mecanismo, trabajan en función una con la otra para asegurar el (*buen*) funcionamiento del mecanismo completo.

En el campo científico: conjunto de principios y teorías destinadas a brindar una explicación que permita aclarar un fenómeno.

Algunas nociones sobre el azar

-*juego de azar*: que no requiere ni cálculo ni dirección.

-*números al azar*: números estocásticos.

-acontecimiento particular e inexplicable.

-causa de algo que se produce sin razón aparente, fuerza que produce acontecimientos que no obedecen a ninguna regla. Un acontecimiento depende del azar (o es aleatorio), cuando su realización, o no realización, en circunstancias precisas, no puede predecirse con certeza.

-un acontecimiento se produce al azar cuando no existe ningún vínculo entre la naturaleza de su categoría y la causa determinante de esa categoría.

Notas

1 Auster, Paul, *El Palacio de la Luna*. Barcelona, Anagrama, 1998, p. 254.



2 Carse, James, *Finite and Infinite Games - A Vision of Life as Play and Possibility*. Ballantine, 1997.



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ubermorgen is an artist group created in Vienna / [Austria](#) 1999 by Hans Bernhard (founder of [etoy](#)) and Lizvlx . Behind ubermorgen we can find one of the most uncatchable identities - controversial and iconoclast - of the contemporary European techno-fineart avantgarde. ubermorgen is a German word for "the day after tomorrow" and "super-tomorrow" / "uber-tomorrow".

Projects: [Voteauction](#), NAZI~LINE [in collaboration with Christoph Schlingensief , [Injunction generator](#) [1], [THE_WHITE_WEBSITE](#) [2], esof Ltd. Sofia/Bulgaria, etoyholding AG, hansbernhard.com, BMDI.de [3], bartnlisa.com, The [Yes Men](#) WTO Salzburg [4], "Sleeping Baby - Playing Baby" [5], AGENCY FOR MANUAL ELECTION RECOUNTS and shopping baskets [6].

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El Boletín de DOMINIURIS - Nº 27 (5 de diciembre de 2.000)

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Este Boletín es un poco largo. Esa es la verdad. Por tanto sugiero sosiego en su degustación, pues de una tirada entera, sobre todo si se tienen ganas de investigar, puede causar una cierta indigestión. De aquí a las próximas Navidades, nuestros lectores podrán procesar adecuadamente y con suficiente reflexión la información proporcionada, de cara a la entrada en la nueva era, pues, como explicaré ahora,

EDITORIAL: Los esclavos de Roma y la Ley de acompañamiento

Por ventura o desgracia, lo cierto es que en la prensa tradicional tan sólo suelen aparecer los casos que son ganados por los titulares de marca, aunque, a la vista de lo acontecido en el caso "barcelona.com", hay algunos

que a cualquier cosa le llaman marca, teniendo en cuenta la redacción actual de las normas en que los árbitros de la OMPI han de basar sus decisiones. Casos como éste, pese a que se empeñe quien se empeñe, lo único que hacen es empañar la honrada actuación de muchos de los miembros de la OMPI; institución que casi monopoliza la naciente jurisdicción especial "cibernética", porque llamar arbitraje a eso, hoy por hoy, es todo un despropósito.

Pocos, o más bien nadie, dudan ya de la necesidad de contar con un sistema ágil de resolución de conflictos, sobre todo para los dominios en que no se ejerce comprobación previa alguna antes del registro. Igualmente, la redacción que hoy en día tienen estas normas, concebidas con el fin de terminar con los aprovechamientos fraudulentos y flagrantes de signos distintivos empresariales ajenos, también goza de un amplio consenso.

Ahora bien, la interpretación que se está haciendo de estas normas en algunos casos, o más bien, la utilización de las mismas a modo de pretexto para "crónicas de resoluciones anunciadas", es, ciertamente, lo que puede llegar a deslegitimar una iniciativa que habría que mimar y cuidar como si de un niño pequeño se tratara. No en vano, estamos definiendo los caminos que en los próximos años se poblarán de viajeros, y las instituciones y personas que se sitúan al frente de estos derroteros, reconozcámoslo, han de ser consecuentes con la responsabilidad que se pone en sus manos y respetuosos con los principios y valores que hicieron posible Internet. Pero claro, si esas personas se encuentran ya compradas por unos intereses concretos y, consecuentemente, se ven obligados por sus dueños a despreciar estos valores que posibilitaron la aparición del Internet, ésta, ciertamente, tiene poco futuro para ellos.

Afortunadamente, en Derecho las cosas nunca son blancas o negras y hay resoluciones que ponen un poco de color en el gris panorama que se cierne sobre Internet; como la dictada en el caso nosolomusica.com, en que el titular de la marca del conocido programa de televisión NO SOLO MUSICA, adquirida de su antiguo propietario GESTEVISION TELECINCO, entidad que gestiona el canal de TV TELECINCO, ha perdido su particular batalla por el dominio nosolomusica.com, cuya propiedad, por lo demás, resultaba, según lo manifestado en la resolución, de titularidad algo dudosa o indefinida. O la dictada en el caso viajesecuador.com, que dirime un complicado supuesto sobre la relaciones entre franquiciadora y franquiciada. Estas decisiones suponen una corriente de aire fresco en un ambiente que empezaba a estar bastante enrarecido, a consecuencia de la falta de seguridad jurídica que está generando esta doctrina dispersa y por momentos arbitraria.

Por otro lado, la ICANN también está recibiendo fuertes críticas y ya comienza a extenderse por las listas de discusión la idea de que hay que prescindir de esta organización privada californiana y empezar de nuevo. El vacío de poder creado en los Estados Unidos, a consecuencia de su vergonzoso sistema electoral, constituye una oportunidad única para ello.

Algunos medios tradicionales, que siguen sin enterarse de qué va esto, cuando critican la actual situación, lo hacen, acaso conscientemente, de una forma pueril e irreflexiva. Véase el caso madonna.com en el que, pretendiendo defender a un hospital infantil, tan sólo hacen el juego a la industria pornográfica (perfectamente respetable, por lo demás) de whitehouse.com, cuyo titular también lo es de madonna.com. El hospital opera bajo el dominio madonna.org, y sus responsables ya han manifestado que no quieren tener nada que ver con esta guerra. En fin, escribir sobre aquello que no se tiene ni idea puede llegar a ser todo un arte.

Estos comentarios superfluos acaso tengan como objeto despistar a la opinión pública sobre los verdaderos casos sangrantes, como es el de barcelona.com, que ha dado lugar, según se reconoce por un amplio consenso, a una de las decisiones más execrables que haya evacuado algún árbitro de la OMPI y que, por lo demás, acabará costando a la ciudad condal un ojo de la cara y parte del otro, pues ya se ha presentado una demanda en Estados Unidos que tiene toda la pinta de, al menos, ser admitida a trámite.

La indicada decisión considera un plan de negocio, solicitado a instancias del entorno del demandante, como muestra de mala fe que evidencia un intento de venta. Además, estima que una iniciativa empresarial ofreciendo servicios e información sobre una determinada ciudad no presenta un interés legítimo. Y por último, muestra un absoluto desprecio por las instituciones y categorías jurídicas actuales al considerar que la denominación "barcelona", por sí sola, está protegida por derechos de propiedad industrial, cuando ninguna marca con esa denominación exclusivamente podría acceder a al registro de patentes y marcas, siendo, por lo demás, su titular

una persona sin interés empresarial.

Desde luego, tales planteamientos, unido a una especie de balanceamiento de intereses, suponen dejar a un lado las normas en que ha de basarse la decisión, para utilizarlas tan sólo como una mera excusa. En el último estudio publicado por Milton Mueller se considera esta decisión como una de las siete (el profesor analiza centenares de ellas) que caen dentro de la categoría "really bad decisions", que hacen de verdad un flaco error a la justicia, en la era de la "sociedad de la información".

La opinión de todos los juristas es prácticamente unánime y coincide básicamente con la posición de M. Mueller. Pero en Derecho, o más bien en política, nada goza de unanimidad absoluta y aquí no falta algún heterodoxo discordante que, en infantil ejercicio de ciencia ficción al estimar como derecho aplicable no el que es sino el que conviene, expone como axioma inapelable lo que no es más que un vano anhelo de futuro o, a lo sumo y al igual que este artículo, una mera opinión criticable, si bien, francamente minoritaria.

Algunos de estos actores del panorama jurídico de los "servicios de la sociedad de la información", inconscientes de la gran responsabilidad que se deposita en sus manos, y con dueños que pagan sus nimios caprichos, merecen toda nuestra compasión. Ya en Roma había esclavos que vivían mejor que muchos hombres libres, ocupándose de los intereses de los poderosos, pero no por ello dejaban de ser esclavos. En consecuencia, hemos de compadecer aún más a aquellos pues, a cambio de una dudosa gloria mundana, y a diferencia de éstos, escogen, libremente, condenarse al infierno de vivir con la angustia de no poder decir lo que piensan sino lo que les ordenan.

En otro orden de consideraciones, no podemos dejar de lado las innovaciones en la regulación del dominio español (.es) que se pretenden introducir con ocasión de la Ley de acompañamiento de presupuestos generales para el año 2.001.

Estas novedades (que se pueden consultar en la web de la AI www.internautas.org) consisten básicamente en dos:

- De un lado, cambiarle el nombre a la entidad que supuestamente gestiona el registro y mantenimiento de los dominios (RETEVISION) que, de verificarse estas previsiones, pasaría a denominarse Entidad Pública Empresarial Red.es.

Para ello, se modifica la Disposición Adicional sexta de la Ley 11/1998, de 24 de abril, General de Telecomunicaciones, que detalla el régimen jurídico al que queda sometida dicha entidad empresarial. Destaca de este régimen el elevado número de funciones que se le encomienda, pues además de las relacionadas con la gestión del dominio, y de participación en los foros internacionales de estas materias, se le asigna la de ser "observatorio del sector de las telecomunicaciones y de la sociedad de la información", así como funciones consultivas y, en general, "el fomento y desarrollo de la Sociedad de la Información".

- Por otro lado, destaca el régimen jurídico que se instaura para las tarifas que se cobran por el registro y mantenimiento de los nombres, que presenta una redacción francamente desafortunada.

El proyecto parte de establecer que la tasa de registro se considera única por cada dominio y que su importe se determinará en función del beneficio esperado por su titular y el precio de mercado.

Tal declaración general se corresponde, según las prescripciones de la Ley de Tasas (Art. 19), con la modalidad prevista por la utilización del Dominio Público y no por la de prestación de servicios, pero, habrá de convenirse, los nombres de dominio no constituyen un Dominio Público, al menos las Cortes no se han pronunciado así todavía, como la Constitución dice que debe hacerse (art. 132), por lo que el sistema nacería viciado desde su origen.

Por otro lado, y en contradicción con la anterior manifestación, se fijan dos sistemas de tasas: una de carácter fijo para los dominios llamados "regulares" (18.000 pts.) que parece encuadrarse dentro de la modalidad de tasa por prestación de servicios, y otra no determinada a priori, para los dominios "especiales", que según la redacción consultada, básicamente, se adjudicarán mediante un sistema de subasta.

Esta situación, plantea dos problemas:

En primer lugar, con esta declaración, en todo caso, se está reconociendo el carácter tributario de las tarifas aplicadas en el registro y mantenimiento de los nombres, por lo que quedaría sometida al principio de reserva de Ley en materia Tributaria que instaura la Constitución (art. 133) y reconoce el artículo 10 de la Ley de Tasas. La consecuencia de ello es que, al igual que lo acontecido en Estados Unidos, los importes que han venido cobrándose por estos conceptos no se encontraban amparados por la legalidad vigente por lo que, como ha sucedido en Norteamérica, los particulares podrían instar la devolución de estas tasas por no haber respetado el principio de reserva de Ley.

En segundo lugar, la tasa, sobre todo para los dominios especiales, se configura en la modalidad de uso del Dominio Público, cuando no ha habido una declaración del legislativo en esa línea. En realidad, la modalidad, dentro de las previstas en la Ley de Tasas, que habría que utilizar es la de prestación de servicios, en cuyo caso, el importe correspondiente ha de determinarse, fundamentalmente, en función del coste del servicio y no por beneficios esperados o precio de mercado. La consecuencia de todo ello, igualmente, sería una falta de adecuación a la legalidad de los importes que se cobren por estos conceptos.

En todo caso, para los dominios especiales, incluso se prevé la posibilidad de que el precio que se alcance sea incluso superior al derivado de los anteriores criterios, al decir que "si el valor de la adjudicación de la licitación [de la subasta, para entendernos] resultase superior al valor de referencia [precio mercado y posible rentabilidad] (.../...), aquél constituirá el importe de la tasa."

Con independencia de las consideraciones de carácter jurídico que de esta regulación podrían hacerse, lo cierto es que merece una profunda crítica. Los poderes públicos, en vez de jalearse al mercado para entrar en la perniciosa espiral de especulación que se ha desatado en torno a los nombres de dominio, deberían adoptar posiciones más equidistantes entre los intereses en juego.

Por otro lado, si salió mal la jugada de las licencias de móviles, no es plan que ahora quieran resarcirse con los dominios. De llevarse a la práctica este sistema previsto, España sería el único país del mundo, al menos de los que podemos considerar mínimamente serios, que saca a subasta los nombres de segundo nivel.

Esperemos que en la tramitación parlamentaria de esta Ley se corrijan las deficiencias advertidas.

Finalmente, tan sólo me resta invitar a todos los lectores de DOMINIURIS al congreso que estamos organizando en Perú. Numerosos juristas y profesionales independientes y no casados con los grandes poderes acudirán al evento. Será sin duda toda una experiencia.

Es el primer congreso independiente de una época de Internet que está dando sus últimos coletazos. Después, desengañense, las cosas no volverán a ser lo mismo. La oportunidad, ciertamente, es única e irrepetible.

CASOS DE LA OMPI. viajesecuador.com

LA FRANQUICIA DE VIAJES ECUADOR DE LUGO GANA EL LITIGIO EN LA

OMPI POR EL DOMINIO VIAJESCUADOR.COM

Ecuador Lugo, S.L., que explota una franquicia de la cadena de agencias de viaje "VIAJES ECUADOR", ha ganado el litigio mantenido frente a "VIAJES ECUADOR, S.A.", entidad franquiciadora de la cadena de agencias, por el dominio viajesecuador.com.

La franquicia de Viajes Ecuador de Lugo, que es la número 1 en ventas de todo el territorio nacional, por tanto, podrá seguir utilizando, como venía haciendo hasta ahora, la dirección en Internet www.viajesecuador.com.

La indicada empresa firmó un contrato de franquicia con VIAJES ECUADOR, S.A. en marzo de 1.997, cuando empezaba a despuntar Internet. En enero de 1.999 decidió, al igual que otras agencias del grupo, conseguir una dirección en Internet para ejercer su negocio de agencia de viajes. Dado que el contrato suscrito le obligaba a utilizar en todas las comunicaciones dirigidas al mercado la denominación VIAJES ECUADOR, consideró oportuno registrar a tal fin la denominación viajesecuador.com que, en aquel momento, se encontraba disponible.

Posteriormente, la entidad franquiciadora planteó una demanda en la OMPI solicitando la transferencia del dominio, al estimar que ECUADOR LUGO no tenía interés legítimo en el registro y mantenimiento del dominio.

Quizás este caso sea el primero de esta envergadura que, afectando a dos empresas españolas, ofrece un resultado favorable al titular del nombre de dominio. La Resolución de la OMPI, citando precedentes anteriores, estima que el demandado, de conformidad con el contrato de franquicia suscrito con VIAJES ECUADOR, S.A., tiene un derecho o interés legítimo respecto al nombre de dominio, lo que "difícilmente permitiría manifestar que su registro se haya realizado de mala fe, especialmente si dicho registro se produjo mucho antes de iniciarse la controversia".

En el Congreso que DOMINIURIS está organizando (www.dominiuris.com/congreso/) junto con el Estudio Jurídico Castillejo & Bardales, que se celebrará en Lima a finales de este mes y principios del que viene, se explicarán los pormenores y detalles de este interesante precedente.

La decisión de la OMPI sobre el dominio viajesecuador.com se encuentra disponible en: <http://www.dominiuris.com/viajesecuador.htm>

El caso en la prensa:

El Progreso de Lugo. El dominio viajesecuador.com, otorgado a la franquicia de Lugo. 5 de diciembre de 2000.

<http://www.elprogreso.es/diario/20001205/Lugo/N18027.asp>

El Mundo. Esta vez, la razón era del demandado. Viernes, 1 de diciembre de 2000.

http://www.elmundo.es/navegante/diario/noticia.html?vs_noticia=/2000/12/1/975699330.xml

Vieiros. Seguen as loitas polos dominios.

<http://www.vieiros.com/gh.asp>

CASOS JUDICIALES. ARGENTINA.

Caso "lagallega.com.ar". Se han adoptado medidas cautelares sin tener registro de marca con base en el uso de

la denominación como nombre comercial. No todo han de ser marcas !!!

CASOS JUDICIALES. DINAMARCA.

Una empresa que tenía el dominio co.dk, y hacía negocio vendiendo dominios de tercer nivel bajo esa dirección (empresa.co.dk) ha visto truncadas sus expectativas de negocio por una decisión judicial.

INJEF.COM

* Resolución del Consejo de 3 de octubre de 2000, sobre la organización y gestión de Internet

Texto completo de la Resolución del Consejo que anima a los Estados miembros a aplicar los principios adoptados por el Grupo Consultivo de los Gobiernos (GAC) en la ICANN sobre la gestión de los nombres de dominio (Formato PDF, 25 KB).

20/10/2000 | Documentos en INJEF.com

http://www.injef.com/revista/dominios/injef_001020.pdf

También en

http://europa.eu.int/eur-lex/es/dat/2000/c_293/c_29320001014es00030004.pdf

* Caos inminente?: casi 200 nuevos dominios propuestos a ICANN

Casi 200 nuevos dominios de máximo nivel (Top Level Domains, TLDs) han propuesto a ICANN, el organismo internacional encargado.

05/10/2000 | Baquía.com

http://www.injef.com/revista/dominios/baquia_001005.htm

EVOLUCION DE LOS NOMBRES DE DOMINIO

Jul-00 93,047,785
Jan-00 72,398,000
Jul-99 56,218,000
Jan-99 43,230,000

<http://www.isc.org/ds/>

ICANN (FAQ). Traducción al español:

Preguntas frecuentemente hechas (Preguntas y Respuestas) (FAQ)

Traducción efectuada por Nilda Vany Martínez Grajales para ENRED. La revisión de esta traducción fue hecha

por Derecho.Org (publicación autorizada en DOMINIURIS).

<http://www.dominiuris.com/documentacion/otros/icannfaq.htm>

ICANN. ¿Pueden cambiar las cosas?

Andy Mueller-Maguhn del "Chaos Computer Club" ha accedido a uno de los sillones de la ICANN. El activista alemán promete cambiar las cosas desde dentro. Ya veremos como evoluciona todo.

<http://www.zdnet.com/zdnn/stories/news/0,4586,2640449,00.html?chkpt=zdnn101600>

OMPI.

La OMPI pretende regular la relación de los dominios con otras categorías distintivas que no están dentro del ámbito original de actuación de esta Institución.

Según ha comunicado dicha entidad, ya ha publicado, en la dirección electrónica <http://wipo2.wipo.int/>, la segunda solicitud de comentarios para el Segundo Proceso de la OMPI relativo a los Nombres de Dominio de Internet (WIPO2 RFC-2).

En el Segundo Proceso de la OMPI se tratarán distintas cuestiones pendientes relativas al reconocimiento de derechos y el uso de nombres dentro del sistema de nombres de dominio de Internet. La OMPI está intentando estudiar y formular recomendaciones acerca del "uso de mala fe, abusivo, engañoso o injusto" de:

- nombres de persona;
- denominaciones comunes internacionales (DCI) para las sustancias farmacéuticas, recomendadas por la Organización Mundial de la Salud con el fin de proteger la seguridad de los pacientes en todo el mundo, ¿o más bien los intereses de la poderosa industria farmacéutica?;
- nombres de organizaciones internacionales intergubernamentales (como las Naciones Unidas);
- indicaciones geográficas, indicaciones de procedencia y términos geográficos; y
- nombres de marcas.

<http://wipo2.wipo.int/process2/rfc/rfc1/summary-es.html> Resumen de los comentarios presentados respecto de la primera solicitud de comentarios (WIPO2 RFC-1), que se centró en la propuesta de mandato, procedimientos y calendario para el Segundo Proceso de la OMPI.

ANÁLISIS DE LA APLICACIÓN DE LAS NORMAS DE RESOLUCIÓN DE CONFLICTOS DE LA ICANN.

El Profesor Milton Mueller de la "Syracuse University" ha publicado un estudio muy interesante sobre la aplicación de las normas, en el que analiza cientos de decisiones. Es altamente recomendable su visita. El citado trabajo recoge en un apartado las 7 peores decisiones de la OMPI, entre las que se encuentra la dictada en el caso [barcelona.com](http://www.barcelona.com)

<http://dcc.syr.edu/roughjustice.htm>

LA ICANN ES DEMANDADA EN TEXAS.

REGLAND.COMN ha iniciado acciones judiciales en el Estado de Texas contra la ICANN. El litigio gira alrededor de los preregistros que la ICANN, al parecer, no ha aceptado.

El tema de los preregistros estaba llamado a traer cola...

<http://www.regland.com/lawsuit/> Demanda.

<http://www.regland.com/> Demandante

<http://www.icann.org/> Demandada

Fuente: <http://www.bakerinfo.com/elaw>

También en: <http://www.newsbytes.com/> y en <http://www.zdnet.com/>

- ENCUESTA SOBRE DOMINIOS. Curiosa iniciativa llevada a cabo por BARRAPUNTO.

<http://barrapunto.com/pollBooth.pl?qid=dominios-okupas&aid=5>

- ICANN. Nuevos dominios: según se ha comentado en infinidad de sitios, se ha aprobado en la reunión de ICANN en Los Angeles, la introducción de nuevos dominios genéricos:

- .biz (negocios)
- .info (información general)
- .name (individuos)
- .pro (profesionales)
- .co-op (cooperativas y cooperación)
- .aero (industria aérea y viajes)
- .museum (museos)

El sistema de registro dependerá del tipo de dominio, de forma que el registro de dominios de segundo nivel será libre para algunos, mientras que para otros se exigirán una serie de requisitos. En fin, mucho ruido para pocas nueces, pues la cuestión es que todavía no han decidido como montar el tinglado ni a quien darle la gestión de los nuevos dominios.

Los nuevos sufijos, que se lanzarán a mediados del 2001, están diseñados, en principio, como alternativas a ".com", ya colapsado por unos 20 millones de registros.

- CASOS JUDICIALES. URUGAY. Caso www.microsoft.com.uy. Primer fallo judicial (interlocutorio) sobre nombres de dominio.

Artículo original de D. Marcelo Bauzá Reilly. Profesor de "Informática Jurídica" en la Universidad de la República, Profesor de "Informática Jurídica2" y de "Derecho de las Telecomunicaciones y de la Informática" en la Universidad de la Empresa (Montevideo, Uruguay). Vicepresidente de FIADI (Federación Iberoamericana de Asociaciones de Derecho e Informática).

La justicia uruguaya ha dictaminado en vía cautelar la cancelación provisoria del registro de dominio www.microsoft.com.uy. La medida obedeció a una acción promovida por el representante legal de Microsoft Corporation, quien expuso como fundamentos de la pretensión el carácter notorio de la denominación Microsoft a nivel mundial, y su inscripción en Uruguay cubriendo los servicios de varias clases internacionales, en particular la Nº 38 del Nomenclator vigente según Arreglo de Niza (servicio de telecomunicaciones, principalmente el recibo y

envío de mensajes, documentos y otros datos por transmisión electrónica).

Las operaciones de registro de nombres de dominio se realizan en Uruguay en la órbita del ente telefónico, en la dirección <http://dns.antel.net.uy>, a través de empresas particulares conocidas como "proveedores de servicios de Internet" (los "ISP" siguiendo la terminología anglosajona), que son las autorizadas a poseer servidores DNS y efectuar el alojamiento de sitios en la red.

Antes de ingresar en la vía judicial, el damnificado intentó otras instancias de solución administrativa a través de su representante legal, pero no tuvo éxito alguno. Ahora se esperan las resultancias del pleito principal, que ya debería haber comenzado a esta fecha, so pena de caducidad de la medida provisoria.

Mientras ello acontece, se aprecia que el fallo provisorio recaído es en realidad un decreto interlocutorio muy escueto, para más datos "decreto 2969 del 11 de octubre del 2000" dictado por el Juzgado Letrado de Primera Instancia de Montevideo de 15º Turno con asiento en la ciudad de Montevideo. Su transcripción textual es la siguiente: "Visto y atento a lo establecido en el Artículo 311 y siguientes del C.G.P. sin noticia contraria decretase como medida cautelar la cancelación provisoria del registro de dominio www.microsoft.com.uy hasta la dilucidación del proceso que deberá promoverse en esta Sede comunicándose a ANTEL. Se acepta la contracautela ofrecida. Cumplido notifíquese a los afectados en los domicilios denunciados en el petitorio tercero de fojas 60 vta."

Como se podrá apreciar, el fallo por sí solo no es precisamente una "pieza doctrinaria", en tanto omite extenderse en fundamentos de mayor alcance que los formales. Apenas agregar que el derecho invocado corresponde al capítulo respectivo del "proceso cautelar" regulado por nuestro Código General del Proceso (C.G.P.). Y que si bien el fallo no lo menciona expresamente, sería dable suponer que se tuvo en cuenta para decretar la medida el art. 88 de la Ley 17.011 (Ley de Marcas) que estatuye la acción en juicio para "prohibición de uso de una marca no registrada, idéntica o semejante", así como el art. 317 del C.G.P, contenido el cuerpo citado por el proveyente, que refiere a "providencias que deciden provisoriamente el litigio en espera de una decisión definitiva", también llamada por la doctrina procesalista "decisiones anticipadas".

El "Acuerdo de Registro de Dominio" que celebran los ISP con ANTEL prevé la cancelación del registro, entre otras causas, "por orden judicial" (nral. 4º), y ello es lo que operó en este caso a la fecha, con carácter provisorio.

El titular del sitio cancelado es un ciudadano argentino con residencia en Uruguay, que ha sido acusado ante organismos internacionales como formando parte de un grupo dedicado a abrir sitios bajo denominaciones registradas antes como marcas por grandes compañías de la industria de la información (Altavista, Yahoo, Microsoft), existiendo pronunciamientos de OMPI al respecto, así como despachos de prensa nacional e internacional que se han venido refiriendo al conjunto de estos casos desde hace un tiempo atrás.

Como dije antes, se trata del primer fallo en la materia dictado por jueces uruguayos, si bien no definitivo. Aunque parecería que no es el primer asunto de esta índole que se plantea en estrados de nuestro país, los anteriores habrían sido abortados por acuerdos o desistimientos. Ene esta oportunidad ell accionante dirigió su pretensión provisoria contra el proveedor del caso, y contra el titular del sitio en cuestión. Tratándose de un procedimiento cautelar, la ley uruguaya obliga a instaurar la demanda principal dentro de los treinta días siguientes a su decreto o efectividad, so pena de caducidad. Por lo pensamos que esta historia seguirá, y próximamente podremos referirnos a las resultancias del juicio principal, o su transacción como también sucede habitualmente en estos casos.

- CURIOSIDADES PARA AVANZADOS.

<http://62.116.31.68/>

<http://www.voteauction.de/>

COMPENDIO DE CASOS JUDICIALES EN ARGENTINA:

En la dirección <http://www.dominiuris.com/casos/argentina.htm> podrán encontrar un compendio con los datos principales de los casos judiciales argentinos sobre nombres de dominio. En total se relacionan 23 casos, que afectan a los siguientes dominios:

- 1) freddo.com.ar
- 2) qualitas.com.ar
- 3) travelnet.com.ar
- 4) pines.com.ar
- 5) camuzzi.com.ar
- 6) cibavision.com.ar
- 7) psa.com.ar
- 8) ge.com.ar
- 9) laley.com.ar
- 10) amway.com.ar
- 11) laspaginasamarillas.com.ar
- 12) xenical.com.ar
- 13) femeba.com.ar
- 14) byk.com.ar y bykliprandi.com.ar
- 15) tempo.com.ar
- 16) expochacra.com.ar y expo-chacra.com.ar
- 17) cardinal.com.ar
- 18) avamiriva.com.ar
- 19) basetres.com.ar y base3.com.ar
- 20) osseg.com.ar
- 21) edea.com.ar
- 22) swarovski.com.ar
- 23) bacardi.com.ar

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The Bulletin of DOMINIURIS - Nº 27 (5 of December of 2,000)

Summary:

- PUBLISHING

- On the special jurisdiction of the dominions. Eclavos already had in Rome.
- the Law of support of general budgets for year 2,001 and dominions.

- CASES OF the OMPI. viajesecuador.com

- the tax exemption of Trips Ecuador de Lugo gains the litigation in the OMPI by the dominion VIAJESECUADOR.COM

- JUDICIAL CASES. ARGENTINA. Case "of lagalleja.com.ar".

- JUDICIAL CASES. DENMARK

- INJEF.COM

- EVOLUTION OF THE DOMINION NAMES

- ICANN (FAQ). Translation to the Spanish

- ICANN. They can change the things?

Election of Andy Mueller-Maguhn of the "Chaos Computer Club"

- OMPI.

Second request of commentaries for the Second Process of the OMPI relative to the Names of Dominion of Internet

- ANALISIS OF THE APPLICATION OF THE NORMS OF RESOLUTION OF CONFLICTS OF ICANN. Study of Professor Milton Mueller of the "Syracuse University".

- THE ICANN IS DEMANDED IN TEXAS

- COMPENDIUM OF JUDICIAL CASES IN ARGENTINA.

This Bulletin is a little long. That is the truth. Therefore I suggest calmness in its tasting, because of a whole distance, mainly if desire must to investigate, can cause a certain indigestión. Of here to next Christmases, our readers will be able to suitably process and with sufficient reflection the provided information, facing the entrance in the new era, then, as I explain now,

EDITORIAL: The slaves of Rome and the Law of support

By luck or he displeases, the certain thing is that in the traditional press only usually they appear the cases that are

gained by the mark holders, although, at sight of occurred in the case "barcelona.com", there are some to any thing call mark to him, considering the present writing of the norms on which the referees of the OMPI have to base their decisions. Cases like this one, although it insists that insists, the only thing that does is to dim the honest performance of many of the members of the OMPI; institution that almost monopolizes the rising special jurisdiction "cybernetics", because to call arbitration to that, at the present time, a nonsense is everything.

Few, or rather nobody, doubt the necessity already to count on an agile system of resolution of conflicts, mainly for the dominions in which previous verification is not exerted some before the registry. Also, the writing that nowadays has these norms, conceived with the purpose of finishing with the fraudulent and flagrant advantages of other people's enterprise distinguishing signs, also enjoys an ample consensus.

However, the interpretation that are becoming of these norms in some cases, or rather, the use of same as a pretext for "chronicles of resolutions announced", are, certainly, which can get to deslegitimar an initiative that would be to mimar and to take care of as if a small boy it was. Not in vain, we are defining the ways that in the next years will fill with travellers, and the institutions and people who locate themselves to the front of these map courses, we recognize it, have to be consequent with the responsibility that is put in its respectful hands and with the principles and values that made possible Internet. Sure if those people are bought by concrete interests already and, consequently, they are forced by its owners to despise these values that made possible the appearance of the Internet, this one, certainly, has little future for them.

Luckily, in Right the things never are white or black and are resolutions that put a little color in the gray panorama that blossoming on Internet; as dictated in the case nosolomusica.com, in that the holder of the mark of the well-known program of television noncSingle MUSICA, acquired of its old proprietor GESTEVISION TELECINCO, organization that manages the TV channel TELECINCO, is lost its particular battle by the dominion nosolomusica.com, whose property, by the others, it was, according to the declared thing in the resolution, of somewhat doubtful or indefinite titularidad. Or dictated in the case viajesecuador.com, that it dissolves complicated supposed on it relations between franquiciada franquiciadora and. These decisions suppose a fresh airflow in an atmosphere that began to be rarefied enough, as a result of the lack of arbitrary legal security that is generating this doctrine dispersed and per moments.

On the other hand, the ICANN also is receiving strong critics and the idea that already begins to extend by the discussion lists there is to do without this Californian private organization and to begin again. The emptiness of being able created in the United States, as a result of its shameful electoral system, constitutes a unique opportunity for it.

Some traditional means, that follow without finding out of what this goes, when they criticize the present situation, do it, perhaps consciously, of a pueril and irreflexiva form. It see the case madonna.com in which, trying to defend to an infantile hospital, they only match to the pornographic industry (perfectly respectable, by the others) of whitehouse.com, whose holder also is it of madonna.com. The hospital operates under the dominion madonna.org, and their people in charge already have showed that they do not want to have nothing to do with this war. In short, to write on what it is not had nor idea can get to be everything an art.

These superfluous commentaries chance must like object confuse to the public opinion on the true bleeding cases, like is the one of barcelona.com, that has given rise, according to is recognized by an ample consensus, to one of the decisions execrables than it has evacuated some referee of the OMPI and that, by others, will end up costing to city condal eye of face and leaves from another one, because already a demand in the United States has appeared that has all the dot of, at least, to be admitted to proceeding.

The indicated decision considers a plan of business, asked for to instances of the surroundings of the plaintiff, as it shows of bad faith that demonstrates an attempt of sale. In addition, esteem that an enterprise initiative offering services and information on a certain city does not present/display a legitimate interest. And finally, it shows to an absolute scorn by the institutions and present legal categories when considering that the denomination "Barcelona", by itself, is protected by rights of industrial property, when no mark with that denomination exclusively could accede to a the registry of patents and marks, being, by the others, its holder a person without enterprise

interest.

Of course, such expositions, together with a species of balanceamiento of interests, suppose to let to a side the norms on which are to be based the decision, to only use them as a mere excuse. In the last study published by Milton Mueller considers this decision as one of seven (professor analyzes hundreds of them) which decisions ", which they really make a skinny error to justice, in the era of the "society of the information" falls within the category "really bad.

The opinion of all the jurists is practically unanimous and agrees basically with the position of M. Mueller. But in Right, or rather in policy, anything it enjoys absolute unanimity and here it does not lack some heterodox discordant one that, in infantile exercise of science fiction when considering like applicable right not the one that is but the one that agrees, exposes at the most like unquestionable axiom what it is not more than a vain yearning of future or, and like this article, a mere criticizeable, although, frankly minority opinion.

Some of these actors of the legal panorama of the "services of the society of the information", unconscious of the great responsibility that is deposited in its hands, and with owners that pay their insignificant whims, deserve all our compassion. Already in Rome there were slaves who lived better than many free men, taking care of the interests of the powerful ones, but for that reason they did not stop being enslaved. Consequently, we have to feel sorry still more for those then, in exchange for a doubtful worldly glory, and unlike these, they choose, freely, to condemn to hell to live with the anguish on not being able to say what what thinks but they order to them.

In another order of considerations, we cannot leave of side the innovations in the regulation of the Spanish dominion (es) that are tried to introduce with occasion of the Law of support of general budgets for year 2.001.

These new features (that can be consulted in the Web of the AI www.internautas.org) consist basically of two:

- Of a side, to change the name to the organization that supposedly manages the registry and maintenance of the dominions (RETEVISION) that, to verify these forecasts, would happen to denominate Public Organization Enterprise Red.es.

For it, the Additional Disposition sixth of Law 11/1998 is modified, of 24 of April, General of Telecommunications, who details the legal regime to which it is put under this enterprise entidadada. It emphasizes of this regime the high number of functions that is entrusted to him, because in addition to the related ones to the management of the dominion, and participation in the international forums of these matters, the one of being is assigned to him "observatory of the sector of the telecommunications and the society of the information", as well as consultative functions and, in general, "the promotion and development of the Society of the Information".

- On the other hand, it emphasizes the legal regime that it is restored for the tariffs that receive by the registry and maintenance of the names, that an unfortunate writing presents/displays frankly.

The project starts off to establish that the rate of registry is considered only by each dominion and that its amount will determine based on the benefit waited for by its holder and the price of market.

Such general declaration corresponds, according to the prescriptions of the Law of Rates (Art. 19), with the modality anticipated by the use of the Public Dominion and not by the one of benefit of services, but, it will have to be agreed, the dominion names do not constitute a Public Dominion, Cortes have not been pronounced at least thus still, as the Constitution says that it must become (art. 132), reason why the system would be born vitiated from its origin.

On the other hand, and to contradiction with the previous manifestation, two systems of rates pay attention: one of

fixed character for the called dominions "regular" (18,000 pts.) that it seems to fit itself within the modality of rate by benefit of services, and not determined other a priori, for "the special" dominions, that according to the consulted writing, basically, will be adjudged by means of an auction system.

Esta situación, plantea dos problemas:

En primer lugar, con esta declaración, en todo caso, se está reconociendo el carácter tributario de las tarifas aplicadas en el registro y mantenimiento de los nombres, por lo que quedaría sometida al principio de reserva de Ley en materia Tributaria que instaura la Constitución (art. 133) y reconoce el artículo 10 de la Ley de Tasas. La consecuencia de ello es que, al igual que lo acontecido en Estados Unidos, los importes que han venido cobrándose por estos conceptos no se encontraban amparados por la legalidad vigente por lo que, como ha sucedido en Norteamérica, los particulares podrían instar la devolución de estas tasas por no haber respetado el principio de reserva de Ley.

En segundo lugar, la tasa, sobre todo para los dominios especiales, se configura en la modalidad de uso del Dominio Público, cuando no ha habido una declaración del legislativo en esa línea. En realidad, la modalidad, dentro de las previstas en la Ley de Tasas, que habría que utilizar es la de prestación de servicios, en cuyo caso, el importe correspondiente ha de determinarse, fundamentalmente, en función del coste del servicio y no por beneficios esperados o precio de mercado. La consecuencia de todo ello, igualmente, sería una falta de adecuación a la legalidad de los importes que se cobren por estos conceptos.

En todo caso, para los dominios especiales, incluso se prevé la posibilidad de que el precio que se alcance sea incluso superior al derivado de los anteriores criterios, al decir que "si el valor de la adjudicación de la licitación [de la subasta, para entendernos] resultase superior al valor de referencia [precio mercado y posible rentabilidad] (.../...), aquél constituirá el importe de la tasa."

Con independencia de las consideraciones de carácter jurídico que de esta regulación podrían hacerse, lo cierto es que merece una profunda crítica. Los poderes públicos, en vez de jalar al mercado para entrar en la perniciosa espiral de especulación que se ha desatado en torno a los nombres de dominio, deberían adoptar posiciones más equidistantes entre los intereses en juego.

Por otro lado, si salió mal la jugada de las licencias de móviles, no es plan que ahora quieran resarcirse con los dominios. De llevarse a la práctica este sistema previsto, España sería el único país del mundo, al menos de los que podemos considerar mínimamente serios, que saca a subasta los nombres de segundo nivel.

Esperemos que en la tramitación parlamentaria de esta Ley se corrijan las deficiencias advertidas.

Finalmente, tan sólo me resta invitar a todos los lectores de DOMINIURIS al congreso que estamos organizando en Perú. Numerosos juristas y profesionales independientes y no casados con los grandes poderes acudirán al evento. Será sin duda toda una experiencia.

Es el primer congreso independiente de una época de Internet que está dando sus últimos coletazos. Después, desengañense, las cosas no volverán a ser lo mismo. La oportunidad, ciertamente, es única e irrepetible.

CASOS DE LA OMPI. viajesecuador.com

LA FRANQUICIA DE VIAJES ECUADOR DE LUGO GANA EL LITIGIO EN LA OMPI POR EL DOMINIO VIAJESECUADOR.COM

Ecuador Lugo, S.L., que explota una franquicia de la cadena de agencias de viaje "VIAJES ECUADOR", ha ganado el litigio mantenido frente a "VIAJES ECUADOR, S.A.", entidad franquiciadora de la cadena de agencias, por el dominio viajesecuador.com.

La franquicia de Viajes Ecuador de Lugo, que es la número 1 en ventas de todo el territorio nacional, por tanto, podrá seguir utilizando, como venía haciendo hasta ahora, la dirección en Internet www.viajesecuador.com.

La indicada empresa firmó un contrato de franquicia con VIAJES ECUADOR, S.A. en marzo de 1.997, cuando empezaba a despuntar Internet. En enero de 1.999 decidió, al igual que otras agencias del grupo, conseguir una dirección en Internet para ejercer su negocio de agencia de viajes. Dado que el contrato suscrito le obligaba a utilizar en todas las comunicaciones dirigidas al mercado la denominación VIAJES ECUADOR, consideró oportuno registrar a tal fin la denominación viajesecuador.com que, en aquel momento, se encontraba disponible.

Posteriormente, la entidad franquiciadora planteó una demanda en la OMPI solicitando la transferencia del dominio, al estimar que ECUADOR LUGO no tenía interés legítimo en el registro y mantenimiento del dominio.

Quizás este caso sea el primero de esta envergadura que, afectando a dos empresas españolas, ofrece un resultado favorable al titular del nombre de dominio. La Resolución de la OMPI, citando precedentes anteriores, estima que el demandado, de conformidad con el contrato de franquicia suscrito con VIAJES ECUADOR, S.A., tiene un derecho o interés legítimo respecto al nombre de dominio, lo que "difícilmente permitiría manifestar que su registro se haya realizado de mala fe, especialmente si dicho registro se produjo mucho antes de iniciarse la controversia".

En el Congreso que DOMINIURIS está organizando (www.dominiuris.com/congreso/) junto con el Estudio Jurídico Castillejo & Bardales, que se celebrará en Lima a finales de este mes y principios del que viene, se explicarán los pormenores y detalles de este interesante precedente.

La decisión de la OMPI sobre el dominio viajesecuador.com se encuentra disponible en: <http://www.dominiuris.com/viajesecuador.htm>

El caso en la prensa:

El Progreso de Lugo.El dominio viajesecuador.com, otorgado a la franquicia de Lugo. 5 de diciembre de 2000.

<http://www.elprogreso.es/diario/20001205/Lugo/N18027.asp>

El Mundo. Esta vez, la razón era del demandado. Viernes, 1 de diciembre de 2000.

http://www.elmundo.es/navegante/diario/noticia.html?vs_noticia=/2000/12/1/975699330.xml

Vieiros. Seguen as loitas polos dominios.

<http://www.vieiros.com/gh.asp>

CASOS JUDICIALES. ARGENTINA.

Caso "lagallega.com.ar". Se han adoptado medidas cautelares sin tener registro de marca con base en el uso de la denominación como nombre comercial. No todo han de ser marcas !!!

CASOS JUDICIALES. DINAMARCA.

Una empresa que tenía el dominio co.dk, y hacía negocio vendiendo dominios de tercer nivel bajo esa dirección (empresa.co.dk) ha visto truncadas sus expectativas de negocio por una decisión judicial.

INJEF.COM

* Resolución del Consejo de 3 de octubre de 2000, sobre la organización y gestión de Internet

Texto completo de la Resolución del Consejo que anima a los Estados miembros a aplicar los principios adoptados por el Grupo Consultivo de los Gobiernos (GAC) en la ICANN sobre la gestión de los nombres de dominio (Formato PDF, 25 KB).

20/10/2000 | Documentos en INJEF.com

http://www.injef.com/revista/dominios/injef_001020.pdf

También en

http://europa.eu.int/eur-lex/es/dat/2000/c_293/c_29320001014es00030004.pdf

* Caos inminente?: casi 200 nuevos dominios propuestos a ICANN

Casi 200 nuevos dominios de máximo nivel (Top Level Domains, TLDs) han propuesto a ICANN, el organismo internacional encargado.

05/10/2000 | Baquía.com

http://www.injef.com/revista/dominios/baquia_001005.htm

EVOLUCION DE LOS NOMBRES DE DOMINIO

Jul-00 93,047,785
Jan-00 72,398,000
Jul-99 56,218,000
Jan-99 43,230,000

<http://www.isc.org/ds/>

ICANN (FAQ). Traducción al español:

Preguntas frecuentemente hechas (Preguntas y Respuestas) (FAQ)

Traducción efectuada por Nilda Vany Martínez Grajales para ENRED. La revisión de esta traducción fue hecha por Derecho.Org (publicación autorizada en DOMINIURIS).

<http://www.dominiuris.com/documentacion/otros/icannfaq.htm>

ICANN. ¿Pueden cambiar las cosas?

Andy Mueller-Maguhn del "Chaos Computer Club" ha accedido a uno de los sillones de la ICANN. El activista alemán promete cambiar las cosas desde dentro. Ya veremos como evoluciona todo.

<http://www.zdnet.com/zdnn/stories/news/0,4586,2640449,00.html?chkpt=zdnn101600>

OMPI.

La OMPI pretende regular la relación de los dominios con otras categorías distintivas que no están dentro del ámbito original de actuación de esta Institución.

Según ha comunicado dicha entidad, ya ha publicado, en la dirección electrónica <http://wipo2.wipo.int/>, la segunda solicitud de comentarios para el Segundo Proceso de la OMPI relativo a los Nombres de Dominio de Internet (WIPO2 RFC-2).

En el Segundo Proceso de la OMPI se tratarán distintas cuestiones pendientes relativas al reconocimiento de derechos y el uso de nombres dentro del sistema de nombres de dominio de Internet. La OMPI está intentando estudiar y formular recomendaciones acerca del "uso de mala fe, abusivo, engañoso o injusto" de:

- nombres de persona;
- denominaciones comunes internacionales (DCI) para las sustancias farmacéuticas, recomendadas por la Organización Mundial de la Salud con el fin de proteger la seguridad de los pacientes en todo el mundo, ¿o más bien los intereses de la poderosa industria farmacéutica?;
- nombres de organizaciones internacionales intergubernamentales (como las Naciones Unidas);
- indicaciones geográficas, indicaciones de procedencia y términos geográficos; y
- nombres de marcas.

<http://wipo2.wipo.int/process2/rfc/rfc1/summary-es.html> Resumen de los comentarios presentados respecto de la primera solicitud de comentarios (WIPO2 RFC-1), que se centró en la propuesta de mandato, procedimientos y calendario para el Segundo Proceso de la OMPI.

ANÁLISIS DE LA APLICACIÓN DE LAS NORMAS DE RESOLUCIÓN DE CONFLICTOS DE LA ICANN.

El Profesor Milton Mueller de la "Syracuse University" ha publicado un estudio muy interesante sobre la aplicación de las normas, en el que analiza cientos de decisiones. Es altamente recomendable su visita. El citado trabajo recoge en un apartado las 7 peores decisiones de la OMPI, entre las que se encuentra la dictada en el caso barcelona.com

<http://dcc.syr.edu/roughjustice.htm>

LA ICANN ES DEMANDADA EN TEXAS.

REGLAND.COMN ha iniciado acciones judiciales en el Estado de Texas contra la ICANN. El litigio gira alrededor de los preregistros que la ICANN, al parecer, no ha aceptado.

El tema de los preregistros estaba llamado a traer cola...

<http://www.regland.com/lawsuit/ Demanda>.

<http://www.regland.com/ Demandante>

<http://www.icann.org/ Demandada>

Fuente: <http://www.bakerinfo.com/elaw>

También en: <http://www.newsbytes.com/> y en <http://www.zdnet.com/>

- ENCUESTA SOBRE DOMINIOS. Curiosa iniciativa llevada a cabo por BARRAPUNTO.

<http://barrapunto.com/pollBooth.pl?qid=dominios-okupas&aid=5>

- ICANN. Nuevos dominios: según se ha comentado en infinidad de sitios, se ha aprobado en la reunión de ICANN en Los Angeles, la introducción de nuevos dominios genéricos:

- .biz (negocios)
- .info (información general)
- .name (individuos)
- .pro (profesionales)
- .co-op (cooperativas y cooperación)
- .aero (industria aérea y viajes)
- .museum (museos)

El sistema de registro dependerá del tipo de dominio, de forma que el registro de dominios de segundo nivel será libre para algunos, mientras que para otros se exigirán una serie de requisitos. En fin, mucho ruido para pocas nueces, pues la cuestión es que todavía no han decidido como montar el tinglado ni a quien darle la gestión de los nuevos dominios.

Los nuevos sufijos, que se lanzarán a mediados del 2001, están diseñados, en principio, como alternativas a ".com", ya colapsado por unos 20 millones de registros.

- CASOS JUDICIALES. URUGAY. Caso www.microsoft.com.uy. Primer fallo judicial (interlocutorio) sobre nombres de dominio.

Artículo original de D. Marcelo Bauzá Reilly. Profesor de "Informática Jurídica" en la Universidad de la República, Profesor de "Informática Jurídica2" y de "Derecho de las Telecomunicaciones y de la Informática" en la Universidad de la Empresa (Montevideo, Uruguay). Vicepresidente de FIADI (Federación Iberoamericana de Asociaciones de Derecho e Informática).

La justicia uruguaya ha dictaminado en vía cautelar la cancelación provisoria del registro de dominio www.microsoft.com.uy. La medida obedeció a una acción promovida por el representante legal de Microsoft Corporation, quien expuso como fundamentos de la pretensión el carácter notorio de la denominación Microsoft a nivel mundial, y su inscripción en Uruguay cubriendo los servicios de varias clases internacionales, en particular la Nº 38 del Nomenclator vigente según Arreglo de Niza (servicio de telecomunicaciones, principalmente el recibo y envío de mensajes, documentos y otros datos por transmisión electrónica).

Las operaciones de registro de nombres de dominio se realizan en Uruguay en la órbita del ente telefónico, en la dirección <http://dns.antel.net.uy>, a través de empresas particulares conocidas como "proveedores de servicios de Internet" (los "ISP" siguiendo la terminología anglosajona), que son las autorizadas a poseer servidores DNS y efectuar el alojamiento de sitios en la red.

Antes de ingresar en la vía judicial, el damnificado intentó otras instancias de solución administrativa a través de su representante legal, pero no tuvo éxito alguno. Ahora se esperan las resultancias del pleito principal, que ya debería haber comenzado a esta fecha, so pena de caducidad de la medida provisoria.

Mientras ello acontece, se aprecia que el fallo provisorio recaído es en realidad un decreto interlocutorio muy escueto, para más datos "decreto 2969 del 11 de octubre del 2000" dictado por el Juzgado Letrado de Primera Instancia de Montevideo de 15º Turno con asiento en la ciudad de Montevideo. Su transcripción textual es la siguiente: "Visto y atento a lo establecido en el Artículo 311 y siguientes del C.G.P. sin noticia contraria decretase como medida cautelar la cancelación provisoria del registro de dominio www.microsoft.com.uy hasta la dilucidación del proceso que deberá promoverse en esta Sede comunicándose a ANTEL. Se acepta la contracautela ofrecida. Cumplido notifíquese a los afectados en los domicilios denunciados en el petitorio tercero de fojas 60 vta."

Como se podrá apreciar, el fallo por sí solo no es precisamente una "pieza doctrinaria", en tanto omite extenderse en fundamentos de mayor alcance que los formales. Apenas agregar que el derecho invocado corresponde al capítulo respectivo del "proceso cautelar" regulado por nuestro Código General del Proceso (C.G.P.). Y que si bien el fallo no lo menciona expresamente, sería dable suponer que se tuvo en cuenta para decretar la medida el art. 88 de la Ley 17.011 (Ley de Marcas) que estatuye la acción en juicio para "prohibición de uso de una marca no registrada, idéntica o semejante", así como el art. 317 del C.G.P, contenido el cuerpo citado por el proveyente, que refiere a "providencias que deciden provisoriamente el litigio en espera de una decisión definitiva", también llamada por la doctrina procesalista "decisiones anticipadas".

El "Acuerdo de Registro de Dominio" que celebran los ISP con ANTEL prevé la cancelación del registro, entre otras causas, "por orden judicial" (nral. 4º), y ello es lo que operó en este caso a la fecha, con carácter provisorio.

El titular del sitio cancelado es un ciudadano argentino con residencia en Uruguay, que ha sido acusado ante organismos internacionales como formando parte de un grupo dedicado a abrir sitios bajo denominaciones registradas antes como marcas por grandes compañías de la industria de la información (Altavista, Yahoo, Microsoft), existiendo pronunciamientos de OMPI al respecto, así como despachos de prensa nacional e internacional que se han venido refiriendo al conjunto de estos casos desde hace un tiempo atrás.

Como dije antes, se trata del primer fallo en la materia dictado por jueces uruguayos, si bien no definitivo. Aunque parecería que no es el primer asunto de esta índole que se plantea en estrados de nuestro país, los anteriores habrían sido abortados por acuerdos o desistimientos. En esta oportunidad el accionante dirigió su pretensión provisoria contra el proveedor del caso, y contra el titular del sitio en cuestión. Tratándose de un procedimiento cautelar, la ley uruguaya obliga a instaurar la demanda principal dentro de los treinta días siguientes a su decreto o efectividad, so pena de caducidad. Por lo pensamos que esta historia seguirá, y próximamente podremos referirnos a las resultancias del juicio principal, o su transacción como también sucede habitualmente en estos casos.

- CURIOSIDADES PARA AVANZADOS.

<http://62.116.31.68/>

<http://www.voteauction.de/>

COMPENDIO DE CASOS JUDICIALES EN ARGENTINA:

En la dirección <http://www.dominiuris.com/casos/argentina.htm> podrán encontrar un compendio con los datos principales de los casos judiciales argentinos sobre nombres de dominio. En total se relacionan 23 casos, que afectan a los siguientes dominios:

- 1) freddo.com.ar
- 2) qualitas.com.ar
- 3) travelnet.com.ar
- 4) pines.com.ar
- 5) camuzzi.com.ar
- 6) cibavision.com.ar
- 7) psa.com.ar
- 8) ge.com.ar
- 9) laley.com.ar
- 10) amway.com.ar
- 11) laspaginasamarillas.com.ar
- 12) xenical.com.ar
- 13) femeba.com.ar
- 14) byk.com.ar y bykliprandi.com.ar
- 15) tempo.com.ar
- 16) expochacra.com.ar y expo-chacra.com.ar
- 17) cardinal.com.ar
- 18) avamiriva.com.ar
- 19) basetres.com.ar y base3.com.ar
- 20) osseg.com.ar
- 21) edea.com.ar
- 22) swarovski.com.ar
- 23) bacardi.com.ar

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El Boletín de DOMINIURIS - Nº 27 (5 de diciembre de 2.000)

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- Sobre la jurisdicción especial de los dominios. Eclavos ya había en Roma.
- La Ley de acompañamiento de presupuestos generales para el año 2.001 y los dominios.

- [CASOS DE LA OMPI. viajesecuador.com](#)

- La franquicia de Viajes Ecuador de Lugo gana el litigio en la OMPI por el dominio VIAJESECUADOR.COM

- [CASOS JUDICIALES. ARGENTINA. Caso "lagallega.com.ar".](#)

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Elección de Andy Mueller-Maguhn del "Chaos Computer Club"

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Segunda solicitud de comentarios para el Segundo Proceso de la OMPI relativo a los Nombres de Dominio de Internet

- [ANALISIS DE LA APLICACION DE LAS NORMAS DE RESOLUCION DE CONFLICTOS DE LA ICANN.](#)

Estudio del Profesor Milton Mueller de la "Syracuse University".

[- LA ICANN ES DEMANDADA EN TEXAS](#)

[- COMPENDIO DE CASOS JUDICIALES EN ARGENTINA.](#)

Este Boletín es un poco largo. Esa es la verdad. Por tanto sugiero sosiego en su degustación, pues de una tirada entera, sobre todo si se tienen ganas de investigar, puede causar una cierta indigestión. De aquí a las próximas Navidades, nuestros lectores podrán procesar adecuadamente y con suficiente reflexión la información proporcionada, de cara a la entrada en la nueva era, pues, como explicaré ahora,

EDITORIAL: Los esclavos de Roma y la Ley de acompañamiento

Por ventura o desgracia, lo cierto es que en la prensa tradicional tan sólo suelen aparecer los casos que son ganados por los titulares de marca, aunque, a la vista de lo acontecido en el caso "barcelona.com", hay algunos que a cualquier cosa le llaman marca, teniendo en cuenta la redacción actual de las normas en que los árbitros de la OMPI han de basar sus decisiones. Casos como éste, pese a que se empeñe quien se empeñe, lo único que hacen es empañar la honrada actuación de muchos de los miembros de la OMPI; institución que casi monopoliza la nascente jurisdicción especial "cibernética", porque llamar arbitraje a eso, hoy por hoy, es todo un despropósito.

Pocos, o más bien nadie, dudan ya de la necesidad de contar con un sistema ágil de resolución de conflictos, sobre todo para los dominios en que no se ejerce comprobación previa alguna antes del registro. Igualmente, la redacción que hoy en día tienen estas normas, concebidas con el fin de terminar con los aprovechamientos fraudulentos y flagrantes de signos distintivos empresariales ajenos, también goza de un amplio consenso.

Ahora bien, la interpretación que se está haciendo de estas normas en algunos casos, o más bien, la utilización de las mismas a modo de pretexto para "crónicas de resoluciones anunciadas", es, ciertamente, lo que puede llegar a deslegitimar una iniciativa que habría que mimar y cuidar como si de un niño pequeño se tratara. No en vano, estamos definiendo los caminos que en los próximos años se poblarán de viajeros, y las instituciones y personas que se sitúan al frente de estos derroteros, reconozcámoslo, han de ser consecuentes con la responsabilidad que se pone en sus manos y respetuosos con los principios y valores que hicieron posible Internet. Pero claro, si esas personas se encuentran ya compradas por unos intereses concretos y, consecuentemente, se ven obligados por sus dueños a despreciar estos valores que posibilitaron la aparición del Internet, ésta, ciertamente, tiene poco futuro para ellos.

Afortunadamente, en Derecho las cosas nunca son blancas o negras y hay resoluciones que ponen un poco de color en el gris panorama que se cierne sobre Internet; como la dictada en el caso nosolomusica.com, en que el titular de la marca del conocido programa de televisión NO SOLO MUSICA, adquirida de su antiguo propietario GESTEVISION TELECINCO, entidad que gestiona el canal de TV TELECINCO, ha perdido su particular batalla por el dominio nosolomusica.com, cuya propiedad, por lo demás, resultaba, según lo manifestado en la resolución, de titularidad algo dudosa o indefinida. O la dictada en el caso viajesecuador.com, que dirime un complicado supuesto sobre la relaciones entre franquiciadora y franquiciada. Estas decisiones suponen una corriente de aire fresco en un ambiente que empezaba a estar bastante enrarecido, a consecuencia de la falta de seguridad jurídica que está generando esta doctrina dispersa y por momentos arbitraria.

Por otro lado, la ICANN también está recibiendo fuertes críticas y ya comienza a extenderse por las listas de discusión la idea de que hay que prescindir de esta organización privada californiana y empezar de nuevo. El vacío de poder creado en los Estados Unidos, a consecuencia de su vergonzoso sistema electoral, constituye una oportunidad única para ello.

Algunos medios tradicionales, que siguen sin enterarse de qué va esto, cuando critican la actual situación, lo hacen, acaso conscientemente, de una forma pueril e irreflexiva. Véase el caso madonna.com en el que,

pretendiendo defender a un hospital infantil, tan sólo hacen el juego a la industria pornográfica (perfectamente respetable, por lo demás) de whitehouse.com, cuyo titular también lo es de madonna.com. El hospital opera bajo el dominio madonna.org, y sus responsables ya han manifestado que no quieren tener nada que ver con esta guerra. En fin, escribir sobre aquello que no se tiene ni idea puede llegar a ser todo un arte.

Estos comentarios superfluos acaso tengan como objeto despistar a la opinión pública sobre los verdaderos casos sangrantes, como es el de barcelona.com, que ha dado lugar, según se reconoce por un amplio consenso, a una de las decisiones más execrables que haya evacuado algún árbitro de la OMPI y que, por lo demás, acabará costando a la ciudad condal un ojo de la cara y parte del otro, pues ya se ha presentado una demanda en Estados Unidos que tiene toda la pinta de, al menos, ser admitida a trámite.

La indicada decisión considera un plan de negocio, solicitado a instancias del entorno del demandante, como muestra de mala fe que evidencia un intento de venta. Además, estima que una iniciativa empresarial ofreciendo servicios e información sobre una determinada ciudad no presenta un interés legítimo. Y por último, muestra un absoluto desprecio por las instituciones y categorías jurídicas actuales al considerar que la denominación "barcelona", por sí sola, está protegida por derechos de propiedad industrial, cuando ninguna marca con esa denominación exclusivamente podría acceder a al registro de patentes y marcas, siendo, por lo demás, su titular una persona sin interés empresarial.

Desde luego, tales planteamientos, unido a una especie de balanceamiento de intereses, suponen dejar a un lado las normas en que ha de basarse la decisión, para utilizarlas tan sólo como una mera excusa. En el último estudio publicado por Milton Mueller se considera esta decisión como una de las siete (el profesor analiza centenares de ellas) que caen dentro de la categoría "really bad decisions", que hacen de verdad un flaco error a la justicia, en la era de la "sociedad de la información".

La opinión de todos los juristas es prácticamente unánime y coincide básicamente con la posición de M. Mueller. Pero en Derecho, o más bien en política, nada goza de unanimidad absoluta y aquí no falta algún heterodoxo discordante que, en infantil ejercicio de ciencia ficción al estimar como derecho aplicable no el que es sino el que conviene, expone como axioma inapelable lo que no es más que un vano anhelo de futuro o, a lo sumo y al igual que este artículo, una mera opinión criticable, si bien, francamente minoritaria.

Algunos de estos actores del panorama jurídico de los "servicios de la sociedad de la información", inconscientes de la gran responsabilidad que se deposita en sus manos, y con dueños que pagan sus nimios caprichos, merecen toda nuestra compasión. Ya en Roma había esclavos que vivían mejor que muchos hombres libres, ocupándose de los intereses de los poderosos, pero no por ello dejaban de ser esclavos. En consecuencia, hemos de compadecer aún más a aquellos pues, a cambio de una dudosa gloria mundana, y a diferencia de éstos, escogen, libremente, condenarse al infierno de vivir con la angustia de no poder decir lo que piensan sino lo que les ordenan.

En otro orden de consideraciones, no podemos dejar de lado las innovaciones en la regulación del dominio español (.es) que se pretenden introducir con ocasión de la Ley de acompañamiento de presupuestos generales para el año 2.001.

Estas novedades (que se pueden consultar en la web de la AI www.internautas.org) consisten básicamente en dos:

- De un lado, cambiarle el nombre a la entidad que supuestamente gestiona el registro y mantenimiento de los dominios (RETEVISION) que, de verificarse estas previsiones, pasaría a denominarse Entidad Pública Empresarial Red.es.

Para ello, se modifica la Disposición Adicional sexta de la Ley 11/1998, de 24 de abril, General de

Telecomunicaciones, que detalla el régimen jurídico al que queda sometida dicha entidad empresarial. Destaca de este régimen el elevado número de funciones que se le encomienda, pues además de las relacionadas con la gestión del dominio, y de participación en los foros internacionales de estas materias, se le asigna la de ser "observatorio del sector de las telecomunicaciones y de la sociedad de la información", así como funciones consultivas y, en general, "el fomento y desarrollo de la Sociedad de la Información".

- Por otro lado, destaca el régimen jurídico que se instaura para las tarifas que se cobran por el registro y mantenimiento de los nombres, que presenta una redacción francamente desafortunada.

El proyecto parte de establecer que la tasa de registro se considera única por cada dominio y que su importe se determinará en función del beneficio esperado por su titular y el precio de mercado.

Tal declaración general se corresponde, según las prescripciones de la Ley de Tasas (Art. 19), con la modalidad prevista por la utilización del Dominio Público y no por la de prestación de servicios, pero, habrá de convenirse, los nombres de dominio no constituyen un Dominio Público, al menos las Cortes no se han pronunciado así todavía, como la Constitución dice que debe hacerse (art. 132), por lo que el sistema nacería viciado desde su origen.

Por otro lado, y en contradicción con la anterior manifestación, se fijan dos sistemas de tasas: una de carácter fijo para los dominios llamados "regulares" (18.000 pts.) que parece encuadrarse dentro de la modalidad de tasa por prestación de servicios, y otra no determinada a priori, para los dominios "especiales", que según la redacción consultada, básicamente, se adjudicarán mediante un sistema de subasta.

Esta situación, plantea dos problemas:

En primer lugar, con esta declaración, en todo caso, se está reconociendo el carácter tributario de las tarifas aplicadas en el registro y mantenimiento de los nombres, por lo que quedaría sometida al principio de reserva de Ley en materia Tributaria que instaura la Constitución (art. 133) y reconoce el artículo 10 de la Ley de Tasas. La consecuencia de ello es que, al igual que lo acontecido en Estados Unidos, los importes que han venido cobrándose por estos conceptos no se encontraban amparados por la legalidad vigente por lo que, como ha sucedido en Norteamérica, los particulares podrían instar la devolución de estas tasas por no haber respetado el principio de reserva de Ley.

En segundo lugar, la tasa, sobre todo para los dominios especiales, se configura en la modalidad de uso del Dominio Público, cuando no ha habido una declaración del legislativo en esa línea. En realidad, la modalidad, dentro de las previstas en la Ley de Tasas, que habría que utilizar es la de prestación de servicios, en cuyo caso, el importe correspondiente ha de determinarse, fundamentalmente, en función del coste del servicio y no por beneficios esperados o precio de mercado. La consecuencia de todo ello, igualmente, sería una falta de adecuación a la legalidad de los importes que se cobren por estos conceptos.

En todo caso, para los dominios especiales, incluso se prevé la posibilidad de que el precio que se alcance sea incluso superior al derivado de los anteriores criterios, al decir que "si el valor de la adjudicación de la licitación [de la subasta, para entendernos] resultase superior al valor de referencia [precio mercado y posible rentabilidad] (.../...), aquél constituirá el importe de la tasa."

Con independencia de las consideraciones de carácter jurídico que de esta regulación podrían hacerse, lo cierto es que merece una profunda crítica. Los poderes públicos, en vez de jalear al mercado para entrar en la perniciosa espiral de especulación que se ha desatado en torno a los nombres de dominio, deberían adoptar posiciones más equidistantes entre los intereses en juego.

Por otro lado, si salió mal la jugada de las licencias de móviles, no es plan que ahora quieran resarcirse con los dominios. De llevarse a la práctica este sistema previsto, España sería el único país del mundo, al menos de los que podemos considerar mínimamente serios, que saca a subasta los nombres de segundo nivel.

Esperemos que en la tramitación parlamentaria de esta Ley se corrijan las deficiencias advertidas.

Finalmente, tan sólo me resta invitar a todos los lectores de DOMINIURIS al congreso que estamos organizando en Perú. Numerosos juristas y profesionales independientes y no casados con los grandes poderes acudirán al evento. Será sin duda toda una experiencia.

Es el primer congreso independiente de una época de Internet que está dando sus últimos coletazos. Después, desengañense, las cosas no volverán a ser lo mismo. La oportunidad, ciertamente, es única e irrepetible.

CASOS DE LA OMPI. viajesecuador.com

LA FRANQUICIA DE VIAJES ECUADOR DE LUGO GANA EL LITIGIO EN LA OMPI POR EL DOMINIO VIAJESECUADOR.COM

Ecuador Lugo, S.L., que explota una franquicia de la cadena de agencias de viaje "VIAJES ECUADOR", ha ganado el litigio mantenido frente a "VIAJES ECUADOR, S.A.", entidad franquiciadora de la cadena de agencias, por el dominio viajesecuador.com.

La franquicia de Viajes Ecuador de Lugo, que es la número 1 en ventas de todo el territorio nacional, por tanto, podrá seguir utilizando, como venía haciendo hasta ahora, la dirección en Internet www.viajesecuador.com.

La indicada empresa firmó un contrato de franquicia con VIAJES ECUADOR, S.A. en marzo de 1.997, cuando empezaba a despuntar Internet. En enero de 1.999 decidió, al igual que otras agencias del grupo, conseguir una dirección en Internet para ejercer su negocio de agencia de viajes. Dado que el contrato suscrito le obligaba a utilizar en todas las comunicaciones dirigidas al mercado la denominación VIAJES ECUADOR, consideró oportuno registrar a tal fin la denominación viajesecuador.com que, en aquel momento, se encontraba disponible.

Posteriormente, la entidad franquiciadora planteó una demanda en la OMPI solicitando la transferencia del dominio, al estimar que ECUADOR LUGO no tenía interés legítimo en el registro y mantenimiento del dominio.

Quizás este caso sea el primero de esta envergadura que, afectando a dos empresas españolas, ofrece un resultado favorable al titular del nombre de dominio. La Resolución de la OMPI, citando precedentes anteriores, estima que el demandado, de conformidad con el contrato de franquicia suscrito con VIAJES ECUADOR, S.A., tiene un derecho o interés legítimo respecto al nombre de dominio, lo que "difícilmente permitiría manifestar que su registro se haya realizado de mala fe, especialmente si dicho registro se produjo mucho antes de iniciarse la controversia".

En el Congreso que DOMINIURIS está organizando (www.dominiuris.com/congreso/) junto con el Estudio Jurídico Castillejo & Bardales, que se celebrará en Lima a finales de este mes y principios del que viene, se explicarán los pormenores y detalles de este interesante precedente.

La decisión de la OMPI sobre el dominio viajesecuador.com se encuentra disponible en: <http://www.dominiuris.com/viajesecuador.htm>

El caso en la prensa:

El Progreso de Lugo.El dominio viajesecuador.com, otorgado a la franquicia de Lugo. 5 de diciembre de 2000.

<http://www.elprogreso.es/diario/20001205/Lugo/N18027.asp>

El Mundo. Esta vez, la razón era del demandado. Viernes, 1 de diciembre de 2000.

http://www.elmundo.es/navegante/diario/noticia.html?vs_noticia=/2000/12/1/975699330.xml

Vieiros. Seguen as loitas polos dominios.

<http://www.vieiros.com/gh.asp>

CASOS JUDICIALES. ARGENTINA.

Caso "lagallega.com.ar". Se han adoptado medidas cautelares sin tener registro de marca con base en el uso de la denominación como nombre comercial. No todo han de ser marcas !!!

CASOS JUDICIALES. DINAMARCA.

Una empresa que tenía el dominio co.dk, y hacía negocio vendiendo dominios de tercer nivel bajo esa dirección (empresa.co.dk) ha visto truncadas sus expectativas de negocio por una decisión judicial.

INJEF.COM

* Resolución del Consejo de 3 de octubre de 2000, sobre la organización y gestión de Internet

Texto completo de la Resolución del Consejo que anima a los Estados miembros a aplicar los principios adoptados por el Grupo Consultivo de los Gobiernos (GAC) en la ICANN sobre la gestión de los nombres de dominio (Formato PDF, 25 KB).

20/10/2000 | Documentos en INJEF.com

http://www.injef.com/revista/dominios/injef_001020.pdf

También en

http://europa.eu.int/eur-lex/es/dat/2000/c_293/c_29320001014es00030004.pdf

* Caos inminente?: casi 200 nuevos dominios propuestos a ICANN

Casi 200 nuevos dominios de máximo nivel (Top Level Domains, TLDs) han propuesto a ICANN, el organismo internacional encargado.

05/10/2000 | Baquía.com

http://www.injef.com/revista/dominios/baquia_001005.htm

EVOLUCION DE LOS NOMBRES DE DOMINIO

Jul-00 93,047,785
Jan-00 72,398,000
Jul-99 56,218,000
Jan-99 43,230,000

<http://www.isc.org/ds/>

ICANN (FAQ). Traducción al español:

Preguntas frecuentemente hechas (Preguntas y Respuestas) (FAQ)

Traducción efectuada por Nilda Vany Martínez Grajales para ENRED. La revisión de esta traducción fue hecha por Derecho.Org (publicación autorizada en DOMINIURIS).

<http://www.dominiuris.com/documentacion/otros/icannfaq.htm>

ICANN. ¿Pueden cambiar las cosas?

Andy Mueller-Maguhn del "Chaos Computer Club" ha accedido a uno de los sillones de la ICANN. El activista alemán promete cambiar las cosas desde dentro. Ya veremos como evoluciona todo.

<http://www.zdnet.com/zdnn/stories/news/0,4586,2640449,00.html?chkpt=zdnn101600>

OMPI.

La OMPI pretende regular la relación de los dominios con otras categorías distintivas que no están dentro del ámbito original de actuación de esta Institución.

Según ha comunicado dicha entidad, ya ha publicado, en la direccion electronica <http://wipo2.wipo.int/>, la segunda solicitud de comentarios para el Segundo Proceso de la OMPI relativo a los Nombres de Dominio de Internet (WIPO2 RFC-2).

En el Segundo Proceso de la OMPI se trataran distintas cuestiones pendientes relativas al reconocimiento de derechos y el uso de nombres dentro del sistema de nombres de dominio de Internet. La OMPI esta intentando estudiar y formular recomendaciones acerca del "uso de mala fe, abusivo, engañoso o injusto" de:

- nombres de persona;
- denominaciones comunes internacionales (DCI) para las sustancias farmaceuticas, recomendadas por la Organizacion Mundial de la Salud con el fin de proteger la seguridad de los pacientes en todo el mundo, ¿o más bien los intereses de la poderosa industria farmacéutica?;
- nombres de organizaciones internacionales intergubernamentales (como las Naciones Unidas);
- indicaciones geograficas, indicaciones de procedencia y terminos geograficos; y
- nombres de marcas.

<http://wipo2.wipo.int/process2/rfc/rfc1/summary-es.html> Resumen de los comentarios presentados respecto de la primera solicitud de comentarios (WIPO2 RFC-1), que se centro en la propuesta de mandato, procedimientos y calendario para el Segundo Proceso de la OMPI.

ANALISIS DE LA APLICACION DE LAS NORMAS DE RESOLUCION DE CONFLICTOS DE LA ICANN.

El Profesor Milton Mueller de la "Syracuse University" ha publicado un estudio muy interesante sobre la aplicación de las normas, en el que analiza cientos de decisiones. Es altamente recomendable su visita. El citado trabajo recoge en un apartado las 7 peores decisiones de la OMPI, entre las que se encuentra la dictada en el caso barcelona.com

<http://dcc.syr.edu/roughjustice.htm>

LA ICANN ES DEMANDADA EN TEXAS.

REGLAND.COMN ha iniciado acciones judiciales en el Estado de Texas contra la ICANN. El litigio gira alrededor de los preregistros que la ICANN, al parecer, no ha aceptado.

El tema de los preregistros estaba llamado a traer cola...

<http://www.regland.com/lawsuit/ Demanda.>

<http://www.regland.com/ Demandante>

<http://www.icann.org/ Demandada>

Fuente: <http://www.bakerinfo.com/elaw>

También en: <http://www.newsbytes.com/> y en <http://www.zdnet.com/>

- ENCUESTA SOBRE DOMINIOS. Curiosa iniciativa llevada a cabo por BARRAPUNTO.

<http://barrapunto.com/pollBooth.pl?qid=dominios-okupas&aid=5>

- ICANN. Nuevos dominios: según se ha comentado en infinidad de sitios, se ha aprobado en la reunion de ICANN en Los Angeles, la introduccion de nuevos dominios genéricos:

- .biz (negocios)
- .info (informacion general)
- .name (individuos)
- .pro (profesionales)
- .co-op (cooperativas y cooperacion)
- .aero (industria aerea y viajes)
- .museum (museos)

El sistema de registro dependerá del tipo de dominio, de forma que el registro de dominios de segundo nivel será libre para algunos, mientras que para otros se exigirán una serie de requisitos. En fin, mucho ruido para pocas nueces, pues la cuestión es que todavía no han decidido como montar el tinglado ni a quien darle la gestión de los nuevos dominios.

Los nuevos sufijos, que se lanzarán a mediados del 2001, están diseñados, en principio, como alternativas a ".com", ya colapsado por unos 20 millones de registros.

- CASOS JUDICIALES. URUGAY. Caso www.microsoft.com.uy. Primer fallo judicial (interlocutorio) sobre nombres de dominio.

Artículo original de D. Marcelo Bauzá Reilly. Profesor de "Informática Jurídica" en la Universidad de la República, Profesor de "Informática Jurídica" y de "Derecho de las Telecomunicaciones y de la Informática" en la Universidad de la Empresa (Montevideo, Uruguay). Vicepresidente de FIADI (Federación Iberoamericana de Asociaciones de Derecho e Informática).

La justicia uruguaya ha dictaminado en vía cautelar la cancelación provisoria del registro de dominio www.microsoft.com.uy. La medida obedeció a una acción promovida por el representante legal de Microsoft Corporation, quien expuso como fundamentos de la pretensión el carácter notorio de la denominación Microsoft a nivel mundial, y su inscripción en Uruguay cubriendo los servicios de varias clases internacionales, en particular la N° 38 del Nomenclator vigente según Arreglo de Niza (servicio de telecomunicaciones, principalmente el recibo y envío de mensajes, documentos y otros datos por transmisión electrónica).

Las operaciones de registro de nombres de dominio se realizan en Uruguay en la órbita del ente telefónico, en la dirección <http://dns.antel.net.uy>, a través de empresas particulares conocidas como "proveedores de servicios de Internet" (los "ISP" siguiendo la terminología anglosajona), que son las autorizadas a poseer servidores DNS y efectuar el alojamiento de sitios en la red.

Antes de ingresar en la vía judicial, el damnificado intentó otras instancias de solución administrativa a través de su representante legal, pero no tuvo éxito alguno. Ahora se esperan las resultancias del pleito principal, que ya debería haber comenzado a esta fecha, so pena de caducidad de la medida provisoria.

Mientras ello acontece, se aprecia que el fallo provisorio recaído es en realidad un decreto interlocutorio muy escueto, para más datos "decreto 2969 del 11 de octubre del 2000" dictado por el Juzgado Letrado de Primera Instancia de Montevideo de 15° Turno con asiento en la ciudad de Montevideo. Su transcripción textual es la siguiente: "Visto y atento a lo establecido en el Artículo 311 y siguientes del C.G.P. sin noticia contraria decretase como medida cautelar la cancelación provisoria del registro de dominio www.microsoft.com.uy hasta la dilucidación del proceso que deberá promoverse en esta Sede comunicándose a ANTEL. Se acepta la contracautela ofrecida. Cumplido notifíquese a los afectados en los domicilios denunciados en el petitorio tercero de fojas 60 vta."

Como se podrá apreciar, el fallo por sí solo no es precisamente una "pieza doctrinaria", en tanto omite extenderse en fundamentos de mayor alcance que los formales. Apenas agregar que el derecho invocado corresponde al capítulo respectivo del "proceso cautelar" regulado por nuestro Código General del Proceso (C.G.P.). Y que si bien el fallo no lo menciona expresamente, sería dable suponer que se tuvo en cuenta para decretar la medida el art. 88 de la Ley 17.011 (Ley de Marcas) que estatuye la acción en juicio para "prohibición de uso de una marca no registrada, idéntica o semejante", así como el art. 317 del C.G.P, contenido el cuerpo citado por el proveyente, que refiere a "providencias que deciden provisoriamente el litigio en espera de una decisión definitiva", también llamada por la doctrina procesalista "decisiones anticipadas".

El "Acuerdo de Registro de Dominio" que celebran los ISP con ANTEL prevé la cancelación del registro, entre otras causas, "por orden judicial" (nral. 4º), y ello es lo que operó en este caso a la fecha, con carácter provisorio.

El titular del sitio cancelado es un ciudadano argentino con residencia en Uruguay, que ha sido acusado ante organismos internacionales como formando parte de un grupo dedicado a abrir sitios bajo denominaciones registradas antes como marcas por grandes compañías de la industria de la información (Altavista, Yahoo, Microsoft), existiendo pronunciamientos de OMPI al respecto, así como despachos de prensa nacional e internacional que se han venido refiriendo al conjunto de estos casos desde hace un tiempo atrás.

Como dije antes, se trata del primer fallo en la materia dictado por jueces uruguayos, si bien no definitivo. Aunque parecería que no es el primer asunto de esta índole que se plantea en estrados de nuestro país, los anteriores habrían sido abortados por acuerdos o desistimientos. En esta oportunidad el accionante dirigió su pretensión provisoria contra el proveedor del caso, y contra el titular del sitio en cuestión. Tratándose de un procedimiento cautelar, la ley uruguaya obliga a instaurar la demanda principal dentro de los treinta días siguientes a su decreto o efectividad, so pena de caducidad. Por lo pensamos que esta historia seguirá, y próximamente podremos referirnos a las resultancias del juicio principal, o su transacción como también sucede habitualmente en estos casos.

- CURIOSIDADES PARA AVANZADOS.

<http://62.116.31.68/>

<http://www.voteauction.de/>

COMPENDIO DE CASOS JUDICIALES EN ARGENTINA:

En la dirección <http://www.dominiuris.com/casos/argentina.htm> podrán encontrar un compendio con los datos principales de los casos judiciales argentinos sobre nombres de dominio. En total se relacionan 23 casos, que afectan a los siguientes dominios:

- 1) freddo.com.ar
- 2) qualitas.com.ar
- 3) travelnet.com.ar
- 4) pines.com.ar
- 5) camuzzi.com.ar
- 6) cibavision.com.ar
- 7) psa.com.ar
- 8) ge.com.ar
- 9) laley.com.ar
- 10) amway.com.ar
- 11) laspaginasamarillas.com.ar
- 12) xenical.com.ar
- 13) femeba.com.ar
- 14) byk.com.ar y bykliprandi.com.ar
- 15) tempo.com.ar
- 16) epochacra.com.ar y expo-chacra.com.ar
- 17) cardinal.com.ar
- 18) avamiriva.com.ar
- 19) basetres.com.ar y base3.com.ar
- 20) osseg.com.ar
- 21) edea.com.ar
- 22) swarovski.com.ar
- 23) bacardi.com.ar

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- [Secret Prankster Fund Goes Public](#) - "©TMark will pay saboteurs for acts of creative subversion against mass-produced items." By Mark Frauenfelder [Wired] (April 8, 1997)
- [Boy 'Bimbos' Too Much for Game-Maker Maxis](#) - "The pre-Christmas shipment of SimCopter contains a hack by an in-house programmer who supplemented the game's cast of pulchritudinous female 'Sims' with broad-shouldered male 'Sims' in swimsuits." By Steve Silberman [Wired] (December 3, 1996)

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Suche:

RTMark

RTMark ist eine Gruppe von Internetaktivisten, die subversive kapitalismuskritische Medienaktionen organisiert und über Spendenaktionen finanziert.

RTMark ist als ein eingetragenes Unternehmen organisiert, das Aktivisten, die Projekte planen, mit Spendern zusammenbringt, die diese Projekte finanzieren.

Bekannte Aktionen, die von Rtmak betrieben oder unterstützt wurden, waren der [toywar](#), *gwbush.com* (eine gefakte Wahlkampfseite von [George W. Bush](#)), die [Barbie Liberation Organisation](#) und [voteauction](#).

Der Name ist eine Anspielung auf "Registered Trademark" (registriertes [Warenzeichen](#)) - Auswüchse des internationalen [Markenrechts](#) wie der *Toywar* sind eine beliebte Zielscheibe von RTMarks Aktionen.

Siehe auch

[Kommunikationsguerilla](#)

Literatur

- Douglas Rushkoff: [RTMark. Ein Unternehmen unterstützt Medienaktivisten im Kampf gegen Corporate America](http://www.heise.de/tp/deutsch/kolumnen/rus/5192/1.html) (<http://www.heise.de/tp/deutsch/kolumnen/rus/5192/1.html>) [Telepolis](#) 16.8.1999
- ["Wir sind so was wie eine Bank". Frank Guerrero von "Rtmark" im Interview](http://www.br-online.de/jugend/zuendfunk/themen/netz/internetreihe_folge1c.htm) (http://www.br-online.de/jugend/zuendfunk/themen/netz/internetreihe_folge1c.htm) ([Bayerischer Rundfunk/Zündfunk](#) 2003)

Weblinks

- [Homepage von Rtmark](http://www.rtmark.com) (<http://www.rtmark.com>)

Bücher zum Stichwort "RTMark" bei [Amazon.de](#)

Artikel zum Stichwort "RTMark" bei [Ebay.de](#)

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Blank Mark

Blank Mark is a group of InterNet activists, which finances subversive capitalism-critical medium actions organized and over donation actions.

Blank Mark is organized as a registered enterprise, which brings activists together, which plan projects, with donors, who finance these projects.

Admitted actions, which were operated or supported by Rtmark, toywar , gw bush.com (a gefakte election campaign side of George [W. Bush](#)), the Barbie *was liberation organization* and [voteauction](#) .

The name is an allusion on "registered trademark" (registered [registered trade mark](#)) - excrescences of the international [trademark law](#) like *the Toywar* are a popular target of RTMarks actions.

See also

[Kommunikationsguerilla](#)

Literature

- Douglas Rushkoff: [*Blank Mark. An enterprise supports medium activists in the fight against Corporate America*](#) (<http://www.heise.de/tp/deutsch/kolumnen/rus/5192/1.html>) [Telepolis](#) 16.8.1999
- [*"we are like that which like a bank". Franc Guerrero of "Rtmark" in the interview*](#) (http://www.br-online.de/jugend/zuendfunk/themen/netz/internetreihe_folge_rtm) ([Bavarian broadcast / ignition radio](#) 2003)

Web on the left of

- [Homepage von Rtmark](#) (<http://www.rtmark.com>)

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Siehe auch

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- Douglas Rushkoff: [RTMark. Ein Unternehmen unterstützt Medienaktivisten im Kampf gegen Corporate America](#) (<http://www.heise.de/tp/deutsch/kolumnen/rus/5192/1.html>) [Telepolis](#) 16.8.1999
- ["Wir sind so was wie eine Bank". Frank Guerrero von "Rtmark" im Interview](#) (http://www.br-online.de/jugend/zuendfunk/themen/netz/internetreihe_folge1c.htm) ([Bayerischer Rundfunk/Zündfunk](#) 2003)

Weblinks

- [Homepage von Rtmak](#) (<http://www.rtmak.com>)

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Welcome to my collection of "Entertaining Links". Ya, ya, I know it's not very professional, but who cares. It's not like I'm trying to be the funny one. I'm just showing you where to find web comedy.

At regular intervals, an automated e-mail will be sent out to notify list members of any new links that have been added to this page. **If you want to get on (or off of) the e-mail list or have an "Entertaining Link" to submit, then contact me at [emandy\(at\)triticom.com](mailto:emandy(at)triticom.com).**

Also, check out the [Flavor Forum](#) to chat about anything you want to.



<u>Entertaining Link</u>	<u>Description</u>	<u>Date Added</u>
http://www.quantumpicture.com/Flo_Control/flo_control.htm...	What do you do when you want your cat to have the freedom to come and go as it pleases, but you don't want it to bring in unwanted guests? Toss in a little geek entertainment and this is what you end up with.	3-07-05
http://www.savetoby.com/	For just pennies a day, you could help save Toby.	3-04-05
http://babynamewizard.com/namevoyager/Inv0105.html	The NameVoyager shows you some interesting historical information about popular names and displays it in a rather entertaining way.	2-17-05
https://implicit.harvard.edu/implicit/demo/selectatest.ht...	This is interesting. You might not even realize that you have prejudices towards/against or pre-conceived associations on certain topics. Now you can find out.	2-10-05

http://boingboing.net/	A directory of wonderful things.	2-08-05
http://www.boreme.com/	If there's a current popular video or image out on the net, these guys probably have it. Most of the top 10 are rather entertaining.	1-31-05
http://www.puzzles.com/products/RushHour/RushHourApp.htm	Rush Hour is an actual puzzle board game that's pretty fun/challenging. Here's a web applet to pique your interest. Also see these other online versions .	1-31-05
http://www.hackaday.com/	Geek Entertainment: It seems like they have a new hack every day, and I'm not talking about how to break into a website. It's more like how to install Linux on your iPod or how to speed up Firefox.	1-11-05
http://www.gametunnel.com/html/section-viewarticle-74.htm...	2004's Top Indie Games. Actually, some of these look pretty cool, especially if you're tired of the same ol' stuff that comes out of the major studios. More 2004 awards .	1-05-05
http://www.fantasymusicleague.com/	I lost a couple ELinks candidates recently when my browser crashed, so if you sent me something that I haven't posted, you may want to re-send. This link is an odd mix of fantasy football and the music industry.	12-02-04

http://www.archive.org/movies/movies.php	I already had a previous link to archive.org, but I never realized they had pages like this. For video game geek entertainment, try the the speed runs arcive .	12-02-04
http://budlight.whipnet.com/	Real American Heroes and Real Men Of Genius	11-02-04
http://www.retrocrush.com/costumes/	Halloween Costumes. Can you tell I haven't submitted my updates for a while? Also check the base site for more entertainment.	11-02-04
http://www.ews.uiuc.edu/~gokli/endoftheworld.swf	A nice message about global thermonuclear war.	11-02-04
http://www.ritsumeai.ac.jp/~akitaoka/index-e.html	Look at all these illusions. You can find more links at the bottom. There are some pretty interesting items to be found.	9-28-04
http://www.csupomona.edu/~jelerma/springfield/index.html	The map of Springfield. You will want this just in case you ever want to see the sights in the city where "The Simpsons" is filmed.	9-14-04
http://www.pbs.org/kcts/videogamerevolution/	This website is set up around a PBS TV special, but the site is done very nicely and is rather interesting and entertaining.	9-09-04
http://www.hugi.is/hahradi/bigboxes.php?box_id=51208	With 11 pages of videos like "og mitt næsta trix" you'll be laughing for minutes (or at least seconds).	9-08-04

http://acg.media.mit.edu/people/fry/zipdecode/	Geek Entertainment: Type in the zip code and watch the map zone in on your selection.	9-01-04
http://www.eskimolabs.com/hp/listen.htm	"Harry and the Potters" is the name of the band. You guess what they sing about.	8-10-04
http://www.rockpapersaddam.com/	Saddam vs. The Judge: A showdown in RPS.	7-19-04
http://www.buildfest.com/	I guess this guy actually has a wife. I dunno if he has any kids, and with the time he spends with his toys, I'm guessing that he doesn't either. Check out the videos if you really want to get an idea of what he's up to.	7-19-04
http://playlist.yahoo.com/makeplaylist.dll?id=1277881&sdm...	Why pay to see the Spiderman movie when you can see this for free?	7-14-04
http://www.jibjab.com/new.aspx	If you're wondering who to vote for, check out this completely objective nonpartisan video.	7-14-04
http://www.sandalandsoxer.co.uk/	Sandals and Socks	7-09-04
http://www.jimmyco.net/cookie.html	Who needs those overpriced Chinese restuarants when this is free on the internet?	6-22-04
http://www.20q.net/	I'll give you 20 chances to figure out what this is about. Either that, or just one link.	6-15-04

http://www.angryalien.com/	They have whole movies that are viewable in 30 seconds re-enacted by bunnies, and if that isn't enough, they have other diversions.	6-11-04
http://www.wayoftherodent.com/pa/bs_paperarcade2.htm	If you always wanted an arcade machine to sit on your desk, then this is where you want to go. They have other stuff "Back Home," but nobody actually knows if it's entertaining.	6-11-04
http://triadfrog.home.comcast.net/index.html	TransFormers, Breakdancing, and some guys with lots of free time.	6-10-04
http://www.bash.org/	Check out the "Top 100-200" IRC quotes.	6-09-04
http://www.wingwomen.com/	Sounds like a fair theory, now where are the testimonials?	6-04-04
http://www.kokogiak.com/	Geek Entertainment: The "MegaPenny Project" was the original submission, but the rest of the site is equally entertaining.	6-02-04
http://www.ebaumsworld.com/	A good sized collection of funny stuff. In particular, I like a lot of the images (link on left side of main index).	5-27-04
http://www.noonelikesyou.net/TFT-robots/	Protesting robots handing out binary flyers and dancing to Kraftwerk. Need I say more?	5-25-04

http://www.ryano.net/iraq/?662841	Wow, I've gone global with my messages of entertainment and unity. Now, I just have to look up what that message means.	5-12-04
http://www.iusedtobelieve.com/	If you were stupid when you were young, this is the place to go to let the whole world know. Perhaps that would mean that you never outgrew the problem.	5-06-04
http://pacmanhattan.com/	When people that normally exist in the real world want to do academic research, they can work on technical things, like virtual reality. Here's what you get when the research is done by someone who's reality is typically virtual in the first place.	5-06-04
http://www.jimflorentine.com/download.htm	There's not a lot of MP3s here, but I found some to be rather amusing. Check out the "Brothers" one.	4-29-04
http://www.takeoneforthecountry.com/article.asp	Says one operation TOFTC member, "What a bunch of bay-auches! Those femi-nazis really make me mad."	4-29-04
http://www.alexchiu.com/affiliates/clickthru.cgi?id=Flavo...	It's a bit TimeCube-esque, if you ask me. Didn't I see this guy on The Daily Show once?	4-22-04
http://www.wackywarnings.com/	Wacky Warning Labels (and more)	4-13-04
http://www.subserviantchicken.com/	A chicken that will obey your commands.	4-13-04

http://www.sperare.com/spam_poetry/blogger.html	Take some e-mail SPAM and mix it with a liberal arts degree and you just might cook up some entertainment.	3-30-04
http://www.hcs.harvard.edu/~golder/dialect/maps.php	This is kinda funny. You can see what parts of the US say things in different ways.	3-29-04
http://www.avalanchetankers.us/archives/000058.html	This is probably good to read if you're considering joining the US Military. If not, it's just humorous.	3-05-04
http://www.worth1000.com/	Recipe: Take Photoshop, add some people with too much free time, stir.	3-04-04
http://www.williamhung.net/	"The #1 Website Dedicated to the Man, The Myth, The Singing and Dancing LEGEND-- William Hung!"	2-13-04
http://benjamin.francois.free.fr/artwork/gcubix/	Do you remember Sidetalkin'? Well, check the bottom of this page for screenshots of a new GameCube emulator running on all kinds of platforms.	2-12-04
http://homepage.ntlworld.com/tubby.toast/mrporkpieman/	Mr. Pork Pie Man The song says it best. "When you're feeling kinda peckish a Pork Pie is nice"	2-04-04

http://www.puzzledonkey.com	If you like puzzles, you might like Puzzle Donkey. "B.F.Skinner's work with donkeys in the forties showed that they can solve logic puzzles even faster than pigeons, though they struggle with word play due to their limited vocabulary."	1-27-04
http://www.madville.com/corporate.php?id=4	If you played arcade games in the '80s, this might drive you crazy for a while.	1-23-04
http://www.notfoolinganybody.com	I'm sure you have seen a store that obviously used to be another store. Well, check these out.	1-15-04
http://micro.magnet.fsu.edu/primer/java/scienceopticsu/po...	I accidentally did this, but I found it interesting to start completely zoomed in and then zoom out.	1-06-04
http://www.columbinepaintball.com/	See what it was like to be part of the Trench Coat Mafia, the SWAT team, or just an innocent student/faculty.	12-17-03
http://bigmouth.here-n-there.com/	Big Mouth Billy Bass hacking. Take a talking fish and make him talk (more).	12-17-03
http://jpbrown.i8.com/cubesolver.html	Geek Entertainment: A robot that solves the Rubik's Cube.	12-08-03

http://www.gotorion.com/orion/singles.php?t1=Nintendo%20P...	If you want to make paper versions of your favorite Nintendo characters, this is where you need to go for help. No, I don't mean mental help.	12-04-03
http://www.miniclip.com/heli2.htm	A cool little game where you shoot helicopters and slow down time. It's like a 2D Max Payne where all the enemies are helicopters and you jump a lot.	11-25-03
http://www.powerstrike.net/Tehkan/mamejump.html	What do MAME and Van Halen have in common? Jump	11-18-03
http://www.insanearcade.com/	Tons of web-based games to play (seems like quantity over quality).	11-18-03
http://www.419eater.com/	A great attempt to scam the scammers (and maybe SPAM the SPAMMERS). The letters archives holds some pretty amusing material.	11-17-03
http://www.bushparty.com/htms/hockeylogos.htm	The worst hockey logos shown with entertaining comments.	11-13-03
http://bfcgroup.com/helluvatough/	A site about Colt 45 and other crazy Jibber Jabber!	11-11-03
http://www.sidetalkin.com/	A tribute to the ergonomic genius that is Nokia N-Gage.	10-29-03
http://www.datelinealabama.com/article/2003/03/06/3983_ar...	MacBeth + Homer Simpson = MacHomer	10-21-03
http://grouphug.us/	An online confessional.	10-21-03

http://www.egmmag.com/article2/0,4364,1338767,00.asp	Give kids some old video games and see what they say.	10-16-03
http://www.shockwave.com/contentPlay/shockwave.jsp?id=red...	A very cool Shockwave racing game.	10-15-03
http://www.the-underdogs.org	I probably should have added this link years ago. The site is full of old games that you can download for free. They call it "abandonware" because nobody seems to care about 'em, but there are great titles now living in the Home Of The Underdogs.	10-13-03
http://www.railroadtycoon3.com/rt3/uk/downloads.html	Ever play "Pipe Mania" or "Pipe Dreams?" If so, you'll probably like this game that you can download or play right on the web page.	10-10-03
http://jet.ro/dismount/	Oh yeah, I'm back in the game after a 5+ month hiatus! Try Truck Dismount. Disturbingly hilarious!	10-07-03
http://www.puzzlepirates.com/	Massively Multiplayer Online Role-[ERRR] Puzzle-Playing Game. This is a pretty good game for puzzle lovers. I'm not sure if it's free anymore, though.	10-07-03
http://www.ntv.co.jp/channel/kasoh/	The top one is Ping-Pong Matrix style. I also liked the "2002.9.20" Basketball clip.	10-07-03

http://ant.digitaldonkey.com /dir.php?path=games	Some classics (like International Karate Plus and Mario Bros) that you can play online.	10-07-03
http://www.dyson.co.uk /game/play.asp	This is a pretty slick puzzle game along the same lines of Reflections.	10-07-03
http://www.terrawind.com/	"The world's first luxury Amphibious Motor Coach / Yacht" is odd.	10-07-03
http://www.try2hack.nl/	Learn to become a hacker! Then maybe you can attract girls like Angelina Jolie.	10-07-03
http://www.freshsensation.com /samorost.swf	A nifty game. You will have to click around to figure it out.	10-07-03
http://www.cybermoonstudios.com /flashm.html	Check out the 8 - Bit Reenactment of Dungeons and Dragons.	4-25-03
http://www. welovetheiraqiinformationminister. com/	He fights for truth, justice, and then flees the country. That's why we love the Iraqi (dis)Information Minister.	4-16-03
http://www.b0g.org/	I found this URL today and they had the same Iraqi Information Minister link that I posted earlier. Thus, it must be an entertaining site!	4-16-03
http://www.silencethemusical.com/	Silence Of The Lambs: The Musical	4-14-03
http://gulwardrinkinggame.com/	The Gulf War Drinking Game of course	4-01-03

http://www.thereverend.com/brick_testament/	What do you get when you mix Legos, the Bible, a camera, and lots of free time?	4-01-03
http://www.protestwarrior.com/	War Has Never Solved Anything (except for ending slavery, fascism, nazism, and communism)	4-01-03
http://mr-31238.mr.valuehost.co.uk/assets/Flash/psychic.s...	It can read your mind! I can, too! I can tell that you're about to go to the URL!	3-18-03
http://www.tensecondfilms.com/view.php	It doesn't take long to decide if the film sucks or not. Try searching for "Lightning Test," "Idiot," and "School Fight Turns Deadly."	3-12-03
http://www.orton.demon.co.uk/ff/cpp_interview.html	Is this for real? Well, at least this seems to indicate it's a hoax.	3-07-03
http://www.mchawking.com/	"your ultimate resource for information about Stephen Hawking the gangsta rapper"	2-25-03
http://www.japander.com/	"a western star who uses his or her fame to make large sums of money in a short time by advertising products in Japan"	2-05-03
http://www.ideatown.com/rc/av.html	"America's Loudest Lounge Singer Croons Vegas Versions Of The Hits" like Baby Got Back and Chop Suey.	1-28-03
http://www.britta.com/mystery/Trek/	How To Host a (WEIRD) Mystery	1-27-03

http://maddox.xmission.com/	How to stick it to the junk mailers and other great ideas.	1-24-03
http://www.gasbgon.com/	"Clear the air, not the room." "GasBGon has been designed and tested to absorb the odor and sound of flatulence."	1-17-03
http://www3.hmc.edu/~bgreer/barmonkey/	Why hire an expensive bartender for your frat-party when you can have The Bar Monkey? Oh, except for the fact that frats just serve cheap beer. Nonetheless, The Bar Monkey is every alcoholic geek's dream machine.	1-14-03
http://www.yellowbamboo.com/	The videos (on the left) are entertaining, but the overall idea is rather absurd.	1-10-03
http://www.drunkstunts.com/videos/Diesel1.wmv	A video of Vin Diesel as you probably have never seen him. Here's another one , if you care.	1-03-03
http://www.silverspaceship.com/chromatron/	It's a lot like Reflections but with colors.	1-02-03
http://www.uq.edu.au/education/extra/all.html	"My computer was making a strange hissing noise last night."	12-13-02
http://www.tenthplanet.net/shfi/shfifram.htm	Some pretty short video clips. Most of 'em are from MTV award shows.	12-11-02
http://www.ilovebacon.com/	Funny pictures of real stuff. Check the archives, too.	12-09-02

http://www.blackpeopleloveus.com/	For some odd reason black people seem to love Sally and Johnny. What's even more odd is the website that they made about that fact.	12-03-02
http://www.googlefight.com/	You can pick a fight and see who wins! Obviously I'm a lightweight!	11-27-02
http://www.joeego.com/multilevelmoves/videos.htm	This guy has got crazy moves!	11-22-02
http://www.brunching.com/cyborger.html	The IT industry must be getting back on track because we've had lots of updates this week. Hasn't been good since the industry started falling off. Anyway, check out the rest of the site too.	11-22-02
http://www.museumofhoaxes.com/	The Museum Of Hoaxes	11-21-02
http://forums.fark.com/cgi/fark/comments.pl?IDLink=356270...	All kinds of doctored up product ads.	11-19-02
http://yoga.tripod.co.jp/flash/kikkomaso.swf	It's Kikkoman! Reminds me of Mr. Sparkle!	11-19-02
http://www.lipsons.pwp.blueyonder.co.uk/lego.htm	Some really cool LEGO creations. Be sure to scroll down to the M.C. Escher renderings.	11-19-02
http://anomalies-unlimited.com/Jackson.html	Michael Jackson's poor face. Check out the rest of the http://www.anomalies-unlimited.com/ site, too.	11-15-02
http://holdthebutton.com/	Just what it sounds like.	11-12-02

http://www.candystand.com /games/cn_shock_cnwb.htm?	Wiffle Ball and other games.	10-29-02
http://www.digitalgridiron.com /MovieQuiz%20.xls	A fun (and funny) movie test, but it's in Microsoft Excel format.	10-25-02
http://www.xs4all.nl /~egbg/counterscript.html	Beat the telemarketers at their own game with the Anti-Telemarketing Counter Script.	10-16-02
http://www.popcap.com /gamepopup.php?theGame=wordshark	Fun and educational typing game.	10-04-02
http://www.minca.cz /suzuki/	Some people will do anything to get their own swimming pool, though I don't know why they'd think a car is a good pool toy.	10-04-02
http://www.hellonetwork.com /demo/toysclub/video.asp?speed...	He should have stuck to driving Kit.	10-04-02
http://www-bcs.mit.edu /people/adelson/checkershadow_illus...	It's for real, but don't take my word for it. Open it up in your favorite paint program.	10-04-02
http://www.colorpilot.com /404.shtml	404 File Not Found	10-02-02
http://www.ugcs.caltech.edu /~almccon/pop_soda/	The Great Pop vs. Soda Controversy	9-13-02
http://www.worldrps.com/	"The World RPS Society is dedicated to the promotion of Rock Paper Scissors as a fun and safe way to resolve disputes."	9-13-02
http://64.71.146.8 /index.php? game_destination=reflex_2&us...	A very twitchy java game where you shoot targets.	9-10-02

http://www.slipups.com/	Slip-Ups in movies, TV, books, and quotes. Kinda interesting if you can get past the annoying pop-up ads.	9-06-02
http://www.circlemakers.org/totc2002.html	The best crop circles of the year can be found at "Top Of The Crops 2002".	9-05-02
http://www.theoldcomputer.com/Library's/tv_adverts_summa...	Retro computing TV commercials featuring Atari, Colecovision, Intellivision, and more.	9-05-02
http://www.speedstacks.com/qt_lg.html	Welcome to the exciting world of competitive Cup Stacking.	9-05-02
http://home.attbi.com/~andy0058/	The Story Of Andy L's Computer	8-30-02
http://www.rathergood.com/	There are some really messed up videos here. After you get through the messed up ones, you can finally move on to the really really messed up ones.	8-29-02
http://wgz.8k.com/	It muz B yo lucky dizzay, 'cuz you gotz a dubble dose of wigger action today. FO' REAL, YO!	8-19-02
http://www.geocities.com/krillbeniggaz/	White guys, cars, and fake ebonics. Oh yizzah!	8-19-02
http://www.danielwood.com/beer.php	Take the Beer Quiz!	8-14-02
http://www.4degreez.com/misc/personality_disorder_test.mv...	Find out if you have a personality disorder.	8-13-02

http://members.attcanada.ca/~calico/knit02.htm	If you have a penguin that needs a sweater, here's how to make one.	8-06-02
http://www.google.com/googlegroups/archive_announce_20.ht...	Geek Entertainment: Take a "trip back to the golden age of Usenet."	8-02-02
http://www.stinkfactor.com/challenges.cfm	Eating disgusting junk.	8-01-02
http://www.rezin69.com/games.htm	Playable online arcade machines.	7-22-02
http://www.actionsquad.org/underground.html	Tales of sneaking around in tunnels and such. Check out the main page for more.	7-18-02
http://www.ratemykitten.com/	Feline fun for the whole family.	7-18-02
http://www.fazed.net/humor/misc/flash/exuberance.swf	Yatta	7-10-02
http://www.jurjans.lv/stuff/net/FreeNet.htm	A game which isn't like Reflections but is at the same time.	7-10-02
http://www.origamiboulder.com/	Buy yourself a nice origami boulder. You deserve it.	7-08-02
http://www.legodeath.com/	Faces Of (Lego) Death	6-26-02
http://www.yesterdayland.com/	A bit of nostalgia for you.	6-25-02
http://home.pacbell.net/rds33/best_photos/index.html	A collection of humorous pictures.	6-19-02
http://www.whatsbetter.com/	Some of the match-ups are hilarious! Pick the best of 2 items.	6-13-02

http://members.cox.net /~msmith1015/Animations.htm	Check out the VW Bug. There's definitely something "more than meets the eye" going on there!	6-12-02
http://www.personal.triticom.com /~erm/EntertainingLinks/W...	Geek Entertainment: Write Only Memory (WOM) Specification	5-31-02
http://intuitor.com /moviephysics/index.html	Insultingly Stupid Movie Physics	5-30-02
http://www.freshpulp.com /fishtank/fishtank.html	A nifty little fishtank game, though it seems to take a really long time to get anywhere in the game.	5-29-02
http://www.fiftythree.org /watertower/	In life, there is an endless struggle between good and evil. Nowhere is this more apparent than in watertowers. Don't miss the rest of the 53 website .	5-22-02
http://www.esu.lt /andrius/	Meet the rabbit, but don't let him grab your mouse pointer!	5-20-02
http://www.ejoa.com /911/	Some spooky Nostradamus stuff goin' on with the \$20 bill!	5-17-02
http://www.weeklystandard.com /Content/Public/Articles/000...	"Everything you think you know about Star Wars is wrong."	5-17-02
http://www.movie-mistakes.com/	User submitted mistakes in movies. It seems that Spiderman is a hot one!	5-08-02
http://skop.com /brucelee/index.htm	"The UltraInteractive KungFu-ReMixer"	5-07-02

http://www.subatomicstudios.com/holo.html	I can think of only one word to describe this, "LOL!" Here's the meaning of the word .	5-01-02
http://www.pbo.jp/	Puzzle Bobble (aka Bust-A-Move) is a cool game that you can now play online. You might need to read these instructions , because the site is in Japanese.	4-17-02
http://www.geocities.com/CapitolHill/Congress/6425/surviv...	The "Prison Survival Guide." It's not really humor, but I found it interesting and entertaining to read.	4-15-02
http://www.whitetrashworld.com/	White Trash World - Really, what more can I say?	4-15-02
http://mohsye.com/enter.htm	A bunch of little games to play.	4-12-02
http://www.the-diatrife.com/	"Funny stories of stupid people doing stupid things"	4-05-02
http://sub-zero.mit.edu/~rhett/	Video of the MIT Timecube debate.	3-29-02
http://www.interactiveunderwear.com/	This is really odd, but if you want to send underwear to someone so that they can model it for you, then this is the link for you!	3-28-02
http://www.britneyunderground.com/	"Britney Underground takes you on a tour of poignant urban artistry in a time of crisis."	3-25-02
http://www.newsoftheweird.com/	News Of The Weird	3-18-02

http://gscentral.net/larsen.htm	Winning the Big Bucks on Press Your Luck! Don't miss the rest of Game Show Central , and check out a review of the Press Your Luck movie script .	3-13-02
http://www.neopets.com/	"The greatest Virtual Pet Site on the Internet."	3-01-02
http://www.botbattle.com/	Wow, this looks dumb at first, but you get to program your own bot and then battle it against other bots. Definitely geek entertainment!	3-01-02
http://www.witcity.com/	"Where Funny=Good." Check out the ENRON call .	2-21-02
http://www.homestarrunner.com/	All kinds of fun diversions!	2-20-02
http://www.angelfire.com/tv2/bencurtisrocks/	A little over the top, but it's a shrine to the Dell commercial guy.	1-31-02
http://www.readymademag.com/feature.html	"How To Seem Smarter" is the current feature article.	1-28-02
http://www.essbasetools.com/instest.htm	The insanity test.	1-16-02
http://www.homepromotions.net/Tehkan/mamestory.swf	The MAME Story	1-15-02
http://www.bol.ucla.edu/~rahjr79/ninja.htm	"Hi, this site is all about ninjas, REAL NINJAS. These guys are cool; and by cool, I mean totally sweet."	1-10-02
http://www.fileoday.com/	Murphy's laws about all kinds of junk.	1-04-02

http://www.icyhotstunta.com/	The "Icy Hot Stuntaz" of course. You can get more over at http://www.straightballin.gq.nu/ .	12-10-01
http://www.eecis.udel.edu/~masterma/GuideToGeekGirls.html...	Guy's Guide To Geek Girls (A response to "A Girl's Guide To Geek Guys")	12-05-01
http://www.restrooms.org/	Restrooms of the Future	12-05-01
http://www.pimphats.com/	Get your pimp gear here.	12-05-01
http://www.touristguy.com/	Tourist guy (AKA Danger Boy) has been found.	12-05-01
http://www.psychedelicrepublicans.com/	"Learn all about your favorite G.O.P. superstars while you watch them defend America live every week on C-SPAN!"	12-05-01
http://www.ricecop.com/	More crappy car modifications. You can even buy (or print) official RICECOP tickets to give to offenders.	12-04-01
http://www.input-entertainment.de/laser/	Use the laser to light the lights. What could be easier?	12-04-01
http://www.molestedcars.com/	A Molested Car is one that "has been modified in ways that do not enhance the vehicle in any way."	11-30-01
http://www.theatlantic.com/issues/2000/09/fallows.htm	An article about the glorius Tommy Mischke. You've just got to listen to this one .	11-20-01
http://spiritonin.com/interactive/games/	Some funny little games. Cyborg Hefers and Mad Shark are pretty good!	11-20-01

http://www.lawnmowerassociation.org/counter.php	Torturing the Taliban.	11-16-01
http://title.flywheel.org/	If you need a title (like for a job application or something), here's the place to get it.	11-13-01
http://www.vectorlounge.com/04_amsterdam/jam/flamjam.html...	Spank the Monkey! Try to beat 848. That's the MPH that the submitter got. UPDATE: I got sent a screenshot of a 925. Now, that's some fast spankin'!	11-10-01
http://web.archive.org/	A time machine for the internet! Entertaining, and useful.	11-08-01
http://homepage.mac.com/jcarusone/iMovieTheater2.html	Steve Ballmer makes his music video debut as "Monkey Boy!" It's a catchy tune, but the lyrics are very complex. If you need to know the words, check out this lyrics sheet .	11-08-01
http://www.iconsfindustry.org/touristguy/flash/	This is sad and funny at the same time. Mr. Tourist (Hoax) Guy does All Your Base.	11-07-01
http://www.evolver.co.uk/wayofthestick.html	Way Of The Exploding Stick	11-06-01
http://www.asciimation.co.nz/beer/	Some blokes will go to great lengths to have a cold one.	11-01-01
http://www.lego.com/build/junkbot/junkbot.asp	More Lego fun. This one is pretty cool, even though Opera didn't like it.	10-29-01

http://www.madblast.com/	So many people kept sending in the Bin Laden Has Nowhere To Run link that I finally had to add it	10-25-01
http://kesseret.tripod.com/	"ePimps` are any person or thing that displays their body, possessions, and hobbies in such a manner as to attract the opposite or same sex."	10-25-01
http://www.liquidcode.org/worm.html	A silly little worm game.	10-24-01
http://www.chriswetherell.com/hobbit/	You have a secret name. Discover it.	10-23-01
http://www.stileproject.com/mario.html	Mario Twins (kinda like the old Nintendo game)	10-16-01
http://www.terroristornot.com/	Do you think you know terrorists? Well, head over to this page and submit your votes.	10-15-01
http://www.claws-and-paws.com/thundercats/tcats4.mp3	Thundercats outtakes.	10-15-01
http://evil-guide.tripod.com/	"A Step-by-Step Guide to joining the Forces of Darkness"	10-08-01
http://www.madblast.com/oska/humor_warnings.swf	Warnings about the consumption of alcohol.	10-08-01
http://www.dictionaraoke.com/	This is nutz!!! "...parodies of popular songs using karaoke-style backing music with vocals provided by audio pronunciation samples from online dictionaries."	10-01-01

http://www.lego.com/studios/screening/	Lego movies. I just wish they were longer.	10-01-01
http://www.psychtests.com/	"If you're looking for a test, you've come to the right place."	9-26-01
http://www.bigidea.com/penguins/kids/k_spacedpenguin.htm	The Spaced Penguin	9-26-01
http://www.miniclip.com/	More distractions	9-20-01
http://www.weaselcircus.com/	Games and other distractions	9-20-01
http://www.somethingawful.com/spam/	Modern-Day Jerky Boys?	9-14-01
http://www.actsofgord.com/page3.html	The Gord Annoyances	9-14-01
http://www.jonathonrobinson.com/secret.html	The Terrible Secret Of Space	9-10-01
http://www.angelfire.com/indie/christx/tftl.html	Tales for the L33T!	9-06-01
http://www.hotskatinggrandma.com/	Hot Skating Grandma	9-06-01
http://128.241.244.96/portal/uploads/27000/27549_winrg.sw...	WindowsRG (Really Good edition)	8-22-01
http://www.geocities.com/chenrich/Commercials/Commercials...	Music from TV Commercials	8-17-01
http://www.english.com/	For best lucky website English is exceeding.	8-16-01
http://www.humanclock.com/	A clock with a human element to it.	8-13-01
http://www.cutoffmyfeet.com/	"...watch me amputate my legs with a homemade guillotine..."	8-13-01

http://www.steve.nave.com/Pingis/Pingis.html	Like the old game, Pong, but with a Ping to it.	8-10-01
http://www.electrotank.com/	Online gaming. Be sure to check Mini Golf .	8-07-01
http://www.selectsmart.com/	"Decision-making based upon your preferences."	8-02-01
http://www.card1004.com/card/bsjj/53.swf	A little Bruce Lee action for ya.	8-01-01
http://www.humanforsale.com/	"Ever wonder how much money you could get on the open human market?"	8-01-01
http://www.whowouldbuythat.com/	When you need to find a gift for that special someone.	8-01-01
http://www.angelfire.com/ak2/sid/	Iggy's Pimp O' Rama with "Mullet Dating" and more	7-27-01
http://www.rollochan.com/funny/xiaoxiao.swf	Stick Shooting Bonanza (Mouse To Shoot, Space To Reload)	7-27-01
http://www.ducktapeclub.com/prom/vote_ballot.asp	The Duck Tape Club presents "Stuck At Prom"	7-10-01
http://www.clearfour.com/condiment/	The Condiment Packet Museum	7-09-01
http://www.armchair.mb.ca/~scissors/	Scissor Jamming	7-06-01
http://www.rapdict.org/terms/a	The Rap Dictionary	7-05-01
http://www.lileks.com/institute/	Including such greats as the Art of Art Frahm and the Orphanage of Cast-Off Mascots	7-03-01

http://www.plastelina.net/examples/games/index.html	Nifty little computer-geek games	7-02-01
http://www.furnitureporn.com/	Furniture Porn	6-29-01
http://www.geocities.com/BITCHINLEGALHIGHS2/	Legal Highs	6-28-01
http://www.fetusx.com/	Comic strips and other wackiness	6-27-01
http://www.americasline.com/2001odds.html	Odds To Occur By 2010	6-27-01
http://paninimishap.com/	Weird humor, and it's local (for most of you)	6-27-01
http://www3.tky.3web.ne.jp/~edjacob/nasubi.html	"Nasubi was on his own in his unique survival challenge."	6-15-01
http://www.mightybigtv.com/story.cgi?show=56&story=1752	10 Worst Sit-Coms, ever	6-15-01
http://www.vectorpark.com/	Just stay and play a while.	6-15-01
http://www.mtn.org/quack/welcome.htm	The Museum of Questionable Medical Devices Online	6-15-01
http://www.nobodyhere.com/justme/nose.html	This isn't quite right.	6-15-01
http://grc.com/dos/grcdos.htm	Very much geek entertainment, but I found it entertaining.	6-15-01
http://www.findarticles.com/m1111/n1782_v297/21281407/p1/article.jhtml	Interesting read about the "radioactive boy scout."	6-15-01
http://www.asciimation.co.nz/	If you liked Star Wars, you might like this.	6-15-01
http://www.flowbee.com/	It sure does suck!	6-15-01

http://www.menwholooklikekennyrogers.com/	The URL says it all.	6-15-01
http://www.flypower.com/	The FlyPower Model airplane Kit and The Ant Bracelet	6-15-01
http://www.wasarrested.com/	Arrest a friend and send them their own URL. After you figure it out, check out the hate mail.	6-15-01
http://www.dancingpaul.com/	THE definitive cyber dancing site!	5-9-01
http://www.thespark.com/	All kinds of odd junk. Check out the Tests and Stinky stuff.	5-9-01
http://www.blumpy.org/	A bunch of "don't try this at home" videos.	5-9-01
http://www.stevesbackyardboxing.org/	If you dig deep enough, you can find footage of the fights.	5-9-01
http://www.sneakyleaker.com/	Why wait in line or pay someone to use your God Given right?	5-9-01
http://www.zombo.com/	Welcome to Zombo-Com (you need sound)	5-9-01
http://www.billjonas.com/pub/compression.html	Geek Entertainment: The \$5000 Compression Challenge	5-9-01
http://www.dailyradar.com/features/directhit_feature_page_1941_1.html	20 Gnarliest Torture Devices of All Time	5-9-01
http://www.highschoolalumni.com/	Well, you have to register if you want to see your HS Alum, but it might be worth it.	5-9-01

http://antonmaiden.eu.org/amaiden.html	Nostalgia Bin: Anton Maiden (Listen to the awesome MP3s and see him in action.)	5-9-01
http://www.sfdt.com/flash/Fights/	More sticks fighting.	5-9-01
http://www.ecf.toronto.edu/~ha/fight.swf	If you like stick figure fighting, you HAVE to see this.	4-18-01
http://www.engineering.uiowa.edu/~bgelfand/hoboball/intro.html	HoboBall	4-18-01
http://www.delphion.com/gallery/	Gallery of Obscure Patents (check out the Archive)	4-18-01
http://www.morons.org/	Threatening the American Family	4-18-01
http://www.i-mockery.com/	Twisted, Cynical, Sarcastic, Evil, Odd, Humor to soothe the soul!	4-18-01
http://www.amused.com/amusements/index.php	All kinds of garbage. This link was actually the link that was sent in.	4-18-01
http://www.kissthisguy.com/	The Archive of Misheard Lyrics	4-18-01
http://yourcoffin.com/	Check out the 101 uses.	4-18-01
http://www.tv4.se/lattjo/kojan/bilbanan.asp	This is WAY cool! Build the track and race the bird.	4-18-01
http://eugenemirman.com/	Whoa. That's odd.	4-18-01
http://www.pe.net/~koobie/GBA.html	Proper GameBoy Advance usage	4-18-01
http://www.besttoilets.com/	The place to go before you have to	4-18-01

http://home.earthlink.net/~zefrank/invite/swfs/navigation.html	Dance instruction	4-18-01
http://flavor.8k.com/EntertainingLinks/Airport/	Here's one that I converted from a Word DOC, but it had to be done.	3-28-01
http://www.manbeef.com/	Catering to the sophisticated human meat consumer	3-28-01
http://www.strangerinyourbed.com/	"Am I Hot Or Not" with a twist	3-28-01
http://www.badhaiku.com/	The title is obvious enough.	3-28-01
http://www.psychoexgirlfriend.com/	It's all about the voice mail .	3-28-01
http://formen.ign.com/news/32236.html	Hardcore TV. Be sure to check the archives of past shows.	3-28-01
http://www.drivenbyboredom.com/	Bored As Hell, And I Wanna Get Ill (Check out his EBay auctions page)	3-28-01
http://www.trailervision.com/	Trailers for movies that don't exist	3-28-01
http://www.modifyme.com/	Rather neat little app. Turn the sound up.	3-28-01
http://thingsihate.org/	Ranting.	3-28-01
http://www.twistedhumor.com/	I wasn't too impressed, but it could be entertaining for some.	3-28-01
http://www.modernhumorist.com/	Check out the Archive .	3-28-01
http://interactive.wsj.com/public/resources/documents/dotcomlayoffs.htm	DotCom Layoffs	3-28-01
http://amiallyourbaseornot.com/	You decide.	3-28-01

http://www.adcritic.com/	All Ads, All The Time	3-13-01
http://www.pantscam.com/	Alison's Pants Cam!?!?	3-13-01
http://www.fffever.com /AYB2.swf	All Your Base Are Belong To Us Find the explanation here .	3-13-01
http://www.howstuffworks.com/	Learn How Everything Works	3-13-01
http://www.bonsaikitten.com/	"Oriental art of miniature sculpture"	3-13-01
http://www.thisdayinmusic.com/	This Day In Music	3-13-01
http://www.snopes2.com/	Urban Legends Reference Pages	3-13-01
http://www.redzero.demon.co.uk /moonhoax/	Get it through your thick skull! We didn't actually land on the moon!	3-13-01
http://www.kicken.com /flash/bsbgay.swf	Real lyrics to the Back Street Boys' song	3-13-01
http://totl.net/Dating/	Does your CPU need to get out more?	3-13-01
http://www.crime.com /info/jailcam/jailcam_camera1.html	JailCam	3-13-01
http://www.schuminweb.com/	The Schumin Web	3-13-01
http://www.emode.com/	Tests, Tests, Tests	3-13-01
http://www.geocities.com /SoHo/Lofts/8981/	Weird Guys Who Write Poems	3-13-01
http://www.straightdope.com/	Fighting Ignorance Since 1973	3-13-01
http://Bonehead.Oddballs.com/	Bonehead of the Day	2-9-01

http://www.jumptheshark.com/	When did your favorite show "Jump The Shark?"	2-9-01
http://www.smalltime.com/nowhere/interactions.html	Guess the Dictator/Sit-Com Character and other "interactions"	2-9-01
http://www.whowouldyoukill.com/	Choose a sit-com and then choose a character to snuff out.	2-9-01
http://www.aintitcoolnews.com/	Ain't It Cool News	2-9-01
http://home.att.net/~toyletbowlbbs/toilets.htm	When Good Toilets Go Bad	2-2-01
http://homepage.ntlworld.com/mil.millington/things.html	Want some things to argue about?	2-2-01
http://www.urban75.com/dance/rave01.html	What dance style(s) do you use?	2-2-01
http://humor.inept.net/	Really funny images and other junk.	2-2-01
http://www.etch-a-sketch.com/html/artgallery.htm	The Etch-A-Sketch art gallery.	2-2-01
http://www.bunnyhop.com/BH5/geekguys.html	A Girl's Guide to Geek Guys	2-2-01
http://www.cnn.com/	Looks like things aren't going so good for the ol' US of A.	1-18-01
http://www.ghettoscooter.com/	Get the latest craze	1-18-01
http://www.rottentomatoes.com/games/udder/game.php	Udder Insanity	1-18-01
http://www.passthison.com/	Pass This On	1-18-01
http://www.menardsguy.com/	At Menards!	1-18-01

http://www.meatycheesyboys.com/	Just a ploy to sell more Ultimate Cheesburgers? No, I think I love these guys!	1-18-01
http://www.killercartoons.com/	Killer Cartoons? Well, at least they got the "cartoons" part right.	12-15-00
http://www.farts.com/	All kinds of fart stuff.	12-15-00
http://www.hatsofmeat.com/	The URL says it all.	12-15-00
http://www.fitzweb.com/brain teasers/index.shtml	Actually, the Wolves vs. Sheep was sent in, so try that one out.	12-15-00
http://www.bizarrenews.com/pics.html	More weird pix	12-15-00
http://www.sendoutmail.com/forward/main/main.htm	Weird pictures (you might wanna turn down your speakers)	12-15-00
http://www.joesparks.com/	Radiskull & Devil Doll	12-15-00
http://www.ericharshbarger.org/lego/	Check out the Lego Sculptures and Mosaics	12-15-00
http://www.davidblaine.com/	Dumbass or illusionist? Fine line.	11-27-00
http://www.bangable.com/	Am I Hot or Not 2???	11-27-00
http://www.despair.com/	Tons of fun Demotivators	11-27-00
http://www.crosscircuit.com/	Political Cartoons	11-27-00
http://www.merriol.freemove.co.uk/	Sock Cooking (Nice Stove) [Make sure you view the celebs after you view the main pix]	11-27-00
http://www.geocities.co.jp/Hollywood/9060/cinemas.html	More Lego Movie Action	11-27-00

http://www.oldmanmurray.com/	Some old funny man named Murray	11-27-00
http://www.michaelmoore.com/	Michael Moore's site	11-27-00
http://www.rinkworks.com/stupid/	Computer Stupidities (I particularly liked Paranioa)	11-15-00
http://www5b.biglobe.ne.jp/~mbsf/sworde.htm	Star Wars Trilogy acted out with Legos	11-15-00
http://www.amihotornot.com/	Am I Hot or Not?	11-15-00
http://www.jollydwarf.com/	Nobody does it like the Jolly Dwarfs!	11-15-00
http://www.miligram.org/	Some freaky MN raver chick	11-15-00
http://www.thespark.com/science/fat/day0.html	30 pounds, 30 days. Think you could hack it?	11-15-00
http://www.infidelitybusters.com/	Infidelity Busters will either expose him/her for the rat they are, or they'll be vindicated on the spot.	11-15-00
http://www.coachwyatt.com/tonya.html	See Tonya Harding's Community Service	10-17-00
http://www.sit.wisc.edu/~kljense3/MrTvs.html	See how Mr. T stacks up against all odds. Check out his fight against Superman .	10-17-00
http://www.virtualcrack.com/	When you care enough to send the very best (crack).	10-17-00
http://www.goldmann.com/spudgun.html	If you want a potato gun, look here.	10-17-00
http://quotes.prolix.nu/	The Quote Cache	10-17-00

http://www.stopabductions.com/	Stop Alien Abductions with the Thought Screen Helmet	10-17-00
http://www.trepan.com/	You need to visit this site like you need a hole in the head. Don't miss the sounds .	10-17-00
http://www.katbot.com/	KatBot (Very FLASHy)	9-29-00
http://sodaplay.com/constructor/index.htm	The online toy where you can build and play with things made out of masses, springs and muscles.	9-29-00
http://www.goodthink.com/\$Stablecontents.html	The \$95,093.35 adventure (I found it very interesting)	9-29-00
http://soyouwanna.com/	So, You Wanna _____ (just fill in the blank and go here)	9-29-00
http://www.robotfrank.com/	Everything you ever wanted to know about Robot Frank. Be sure to see the photo album .	9-29-00
http://www.passthison.com/sketch/?=	Sketch of your face	9-29-00
http://www.filmthreat.com/Reviews.asp?File=ReviewsOne.inc&Id=1260	Jar Jar Binks: The E! True Hollywood Story Also see the rest of FilmThreat .	9-26-00

http://www.brucehiscock.com/	Really, the only think entertaining about this one is the name of the link (which makes it an entertaining link). The person that submitted this one said, "What an unfortunate name for a children's book author." Quote from the page, "There's always something new in the big woods I want to show you."	9-26-00
http://www.yourmom.com/	At Your Mom's expense	9-26-00
http://www.stinky.com/	Stinky Artists' Collective J. Crow is probably the best one.	9-26-00
http://www.battlebots.com/	As seen on Comedy Central	9-26-00
http://www.best.com/~kfox/aoliza/	Talkin' to a bot	9-26-00
http://lightning.pwr.eng.osaka-u.ac.jp/lrg/temp/plane.html	Lightning strike triggered by a flying airplane	9-26-00
Some EBay Link	Survivor Dolls: Kelly , Rudy , Gervase , Soozin , and Richard .	8-25-00
http://www.quirked.com/distortions/	Distortions	8-25-00
http://www.gameproworld.com/gpw/channel/entertainment/article/0,1484,6311,00.html	The 50 Least Influential Movies Of All Time	8-25-00
http://www.voteauction.com/	Sell your vote. More info here .	8-25-00

http://www.f*ckedcompany.com/	"F*ckedCompany.com is a game based on the classic deadpool, but instead of betting for (or against) people, you're betting on companies."	8-25-00
http://www.computerstew.com	Computer Stew (like a talk show about internet junk). One of the shows featured the Army Men Movie . It's a must see, IMHO.	8-11-00
http://www.nofadz.com/	News???????	8-11-00
http://www.icebox.com/	All kinds of silly little animations	8-11-00
http://www.phonebashing.com/	Nostalgia: I think it's fake, but I think it's funny.	8-11-00
http://www.dumbrella.com/	Can it really be the dumbest site ever?	8-11-00
http://www.pocketpig.com/	If you took a palm pilot to all of your meals, is this what you'd get?	8-11-00
http://www.mag-sol.com/Recruit.html	Sign up to be a Unix Guru	7-31-00
http://www.supergreg.com/ http://www.rubberburner.com	Super Greg and Curry (from Buddy Lee fame). Isn't he running for president ?	7-31-00
http://drew.corrupt.net/	Some psycho dude writes about his adventures	7-31-00
http://www.theguycode.com/	"An edgy and intelligent magazine for all men"	7-31-00
http://www.shockwave.com/bin/shockwave/entry.jsp?content=napster01	Metallica vs. Napster shockwave and more	7-31-00

http://www.adcritic.com/content/fake-movie-star-wars-episode-2.html	Here's a pretty nice trailer for SW-EP2.	7-31-00
http://meat.ontap.com/	The StinkyMeat Project	7-21-00
http://www.ugo.com/channels/animation/heavy/	Behind the music that sucks	7-21-00
http://www.uselessknowledge.com/	Useless knowledge	7-21-00
http://www.lagmonster.org/stuff/lifetest.html	I've seen this on paper, before (maybe it was on e-mail).	7-21-00
http://www.emotioneric.com/	Eric conveys an emotion (after browsing a bit, try " Realizing that Your Hair Just Caught on Fire ")	7-19-00
http://www.dailywav.com/	WAV at the nice website!	7-19-00
http://www.winternet.com/~mikelr/flame1.html	Know your flamers (not gays, BTW)	7-19-00
http://www.thewerd.com/	A little rude, but somewhat funny. Check out the "Top Downloads"	7-19-00
http://remix.overclocked.org/	Remixes of your favorite arcade games' music	7-14-00
http://RF.Cx/rfc2795.html	The Infinite Monkey Protocol Suite (IMPS)	7-14-00
http://www.cat-scan.com/Old/index.html	Cat Scans, of course!	7-14-00
http://home.dal.net/anti-porn/	Anti-Gettin-NE	6-22-00
http://www.blowthedotoutyourass.com/	Some people just don't like .COM businesses.	6-22-00
http://www.dotcomfailures.com/		

http://some-really-long-link.com	Crocodile Hunter auctions! Get all the Croc Hunter memorabilia you could ever want.	6-22-00
http://www.ifilm.com/	Some funny films. Look at the left-hand bar for the top-20's. If you've seen The Matrix, don't miss " Computer Boy "	6-22-00
http://www.realworldblows.com/ http://www.survivorsucks.com/	For those who love to hate The Real World, Road Rules, and Survivor.	6-22-00
http://www.entertainment.com/pages/index.jsp	Check out " Mission: Imp "	6-22-00
http://www.pointlesswasteoftime.com/	The most important website of all time	6-12-00
http://online.offshore.com.ai/arms-trafficker/	International Arms Trafficker Training Page	6-12-00
http://www.mulletsgalore.com/	One from the Nostalgia bin: Mullets Galore	6-12-00
http://www.geocities.com/gonzogonzo_us/	This is what happens when you get WWW space, a lot of time, and learn how to steal pix from other sites.	6-12-00
http://bbspot.com/	"Download This" by Metallica and a lot of other funny stuff	6-12-00
http://totl.net/Spud/	Spud Server (who knows if it's real)	6-12-00
http://www.campchaos.com/	Parody Cartoons	5-19-00
http://www.theonion.com/onion3618/kid_rock_starves.html	Read about Kid Rock's unfortunate death. Also, The Onion has lots of other good articles.	5-19-00

http://www.magewar.com/	Sounds like PimpWar without the pimpin'.	5-19-00
http://www.denizine.com/1999/needham/	Ponce Edward plus	5-19-00
http://www.flatplanet.org/	Kerpal Prank Call and other stuff under "Miscellaneous"	5-19-00
http://www.quizbox.com/	All kinds of time-wasting quizzes.	5-19-00
http://www.uglypeople.com/	The content within the UglyPeople.com website is intended for immature audiences only.	5-19-00
http://www.go2net.com/useless/	Hey! These guys are copying me!!!	5-12-00
http://home.hiwaay.net/~lkseitz/comics/herogen/	Lee's Useless super hero generator	5-12-00
http://www.teeheehee.net/	The Comprehensive Shotgun Rules and other junk.	5-12-00
http://www.joecartoon.com/	Frog in a blender and more.	5-12-00
http://www.stickdeath.com/	Stick Death - I liked the Matrix stick death .	5-12-00
http://www.opendiary.com/	Read people's diaries. You know that you've been waiting for this since you were 8.	5-12-00
http://www.stpaul.gov/depts/police/prostitution_photos_current.html	Another sting operation. St. Paul prostitution.	5-12-00

http://www.zeropaid.com/busted/	Busted for kiddie porn. You might want to check to see if your IP is on there.	5-12-00
http://www.kimble.org/	A LOT of Flash for a superhero	5-5-00
http://embarrassedtobuy.com/	He wasn't too embarrassed to send me the link to his favorite on-line shop.	5-5-00
http://thepope.org/index.pl?node=Create+Indulgence	Once you have looked at all these other WWW sites, you may want to cleanse yourself.	5-5-00
http://www.zagat.com/help/outtakes.asp	Don't go to these restaurants	5-5-00
http://www.slitfinger.com/	NewGrounds-esque stuff	5-5-00
http://www.phobe.com/furby/	Furby Autopsy	5-5-00
http://timecube.com/	Another one from the nostalgia archives. "Nature's Harmonic Simultaneous 4-Day Time Cube"	4-27-00
http://jerky.triticom.com:8080/~erm/EntertainingLinks/ElianWazup.html	There are a lot of these "True" clips going around (like this one), but this is a good current-eventsy one. UPDATE: The link was changed. I guess the Associated Press didn't like their pictures being defaced. Well, maybe they should get a sense of humor.	4-27-00
http://www.herald.com/content/archive/entertainment/insofla/99nov28/docs/gift.htm	Dave Barry's unbearable holiday gift guide, featuring Uncle Booger's Bumper Dumper	4-26-00

http://firefly.sparse.org/~mrt/cgi-bin/t.cgi?field=flavor.8k.com/EntertainingLinks	You've got to see it to believe it, FOOL! Also, try this one with: Redneck, Jive, Cockney, Elmer Fudd, Swedish Chef, Moron, and Pig Latin. Jesusify is another one on par with Mr. T. ** New 8-11-00 ** Check out the l33tified ELinks from The l33t Surfer .	4-25-00
http://www.thesmokinggun.com/philly/philly.shtml	Tricks of the trade.	4-24-00
http://www.realhamster.com/	Nostalgia: The RealHamster, of course. (RipOff of www.RealDoll.com)	4-21-00
http://www.ananova.com/	Freaky cyber-news-punk-woman	4-21-00
http://www.fnwire.com/features/satire-jeevesinterview.html	Interview with Jeeves of AksJeeves.com fame.	4-20-00
http://www.asahi-net.or.jp/~ff4a-tky/english.htm#techniq	This guy really has "Super Techniques." He's even got animations of them.	4-20-00
http://www.jailbabes.com/	And, from the nostalgia bin. "...I don't take any B. S. I like to work with leather..."	4-18-00
http://www.fas.org/irp/overhead/groom.htm	Pictures of Area 51 (Can you see the aliens?)	4-18-00
http://www.gamerz.net/	Varius Games Via E-Mail	4-18-00
http://www.zdnet.com.au/zdnn/stories/news/0,4586,2524416,00.html	"Extreeme Overclocking" - Hot rodding for the geek types.	4-14-00

http://www.nbc.com/NBCconan/index.asp?section=actualitems	"Actual items" from Conan's site. Be sure to read a lot of them. The further you get, the funnier they are.	4-14-00
http://www.hcs.harvard.edu/%7Edemon/index.html	All kinds of wacky stuff. Find out that "Lincoln and Kennedy were actually the same man."	4-13-00
http://www.absurdgallery.com/	Gallery of absurd pictures and more.	4-13-00
http://www.newgrounds.com/	Hi-Tech comedy. All kinds of it, but mostly for killing things you hate.	4-13-00
http://trampled.net/sarah/	Disgruntled McDonald's employee.	4-13-00
http://www.blindwino.com/	"As the drawing went on, it turned out that this master's vision of my girlfriend had three nostrils, no ears, fourteen strands of hair, a chin made out of creamed corn, and a coinpurse for a mouth."	4-13-00
http://www.seanbaby.com/	Sean Baby - All around funny guy (check the news)	4-13-00
http://www.portalofevil.com/fatchicksinpartyhats/	Fat Chicks in Party Hats Featuring "Fatty Dance" and "Fatty Biker."	4-13-00
http://www.pimpwar.com/	Not funny yet, but when it gets goin', it should be a riot. UPDATE: It's up, and it is fun(ny)!!!	4-13-00

<http://jgrace.freesevers.com/josef/>

JoseF's PAGE OF
DEATH!!! My instincts
tell me it's a hoax, but
even if it is, it's damn
funny. UPDATE: [http://
www.stileproject.com/
josef/deadjosef.html](http://www.stileproject.com/josef/deadjosef.html)

4-13-00



Counter code has
changed. Please
update your code.

 **bravenet**
web services

 free counter
by bravenet 

This is **G o o g l e**'s [cache](#) of <http://www.personal.triticom.com/~erm/EntertainingLinks/> as retrieved on 5 Mar 2005 09:50:34 GMT.

G o o g l e's cache is the snapshot that we took of the page as we crawled the web. The page may have changed since that time. Click here for the [current page](#) without highlighting.

This cached page may reference images which are no longer available. Click here for the [cached text](#) only.

To link to or bookmark this page, use the following url: <http://www.google.com/search?q=cache:BtVcMooCc8gJ:www.personal.triticom.com/~erm/EntertainingLinks/+voteauction&hl=en&ie=UTF-8&client=safari>

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These search terms have been highlighted: **voteauction**

Welcome to my collection of "Entertaining Links". Ya, ya, I know it's not very professional, but who cares. It's not like I'm trying to be the funny one. I'm just showing you where to find web comedy.

At regular intervals, an automated e-mail will be sent out to notify list members of any new links that have been added to this page. **If you want to get on (or off of) the e-mail list or have an "Entertaining Link" to submit, then contact me at [emandy\(at\)triticom.com](mailto:emandy(at)triticom.com).**

Also, check out the [Flavor Forum](#) to chat about anything you want to.



<u>Entertaining Link</u>	<u>Description</u>	<u>Date Added</u>
http://www.savetoby.com/	For just pennies a day, you could help save Toby.	3-04-05
http://babynamewizard.com/namevoyager/Inv0105.html	The NameVoyager shows you some interesting historical information about popular names and displays it in a rather entertaining way.	2-17-05

https://implicit.harvard.edu/implicit/demo/selectatest.ht...	This is interesting. You might not even realize that you have prejudices towards/against or pre-conceived associations on certain topics. Now you can find out.	2-10-05
http://boingboing.net/	A directory of wonderful things.	2-08-05
http://www.puzzles.com/products/RushHour/RushHourApp.htm	Rush Hour is an actual puzzle board game that's pretty fun/challenging. Here's a web applet to pique your interest. Also see these other online versions .	1-31-05
http://www.boreme.com/	If there's a current popular video or image out on the net, these guys probably have it. Most of the top 10 are rather entertaining.	1-31-05
http://www.hackaday.com/	Geek Entertainment: It seems like they have a new hack every day, and I'm not talking about how to break into a website. It's more like how to install Linux on your iPod or how to speed up Firefox.	1-11-05
http://www.gametunnel.com/html/section-viewarticle-74.htm...	2004's Top Indie Games. Actually, some of these look pretty cool, especially if you're tired of the same ol' stuff that comes out of the major studios. More 2004 awards .	1-05-05

http://www.archive.org/movies/movies.php	I already had a previous link to archive.org, but I never realized they had pages like this. For video game geek entertainment, try the the speed runs arcive .	12-02-04
http://www.fantasymusicleague.com/	I lost a couple ELinks candidates recently when my browser crashed, so if you sent me something that I haven't posted, you may want to re-send. This link is an odd mix of fantasy football and the music industry.	12-02-04
http://www.retrocrush.com/costumes/	Halloween Costumes. Can you tell I haven't submitted my updates for a while? Also check the base site for more entertainment.	11-02-04
http://budlight.whipnet.com/	Real American Heroes and Real Men Of Genius	11-02-04
http://www.ews.uiuc.edu/~gokli/endoftheworld.swf	A nice message about global thermonuclear war.	11-02-04
http://www.ritsumei.ac.jp/~akitaoka/index-e.html	Look at all these illusions. You can find more links at the bottom. There are some pretty interesting items to be found.	9-28-04
http://www.csupomona.edu/~jelerma/springfield/index.html	The map of Springfield. You will want this just in case you ever want to see the sights in the city where "The Simpsons" is filmed.	9-14-04

http://www.pbs.org/kcts/videogamerevolution/	This website is set up around a PBS TV special, but the site is done very nicely and is rather interesting and entertaining.	9-09-04
http://www.hugi.is/hahradi/bigboxes.php?box_id=51208	With 11 pages of videos like "og mitt næsta trix" you'll be laughing for minutes (or at least seconds).	9-08-04
http://acg.media.mit.edu/people/fry/zipdecode/	Geek Entertainment: Type in the zip code and watch the map zone in on your selection.	9-01-04
http://www.eskimolabs.com/hp/listen.htm	"Harry and the Potters" is the name of the band. You guess what they sing about.	8-10-04
http://www.rockpapersaddam.com/	Saddam vs. The Judge: A showdown in RPS.	7-19-04
http://www.buildfest.com/	I guess this guy actually has a wife. I dunno if he has any kids, and with the time he spends with his toys, I'm guessing that he doesn't either. Check out the videos if you really want to get an idea of what he's up to.	7-19-04
http://www.jibjab.com/new.aspx	If you're wondering who to vote for, check out this completely objective nonpartisan video.	7-14-04
http://playlist.yahoo.com/makeplaylist.dll?id=1277881&sdm...	Why pay to see the Spiderman movie when you can see this for free?	7-14-04
http://www.sandalandsoxer.co.uk/	Sandals and Socks	7-09-04

http://www.jimmyco.net/cookie.html	Who needs those overpriced Chinese restuarants when this is free on the internet?	6-22-04
http://www.20q.net/	I'll give you 20 chances to figure out what this is about. Either that, or just one link.	6-15-04
http://www.angryalien.com/	They have whole movies that are viewable in 30 seconds re-enacted by bunnies, and if that isn't enough, they have other diversions.	6-11-04
http://www.wayoftherodent.com/pa/bs_paperarcade2.htm	If you always wanted an arcade machine to sit on your desk, then this is where you want to go. They have other stuff "Back Home," but nobody actually knows if it's entertaining.	6-11-04
http://triadfrog.home.comcast.net/index.html	TransFormers, Breakdancing, and some guys with lots of free time.	6-10-04
http://www.bash.org/	Check out the "Top 100-200" IRC quotes.	6-09-04
http://www.wingwomen.com/	Sounds like a fair theory, now where are the testimonials?	6-04-04
http://www.kokogiak.com/	Geek Entertainment: The "MegaPenny Project" was the original submission, but the rest of the site is equally entertaining.	6-02-04

http://www.ebaumsworld.com/	A good sized collection of funny stuff. In particular, I like a lot of the images (link on left side of main index).	5-27-04
http://www.noonelikesyou.net/TFT-robots/	Protesting robots handing out binary flyers and dancing to Kraftwerk. Need I say more?	5-25-04
http://www.ryano.net/iraq/?662841	Wow, I've gone global with my messages of entertainment and unity. Now, I just have to look up what that message means.	5-12-04
http://www.iusedtobelieve.com/	If you were stupid when you were young, this is the place to go to let the whole world know. Perhaps that would mean that you never outgrew the problem.	5-06-04
http://pacmanhattan.com/	When people that normally exist in the real world want to do academic research, they can work on technical things, like virtual reality. Here's what you get when the research is done by someone who's reality is typically virtual in the first place.	5-06-04
http://www.jimflorentine.com/download.htm	There's not a lot of MP3s here, but I found some to be rather amusing. Check out the "Brothers" one.	4-29-04
http://www.takeoneforthecountry.com/article.asp	Says one operation TOFTC member, "What a bunch of bay-auches! Those femi-nazis really make me mad."	4-29-04

http://www.alexchiu.com/affiliates/clickthru.cgi?id=Flavo...	It's a bit TimeCube-esque, if you ask me. Didn't I see this guy on The Daily Show once?	4-22-04
http://www.subserviantchicken.com/	A chicken that will obey your commands.	4-13-04
http://www.wackywarnings.com/	Wacky Warning Labels (and more)	4-13-04
http://www.sperare.com/spam_poetry/blogger.html	Take some e-mail SPAM and mix it with a liberal arts degree and you just might cook up some entertainment.	3-30-04
http://www.hcs.harvard.edu/~golder/dialect/maps.php	This is kinda funny. You can see what parts of the US say things in different ways.	3-29-04
http://www.avalanchetankers.us/archives/000058.html	This is probably good to read if you're considering joining the US Military. If not, it's just humorous.	3-05-04
http://www.worth1000.com/	Recipe: Take Photoshop, add some people with too much free time, stir.	3-04-04
http://www.williamhung.net/	"The #1 Website Dedicated to the Man, The Myth, The Singing and Dancing LEGEND-- William Hung!"	2-13-04
http://benjamin.francois.free.fr/artwork/gcubix/	Do you remember Sidetalkin'? Well, check the bottom of this page for screenshots of a new GameCube emulator running on all kinds of platforms.	2-12-04

http://homepage.ntlworld.com/tubby.toast/mrporkpieman/	Mr. Pork Pie Man The song says it best. "When you're feeling kinda peckish a Pork Pie is nice"	2-04-04
http://www.puzzledonkey.com	If you like puzzles, you might like Puzzle Donkey. "B.F.Skinner's work with donkeys in the forties showed that they can solve logic puzzles even faster than pigeons, though they struggle with word play due to their limited vocabulary."	1-27-04
http://www.madville.com/corporate.php?id=4	If you played arcade games in the '80s, this might drive you crazy for a while.	1-23-04
http://www.notfoolinganybody.com	I'm sure you have seen a store that obviously used to be another store. Well, check these out.	1-15-04
http://micro.magnet.fsu.edu/primer/java/scienceopticsu/po...	I accidentally did this, but I found it interesting to start completely zoomed in and then zoom out.	1-06-04
http://www.columbinepaintball.com/	See what it was like to be part of the Trench Coat Mafia, the SWAT team, or just an innocent student/faculty.	12-17-03
http://bigmouth.here-n-there.com/	Big Mouth Billy Bass hacking. Take a talking fish and make him talk (more).	12-17-03
http://jpbrown.i8.com/cubesolver.html	Geek Entertainment: A robot that solves the Rubik's Cube.	12-08-03

http://www.gotorion.com/orion/singles.php?t1=Nintendo%20P...	If you want to make paper versions of your favorite Nintendo characters, this is where you need to go for help. No, I don't mean mental help.	12-04-03
http://www.miniclip.com/heli2.htm	A cool little game where you shoot helicopters and slow down time. It's like a 2D Max Payne where all the enemies are helicopters and you jump a lot.	11-25-03
http://www.insanearcade.com/	Tons of web-based games to play (seems like quantity over quality).	11-18-03
http://www.powerstrike.net/Tehkan/mamejump.html	What do MAME and Van Halen have in common? Jump	11-18-03
http://www.419eater.com/	A great attempt to scam the scammers (and maybe SPAM the SPAMMERS). The letters archives holds some pretty amusing material.	11-17-03
http://www.bushparty.com/htms/hockeylogos.htm	The worst hockey logos shown with entertaining comments.	11-13-03
http://bfcgroup.com/helluvatough/	A site about Colt 45 and other crazy Jibber Jabber!	11-11-03
http://www.sidetalkin.com/	A tribute to the ergonomic genius that is Nokia N-Gage.	10-29-03
http://grouphug.us/	An online confessional.	10-21-03
http://www.datelinealabama.com/article/2003/03/06/3983_ar...	MacBeth + Homer Simpson = MacHomer	10-21-03

http://www.egmmag.com/article2/0,4364,1338767,00.asp	Give kids some old video games and see what they say.	10-16-03
http://www.shockwave.com/contentPlay/shockwave.jsp?id=red...	A very cool Shockwave racing game.	10-15-03
http://www.the-underdogs.org	I probably should have added this link years ago. The site is full of old games that you can download for free. They call it "abandonware" because nobody seems to care about 'em, but there are great titles now living in the Home Of The Underdogs.	10-13-03
http://www.railroadtycoon3.com/rt3/uk/downloads.html	Ever play "Pipe Mania" or "Pipe Dreams?" If so, you'll probably like this game that you can download or play right on the web page.	10-10-03
http://www.terrawind.com/	"The world's first luxury Amphibious Motor Coach / Yacht" is odd.	10-07-03
http://www.puzzlepirates.com/	Massively Multiplayer Online Role-[ERRR] Puzzle-Playing Game. This is a pretty good game for puzzle lovers. I'm not sure if it's free anymore, though.	10-07-03
http://www.freshsensation.com/samorost.swf	A nifty game. You will have to click around to figure it out.	10-07-03
http://ant.digitaldonkey.com/dir.php?path=games	Some classics (like International Karate Plus and Mario Bros) that you can play online.	10-07-03

http://jet.ro/dismount/	Oh yeah, I'm back in the game after a 5+ month hiatus! Try Truck Dismount. Disturbingly hilarious!	10-07-03
http://www.ntv.co.jp/channel/kasoh/	The top one is Ping-Pong Matrix style. I also liked the "2002.9.20" Basketball clip.	10-07-03
http://www.try2hack.nl/	Learn to become a hacker! Then maybe you can attract girls like Angelina Jolie.	10-07-03
http://www.dyson.co.uk/game/play.asp	This is a pretty slick puzzle game along the same lines of Reflections.	10-07-03
http://www.cybermoonstudios.com/flashm.html	Check out the 8 - Bit Reenactment of Dungeons and Dragons.	4-25-03
http://www.b0g.org/	I found this URL today and they had the same Iraqi Information Minister link that I posted earlier. Thus, it must be an entertaining site!	4-16-03
http://www.welovetheiraqiinformationminister.com/	He fights for truth, justice, and then flees the country. That's why we love the Iraqi (dis)Information Minister.	4-16-03
http://www.silencethemusical.com/	Silence Of The Lambs: The Musical	4-14-03
http://gulwardrinkinggame.com/	The Gulf War Drinking Game of course	4-01-03
http://www.thereverend.com/brick_testament/	What do you get when you mix Legos, the Bible, a camera, and lots of free time?	4-01-03

http://www.protestwarrior.com/	War Has Never Solved Anything (except for ending slavery, fascism, nazism, and communism)	4-01-03
http://mr-31238.mr.valuehost.co.uk/assets/Flash/psychic.s...	It can read your mind! I can, too! I can tell that you're about to go to the URL!	3-18-03
http://www.tensecondfilms.com/view.php	It doesn't take long to decide if the film sucks or not. Try searching for "Lightning Test," "Idiot," and "School Fight Turns Deadly."	3-12-03
http://www.orton.demon.co.uk/ff/cpp_interview.html	Is this for real? Well, at least this seems to indicate it's a hoax.	3-07-03
http://www.mchawking.com/	"your ultimate resource for information about Stephen Hawking the gangsta rapper"	2-25-03
http://www.japander.com/	"a western star who uses his or her fame to make large sums of money in a short time by advertising products in Japan"	2-05-03
http://www.ideatown.com/rc/av.html	"America's Loudest Lounge Singer Croons Vegas Versions Of The Hits" like Baby Got Back and Chop Suey.	1-28-03
http://www.britta.com/mystery/Trek/	How To Host a (WEIRD) Mystery	1-27-03
http://maddox.xmission.com/	How to stick it to the junk mailers and other great ideas.	1-24-03

http://www.gasbgon.com/	"Clear the air, not the room." "GasBGon has been designed and tested to absorb the odor and sound of flatulence."	1-17-03
http://www3.hmc.edu/~bgreer/barmonkey/	Why hire an expensive bartender for your frat-party when you can have The Bar Monkey? Oh, except for the fact that frats just serve cheap beer. Nonetheless, The Bar Monkey is every alcoholic geek's dream machine.	1-14-03
http://www.yellowbamboo.com/	The videos (on the left) are entertaining, but the overall idea is rather absurd.	1-10-03
http://www.drunkstunts.com/videos/Diesel1.wmv	A video of Vin Diesel as you probably have never seen him. Here's another one , if you care.	1-03-03
http://www.silverspaceship.com/chromatron/	It's a lot like Reflections but with colors.	1-02-03
http://www.uq.edu.au/education/extra/all.html	"My computer was making a strange hissing noise last night."	12-13-02
http://www.tenthplanet.net/shfi/shfifram.htm	Some pretty short video clips. Most of 'em are from MTV award shows.	12-11-02
http://www.ilovebacon.com/	Funny pictures of real stuff. Check the archives, too.	12-09-02

http://www.blackpeopleloveus.com/	For some odd reason black people seem to love Sally and Johnny. What's even more odd is the website that they made about that fact.	12-03-02
http://www.googlefight.com/	You can pick a fight and see who wins! Obviously I'm a lightweight!	11-27-02
http://www.joeego.com/multilevelmoves/videos.htm	This guy has got crazy moves!	11-22-02
http://www.brunching.com/cyborger.html	The IT industry must be getting back on track because we've had lots of updates this week. Hasn't been good since the industry started falling off. Anyway, check out the rest of the site too.	11-22-02
http://www.museumofhoaxes.com/	The Museum Of Hoaxes	11-21-02
http://yoga.tripod.co.jp/flash/kikkomaso.swf	It's Kikkoman! Reminds me of Mr. Sparkle!	11-19-02
http://www.lipsons.pwp.blueyonder.co.uk/lego.htm	Some really cool LEGO creations. Be sure to scroll down to the M.C. Escher renderings.	11-19-02
http://forums.fark.com/cgi/fark/comments.pl?IDLink=356270...	All kinds of doctored up product ads.	11-19-02
http://anomalies-unlimited.com/Jackson.html	Michael Jackson's poor face. Check out the rest of the http://www.anomalies-unlimited.com/ site, too.	11-15-02
http://holdthebutton.com/	Just what it sounds like.	11-12-02

http://www.candystand.com /games/cn_shock_cnwb.htm?	Wiffle Ball and other games.	10-29-02
http://www.digitalgridiron.com /MovieQuiz%20.xls	A fun (and funny) movie test, but it's in Microsoft Excel format.	10-25-02
http://www.xs4all.nl /~egbg/counterscript.html	Beat the telemarketers at their own game with the Anti-Telemarketing Counter Script.	10-16-02
http://www.popcap.com /gamepopup.php?theGame=wordshark	Fun and educational typing game.	10-04-02
http://www.minca.cz /suzuki/	Some people will do anything to get their own swimming pool, though I don't know why they'd think a car is a good pool toy.	10-04-02
http://www-bcs.mit.edu /people/adelson/checkershadow_illus...	It's for real, but don't take my word for it. Open it up in your favorite paint program.	10-04-02
http://www.hellonetwork.com /demo/toysclub/video.asp?speed...	He should have stuck to driving Kit.	10-04-02
http://www.colorpilot.com /404.shtml	404 File Not Found	10-02-02
http://www.worldrps.com/	"The World RPS Society is dedicated to the promotion of Rock Paper Scissors as a fun and safe way to resolve disputes."	9-13-02
http://www.ugcs.caltech.edu /~almccon/pop_soda/	The Great Pop vs. Soda Controversy	9-13-02
http://64.71.146.8 /index.php? game_destination=reflex_2&us...	A very twitchy java game where you shoot targets.	9-10-02

http://www.slipups.com/	Slip-Ups in movies, TV, books, and quotes. Kinda interesting if you can get past the annoying pop-up ads.	9-06-02
http://www.speedstacks.com/qt_lg.html	Welcome to the exciting world of competitive Cup Stacking.	9-05-02
http://www.circlemakers.org/totc2002.html	The best crop circles of the year can be found at "Top Of The Crops 2002".	9-05-02
http://www.theoldcomputer.com/Library's/tv_adverts_summa...	Retro computing TV commercials featuring Atari, Colecovision, Intellivision, and more.	9-05-02
http://home.attbi.com/~andy0058/	The Story Of Andy L's Computer	8-30-02
http://www.rathergood.com/	There are some really messed up videos here. After you get through the messed up ones, you can finally move on to the really really messed up ones.	8-29-02
http://www.geocities.com/krillbeniggaz/	White guys, cars, and fake ebonics. Oh yizzah!	8-19-02
http://wgz.8k.com/	It muz B yo lucky dizzay, 'cuz you gotz a dubble dose of wigger action today. FO' REAL, YO!	8-19-02
http://www.danielwood.com/beer.php	Take the Beer Quiz!	8-14-02
http://www.4degrez.com/misc/personality_disorder_test.mv...	Find out if you have a personality disorder.	8-13-02

http://members.attcanada.ca/~calico/knit02.htm	If you have a penguin that needs a sweater, here's how to make one.	8-06-02
http://www.google.com/googlegroups/archive_announce_20.ht...	Geek Entertainment: Take a "trip back to the golden age of Usenet."	8-02-02
http://www.stinkfactor.com/challenges.cfm	Eating disgusting junk.	8-01-02
http://www.rezin69.com/games.htm	Playable online arcade machines.	7-22-02
http://www.ratemykitten.com/	Feline fun for the whole family.	7-18-02
http://www.actionsquad.org/underground.html	Tales of sneaking around in tunnels and such. Check out the main page for more.	7-18-02
http://www.jurjans.lv/stuff/net/FreeNet.htm	A game which isn't like Reflections but is at the same time.	7-10-02
http://www.fazed.net/humor/misc/flash/exuberance.swf	Yatta	7-10-02
http://www.origamiboulder.com/	Buy yourself a nice origami boulder. You deserve it.	7-08-02
http://www.legodeath.com/	Faces Of (Lego) Death	6-26-02
http://www.yesterdayland.com/	A bit of nostalgia for you.	6-25-02
http://home.pacbell.net/rds33/best_photos/index.html	A collection of humorous pictures.	6-19-02
http://www.whatsbetter.com/	Some of the match-ups are hilarious! Pick the best of 2 items.	6-13-02

http://members.cox.net /~msmith1015/Animations.htm	Check out the VW Bug. There's definitely something "more than meets the eye" going on there!	6-12-02
http://www.personal.triticom.com /~erm/EntertainingLinks/W...	Geek Entertainment: Write Only Memory (WOM) Specification	5-31-02
http://intuitor.com /moviephysics/index.html	Insultingly Stupid Movie Physics	5-30-02
http://www.freshpulp.com /fishtank/fishtank.html	A nifty little fishtank game, though it seems to take a really long time to get anywhere in the game.	5-29-02
http://www.fiftythree.org /watertower/	In life, there is an endless struggle between good and evil. Nowhere is this more apparent than in watertowers. Don't miss the rest of the 53 website .	5-22-02
http://www.esu.lt /andrius/	Meet the rabbit, but don't let him grab your mouse pointer!	5-20-02
http://www.weeklystandard.com /Content/Public/Articles/000...	"Everything you think you know about Star Wars is wrong."	5-17-02
http://www.ejoa.com /911/	Some spooky Nostradamus stuff goin' on with the \$20 bill!	5-17-02
http://www.movie-mistakes.com/	User submitted mistakes in movies. It seems that Spiderman is a hot one!	5-08-02
http://skop.com /brucelee/index.htm	"The UltraInteractive KungFu-ReMixer"	5-07-02

http://www.subatomicstudios.com/holo.html	I can think of only one word to describe this, "LOL!" Here's the meaning of the word .	5-01-02
http://www.pbo.jp/	Puzzle Bobble (aka Bust-A-Move) is a cool game that you can now play online. You might need to read these instructions , because the site is in Japanese.	4-17-02
http://www.geocities.com/CapitolHill/Congress/6425/surviv...	The "Prison Survival Guide." It's not really humor, but I found it interesting and entertaining to read.	4-15-02
http://www.whitetrashworld.com/	White Trash World - Really, what more can I say?	4-15-02
http://mohsye.com/enter.htm	A bunch of little games to play.	4-12-02
http://www.the-diatrabe.com/	"Funny stories of stupid people doing stupid things"	4-05-02
http://sub-zero.mit.edu/~rhett/	Video of the MIT Timecube debate.	3-29-02
http://www.interactiveunderwear.com/	This is really odd, but if you want to send underwear to someone so that they can model it for you, then this is the link for you!	3-28-02
http://www.britneyunderground.com/	"Britney Underground takes you on a tour of poignant urban artistry in a time of crisis."	3-25-02
http://www.newsoftheweird.com/	News Of The Weird	3-18-02

http://gscentral.net/larsen.htm	Winning the Big Bucks on Press Your Luck! Don't miss the rest of Game Show Central , and check out a review of the Press Your Luck movie script .	3-13-02
http://www.neopets.com/	"The greatest Virtual Pet Site on the Internet."	3-01-02
http://www.botbattle.com/	Wow, this looks dumb at first, but you get to program your own bot and then battle it against other bots. Definitely geek entertainment!	3-01-02
http://www.witcity.com/	"Where Funny=Good." Check out the ENRON call .	2-21-02
http://www.homestarrunner.com/	All kinds of fun diversions!	2-20-02
http://www.angelfire.com/tv2/bencurtisrocks/	A little over the top, but it's a shrine to the Dell commercial guy.	1-31-02
http://www.readymademag.com/feature.html	"How To Seem Smarter" is the current feature article.	1-28-02
http://www.essbasetools.com/instest.htm	The insanity test.	1-16-02
http://www.homepromotions.net/Tehkan/mamestory.swf	The MAME Story	1-15-02
http://www.bol.ucla.edu/~rahjr79/ninja.htm	"Hi, this site is all about ninjas, REAL NINJAS. These guys are cool; and by cool, I mean totally sweet."	1-10-02
http://www.fileoday.com/	Murphy's laws about all kinds of junk.	1-04-02

http://www.icyhotstunta.com/	The "Icy Hot Stuntaz" of course. You can get more over at http://www.straightballin.gq.nu/ .	12-10-01
http://www.eecis.udel.edu/~masterma/GuideToGeekGirls.html...	Guy's Guide To Geek Girls (A response to "A Girl's Guide To Geek Guys")	12-05-01
http://www.restrooms.org/	Restrooms of the Future	12-05-01
http://www.pimphats.com/	Get your pimp gear here.	12-05-01
http://www.touristguy.com/	Tourist guy (AKA Danger Boy) has been found.	12-05-01
http://www.psychedelicrepublicans.com/	"Learn all about your favorite G.O.P. superstars while you watch them defend America live every week on C-SPAN!"	12-05-01
http://www.ricecop.com/	More crappy car modifications. You can even buy (or print) official RICECOP tickets to give to offenders.	12-04-01
http://www.input-entertainment.de/laser/	Use the laser to light the lights. What could be easier?	12-04-01
http://www.molestedcars.com/	A Molested Car is one that "has been modified in ways that do not enhance the vehicle in any way."	11-30-01
http://www.theatlantic.com/issues/2000/09/fallows.htm	An article about the glorius Tommy Mischke. You've just got to listen to this one .	11-20-01
http://spiritonin.com/interactive/games/	Some funny little games. Cyborg Hefers and Mad Shark are pretty good!	11-20-01

http://www.lawnmowerassociation.org/counter.php	Torturing the Taliban.	11-16-01
http://title.flywheel.org/	If you need a title (like for a job application or something), here's the place to get it.	11-13-01
http://www.vectorlounge.com/04_amsterdam/jam/flamjam.html...	Spank the Monkey! Try to beat 848. That's the MPH that the submitter got. UPDATE: I got sent a screenshot of a 925. Now, that's some fast spankin'!	11-10-01
http://web.archive.org/	A time machine for the internet! Entertaining, and useful.	11-08-01
http://homepage.mac.com/jcarusone/iMovieTheater2.html	Steve Ballmer makes his music video debut as "Monkey Boy!" It's a catchy tune, but the lyrics are very complex. If you need to know the words, check out this lyrics sheet .	11-08-01
http://www.iconsfindustry.org/touristguy/flash/	This is sad and funny at the same time. Mr. Tourist (Hoax) Guy does All Your Base.	11-07-01
http://www.evolver.co.uk/wayofthestick.html	Way Of The Exploding Stick	11-06-01
http://www.asciimation.co.nz/beer/	Some blokes will go to great lengths to have a cold one.	11-01-01
http://www.lego.com/build/junkbot/junkbot.asp	More Lego fun. This one is pretty cool, even though Opera didn't like it.	10-29-01

http://www.madblast.com/	So many people kept sending in the Bin Laden Has Nowhere To Run link that I finally had to add it	10-25-01
http://kesseret.tripod.com/	"ePimps` are any person or thing that displays their body, possessions, and hobbies in such a manner as to attract the opposite or same sex."	10-25-01
http://www.liquidcode.org/worm.html	A silly little worm game.	10-24-01
http://www.chriswetherell.com/hobbit/	You have a secret name. Discover it.	10-23-01
http://www.stileproject.com/mario.html	Mario Twins (kinda like the old Nintendo game)	10-16-01
http://www.terroristornot.com/	Do you think you know terrorists? Well, head over to this page and submit your votes.	10-15-01
http://www.claws-and-paws.com/thundercats/tcats4.mp3	Thundercats outtakes.	10-15-01
http://evil-guide.tripod.com/	"A Step-by-Step Guide to joining the Forces of Darkness"	10-08-01
http://www.madblast.com/oska/humor_warnings.swf	Warnings about the consumption of alcohol.	10-08-01
http://www.dictionaraoke.com/	This is nutz!!! "...parodies of popular songs using karaoke-style backing music with vocals provided by audio pronunciation samples from online dictionaries."	10-01-01

http://www.lego.com/studios/screening/	Lego movies. I just wish they were longer.	10-01-01
http://www.psychtests.com/	"If you're looking for a test, you've come to the right place."	9-26-01
http://www.bigidea.com/penguins/kids/k_spacedpenguin.htm	The Spaced Penguin	9-26-01
http://www.miniclip.com/	More distractions	9-20-01
http://www.weaselcircus.com/	Games and other distractions	9-20-01
http://www.somethingawful.com/spam/	Modern-Day Jerky Boys?	9-14-01
http://www.actsofgord.com/page3.html	The Gord Annoyances	9-14-01
http://www.jonathonrobinson.com/secret.html	The Terrible Secret Of Space	9-10-01
http://www.angelfire.com/indie/christx/tftl.html	Tales for the L33T!	9-06-01
http://www.hotskatinggrandma.com/	Hot Skating Grandma	9-06-01
http://128.241.244.96/portal/uploads/27000/27549_winrg.sw...	WindowsRG (Really Good edition)	8-22-01
http://www.geocities.com/chenrich/Commercials/Commercials...	Music from TV Commercials	8-17-01
http://www.english.com/	For best lucky website English is exceeding.	8-16-01
http://www.humanclock.com/	A clock with a human element to it.	8-13-01
http://www.cutoffmyfeet.com/	"...watch me amputate my legs with a homemade guillotine..."	8-13-01

http://www.steve.nave.com/Pingis/Pingis.html	Like the old game, Pong, but with a Ping to it.	8-10-01
http://www.electrotank.com/	Online gaming. Be sure to check Mini Golf .	8-07-01
http://www.selectsmart.com/	"Decision-making based upon your preferences."	8-02-01
http://www.card1004.com/card/bsjj/53.swf	A little Bruce Lee action for ya.	8-01-01
http://www.humanforsale.com/	"Ever wonder how much money you could get on the open human market?"	8-01-01
http://www.whowouldbuythat.com/	When you need to find a gift for that special someone.	8-01-01
http://www.angelfire.com/ak2/sid/	Iggy's Pimp O' Rama with "Mullet Dating" and more	7-27-01
http://www.rollochan.com/funny/xiaoxiao.swf	Stick Shooting Bonanza (Mouse To Shoot, Space To Reload)	7-27-01
http://www.ducktapeclub.com/prom/vote_ballot.asp	The Duck Tape Club presents "Stuck At Prom"	7-10-01
http://www.clearfour.com/condiment/	The Condiment Packet Museum	7-09-01
http://www.armchair.mb.ca/~scissors/	Scissor Jamming	7-06-01
http://www.rapdict.org/terms/a	The Rap Dictionary	7-05-01
http://www.lileks.com/institute/	Including such greats as the Art of Art Frahm and the Orphanage of Cast-Off Mascots	7-03-01

http://www.plastelina.net/examples/games/index.html	Nifty little computer-geek games	7-02-01
http://www.furnitureporn.com/	Furniture Porn	6-29-01
http://www.geocities.com/BITCHINLEGALHIGHS2/	Legal Highs	6-28-01
http://www.fetusx.com/	Comic strips and other wackiness	6-27-01
http://www.americasline.com/2001odds.html	Odds To Occur By 2010	6-27-01
http://paninimishap.com/	Weird humor, and it's local (for most of you)	6-27-01
http://www3.tky.3web.ne.jp/~edjacob/nasubi.html	"Nasubi was on his own in his unique survival challenge."	6-15-01
http://www.mightybigtv.com/story.cgi?show=56&story=1752	10 Worst Sit-Coms, ever	6-15-01
http://www.vectorpark.com/	Just stay and play a while.	6-15-01
http://www.mtn.org/quack/welcome.htm	The Museum of Questionable Medical Devices Online	6-15-01
http://www.nobodyhere.com/justme/nose.html	This isn't quite right.	6-15-01
http://grc.com/dos/grcdos.htm	Very much geek entertainment, but I found it entertaining.	6-15-01
http://www.findarticles.com/m1111/n1782_v297/21281407/p1/article.jhtml	Interesting read about the "radioactive boy scout."	6-15-01
http://www.asciimation.co.nz/	If you liked Star Wars, you might like this.	6-15-01
http://www.flowbee.com/	It sure does suck!	6-15-01

http://www.menwholooklikekennyrogers.com/	The URL says it all.	6-15-01
http://www.flypower.com/	The FlyPower Model airplane Kit and The Ant Bracelet	6-15-01
http://www.wasarrested.com/	Arrest a friend and send them their own URL. After you figure it out, check out the hate mail.	6-15-01
http://www.dancingpaul.com/	THE definitive cyber dancing site!	5-9-01
http://www.thespark.com/	All kinds of odd junk. Check out the Tests and Stinky stuff.	5-9-01
http://www.blumpy.org/	A bunch of "don't try this at home" videos.	5-9-01
http://www.stevesbackyardboxing.org/	If you dig deep enough, you can find footage of the fights.	5-9-01
http://www.sneakyleaker.com/	Why wait in line or pay someone to use your God Given right?	5-9-01
http://www.zombo.com/	Welcome to Zombo-Com (you need sound)	5-9-01
http://www.billjonas.com/pub/compression.html	Geek Entertainment: The \$5000 Compression Challenge	5-9-01
http://www.dailyradar.com/features/directhit_feature_page_1941_1.html	20 Gnarliest Torture Devices of All Time	5-9-01
http://www.highschoolalumni.com/	Well, you have to register if you want to see your HS Alum, but it might be worth it.	5-9-01

http://antonmaiden.eu.org/amaiden.html	Nostalgia Bin: Anton Maiden (Listen to the awesome MP3s and see him in action.)	5-9-01
http://www.sfdt.com/flash/Fights/	More sticks fighting.	5-9-01
http://www.ecf.toronto.edu/~ha/fight.swf	If you like stick figure fighting, you HAVE to see this.	4-18-01
http://www.engineering.uiowa.edu/~bgelfand/hoboball/intro.html	HoboBall	4-18-01
http://www.delphion.com/gallery/	Gallery of Obscure Patents (check out the Archive)	4-18-01
http://www.morons.org/	Threatening the American Family	4-18-01
http://www.i-mockery.com/	Twisted, Cynical, Sarcastic, Evil, Odd, Humor to soothe the soul!	4-18-01
http://www.amused.com/amusements/index.php	All kinds of garbage. This link was actually the link that was sent in.	4-18-01
http://www.kissthisguy.com/	The Archive of Misheard Lyrics	4-18-01
http://yourcoffin.com/	Check out the 101 uses.	4-18-01
http://www.tv4.se/lattjo/kojan/bilbanan.asp	This is WAY cool! Build the track and race the bird.	4-18-01
http://eugenemirman.com/	Whoa. That's odd.	4-18-01
http://www.pe.net/~koobie/GBA.html	Proper GameBoy Advance usage	4-18-01
http://www.besttoilets.com/	The place to go before you have to	4-18-01

http://home.earthlink.net/~zefrank/invite/swfs/navigation.html	Dance instruction	4-18-01
http://flavor.8k.com/EntertainingLinks/Airport/	Here's one that I converted from a Word DOC, but it had to be done.	3-28-01
http://www.manbeef.com/	Catering to the sophisticated human meat consumer	3-28-01
http://www.strangerinyourbed.com/	"Am I Hot Or Not" with a twist	3-28-01
http://www.badhaiku.com/	The title is obvious enough.	3-28-01
http://www.psychoexgirlfriend.com/	It's all about the voice mail .	3-28-01
http://formen.ign.com/news/32236.html	Hardcore TV. Be sure to check the archives of past shows.	3-28-01
http://www.drivenbyboredom.com/	Bored As Hell, And I Wanna Get Ill (Check out his EBay auctions page)	3-28-01
http://www.trailervision.com/	Trailers for movies that don't exist	3-28-01
http://www.modifyme.com/	Rather neat little app. Turn the sound up.	3-28-01
http://thingsihate.org/	Ranting.	3-28-01
http://www.twistedhumor.com/	I wasn't too impressed, but it could be entertaining for some.	3-28-01
http://www.modernhumorist.com/	Check out the Archive .	3-28-01
http://interactive.wsj.com/public/resources/documents/dotcomlayoffs.htm	DotCom Layoffs	3-28-01
http://amiallyourbaseornot.com/	You decide.	3-28-01

http://www.adcritic.com/	All Ads, All The Time	3-13-01
http://www.pantscam.com/	Alison's Pants Cam!?!?	3-13-01
http://www.fffever.com /AYB2.swf	All Your Base Are Belong To Us Find the explanation here .	3-13-01
http://www.howstuffworks.com/	Learn How Everything Works	3-13-01
http://www.bonsaikitten.com/	"Oriental art of miniature sculpture"	3-13-01
http://www.thisdayinmusic.com/	This Day In Music	3-13-01
http://www.snopes2.com/	Urban Legends Reference Pages	3-13-01
http://www.redzero.demon.co.uk /moonhoax/	Get it through your thick skull! We didn't actually land on the moon!	3-13-01
http://www.kicken.com /flash/bsbgay.swf	Real lyrics to the Back Street Boys' song	3-13-01
http://totl.net/Dating/	Does your CPU need to get out more?	3-13-01
http://www.crime.com /info/jailcam/jailcam_camera1.html	JailCam	3-13-01
http://www.schuminweb.com/	The Schumin Web	3-13-01
http://www.emode.com/	Tests, Tests, Tests	3-13-01
http://www.geocities.com /SoHo/Lofts/8981/	Weird Guys Who Write Poems	3-13-01
http://www.straightdope.com/	Fighting Ignorance Since 1973	3-13-01
http://Bonehead.Oddballs.com/	Bonehead of the Day	2-9-01

http://www.jumptheshark.com/	When did your favorite show "Jump The Shark?"	2-9-01
http://www.smalltime.com/nowhere/interactions.html	Guess the Dictator/Sit-Com Character and other "interactions"	2-9-01
http://www.whowouldyoukill.com/	Choose a sit-com and then choose a character to snuff out.	2-9-01
http://www.aintitcoolnews.com/	Ain't It Cool News	2-9-01
http://home.att.net/~toyletbowlbbs/toilets.htm	When Good Toilets Go Bad	2-2-01
http://homepage.ntlworld.com/mil.millington/things.html	Want some things to argue about?	2-2-01
http://www.urban75.com/dance/rave01.html	What dance style(s) do you use?	2-2-01
http://humor.inept.net/	Really funny images and other junk.	2-2-01
http://www.etch-a-sketch.com/html/artgallery.htm	The Etch-A-Sketch art gallery.	2-2-01
http://www.bunnyhop.com/BH5/geekguys.html	A Girl's Guide to Geek Guys	2-2-01
http://www.cnn.com/	Looks like things aren't going so good for the ol' US of A.	1-18-01
http://www.ghettoscooter.com/	Get the latest craze	1-18-01
http://www.rottentomatoes.com/games/udder/game.php	Udder Insanity	1-18-01
http://www.passthison.com/	Pass This On	1-18-01
http://www.menardsguy.com/	At Menards!	1-18-01

http://www.meatycheesyboys.com/	Just a ploy to sell more Ultimate Cheesburgers? No, I think I love these guys!	1-18-01
http://www.killercartoons.com/	Killer Cartoons? Well, at least they got the "cartoons" part right.	12-15-00
http://www.farts.com/	All kinds of fart stuff.	12-15-00
http://www.hatsofmeat.com/	The URL says it all.	12-15-00
http://www.fitzweb.com/brain teasers/index.shtml	Actually, the Wolves vs. Sheep was sent in, so try that one out.	12-15-00
http://www.bizarrenews.com/pics.html	More weird pix	12-15-00
http://www.sendoutmail.com/forward/main/main.htm	Weird pictures (you might wanna turn down your speakers)	12-15-00
http://www.joesparks.com/	Radiskull & Devil Doll	12-15-00
http://www.ericharshbarger.org/lego/	Check out the Lego Sculptures and Mosaics	12-15-00
http://www.davidblaine.com/	Dumbass or illusionist? Fine line.	11-27-00
http://www.bangable.com/	Am I Hot or Not 2???	11-27-00
http://www.despair.com/	Tons of fun Demotivators	11-27-00
http://www.crosscircuit.com/	Political Cartoons	11-27-00
http://www.merriol.freemove.co.uk/	Sock Cooking (Nice Stove) [Make sure you view the celebs after you view the main pix]	11-27-00
http://www.geocities.co.jp/Hollywood/9060/cinemas.html	More Lego Movie Action	11-27-00

http://www.oldmanmurray.com/	Some old funny man named Murray	11-27-00
http://www.michaelmoore.com/	Michael Moore's site	11-27-00
http://www.rinkworks.com/stupid/	Computer Stupidities (I particularly liked Paranioa)	11-15-00
http://www5b.biglobe.ne.jp/~mbsf/sworde.htm	Star Wars Trilogy acted out with Legos	11-15-00
http://www.amihotorot.com/	Am I Hot or Not?	11-15-00
http://www.jollydwarf.com/	Nobody does it like the Jolly Dwarfs!	11-15-00
http://www.miligram.org/	Some freaky MN raver chick	11-15-00
http://www.thespark.com/science/fat/day0.html	30 pounds, 30 days. Think you could hack it?	11-15-00
http://www.infidelitybusters.com/	Infidelity Busters will either expose him/her for the rat they are, or they'll be vindicated on the spot.	11-15-00
http://www.coachwyatt.com/tonya.html	See Tonya Harding's Community Service	10-17-00
http://www.sit.wisc.edu/~kljense3/MrTvs.html	See how Mr. T stacks up against all odds. Check out his fight against Superman .	10-17-00
http://www.virtualcrack.com/	When you care enough to send the very best (crack).	10-17-00
http://www.goldmann.com/spudgun.html	If you want a potato gun, look here.	10-17-00
http://quotes.prolix.nu/	The Quote Cache	10-17-00

http://www.stopabductions.com/	Stop Alien Abductions with the Thought Screen Helmet	10-17-00
http://www.trepan.com/	You need to visit this site like you need a hole in the head. Don't miss the sounds .	10-17-00
http://www.katbot.com/	KatBot (Very FLASHy)	9-29-00
http://sodaplay.com/constructor/index.htm	The online toy where you can build and play with things made out of masses, springs and muscles.	9-29-00
http://www.goodthink.com/\$Stablecontents.html	The \$95,093.35 adventure (I found it very interesting)	9-29-00
http://soyouwanna.com/	So, You Wanna _____ (just fill in the blank and go here)	9-29-00
http://www.robotfrank.com/	Everything you ever wanted to know about Robot Frank. Be sure to see the photo album .	9-29-00
http://www.passthison.com/sketch/?=	Sketch of your face	9-29-00
http://www.filmthreat.com/Reviews.asp?File=ReviewsOne.inc&Id=1260	Jar Jar Binks: The E! True Hollywood Story Also see the rest of FilmThreat .	9-26-00

http://www.brucehiscock.com/	Really, the only think entertaining about this one is the name of the link (which makes it an entertaining link). The person that submitted this one said, "What an unfortunate name for a children's book author." Quote from the page, "There's always something new in the big woods I want to show you."	9-26-00
http://www.yourmom.com/	At Your Mom's expense	9-26-00
http://www.stinky.com/	Stinky Artists' Collective J. Crow is probably the best one.	9-26-00
http://www.battlebots.com/	As seen on Comedy Central	9-26-00
http://www.best.com/~kfox/aoliza/	Talkin' to a bot	9-26-00
http://lightning.pwr.eng.osaka-u.ac.jp/lrg/temp/plane.html	Lightning strike triggered by a flying airplane	9-26-00
Some EBay Link	Survivor Dolls: Kelly , Rudy , Gervase , Soozin , and Richard .	8-25-00
http://www.quirked.com/distortions/	Distortions	8-25-00
http://www.gameproworld.com/gpw/channel/entertainment/article/0,1484,6311,00.html	The 50 Least Influential Movies Of All Time	8-25-00
http://www.voteauction.com/	Sell your vote. More info here .	8-25-00

http://www.f*ckedcompany.com/	"F*ckedCompany.com is a game based on the classic deadpool, but instead of betting for (or against) people, you're betting on companies."	8-25-00
http://www.computerstew.com	Computer Stew (like a talk show about internet junk). One of the shows featured the Army Men Movie . It's a must see, IMHO.	8-11-00
http://www.nofadz.com/	News???????	8-11-00
http://www.icebox.com/	All kinds of silly little animations	8-11-00
http://www.phonebashing.com/	Nostalgia: I think it's fake, but I think it's funny.	8-11-00
http://www.dumbrella.com/	Can it really be the dumbest site ever?	8-11-00
http://www.pocketpig.com/	If you took a palm pilot to all of your meals, is this what you'd get?	8-11-00
http://www.mag-sol.com/Recruit.html	Sign up to be a Unix Guru	7-31-00
http://www.supergreg.com/ http://www.rubberburner.com	Super Greg and Curry (from Buddy Lee fame). Isn't he running for president ?	7-31-00
http://drew.corrupt.net/	Some psycho dude writes about his adventures	7-31-00
http://www.theguycode.com/	"An edgy and intelligent magazine for all men"	7-31-00
http://www.shockwave.com/bin/shockwave/entry.jsp?content=napster01	Metallica vs. Napster shockwave and more	7-31-00

http://www.adcritic.com/content/fake-movie-star-wars-episode-2.html	Here's a pretty nice trailer for SW-EP2.	7-31-00
http://meat.ontap.com/	The StinkyMeat Project	7-21-00
http://www.ugo.com/channels/animation/heavy/	Behind the music that sucks	7-21-00
http://www.uselessknowledge.com/	Useless knowledge	7-21-00
http://www.lagmonster.org/stuff/lifetest.html	I've seen this on paper, before (maybe it was on e-mail).	7-21-00
http://www.emotioneric.com/	Eric conveys an emotion (after browsing a bit, try " Realizing that Your Hair Just Caught on Fire ")	7-19-00
http://www.dailywav.com/	WAV at the nice website!	7-19-00
http://www.winternet.com/~mikelr/flame1.html	Know your flamers (not gays, BTW)	7-19-00
http://www.thewerd.com/	A little rude, but somewhat funny. Check out the "Top Downloads"	7-19-00
http://remix.overclocked.org/	Remixes of your favorite arcade games' music	7-14-00
http://RF.Cx/rfc2795.html	The Infinite Monkey Protocol Suite (IMPS)	7-14-00
http://www.cat-scan.com/Old/index.html	Cat Scans, of course!	7-14-00
http://home.dal.net/anti-porn/	Anti-Gettin-NE	6-22-00
http://www.blowthedotoutyourass.com/	Some people just don't like .COM businesses.	6-22-00
http://www.dotcomfailures.com/		

http://some-really-long-link.com	Crocodile Hunter auctions! Get all the Croc Hunter memorabilia you could ever want.	6-22-00
http://www.ifilm.com/	Some funny films. Look at the left-hand bar for the top-20's. If you've seen The Matrix, don't miss " Computer Boy "	6-22-00
http://www.realworldblows.com/ http://www.survivorsucks.com/	For those who love to hate The Real World, Road Rules, and Survivor.	6-22-00
http://www.entertainment.com/pages/index.jsp	Check out " Mission: Imp "	6-22-00
http://www.pointlesswasteoftime.com/	The most important website of all time	6-12-00
http://online.offshore.com.ai/arms-trafficker/	International Arms Trafficker Training Page	6-12-00
http://www.mulletsgalore.com/	One from the Nostalgia bin: Mullets Galore	6-12-00
http://www.geocities.com/gonzogonzo_us/	This is what happens when you get WWW space, a lot of time, and learn how to steal pix from other sites.	6-12-00
http://bbspot.com/	"Download This" by Metallica and a lot of other funny stuff	6-12-00
http://totl.net/Spud/	Spud Server (who knows if it's real)	6-12-00
http://www.campchaos.com/	Parody Cartoons	5-19-00
http://www.theonion.com/onion3618/kid_rock_starves.html	Read about Kid Rock's unfortunate death. Also, The Onion has lots of other good articles.	5-19-00

http://www.magewar.com/	Sounds like PimpWar without the pimpin'.	5-19-00
http://www.denizine.com/1999/needham/	Ponce Edward plus	5-19-00
http://www.flatplanet.org/	Kerpal Prank Call and other stuff under "Miscellaneous"	5-19-00
http://www.quizbox.com/	All kinds of time-wasting quizzes.	5-19-00
http://www.uglypeople.com/	The content within the UglyPeople.com website is intended for immature audiences only.	5-19-00
http://www.go2net.com/useless/	Hey! These guys are copying me!!!	5-12-00
http://home.hiwaay.net/~lkseitz/comics/herogen/	Lee's Useless super hero generator	5-12-00
http://www.teeheehee.net/	The Comprehensive Shotgun Rules and other junk.	5-12-00
http://www.joecartoon.com/	Frog in a blender and more.	5-12-00
http://www.stickdeath.com/	Stick Death - I liked the Matrix stick death .	5-12-00
http://www.opendiary.com/	Read people's diaries. You know that you've been waiting for this since you were 8.	5-12-00
http://www.stpaul.gov/depts/police/prostitution_photos_current.html	Another sting operation. St. Paul prostitution.	5-12-00

http://www.zeropaid.com/busted/	Busted for kiddie porn. You might want to check to see if your IP is on there.	5-12-00
http://www.kimble.org/	A LOT of Flash for a superhero	5-5-00
http://embarrassedtobuy.com/	He wasn't too embarrassed to send me the link to his favorite on-line shop.	5-5-00
http://thepope.org/index.pl?node=Create+Indulgence	Once you have looked at all these other WWW sites, you may want to cleanse yourself.	5-5-00
http://www.zagat.com/help/outtakes.asp	Don't go to these restaurants	5-5-00
http://www.slitfinger.com/	NewGrounds-esque stuff	5-5-00
http://www.phobe.com/furby/	Furby Autopsy	5-5-00
http://timecube.com/	Another one from the nostalgia archives. "Nature's Harmonic Simultaneous 4-Day Time Cube"	4-27-00
http://jerky.triticom.com:8080/~erm/EntertainingLinks/ElianWazup.html	There are a lot of these "True" clips going around (like this one), but this is a good current-eventsy one. UPDATE: The link was changed. I guess the Associated Press didn't like their pictures being defaced. Well, maybe they should get a sense of humor.	4-27-00
http://www.herald.com/content/archive/entertainment/insofla/99nov28/docs/gift.htm	Dave Barry's unbearable holiday gift guide, featuring Uncle Booger's Bumper Dumper	4-26-00

http://firefly.sparse.org/~mrt/cgi-bin/t.cgi?field=flavor.8k.com/EntertainingLinks	You've got to see it to believe it, FOOL! Also, try this one with: Redneck, Jive, Cockney, Elmer Fudd, Swedish Chef, Moron, and Pig Latin. Jesusify is another one on par with Mr. T. ** New 8-11-00 ** Check out the l33tified ELinks from The l33t Surfer .	4-25-00
http://www.thesmokinggun.com/philly/philly.shtml	Tricks of the trade.	4-24-00
http://www.realhamster.com/	Nostalgia: The RealHamster, of course. (RipOff of www.RealDoll.com)	4-21-00
http://www.ananova.com/	Freaky cyber-news-punk-woman	4-21-00
http://www.fnwire.com/features/satire-jeevesinterview.html	Interview with Jeeves of AksJeeves.com fame.	4-20-00
http://www.asahi-net.or.jp/~ff4a-tky/english.htm#techniq	This guy really has "Super Techniques." He's even got animations of them.	4-20-00
http://www.jailbabes.com/	And, from the nostalgia bin. "...I don't take any B. S. I like to work with leather..."	4-18-00
http://www.fas.org/irp/overhead/groom.htm	Pictures of Area 51 (Can you see the aliens?)	4-18-00
http://www.gamerz.net/	Varius Games Via E-Mail	4-18-00
http://www.zdnet.com.au/zdnn/stories/news/0,4586,2524416,00.html	"Extreeme Overclocking" - Hot rodding for the geek types.	4-14-00

http://www.nbc.com/NBCconan/index.asp?section=actualitems	"Actual items" from Conan's site. Be sure to read a lot of them. The further you get, the funnier they are.	4-14-00
http://www.hcs.harvard.edu/%7Edemon/index.html	All kinds of wacky stuff. Find out that "Lincoln and Kennedy were actually the same man."	4-13-00
http://www.absurdgallery.com/	Gallery of absurd pictures and more.	4-13-00
http://www.newgrounds.com/	Hi-Tech comedy. All kinds of it, but mostly for killing things you hate.	4-13-00
http://trampled.net/sarah/	Disgruntled McDonald's employee.	4-13-00
http://www.blindwino.com/	"As the drawing went on, it turned out that this master's vision of my girlfriend had three nostrils, no ears, fourteen strands of hair, a chin made out of creamed corn, and a coinpurse for a mouth."	4-13-00
http://www.seanbaby.com/	Sean Baby - All around funny guy (check the news)	4-13-00
http://www.portalofevil.com/fatchicksinpartyhats/	Fat Chicks in Party Hats Featuring "Fatty Dance" and "Fatty Biker."	4-13-00
http://www.pimpwar.com/	Not funny yet, but when it gets goin', it should be a riot. UPDATE: It's up, and it is fun(ny)!!!	4-13-00

<http://jgrace.freesevers.com/josef/>

JoseF's PAGE OF
DEATH!!! My instincts
tell me it's a hoax, but
even if it is, it's damn
funny. UPDATE: [http://
www.stileproject.com/
josef/deadjosef.html](http://www.stileproject.com/josef/deadjosef.html)

4-13-00

Counter code has
changed. Please
update your code.



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web services



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Web

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e- Government Bulletin



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SECTION ONE: NEWS

MINOR GLITCHES, MAJOR AMBITIONS FOR UK CITIZEN GATEWAY

The government has unveiled a 'beta' test version of its new online gateway to information for citizens, the UK Online Citizen Portal, amid technical glitches and problems with the site's accessibility for visually impaired people.

When E-Government Bulletin tried to log on the morning after its launch, all that could be obtained was a message saying: "We are sorry but the UK online Citizen Portal is temporarily unavailable. Please try again later".

Three hours later the site - managed by BT subsidiary Syntegra - was up and running once more, and the Cabinet Office put down the hiatus to "minor hardware problems - it's a large, complex new project, and we were expecting some glitches".

Also embarrassing is the line running at the bottom of the portal, which says: "The government-backed service UK online should not be confused with the Internet Service Provider UK Online." This clash was of course known about for some time, but in the absence of an outright name purchase the disclaimer will now have to remain, and of course the confusion will remain as well.

More serious is the apparent lack of accessibility of the beta site. The government's own web site guidelines stipulate all public sector sites should be readable by the special text-to-speech and text-

to-Braille readers used by blind and visually impaired Internet users. This involves tagging images with text descriptions using the 'Alt' attribute of HTML. However the test site simply provides empty tags.

The general direction of the site has met with approval from most commentators, however. Many services are grouped around 'life episodes', of which the first four are 'Having a baby', 'Dealing with crime', 'Moving house' and 'Going away'. Others will be added as the portal is developed, including one in the pipeline for dealing with the death of a friend or relative.

There is also an option to customise the portal by UK nation, with further customisation planned allowing an individual user's ongoing service requirements to be stored. The service will also eventually be extended to a range of delivery mechanisms including digital TV and mobile phones. See: <http://www.ukonline.gov.uk/>

E-GOVERNMENT: A LEGAL MINEFIELD?

Local authorities face many legal pitfalls in drawing up e-government strategies, a new report from the local government IT association SOCITM finds.

Officers and members must fully understand the requirements placed on them by a wide range of recent legislation, the report says. Relevant legislation to ponder - some of which is still in a state of flux - includes The Electronic Communications Act 2000; the Regulation of Investigatory Powers Act 2000; the EU Distance Selling Directive; the Draft EU e-Commerce Directive; the Human Rights Act 1998; and the Freedom of Information Bill.

In some cases, there are potential conflicts between the various laws, the report finds. For example, a council may find itself liable for offences committed by its employees using email; but if it acts to monitor all email use it could be infringing the Human Rights Act.

Meanwhile SOCITM also published its annual review of IT trends in local authorities, which found that some 63% of councils now provide some form of technology support - typically a PC and printer - for their councillors in their homes. More than 80% of council staff have access to internal email but only 64% can use it to communicate externally.

'E-Government, Best Value and the Law' and 'IT Trends 2000/1' can be accessed (the latter at a price) via: <http://www.socitm.gov.uk/>

'CYBERSQUATTING' A THREAT TO PASSWORD SECURITY

Public sector organisations may need to reassess their Internet security strategies, as cybercrime based around the abuse of Internet domain names is set to become increasingly widespread and sophisticated, according to one leading expert.

Neil Barrett, a computer criminologist with Information Risk Management plc, told E-Government Bulletin last week that the dangers surrounding the practice known as 'cybersquatting' - the registration of a domain name similar to that used by another organisation, with the intent of holding

it to ransom - is set to worsen, with implications for data security and protection of passwords

Hackers have hit on the idea that people commonly mis-spell domains when they type them in, he said. This means that if they register a common misspelling or mistyping of an existing web site, some of its traffic will be channelled through the hacker's site. Indeed, it is estimated that an astonishing 15%-20% of web addresses entered by hand are likely to be misspelled at any one time.

Hackers could therefore set up a dummy site at a misspelled domain which pretends to be the genuine site and asks people to key in their passwords, which are then captured and used on the original site to commit fraud.

For many public sector bodies, which operate in highly controlled '.gov' domains, this may not be such a large problem. However, public bodies often work in partnership with private firms that use vulnerable .com domains, or may use .com, .net or .org domains themselves for individual projects.

Unlike with mainstream 'cybersquatting', organisations have no right to take legal action to recover domains which relate to misspellings of their own name or brands, Barrett said. And another tactic used by the hackers could be to list the misspelled domains in web directories or portals, making it easy to mislead users of the directory.

The dangers do not stop there - criminals could also try to contact one the many organisations involved in the routing of domain names and convince them that they are an authorised person to change that routing to their own Internet address. If they manage to do that - and sometimes, it can require little more than a letter on headed notepaper - they can steal your web traffic lock stock and barrel.

Barrett made the observations at the launch of a new report on cybersquatting by the European domain name registry Speednames (<http://www.speednames.com>).

STOKE LIBRARY SERVICE IS BEST ON THE WEB

Stoke-on-Trent City Council's library service (<http://www.stoke.gov.uk/council/libraries/>) has won first prize in this year's 'Best on the web' awards for library web sites, hosted by EARL, the consortium for public library networking.

The service was cited for making excellent use of local content; developing lively and educational resources for children; and introducing some innovative interactive services such as the ability for library users to send in their own book reviews to be posted online.

The runners-up were Nottinghamshire library service (<http://www.nottsc.gov.uk/libraries/>), which has developed NEWLiNC, an exemplary online gateway to local community sites; and the London Borough of Hillingdon libraries (<http://www.hillingdon.gov.uk/library/>) which also features a readers' book review area.

Judges for the awards included E-Government Bulletin editor Dan Jellinek. For more information see: <http://www.earl.org.uk/bestonweb/>

ELECTRONIC HEALTH LIBRARY GOES LIVE

The National Electronic Library for Health - billed as part of a developing 'digital nervous system' for the health service – went live last week in pilot form. Targeted mainly at health professionals and NHS librarians, the service is a huge gateway to resources ranging from the National Institute of Clinical Excellence's database of clinical guidelines to medical book reviews.

Within the library a 'virtual branch library' system collates information on particular health issues or conditions, such as cancer or primary care.

In the short term the service aims to provide clinicians with access to information within 15 seconds, with a longer term goal of just one second. The system will be reviewed over the next 12 months and further features will be added according to user needs.

The main NELH site is at: <http://www.nhs.uk/nelh/>

And there is an excellent 'FAQ' document containing answers to all your questions about the electronic library at: <http://www.nhs.uk/nelh/faq.asp>

TELEDEMOCRACY CENTRE LAUNCHES NEW E-PETITION

The International Teledemocracy Centre in Edinburgh has launched a new 'e-petition' calling on the Scottish Parliament and Scottish Executive tackle the 'digital divide' and ensure everyone in Scotland has access to the Internet.

The centre, based at Napier University, is continuing its pioneering work on online petitions which has seen it run a number of pilot projects with the Scottish Executive and Downing Street (see E-Government Bulletin, July and August 2000). For more information see: <http://www.e-petitioner.org/>

NEWS ROUND-UP:

GOVERN YOUR SCHOOL - When Steve Smith became a governor of his childrens' primary school he found there was quite a lot of useful guidance for governors but no single resource drawing it all together. So he created one, on the web - 'Govern your School'. The site is also a forum for sharing best practice: <http://www.governyourschool.co.uk>

SOCIAL SERVICES WEB - The Association of Directors of Social Services has an Information Management group which advises the society on all issues relating to information management and technology in council social services departments. The group has a web site that houses a projects database: <http://www.ssimg.freemove.co.uk>

MAILBASE BECOMES JISCMail - The fabulous, free National Academic Mailing List Service formerly housed at the University of Newcastle's Mailbase (<http://www.mailbase.ac.uk>) has been moved and renamed JISCMail following an open tender process. After a few teething problems the migration appears to have been quite smooth and membership of existing email lists should not have

been affected. See: <http://www.jiscmail.ac.uk/>

[Section One ends]

SECTION TWO: CONFERENCE REPORT - LOCAL GOVERNMENT SOLUTIONS

MAKING IT UP AS WE GO ALONG

The weakness of the government's targets for wiring up public services; the need for local councils to get their own technology in order before seeking 'joined-up government' partnerships; and the danger that modernisation money in the health service could be hijacked were all among topics discussed by delegates at last month's Electronic Government Forum (<http://www.electronic-government.com>).

At a series of discussion workshops, delegates - whose identities have been protected here for the purposes of a frank report - disagreed on the value of the government's targets for all public sector services becoming available online by 2005. "There is not one word in those targets about business justification - it is just saying 'do it'", said one.

Another thought that the targets were nevertheless effective as a general catalyst to spur the public sector into e-government activity. "The new services will have to provide improvements", he said. "Yes, but that's not the line central government have taken" came back the response.

A few were cynical on the age-old subject of how meaningful the '100% online service' targets actually area - the targets are for services to be available online, not actually used; they include telephone services; and they also now preclude services where to digitise them would contravene data protection or other laws.

"Let's face it, we're all just going to make up figures next year when asked to record how far we are towards the targets", one said. "It's just a PR exercise".

Another delegate questioned the feasibility of measuring what services are online, when it is hard enough to get a clear idea of the extent of a council's measurable transactions with the public. "We're trying at the moment to compile a record of what activities actually take place between the council and the public, and are finding there are scores of transactions in all corners of the council, which no-one monitors centrally. And as soon as you start to monitor transactions, you also begin to look at all the processes that manage the transactions, and the information relating to the transactions that moves around internally, and before you know it you can have a piece of paper that is 20 foot square".

One contributor to the discussion said councils needed to focus strongly on getting their own house in order before any visions of partnerships for e-government, or 'joined-up government', could be realised. "It is all very well to talk about joined-up government

and partnerships, but we need to first implement our own methods of seamless working within the council, not just the front-end services but with the back-end processes fully integrated using knowledge management, document management and the right staff culture.

"Some councils don't even have email yet, so what chance do they have at implementing joined-up government? But if we get this right we should be able to easily meet the requirements for public interfaces across tiers of local government or between public bodies as they come about".

Another barrier to partnership between organisations is that e-government services may not be as high on a potential partner's agenda as on yours, the delegate said. "The only way forward is to look at the strategic objectives of your potential partner and your own organisation, see where they meet and launch a project there".

Most participants agreed that an e-government strategy needed to be drawn up as a corporate management document, not a new kind of IT strategy. "An e-government strategy should be seen as part of our core business delivery, a means of delivering better services. It is a corporate objective", said one. "It needs someone very senior with clout across the local authority to drive it forward".

Several delegates warned that e-government may not lead to a reduction in costs. "The assumption is that money is going to be saved - I can't see why", said one. "We may have to spend more now, to develop and provide better services. The accountants don't like this - they want to see savings, and that is the main problem with the whole e-government agenda".

Another agreed: "Number-crunching accountants pull your e-government cost saving projections to pieces because there is no basis to them. So at least the central government target can be used as a weapon when your back is to the wall - the target is there and we have to meet it, even if it means spending more money".

The government realises the modernisation agenda is expensive and has demonstrated as much by pumping funds into the health service to wire it up, another delegate said. "But it is hard to convince chief officers in NHS trusts of that - they are short of money in other areas, such as coping with demographic trends and winter pressures, things they haven't been able to do for several years, so the money is constantly going to be hijacked".

Delegates agreed that it was good policy to consult citizens on what Internet or e-government services they require or prefer to receive, but not necessarily to conduct a separate consultation process. "It's best to slip the questions into your existing Best Value consultation process", said one. "A special e-government consultation just turns people off, and encourages the PC addicts, so we just ask in our other consultations 'would you like to do this on the Internet?'".

Linking the e-government agenda to the Best Value agenda in this and other ways might also help drive e-government up the agenda, one delegate said. "Best Value has hit everyone now, everyone is terrified by it. How do we make people notice e-government in the same way? By linking the two".

[Section two ends]

SECTION THREE: ANALYSIS - INFORMATION OVERLOAD

WELCOME TO A WORLD OF SPAM

Monty Python's 'spam' sketch will never be the same again, for although the delightful processed meat product has largely disappeared from our supermarket shelves, lobbyists are alive to the possibilities of the digitised version.

We're talking, of course, about email spam - unsolicited email - and the related problem of email overload: the new challenge facing public bodies in the digital age.

In the US Congress, Senators and Members of the House of Representatives have already had to learn to be canny in their handling of effectively unlimited, undifferentiated in-bound cyber sackfuls of mail.

The Representatives use intelligent software agents to sift out the repeat transmissions and much of the junk, and automatic responders warn that no email will be read unless it contains a 'zip code' (postal code) from the politician's constituency. We can expect such devices to proliferate and become ever more intelligent: but what if one of the purposes of an institution is to examine both solicited and, even more vitally, unsolicited material? And cynics might consider that in an age of political cowardice, politicians would be happy to 'lead from behind' after sampling public opinion in any way they can.

Although tricky, it is possible to manage unsolicited input at the level of an individual such as a politician. However, the problem is much more extreme in the case of large institutions.

It may not be such a problem at the departmental level in government where, except for consultation procedures, it is quite difficult to locate the precise recipient for a message. Soon, however, the persistent will not discriminate but will, rather, load a list of names and merrily spam.

The most serious problems, however, will occur at the level of local government, particularly where there is a unitary authority with a variety of functions. Unless councils are much more disciplined about their in-box allocation, lobbyists and spammers will be tempted to go to the appropriate web site, download a list of names and whoosh!

Public bodies - and private bodies, for that matter - are not prepared for this deluge, mainly because they think of the Internet as a propaganda (sorry, information) and marketing tool which allows the high and mighty to impose their goods, services and importance ever more weightily upon the masses.

Of course there are fine examples of interactive good practice on the Internet, but such facilities have largely been established as a source of reliable and free, if narrow, marketing information.

Worse is yet to come. There may currently be a few cranks trying to infiltrate the book review chit-chat facility on Amazon.com, but that's nothing to what Borsetshire County Council will have to deal with when e-mail and web facilities are attached to digital

television.

Just picture the scene - a local digital TV station sets up a response template to a scandal story with an automatic email link to the council's in-box. The response could be overwhelming - but councils, of course, can't simply empty the lot into the digital dustbin. There is no reason why a response should be regarded as more trivial just because it's digital rather than in Sandhurst copperplate.

Imagine too the state of the Railtrack email server once all delayed passengers have Internet-enabled mobile phones. There will, for instance, need to be separate systems for receiving complaints and keeping the operational network running. In an emergency any institution will want absolutely maximum Internet efficiency at precisely the same time as customers will want maximum complaint impact; it will be the cyber equivalent of crash voyeurs blocking the ambulances.

Add to this, for good measure, the need to differentiate in-bound information and you have an information management agenda of great magnitude. When stuff comes pouring in that you want to keep, where does this fit in with your data protection policies and data protection legislation? And what do councils do with information from clients which is the privileged domain of social services or education?

It is time to start thinking hard about email and information management.

* Article by Kevin Carey, Director of HumanITy. E-Government Bulletin would love to hear from anyone with creative solutions to the email management issue. Please email the editor Dan Jellinek on dan@headstar.com

[Section three ends]

SECTION FOUR: US CASE STUDY - DIGITAL PETITIONS

TOWARDS AN OPEN SOURCE DEMOCRACY

In our last issue, we looked at how US citizens can initiate legislative measures in some states through the 'initiative process', under which they are required to collect a certain number of signatures on petitions. If they collect the requisite number of valid signatures, the proposed measure goes onto the next public election ballot, and voters can then pass or defeat the initiative at the polls.

The nearest one can come at the moment to collecting signatures over the Internet for these purposes is to create a 'PDF' graphical file version of the initiative petition, post it on the web or email it to those requesting it, and let them print it out, sign it, and post it in.

This is an inelegant and often difficult way of proceeding, given the need to print the forms out on two sides of the paper, compress the text to fit in limited space and so on.

The obvious way to have people sign initiative petitions over the Internet is to let them sign them

using digital certificates. As of 1 October 1 2000, the US federal E-Sign bill is in effect, authorising the use of these online credentials to sign contracts online. It's only logical to say that if digital certificates are now good enough to sign multi-million dollar contracts, they ought to be good enough to indicate your desire to see a particular legislative proposal voted on in your state.

The 'Smart Initiatives Initiative' currently being circulated in California was created to implement this idea in practice. Its primary aim is to allow people to vote on a measure requiring the state to provide all citizens with a digital identity certificate. The project has until March 12, 2001 to collect 419,260 valid signatures of California voters who want to see it on the primary ballot in 2002.

With Smart Initiative petitions, as with any petition, verifying the identity of the signer is key. Still, while the identity of the signer must be knowable by the authorities that check the signatures, it need not be made available to the general public. In fact, under the provisions of the proposed Smart Initiatives Initiative, it is protected by the same restrictions on disclosure as are legacy pen-on-paper signatures.

Moving the initiative-signing process online benefits all parties involved. For proponents, it reduces the cost of circulating their petitions by several orders of magnitude. For citizen-signers, it makes it much easier to study a proposed initiative and then, if they want, to sign it from home, office, or other location.

For the election officials who currently need to spend months checking a mere random fraction of the submitted signatures before extrapolating according to arcane formulas to determine the 'official' number of valid signatures, the power and convenience of a digital system to rapidly and comprehensively tabulate the results would be a much-welcomed improvement.

Because the first major provision of the Smart Initiatives Initiative is the distribution by the state of a high-level digital certificate to each citizen, citizens-as-consumers and citizens-as-commercial entities will benefit as well. They will be able to use these certificates not just to sign initiative petitions but to buy insurance, order groceries, tele-commute, check their children's homework assignments, and do anything possible now or in the future that requires them to establish their identity online.

At a minimum cost of ten dollars each, however, providing 20 million Californians with a digital certificate will not come cheap. Hence another proposal that could lower this cost and pay other dividends as well, a proposal to develop Open Source Public Key Infrastructure (PKI) software.

Open Source software is computer programming code that is not secret. The instructions that make it run are available openly to everyone. It makes sense to consider the creation of an Open Source PKI Foundation to facilitate the creation of Open Source PKI code, not only to save the State of California a lot of money, but also to set the stage for using open source software to eventually provide Internet voting services.

In addition to the cost savings for the government, building a PKI and using Internet voting software where the internal code is open would mean that it could be properly understood by the people who use it. It would provide a technological analogue of the

political openness and participation that is central to this entire vision of what could be termed 'Open Source Democracy.'

Nor would it be inappropriate, eventually, to move many other existing and future e-government applications to an Open Source model. In such an environment, we could avail ourselves of a seamless web of information, decision-making, and functionality. As the reach and power of the web steadily evolve, these principles of openness and self-determination would be a concrete realisation of the long-sought ideal of 'government of the people, by the people, and for the people.'

* Article by Marc Strassman, Author of the Smart Initiatives Initiative and Founder and Executive Director of the Smart Initiatives Project. See: <http://www.smartinitiatives.org>

[Section Four ends]

HOW TO RECEIVE E-GOVERNMENT BULLETIN

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SECTION ONE: NEWS

E-GOVERNMENT NEEDS PUSH FROM THE TOP

Public sector organisations like local authorities must provide their staff with strong leadership from the top - chief executive level - to successfully push forward the e-government agenda, delegates at last week's Electronic Government Forum heard.

In a series of round-table debates at the Westminster event, a consensus emerged that, just as leadership from the Prime Minister is the best way of galvanising central government into developing online public services, other public sector bodies need an 'e-champion'. The individual selected must carry weight across all service departments, and the ideal person is therefore the most senior manager such as the council chief executive.

"The provision of services on the web has to be devolved, as it is front-line staff who have the knowledge to provide up-to-date information", one delegate said. "But many staff say they have too much else on to do it, they don't see it as part of their mainstream work. It needs leadership from the top to ensure they see online work as part of their day job".

The way to smooth full integration between staff's everyday 'offline' work and web-based work is to install a fully web-enabled information and knowledge management system, including document sharing, across an entire organisation, delegates agreed.

This was likely to mean purchasing an off-the-peg portal solution at relatively high cost, but the cheaper alternative of developing systems piecemeal in-house was unlikely to prove scalable and robust enough in the long-term to roll out across a whole organisation, and is therefore a false economy.

It emerged during the discussions that most councils had not yet drawn up coherent e-government strategies, pulling together service, information management and technology issues, although almost all acknowledged they needed one, and fast. Some bemoaned a lack of central government leadership on strategies for hitting e-government targets.

The event web site is at:

<http://www.electronic-government.com>

- Further reporting in our next issue.

POST OFFICES TAILOR WEB SERVICE

Around 1,000 post offices have taken up an opportunity to tailor a free web site provided under a nationwide deal reached last month between The Post Office and UKVillages.co.uk, an independent community web company.

Under the deal - whose financial terms have not been disclosed - all 18,500 UK post offices have been allocated a site with information about their opening times and product lines. There is also an interactive chat facility.

UKVillages.co.uk told E-Government Bulletin this week it hopes that half of all post offices will have taken up the opportunity to adapt and enhance their basic sites within six months. So far 970 have done so.

The project forms part of an 'e-government general practitioner' vision for post offices which will see trained advisers in each post office helping the public to access government information and services online. This idea was first floated in the 'Counter revolution' report from the Cabinet Office in June 2000:

<http://www.cabinet-office.gov.uk/innovation/2000/postoffice/postindex.htm>

and restated in last week's Trade and Industry Select Committee report 'The Post Office and the future of the network':

<http://www.publications.parliament.uk/pa/cm199900/cmselect/cmtrdind/724/72402.htm>

TACKLING WORKPLACE VIOLENCE ONLINE

A web site providing a focal point for managers and staff to share ideas and solutions to tackle violence in the workplace has been created by The Association of Local Authority Risk Managers and Sussex Police with the Confederation of British Industry and other public, private and voluntary bodies.

The site offers access to best practice for managers in drawing up strategies for preventing workplace violence as well as research, case studies and an interactive 'clinic' where people can ask questions and contribute ideas. See: <http://www.workplaceviolence.co.uk/>

MUSEUMS ENTER THEIR OWN DOMAIN

The museum and gallery community is to have its own top level Internet domain name, '.museum', as part of a tranche of seven new domains to be added from June next year by the global Internet domain registry ICANN.

However a request by the World Health Organization for a '.health' domain, which the WHO would have regulated to ensure online health-related information was safe and quality-controlled, was turned down amid fears it would be too costly and difficult to regulate properly.

The other domains to appear are '.info' for general information sites; '.coop' for co-operatives; '.name' for individuals, '.biz' for businesses; '.pro' for professionals; and '.aero' for the air transport industry. If the introduction of the domains is smooth more could follow. For more see:
<http://www.icann.org/tlds/>

COMPANIES HOUSE WINS E-BUSINESS AWARD

Companies House, the government agency responsible for company registration and dissemination of company information, has won the 'government' category of Computer Weekly's e-business awards.

Visitors to its website can search for information on businesses through a simple interface with a vast database. Before the site was built, customers had to go through a lengthy system of inquiries to obtain the same information. See:
<http://www.companieshouse.gov.uk>

Runners up were the Lord Chancellor's Department's for the 'Just ask' Community Legal Service legal information site (<http://www.justask.org.uk>) and the Surrey Police Information and Knowledge Environment (Spike), a secure mobile system by which officers can input and receive crime information when out on the beat.

CHANGE OF ADDRESS TRIALS GO LIVE

A long-promised facility for citizens to notify all government departments of a change of address with a single online form has been quietly launched in pilot format in a partnership between the Cabinet Office and three private sector web sites, according to the KableNET news service (<http://www.kablenet.com>)

The six-month pilot will transfer the information to six different government departments, with local authority involvement a longer term aim. There are security concerns, however, which may not be fully resolved until there is widespread use of electronic signatures.

The three test sites are 'Change of Address' from the Post Office at: <https://www.addressingthechange.com> (note the address begins 'https')
'ihavemoved' at: <http://www.ihavemoved.com>
and 'Simplymove' at: <http://www.simplymove.co.uk/>

CALL FOR MORE INTERDEPARTMENTAL WORK-GROUPS

The government must set up inter-departmental task groups to drive through modernisation if it is to succeed in its goal of providing a range of services electronically, according to a new report.

Published by EURIM, the collaborative Parliamentary/industry information society policy group, the report says ministers must completely re-organise departmental structures if modernisation is to be successful. Civil service career structures and training facilities need to encourage, facilitate and reward cross-departmental working, it says.

"Government must be joined-up from the perspective of the citizen with a choice of user-friendly interfaces (including the option of personal contact) which put them at the centre," it says. "There should be no 'wrong portal'; all channels likely to be used by the citizen should cross-refer."

The report praises local authorities for creating 'one-stop-shop' electronic centres, which eradicate traditional boundaries between services. 'A shock to the system - joined up electronic government' can be found at: <http://www.eurim.org/briefings/BR29FD.html>

'HUMAN ASPECTS' CONFERENCE

A conference on research into the 'human aspects' of the Information Society is to be hosted by the Information Management Research Unit at the University of Northumbria in Newcastle in April 2001. The conference will bring together researchers in information science, social sciences, psychology, information and communication technologies, education and learning, media, culture and

business. See:

<http://is.unn.ac.uk/imri/index.htm>

ELECTRIC DECEMBER RIDES AGAIN

Bristol City Council and South West Arts are among public and private sector bodies backing this year's 'Electric December', an online advent calendar which doubles as a showcase for high-tech creative industries centred around Bristol.

The project, which was first run last year to widespread acclaim, is a collaboration between such broadcast, film and multimedia luminaries as Aardman Animations, creators of Wallace and Gromit, and BBC Bristol. Each day a new 'box' will appear to open on the web, featuring 'virtual chocolates' which can be emailed to your friends and participatory events using broadband technology. See: <http://www.electricdecember.org>

[Section One ends]

SECTION TWO: US ELECTION SPECIAL - ONLINE RACE 2000

ALL ABOARD THE E-TRAIN

Internet voting has played an interesting cameo role in the US Presidential electoral shenanigans, as a pilot project to allow the first ever online votes to be cast in a Federal election has included two counties in the key state of Florida.

Several hundred absentee voters, mostly members of the military and their families, cast their ballots through the internet in a defence department pilot project called the Federal Voting Assistance Program (<http://www.fvap.ncr.gov>)

The program was set up because US citizens abroad were having trouble obtaining their ballot papers from local voting offices. Two counties in Florida - Okaloosa and Orange - were among five across the US selected to test the concept.

Hundreds of thousands of Americans did participate in other pilot electronic voting projects at polling stations in various states, but they also had to cast regular ballot papers and it was the latter that counted.

In September, California Governor Gray Davis vetoed legislation that would have permitted binding tests of Internet voting in local

elections. He cited a need for better protections against fraud and abuse. There are fears that viruses could be created which would change a vote before encryption. The Internet is also vulnerable to hacking attacks, which could tie up networks and prevent voting.

Meanwhile both Al Gore and George W Bush used the web and email as publicity and organisational tools in their battle for the White House, and in such a close race it may yet prove that whoever was most successful online wins the race.

Both candidates used email extensively to contact voters in their homes, with campaign teams working around the clock to send out messages.

The candidates' web sites carried a range of background information for voters including the obligatory photographs of the two men en famille. Visitors to the Bush site (<http://www.georgewbush.com>) were also invited to 'download some stuff', which turned out to be Bush logos and graphics for every conceivable situation, including a head-and-shoulders photo montage of George W for your computer desktop and the 'Bush-Cheney Outlook Today' customisation of Microsoft Outlook Express.

Al Gore's site (<http://www.algore.com>) offered similar options, with a pictorial journey through his childhood and formative years, focusing on all-American themes like his time in the army and holidays down on the farm: "While in Carthage he works on the family farm - getting up before dawn to help feed the livestock, cleaning out hog parlours and helping to clear and plough fields".

Gore's 'Internet tools for families' is aimed at people worried about their children accessing unmentionables through the web, and contains links to security software downloads such as 'NetNanny'.

The web, however, is a passive medium: far more significant is the size of a candidate's email list. Before the election, the Bush campaign set out to capture around two million email addresses from supporters, urging people to 'join the e-train' and receive regular news bulletins and, of course, exhortations to vote.

One email sent to the e-train list was entitled 'Will you be the difference?' reminding them that Kennedy beat Nixon on the strength of a few extra votes in Illinois, Missouri and New Jersey. The potential reward for voting the right way was a return mail saying: 'President-elect George W Bush thanks you.'

It is not yet known how close they got to that target figure of two million, but it is estimated the

Republicans spent \$5.7 million on their Internet initiative.

Other ways the Internet played a part in these elections included the rumoured emergence of 'vote-swapping', the use or potential use of the Internet for people to trade votes tactically between states. The concept appealed to people who wanted the independent candidate Ralph Nader to win the 5% of the total vote needed to gain state funding for his next campaign, but who did not want to disadvantage Al Gore's race for the Presidency.

The thinking was that such a person could swap their vote with someone in a strongly Republican state who wanted to vote for Gore but whose vote was unlikely to count there - the latter person would vote for Nader and the first for Gore, and both would achieve their goal. One site touting the idea in California was shut down, and it is unclear whether the practice did actually take place on any significant scale. For more see: <http://www.nadertrader.com/>

More alarmingly, a site was set up called Voteauction.com purporting to help people auction their votes to the highest bidder: this was shut down by a Chicago judge, although its owner later claimed the exercise had been satirical.

Beyond the Presidential race, the most widely admired online campaign was fought for the Senate in Washington State by Internet millionairess Maria Cantwell, formerly of the streaming media company RealNetworks.

Cantwell, who spent millions of dollars of her own cash on her campaign, set up a genuinely interactive policy discussion email list in which citizens could debate issues continually with her and her advisors. Separate email lists were run for campaign news and for voting reminders, so people could choose exactly what sorts of information they did and did not receive from the campaign, showing a rare grasp of Internet ethics. See: <http://www.cantwell2000.com/>

[Section Two ends]

SECTION THREE: US ELECTION SPECIAL - DIGITAL PETITIONS

THE TELEDEMOCRACY REVOLUTION THAT NEVER WAS

The two most common criticisms of fully-fledged, remote Internet voting are that it's not safe and that it's not fair.

The safety argument says that securing Internet voting against cybervandals and perpetrators of electronic election fraud simply can't be done, given existing technologies. The argument against Internet voting as unfair revolves around the so-called 'digital divide', the uneven distribution of access to the Internet within society.

There is something to be said for each of these objections. However, a more powerful complaint about Internet voting, which comes from a purely political viewpoint, is simply that it won't actually have much effect on the operation of the political process or the distribution of power in advanced societies.

The widespread implementation of remote Internet voting will be important to the companies that hope to make money by providing out-sourced election services to political jurisdictions. It will make voting easier and more convenient for those voters who already vote. Beyond that, there will be little to distinguish the political landscape of a jurisdiction using remote Internet voting from one using any of the legacy systems now in place.

If the current election campaign has shown anything, it's that a political system organised around and dominated by money, packaged candidates, and show-biz production values is, at best, able only to generate the same kind of interest created by a mediocre television series and a resoundingly negative reaction, ranging from apathy to disgust, on the part of a majority of those who are supposed to be deciding how they are governed. After months of this, letting people vote for their favourite candidate on the Net instead of at the traditional polling place just doesn't make any difference.

This isn't to say that the Internet is not capable of mediating the political process in ways that would give citizens more choices, that would significantly reduce the influence of money in the process, and that would give them more control over the outcome of disputes over issues.

But what's required to bring about these genuine reforms is the legal recognition of citizens' right to have an impact online and the practical means to accomplish this. And 'having an impact' in this context does not merely mean the right to be heard, it means the right to actually participate in the making of decisions.

More and more, 'Internet democracy' is being forced into various definitions that don't actually give people any power, merely the appearance of it. Elected representatives, for years reluctant even to give out their e-mail addresses (if they had them), now want to 'listen' to their constituents online. Their staffers in charge of listening build websites for this

purpose and log the incoming email the way they used to (and still) log the paper mail.

Sometimes the tabulated results even figure into decisions made by the representatives. But often they don't, and often they are quietly repressed by the whispered 'suggestions' of major campaign contributors that may run counter to the expressed desires of the listened-to but ignored mass of citizens.

Listening to the concerns of citizens over the Net is good. Posting campaign contributions in a timely manner on easily-accessed and easily-understood web pages is good. Letting people pay their taxes, apply for licenses, or find out about government services online is very good, since it saves government money and makes the lives of citizens easier. But any of these, or all of these, is not electronic democracy, it is not using the Net as it could be used to make government better, not 'more responsive,' but 'more democratic.'

Making government more democratic by means of the Internet means changing the laws and institutional arrangements we have now to include the active, daily participation of regular citizens in the formulation, discussion, and enactment of the laws by which society is governed. It means letting us govern ourselves with the best tools available, including especially the Internet.

So, is there an existing political process or structure that could be cyberized and then serve as a lever by which the actual will of real citizens can play a substantial role in the formulation and creation of laws and, through these laws, public policy.

It so happens that in the United States - or in about half the US states, at any rate - there is. It's called the initiative process, and allows citizens unhappy with the inaction of their elected representatives on a certain issue to formulate their own proposed law addressing that issue.

Proponents of such an initiative are required to collect a certain number of signatures of their fellow citizens on petitions. If they collect the requisite number of valid signatures, the proposed measure goes on the next election ballot. Voters can then pass or defeat the initiative at the polls.

In practice, the most significant element in getting an initiative on the ballot is the need to raise the necessary money to pay professional signature-gatherers. In California, where initiative proponents need to collect 419,260 valid signatures, the going

rate for these services is approaching one million dollars.

So what's the best course of action for a group or individual with a complaint or proposal they'd like everyone to vote on, but without a million dollars? Right now, there is nothing they can do. But if signatures could be collected over the Internet, it would be a different story.

That story could be about to unfold, thanks to a reusable, 'open source' online petitioning initiative called the Smart Initiatives Initiative. In the next issue of E-Government Bulletin we will set out how this works, and how it could shift the balance of democratic power towards the citizen in a new 'open source democracy' in the US.

* Article by Marc Strassman, Author of the Smart Initiatives Initiative and Founder and Executive Director of the Smart Initiatives Project. See:
<http://www.smartinitiatives.org>

[Section Three ends]

SECTION FOUR: ONLINE DEBATE - FUTURE HEALTH FORUM

KITEMARKS AND KITCHEN TABLE WEB SITES

The safety and quality of health information available over the Internet and the need to involve patients in developing information services were among the topics of debate in Future Health Forum, an online think-tank run earlier this month by E-Government Bulletin publisher Headstar with sponsorship from Deloitte and Touche.

Bob Gann, Managing Director of NHS Direct Online, told the debate: "We cannot possibly police the Internet - nor should we seek to do so. Our objective in NHS Direct Online is simply to make it easier for people to find good information than bad.

"We still need to do a lot of work on developing criteria for good information. The NHS Plan recognises this in its commitment to kitemarking under the aegis of 'NHSPPlus'. We need to strike a balance between quality criteria which focus on the issues of design, navigability, production values and so on and those of content value. A parent of a child with a rare disorder for example may find considerable support in a 'kitchen table' website which may be crudely designed but contain uniquely valuable information and shared experience."

However Rod Ward, Lecturer at the School of Nursing and Midwifery, University of Sheffield, said: "I do not believe in kitemarking or star ratings because of the problems in deciding who you are kitemarking it for, or what their needs are - and the changing nature of the information. Codes of conduct such as that run by the Health on the Net Foundation are useful, however it has already been found that these have been abused and policing them is a nightmare.

"Any site or organisation which attempts to evaluate and filter the quality sites must publish its evaluation criteria".

Paul Johnson, Director of Telemonitoring Research at the Women's Centre, John Radcliffe Hospital NHS Trust, said: "One approach to the problem of authentic websites and the digital divide created by e-health is to involve the patient in the development of websites. Many studies already show that patients do not understand the disease they have, any guidelines provided or the relevance to themselves.

"This applies especially to the socially excluded. A website could include patient health information (controlled by the patient) and a website that addresses their needs including health information in a format that they want. After years of conducting research on risk aspects of pregnancy as well as care in the community and failing to enlist the most socially disadvantaged women - often teenagers in the UK - we have embarked on developing a website for antenatal care (not just advice), information and education in the widest sense in partnership with such women.

"Many other clinical conditions should be amenable to this approach. Merely warning people of good and bad sites will have limited benefit as long as the public feel disenchanting with the health service on offer. There are no short cuts to patient empowerment - unwitting disempowerment is only one risk".

Tim Willis, Assistant Director of the UK government's 'Foresight' research programme, said: "There may be an emerging role for 'infomediaries' - systems and organisations that weed information targeted to the individual. I agree that the NHS has a particularly strong brand name to exploit opportunities, but there are others. Parallel to this is the increasing role of patient group websites providing information for the professions, public and patients. Information from experienced patients is valuable to those recently diagnosed."

The role of online learning for clinical professionals and others in the health services also came under the spotlight. Ruth Garner,

Consultant Occupational Therapist with Learn Net Advisors and Research, said: "Centrally-funded continuing professional development resources which use the multimedia capabilities of the web to provide up to date educational materials for clinical practice is a good idea. However, this is mainly useful on one end of the spectrum of learning - where there is an immediate need to know something.

"The other end of the spectrum is the learning that can be applied in the wider context of the organisation - collaborative learning that allows people to share knowledge, skills and experience. This type of learning needs to be based within the virtual classroom. Virtual learning doesn't necessarily take people away from the patient's bedside if it is constructed in a way that allows people to study when and where they are able to.

"In Birmingham we have also applied this methodology to people with disabilities - providing remote vocational guidance to them in their own home, opening up opportunities they wouldn't otherwise have had. This has involved developing new roles such as virtual mentoring.

"However, we have a long way to go in terms of changing the hearts and minds of healthcare professionals to find new ways of studying and working. We also have a long way to go in terms of awarding bodies accepting on-line learning as a credible way of learning and being assessed."

Ellaine Muscroft, Regional Consultant with the family support charity Home Start, said: "The voluntary sector appears to be leading in practical IT applications in preventative health care - for example the reduction of isolation and anxiety. The Samaritans 'listen' online. The growth of the electronic village hall has been swift - Barnsley electronic village hall has approximately 100 members, many of whom are unemployed and/or elderly. The Virtual Volunteering movement has clear potential for massive health benefit".

The full report of the debate will be published in the New Year at its web site:
<http://www.futurehealthforum.com/>

[Section Four ends]

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ISSUE 92, OCTOBER 2000

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SECTION ONE: NEWS

BIRTH OF A HERO AND AN E-UNIVERSITY

HERO, the new Internet portal for higher education (see E-Government Bulletin, March 2000), yesterday unveiled a prototype 'holding

site' ahead of its formal launch at the Higher Education Funding Council for England's annual meeting on 20 November.

The site at <http://www.hero.ac.uk> will act as a single access point to information on all higher education institutions and courses in the UK. HERO stands for 'Higher Education and Research Opportunities'.

Meanwhile the e-University project - a web-based college backed by a consortium of higher education institutions and also led by the HEFCE - has announced it could be making an operating profit within three years of its launch, planned for the 2001-02 academic year.

The e-University will develop web-based courses to compete in the 50 billion UK Pound global online learning market, targeting postgraduates, businesses and students worldwide.

The body will not act as a separate university, developing its own courses, but rather as a virtual learning 'brand' drawing together approved courses from various institutions. The idea is that a consortium of institutions can provide investment and economies of scale that outweigh the advantages of competing separately on a global stage.

For further information on HERO and eU see the left-hand menu on the home page of the HEFCE web site:

<http://www.hefce.ac.uk/>

PROPERTY PRICES ON THE MOVE

A service allowing people to search for average property prices using Wireless Application Protocol (WAP) enabled mobile devices has been launched by the Land Registry.

The service, available at <http://www.landreg.gov.uk/wap/>, allows members of the public and property professionals such as estate agents, surveyors and valuers, to make on-the-spot enquiries about residential property prices in a given area.

The prices are updated quarterly and can be searched by postcode, area or countrywide. The service also includes help finding the correct regional office, with contact details, and a calculator for its fees. Those without a WAP device can view the service on the web using the WAP emulator at <http://www.gelon.net/>

The Land Registry is also set to launch an online service to simplify the process of buying and selling property. The National Land Information Service, due to go live early in 2001, will allow property searches to be carried out via

the Internet, offering faster and more accurate property identification.

The Land Registry service is thought to be only the second to be developed by a public sector body in the UK. Earlier this year, Hampshire County Library launched the UK's first WAP-enabled public service, a directory of county libraries, at <http://wap.hants.gov.uk/library> (E-Government Bulletin, August 2000).

COMPANIES FAIL INTERNET SHOPPERS

One of the largest surveys of Internet shopping sites ever undertaken has found problems with more than a third of purchases.

Trading Standards officers in Warwickshire, Oxfordshire and Shropshire made test purchases from 102 UK-based companies.

In 38 per cent of cases orders did not arrive in the specified time and 17 per cent never arrived.

Reasons given were systems crashing, companies disappearing, items being out of stock or orders simply being forgotten. Nearly a third of orders were not confirmed and in almost half of cases no notification of dispatch was given.

The survey coincided with National Consumer Week (16-20 October), whose theme this year was Internet shopping. The Trading Standards Institute has issued a free booklet, *Shopping on the Internet - Better Safe than Sorry!*, which addresses consumers' concerns and offers advice on safe Internet shopping. It is available by ringing 0845 130 8080 or see: <http://www.tradingstandards.gov.uk>

GATEWAY TO CULTURE

Plans have been unveiled by the Department for Culture, Media and Sport for an online gateway to British culture and the arts.

Following a 5 million UK Pound consultation and development process, Culture Online will become a key resource for schoolchildren and adults, allowing people to explore the UK's national museum and gallery collections, films and music and stage performances.

Children studying Shakespeare, for example, will be able to download the text of a play, watch an online performance and take part in discussion groups with other students and the most recent director of the play. They will also be able to call up costume designs and programmes of past performances.

SOCITM STRENGTHENS INTERNATIONAL TIES

The Society of IT Management in local government (SOCITM) has signed co-operation agreements with similar professional bodies in the US and Sweden.

The agreements, with Government Management Information Sciences in the US and Kommunal IT-Samverken in Sweden, will allow information and best practice to be exchanged and members of the different bodies to attend each other's conferences.

SOCITM already has co-operation arrangements with its Dutch sister organisation, VIAG, and it is in discussions with sister organisations in Australia, New Zealand, Denmark, Germany and Eire.

Meanwhile, as part of its autumn training programme, SOCITM is running a series of three one-day courses in e-government.

'E-government explained', 'Developing local portals', and 'Introduction to XML' take place in Winchester on 25- 27 October and Leyland on 20-22 November. For booking information, email: bobg@socitm.gov.uk.

HEALTH INFORMATION AT THE SUPERMARKET

Some 153 free information kiosks linked to the NHS Direct web site and telephone information service are to be sited in accessible public places around the country by the end of this year, health minister Gisela Stuart has announced. The kiosks will be located in places such as supermarkets, pharmacies, hospital accident and emergency departments and walk-in medical centres.

The NHS National Plan, published in July, outlined a commitment to provide more than 500 NHS Direct information points by 2004.

The NHS Direct site is at:
<http://www.nhsdirect.nhs.uk/>

WIN A WEBBY

The international Webby Awards, the glitzy San Francisco-based equivalent of the Oscars for the Internet, has added a 'Government and law' category for its fifth annual event in the summer of 2001.

For a chance to win and hobnob with stars like David Bowie and Francis Ford Coppola (who are among the judges), visit <http://www.webbyawards.com> for submission rules and an online entry form. The deadline for entries is December 15, 2000.

WEB ROUND-UP

E-GOVERNMENT is the topic of this month's 'iMP', the online magazine on information impacts published by the Center for Information Strategy and Policy in the US. Contributors include E-Government Bulletin editor Dan Jellinek. See: <http://www.cisp.org/imp/>

E-TAXATION A site dedicated to the discussion of e-commerce taxation has been created by Italian academic Gualdo Tadino at: <http://www.e-commercetaxation.com>

PARENT ZONE: The Scottish arm of the National Grid for Learning has produced a new section collating resources for parents and guardians of school age children: <http://www.ngflscotland.gov.uk/parentzone>

[Section One ends]

SECTION TWO: CONFERENCE REPORT - INSTITUTE OF HEALTHCARE MANAGEMENT

TELEMEDICINE CUTS COSTS WITHOUT REDUCING QUALITY

Electronic consultation by doctors with hospital outpatients, including email and videolinks, can cut healthcare costs by 20% without reducing quality, delegates at the Institute of Healthcare Management (<http://www.ihm.org.uk/>) annual conference in Harrogate heard earlier this month.

Ian Jardine, a member of the IHM's Telemedicine and Telecare Programme Team, said research completed in Finland in 1999 found that the use of electronic consultation with outpatients over a four-year period increased the number of consults by 20% but reduced physical visits to the doctor by some 40%, leading to the cost cuts.

And the evidence was that the quality of electronic consultation was just as high, he said. "It was of variable quality - but then so is real-life consultation - the variation between doctors was the same". It is also easier to audit the quality of electronic consultations.

Another advantage of 'telemedicine' - defined as the use of information and communications technologies to provide healthcare at a distance - is the ability to access specialised expertise, Jardine said. With services like pathology, for example, results are

better where a pathologist has specialised experience in the area under examination, for example breast cancer pathology. Unless a test is carried out in a very large hospital, this expertise will not be readily to hand, but pictures of a high enough quality can easily be sent over the Internet for remote examination by an expert. Even more advanced systems are being developed that allow a pathologist to manipulate a robot arm online to alter a microscope angle and view the results using a live video feed.

Telemedicine can provide good back-up for nurse-led treatment centres as well, he said. One nurse-led minor injury clinic in Cornwall gains input from doctors when needed via a video link to the local hospital, for example to view an x-ray. As well as making efficient use of everyone's time, this is excellent training for nurses, who can play a more active role than usual in the consultation.

Home care is another area where remote communications links can prove invaluable. Jardine said a US project had introduced 'virtual visiting' by health professionals to residents of an old people's home using cheap web-cams on top of television monitors. The system allowed more regular communication, making people feel less lonely.

He said he had heard that with a small tweak to the system, users had found they could begin to communicate with each other as well, starting up a virtual support community.

Systems like these are likely to develop in the future to include remote monitoring of physiological signs like pulse rate, or even daily activities like how often a person goes to the toilet - such personal monitoring would be subject to the full approval of the patient, he said, but the evidence showed people were willing to be monitored in this way, as it made them feel more secure.

More frequent contact with patients through virtual visiting can also be of tremendous value in mental healthcare, Jardine said.

"When it comes to psychiatry, telemedicine works very well. Perhaps it is because many psychiatrists don't want to be in the same room as their patients - and certainly patients don't want to be in the same room as their psychiatrists".

Virtual visiting was good for people suffering from depression, for example, because such people often benefit greatly from frequent contact which it is not always possible to provide with physical visits due to the cost and time restrictions on health professionals.

"Even though the visits are virtual it is better than making contact less frequently", he said. "It might also mean that occasionally a GP can also take part via videolink in a contact between a community worker and a patient of that GP, where a combined physical visit would be impractical".

This latter example demonstrates that the benefits of telemedicine multiply once a range of professionals or healthcare organisations use the same system. Clinicians may be able to collate data more easily from a range of tests or sources to provide a more complete record of a patient, for example.

Of course, telemedicine is not restricted to high-tech applications - as well as web and email services, videoconferencing and robotics, it can include services conducted over the good old-fashioned telephone line.

The telephone can often be the most powerful telemedicine tool of all, Jardine said: one GP in Manchester already conducts half of his outpatient follow-up consultations by telephone, saving on the time and effort of a house-call and ensuring all follow-ups are carried out in good time.

Nurse-led telephone call centres will increasingly be developed to serve multiple functions, he said, for example combining the NHS Direct patient advice service with ambulance calls, home alarm systems and even physiological monitoring.

Of course, telemedicine is not without its problems. One issue is that the companies that make the expensive equipment needed to carry out consultations and other procedures by videolink or other remote communications technologies are keen to sell as many such machines as possible - one to each hospital. It is more efficient for the health service, on the other hand, to buy one machine centrally for a region and simply cable different hospitals and clinics into it. This difference in outlook can cause tension.

There is also a great deal of discontent with the development of the health service's internal network, NHSNet. Delegates took turns to grumble about how the service simply "doesn't work". "It gets you on the Net but very little else", said one. "It's email system doesn't work" said another.

All agreed NHSNet was secure, but Jardine said overtight security was actually causing absurdities of its own. "There is an automatic system for stopping the exchange of pornographic images over the network. But for some reason, it identified the IHM logo as pornographic and wouldn't transmit it".

Eventually advances in telemedicine combined with staff shortages in the UK could also lead to the NHS drawing on the online services of health professionals from all over the world, he said. People could send images for radiology checks as far away as India, he said, and already Surrey social services is interviewing people for jobs from Australia and New Zealand via a videolink.

* E-Government Bulletin's publisher Headstar is hosting a debate on the Internet from November 7-9 about the future of technology use for healthcare - FutureHealthForum, sponsored by Deloitte and Touche. Anyone interested in taking part should email Dan Jellinek on dan@headstar.com

[Section Two ends]

SECTION THREE: POLICY - ONE STOP SHOPS

CENTRALISED DELIVERY - R.I.P.

The centralised one-stop-shop approach to service delivery has been growing in popularity for over a decade now, but is it always helpful, and can it really solve the problems faced by councils in today's political and technological environment?

There are a growing range of issues which are critical to those considering the development of physical, 'bricks and mortar' one-stop-shops.

There is plenty of pressure on councils, not least from central government, to deliver the wide-ranging 'modernisation agenda'. However, the language of partnership, joined-up thinking, participation and consultation can be little more than empty rhetoric. For the sake of customers and the communities we serve, it is vital that the interconnections are genuinely made between the various agencies which serve them.

Public services are hampered in tackling the modernisation agenda by a series of organisational cultures derived from their functional, departmental and professional inheritance. In the small market town where I work, if you became unemployed you may need to see up to six different agencies, in six different buildings, filling out six different sets of forms.

Future services must be constructed around life episodes such as birth, death, changes of address, becoming unemployed and so on.

One-stop-shops can help in this regard, but only if they facilitate the creation of multi-agency

frontline teams. The bricks and mortar approach can no longer be regarded as being sustainable for just one organisation. These teams must be accountable for achieving holistic outcomes, and so must be properly empowered by their component organisations. To deliver, they must have access to information and systems that cut across organisations: interconnections must be made, and relevant data assembled on individuals and their needs.

Telephone call centres are encouraging centralised service delivery and no doubt this trend will continue to accelerate. Those providing services to rural communities are aware of the potential downside of this approach. There is an urgent need to move to closer community service delivery in such areas as neighbourhood renewal, tenant compacts and community plans.

Currently some of my staff work alongside the police in a mobile police station to serve isolated communities across 250 square miles. This is only a 'first stop' service. We need to turn our staff into local, mobile one-stop-shops, making use of new technologies such as WAP and mobile videoconferencing. However, mobile working will merely be a continuation of the status quo unless opportunities are taken now to facilitate decision-making on the ground.

Of course, this locally-led, multi-agency service delivery must not be merely a one-way process. We need to complete the loop. Systems need to be able to capture and analyse data about customer needs and trends.

This information must be used to inform future patterns of service delivery and budgetary priorities. As technology improves, employees will gain almost instant communications, be able to perform multi-tasking and obtain and respond to data sensitive to time, place and preferences.

Flexibility will allow us to break away from 9-5 service delivery. The centralised one-stop-shop approach can move us forward, but it can also be a hindrance, and significant resources can be released if our staff become locally-based one-stop delivery points.

* Article by Stephen Brown, Head of Services (Bassetlaw East), Bassetlaw District Council. The article was written to stimulate debate at a discussion group due to run on 15 November in London at this year's Local Government Solutions event, part of the Electronic Government Forum. For more information see: <http://www.electronic-government.com/>

[Section Three ends]

SECTION FOUR: FOCUS - THE DOMAIN NAME SYSTEM

EUROPEAN RIVAL TO THE US-LED DOT.COM REVOLUTION

The Internet domain name system, which translates maps numerical 'IP' (Internet Protocol) addresses for Internet-connected computers into more user-friendly words - is about to undergo several major changes which will be of keen interest to public sector bodies.

The changes include the creation of a '.eu' top level domain as a European rival to the US-centric '.com' revolution. The move was initiated by the European Commission, which in July 2000 confirmed its intention to create and manage the new domain. The announcement can be seen at:
<http://www.ispo.cec.be/eif/InternetPoliciesSite/DotEU/WorkDocEN.html>

The commission received strong backing for its initial proposals, which were released for consultation in February. The responses are online at:
http://www.ispo.cec.be/eif/InternetPoliciesSite/DotEU/Analysis_of_responses.html. Further consultation will now take place on the concrete steps to be taken to establish the domain, including how the EU will work with ICANN (<http://www.icann.org>), the international body which oversees the Internet domain name system.

The commission says the .eu domain will strengthen the image and infrastructure of the Internet in Europe, acting as a counterbalance to the historical dominance of the Internet by US concerns. It could also increase the ability for European companies to run e-commerce operations in an atmosphere of adherence to EU law and policies such as competition, data protection and consumer rights.

In this way European organisations would be offered an alternative to the choice between operating under US-led top level domains like .com, or operating under their national country codes, which can be too limiting in today's global marketplace.

However, there are various questions to answer in introducing the new domain. Will it be a generic top level domain like '.com', which will allow free registration by anyone or any organisation within the EU, or will it have any restrictions on the types of organisations that can apply and how they use second-level domains within the space?

For example, one way of proceeding might be to replicate the existing generic names like .com

under .eu, so you would have .com.eu, allowing Europeans with existing '.com' registrations to have first chance to register a '.eu' equivalent without fear of 'cyberpiracy' - the registration of domain names by others in bad faith in an attempt to sell them. An alternative, or additional measure, might be to create several a series of chartered spaces within '.eu' such as 'museum.eu', to provide rights and opportunities to various sectors like, in this example, the museums sector.

There could be some knotty problems surrounding which European public sector organisations, if any, will use the .eu top level domain. If it is restricted to a generic domain or generic second level domains like .com.eu, or to chartered domains with a commercial flavour like .bank.eu, then it would not be a problem. But if some government agencies in some countries wanted to create a '.gov.eu' domain, there could be political headaches for many - would any UK or Danish government agencies move to use the domain, for example, with such strong anti-European sections within their electorates?

Another imminent development in the global Internet domain name system is the creation of a series of new top level domains by ICANN itself, including the possible introduction of one or more personal domains.

Personal top level domains would for the first time offer a structured name system for individual Internet users - a fascinating prospect and a vital key in expanding the Internet's potential for ordinary citizens.

Possible structures for such as domain could revolve around a top level domain such as '.person', '.nom' or even '.individual'. The second, third and possibly even fourth levels of the domain system would be used to reflect the individual's name and geographical location in some way, making the whole domain personalised but distinguishing it from other people with similar names.

Thus for example the top level domain could come with a stipulation that all registrations must be at three levels, and that the second level must reflect the user's surname and the third level their first name. So the domain for Jane Doe could be jane.doe.person; and if a second person came along with the same name, they could register a domain such as jane.doe2.person

An alternative would be to use one of the levels to express a geographic location, so it could be jane.doe.copenhagen.person

Registration under a personal domain would have to be exempt from all regulations surrounding infringement of trademark or copyright law. This protection should remain so long as the domain is used for personal purposes, for example

to receive email or for a personal home page, and not for commercial trading purposes.

This would ensure for example that people with names corresponding to trademarks could not be pursued by the trademark owners: it would not be satisfactory for everyone with the name Mickey to be under threat of action from Disney, for example.

Personal domains will be of vital importance for Internet users in the future, because they could be used to confirm their identity in all sorts of situations, from e-commerce to legal transactions. They could also become a key part of an individual's social identity and image - families often already build up home pages together, so in future the personal domain will become the focus for all that kind of activity. One's email address is already an important identifier.

The concept will therefore emerge of a person's 'digital identity', and this is likely to be closely linked to their personal domain name. A generic top level domain reserved for personal domains will allow peoples' digital identities to better reflect their names, and most importantly will allow them to be controlled by the individual.

* This article is extracted from 'Connecting to the Internet - a response to ICANN's proposal to reform Internet Top Level Domains', a new report by the domain registrar Speednames. The research for the report was carried out by Headstar, publisher of E-Government Bulletin. The report can be found at <http://www.speednames.com/> or email mpower@hillandknowlton.com

[Section Four ends]

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E-GOVERNMENT BULLETIN

The Email Newsletter On Electronic Government,
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Section Two: Education - The online learning revolution

Section Three: E-government- Social inclusion

Section Four: E-democracy - Electoral reform

SECTION ONE: NEWS

PLANS TO BOOST REPACKAGING OF OFFICIAL DATA

The UK's e-Minister Patricia Hewitt has announced plans to streamline the way government information - from health data to crime figures, school league tables and census results - can be purchased and repackaged for consumers by Internet and publishing businesses.

The 'Government Information Review' includes a pledge to make Crown Copyright public information available in digital format wherever possible; and to ensure that most information is available at marginal cost price - covering merely the expense of making the data available, not of producing it in the first place.

However, the cheap data deal excludes a vital group of government 'trading funds', agencies which create high value information and trade as businesses including Ordnance Survey, the Meteorological Office, HM Land Registry and Companies House. There was a vaguer pledge to "improve pricing and dissemination of information" for these bodies.

Other plans include a new on-line licensing service, "Click-Use-Pay" being implemented by Her Majesty's Stationery Office (HMSO); a consultation paper on the future role of HMSO operating in a regulatory capacity, including a new complaints procedure for customers; and all government bodies to speed up creation of information asset registers linking to an 'inforoute' website being developed by HMSO.

Government departments and agencies will continue to be free to develop their own value-added information services charging market prices provided there is a level playing field among all participants, the minister said. There was also a recommendation that other public bodies such as local authorities and quangos review their charging and licensing strategies for copyright material.

Fred Perkins, chief executive of The Stationery Office - the company formed from the privatisation of HMSO's publishing operations and one of the main providers of value-added services for official information - said the new proposals were "interesting . . . but the devil is in the detail. Crown Copyright is only one factor in the exploitation of government information: freedom of information is another, and the whole spectrum of joined-up government and e-government infrastructure issues.

"The government is at a very early stage in committing itself on several interrelated fronts. These things won't be delivered overnight - the detail will determine how fast, where, and how large will be the opportunities". For the new proposals in full, see: <http://www.hmso.gov.uk/govinfoev.htm>

ONLINE ELECTIONS A CURE FOR VOTER APATHY?

The Hansard Society for Parliamentary government is to exhibit a 'Virtual MP's office' at all three main political party conferences this month - a mock-up of how technology could be used in the future by our elected politicians. The society, with backing from BT, will also publish a guide for MPs on the use of technology to enhance their constituency and other work.

The office and guide will be unveiled first on 17 September at the Liberal Democrats' conference in Bournemouth.

The society is also hosting fringe meetings at each conference on "Voter apathy and what is to be done", where leading politicians and commentators will consider solutions to poor election turnouts including whether Internet voting could help. Further information on the project is due to be posted up shortly at: <http://www.hansard-society.org.uk/edemocracy2.htm>

According to a recent nationwide survey conducted by pollsters ICM on behalf of digital television company Ondigital, people would indeed be more likely to vote if elections were to take place online. More than half of respondents said they would be more likely to register their political preference in an election if they could vote on the Internet.

However, the Electoral Reform Society (<http://www.electoral-reform.org.uk/>) believes there are significant problems to be overcome before on-line voting is a viable option. Their worries include barriers to access and the danger of fraud.

The society has set up a commission to report by the end of the year on the experimental pilot voting schemes run in May's local elections, which included electronic voting procedures, allowing people to cast their votes over the Internet or using touchscreen computers in polling stations.

The pilots were enabled by the Representation of the People Act 2000, and if successful, the intention is to apply them to national parliamentary elections in due course. For more information see:

<http://www.homeoffice.gov.uk/ccpd/cnu/evalcont.htm>

* See also Section Four, this issue: E-democracy.

BLAIR PRESENTS 'UK ONLINE' E-POLICY PACKAGE

The Cabinet Office's Performance and Innovation Unit this week published a plan to boost e-government, including financial incentives for 'joined-up' working between government agencies, as part of a wave of 'UK Online' policy announcements unveiled by Tony Blair.

The PIU report, 'e.gov', is to be backed by a £1 billion investment in electronic service delivery over three years. Key points include the focusing of services on the needs of users, rather than government departments; backing up services with advice and support, to ensure high levels of take up; and partnership with the private and voluntary sectors.

The centrepiece of the document is a pledge to reinvent how government works internally, with "powerful incentives to change and radical shifts to cross-boundary working . . . including sharpened financial incentives to promote electronic service delivery, and the creation of a government incubator to develop new service ideas". See:
<http://www.cabinet-office.gov.uk/innovation>

As part of the broader UK online campaign launched by the Prime Minister, the locations were unveiled of the first 600 'UK online centres' for free public Internet training in some of the UK's poorest communities. The government is aiming to create some 6,000 such centres, including all public libraries, supported by a national online education service 'learndirect'. See:
<http://www.ukonline.gov.uk/>

A linked initiative to help small businesses exploit new technologies with advice available face to face, online or by telephone was launched by the Department and Trade and Industry. See:
<http://www.ukonlineforbusiness.gov.uk/>

ONLINE PROCUREMENT TRIALS A SUCCESS

The Buying Agency (<http://www.tba.gov.uk/>), the government procurement agency operating within the Treasury's Office of Government Commerce (<http://www.ogc.gov.uk/>), is set to expand trials of its electronic procurement catalogue.

Initial trials began in April, with around 30 organisations including central and local government bodies and universities using the catalogues to purchase a range of some 500,000 goods and services online from 400 different suppliers.

Following the success of these pilots, a further group of organisations will be added over the next month or two. The service will be made available to all government bodies later this year, to meet the government's target of handling 90% of all procurement electronically by 2001. See:
<http://www.tba.gov.uk/p22.html>

PLUGGING ASIAN WOMEN INTO THE DIGITAL ECONOMY

A new report on how to overcome the problems faced by women in the Asia-Pacific region in taking part in the digital economy was published this week by 'WomenAsia.com'.

The report, by WomenAsia.com founder Rosemary Brisco, was presented to the World Economic Forum's Asia Pacific summit on the gender digital divide, which ran from 11-13 September in

Melbourne, Australia.

It examines issues relating to women in the workforce; women as entrepreneurs and as consumers; and 'the invisible digital divide'. Suggested solutions included better training, corporate sponsorships and government subsidies. See:
<http://www.womenasia.com/divide/>

A GUIDE TO GOVERNMENT WEB SITES - SECOND EDITION

'Official UK', a comprehensive directory of government and other public sector web sites featuring reviews of more than 1,000 sites, was published in its second edition this month.

The book, written by E-Government Bulletin editor Dan Jellinek, lists sites by subject area such as Foreign Affairs and Defence or Education and Science, with separate chapters for Scotland, Wales and Northern Ireland. The new edition also features reviews of the web sites of international bodies such as the EU and the UN. An appendix contains links to the main UK political party sites.

The guide costs £25, ISBN no: 0117024465. For more information and to order a copy visit:
<http://www.official-uk.co.uk/>

THE BEST LIBRARIES ON THE WEB

EARL, the consortium for public library networking, has launched its 'Best on Web 2000' awards for UK public library web sites. The initiative seeks to reward libraries with sites that are informative, fun and interesting to use.

Anyone can nominate up to three sites for the awards, bearing in mind that the judges will be looking out for the best information content, interactive features, and design and usability of sites. Winners will be announced at the EARL annual conference in November 2000.

Full judging criteria can be found on the awards' web site, as can a list of public library websites to choose your nominations from. Nominations, which can be sent via an online form, must be received by 6 October. See:
<http://www.earl.org.uk/bestonweb/2000.html>

E-GOVERNMENT AND LOCAL POLITICS

The implications of e-government for local politics and local government structure will be among topics discussed at an October meeting of the Promoting Electronic Government (PEG) project. PEG is run by a consortium of councils and the consultancy CDW and backed by the Department of the Environment, Transport and the Regions.

Bob Kerlake, Chief Executive of Sheffield City Council, will address the 'Community and e-government' meeting on 24-25 October in Sheffield. Other issues to be covered include partnerships for electronic services. See:
http://www.eipdg.org/sheffield_oct2000.htm

SECTION TWO: EDUCATION

- THE ONLINE LEARNING REVOLUTION

The steady rise of Internet-based and other forms of interactive online learning in higher education are set to force both academics and students to radically rethink the way they work and study, according to a leading UK expert.

Diana Laurillard, Professor of Educational Technology at the Open University, told E-Government Bulletin: "The ways academics spend their time will have to change. Currently, university academics spend most of their time lecturing, marking assignments and holding tutorials, and their teaching role is that of a 'craft amateur'. With an increase in online learning, they will have to become more professional in developing high quality online educational resources.

"It will not be adequate to simply put their lecture slides up on the web - that is a bit like dumping students in a library and telling them to get on with it. They will need to develop online resources that are interactive, offering feedback, automated assessments of work, and other forms of support".

The way students employ their time is also undergoing changes, she says. "Increasingly, students are having to work part-time to cover increasing costs and reduced financial support for learning, or with a growing number of mature students, are spending more time with their families.

"If they are working 20 hours a week, they will have to fit their studies around this, so there will be less time for lectures",

Laurillard says. "They need the flexibility to be gained from more online learning, although it is not suitable for everything, and it is important to obtain a balance across different learning technology media".

Her assessment of progress to date is not rosy, however. "We're not yet exploiting technology for these purposes nearly enough - there is a long way to go".

Ms Laurillard was among speakers at this week's seventh annual ALT-C conference on integrated learning technology at the University of Science and Technology in Manchester.

Elsewhere at the conference, a new working group spearheaded by the UK Office for Library and Information Networking (UKOLN) was examining the development of national standards for the description of educational resources in digital formats.

The 'Metadata for Education Group' (MEG) was formed to reach a consensus across the educational, public library, museum and data archive community on how to describe learning tools such as CD-ROMs and online courses, and to disseminate best practice.

"At the moment there are a lot of public sector agencies producing educational content online, from the National Grid for Learning to the Environment Agency", says the group's leader, Dr Paul Miller of UKOLN. "The problem is that they are all described in different ways, using systems developed locally, and learners can become confused".

Examples might be descriptions of who a particular course is for; what format it takes; or what UK educational qualifications it is working towards. In some cases different terms may be used to describe the same objects, and in others, the same terms will cover completely different objects.

An increasing number of publishers and other organisations are creating databases of educational resources, and the main problems with descriptions arise when people try to search across these

databases, Miller says.

The MEG is developing recommendations for standards, by examining best practice in the UK and internationally. It first met in June, and again this week, when members drew up guidance for public sector bodies on selecting and implementing description standards.

The group will meet again in Edinburgh in November. In the meantime, it is setting up a register of what work is currently being carried out by various public sector bodies in this field. For more information see:

<http://www.ukoln.ac.uk/metadata/education/>

Learning and Technology Minister Michael Wills MP used ALT-C 2000 to launch a new award scheme to reward organisations using new technologies to develop lifelong learning opportunities in their local communities.

The BT Lifelong Learning Awards will offer more than £500,000 per year - divided into awards of up to £75,000 per project - to universities, further education and sixth form colleges, libraries and any community partners for projects promoting access to technology, innovation and teamwork.

See:

<http://www.bt.com/lifelonglearning>

And for further information on ALT-C 2000 see:

<http://www.umist.ac.uk/alt-c2000/>

SECTION THREE: E-GOVERNMENT - SOCIAL INCLUSION

Raw percentage targets for the provision of public services online - as already set for central government and likely to emerge shortly for local government - must be implemented in the context of a range of vital social issues including social inclusion and equal opportunities, according to a new e-government think-tank.

The high-level 'E-government to E-community' group, launched this month by the local authority chief executives' society SOLACE, is the brainchild of James Hehir, chief executive of Ipswich Borough Council and president elect of SOLACE.

An initial 'scoping' paper prepared for the group sets out its aim to focus strongly on how technology will affect local communities, including tackling 'digital divide' issues.

"Government targets for the conduct of business using electronic means . . . need to be supplemented by a series of other themes including social inclusion, the development of citizen centric approaches, and the relationship between e-government and the modernisation agenda, including the drive for Best Value", the paper says. The effects of technology on working patterns and local economies should also be examined, it says.

The think-tank will stress the importance of leadership both from and within local authorities, urging the need for "positive attitudes of engagement rather than defensiveness or fear". Ways in which councils could take a lead include working with local training providers to boost technology skills among their own

employees, so helping to create a training culture in the external community, the report says.

Other questions the think-tank will address include:

- * Should local government be actively promoting access to new technologies within the local community?
- * To what extent should councils lead by example? Will they be taken seriously by their communities, and be able to achieve community leadership, if they do not embrace new technology itself ourselves in everything they do?
- * Flexible working can have many benefits, but can equally create problems. Should the local authority play a role in promoting an awareness of the implications of flexible working within the community?
- * How will changing working patterns affect local authority service delivery?
- * How can councils help people in all parts of society, for example people for whom English is a second language cope or young single parents, access technology and digital services?
- * Is there a danger that some sections of the community will become economically disadvantaged?

The think-tank is divided into a core group and a wider consultation group. The core group is comprised of Mr Hehir; David Henshaw, chief executive of Liverpool City Council and current SOLACE president; Clive Grace and Mike Sanders of SOLACE; Gordon Mitchell, chief executive of Bracknell Forest BC; Annie Ralph, chief executive at Braintree District Council; Rob Garnett, chief executive at Breckland Council; Claire Dimitros, head of IT at Essex County Council; Martyn Harwood, director of corporate services at Gloucester City Council; Martin Ferguson and Martin Greenwood of the Society of IT Management (SOCITM); Steve Baker, head of facilities management at Ipswich; and representatives of the group's three sponsors BT, Oracle and Zurich Municipal. A representative of the government's Central IT Unit is due to join the group shortly.

A final report will be produced by the group in February 2001, to include a range of case studies reflecting the challenges faced by different types of council such as urban redevelopment and rural issues. It will also include check-lists for councils and others for present and future action; suggestions for the role of business; and suggested areas where central government action or action from local authorities collectively may be needed to drive progress.

Ipswich, where the think-tank is based, has a strong recent track-record of community technology projects including a recent project in which Internet screens were installed in tea rooms run by Age Concern for use by elderly people.

The city is also positioning itself as a leading UK centre for high-technology companies under the 'IP-City' initiative, after some bright spark in the regeneration department noticed the local 'IP' postcode also stood for 'Internet Protocol'. The initiative forms part of a 'Cambridge-Ipswich High-Tech Corridor' programme, in which the city is looking to partner Cambridge as a major European centre of innovation.

For further information or to contribute to the think-tank's deliberations, Bulletin readers should contact James Hehir or Steve Baker on james.hehir@ipswich.gov.uk or stephen.baker@ipswich.gov.uk

The SOLACE web site is at:
<http://www.solace.org.uk/>

And for more on 'IP-City' see:
<http://www.ip-city.com/>

SECTION FOUR: E-DEMOCRACY - ELECTORAL REFORM

TIME TO MOVE TO A VIRTUAL CONSTITUENCY?

As well as potentially improving the speed and efficiency of the electoral system, electronic voting - including Internet voting - and electronic vote-counting could revolutionise the very fabric of democracy in the UK.

The annihilation of geographic distance by Internet use and the gradual shift towards adoption of proportional voting systems for elections at various levels could combine to create the potential for a move away from geographic constituency politics to the politics of interest groups or communities of interest.

The prospect was raised in a recent issue of E-Government Bulletin (August 2000, Section Four). In his review of the Government Computing Northern Ireland conference, Dr David Newman of Queen's University Belfast wrote: "What if some MPs represented an interest group right across the country, rather than a physical constituency, using the Internet to keep in touch with this dispersed group?"

How would such a system work in practice? Could such a seismic shift in our political landscape really occur?

Currently, the key institution of British politics is the political party. The accountability of MPs is far greater to their party than it is to their constituents, and the pressure on them to obey the party whip is immense. With the growing availability of internet access, it has now become much easier to involve most of the people in the control of government and eliminate the wastage of votes that occurs under the present, first-past-the-post (FPTP) electoral system.

One stated aim of the Jenkins Commission on voting reform - that of maintaining geographical links - need no longer imply single-member constituencies, since it is now as easy to confer with a representative anywhere in the country as with one maintaining an office in the nearest large town. Multi-member constituencies, served by a varied team of elected representatives, could even strengthen community links by giving almost all voters someone that they have helped to elect.

Of the various systems currently under consideration, the Alternative Vote (AV) does extend voter choice to some extent by allowing electors to identify a second preference candidate to whom their vote is transferred if their first preference candidate stands no chance of election. Experience with AV in Australia, however, was that the third largest party, the Democrats, failed to get a single seat, despite getting some 15% of the vote.

The Additional Member System, in which some members are directly elected and some are elected from party lists drawn up by the parties themselves, provides better proportionality.

However, this system enhances the power of party organisations to the detriment of the electors.

A better choice, especially now that ballot calculations can be carried out by computer, is for the single transferable vote (STV) system with multi-member constituencies. Electors mark a list of candidates in order of preference, and the counting process involves the transfer of the unused portions of first preference votes to the respective second preference candidates and so on, until no further fractions can be used.

The sizes of the constituencies would vary according to geographical or natural communities, but could typically be of such a size as to elect five, six or seven representatives. The limit depends on the number of candidates, typically 20 to 30, that may conveniently be listed on the ballot paper or screen and from which the voter may select an order of preference.

One problem with STV is how to decide the order in which candidates' names appear so as to avoid unfair advantage to those near the top of the list. With a fully electronic system, however, names could be presented in different random order for each elector, eliminating any bias. The whole process would be much quicker and more reliable when using computers.

The experience with STV in the Republic of Ireland shows that the result is broadly proportional and that governments emerging from the process will generally be stable.

So where does the issue of 'constituencies of interest' fit in with this system of voting? Under STV, it might indeed be possible for a number of 'special interest' candidates to stand for virtual constituencies. Voters could nominate which special-interest constituency they wished to inhabit, removing themselves from their geographical constituency as they did so.

This process would entail a national register of all voters showing their respective constituencies, and allowing ballot forms with the correct lists of candidates to be supplied. For those voting electronically via the internet, this task could be automated and it may be acceptable for special interest constituencies to be limited to those with internet access.

Some way would have to be found to allocate fairly the number of special interest members to be elected. After all, the current ratio is only about 1.5 members per 100,000 electors, so to merit a five member entitlement, you would need more than 300,000 voters to opt for the relevant special interest constituency rather than their geographical location. That might be difficult to achieve.

An alternative solution may be to have special interest members elected to the House of Lords, but either way it would be important to have preference voting by STV.

Proportional representation and electronic voting are both ideas whose time has come. And in combination, they could lay the groundwork for an exciting new era in democratic representation.

* Article by Owen Dumpleton, a member of the Electoral Reform Society and a former green party Euro candidate.

[Section Four ends]

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SECTION ONE: NEWS

NHS TECHNOLOGY PLAN FACES UPHILL STRUGGLE

The new NHS National Plan, which charts the way forward for information technology in the health service, is not powerful enough to overturn the NHS computing mistakes of the past, according to one leading commentator.

Roy Lilley, a former NHS trust chairman and author and broadcaster on health management issues, told E-Government Bulletin: "The NHS has a disastrous history on IT issues and I am not sure much is set to change. The management of information using technology could be the salvation of much of the NHS's problems. The difficulty is the legacy of the Thatcher years - by devolving responsibility to NHS trusts, the service became disaggregated.

"Some trusts made progress on technology, but most did not. Now the new NHS

IT agency should select a system for the whole of the NHS and railroad it through. There would be critics, comments about whether or not the system is the right one - but at least it would be a start".

However the IT agency - itself introduced after the failure of the former NHS Information Management Group - was not taking a strong lead, he said. "The agency is doing more harm than good. Civil servants who have never experienced what an IT system can do are too timid to make procurement decisions. It will take the agency until 2005 to agree common standards with industry, never mind get the British Medical Association to sign-up, trusts to agree and comply with EU procurement rules."

The National Plan, launched last month by Tony Blair and funded by £13 billion from the government's comprehensive spending review, proposes an ambitious range of IT initiatives ranging from issuing smart-cards to patients to providing TVs and telephones at every hospital bed.

Other plans include access to electronic personal medical records for patients by 2004; electronic prescribing of medicines by 2004; electronic booking of appointments for hospital treatment by 2005; facilities for telemedicine across the UK by 2005, allowing patients to connect with staff electronically for advice; and smart cards for patients allowing easier access to health records "when the necessary infrastructure has been put in place".

"Not everything can be put right overnight - the decades of neglect make that impossible. But over the next few years the NHS will start to look and feel like a different place", the plan says.

However, Lilley warns it may not be that simple. "The electronic patient record has defeated just about everyone. I was at an Arizona conference on the topic last year and the Americans can't agree on common data input standards, data warehousing facilities or patient confidentiality issues. I have no grounds for hoping the UK is any different."

CALL CENTRES MUST BE BACKED BY SERVICE RESTRUCTURE

A new report on the use of telephone call centres by local councils finds that although they are beginning to be used quite widely, there is a real danger they will underachieve or fail if they are not implemented alongside a much wider programme of reshaping service delivery around a single point of entry.

The report, by the Foundation for Information Technology in Local Government (FITLOG), cites the case of Hertfordshire CC which began its call centre work by identifying that "people contacted the council through a number of channels and a critical element in developing a consistent response was a common technological platform.

"The county set out to design and build a database capable of holding the answers to all of the questions it might be asked and, more importantly, to

begin to change the way the authority managed its information", the report says. "The call centre is the first mechanism by which Hertfordshire will provide access for the public to that new database. It will be complemented in due course by a new web site, which will provide transactional capability as well as information content".

The report predicts that interaction with call centres over the Internet will be a major growth area in the future. "As more citizens gain access to the Internet and as more technologies such as digital television are introduced, the breadth of activity handled by call centres will grow. These new contact centres can be expected over time to exploit a variety of emerging technologies, such as voice recognition, to improve their operations.

"Technology integration will also increase . . . commercial web sites are beginning to include a button which can be used to establish a dialogue with a call centre adviser. Similar devices could be developed for information kiosks". Connections would also be made between call centres and back office systems like the automatic digital printing and despatch of a letter or form.

In time, call centres could even play an active role in policy delivery such as social exclusion - perhaps offering freephone access to excluded groups - or customer champion, holding the rest of the council to account for agreed service standards, the report says.

Making contact - developing successful call centres in local government is available from FITLOG, price £45 to non-commercial and £90 to commercial organisations. See:
<http://www.fitlog.com>

LORDS' COMMITTEE URGES ACCELERATION OF INTERNET REGULATION

The House of Lords - of all bodies - showed a fine grasp of the overarching policy issues surrounding regulation of the Internet and e-commerce this month with the publication of a report by its European Union select committee.

On policy development in the UK for regulation of e-commerce, the committee says: "The government has made a good start and we have no doubt about its intentions and commitment in this area. But we have yet to be persuaded that real change is happening and at the speed which the new technologies demand."

At the EU level, the committee is more complimentary, although it warns that current informal arrangements should be hardened into a formal European fast-track system for Internet policy.

"It is . . . essential that the processes of legislation be speeded up. There should be a faster track. The way in which the Commission and the

Parliament worked to adopt the e-commerce framework Directive is a model of how these institutions can react rapidly. However . . . the European Parliament was unhappy at the way in which the Parliamentary process was applied in this instance.

"The improvised procedures which achieved success in the case of the e-commerce Directive will have to give way to a more formal system. We would argue that this requires a serious look at the way in which legislation is processed in and between the institutions of the European Union to see whether or not a fast-track system can be established.

"It is important, too, that member states revise their own systems of transposition into national law so that the impetus gained by fast action in the institutions of the EU is not dissipated at national level".

The report concludes: "The Internet has turned the concept of jurisdiction upside down, and we see a serious need for international conventions to deal with this new phenomenon". For the full report, see the 14th report of the EU committee, in the select committees section of the House of Lords web site:

<http://www.publications.parliament.uk/pa/ld/ldhome.htm>

SECOND US GOVERNMENT PORTAL ANNOUNCED

The Clinton administration has announced plans for a second major cross-government Internet portal, to go live this autumn.

The secure service, 'pay.gov' (<http://www.pay.gov>), will allow US citizens to make a wide variety of electronic payments to the government, from families paying for a camping licence for a national park to corporations paying fines and even certain taxes. Eventually the service will have the potential to handle any of the 80 million transactions the US government now processes each year. See:

<http://www.treas.gov/>

The announcement follows plans announced last month for the launch this autumn of 'FirstGov', a new single online gateway to US government information on the web. See:

<http://www.firstgov.gov/>

CONFERENCE ROUND-UP: E-GOVERNMENT AND THE DIGITAL DIVIDE

The Electronic Government Forum, hosted by the publishers of the e-government bulletin, takes place in London from 15-16 November. This annual networking forum provides the opportunity to share best practice and explore partnerships with suppliers. The first day is for local authorities and the second for central government departments and agencies. For more information and to register visit: <http://www.electronic-government.com>

Meanwhile Business in the Community, a grouping of UK companies committed to

continually improving their positive impact on society, is holding a conference on the digital divide on 28 November in London. The conference will explore the implications of a digital divide for society and business; ethical investment and corporate citizenship; and technology issues for rural areas. Contact Barbara Murphy at comm.unity@bitc.org.uk or see: <http://www.comm.unity.uk.net/>

IS YOUR COUNCIL BETTER CONNECTED?

'MAPIT', the research arm of the Society of Information Technology Management (SOCITM), has begun to plan its third comprehensive survey of council web sites, Better Connected? 2001. Representatives of all councils are invited to email mapit@socitm-ssl.co.uk with brief details of any innovation that your site has seen in the past 12 months.

Please email one-line responses to the following questions, with a web address if relevant: Have you introduced any new interactive application? Have you introduced some other innovation of special interest? Have you made any formal assessment of user needs? Have you learned any specific lessons from assessing usage statistics? And are there any ways other than simple links in which the website is designed to work with neighbours, local agencies and other partners?

As a new extension of its 'Better Connected' project, MAPIT has also launched a local authority web site review service. Under the service a review team tests each site from the perspective of various kinds of user, such as single parents or tourists, and issues recommendations for improvement. In association with the RNIB, it also checks for accessibility to people with visual impairment. The charge is £495 to MAPIT subscriber councils and £950 to non-subscribers - contact Martin Greenwood on 01926 498703 or email: mapit@socitm-ssl.co.uk

NEWS IN BRIEF:

LITERACY LEVELS: The literacy of a country's workforce is a crucial element in ensuring a high proportion of knowledge jobs in its economy, a new report from the OECD finds. Initial educational attainment is the key to improving literacy, far outweighing adult education, it finds. However, the UK has poor literacy rates among developed nations, with more than 15% of its population possessing only the most rudimentary literacy skills. 'Literacy in the information age' is available priced 200 French Francs from the OECD: <http://www.oecd.org/>

E-PETITION: Downing Street is to accept an electronic petition for the first time, in a move predicted exclusively in last month's E-Government Bulletin. The global environment network WWF has launched the project as part of its Oceans Recovery Campaign, calling for action by the government to regenerate the seas by piloting fishing-free zones and protected areas. The online petition system 'e-petitioner' was designed by the International

Teledemocracy Centre at Napier University in Scotland, which already has a formal agreement with the Scottish Parliament to host online petitions. For more see:

<http://www.e-petitioner.org/>

E-DEMOCRACY: The Hansard Society for Parliamentary government is stepping up its work on evaluating the use of the Internet and other new technologies to enhance the democratic process. A new report, 'New media and social inclusion', looks at the lessons to be learned from a recent pilot online policy consultation run for victims of domestic violence. Next month the society will run two public consultations for the UK government's planned new Internet portal, UK Online. Further work is planned to analyse the content and quality of online democratic debate, and look at the role of digital TV. See:

<http://www.hansardsociety.org.uk/>

The Office of Government Commerce within the Treasury (<http://www.ogc.gov.uk/>) has announced the creation of a new forum between government and the IT industry - led by the Computing Services and Software Association (CSSA) - to try to improve the government's dismal track record on major IT procurement projects. It will examine ways of eliminating "systemic problems" in processes for the placing and delivery of government IT contracts. However in a briefing paper the leading IT journal Computer Weekly said the establishment of a forum was no substitute for action, and what was needed was genuinely independent assessment of government projects. See: <http://www.computerweekly.com/cwarchive/chinook/20000803/ITdisaster.DOC>

[Section One ends]

SECTION TWO: TECHNOLOGY - WIRELESS APPLICATION PROTOCOL (WAP)

HAMPSHIRE MOVES EARLY TO HARNESS WAP

In May this year, Hampshire County Library launched the UK's first WAP-enabled local authority web site. County residents can now access a complete directory of libraries from wherever they are using a WAP-enabled mobile phone or other WAP device. The service covers all 54 libraries in Hampshire and includes addresses, contact details, opening times and information on access for people with mobility difficulties.

The site is at:

<http://wap.hants.gov.uk/library/>

You cannot access it directly using an ordinary web browser, so if you do not have a WAP device but would like to see what it looks like, you can use the WAP simulator at <http://www.gelon.net/> to view it. You scroll down the screen using the little button below the centre of the screen, and click on the links as you would on an ordinary web page.

WAP stands for Wireless Application Protocol (WAP), an open specification

that allows users of mobile, wireless communications devices to access and interact with online information and services. The standard is overseen by the WAP Forum, an industry association with more than 200 members - see: <http://www.wapforum.org/>

Currently, the mobile Internet offers access to predominantly textual information, supplemented by simple single-colour graphics - a far cry from the colourful world of the web. There has also been some controversy surrounding the download speed of WAP information, and whether or not the standard will survive in the long term or be replaced by more powerful systems. However Hampshire Library decided that the technology, though still in its infancy, could already benefit the county's citizens by offering quick, precise, tailored information to those on the move.

Development of the site started in April this year, with help from a local computer games company, IO Productions (<http://www.ioproductions.co.uk/>). The site was developed using the WAP Toolkit from mobile phone company and WAP champion Nokia, available for free download from <http://www.forum.nokia.com/>

WAP pages are written in a programming language called wireless markup language (WML). This is similar in many respects to the language in which ordinary web pages are written, hypertext markup language (HTML). However, WML is not as forgiving as HTML: unlike ordinary web code, if you forget a tag or put a line of code in where it is not expected, your page will not be displayed at all.

There is also a maximum size of page that the phone's browser can process. The library site was designed to work on the Nokia 7110e phone, with no page exceeding 1,397 bytes, a limit which is very quickly reached! But the advantage is that any page that is viewable on the 7110e is viewable by almost all other WAP-enabled mobile phones on the market.

The site is being hosted on the Hampshire County Council web server, which was reconfigured to handle WML documents. This is fairly easily done, and there is plenty of information about server configuration for WAP on the web - see for example: <http://www.wapdesign.org.uk/server.html>

It is important to think very carefully about the design of a WAP site. Generally people will not be happy to scroll and click through pages and pages of information to find what they require. And it is important to think of where people might be accessing the Internet with their mobile phone - on a train, shopping or out for a walk perhaps. What type of information would people need or like to access when they are mobile?

The library site is just the first step in Hampshire's initiative to build Hantswap (<http://wap.hants.gov.uk/>), a complete WAP directory of council services (again, this page can be viewed with an ordinary web browser using the simulator at <http://www.gelon.net/>).

Sister to the council's award winning web site Hantsweb (<http://www.hants.gov.uk>), Hantswap is generating very positive feedback from the public. Traffic to the site is being monitored closely to help the council gauge demand for information delivery using this new technology. In June this year the library site received more than 1,400 hits.

Hantswap is still in its infancy, and is currently based purely on a directory of services, but future possibilities are very exciting. Much will depend on the way mobile technologies develop, but future mobile phones will be capable of connecting to the Internet at very fast speeds, and will have colour screens and be capable of downloading music and other data.

We are entering a new phase of the technological revolution . . . accessible now on a mobile phone near you!

* Article by Sarah Perkins, ICT Officer, Hampshire County Library.
E-mail: sarah.perkins@dial.pipex.com

[Section Two ends]

SECTION THREE: INTERNATIONAL CASE STUDY - FINNISH ID CARD

CITIZEN SMART CARD UNLOCKS PUBLIC AND PRIVATE SERVICES

In December 1999 Finland became the first country to offer its citizens a digital ID card for secure transactions both online and offline. The solution, based on public key infrastructure (PKI) technology, paved the way for a new generation of electronic services.

The work was undertaken in the same spirit as building railroads and highways was undertaken in the past. The ability to use secure electronic transactions has become a basic infrastructure in Finnish society, for everyone to use and to build services on.

Finland has the highest Internet use rate per capita in the world, and public services on the Internet have also been developed at a brisk pace. This means citizens can take care of official business and duties at home or work without having to worry about office hours, weekends or the physical location of government bureaux.

When dealing with sensitive business, it is vitally important to know with certainty with whom we are communicating - what is known as 'strong authentication'. Also, documents transferred via the Internet may have to be encrypted, and sometimes a digital signature is required.

The Finnish Population Register Centre (FPRC), a state agency, now offers all citizens the possibility of having an electronic ID card - a plastic smart card complete with a micro chip, similar to a tiny computer. Alongside its traditional use as a photographic ID card and a travel document within Europe, the 'FINEID' card contains a government-branded digital certificate

allowing the user to perform secure online transactions, create trustworthy digital signatures and send secure e-mails.

Designed as a national infrastructure with services available to millions of Finns, the requirement was to have a solution that could not only support the high-volume management of digital certificates but also work to common, open standards. This was pivotal in allowing third party organisations to integrate their own online services and make use of the infrastructure.

The FPRC has outsourced all of the elements of the technology infrastructure required for the certification system. ICL Invia acts as the main technology integrator, and iD2 Technologies as the supplier of the PKI technology. The telecom operator Sonera won the helpdesk contract for revocation services and NovaCall won the contract for a user helpdesk. Elisa Communications now manages the database of public keys and the archive or repository of certificates. Smart cards are supplied by Setec.

By using the electronic identification infrastructure, private individuals can make use of a wide range of services provided both by public administration and the private sector, round the clock. Service outlets are being made available to people at public libraries and municipal service centres as well as at particular information kiosks. Moreover, these services can be accessed directly from a computer at home or work via the Internet. Also the use of mobile phones and digital TV as end user terminals is being developed.

For example, an online change of address registration system allows citizens to notify the government of any changes to their address over the Internet, while automatically updating the Finnish Post Office in the same transaction. It also provides the government with a centralized, up-to-date database of citizens' addresses.

The new online, infrastructure is also already being used by private companies to communicate and trade with their customers. FPRC has introduced a trademark or logo for users to recognise compliant software, services, card readers and so on. OKO Bank, for example, has become one of the first organizations to use the ID smart cards and PKI system to enable citizens to manage their finances over the Internet with the FINEID card.

The new online infrastructure is therefore bringing time and cost savings to the government, corporations and citizens. For more information on FINEID see:

<http://www.vaestorekisterikeskus.fi/prc.htm>

* Article by Vesa Vatka, the Population Register (Finland). The author is speaking at the Information Security Solutions Europe Conference from 27-29 September in Barcelona. See:

<http://www.eema.org/isse>

[Section Three ends]

SECTION FOUR: CONFERENCE REVIEW

GOVERNMENT COMPUTING NORTHERN IRELAND

Northern Ireland is a small place, yet around 300 people turned up for this year's Government Computing magazine Northern Ireland conference in Belfast in June to learn about new ways of using computing to help deliver public services.

Many were from government agencies, trying to learn some of the jargon of the Internet and e-commerce that is only just starting to be used widely in the somewhat conservative public and private sectors over here. In contrast, the community and voluntary sectors in Northern Ireland started down the same road over six years ago - they are the exception to statistics showing that Northern Ireland is one of the worst regions of the UK for take-up of the Internet.

Dermott Nesbitt, the junior minister in the Northern Ireland Executive who addressed the conference, is not the most wired up of people, but might nevertheless be the most IT-literate minister in the executive. Then again, how many ministers or permanent secretaries in London could pass the European Computer Driving Licence test?

Nesbitt said the Northern Ireland Executive was aware of the importance of computing and the Internet for delivering government services, particularly for economic development and education. It will shortly be publishing two papers: 'Citizens First', a framework for modernising government to serve citizens, and 'E-government for Northern Ireland', which will look at getting the government itself connected.

What does this mean in practice? We don't know yet, but we can pick up a few clues from the things said and left unsaid by the various conference speakers.

Several public and voluntary sector speakers gave practical examples of what has already been achieved. The Social Security and Employment Agencies in Northern Ireland have already set up pilot one stop shops in which both sets of staff (and both IT systems) worked together to serve their common clients. Unemployment is now 30% lower in the Dungannon pilot area than in the matched control of Armagh.

The Northern Ireland Association of Citizens Advice Bureaux has been using Lotus Notes information and discussion databases for years to keep their offices up to date across the province. This is now being copied by NACAB in England (using inferior technology). Service to citizens is now becoming important - not just information provision, but personal advice and services.

For many of the speakers who came over from England, the next big thing in e-government will be 'customer' transactions. If e-commerce can sometimes deliver savings to private companies, let's try it in government.

There were three types of talk on transactional services. Some simply repeated a standard sales pitch, with no thought for the audience, such as the technical explanation of smart cards without any mention of their possible application in verifying voter identity in an island with a tradition of "vote early and vote often".

Others seemed to be blind to the fact that citizens are more than just customers. We actually own the government, through our votes and taxes. That's why civil servants are called servants, not masters.

When Rob Watts from Compaq talked about Cabinet Office projects, his vision was of individuals using a smart card to identify themselves to a web portal or call centre. Then up would pop all their records with all parts of government, so that the customer could fill in an application and pay for several related licences at one step, rather than traipsing from office to office. But nowhere in the design is a way for citizens to complain that they shouldn't have to fill in the form at all. He managed to make it sound so centralised it could be an electronic version of the former East German government. This definitely would not sell in nationalist, let alone republican or loyalist, areas of Northern Ireland.

More inspiring was the talk by Charles Lowe of BT, whose group will be developing the 'me.gov' central government portal. Lowe contrasted technologies that develop by small improvements in what exists, such as TV, with 'disruptive' technologies which transform the way we live.

He invited us to think of some of the possible radical changes that portals might lead on to. Regional and local government might collect tax and pass some along to central government. And what if some MPs represented an interest group right across the country, rather than a physical constituency, using the Internet to keep in touch with this dispersed group?

What seems to be absent from consideration of e-government in Northern Ireland, however, is a consideration of the use of technology to support public participation in decision-making. The province has a new assembly, with many new laws being introduced. Most of these require that all affected authorities and agencies should carry out several stages of public consultation.

For example, some 120 agencies have had to consult on how to do equality impact assessments. How did they do this? They put adverts in the newspapers inviting people to write in for a paper copy, then send back their written comments on paper. People in several hundred community, business and union groups spent over a month doing nothing but replying to these consultation documents. Now civil servants are working through these paper replies and producing reports.

Such ridiculously inefficient processes cry out for transformation through technology. But not one speaker at this conference seems to have noticed.

* Article by Dr David R. Newman, Queen's University Belfast, School of Management and Economics

<http://www.qub.ac.uk/mgt/staff/dave/>

[Section four ends]

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> **ISSUE 89, JULY 2000**

>

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>

> SECTION ONE: NEWS

>

> DOWNING STREET FOLLOWS SCOTLAND TO ACCEPT E-PETITIONS

>

> The government is set to announce a pilot scheme to accept electronic petitions from its citizens, E-Government Bulletin has learned.

>

> Electronic petitions will break new ground for the UK government, although a trial system is already up and running at the Scottish Parliament in association with the International Teledemocracy Centre at Napier University. It is this same system - dubbed 'e-Petitioner' - that will be used UK-wide.

>

> The trial - due to be announced by Downing Street on 20 July - is likely to allow people to sign petitions entirely over the Internet, subject to controls including postcode checks to verify addresses and spot checks. The Scottish trials show that fears the system may be open to abuse appear unfounded, and if anything the greater level of background information on the web as opposed to paper petitions lead to a higher quality of debate.

>

> The scheme is an early success for the Scottish Parliament's aim to create an information age democracy, with the UK Parliament now running to catch up with its newer counterpart.

>

> * See also section three, this issue.

>

>

> NEW STATESMAN AWARD WINNERS

>

> The London Borough of Hackney has won this year's New Statesman new media award in the government category, for its web site 'Hackney Live' (<http://www.hackney.gov.uk/>). The colourful site was picked for its vibrancy and interactivity that reflected the diversity of its local community.

> Another London borough, Camden, won a commendation for its site 'Camden Connect' (<http://www.camden.gov.uk>) as did Hampshire County Council for its compendious county-wide 'Hantsnet' project (<http://www.hants.gov.uk/>)

>

> The winner of the elected representative award was Paul Flynn, MP for Newport West, for an entertaining and hard-hitting site (<http://www.paulflynnmp.co.uk/>) Also commended in this category was the Cambridge Labour representative and the first MP to have a web site, Anne Campbell (<http://ds.dial.pipex.com/anne.campbell.mp/>)

>

> There was a special mention in this category for Andy White, not an MP and therefore not technically eligible, whose Professional Contractors Group web site (<http://www.ir35update.co.uk/>) alerting independent contractors to the government's IR35 tax proposals was the first ever national, regional and local political and media campaign run entirely through the web.

>

> The overall merit award went to the Brookmans Park Newsletter (<http://www.brookmans.com/>), a lively and informative community web project

> run by Dave Brewer of Brookmans Park in Hertfordshire. The newsletter
> content is assembled by local individuals and organisations like the local
> bobby and the local history society. There are also innovations like a
> historical slide show and a 'have your say' section where local issues are
> aired and often referred directly to the local authorities or companies
> involved.

>
> For more on the awards see:
> <http://www.newstatesman.co.uk/nma2000about.htm>

>
> UN AND OECD TARGET DIGITAL DIVIDE

>
> The United Nations and the Organisation for Economic Co-operation and
> Development are urging richer nations to help the developing world reap the
> benefits of modern technologies.

>
> Information technology was the central theme of the United Nations Economic
> and Social Council meeting from 5-7 July in New York, where UN
> Secretary-General Kofi Annan stressed the importance of ensuring that
> technology-driven globalisation is for the benefit of all. See:
> <http://www.un.org/esa/coordination/ecosoc/itforum/index.html>

>
> And in a statement to be presented to this month's G8 summit in Okinawa,
> Japan, Mr Annan will call on the world's richest nations to make "a major
> commitment of resources" to bringing technology to the developing world. IT
> has the potential to improve health care, education, governance, agriculture
> and trade in poorer nations, he will say. See:
> <http://www.g8kyushu-okinawa.go.jp/e/index.html>

>
> Japan's Prime Minister Yoshiro Mori has already announced that his country -
> the G8 host - is considering a comprehensive package of assistance for
> developing countries including intellectual assistance towards formulation
> of policy and institution building; training and education; assistance for
> the development of telecommunications infrastructures; and promotion of the
> use of IT through development assistance.

>
> Meanwhile the United Nations Volunteers programme (<http://www.unv.org/>) has
> launched the United Nations Information Technology Service (UNITeS) website
> to mobilise volunteers around the world to help bridge the technological
> divide between developed and developing countries. And the UN Development
> Fund for Women (UNIFEM) (<http://www.undp.org/unifem/>), the International
> Telecommunication Union (ITU) and the UN Development Programme (UNDP) last
> week signed a formal agreement guaranteeing the impact of information and
> communications technologies on women will be included in policy dialogue and
> decision-making. The three agencies will encourage governments and the
> telecommunications industry to recruit, employ and train women on fair and
> equitable access to technology.

>
> Not to be outdone, the OECD Council ministerial meeting on 26-27 June 2000

> also warned against the creation of a digital divide. The organisation has
> begun a major study to identify whether a 'new economy' is taking shape and
> if so, what are the sources of growth and how government policies need to
> adjust. The study is due to be completed in 2001. See:
> <http://www.oecd.org/media/release/nw00-70a.htm>

>
>
> STANDARDS IN EDUCATION

> Readers of E-Government Bulletin in the education sector are invited to take
> part in an online debate on standards in education and the involvement of
> the private sector in education, to be held on the web from 25-27 July.

> The debate is being hosted by The Stationery Office, the UK's main publisher
> of government and official information, in association with the bulletin's
> publisher Headstar. The use of technology in schools will be an important
> strand of the debate. If you are interested in taking part please email the
> bulletin's editor Dan Jellinek on dan@headstar.com

>
>
> HEALTH DEVELOPMENT AGENCY AND HEALTH PROMOTION ENGLAND

> Following our report on the Health Development Agency and Health Promotion
> England, the two bodies which took over the work of the former Health
> Education Authority (HEA) on 1 April this year, both agencies have
> recontacted E-Government Bulletin to update us on their plans.

> The HDA says a new temporary web site was launched on 2 June, at:
> <http://www.hda-online.org.uk/>

> The agency says that Evidence Base 2000, one of the HDA's major electronic
> projects, started life last year under the management of the HEA, and has
> transferred directly to the HDA. However, it was not possible to start work
> on the HDA site until decisions had been made about the organisation's
> structure and visual identity. A permanent site is under construction and
> will be ready later this year.

> Health Promotion England says it is soon to launch a new corporate site, to
> be located at <http://www.hpe.org.uk/>

> Like the HDA, the agency says it has been delayed in setting up a site as it
> awaits decisions from the Department of Health about its structure,
> workplans and identity.

> HPE says it has taken over a number of websites which the HEA initially
> developed and it is now in the process of rebranding them. These include the
> drugs information website 'Trashed' (<http://www.trashed.co.uk>), as well as
> other well established sites with information on alcohol, sexual health and
> immunisation. It has plans to launch several new innovative sites in these
> areas in the next few months.

>

> US GOVERNMENT TO LAUNCH NEW WEB PORTAL

>

> US President Bill Clinton used his first Internet webcast last month to
> announce plans for the launch this autumn of 'FirstGov', a new online portal
> to US government information on the web.

>

> Mr Clinton also announced plans to step up transactional public services
> online, such as application for government grants and competition for public
> sector contracts. A competition was launched in association with the
> non-profit Council for Excellence in Government to award up to 50,000 US
> Dollars to students, researchers, private sector workers or government
> employees who present the most creative ideas for new electronic government
> services. See:

> <http://www.firstgov.gov/>

>

>

> THE INTERNET AND DEMOCRATIC PARTICIPATION

>

> The State of Texas is seeking information and case study material from
> readers of this bulletin on live public participation in central or local
> government processes using the Internet, such as webcasting of council
> meetings, or live participation in open meetings online. The state's
> Department of Information Resources is drawing up a legislative study on
> broadcasting open meetings, to include a review of such activities
> worldwide.

>

> If you have relevant information you would like to submit to this study,
> please email Becky Lentz on becky.lentz@dir.state.tx.us

>

>

> JULY ROUND-UP - UK GOVERNMENT ONLINE

>

> The House of Commons Public Accounts Committee has published a report
> critical of the quality of UK government web sites. It said sites were often
> hard to navigate. See:

> <http://www.publications.parliament.uk/pa/cm199900/cmselect/cmpublicacc/331/33102.htm>

>

> The Department of the Environment, Transport and the Regions has published a
> consultation document on how far local government should emulate the target
> set by the Prime Minister for central government of 100% electronic service
> delivery capability by 2005. The document covers corporate approaches to
> managing information as well as service-specific targets, and response are
> invited by Thursday 10 August 2000. See:

> <http://www.local-regions.detr.gov.uk/consult/iag/index.htm>

>

> Health Secretary Alan Milburn has announced an additional 60 million UK
> pounds of spending to allow GPs to receive diagnostic test results over the
> NHS-wide secure network, NHSNet. It will also be possible for GPs to book

> hospital outpatient consultations while the patient is in their surgery,
> allowing patients to agree dates that suit them. Pilot projects will also be
> set up to allow GPs to send prescriptions electronically to their local
> pharmacy. See the press release section of the Department of Health web site
> for the second quarter 2000:
> <http://www.doh.gov.uk/>

>
> HM Land Registry has launched Land Registry Direct, providing low cost
> access over a secure extranet to 17 million computerised property registers
> and title plans to property, legal and finance professionals - a step
> towards the holy grail for house buyers of electronic conveyancing. The aim
> is to scan in more than 100 million filed images by 2004. See:
> <http://www.landregistrydirect.gov.uk/>

>
> Scottish Ministers have given initial approval to 46 of 104 bids for a share
> of the Scottish Parliament's 25 million UK Pound modernising government
> fund, to support innovative projects which harness new technology and
> promote joined-up working between public sector bodies and partnership with
> the private or voluntary sectors. The 46 shortlisted bidders have until 29
> September to submit more detailed plans. They include West Lothian Council,
> for a web site for 13 local public sector agencies; Aberdeen City Council,
> for smartcard technology allowing residents to pay for services; and the
> Scottish Executive Rural Affairs Department, for an electronic system for
> farmers' grant and subsidy claims.

>
> [Section One ends]

>
>
> SECTION TWO: CONFERENCE PREVIEW
> - NET SUCCESS

>
> LIVE TRIALS FOR SUPERFAST CITY NETWORK

>
> A blueprint for a super-fast computer network linking citizens and
> businesses in a regional or local area with a complete range of local public
> and private sector services is to be unveiled in Norwich this week.

>
> The project is a partnership between the University of East Anglia's Centre
> for Applied Research in Education (CARE) and the government's Central
> Computer and Telecommunications Agency, and will be launched at the 'Net
> Success' conference hosted by CARE on July 19-21.

>
> The conference will examine both the technological implications of
> constructing local broadband networks and the knowledge management issues of
> how organisations from different sectors can work together to provide
> information through a single gateway or service. It will also include the
> live demonstration of a high-speed network.

>
> The trial 'City-Plus' Metropolitan Area Network will feature high-speed
> communications and data connections to schools, GPs and small businesses. It

> will use xDSL and 100mbit services, operating at speeds of up to 10 times
> faster than ISDN, which is currently the fastest available to ordinary
> users. This will enable applications like videoconferencing to be run at
> costs affordable to individuals and small organisations.

>
> Professor John Schostak, director of CARE, says: "The key to all this is the
> cost, as we are concerned that all citizens should have access to these
> types of networks, and the message we want to get across is that you can
> obtain very high speed networking at relatively low cost.

>
> "There are two aspects to the creation of a city network: one is the
> technical side, and the other is the human side - how does one create the
> kinds of applications and networks that are appropriate for how people
> actually work and what they need?"

>
> Applications to be woven into the Norwich network include education,
> libraries, health, policing and land management - all areas that have
> already made moves to use large-scale networking to provide services online.

>
> For citizens, local networks would take the guesswork out of finding local
> services, Schostak says. With information organised into a directory format
> and everything based locally, you would know that if you want to find a
> doctor in Norwich you will not, as happened to him recently using a web
> search engine, be directed to a doctor in Norwich USA.

>
> The networks could feature high-speed external connections as well, using
> satellite technology, he says.

>
> The conference is the start of a year-long campaign to get organisations of
> all kinds interested in setting up city networks across the UK. Schostak
> says that local network projects need to be consortia-based, alliances
> between public and private sector bodies. "At the moment the picture is
> fragmented, with the sectors not working together properly. The difficulty
> is in getting different types of organisation to hold a dialogue and work
> towards a network with mutual benefits. There needs to be a core group of
> bodies that see the network as their main strategy for their region or city"

> .
>
> He says universities, councils and other public sector bodies are a natural
> starting point. But each region or locality has different needs, for example
> rural areas will have completely different networking needs to cities, so
> each will need a different group of organisations to meet those needs.

>
> Although public sector bodies are likely to lead the creation of local
> high-speed networks, businesses will stand to gain a great deal as well, as
> they will be able to reach their customers more easily, and vice versa. "The
> growth of e-commerce is hindered because internet businesses can't reach
> their customers effectively - the UK has Europe's largest e-commerce market
> but has the smallest market penetration".

>

> Some other cities including Manchester and Bristol have already linked some
> organisations with broadband technology, but Norwich is aiming to be the
> first to introduce a comprehensive city wide network. It is planned to keep
> this networking infrastructure operational at CARE to allow public sector
> service developers to use it for future trials and workshops.

>
> For more information see:
> <http://www.open.gov.uk/km>

>
> [Section Two ends]

> SECTION THREE: TELEDEMOCRACY

> SCOTLAND LEADS THE WAY TO ELECTRONIC PETITIONS

>
> Next month sees the first birthday of the International Teledemocracy Centre
> at Napier University in Scotland, a ground-breaking body that in 12 short
> months has positioned itself as a European leader in electronic petitioning
> and online democratic consultation.

>
> The centre was set up in August 1999, soon after the creation of the new
> Scottish Parliament. "It was an exciting time, because when a new Parliament
> is set up it doesn't have any legacy systems to hinder it", says Anne
> Macintosh, the centre's director. "And the standing orders that set up the
> Parliament said it wanted to encourage the use of technology".

>
> The centre was created to promote e-democracy - the use of information and
> communications technology in democracy - in the UK and across Europe. It
> also has a parallel academic role, to examine its own programmes and
> research whether and how technologies can improve participation in
> democracy. "There is no hard evidence yet to say that technology does
> increase participation", Macintosh says, "so the research aspect is
> important".

>
> The 'e-Petitioner' project is one of the centre's key initial programmes. It
> has a formal agreement with the public petitions committee of the Scottish
> Parliament to act as the sole third party agent for the submission of
> electronic petitions for a one-year trial period, which began in mid-May
> this year.

>
> Earlier in the year, a small pilot project was run with the World Wildlife
> Fund in Scotland, compiling a petition calling on the Scottish Parliament to
> include Marine national parks in the National Parks for Scotland Bill. The
> petition attracted more than 200 signatures.

>
> The first electronic petition raised under the trial proper is now underway,
> calling on the Parliament to implement in full the 1999 Cubie report on
> student fees and grants before the start of the academic year in September
> 2000.

- >
- > Since its creation on 19 May this petition has gathered around 450
- > signatures, mainly from Scotland, but with a significant minority from
- > England and Wales and a handful from Australia, Canada, Finland, Ireland and
- > the US. It has always been the case that people anywhere in the world can
- > sign a UK petition, as long as it is of relevance to them (for example they
- > are coming to study in Scotland, have relatives in Scotland or visit
- > Scotland regularly).
- >
- > After the trial has been running for a few months, the centre will initiate
- > a six-month programme of research into the effectiveness of the e-Petitioner
- > system, from how it works to its democratic implications. A full-time
- > researcher is to be appointed from September 2000 to undertake this work,
- > with funding obtained from the Joseph Rowntree Foundation.
- >
- > The early signs are that electronic petitions work very well, and fears in
- > some quarters about them being open to abuse seem ill-founded. In fact, they
- > may prove to be of a higher quality and more interactive than the standard
- > petition in the street, where someone shoves a clip-board at you in a
- > shopping centre and you make a snap decision to sign it or ignore it based
- > on very little background information.
- >
- > "In a street where you sign a petition you just see the text", says
- > Macintosh. "We make it easier and more comfortable to read at your leisure,
- > and we add all the background to the debate and the rationale for the
- > petition. Then you decide.
- >
- > "There is also actually a place on the petition where you can add comments,
- > even if you decide not to sign it: so both sides of the debate can be
- > recorded, unlike an ordinary petition. We didn't want to simply implement an
- > electronic version of the paper-based system: there are new possibilities
- > with the electronic format".
- >
- > Various quality and confidence checks are implemented on the signatures,
- > like checks against postcode records to verify whether addresses are real,
- > checks for repeat signatures and so on. Spoof names like Bart Simpson are
- > also picked up, although Macintosh says there have been surprisingly few
- > pranks like this. After the checks are carried out, confidence scores are
- > assigned to each signature, and the Parliament can then decide what scores
- > it will accept. The full names and addresses are also provided to the
- > Parliament, although only a name and a country are reproduced publicly on
- > the centre's web site for reasons of privacy and data protection.
- >
- > MSPs have also expressed an interest in being provided with information
- > about which opinions are typically expressed from which postcodes, to help
- > them target campaigns.
- >
- > Alongside the e-Petitioner project, an e-Consultant project is being
- > developed by the centre to support and facilitate best practice in online
- > democratic consultation by setting up online debates and evaluating the

> results.

>

> The first consultation exercise is being carried out on behalf of the
> Scottish Executive, to consult 16-18-year-olds in Scotland about policy in a
> wide range of areas including drugs, alcohol and sexual health. There have
> been around 600 submissions to the debate so far, an appreciable amount for
> that type of exercise.

>

> Interest in the consultation exercise was drummed up by the Scottish
> Executive by placing banner advertisements on web sites popular with young
> people, including the Neighbours site at <http://www.neighbours.com> and the
> Trouble site <http://www.trouble.co.uk>

>

> For the future, Macintosh is excited about the possibilities that mobile
> Internet devices like mobile phones will bring to teledemocratic
> participation. Other work planned includes involving small businesses in
> teledemocracy projects to influence business policy, and working with
> schools and local education authorities to ensure full participation by
> children of all ages.

>

> All in all, the centre is off to a flying start, and with new trials lined
> up for the UK Parliament (see news, this issue) is set to cement its
> positions as a European leader in teledemocracy.

>

> For more information see the centre's web site at:
> <http://www.teledemocracy.org/>

>

> And the e-Petitioner sub-site is at:
> <http://www.e-petitioner.org.uk/>

>

> [Section Three ends]

>

>

> SECTION FOUR:

> INTERNATIONAL CASE STUDY

>

> DANISH GOVERNMENT PIONEERS ONE-STOP BUSINESS REPORTING

>

> A one-stop government Internet service in Denmark, for businesses of all
> sizes to find out about their reporting requirements to public agencies, and
> to submit many forms online, is one of around 100 case studies in a new EU
> survey 'One-stop government in Europe'.

>

> The survey was undertaken as part of Action A14 of the European Union's COST
> research programme, on government and democracy in the information age. It
> examines projects in 11 European states: Austria, Belgium, Denmark, England
> and Wales, Finland, France, Germany, Ireland, Italy, Netherlands and Spain.

>

> The Danish business reporting project (<http://www.indberetning.dk/>) is a
> partnership between the Danish Ministry of Business and Industry, the Labour

> Market Pension Fund, the National Bureau of Statistics, the Directorate of
> Finances, the Directorate of Environment, the Directorate of Energy, the
> Customs and Taxation agency and many more - in all, 37 agencies or
> authorities. Representatives from industry have also been actively involved
> in the process. The idea is that no matter what kind of report, payment or
> application the company has to submit to a public body, it should be able to
> go through the internet portal.

>
> From the home page several routes can be chosen, depending on the type of
> company and the reporting situation. A user can choose a profile suitable
> for the company, and reports required for that type of company will be
> listed. After that the service can be fully customised, with each company
> tailors its own reporting profile. The system then notifies the company
> automatically when deadlines for the various relevant reports are
> approaching.

>
> Finally the system offers assistance based on a particular new situation or
> circumstance for the company. For example, it offers help on legal
> requirements if a company wants to hire new employees; on labour-related
> injuries in the workplace, on what is required if a company wants to set up
> shop in a particular region; on seeking apprentices or trainees, on the
> requirements of converting a farm from traditional to organic methods; and
> so on.

>
> So far, only 18 forms are available to complete online in a fully
> interactive electronic format, but some 200 others are available to download
> and print out to return by post. The site's goal is eventually to make every
> company-related report form available in electronic format, no small task as
> there are currently an estimated 1,000 company forms.

>
> Test work is also being carried out on EDI (Electronic Data Interchange)
> solutions, with the goal of using EDI for any reports that can make use of
> data already within the information systems of companies such as annual
> balance sheets. These solutions will be offered in cases where the amount of
> data is large and the frequency of reporting is high. EDI has not diffused
> throughout companies as quickly as expected so there is not yet a large
> demand for these solutions, although it is expected to rise in the near
> future.

>
> Testing is also being carried out on a system of digital signatures for
> companies, to boost security, using smart cards.

>
> The entire system is run by one and a half full-time employees, assisted by
> some consultants. The annual budget is around 5 million Danish Krone
> (400,000 UK Pounds), and 10 million Krone was spent initially establishing
> the system. Productivity benefits have already begun to emerge in the
> department, and a recent survey found that 70% of the companies said service
> from the department was improved by the system. It is also estimated that
> companies are already saving on average 5.5 minutes every day by using the
> system.

- >
- > Implementation has not been without its problems, however. The
- > re-engineering of data transfers between public authorities, going from
- > manual or analogue transfers to digital transfers, is a tremendous task in
- > which many different information systems must be oriented towards common
- > data-formats and interfaces.
- >
- > For every one-stop application it is necessary to negotiate new
- > relationships within and in between involved agencies and institutions. All
- > agencies possess relative autonomy to some extent, and their engagement may
- > vary according to the relative benefits they obtain from the common
- > projects.
- >
- > The main battles have occurred when different public agencies have proved
- > hesitant to adopt to the common standards that the system tries to impose on
- > them, and sought instead to create different individual profiles on their
- > own web sites. These conflicts are handled by running pilot projects that
- > demonstrate the productivity benefits to all.
- >
- > The project as a whole is based on the fact that major productivity benefits
- > in one-stop government may be harvested in areas where the amount of data
- > transfers and their frequency are high. This is certainly the case for the
- > report demands imposed on companies.
- >
- > However overall, the European survey found that only a few countries such as
- > the Netherlands, Italy or Finland have embraced an active
- > one-stop-government strategy at the national level, and that new management
- > methods are needed from governments across Europe to deliver new electronic
- > services alongside traditional, physically based services. Crucial barriers
- > are lack of consistent funding and political leadership.
- >
- > * Article by Christian Sørbye Friis and Ole Buch of the University of
- > Roskilde, Denmark. 'One-stop government in Europe' is available online, with
- > information on how to order in print, at:
- > <http://www.fgtk.informatik.uni-bremen.de/cost/one-stop-government>
- >
- > The COST web site is at:
- > <http://www.belspo.be/cost/>
- >
- > [Section four ends]
- >
- >
- > HOW TO RECEIVE E-GOVERNMENT BULLETIN
- > To subscribe to this free monthly bulletin,
- > e-mail egovbulletin-subscribe@headstar.com
- > Please encourage your colleagues to subscribe!
- >
- > To unsubscribe at any time, email:
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- >

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- > is also cited.
- >
- > [Issue ends]
- >
- >

E-GOVERNMENT BULLETIN

- > The Email Newsletter On Electronic Government,
- > UK And Worldwide.

> ISSUE 88, JUNE 2000

> IN THIS ISSUE:

> Section One:

- > News - Hampshire libraries the first to WAP; New NHS portal launched; . . .
- > and new portal for local government; Yell web awards; Exchanging information
- > with the public; European Commission presents eEurope action plan.

> Section Two:

- > Conference report - Citizens Online

> Section Three:

- > Analysis - Multi-lingual services

> Section Four:

- > Online debate - E-government

> [End of contents]

> SECTION ONE: NEWS

> HAMPSHIRE LIBRARIES THE FIRST TO WAP?

- > Hampshire County Council's library department has developed a WAP (Wireless
- > Access Protocol) service which allows users with WAP-enabled mobile phones
- > or other portable devices to find the address, contact details and opening
- > times of all Hampshire libraries. Small text links allow access to the
- > information via an alphabetical index.

> WAP-enabled devices can access the service at:

> www.hants.gov.uk/library/wap/

>

> If you do not have a WAP device, you can access a WAP simulator using a
> normal web browser at www.gelon.net - simply key in the above address and
> the simulator will run itself in a new browser window. Further information
> on developing WAP systems including the Nokia WAP Toolkit 1.2 can be found
> at the WAP Developer Forum site at:
> www.forum.nokia.com

>

> According to EARL, The Consortium for Public Library Networking, the
> Hampshire project is the first example of a local authority WAP service - if
> E-Government Bulletin readers are aware of any others, please email us on
> egb@headstar.com

>

> EARL's web site at www.earl.org.uk has also been given a makeover. Its new
> site has been designed to be easy to navigate and to conform with the World
> Wide Web Consortium's accessibility guidelines (see www.w3.org/WAI/).
> Features at the site include the ever-popular free online information
> service, 'Ask a Librarian'.

>

>

> NEW NATIONAL HEALTH SERVICE PORTAL LAUNCHED . . .

>

> The NHS Executive, the body that runs the National Health Service within the
> Department of Health, has launched a prototype for a new online portal to
> NHS web sites including hospital sites - NHS.uk (www.nhs.uk).

>

> Astonishingly, until now no such gateway site existed. There was an internal
> NHS network, NHSNet; an external site for public medical advice - the web
> arm of NHS Direct; and the Department of Health and other bodies also
> produced some public-facing sites in areas of health promotion. But no
> comprehensive public portal existed for NHS sites in people's local areas.

>

> The NHS management body the NHS Confederation used to run such an online
> gateway, but ceased production of the service due to budget cuts. A few
> months ago the NHS Executive formed a project board to step into the breach,
> and a contract has now been awarded to Cable and Wireless for the expansion
> of the prototype.

>

> The service will eventually combine NHS links with a public news service
> about the work of the NHS and background information about what the health
> service is and what it does. Such a service could be useful to help combat
> future NHS scare stories or bad publicity about waiting lists or doctors'
> real or perceived malpractice.

>

> Meanwhile there are still no web sites for the new Health Development Agency
> or Health Promotion England, the two bodies that have taken over the work of
> the former Health Education Authority, England's main provider of health
> promotion material. The HEA's innovative multimedia unit became known for
> online campaigns such as Trashed (www.trashed.co.uk), an educational site

> about the effects of street drugs targeted at young people.

>

> However, although the new bodies have been in place since 1 April, no plans
> were formulated in advance of the changeover to carry forward the web work,
> a surprising oversight. And when E-Government Bulletin contacted Health
> Promotion England, it could provide no timetable for future web work.
> Meanwhile the HEA web site remains up as an archive at:

> www.hea.org.uk

>

>

> . . . AND A NEW PORTAL TOO FOR LOCAL GOVERNMENT

>

> The Local Government Association is to launch a new online portal for local
> government and public sector news and information, 'local-government.net',
> at its annual conference on 27 June. The site, to be available at:

> www.local-government.net

> will replace the current LGAnet web service with a range of content
> 'channels' for each part of the public sector, in association with a number
> of third-party content providers, including your very own E-Government
> Bulletin.

>

> LGAnet already receives around a million hits a month, and the new service
> is intended to boost this figure with a news feed updated daily.

>

>

> LITTLE TO YELL ABOUT

>

> Government and public sector agencies were notable by their absence as the
> final shortlists were announced last week for this year's Yell UK Web Awards
> 2000, the fifth annual awards hosted by the information portal from the
> Yellow Pages Group.

>

> In fact, only the BBC made it through with a nomination for Best Youth Web
> Site - one of 11 awards categories - for its 'Kids site:

> www.bbc.co.uk/kids

>

> In the Non-Profit Making Organisations category, where a public service
> showing might have been expected, the shortlist of three was: The Royal
> National Lifeboats Institution (www.lifeboats.org.uk); Friends of the Earth
> (www.foe.org.uk); and STAND (www.stand.org.uk), a web site that allows you
> to lobby your MP online via a web to fax gateway.

>

> In the previous round of judging, which narrowed the field down to a
> shortlist of 10, there had been two public sector nominees in the form of
> The Science Museum (www.sciencemuseum.org.uk) and The British Council
> (www.britishcouncil.org). Others were The Royal Horticultural Society
> (www.rhs.org.uk); school-web.co.uk (www.school-web.co.uk), an educational
> reference source for teachers, students and parents; The UK Home
> Repossession Page (www.home-repo.org); the Multiple Sclerosis Society
> (www.mssociety.org.uk); and the AIDS education and research trust AVERT

> (www.avert.org).

>

> After a further round of judging, winners will be announced on 11 July. For

> more information see:

> www.yell.com/awards

>

>

> EXCHANGING INFORMATION WITH THE PUBLIC

>

> The EIP Group of around 90 local authorities - the acronym stands for

> Exchanging Information with the Public - is to hold a meeting of its

> development group in London on 20-21 June.

>

> The group was set up to share experiences of single access approaches to

> service delivery. It is facilitated by consultants CDW & Associates as part

> of the £1.7 million Treasury-funded PEG (Promoting Electronic Government)

> project, whose members also include the Local Government Improvement and

> Development Agency (I&DeA) and The Federation of the Electronics Industry.

>

> For more information see the 'Events' section of the EIP web site at:

> www.eipdg.org

>

>

> EUROPEAN COMMISSION PRESENTS E-EUROPE ACTION PLAN

>

> The European Commission has presented its contribution to the eEurope Action

> Plan, due to be agreed by EU leaders at the Feira summit in Portugal on

> 19-20 June. It sets out a strategy to establish a thriving and equitable

> information society in Europe, including access for all parts of society.

>

> The submission includes several suggested targets relating to the provision

> of public information online, including that all essential public data

> including legal, administrative cultural and environmental information is

> placed online by end 2002; the development of a co-ordinated approach for

> public sector information, including at European level, by end 2000; the

> creation of pan-European portals for interactive public services by mid

> 2001; the promotion of the use of open source software in the public sector

> and international exchange of e-government best practice during 2001; and

> all basic transactions with the European Commission (such as funding,

> research contracts, recruitment and procurement) to be online by end 2001.

>

> See:

> http://europa.eu.int/comm/information_society/eeurope/actionplan/index_en.htm

> m

>

> [Section One ends]

>

>

> SECTION TWO: CONFERENCE REPORT

> - CITIZENS ONLINE

>

> POT OF MILLIONS SOUGHT TO BRIDGE THE DIGITAL DIVIDE

>

> Citizens Online (www.citizensonline.org.uk), a charity set up to carry out
> research into the social and cultural impacts of the Internet and help
> bridge the 'digital divide', was launched last month with an ambitious plan
> to raise some 16 million UK pounds in sponsorship between now and 2005.

>

> John Fisher, Citizens Online's founder and Chief Executive, told a one-day
> launch conference in London that the charity would undertake high quality
> research into the nature and extent of the current digital divide in the UK,
> as well as compiling and managing a database of all research in this field
> carried out so far.

>

> It would also seek to act in partnership with other bodies to generate
> sponsorship and pool resources for projects, Fisher said. Citizens Online
> has already forged a partnership with comm.unity, the digital divide arm of
> the charity Business in the Community which gains sponsorship from big
> business to help regenerate deprived communities (www.comm.unity.uk.net).

>

> Other projects included in an action plan for the charity's first year
> include the creation of a national think-tank into the digital divide;
> funding for 10 new local projects across the UK; and work on a definition of
> the digital divide to inform all their other initiatives.

>

> The conference was launched with a powerful first-hand experience of the
> value of access for all from the young entrepreneur Ben Way. Way is dyslexic
> and as a result was set for low achievement at school despite his high
> intelligence - at the age of nine he was told he would never read or write.
> However, he a few years later he discovered that it was much easier for him
> to write and spell using a computer keyboard - "I type faster than I wrote,
> and sometimes I can't read my own writing, but on a computer it is all neat"
> , he said.

>

> His achievement levels and confidence soon soared and after gaining 11
> GCSEs, he set up an e-commerce search company from his bedroom -
> Waysearch.com - that attracted 25 million pounds worth of venture capital
> and is now a major success.

>

> "Without access to a computer, I would have been stunted in my development",
> he said. "There must now be access for all".

>

> Marian Scott, a consultant for Women Connect (www.womenconnect.org), said it
> was vital to bring gender issues into the mainstream, and help women use the
> Internet without barriers or prejudice.

>

> "Worldwide, women have made some extremely positive uses of the Internet,
> and in some areas lead the way, but still face a struggle in most areas. We
> need a focus on women and gender - men and women may need to be served in
> different ways".

>

> She said women were often invisible as a disadvantaged group because they
> were such a diverse group, including sub-groups of age, social scale and
> race, which made them harder to analyse. "But this does not mean they should
> be passed over. It is not going to be enough to stop when women are 50-50
> users of the Internet: there are also issues of stereotyped, limited and
> sexist content online, and a lack of women at the top of new media
> businesses."

>

> Women-friendly approaches to technology access and training which had been
> taken up by Women Connect included linking learning about technology to
> practice; offering safe and relevant learning spaces; creating learning
> networks; and offering mutual support, Scott said. "Our trainers understood
> the insidious internalised feelings of inadequacy women feel in relating to
> some technologies, and the need for task-related learning."

>

> She said while it was true that not all women need services from women's
> organisations, or could not make headway in the mainstream, many face
> serious difficulties and a gender analysis and mainstream approach across
> all online services was needed.

>

> In tackling the problem of the digital divide, it was important to challenge
> received wisdom on the nature of the problem, and approach it with a degree
> of 'positive scepticism', Professor Steve Woolgar of the 'Virtual Society?'
> research programme told the conference.

>

> Virtual Society? has drawn together new research from more than 20
> universities over the past three years. Woolgar said its research had shown
> that the provision of public Internet access points like cybercafes and
> telecottages do attract a broad cross-section of users. However, they tend
> to augment, and not replace, existing patterns of Internet access from the
> home: in other words, almost all users of Internet cafes already have home
> access, and so they do not act as access points for the unconnected.

>

> Access is a social, not a technical issue, Woolgar said. Cyberspace had its
> own social structures, which were self-organising and tended to reinforce
> class structure already present offline, so middle class people came off
> best. So mere technical access may even be counter-productive - it needs the
> right social context to be in place, and to build on existing social
> arrangements, he said.

>

> In conclusion, he said it was important to resist and single definition of
> the digital divide, but to look at what technology can do, what people want
> from it, and how they can benefit.

>

> Virtual Society? is due to present its final findings at a major conference
> at the QEII Conference Centre in London on 19 June. For more information see
> its web site:

> www.virtualsociety.org.uk

>

> [Section Two ends]

>

>

> SECTION THREE: ANALYSIS

> - MULTI-LINGUAL SERVICES

>

> WORKING TO DISMANTLE THE LANGUAGE BARRIER

>

> Many public sector organisations, particularly those in areas with diverse ethnic communities, accept that the information and services they provide have to be accessible by people speaking languages other than English. This may mean producing copies of booklets in other languages, or the provision of interpreters. But what about the provision of information on the Internet? What information should be available in what language, and what demand might there be for each?

>

> The UK is home to many people who do not speak English as a first language. They range from people who have lived here for long periods of time, to recent arrivals who may be refugees and asylum seekers. Language is a real problem for them in accessing advice, public services, facilities and benefits.

>

> While it may be the case that some people don't read the language they speak, in which case text based sources are of little use, it is also the case that some people entering the UK with limited or no English are educated people who could deal with complex information in their own languages.

>

> These issues are of particular importance to organisations that dispense advice to the public, including information about benefits. Local authorities which receive large numbers of visitors might also want to produce information in different languages aimed at tourists; and it could also be useful in attracting business investment from overseas. The European Investment Bank recently decided to locate to London because it was the only European capital city in which the 38 languages which the bank requires are spoken.

>

> As Internet technologies become more powerful and more bandwidth becomes available, more possibilities emerge for their use with sophisticated language applications. Services such as translated materials, audio and video clips could eventually be centralised and then shared across a large dispersed area.

>

> Instead of each organisation and public sector body producing their own separate translated material, these could be produced in partnership and shared across several organisations. Another advantage of the internet is that material can be stored centrally in a digital form, saving organisations the need to find valuable storage space.

>

> The main forms of storage for translated materials could initially be video

- > clips, Adobe 'pdf' files which can preserve the characters and layouts of
- > many alphabets and languages, and audio clips.
- >
- > There is some evidence to suggest that many enquiries to public sector
- > organisations are 'stock' or frequently asked questions. It would therefore
- > be extremely efficient to produce a databank of material which many
- > organisations could create, develop and share. The use of centralised
- > technical resources such as video servers would also be a huge cost
- > advantage, saving each organisation the trouble and expense of installing
- > and maintaining their own.
- >
- > Such a project should begin with an attempt to gain some idea of what
- > internet language work, if any, is already going on across the country.
- > Interested and relevant public sector associations could send out a
- > questionnaire to their members asking questions such as:
- >
- > * What demand is there for online information or services in community
- > languages?
- > * What sort of information should be provided?
- > * In what format should it be provided?
- > * Should it be aimed at users, intermediaries or both?
- > * Would a centralised database of multilingual information be viable?
- >
- > As well as local government associations, other organisations which might be
- > interested in addressing this issue could include the National Association
- > of Citizens Advice Bureaux and the Refugee Council. The London Advice
- > Services Alliance (LASA) is also starting a pilot project in Haringey, with
- > an internet service in 14 community languages.
- >
- > It will be important to carry out further online research via the internet
- > and e-mail lists to ask people in the field what their experiences are, what
- > solutions - if any - they have arrived at, and what sort of demand they
- > register for information in multiple languages.
- >
- > It would then perhaps be possible to more fully develop what questions we
- > are trying to address, and what the demand is. It might also highlight with
- > different groups the possibility of joint working and a partnership approach
- > to this issue.
- >
- > For other examples of existing good practice, there are a number of sites in
- > Australia which are ahead of anything seen in the UK. These include The
- > Babel Tree Project to provide translated information on disability and
- > disability services, at:
- > www.adec.org.au/babeltree/
- > and the community language section of New South Wales' Migrant Skills
- > initiative at:
- > www.migrantskills.org/languages.asp
- > Both these sites are well worth seeing for some idea of what can be
- > achieved.
- >

> * Article by Danny Budzak of the London Borough of Newham. The article is a
> personal view, and is not the official position of Newham Council. If any
> Bulletin reader is interested in contributing to this debate or has examples
> of online language work, please email the editor on egb@headstar.com

>
> This feature first appeared on the Exchanging Information with the Public
> (EIP) Group web site. See News, this issue, and:
> <http://www.eipdg.org/>

> [Section Three ends]

>
>
> SECTION FOUR: ONLINE DEBATE

> - E-GOVERNMENT

> EMAIL OVERLOAD - A REAL OR IMAGINED THREAT?

>
> The problem of 'email overload' - both real and perceived - is holding back
> many public bodies from proper use of email to communicate with their
> citizens, according to last month's report of the global online debate
> Boosting the Net Economy 2000.

>
> A think-tank spanning more than 40 nations was assembled for the event,
> which was hosted by the publisher of E-Government Bulletin, Headstar, with
> backing from Bull Information Systems (see also our April and May issues).

>
> Jean-Paul Baquiast of Admiroutes, France, said: "In France public sector
> bodies are now able to develop web sites, but they are still unable to use
> email for real-time communication and co-operative work with citizens. This
> is particularly obvious when environment, health or security problems
> require quick answers from responsible bodies.

>
> "In the recent Erika oil pollution crisis on the West coast of France for
> instance, public bodies never answered emails asking questions or proposing
> solutions. The alleged reason of that is that they do not have enough people
> to manage email communication. But my personal feeling is that they still
> generally consider that citizens are troublesome, dangerous, and that the
> less they are associated with administrative business, the better."

>
> However, Bruno Mannoni of the Ministry of Culture and Communication, France,
> said: "It is not as easy as it seems to be. Email has to be answered by the
> civil servant in charge of the matter, which may have legal implications.

>
> In my ministry all email is routed to the person in charge to be answered. A
> very technical question can be difficult to answer, and we must provide a
> clear and correct answer. In a crisis situation, I do not think that e-mail
> is of any help: mass media like TV, radio, newspapers and the web are more
> efficient."

>
> Steven Clift of Democracies Online in the US said: "Email is the fundamental

- > tool of the Internet. Elected officials and government agencies need to
- > develop or apply tools that make it an effective communication tool.
- > Citizens will expect it, and to be competitive with commercial sites,
- > government has no choice but to ensure a right of e-mail correspondence with
- > citizens to remain legitimate.

- >
- > "The truth is that e-mail from insiders to government staff is one of the
- > most effective tools to influence government, while general email from
- > citizens to general addresses is often the least effective."

- >
- > Other topics relating to electronic government that were covered in the
- > wide-ranging debate included the use of technology for the regeneration of
- > deprived communities.

- >
- > Stefano Kluzer of the development agency of the Emilia-Romagna Regional
- > Authority in Italy (ERVET) said that there was a lack of understanding by
- > governments and other public entities about how technology can be used to
- > promote local regeneration and local development in general. He said three
- > measures could address this issue:

- >
- > "First, you need to increase awareness of what new technologies are and what
- > they can be used for, among decision-makers at all levels, including within
- > local communities where development must be rooted.

- >
- > "Second, you need well analysed and presented reference cases of actual
- > experiences of technology adoption and implementation in local communities.
- > I'm always amazed by how difficult it is to find good quality case studies
- > showing the positive as well as negative effects, the actual costs, the
- > strategies adopted and so on by local authorities, small firms, and the
- > like.

- >
- > "Third, you need to stimulate and facilitate wide [public] participation and
- > a social discourse on the changes ahead."

- >
- > Jean-Paul Baquiast said an increasing number of non-profit organisations are
- > now mature enough to share some public responsibilities by delegation,
- > especially in the fields of social or environment protection, and the web
- > would make an ideal medium for co-operation, but administrations are still
- > reluctant to co-operate.

- >
- > "Charters protecting both sides would be surely necessary. But, as far as
- > public sector bodies are concerned, the idea that they may use Internet
- > networks and non-profit partners for providing services which they cannot
- > assure alone would have to be encouraged by governments."

- >
- > Finally, a short exchange took place on the radical concept of citizens from
- > one state receiving online services from governments of another.

- >
- > Horace Mitchell of European Telework Online, UK, said that there was no
- > 'natural law' that says a citizen must take her public services from her own

- > government. "It takes a leap of the imagination to perceive that something
- > that is reserved for the state to deliver might be delivered to the same
- > citizens by another state.
- >
- > "Free access to global information may make citizens aware of the
- > differences between what one government delivers for one amount of tax and
- > what another government delivers for another amount of tax. It is a little
- > difficult to work out exactly how citizens will start to make a virtual move
- > to get this service from this government while still taking that service
- > from that government; but then the future has never been entirely obvious
- > until it becomes history."
- >
- >
- > The full report of the debate is available on the web at:
- > www.netecon2000.com
- >
- > [Section four ends]
- >
- >
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e- Government Bulletin



ISSUE 94, DECEMBER 2000

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SECTION ONE: NEWS

MINOR GLITCHES, MAJOR AMBITIONS FOR UK CITIZEN GATEWAY

The government has unveiled a 'beta' test version of its new online gateway to information for citizens, the UK Online Citizen Portal, amid technical glitches and problems with the site's

accessibility for visually impaired people.

When E-Government Bulletin tried to log on the morning after its launch, all that could be obtained was a message saying: "We are sorry but the UK online Citizen Portal is temporarily unavailable. Please try again later".

Three hours later the site - managed by BT subsidiary Syntegra - was up and running once more, and the Cabinet Office put down the hiatus to "minor hardware problems - it's a large, complex new project, and we were expecting some glitches".

Also embarrassing is the line running at the bottom of the portal, which says: "The government-backed service UK online should not be confused with the Internet Service Provider UK Online." This clash was of course known about for some time, but in the absence of an outright name purchase the disclaimer will now have to remain, and of course the confusion will remain as well.

More serious is the apparent lack of accessibility of the beta site. The government's own web site guidelines stipulate all public sector sites should be readable by the special text-to-speech and text-to-Braille readers used by blind and visually impaired Internet users. This involves tagging images with text descriptions using the 'Alt' attribute of HTML. However the test site simply provides empty tags.

The general direction of the site has met with approval from most commentators, however. Many services are grouped around 'life episodes', of which the first four are 'Having a baby', 'Dealing with crime', 'Moving house' and 'Going away'. Others will be added as the portal is developed, including one in the pipeline for dealing with the death of a friend or relative.

There is also an option to customise the portal by UK nation, with further customisation planned allowing an individual user's ongoing service requirements to be stored. The service will also eventually be extended to a range of delivery mechanisms including digital TV and mobile phones. See: <http://www.ukonline.gov.uk/>

E-GOVERNMENT: A LEGAL MINEFIELD?

Local authorities face many legal pitfalls in drawing up e-government strategies, a new report from the local government IT association SOCITM finds.

Officers and members must fully understand the requirements placed on them by a wide range of recent legislation, the report says. Relevant legislation to ponder - some of which is still in a state of flux - includes The Electronic Communications Act 2000; the Regulation of Investigatory Powers Act 2000; the EU Distance Selling Directive; the Draft EU e-Commerce Directive; the Human Rights Act 1998; and the Freedom of Information Bill.

In some cases, there are potential conflicts between the various laws, the report finds. For example, a council may find itself liable for offences committed by its employees using email; but if it acts to monitor all email use it could be infringing the Human Rights Act.

Meanwhile SOCITM also published its annual review of IT trends in local authorities, which found

that some 63% of councils now provide some form of technology support - typically a PC and printer - for their councillors in their homes. More than 80% of council staff have access to internal email but only 64% can use it to communicate externally.

'E-Government, Best Value and the Law' and 'IT Trends 2000/1' can be accessed (the latter at a price) via: <http://www.socitm.gov.uk/>

'CYBERSQUATTING' A THREAT TO PASSWORD SECURITY

Public sector organisations may need to reassess their Internet security strategies, as cybercrime based around the abuse of Internet domain names is set to become increasingly widespread and sophisticated, according to one leading expert.

Neil Barrett, a computer criminologist with Information Risk Management plc, told E-Government Bulletin last week that the dangers surrounding the practice known as 'cybersquatting' - the registration of a domain name similar to that used by another organisation, with the intent of holding it to ransom - is set to worsen, with implications for data security and protection of passwords

Hackers have hit on the idea that people commonly mis-spell domains when they type them in, he said. This means that if they register a common misspelling or mistyping of an existing web site, some of its traffic will be channelled through the hacker's site. Indeed, it is estimated that an astonishing 15%-20% of web addresses entered by hand are likely to be misspelled at any one time.

Hackers could therefore set up a dummy site at a misspelled domain which pretends to be the genuine site and asks people to key in their passwords, which are then captured and used on the original site to commit fraud.

For many public sector bodies, which operate in highly controlled '.gov' domains, this may not be such a large problem. However, public bodies often work in partnership with private firms that use vulnerable .com domains, or may use .com, .net or .org domains themselves for individual projects.

Unlike with mainstream 'cybersquatting', organisations have no right to take legal action to recover domains which relate to misspellings of their own name or brands, Barrett said. And another tactic used by the hackers could be to list the misspelled domains in web directories or portals, making it easy to mislead users of the directory.

The dangers do not stop there - criminals could also try to contact one the many organisations involved in the routing of domain names and convince them that they are an authorised person to change that routing to their own Internet address. If they manage to do that - and sometimes, it can require little more than a letter on headed notepaper - they can steal your web traffic lock stock and barrel.

Barrett made the observations at the launch of a new report on cybersquatting by the European domain name registry Speednames (<http://www.speednames.com>).

STOKE LIBRARY SERVICE IS BEST ON THE WEB

Stoke-on-Trent City Council's library service (<http://www.stoke.gov.uk/council/libraries/>) has won first prize in this year's 'Best on the web' awards for library web sites, hosted by EARL, the consortium for public library networking.

The service was cited for making excellent use of local content; developing lively and educational resources for children; and introducing some innovative interactive services such as the ability for library users to send in their own book reviews to be posted online.

The runners-up were Nottinghamshire library service (<http://www.nottscc.gov.uk/libraries/>), which has developed NEWLiNC, an exemplary online gateway to local community sites; and the London Borough of Hillingdon libraries (<http://www.hillingdon.gov.uk/library/>) which also features a readers' book review area.

Judges for the awards included E-Government Bulletin editor Dan Jellinek. For more information see: <http://www.earl.org.uk/bestonweb/>

ELECTRONIC HEALTH LIBRARY GOES LIVE

The National Electronic Library for Health - billed as part of a developing 'digital nervous system' for the health service – went live last week in pilot form. Targeted mainly at health professionals and NHS librarians, the service is a huge gateway to resources ranging from the National Institute of Clinical Excellence's database of clinical guidelines to medical book reviews.

Within the library a 'virtual branch library' system collates information on particular health issues or conditions, such as cancer or primary care.

In the short term the service aims to provide clinicians with access to information within 15 seconds, with a longer term goal of just one second. The system will be reviewed over the next 12 months and further features will be added according to user needs.

The main NELH site is at: <http://www.nhs.uk/nelh/>

And there is an excellent 'FAQ' document containing answers to all your questions about the electronic library at: <http://www.nhs.uk/nelh/faq.asp>

TELEDEMOCRACY CENTRE LAUNCHES NEW E-PETITION

The International Teledemocracy Centre in Edinburgh has launched a new 'e-petition' calling on the Scottish Parliament and Scottish Executive tackle the 'digital divide' and ensure everyone in Scotland has access to the Internet.

The centre, based at Napier University, is continuing its pioneering work on online petitions which has seen it run a number of pilot projects with the Scottish Executive and Downing Street (see E-Government Bulletin, July and August 2000). For more information see: <http://www.e-petitioner.org/>

NEWS ROUND-UP:

GOVERN YOUR SCHOOL - When Steve Smith became a governor of his childrens' primary school he found there was quite a lot of useful guidance for governors but no single resource drawing it all together. So he created one, on the web - 'Govern your School'. The site is also a forum for sharing best practice: <http://www.governyourschool.co.uk>

SOCIAL SERVICES WEB - The Association of Directors of Social Services has an Information Management group which advises the society on all issues relating to information management and technology in council social services departments. The group has a web site that houses a projects database: <http://www.ssimg.freemove.co.uk>

MAILBASE BECOMES JISCMail - The fabulous, free National Academic Mailing List Service formerly housed at the University of Newcastle's Mailbase (<http://www.mailbase.ac.uk>) has been moved and renamed JISCMail following an open tender process. After a few teething problems the migration appears to have been quite smooth and membership of existing email lists should not have been affected. See: <http://www.jiscmail.ac.uk/>

[Section One ends]

SECTION TWO: CONFERENCE REPORT - LOCAL GOVERNMENT SOLUTIONS

MAKING IT UP AS WE GO ALONG

The weakness of the government's targets for wiring up public services; the need for local councils to get their own technology in order before seeking 'joined-up government' partnerships; and the danger that modernisation money in the health service could be hijacked were all among topics discussed by delegates at last month's Electronic Government Forum (<http://www.electronic-government.com>).

At a series of discussion workshops, delegates - whose identities have been protected here for the purposes of a frank report - disagreed on the value of the government's targets for all public sector services becoming available online by 2005. "There is not one word in those targets about business justification - it is just saying 'do it'", said one.

Another thought that the targets were nevertheless effective as a general catalyst to spur the public sector into e-government activity. "The new services will have to provide improvements", he said. "Yes, but that's not the line central government have taken" came back the response.

A few were cynical on the age-old subject of how meaningful the '100% online service' targets actually are - the targets are for services to be available online, not actually used; they include telephone services; and they also now preclude services where to digitise them would contravene

data protection or other laws.

"Let's face it, we're all just going to make up figures next year when asked to record how far we are towards the targets", one said. "It's just a PR exercise".

Another delegate questioned the feasibility of measuring what services are online, when it is hard enough to get a clear idea of the extent of a council's measurable transactions with the public.

"We're trying at the moment to compile a record of what activities actually take place between the council and the public, and are finding there are scores of transactions in all corners of the council, which no-one monitors centrally. And as soon as you start to monitor transactions, you also begin to look at all the processes that manage the transactions, and the information relating to the transactions that moves around internally, and before you know it you can have a piece of paper that is 20 foot square".

One contributor to the discussion said councils needed to focus strongly on getting their own house in order before any visions of partnerships for e-government, or 'joined-up government', could be realised. "It is all very well to talk about joined-up government and partnerships, but we need to first implement our own methods of seamless working within the council, not just the front-end services but with the back-end processes fully integrated using knowledge management, document management and the right staff culture.

"Some councils don't even have email yet, so what chance do they have at implementing joined-up government? But if we get this right we should be able to easily meet the requirements for public interfaces across tiers of local government or between public bodies as they come about".

Another barrier to partnership between organisations is that e-government services may not be as high on a potential partner's agenda as on yours, the delegate said. "The only way forward is to look at the strategic objectives of your potential partner and your own organisation, see where they meet and launch a project there".

Most participants agreed that an e-government strategy needed to be drawn up as a corporate management document, not a new kind of IT strategy. "An e-government strategy should be seen as part of our core business delivery, a means of delivering better services. It is a corporate objective", said one. "It needs someone very senior with clout across the local authority to drive it forward".

Several delegates warned that e-government may not lead to a reduction in costs. "The assumption is that money is going to be saved - I can't see why", said one. "We may have to spend more now, to develop and provide better services. The accountants don't like this - they want to see savings, and that is the main problem with the whole e-government agenda".

Another agreed: "Number-crunching accountants pull your e-government cost saving projections to pieces because there is no basis to them. So at least the central government target can be used as a weapon when your back is to the wall - the target is there and we have to meet it, even if it means spending more money".

The government realises the modernisation agenda is expensive and has demonstrated as much by pumping funds into the health service to wire it up, another delegate said. "But it is hard to convince

chief officers in NHS trusts of that - they are short of money in other areas, such as coping with demographic trends and winter pressures, things they haven't been able to do for several years, so the money is constantly going to be hijacked".

Delegates agreed that it was good policy to consult citizens on what Internet or e-government services they require or prefer to receive, but not necessarily to conduct a separate consultation process. "It's best to slip the questions into your existing Best Value consultation process", said one. "A special e-government consultation just turns people off, and encourages the PC addicts, so we just ask in our other consultations 'would you like to do this on the Internet?'".

Linking the e-government agenda to the Best Value agenda in this and other ways might also help drive e-government up the agenda, one delegate said. "Best Value has hit everyone now, everyone is terrified by it. How do we make people notice e-government in the same way? By linking the two".

[Section two ends]

SECTION THREE: ANALYSIS - INFORMATION OVERLOAD

WELCOME TO A WORLD OF SPAM

Monty Python's 'spam' sketch will never be the same again, for although the delightful processed meat product has largely disappeared from our supermarket shelves, lobbyists are alive to the possibilities of the digitised version.

We-re talking, of course, about email spam - unsolicited email - and the related problem of email overload: the new challenge facing public bodies in the digital age.

In the US Congress, Senators and Members of the House of Representatives have already had to learn to be canny in their handling of effectively unlimited, undifferentiated in-bound cyber sackfuls of mail.

The Representatives use intelligent software agents to sift out the repeat transmissions and much of the junk, and automatic responders warn that no email will be read unless it contains a 'zip code' (postal code) from the politician's constituency. We can expect such devices to proliferate and become ever more intelligent: but what if one of the purposes of an institution is to examine both solicited and, even more vitally, unsolicited material? And cynics might consider that in an age of political cowardice, politicians would be happy to 'lead from behind' after sampling public opinion in any way they can.

Although tricky, it is possible to manage unsolicited input at the level of an individual such as a politician. However, the problem is much more extreme in the case of large institutions.

It may not be such a problem at the departmental level in government where, except for consultation procedures, it is quite difficult to locate the precise recipient for a message. Soon, however, the persistent will not discriminate but will, rather, load a list of names and merrily spam.

The most serious problems, however, will occur at the level of local government, particularly where there is a unitary authority with a variety of functions. Unless councils are much more disciplined about their in-box allocation, lobbyists and spammers will be tempted to go to the appropriate web site, download a list of names and whoosh!

Public bodies - and private bodies, for that matter - are not prepared for this deluge, mainly because they think of the Internet as a propaganda (sorry, information) and marketing tool which allows the high and mighty to impose their goods, services and importance ever more weightily upon the masses.

Of course there are fine examples of interactive good practice on the Internet, but such facilities have largely been established as a source of reliable and free, if narrow, marketing information.

Worse is yet to come. There may currently be a few cranks trying to infiltrate the book review chit-chat facility on Amazon.com, but that's nothing to what Borsetshire County Council will have to deal with when e-mail and web facilities are attached to digital television.

Just picture the scene - a local digital TV station sets up a response template to a scandal story with an automatic email link to the council's in-box. The response could be overwhelming - but councils, of course, can't simply empty the lot into the digital dustbin. There is no reason why a response should be regarded as more trivial just because it's digital rather than in Sandhurst copperplate.

Imagine too the state of the Railtrack email server once all delayed passengers have Internet-enabled mobile phones. There will, for instance, need to be separate systems for receiving complaints and keeping the operational network running. In an emergency any institution will want absolutely maximum Internet efficiency at precisely the same time as customers will want maximum complaint impact; it will be the cyber equivalent of crash voyeurs blocking the ambulances.

Add to this, for good measure, the need to differentiate in-bound information and you have an information management agenda of great magnitude. When stuff comes pouring in that you want to keep, where does this fit in with your data protection policies and data protection legislation? And what do councils do with information from clients which is the privileged domain of social services or education?

It is time to start thinking hard about email and information management.

* Article by Kevin Carey, Director of HumanITy. E-Government Bulletin would love to hear from anyone with creative solutions to the email management issue. Please email the editor Dan Jellinek on dan@headstar.com

[Section three ends]

SECTION FOUR: US CASE STUDY - DIGITAL PETITIONS

TOWARDS AN OPEN SOURCE DEMOCRACY

In our last issue, we looked at how US citizens can initiate legislative measures in some states through the 'initiative process', under which they are required to collect a certain number of signatures on petitions. If they collect the requisite number of valid signatures, the proposed measure goes onto the next public election ballot, and voters can then pass or defeat the initiative at the polls.

The nearest one can come at the moment to collecting signatures over the Internet for these purposes is to create a 'PDF' graphical file version of the initiative petition, post it on the web or email it to those requesting it, and let them print it out, sign it, and post it in.

This is an inelegant and often difficult way of proceeding, given the need to print the forms out on two sides of the paper, compress the text to fit in limited space and so on.

The obvious way to have people sign initiative petitions over the Internet is to let them sign them using digital certificates. As of 1 October 1 2000, the US federal E-Sign bill is in effect, authorising the use of these online credentials to sign contracts online. It's only logical to say that if digital certificates are now good enough to sign multi-million dollar contracts, they ought to be good enough to indicate your desire to see a particular legislative proposal voted on in your state.

The 'Smart Initiatives Initiative' currently being circulated in California was created to implement this idea in practice. Its primary aim is to allow people to vote on a measure requiring the state to provide all citizens with a digital identity certificate. The project has until March 12, 2001 to collect 419,260 valid signatures of California voters who want to see it on the primary ballot in 2002.

With Smart Initiative petitions, as with any petition, verifying the identity of the signer is key. Still, while the identity of the signer must be knowable by the authorities that check the signatures, it need not be made available to the general public. In fact, under the provisions of the proposed Smart Initiatives Initiative, it is protected by the same restrictions on disclosure as are legacy pen-on-paper signatures.

Moving the initiative-signing process online benefits all parties involved. For proponents, it reduces the cost of circulating their petitions by several orders of magnitude. For citizen-signers, it makes it much easier to study a proposed initiative and then, if they want, to sign it from home, office, or other location.

For the election officials who currently need to spend months checking a mere random fraction of the submitted signatures before extrapolating according to arcane formulas to determine the 'official' number of valid signatures, the power and convenience of a digital system to rapidly and comprehensively tabulate the results would be a much-welcomed improvement.

Because the first major provision of the Smart Initiatives Initiative is the distribution by the state of a high-level digital certificate to each citizen, citizens-as-consumers and citizens-as-commercial entities will benefit as well. They will be able to use these certificates not just to sign initiative petitions but to buy insurance, order groceries, tele-commute, check their children's homework assignments, and do anything possible now or in the future that requires them to establish their

identity online.

At a minimum cost of ten dollars each, however, providing 20 million Californians with a digital certificate will not come cheap. Hence another proposal that could lower this cost and pay other dividends as well, a proposal to develop Open Source Public Key Infrastructure (PKI) software.

Open Source software is computer programming code that is not secret. The instructions that make it run are available openly to everyone. It makes sense to consider the creation of an Open Source PKI Foundation to facilitate the creation of Open Source PKI code, not only to save the State of California a lot of money, but also to set the stage for using open source software to eventually provide Internet voting services.

In addition to the cost savings for the government, building a PKI and using Internet voting software where the internal code is open would mean that it could be properly understood by the people who use it. It would provide a technological analogue of the political openness and participation that is central to this entire vision of what could be termed 'Open Source Democracy.'

Nor would it be inappropriate, eventually, to move many other existing and future e-government applications to an Open Source model. In such an environment, we could avail ourselves of a seamless web of information, decision-making, and functionality. As the reach and power of the web steadily evolve, these principles of openness and self-determination would be a concrete realisation of the long-sought ideal of 'government of the people, by the people, and for the people.'

* Article by Marc Strassman, Author of the Smart Initiatives Initiative and Founder and Executive Director of the Smart Initiatives Project. See: <http://www.smartinitiatives.org>

[Section Four ends]

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SECTION ONE: NEWS

E-GOVERNMENT NEEDS PUSH FROM THE TOP

Public sector organisations like local authorities must provide their staff with strong leadership from the top - chief executive level - to successfully push forward the e-government agenda, delegates at last week's Electronic Government Forum heard.

In a series of round-table debates at the Westminster event, a consensus emerged that, just as leadership from the Prime Minister is the best way of galvanising central government into developing online public services, other public sector bodies need an 'e-champion'. The individual selected must carry weight across all service departments, and the ideal person is therefore the most senior manager such as the council chief executive.

"The provision of services on the web has to be devolved, as it is front-line staff who have the knowledge to provide up-to-date

information", one delegate said. "But many staff say they have too much else on to do it, they don't see it as part of their mainstream work. It needs leadership from the top to ensure they see online work as part of their day job".

The way to smooth full integration between staff's everyday 'offline' work and web-based work is to install a fully web-enabled information and knowledge management system, including document sharing, across an entire organisation, delegates agreed.

This was likely to mean purchasing an off-the-peg portal solution at relatively high cost, but the cheaper alternative of developing systems piecemeal in-house was unlikely to prove scalable and robust enough in the long-term to roll out across a whole organisation, and is therefore a false economy.

It emerged during the discussions that most councils had not yet drawn up coherent e-government strategies, pulling together service, information management and technology issues, although almost all acknowledged they needed one, and fast. Some bemoaned a lack of central government leadership on strategies for hitting e-government targets.

The event web site is at:
<http://www.electronic-government.com>
- Further reporting in our next issue.

POST OFFICES TAILOR WEB SERVICE

Around 1,000 post offices have taken up an opportunity to tailor a free web site provided under a nationwide deal reached last month between The Post Office and UKVillages.co.uk, an independent community web company.

Under the deal - whose financial terms have not been disclosed - all 18,500 UK post offices have been allocated a site with information about their opening times and product lines. There is also an interactive chat facility.

UKVillages.co.uk told E-Government Bulletin this week it hopes that half of all post offices will have taken up the opportunity to adapt and enhance their basic sites within six months. So far 970 have done so.

The project forms part of an 'e-government general practitioner' vision for post offices which will see trained advisers in each post office helping the public to access government information and services online. This idea was first floated in the 'Counter revolution' report from the Cabinet Office in June 2000:

<http://www.cabinet-office.gov.uk/innovation/2000/postoffice/postindex.htm>

and restated in last week's Trade and Industry Select Committee report 'The Post Office and the

future of the network':

<http://www.publications.parliament.uk/pa/cm199900/cmselect/cmtrdind/724/72402.htm>

TACKLING WORKPLACE VIOLENCE ONLINE

A web site providing a focal point for managers and staff to share ideas and solutions to tackle violence in the workplace has been created by The Association of Local Authority Risk Managers and Sussex Police with the Confederation of British Industry and other public, private and voluntary bodies.

The site offers access to best practice for managers in drawing up strategies for preventing workplace violence as well as research, case studies and an interactive 'clinic' where people can ask questions and contribute ideas. See: <http://www.workplaceviolence.co.uk/>

MUSEUMS ENTER THEIR OWN DOMAIN

The museum and gallery community is to have its own top level Internet domain name, '.museum', as part of a tranche of seven new domains to be added from June next year by the global Internet domain registry ICANN.

However a request by the World Health Organization for a '.health' domain, which the WHO would have regulated to ensure online health-related information was safe and quality-controlled, was turned down amid fears it would be too costly and difficult to regulate properly.

The other domains to appear are '.info' for general information sites; '.coop' for co-operatives; '.name' for individuals, '.biz' for businesses; '.pro' for professionals; and '.aero' for the air transport industry. If the introduction of the domains is smooth more could follow. For more see: <http://www.icann.org/tlds/>

COMPANIES HOUSE WINS E-BUSINESS AWARD

Companies House, the government agency responsible for company registration and dissemination of company information, has won the 'government' category of Computer Weekly's e-business awards.

Visitors to its website can search for information on businesses through a simple interface with a vast database. Before the site was built, customers had to go through a lengthy system of inquiries to obtain the same information. See:

<http://www.companieshouse.gov.uk>

Runners up were the Lord Chancellor's Department's for the 'Just ask' Community Legal Service legal information site

(<http://www.justask.org.uk>) and the Surrey Police Information and Knowledge Environment (Spike), a secure mobile system by which officers can input and receive crime information when out on the beat.

CHANGE OF ADDRESS TRIALS GO LIVE

A long-promised facility for citizens to notify all government departments of a change of address with a single online form has been quietly launched in pilot format in a partnership between the Cabinet Office and three private sector web sites, according to the KableNET news service (<http://www.kablenet.com>)

The six-month pilot will transfer the information to six different government departments, with local authority involvement a longer term aim. There are security concerns, however, which may not be fully resolved until there is widespread use of electronic signatures.

The three test sites are 'Change of Address' from the Post Office at: <https://www.addressingthechange.com> (note the address begins 'https') 'ihavemoved' at: <http://www.ihavemoved.com> and 'Simplymove' at: <http://www.simplymove.co.uk/>

CALL FOR MORE INTERDEPARTMENTAL WORK-GROUPS

The government must set up inter-departmental task groups to drive through modernisation if it is to succeed in its goal of providing a range of services electronically, according to a new report.

Published by EURIM, the collaborative Parliamentary/industry information society policy group, the report says ministers must completely re-organise departmental structures if modernisation is to be successful. Civil service career structures and training facilities need to encourage, facilitate and reward cross-departmental working, it says.

"Government must be joined-up from the perspective of the citizen with a choice of user-friendly interfaces (including the option of personal contact) which put them at the centre," it says. "There should be no 'wrong portal'; all channels likely to be used by the

citizen should cross-refer."

The report praises local authorities for creating 'one-stop-shop' electronic centres, which eradicate traditional boundaries between services. 'A shock to the system - joined up electronic government' can be found at: <http://www.eurim.org/briefings/BR29FD.html>

'HUMAN ASPECTS' CONFERENCE

A conference on research into the 'human aspects' of the Information Society is to be hosted by the Information Management Research Unit at the University of Northumbria in Newcastle in April 2001. The conference will bring together researchers in information science, social sciences, psychology, information and communication technologies, education and learning, media, culture and business. See: <http://is.unn.ac.uk/imri/index.htm>

ELECTRIC DECEMBER RIDES AGAIN

Bristol City Council and South West Arts are among public and private sector bodies backing this year's 'Electric December', an online advent calendar which doubles as a showcase for high-tech creative industries centred around Bristol.

The project, which was first run last year to widespread acclaim, is a collaboration between such broadcast, film and multimedia luminaries as Aardman Animations, creators of Wallace and Gromit, and BBC Bristol. Each day a new 'box' will appear to open on the web, featuring 'virtual chocolates' which can be emailed to your friends and participatory events using broadband technology. See: <http://www.electricdecember.org>

[Section One ends]

SECTION TWO: US ELECTION SPECIAL - ONLINE RACE 2000

ALL ABOARD THE E-TRAIN

Internet voting has played an interesting cameo role in the US Presidential electoral shenanigans, as a pilot project to allow the first ever online votes to be cast in a Federal election has included two counties in the key state of Florida.

Several hundred absentee voters, mostly members of the military and their families, cast their ballots through the internet in a defence department pilot project called the Federal Voting Assistance Program (<http://www.fvap.ncr.gov>)

The program was set up because US citizens abroad were having trouble obtaining their ballot papers from local voting offices. Two counties in Florida - Okaloosa and Orange - were among five across the US selected to test the concept.

Hundreds of thousands of Americans did participate in other pilot electronic voting projects at polling stations in various states, but they also had to cast regular ballot papers and it was the latter that counted.

In September, California Governor Gray Davis vetoed legislation that would have permitted binding tests of Internet voting in local elections. He cited a need for better protections against fraud and abuse. There are fears that viruses could be created which would change a vote before encryption. The Internet is also vulnerable to hacking attacks, which could tie up networks and prevent voting.

Meanwhile both Al Gore and George W Bush used the web and email as publicity and organisational tools in their battle for the White House, and in such a close race it may yet prove that whoever was most successful online wins the race.

Both candidates used email extensively to contact voters in their homes, with campaign teams working around the clock to send out messages.

The candidates' web sites carried a range of background information for voters including the obligatory photographs of the two men en famille. Visitors to the Bush site (<http://www.georgewbush.com>) were also invited to 'download some stuff', which turned out to be Bush logos and graphics for every conceivable situation, including a head-and-shoulders photo montage of George W for your computer desktop and the 'Bush-Cheney Outlook Today' customisation of Microsoft Outlook Express.

Al Gore's site (<http://www.algore.com>) offered similar options, with a pictorial journey through his childhood and formative years, focusing on all-American themes like his time in the army and holidays down on the farm: "While in Carthage he works on the family farm - getting up before dawn to help feed the livestock, cleaning out hog parlours and helping to clear and plough fields".

Gore's 'Internet tools for families' is aimed at people worried about their children accessing

unmentionables through the web, and contains links to security software downloads such as 'NetNanny'.

The web, however, is a passive medium: far more significant is the size of a candidate's email list. Before the election, the Bush campaign set out to capture around two million email addresses from supporters, urging people to 'join the e-train' and receive regular news bulletins and, of course, exhortations to vote.

One email sent to the e-train list was entitled 'Will you be the difference?' reminding them that Kennedy beat Nixon on the strength of a few extra votes in Illinois, Missouri and New Jersey. The potential reward for voting the right way was a return mail saying: 'President-elect George W Bush thanks you.'

It is not yet known how close they got to that target figure of two million, but it is estimated the Republicans spent \$5.7 million on their Internet initiative.

Other ways the Internet played a part in these elections included the rumoured emergence of 'vote-swapping', the use or potential use of the Internet for people to trade votes tactically between states. The concept appealed to people who wanted the independent candidate Ralph Nader to win the 5% of the total vote needed to gain state funding for his next campaign, but who did not want to disadvantage Al Gore's race for the Presidency.

The thinking was that such a person could swap their vote with someone in a strongly Republican state who wanted to vote for Gore but whose vote was unlikely to count there - the latter person would vote for Nader and the first for Gore, and both would achieve their goal. One site touting the idea in California was shut down, and it is unclear whether the practice did actually take place on any significant scale. For more see: <http://www.nadertrader.com/>

More alarmingly, a site was set up called **Voteauction**.com purporting to help people auction their votes to the highest bidder: this was shut down by a Chicago judge, although its owner later claimed the exercise had been satirical.

Beyond the Presidential race, the most widely admired online campaign was fought for the Senate in Washington State by Internet millionairess Maria Cantwell, formerly of the streaming media company RealNetworks.

Cantwell, who spent millions of dollars of her own cash on her campaign, set up a genuinely interactive policy discussion email list in which citizens could debate issues continually with her and her advisors. Separate email lists

were run for campaign news and for voting reminders, so people could choose exactly what sorts of information they did and did not receive from the campaign, showing a rare grasp of Internet ethics. See: <http://www.cantwell2000.com/>

[Section Two ends]

SECTION THREE: US ELECTION SPECIAL - DIGITAL PETITIONS

THE TELEDEMOCRACY REVOLUTION THAT NEVER WAS

The two most common criticisms of fully-fledged, remote Internet voting are that it's not safe and that it's not fair.

The safety argument says that securing Internet voting against cybervandals and perpetrators of electronic election fraud simply can't be done, given existing technologies. The argument against Internet voting as unfair revolves around the so-called 'digital divide', the uneven distribution of access to the Internet within society.

There is something to be said for each of these objections. However, a more powerful complaint about Internet voting, which comes from a purely political viewpoint, is simply that it won't actually have much effect on the operation of the political process or the distribution of power in advanced societies.

The widespread implementation of remote Internet voting will be important to the companies that hope to make money by providing out-sourced election services to political jurisdictions. It will make voting easier and more convenient for those voters who already vote. Beyond that, there will be little to distinguish the political landscape of a jurisdiction using remote Internet voting from one using any of the legacy systems now in place.

If the current election campaign has shown anything, it's that a political system organised around and dominated by money, packaged candidates, and show-biz production values is, at best, able only to generate the same kind of interest created by a mediocre television series and a resoundingly negative reaction, ranging from apathy to disgust, on the part of a majority of those who are supposed to be deciding how they are governed. After months of this, letting people vote for their favourite candidate on the Net instead of at the traditional polling place just doesn't make any difference.

This isn't to say that the Internet is not capable of mediating the political process in ways that would

give citizens more choices, that would significantly reduce the influence of money in the process, and that would give them more control over the outcome of disputes over issues.

But what's required to bring about these genuine reforms is the legal recognition of citizens' right to have an impact online and the practical means to accomplish this. And 'having an impact' in this context does not merely mean the right to be heard, it means the right to actually participate in the making of decisions.

More and more, 'Internet democracy' is being forced into various definitions that don't actually give people any power, merely the appearance of it. Elected representatives, for years reluctant even to give out their e-mail addresses (if they had them), now want to 'listen' to their constituents online. Their staffers in charge of listening build websites for this purpose and log the incoming email the way they used to (and still) log the paper mail.

Sometimes the tabulated results even figure into decisions made by the representatives. But often they don't, and often they are quietly repressed by the whispered 'suggestions' of major campaign contributors that may run counter to the expressed desires of the listened-to but ignored mass of citizens.

Listening to the concerns of citizens over the Net is good. Posting campaign contributions in a timely manner on easily-accessed and easily-understood web pages is good. Letting people pay their taxes, apply for licenses, or find out about government services online is very good, since it saves government money and makes the lives of citizens easier. But any of these, or all of these, is not electronic democracy, it is not using the Net as it could be used to make government better, not 'more responsive,' but 'more democratic.'

Making government more democratic by means of the Internet means changing the laws and institutional arrangements we have now to include the active, daily participation of regular citizens in the formulation, discussion, and enactment of the laws by which society is governed. It means letting us govern ourselves with the best tools available, including especially the Internet.

So, is there an existing political process or structure that could be cyberized and then serve as a lever by which the actual will of real citizens can play a substantial role in the formulation and creation of laws and, through these laws, public policy.

It so happens that in the United States - or in about half the US states, at any rate - there is. It's called the initiative process, and allows citizens unhappy with the inaction of their elected representatives on a certain issue to formulate their own proposed law addressing that issue.

Proponents of such an initiative are required to collect a certain number of signatures of their fellow citizens on petitions. If they collect the requisite number of valid signatures, the proposed measure goes on the next election ballot. Voters can then pass or defeat the initiative at the polls.

In practice, the most significant element in getting an initiative on the ballot is the need to raise the necessary money to pay professional signature-gatherers. In California, where initiative proponents need to collect 419,260 valid signatures, the going rate for these services is approaching one million dollars.

So what's the best course of action for a group or individual with a complaint or proposal they'd like everyone to vote on, but without a million dollars? Right now, there is nothing they can do. But if signatures could be collected over the Internet, it would be a different story.

That story could be about to unfold, thanks to a reusable, 'open source' online petitioning initiative called the Smart Initiatives Initiative. In the next issue of E-Government Bulletin we will set out how this works, and how it could shift the balance of democratic power towards the citizen in a new 'open source democracy' in the US.

* Article by Marc Strassman, Author of the Smart Initiatives Initiative and Founder and Executive Director of the Smart Initiatives Project. See:
<http://www.smartinitiatives.org>

[Section Three ends]

SECTION FOUR: ONLINE DEBATE - FUTURE HEALTH FORUM

KITEMARKS AND KITCHEN TABLE WEB SITES

The safety and quality of health information available over the Internet and the need to involve patients in developing information services were among the topics of debate in Future Health Forum, an online think-tank run earlier this month by E-Government Bulletin publisher Headstar with sponsorship from Deloitte and Touche.

Bob Gann, Managing Director of NHS Direct Online, told the debate: "We cannot possibly police the Internet - nor should we seek to do so. Our objective in NHS Direct Online is simply to make it easier for people to find good information than bad.

"We still need to do a lot of work on developing criteria for good information. The NHS Plan recognises this in its commitment to kitemarking under the aegis of 'NHSPlus'. We need to strike a balance between quality criteria which focus on the issues of design, navigability, production values and so on and those of content value. A parent of a child with a rare disorder for example may find considerable support in a 'kitchen table' website which may be crudely designed but contain uniquely valuable information and shared experience."

However Rod Ward, Lecturer at the School of Nursing and Midwifery, University of Sheffield, said: "I do not believe in kitemarking or star ratings because of the problems in deciding who you are kitemarking it for, or what their needs are - and the changing nature of the information. Codes of conduct such as that run by the Health on the Net Foundation are useful, however it has already been found that these have been abused and policing them is a nightmare.

"Any site or organisation which attempts to evaluate and filter the quality sites must publish its evaluation criteria".

Paul Johnson, Director of Telemonitoring Research at the Women's Centre, John Radcliffe Hospital NHS Trust, said: "One approach to the problem of authentic websites and the digital divide created by e-health is to involve the patient in the development of websites. Many studies already show that patients do not understand the disease they have, any guidelines provided or the relevance to themselves.

"This applies especially to the socially excluded. A website could include patient health information (controlled by the patient) and a website that addresses their needs including health information in a format that they want. After years of conducting research on risk aspects of pregnancy as well as care in the community and failing to enlist the most socially disadvantaged women - often teenagers in the UK - we have embarked on developing a website for antenatal care (not just advice), information and education in the widest sense in partnership with such women.

"Many other clinical conditions should be amenable to this approach. Merely warning people of good and bad sites will have limited

benefit as long as the public feel disenchanted with the health service on offer. There are no short cuts to patient empowerment - unwitting disempowerment is only one risk".

Tim Willis, Assistant Director of the UK government's 'Foresight' research programme, said: "There may be an emerging role for 'infomediaries' - systems and organisations that weed information targeted to the individual. I agree that the NHS has a particularly strong brand name to exploit opportunities, but there are others. Parallel to this is the increasing role of patient group websites providing information for the professions, public and patients. Information from experienced patients is valuable to those recently diagnosed."

The role of online learning for clinical professionals and others in the health services also came under the spotlight. Ruth Garner, Consultant Occupational Therapist with Learn Net Advisors and Research, said: "Centrally-funded continuing professional development resources which use the multimedia capabilities of the web to provide up to date educational materials for clinical practice is a good idea. However, this is mainly useful on one end of the spectrum of learning - where there is an immediate need to know something.

"The other end of the spectrum is the learning that can be applied in the wider context of the organisation - collaborative learning that allows people to share knowledge, skills and experience. This type of learning needs to be based within the virtual classroom. Virtual learning doesn't necessarily take people away from the patient's bedside if it is constructed in a way that allows people to study when and where they are able to.

"In Birmingham we have also applied this methodology to people with disabilities - providing remote vocational guidance to them in their own home, opening up opportunities they wouldn't otherwise have had. This has involved developing new roles such as virtual mentoring.

"However, we have a long way to go in terms of changing the hearts and minds of healthcare professionals to find new ways of studying and working. We also have a long way to go in terms of awarding bodies accepting on-line learning as a credible way of learning and being assessed."

Ellaine Muscroft, Regional Consultant with the family support charity Home Start, said: "The voluntary sector appears to be leading in practical IT applications in preventative health care - for example the reduction of isolation and

anxiety. The Samaritans

'listen' online. The growth of the electronic village hall has been swift - Barnsley electronic village hall has approximately 100 members, many of whom are unemployed and/or elderly. The Virtual Volunteering movement has clear potential for massive health benefit".

The full report of the debate will be published in the New Year at its web site:

<http://www.futurehealthforum.com/>

[Section Four ends]

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SECTION ONE: NEWS

BIRTH OF A HERO AND AN E-UNIVERSITY

HERO, the new Internet portal for higher education (see E-Government Bulletin, March 2000), yesterday unveiled a prototype 'holding site' ahead of its formal launch at the Higher Education Funding Council for England's annual meeting on 20 November.

The site at <http://www.hero.ac.uk> will act as a single access point to information on all higher education institutions and courses in the UK. HERO stands for 'Higher Education and Research Opportunities'.

Meanwhile the e-University project - a web-based college backed by a consortium of higher education institutions and also led by the HEFCE - has announced it could be making an operating profit within three years of its launch, planned for the 2001-02 academic year.

The e-University will develop web-based courses to compete in the 50 billion UK Pound global online learning market, targeting postgraduates, businesses and students worldwide.

The body will not act as a separate university, developing its own courses, but rather as a virtual learning 'brand' drawing together approved courses from various institutions. The idea is that a consortium of institutions can provide investment and economies of scale that outweigh the advantages of competing separately on a global stage.

For further information on HERO and eU see the left-hand menu on the home page of the HEFCE web site:

<http://www.hefce.ac.uk/>

PROPERTY PRICES ON THE MOVE

A service allowing people to search for average property prices using Wireless Application Protocol (WAP) enabled mobile devices has been launched by the Land Registry.

The service, available at <http://www.landreg.gov.uk/wap/>, allows members of the public and property professionals such as estate agents, surveyors and valuers, to make on-the-spot enquiries about residential property prices in a given area.

The prices are updated quarterly and can be searched by postcode, area or countrywide. The service also includes help finding the correct regional office, with contact details, and a calculator for its fees. Those without a WAP device can view the service on the web using the WAP emulator at <http://www.gelon.net/>

The Land Registry is also set to launch an online service to simplify the process of buying and selling property. The National Land Information Service, due to go live early in 2001, will allow property searches to be carried out via the Internet, offering faster and more accurate property identification.

The Land Registry service is thought to be only the second to be developed by a public sector body in the UK. Earlier this year, Hampshire County Library launched the UK's first WAP-enabled public service, a directory of county libraries, at <http://wap.hants.gov.uk/library> (E-Government Bulletin, August 2000).

COMPANIES FAIL INTERNET SHOPPERS

One of the largest surveys of Internet shopping sites ever undertaken has found problems with more than a third of purchases.

Trading Standards officers in Warwickshire, Oxfordshire and Shropshire made test purchases from 102 UK-based companies.

In 38 per cent of cases orders did not arrive in the specified time and 17 per cent never arrived. Reasons given were systems crashing, companies disappearing, items being out of stock or orders simply being forgotten. Nearly a third of orders were not confirmed and in almost half of cases no notification of dispatch was given.

The survey coincided with National Consumer Week (16-20 October), whose theme this year was Internet shopping. The Trading Standards Institute has issued a free booklet, *Shopping on the Internet - Better Safe than Sorry!*, which addresses consumers' concerns and offers advice on safe Internet shopping. It is available by ringing 0845 130 8080 or see: <http://www.tradingstandards.gov.uk>

GATEWAY TO CULTURE

Plans have been unveiled by the Department for Culture, Media and Sport for an online gateway to British culture and the arts.

Following a 5 million UK Pound consultation and development process, Culture Online will become a key resource for schoolchildren and adults, allowing people to explore the UK's national museum and gallery collections, films and music and stage performances.

Children studying Shakespeare, for example, will be able to download the text of a play, watch an online performance and take part in discussion groups with other students and the most recent director of the play. They will also be able to call up costume designs and programmes of past performances.

SOCITM STRENGTHENS INTERNATIONAL TIES

The Society of IT Management in local government (SOCITM) has signed co-operation agreements with similar professional bodies in the US and Sweden.

The agreements, with Government Management Information Sciences in the US and Kommunal IT-Samverken in Sweden, will allow information and best practice to be exchanged and members of the different bodies to attend each other's conferences.

SOCITM already has co-operation arrangements with its Dutch sister organisation, VIAG, and it is in discussions with sister organisations in Australia, New Zealand, Denmark, Germany and Eire.

Meanwhile, as part of its autumn training programme, SOCITM is running a series of three one-day courses in e-government.

'E-government explained', 'Developing local portals', and 'Introduction to XML' take place in Winchester on 25- 27 October and Leyland on 20-22 November. For booking information, email: bobg@socitm.gov.uk.

HEALTH INFORMATION AT THE SUPERMARKET

Some 153 free information kiosks linked to the NHS Direct web site and telephone information service are to be sited in accessible public places around the country by the end of this year, health minister Gisela Stuart has announced. The kiosks will be located in places such as supermarkets, pharmacies, hospital accident and emergency departments and walk-in medical centres.

The NHS National Plan, published in July, outlined a commitment to provide more than 500 NHS Direct information points by 2004.

The NHS Direct site is at:
<http://www.nhsdirect.nhs.uk/>

WIN A WEBBY

The international Webby Awards, the glitzy San Francisco-based equivalent of the Oscars for the Internet, has added a 'Government and law' category for its fifth annual event in the summer of 2001.

For a chance to win and hobnob with stars like David Bowie and Francis Ford Coppola (who are among the judges), visit <http://www.webbyawards.com> for submission rules and an online entry form. The deadline for entries is December 15, 2000.

WEB ROUND-UP

E-GOVERNMENT is the topic of this month's 'iMP', the online magazine on information impacts published by the Center for Information Strategy and Policy in the US. Contributors include E-Government Bulletin editor Dan Jellinek. See: <http://www.cisp.org/imp/>

E-TAXATION A site dedicated to the discussion of e-commerce taxation has been created by Italian academic Gualdo Tadino at: <http://www.e-commercetaxation.com>

PARENT ZONE: The Scottish arm of the National Grid for Learning has produced a new section collating resources for parents and guardians of school age children: <http://www.ngflscotland.gov.uk/parentzone>

[Section One ends]

SECTION TWO: CONFERENCE REPORT - INSTITUTE OF HEALTHCARE MANAGEMENT

TELEMEDICINE CUTS COSTS WITHOUT REDUCING QUALITY

Electronic consultation by doctors with hospital outpatients, including email and videolinks, can cut healthcare costs by 20% without reducing quality, delegates at the Institute of Healthcare Management (<http://www.ihm.org.uk/>) annual conference in Harrogate heard earlier this month.

Ian Jardine, a member of the IHM's Telemedicine and Telecare Programme Team, said research completed in Finland in 1999 found that

the use of electronic consultation with outpatients over a four-year period increased the number of consults by 20% but reduced physical visits to the doctor by some 40%, leading to the cost cuts.

And the evidence was that the quality of electronic consultation was just as high, he said. "It was of variable quality - but then so is real-life consultation - the variation between doctors was the same". It is also easier to audit the quality of electronic consultations.

Another advantage of 'telemedicine' - defined as the use of information and communications technologies to provide healthcare at a distance - is the ability to access specialised expertise, Jardine said. With services like pathology, for example, results are better where a pathologist has specialised experience in the area under examination, for example breast cancer pathology. Unless a test is carried out in a very large hospital, this expertise will not be readily to hand, but pictures of a high enough quality can easily be sent over the Internet for remote examination by an expert. Even more advanced systems are being developed that allow a pathologist to manipulate a robot arm online to alter a microscope angle and view the results using a live video feed.

Telemedicine can provide good back-up for nurse-led treatment centres as well, he said. One nurse-led minor injury clinic in Cornwall gains input from doctors when needed via a video link to the local hospital, for example to view an x-ray. As well as making efficient use of everyone's time, this is excellent training for nurses, who can play a more active role than usual in the consultation.

Home care is another area where remote communications links can prove invaluable. Jardine said a US project had introduced 'virtual visiting' by health professionals to residents of an old people's home using cheap web-cams on top of television monitors. The system allowed more regular communication, making people feel less lonely.

He said he had heard that with a small tweak to the system, users had found they could begin to communicate with each other as well, starting up a virtual support community.

Systems like these are likely to develop in the future to include remote monitoring of physiological signs like pulse rate, or even daily activities like how often a person goes to the toilet - such personal monitoring would be subject to the full approval of the patient, he said, but the evidence showed people were willing to be monitored in this way, as it made them feel more secure.

More frequent contact with patients through virtual visiting can also be of tremendous value in mental healthcare, Jardine said.

"When it comes to psychiatry, telemedicine works very well. Perhaps it is because many psychiatrists don't want to be in the same room as their patients - and certainly patients don't want to be in the same room as their psychiatrists".

Virtual visiting was good for people suffering from depression, for example, because such people often benefit greatly from frequent contact which it is not always possible to provide with physical visits due to the cost and time restrictions on health professionals.

"Even though the visits are virtual it is better than making contact less frequently", he said. "It might also mean that occasionally a GP can also take part via videolink in a contact between a community worker and a patient of that GP, where a combined physical visit would be impractical".

This latter example demonstrates that the benefits of telemedicine multiply once a range of professionals or healthcare organisations use the same system. Clinicians may be able to collate data more easily from a range of tests or sources to provide a more complete record of a patient, for example.

Of course, telemedicine is not restricted to high-tech applications - as well as web and email services, videoconferencing and robotics, it can include services conducted over the good old-fashioned telephone line.

The telephone can often be the most powerful telemedicine tool of all, Jardine said: one GP in Manchester already conducts half of his outpatient follow-up consultations by telephone, saving on the time and effort of a house-call and ensuring all follow-ups are carried out in good time.

Nurse-led telephone call centres will increasingly be developed to serve multiple functions, he said, for example combining the NHS Direct patient advice service with ambulance calls, home alarm systems and even physiological monitoring.

Of course, telemedicine is not without its problems. One issue is that the companies that make the expensive equipment needed to carry out consultations and other procedures by videolink or other remote communications technologies are keen to sell as many such machines as possible - one to each hospital. It is more efficient for the health service, on the other hand, to buy one machine

centrally for a region and simply cable different hospitals and clinics into it. This difference in outlook can cause tension.

There is also a great deal of discontent with the development of the health service's internal network, NHSNet. Delegates took turns to grumble about how the service simply "doesn't work". "It gets you on the Net but very little else", said one. "It's email system doesn't work" said another.

All agreed NHSNet was secure, but Jardine said overtight security was actually causing absurdities of its own. "There is an automatic system for stopping the exchange of pornographic images over the network. But for some reason, it identified the IHM logo as pornographic and wouldn't transmit it".

Eventually advances in telemedicine combined with staff shortages in the UK could also lead to the NHS drawing on the online services of health professionals from all over the world, he said. People could send images for radiology checks as far away as India, he said, and already Surrey social services is interviewing people for jobs from Australia and New Zealand via a videolink.

* E-Government Bulletin's publisher Headstar is hosting a debate on the Internet from November 7-9 about the future of technology use for healthcare - FutureHealthForum, sponsored by Deloitte and Touche. Anyone interested in taking part should email Dan Jellinek on dan@headstar.com

[Section Two ends]

SECTION THREE: POLICY - ONE STOP SHOPS

CENTRALISED DELIVERY - R.I.P.

The centralised one-stop-shop approach to service delivery has been growing in popularity for over a decade now, but is it always helpful, and can it really solve the problems faced by councils in today's political and technological environment?

There are a growing range of issues which are critical to those considering the development of physical, 'bricks and mortar' one-stop-shops.

There is plenty of pressure on councils, not least from central government, to deliver the wide-ranging 'modernisation agenda'. However, the language of partnership, joined-up thinking, participation and consultation can be little

more than empty rhetoric. For the sake of customers and the communities we serve, it is vital that the interconnections are genuinely made between the various agencies which serve them.

Public services are hampered in tackling the modernisation agenda by a series of organisational cultures derived from their functional, departmental and professional inheritance. In the small market town where I work, if you became unemployed you may need to see up to six different agencies, in six different buildings, filling out six different sets of forms.

Future services must be constructed around life episodes such as birth, death, changes of address, becoming unemployed and so on.

One-stop-shops can help in this regard, but only if they facilitate the creation of multi-agency frontline teams. The bricks and mortar approach can no longer be regarded as being sustainable for just one organisation. These teams must be accountable for achieving holistic outcomes, and so must be properly empowered by their component organisations. To deliver, they must have access to information and systems that cut across organisations: interconnections must be made, and relevant data assembled on individuals and their needs.

Telephone call centres are encouraging centralised service delivery and no doubt this trend will continue to accelerate. Those providing services to rural communities are aware of the potential downside of this approach. There is an urgent need to move to closer community service delivery in such areas as neighbourhood renewal, tenant compacts and community plans.

Currently some of my staff work alongside the police in a mobile police station to serve isolated communities across 250 square miles. This is only a 'first stop' service. We need to turn our staff into local, mobile one-stop-shops, making use of new technologies such as WAP and mobile videoconferencing. However, mobile working will merely be a continuation of the status quo unless opportunities are taken now to facilitate decision-making on the ground.

Of course, this locally-led, multi-agency service delivery must not be merely a one-way process. We need to complete the loop.

Systems need to be able to capture and analyse data about customer needs and trends.

This information must be used to inform future patterns of service delivery and budgetary priorities. As technology improves, employees will gain almost instant communications, be able to perform multi-tasking and obtain and respond to data sensitive to time, place and preferences.

Flexibility will allow us to break away from 9-5 service delivery. The centralised one-stop-shop approach can move us forward, but it can also be a hindrance, and significant resources can be released if our staff become locally-based one-stop delivery points.

* Article by Stephen Brown, Head of Services (Bassetlaw East), Bassetlaw District Council. The article was written to stimulate debate at a discussion group due to run on 15 November in London at this year's Local Government Solutions event, part of the Electronic Government Forum. For more information see: <http://www.electronic-government.com/>

[Section Three ends]

SECTION FOUR: FOCUS - THE DOMAIN NAME SYSTEM

EUROPEAN RIVAL TO THE US-LED DOT.COM REVOLUTION

The Internet domain name system, which translates maps numerical 'IP' (Internet Protocol) addresses for Internet-connected computers into more user-friendly words - is about to undergo several major changes which will be of keen interest to public sector bodies.

The changes include the creation of a '.eu' top level domain as a European rival to the US-centric '.com' revolution. The move was initiated by the European Commission, which in July 2000 confirmed its intention to create and manage the new domain. The announcement can be seen at: <http://www.ispo.cec.be/eif/InternetPoliciesSite/DotEU/WorkDocEN.html>

The commission received strong backing for its initial proposals, which were released for consultation in February. The responses are online at:

http://www.ispo.cec.be/eif/InternetPoliciesSite/DotEU/Analysis_of_responses.html.

Further consultation will now take place on the concrete steps to be taken to establish the domain, including how the EU will work with ICANN (<http://www.icann.org>), the international body which oversees the Internet domain name system.

The commission says the .eu domain will strengthen the image and infrastructure of the Internet in Europe, acting as a counterbalance to the historical dominance of the Internet by US concerns. It could also increase the ability for European companies to run e-commerce operations in an atmosphere of adherence to EU law and policies such as competition, data protection and consumer

rights.

In this way European organisations would be offered an alternative to the choice between operating under US-led top level domains like .com, or operating under their national country codes, which can be too limiting in today's global marketplace.

However, there are various questions to answer in introducing the new domain. Will it be a generic top level domain like '.com', which will allow free registration by anyone or any organisation within the EU, or will it have any restrictions on the types of organisations that can apply and how they use second-level domains within the space?

For example, one way of proceeding might be to replicate the existing generic names like .com under .eu, so you would have .com.eu, allowing Europeans with existing '.com' registrations to have first chance to register a '.eu' equivalent without fear of 'cyberpiracy' - the registration of domain names by others in bad faith in an attempt to sell them. An alternative, or additional measure, might be to create several a series of chartered spaces within '.eu' such as 'museum.eu', to provide rights and opportunities to various sectors like, in this example, the museums sector.

There could be some knotty problems surrounding which European public sector organisations, if any, will use the .eu top level domain. If it is restricted to a generic domain or generic second level domains like .com.eu, or to chartered domains with a commercial flavour like .bank.eu, then it would not be a problem. But if some government agencies in some countries wanted to create a '.gov.eu' domain, there could be political headaches for many - would any UK or Danish government agencies move to use the domain, for example, with such strong anti-European sections within their electorates?

Another imminent development in the global Internet domain name system is the creation of a series of new top level domains by ICANN itself, including the possible introduction of one or more personal domains.

Personal top level domains would for the first time offer a structured name system for individual Internet users - a fascinating prospect and a vital key in expanding the Internet's potential for ordinary citizens.

Possible structures for such as domain could revolve around a top level domain such as '.person', '.nom' or even '.individual'. The second, third and possibly even fourth levels of the domain system would be used to reflect the individual's name and geographical location in some way, making the whole domain personalised but distinguishing it from other people with similar names.

Thus for example the top level domain could come with a stipulation that all registrations must be at three levels, and that the second level must reflect the user's surname and the third level their first name. So the domain for Jane Doe could be jane.doe.person; and if a second person came along with the same name, they could register a domain such as jane.doe2.person

An alternative would be to use one of the levels to express a geographic location, so it could be jane.doe.copenhagen.person

Registration under a personal domain would have to be exempt from all regulations surrounding infringement of trademark or copyright law. This protection should remain so long as the domain is used for personal purposes, for example to receive email or for a personal home page, and not for commercial trading purposes.

This would ensure for example that people with names corresponding to trademarks could not be pursued by the trademark owners: it would not be satisfactory for everyone with the name Mickey to be under threat of action from Disney, for example.

Personal domains will be of vital importance for Internet users in the future, because they could be used to confirm their identity in all sorts of situations, from e-commerce to legal transactions. They could also become a key part of an individual's social identity and image - families often already build up home pages together, so in future the personal domain will become the focus for all that kind of activity. One's email address is already an important identifier.

The concept will therefore emerge of a person's 'digital identity', and this is likely to be closely linked to their personal domain name. A generic top level domain reserved for personal domains will allow peoples' digital identities to better reflect their names, and most importantly will allow them to be controlled by the individual.

* This article is extracted from 'Connecting to the Internet - a response to ICANN's proposal to reform Internet Top Level Domains', a new report by the domain registrar Speednames. The research for the report was carried out by Headstar, publisher of E-Government Bulletin. The report can be found at <http://www.speednames.com/> or email mpower@hillandknowlton.com

[Section Four ends]

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E-GOVERNMENT BULLETIN
The Email Newsletter On Electronic Government,
UK And Worldwide.

ISSUE 91, SEPTEMBER 2000

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SECTION ONE: NEWS

PLANS TO BOOST REPACKAGING OF OFFICIAL DATA

The UK's e-Minister Patricia Hewitt has announced plans to streamline the way government information - from health data to crime figures, school league tables and census results - can be purchased and repackaged for consumers by Internet and publishing businesses.

The 'Government Information Review' includes a pledge to make Crown Copyright public information available in digital format wherever possible; and to ensure that most information is available at marginal cost price - covering merely the expense of making the data available, not of producing it in the first place.

However, the cheap data deal excludes a vital group of government 'trading funds', agencies which create high value information and trade as businesses including Ordnance Survey, the Meteorological Office, HM Land Registry and Companies House. There was a vaguer pledge to "improve pricing and dissemination of information" for these bodies.

Other plans include a new on-line licensing service, "Click-Use-Pay" being implemented by Her Majesty's Stationery Office (HMSO); a consultation paper on the future role of HMSO operating in a regulatory capacity, including a new complaints procedure for customers; and all government bodies to speed up creation of information asset registers linking to an 'inforoute' website being developed by HMSO.

Government departments and agencies will continue to be free to develop their own value-added information services charging market prices provided there is a level playing field among all participants, the minister said. There was also a recommendation that other public bodies such as local authorities and quangos review their charging and licensing strategies for copyright material.

Fred Perkins, chief executive of The Stationery Office - the company formed from the privatisation of HMSO's publishing operations and one of the main providers of value-added services for official information - said the new proposals were "interesting . . . but the devil is in the detail. Crown Copyright is only one factor in the exploitation of government information: freedom of information is another, and the whole spectrum of joined-up government and e-government infrastructure issues.

"The government is at a very early stage in committing itself on several interrelated fronts. These things won't be delivered overnight - the detail will determine how fast, where, and how large will be the opportunities". For the new proposals in full, see: <http://www.hmso.gov.uk/govinfoev.htm>

ONLINE ELECTIONS A CURE FOR VOTER APATHY?

The Hansard Society for Parliamentary government is to exhibit a 'Virtual MP's office' at all three main political party conferences this month - a mock-up of how technology could be used in the future by our elected politicians. The society, with backing from BT, will also publish a guide for MPs on the use of technology to enhance their constituency and other work.

The office and guide will be unveiled first on 17 September at the Liberal Democrats' conference in Bournemouth.

The society is also hosting fringe meetings at each conference on "Voter apathy and what is to be done", where leading politicians and commentators will consider solutions to poor election turnouts including whether Internet voting could help. Further information on the project is due to be posted up shortly at: <http://www.hansard-society.org.uk/edemocracy2.htm>

According to a recent nationwide survey conducted by pollsters ICM on behalf of digital television company Ondigital, people would indeed be more likely to vote if elections were to take place online. More than half of respondents said they would be more likely to register their political preference in an election if they could vote on the Internet.

However, the Electoral Reform Society (<http://www.electoral-reform.org.uk/>) believes there are significant problems to be overcome before on-line voting is a viable option. Their worries include barriers to access and the danger of fraud.

The society has set up a commission to report by the end of the year on the experimental pilot voting schemes run in May's local elections, which included electronic voting procedures, allowing people to cast their votes over the Internet or using touchscreen computers in polling stations.

The pilots were enabled by the Representation of the People Act 2000, and if successful, the intention is to apply them to national parliamentary elections in due course. For more information see:

<http://www.homeoffice.gov.uk/ccpd/cnu/evalcont.htm>

* See also Section Four, this issue: E-democracy.

BLAIR PRESENTS 'UK ONLINE' E-POLICY PACKAGE

The Cabinet Office's Performance and Innovation Unit this week published a plan to boost e-government, including financial incentives for 'joined-up' working between government agencies, as part of a wave of 'UK Online' policy announcements unveiled by Tony Blair.

The PIU report, 'e.gov', is to be backed by a £1 billion investment in electronic service delivery over three years. Key points include the focusing of services on the needs of users, rather than government departments; backing up services with advice and support, to ensure high levels of take up; and partnership with the private and voluntary sectors.

The centrepiece of the document is a pledge to reinvent how government works internally, with "powerful incentives to change and radical shifts to cross-boundary working . . . including sharpened financial incentives to promote electronic service delivery, and the creation of a government incubator to develop new service ideas". See:

<http://www.cabinet-office.gov.uk/innovation>

As part of the broader UK online campaign launched by the Prime Minister, the locations were unveiled of the first 600 'UK online centres' for free public Internet training in some of the UK's poorest communities. The government is aiming to create some 6,000 such centres, including all public libraries, supported by a national online education service 'learndirect'. See:

<http://www.ukonline.gov.uk/>

A linked initiative to help small businesses exploit new technologies with advice available face to face, online or by telephone was launched by the Department and Trade and Industry. See:

<http://www.ukonlineforbusiness.gov.uk/>

ONLINE PROCUREMENT TRIALS A SUCCESS

The Buying Agency (<http://www.tba.gov.uk/>), the government procurement agency operating within the Treasury's Office of Government Commerce (<http://www.ogc.gov.uk/>), is set to expand trials of its electronic procurement catalogue.

Initial trials began in April, with around 30 organisations including central and local government bodies and universities using the catalogues to purchase a range of some 500,000 goods and

services online from 400 different suppliers.

Following the success of these pilots, a further group of organisations will be added over the next month or two. The service will be made available to all government bodies later this year, to meet the government's target of handling 90% of all procurement electronically by 2001. See: <http://www.tba.gov.uk/p22.html>

PLUGGING ASIAN WOMEN INTO THE DIGITAL ECONOMY

A new report on how to overcome the problems faced by women in the Asia-Pacific region in taking part in the digital economy was published this week by 'WomenAsia.com'.

The report, by WomenAsia.com founder Rosemary Brisco, was presented to the World Economic Forum's Asia Pacific summit on the gender digital divide, which ran from 11-13 September in Melbourne, Australia.

It examines issues relating to women in the workforce; women as entrepreneurs and as consumers; and 'the invisible digital divide'. Suggested solutions included better training, corporate sponsorships and government subsidies. See: <http://www.womenasia.com/divide/>

A GUIDE TO GOVERNMENT WEB SITES - SECOND EDITION

'Official UK', a comprehensive directory of government and other public sector web sites featuring reviews of more than 1,000 sites, was published in its second edition this month.

The book, written by E-Government Bulletin editor Dan Jellinek, lists sites by subject area such as Foreign Affairs and Defence or Education and Science, with separate chapters for Scotland, Wales and Northern Ireland. The new edition also features reviews of the web sites of international bodies such as the EU and the UN. An appendix contains links to the main UK political party sites.

The guide costs £25, ISBN no: 0117024465. For more information and to order a copy visit: <http://www.official-uk.co.uk/>

THE BEST LIBRARIES ON THE WEB

EARL, the consortium for public library networking, has launched its 'Best on Web 2000' awards for UK public library web sites. The initiative seeks to reward libraries with sites that are informative, fun and interesting to use.

Anyone can nominate up to three sites for the awards, bearing in mind that the judges will be looking out for the best information content, interactive features, and design and usability of sites. Winners will be announced at the EARL annual conference in November 2000.

Full judging criteria can be found on the awards' web site, as can a list of public library websites to choose your nominations from. Nominations, which can be sent via an online form, must be received by 6 October. See: <http://www.earl.org.uk/bestonweb/2000.html>

E-GOVERNMENT AND LOCAL POLITICS

The implications of e-government for local politics and local government structure will be among topics discussed at an October meeting of the Promoting Electronic Government (PEG) project. PEG is run by a consortium of councils and the consultancy CDW and backed by the Department of the Environment, Transport and the Regions.

Bob Kerslake, Chief Executive of Sheffield City Council, will address the 'Community and e-government' meeting on 24-25 October in Sheffield. Other issues to be covered include partnerships for electronic services. See:
http://www.eipdg.org/sheffield_oct2000.htm

SECTION TWO: EDUCATION - THE ONLINE LEARNING REVOLUTION

The steady rise of Internet-based and other forms of interactive online learning in higher education are set to force both academics and students to radically rethink the way they work and study, according to a leading UK expert.

Diana Laurillard, Professor of Educational Technology at the Open University, told E-Government Bulletin: "The ways academics spend their time will have to change. Currently, university academics spend most of their time lecturing, marking assignments and holding tutorials, and their teaching role is that of a 'craft amateur'. With an increase in online learning, they will have to become more professional in developing high quality online educational resources.

"It will not be adequate to simply put their lecture slides up on the web - that is a bit like dumping students in a library and telling them to get on with it. They will need to develop online resources that are interactive, offering feedback, automated assessments of work, and other forms of support".

The way students employ their time is also undergoing changes, she says. "Increasingly, students are having to work part-time to cover increasing costs and reduced financial support for learning, or with a growing number of mature students, are spending more time with their families.

"If they are working 20 hours a week, they will have to fit their studies around this, so there will be less time for lectures", Laurillard says. "They need the flexibility to be gained from more online learning, although it is not suitable for everything, and it is important to obtain a balance across different learning technology media".

Her assessment of progress to date is not rosy, however. "We're not yet exploiting technology for these purposes nearly enough - there is a long way to go".

Ms Laurillard was among speakers at this week's seventh annual ALT-C conference on integrated learning technology at the University of Science and Technology in Manchester.

Elsewhere at the conference, a new working group spearheaded by the UK Office for Library and Information Networking (UKOLN) was examining the development of national standards for the description of educational resources in digital formats.

The 'Metadata for Education Group' (MEG) was formed to reach a consensus across the educational, public library, museum and data archive community on how to describe learning tools such as CD-ROMs and online courses, and to disseminate best practice.

"At the moment there are a lot of public sector agencies producing educational content online, from the National Grid for Learning to the Environment Agency", says the group's leader, Dr Paul Miller of UKOLN. "The problem is that they are all described in different ways, using systems developed locally, and learners can become confused".

Examples might be descriptions of who a particular course is for; what format it takes; or what UK educational qualifications it is working towards. In some cases different terms may be used to describe the same objects, and in others, the same terms will cover completely different objects.

An increasing number of publishers and other organisations are creating databases of educational resources, and the main problems with descriptions arise when people try to search across these databases, Miller says.

The MEG is developing recommendations for standards, by examining best practice in the UK and internationally. It first met in June, and again this week, when members drew up guidance for public sector bodies on selecting and implementing description standards.

The group will meet again in Edinburgh in November. In the meantime, it is setting up a register of what work is currently being carried out by various public sector bodies in this field. For more information see:

<http://www.ukoln.ac.uk/metadata/education/>

Learning and Technology Minister Michael Wills MP used ALT-C 2000 to launch a new award scheme to reward organisations using new technologies to develop lifelong learning opportunities in their local communities.

The BT Lifelong Learning Awards will offer more than £500,000 per year - divided into awards of up to £75,000 per project - to universities, further education and sixth form colleges, libraries and any community partners for projects promoting access to technology, innovation and teamwork.

See:

<http://www.bt.com/lifelonglearning>

And for further information on ALT-C 2000 see:

<http://www.umist.ac.uk/alt-c2000/>

SECTION THREE: E-GOVERNMENT - SOCIAL INCLUSION

Raw percentage targets for the provision of public services online - as already set for central government and likely to emerge shortly for local government - must be implemented in the context of a range of vital social issues including social inclusion and equal opportunities, according to a new e-government think-tank.

The high-level 'E-government to E-community' group, launched this month by the local authority chief executives' society SOLACE, is the brainchild of James Hehir, chief executive of Ipswich Borough Council and president elect of SOLACE.

An initial 'scoping' paper prepared for the group sets out its aim to focus strongly on how technology will affect local communities, including tackling 'digital divide' issues.

"Government targets for the conduct of business using electronic means . . . need to be supplemented by a series of other themes including social inclusion, the development of citizen centric approaches, and the relationship between e-government and the modernisation agenda, including the drive for Best Value", the paper says. The effects of technology on working patterns and local economies should also be examined, it says.

The think-tank will stress the importance of leadership both from and within local authorities, urging the need for "positive attitudes of engagement rather than defensiveness or fear". Ways in which councils could take a lead include working with local training providers to boost technology skills among their own employees, so helping to create a training culture in the external community, the report says.

Other questions the think-tank will address include:

- * Should local government be actively promoting access to new technologies within the local community?
- * To what extent should councils lead by example? Will they be taken seriously by their communities, and be able to achieve community leadership, if they do not embrace new technology itself ourselves in everything they do?
- * Flexible working can have many benefits, but can equally create problems. Should the local authority play a role in promoting an awareness of the implications of flexible working within the community?
- * How will changing working patterns affect local authority service delivery?
- * How can councils help people in all parts of society, for example people for whom English is a second language cope or young single parents, access technology and digital services?
- * Is there a danger that some sections of the community will become economically disadvantaged?

The think-tank is divided into a core group and a wider consultation group. The core group is comprised of Mr Hehir; David Henshaw, chief executive of Liverpool City Council and current SOLACE president; Clive Grace and Mike Sanders of SOLACE; Gordon Mitchell, chief executive of Bracknell Forest BC; Annie Ralph, chief executive at Braintree District Council; Rob Garnett, chief executive at Breckland Council; Claire Dimitros, head of IT at Essex County Council; Martyn Harwood, director of corporate services at Gloucester City Council; Martin Ferguson and Martin Greenwood of the Society of IT Management (SOCITM); Steve Baker, head of facilities management at Ipswich; and representatives of the group's three sponsors BT, Oracle and Zurich Municipal. A representative of the government's Central IT Unit is due to join the group shortly.

A final report will be produced by the group in February 2001, to include a range of case studies reflecting the challenges faced by different types of council such as urban redevelopment and rural issues. It will also include check-lists for councils and others for present and future action; suggestions for the role of business; and suggested areas where central government action or action from local authorities collectively may be needed to drive progress.

Ipswich, where the think-tank is based, has a strong recent track-record of community technology projects including a recent project in which Internet screens were installed in tea rooms run by Age Concern for use by elderly people.

The city is also positioning itself as a leading UK centre for high-technology companies under the 'IP-City' initiative, after some bright spark in the regeneration department noticed the local 'IP' postcode also stood for 'Internet Protocol'. The initiative forms part of a 'Cambridge-Ipswich High-Tech Corridor' programme, in which the city is looking to partner Cambridge as a major European centre of innovation.

For further information or to contribute to the think-tank's deliberations, Bulletin readers should contact James Hehir or Steve Baker on james.hehir@ipswich.gov.uk or stephen.baker@ipswich.gov.uk

The SOLACE web site is at:
<http://www.solace.org.uk/>

And for more on 'IP-City' see:
<http://www.ip-city.com/>

SECTION FOUR: E-DEMOCRACY - ELECTORAL REFORM

TIME TO MOVE TO A VIRTUAL CONSTITUENCY?

As well as potentially improving the speed and efficiency of the electoral system, electronic voting - including Internet voting - and electronic vote-counting could revolutionise the very fabric of democracy in the UK.

The annihilation of geographic distance by Internet use and the gradual shift towards adoption of proportional voting systems for elections at various levels could combine to create the potential for a move away from geographic constituency politics to the politics of interest groups or communities of interest.

The prospect was raised in a recent issue of E-Government Bulletin (August 2000, Section Four). In his review of the Government Computing Northern Ireland conference, Dr David Newman of Queen's University Belfast wrote: "What if some MPs represented an interest group right across the country, rather than a physical constituency, using the Internet to keep in touch with this dispersed group?"

How would such a system work in practice? Could such a seismic shift in our political landscape really occur?

Currently, the key institution of British politics is the political party. The accountability of MPs is far greater to their party than it is to their constituents, and the pressure on them to obey the party whip is immense. With the growing availability of internet access, it has now become much easier to involve most of the people in the control of government and eliminate the wastage of votes that occurs under the present, first-past-the-post (FPTP) electoral system.

One stated aim of the Jenkins Commission on voting reform - that of maintaining geographical links - need no longer imply single-member constituencies, since it is now as easy to confer with a representative anywhere in the country as with one maintaining an office in the nearest large town. Multi-member constituencies, served by a varied team of elected representatives, could even strengthen community links by giving almost all voters someone that they have helped to elect.

Of the various systems currently under consideration, the Alternative Vote (AV) does extend voter choice to some extent by allowing electors to identify a second preference candidate to whom their vote is transferred if their first preference candidate stands no chance of election. Experience with AV in Australia, however, was that the third largest party, the Democrats, failed to get a single seat, despite getting some 15% of the vote.

The Additional Member System, in which some members are directly elected and some are elected from party lists drawn up by the parties themselves, provides better proportionality. However, this system enhances the power of party organisations to the detriment of the electors.

A better choice, especially now that ballot calculations can be carried out by computer, is for the single transferable vote (STV) system with multi-member constituencies. Electors mark a list of candidates in order of preference, and the counting process involves the transfer of the unused portions of first preference votes to the respective second preference candidates and so on, until no further fractions can be used.

The sizes of the constituencies would vary according to geographical or natural communities, but could typically be of such a size as to elect five, six or seven representatives. The limit depends on the number of candidates, typically 20 to 30, that may conveniently be listed on the ballot paper or screen and from which the voter may select an order of preference.

One problem with STV is how to decide the order in which candidates' names appear so as to avoid unfair advantage to those near the top of the list. With a fully electronic system, however, names could be presented in different random order for each elector, eliminating any bias. The whole process would be much quicker and more reliable when using computers.

The experience with STV in the Republic of Ireland shows that the result is broadly proportional and that governments emerging from the process will generally be stable.

So where does the issue of 'constituencies of interest' fit in with this system of voting? Under STV, it might indeed be possible for a number of 'special interest' candidates to stand for virtual constituencies. Voters could nominate which special-interest constituency they wished to inhabit, removing themselves from their geographical constituency as they did so.

This process would entail a national register of all voters showing their respective constituencies, and allowing ballot forms with the correct lists of candidates to be supplied. For those voting electronically via the internet, this task could be automated and it may be acceptable for special interest constituencies to be limited to those with internet access.

Some way would have to be found to allocate fairly the number of special interest members to be elected. After all, the current ratio is only about 1.5 members per 100,000 electors, so to merit a five member entitlement, you would need more than 300,000 voters to opt for the relevant special interest constituency rather than their geographical location. That might be difficult to achieve.

An alternative solution may be to have special interest members elected to the House of Lords, but

either way it would be important to have preference voting by STV.

Proportional representation and electronic voting are both ideas whose time has come. And in combination, they could lay the groundwork for an exciting new era in democratic representation.

* Article by Owen Dumpleton, a member of the Electoral Reform Society and a former green party Euro candidate.

[Section Four ends]

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ISSUE 90, AUGUST 2000

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SECTION ONE: NEWS

NHS TECHNOLOGY PLAN FACES UPHILL STRUGGLE

The new NHS National Plan, which charts the way forward for information technology in the health service, is not powerful enough to overturn the NHS computing mistakes of the past, according to one leading commentator.

Roy Lilley, a former NHS trust chairman and author and broadcaster on health management issues, told E-Government Bulletin: "The NHS has a disastrous history on IT issues and I am not sure much is set to change. The management of information using technology could be the salvation of much of the NHS's problems. The difficulty is the legacy of the Thatcher years - by devolving responsibility to NHS trusts, the service became disaggregated.

"Some trusts made progress on technology, but most did not. Now the new NHS IT agency should select a system for the whole of the NHS and railroad it through. There would be critics, comments about whether or not the system is the right one - but at least it would be a start".

However the IT agency - itself introduced after the failure of the former NHS Information Management Group - was not taking a strong lead, he said. "The agency is doing more harm than good. Civil servants who have never experienced what an IT system can do are too timid to make procurement decisions. It will take the agency until 2005 to agree common standards with industry, never mind get the British Medical Association to sign-up, trusts to agree and comply with EU procurement rules."

The National Plan, launched last month by Tony Blair and funded by £13 billion from the government's comprehensive spending review, proposes an ambitious range of IT initiatives ranging from issuing smart-cards to patients to providing TVs and telephones at every hospital bed.

Other plans include access to electronic personal medical records for patients by 2004; electronic prescribing of medicines by 2004; electronic booking of appointments for hospital treatment by 2005; facilities for telemedicine across the UK by 2005, allowing patients to connect with staff electronically for advice; and smart cards for patients allowing easier access to health records "when the necessary infrastructure has been put in place".

"Not everything can be put right overnight - the decades of neglect make that impossible. But over the next few years the NHS will start to look and feel like a different place", the plan says.

However, Lilley warns it may not be that simple. "The electronic patient record has defeated just about everyone. I was at an Arizona conference on the topic last year and the Americans can't agree on common data input standards, data warehousing facilities or patient confidentiality issues. I have no grounds for hoping the UK is any different."

CALL CENTRES MUST BE BACKED BY SERVICE RESTRUCTURE

A new report on the use of telephone call centres by local councils finds that although they are beginning to be used quite widely, there is a real danger they will underachieve or fail if they are not implemented alongside a much wider programme of reshaping service delivery around a single point of entry.

The report, by the Foundation for Information Technology in Local Government (FITLOG), cites the case of Hertfordshire CC which began its call centre work by identifying that "people contacted the council through a number of channels and a critical element in developing a consistent response was a common technological platform.

"The county set out to design and build a database capable of holding the answers to all of the questions it might be asked and, more importantly, to begin to change the way the authority managed its information", the report says. "The call centre is the first mechanism by which Hertfordshire will provide access for the public to that new database. It will be complemented in due course by a new web site, which will provide transactional capability as well as information content".

The report predicts that interaction with call centres over the Internet will be a major growth area in the future. "As more citizens gain access to the Internet and as more technologies such as digital television are introduced, the breadth of activity handled by call centres will grow. These new contact centres can be expected over time to exploit a variety of emerging technologies, such as voice recognition, to improve their operations.

"Technology integration will also increase . . . commercial web sites are beginning to include a button which can be used to establish a dialogue with a call centre adviser. Similar devices could be developed for information kiosks". Connections would also be made between call centres and back office systems like the automatic digital printing and despatch of a letter or form.

In time, call centres could even play an active role in policy delivery such as social exclusion - perhaps offering freephone access to excluded groups - or customer champion, holding the rest of the council to account for agreed service standards, the report says.

Making contact - developing successful call centres in local government is available from FITLOG, price £45 to non-commercial and £90 to commercial organisations. See:
<http://www.fitlog.com>

LORDS' COMMITTEE URGES ACCELERATION OF INTERNET REGULATION

The House of Lords - of all bodies - showed a fine grasp of the overarching policy issues surrounding regulation of the Internet and e-commerce this month with the publication of a report by its European Union select

committee.

On policy development in the UK for regulation of e-commerce, the committee says: "The government has made a good start and we have no doubt about its intentions and commitment in this area. But we have yet to be persuaded that real change is happening and at the speed which the new technologies demand."

At the EU level, the committee is more complimentary, although it warns that current informal arrangements should be hardened into a formal European fast-track system for Internet policy.

"It is . . . essential that the processes of legislation be speeded up. There should be a faster track. The way in which the Commission and the Parliament worked to adopt the e-commerce framework Directive is a model of how these institutions can react rapidly. However . . . the European Parliament was unhappy at the way in which the Parliamentary process was applied in this instance.

"The improvised procedures which achieved success in the case of the e-commerce Directive will have to give way to a more formal system. We would argue that this requires a serious look at the way in which legislation is processed in and between the institutions of the European Union to see whether or not a fast-track system can be established.

"It is important, too, that member states revise their own systems of transposition into national law so that the impetus gained by fast action in the institutions of the EU is not dissipated at national level".

The report concludes: "The Internet has turned the concept of jurisdiction upside down, and we see a serious need for international conventions to deal with this new phenomenon". For the full report, see the 14th report of the EU committee, in the select committees section of the House of Lords web site:

<http://www.publications.parliament.uk/pa/ld/ldhome.htm>

SECOND US GOVERNMENT PORTAL ANNOUNCED

The Clinton administration has announced plans for a second major cross-government Internet portal, to go live this autumn.

The secure service, 'pay.gov' (<http://www.pay.gov>), will allow US citizens to make a wide variety of electronic payments to the government, from families paying for a camping licence for a national park to corporations paying fines and even certain taxes. Eventually the service will have the potential to handle any of the 80 million transactions the US government now processes each year. See:

<http://www.treas.gov/>

The announcement follows plans announced last month for the launch this autumn of 'FirstGov', a new single online gateway to US government

information on the web. See:
<http://www.firstgov.gov/>

CONFERENCE ROUND-UP: E-GOVERNMENT AND THE DIGITAL DIVIDE

The Electronic Government Forum, hosted by the publishers of the e-government bulletin, takes place in London from 15-16 November. This annual networking forum provides the opportunity to share best practice and explore partnerships with suppliers. The first day is for local authorities and the second for central government departments and agencies. For more information and to register visit: <http://www.electronic-government.com>

Meanwhile Business in the Community, a grouping of UK companies committed to continually improving their positive impact on society, is holding a conference on the digital divide on 28 November in London. The conference will explore the implications of a digital divide for society and business; ethical investment and corporate citizenship; and technology issues for rural areas. Contact Barbara Murphy at comm.unity@bitc.org.uk or see: <http://www.comm.unity.uk.net/>

IS YOUR COUNCIL BETTER CONNECTED?

'MAPIT', the research arm of the Society of Information Technology Management (SOCITM), has begun to plan its third comprehensive survey of council web sites, Better Connected? 2001. Representatives of all councils are invited to email mapit@socitm-ssl.co.uk with brief details of any innovation that your site has seen in the past 12 months.

Please email one-line responses to the following questions, with a web address if relevant: Have you introduced any new interactive application? Have you introduced some other innovation of special interest? Have you made any formal assessment of user needs? Have you learned any specific lessons from assessing usage statistics? And are there any ways other than simple links in which the website is designed to work with neighbours, local agencies and other partners?

As a new extension of its 'Better Connected' project, MAPIT has also launched a local authority web site review service. Under the service a review team tests each site from the perspective of various kinds of user, such as single parents or tourists, and issues recommendations for improvement. In association with the RNIB, it also checks for accessibility to people with visual impairment. The charge is £495 to MAPIT subscriber councils and £950 to non-subscribers - contact Martin Greenwood on 01926 498703 or email: mapit@socitm-ssl.co.uk

NEWS IN BRIEF:

LITERACY LEVELS: The literacy of a country's workforce is a crucial element in ensuring a high proportion of knowledge jobs in its economy, a new report

from the OECD finds. Initial educational attainment is the key to improving literacy, far outweighing adult education, it finds. However, the UK has poor literacy rates among developed nations, with more than 15% of its population possessing only the most rudimentary literacy skills. 'Literacy in the information age' is available priced 200 French Francs from the OECD: <http://www.oecd.org/>

E-PETITION: Downing Street is to accept an electronic petition for the first time, in a move predicted exclusively in last month's E-Government Bulletin. The global environment network WWF has launched the project as part of its Oceans Recovery Campaign, calling for action by the government to regenerate the seas by piloting fishing-free zones and protected areas. The online petition system 'e-petitioner' was designed by the International Teledemocracy Centre at Napier University in Scotland, which already has a formal agreement with the Scottish Parliament to host online petitions. For more see: <http://www.e-petitioner.org/>

E-DEMOCRACY: The Hansard Society for Parliamentary government is stepping up its work on evaluating the use of the Internet and other new technologies to enhance the democratic process. A new report, 'New media and social inclusion', looks at the lessons to be learned from a recent pilot online policy consultation run for victims of domestic violence. Next month the society will run two public consultations for the UK government's planned new Internet portal, UK Online. Further work is planned to analyse the content and quality of online democratic debate, and look at the role of digital TV. See: <http://www.hansardsociety.org.uk/>

The Office of Government Commerce within the Treasury (<http://www.ogc.gov.uk/>) has announced the creation of a new forum between government and the IT industry - led by the Computing Services and Software Association (CSSA) - to try to improve the government's dismal track record on major IT procurement projects. It will examine ways of eliminating "systemic problems" in processes for the placing and delivery of government IT contracts. However in a briefing paper the leading IT journal Computer Weekly said the establishment of a forum was no substitute for action, and what was needed was genuinely independent assessment of government projects. See: <http://www.computerweekly.com/cwarchive/chinook/20000803/ITdisaster.DOC>

[Section One ends]

SECTION TWO: TECHNOLOGY - WIRELESS APPLICATION PROTOCOL (WAP)

HAMPSHIRE MOVES EARLY TO HARNESS WAP

In May this year, Hampshire County Library launched the UK's first WAP-enabled local authority web site. County residents can now access a

complete directory of libraries from wherever they are using a WAP-enabled mobile phone or other WAP device. The service covers all 54 libraries in Hampshire and includes addresses, contact details, opening times and information on access for people with mobility difficulties.

The site is at:

<http://wap.hants.gov.uk/library/>

You cannot access it directly using an ordinary web browser, so if you do not have a WAP device but would like to see what it looks like, you can use the WAP simulator at <http://www.gelon.net/> to view it. You scroll down the screen using the little button below the centre of the screen, and click on the links as you would on an ordinary web page.

WAP stands for Wireless Application Protocol (WAP), an open specification that allows users of mobile, wireless communications devices to access and interact with online information and services. The standard is overseen by the WAP Forum, an industry association with more than 200 members - see: <http://www.wapforum.org/>

Currently, the mobile Internet offers access to predominantly textual information, supplemented by simple single-colour graphics - a far cry from the colourful world of the web. There has also been some controversy surrounding the download speed of WAP information, and whether or not the standard will survive in the long term or be replaced by more powerful systems. However Hampshire Library decided that the technology, though still in its infancy, could already benefit the county's citizens by offering quick, precise, tailored information to those on the move.

Development of the site started in April this year, with help from a local computer games company, IO Productions (<http://www.ioproductions.co.uk/>). The site was developed using the WAP Toolkit from mobile phone company and WAP champion Nokia, available for free download from <http://www.forum.nokia.com/>

WAP pages are written in a programming language called wireless markup language (WML). This is similar in many respects to the language in which ordinary web pages are written, hypertext markup language (HTML). However, WML is not as forgiving as HTML: unlike ordinary web code, if you forget a tag or put a line of code in where it is not expected, your page will not be displayed at all.

There is also a maximum size of page that the phone's browser can process. The library site was designed to work on the Nokia 7110e phone, with no page exceeding 1,397 bytes, a limit which is very quickly reached! But the advantage is that any page that is viewable on the 7110e is viewable by almost all other WAP-enabled mobile phones on the market.

The site is being hosted on the Hampshire County Council web server, which was reconfigured to handle WML documents. This is fairly easily done, and there is plenty of information about server configuration for WAP on the web - see for example:

<http://www.wapdesign.org.uk/server.html>

It is important to think very carefully about the design of a WAP site. Generally people will not be happy to scroll and click through pages and pages of information to find what they require. And it is important to think of where people might be accessing the Internet with their mobile phone - on a train, shopping or out for a walk perhaps. What type of information would people need or like to access when they are mobile?

The library site is just the first step in Hampshire's initiative to build Hantswap (<http://wap.hants.gov.uk/>), a complete WAP directory of council services (again, this page can be viewed with an ordinary web browser using the simulator at <http://www.gelon.net/>).

Sister to the council's award winning web site Hantsweb (<http://www.hants.gov.uk/>), Hantswap is generating very positive feedback from the public. Traffic to the site is being monitored closely to help the council gauge demand for information delivery using this new technology. In June this year the library site received more than 1,400 hits.

Hantswap is still in its infancy, and is currently based purely on a directory of services, but future possibilities are very exciting. Much will depend on the way mobile technologies develop, but future mobile phones will be capable of connecting to the Internet at very fast speeds, and will have colour screens and be capable of downloading music and other data.

We are entering a new phase of the technological revolution . . . accessible now on a mobile phone near you!

* Article by Sarah Perkins, ICT Officer, Hampshire County Library.
E-mail: sarah.perkins@dial.pipex.com

[Section Two ends]

SECTION THREE: INTERNATIONAL CASE STUDY - FINNISH ID CARD

CITIZEN SMART CARD UNLOCKS PUBLIC AND PRIVATE SERVICES

In December 1999 Finland became the first country to offer its citizens a digital ID card for secure transactions both online and offline. The solution, based on public key infrastructure (PKI) technology, paved the way for a new generation of electronic services.

The work was undertaken in the same spirit as building railroads and highways was undertaken in the past. The ability to use secure electronic transactions has become a basic infrastructure in Finnish society, for everyone to use and to build services on.

Finland has the highest Internet use rate per capita in the world, and public services on the Internet have also been developed at a brisk pace.

This means citizens can take care of official business and duties at home or work without having to worry about office hours, weekends or the physical location of government bureaux.

When dealing with sensitive business, it is vitally important to know with certainty with whom we are communicating - what is known as 'strong authentication'. Also, documents transferred via the Internet may have to be encrypted, and sometimes a digital signature is required.

The Finnish Population Register Centre (FPRC), a state agency, now offers all citizens the possibility of having an electronic ID card - a plastic smart card complete with a micro chip, similar to a tiny computer. Alongside its traditional use as a photographic ID card and a travel document within Europe, the 'FINEID' card contains a government-branded digital certificate allowing the user to perform secure online transactions, create trustworthy digital signatures and send secure e-mails.

Designed as a national infrastructure with services available to millions of Finns, the requirement was to have a solution that could not only support the high-volume management of digital certificates but also work to common, open standards. This was pivotal in allowing third party organisations to integrate their own online services and make use of the infrastructure.

The FPRC has outsourced all of the elements of the technology infrastructure required for the certification system. ICL Invia acts as the main technology integrator, and iD2 Technologies as the supplier of the PKI technology. The telecom operator Sonera won the helpdesk contract for revocation services and NovaCall won the contract for a user helpdesk. Elisa Communications now manages the database of public keys and the archive or repository of certificates. Smart cards are supplied by Setec.

By using the electronic identification infrastructure, private individuals can make use of a wide range of services provided both by public administration and the private sector, round the clock. Service outlets are being made available to people at public libraries and municipal service centres as well as at particular information kiosks. Moreover, these services can be accessed directly from a computer at home or work via the Internet. Also the use of mobile phones and digital TV as end user terminals is being developed.

For example, an online change of address registration system allows citizens to notify the government of any changes to their address over the Internet, while automatically updating the Finnish Post Office in the same transaction. It also provides the government with a centralized, up-to-date database of citizens' addresses.

The new online, infrastructure is also already being used by private companies to communicate and trade with their customers. FPRC has introduced a trademark or logo for users to recognise compliant software, services, card readers and so on. OKO Bank, for example, has become one of the first organizations to use the ID smart cards and PKI system to enable citizens to

manage their finances over the Internet with the FINEID card.

The new online infrastructure is therefore bringing time and cost savings to the government, corporations and citizens. For more information on FINEID see:

<http://www.vaestorekisterikeskus.fi/prc.htm>

* Article by Vesa Vatka, the Population Register (Finland). The author is speaking at the Information Security Solutions Europe Conference from 27-29 September in Barcelona. See:

<http://www.eema.org/isse>

[Section Three ends]

SECTION FOUR: CONFERENCE REVIEW GOVERNMENT COMPUTING NORTHERN IRELAND

Northern Ireland is a small place, yet around 300 people turned up for this year's Government Computing magazine Northern Ireland conference in Belfast in June to learn about new ways of using computing to help deliver public services.

Many were from government agencies, trying to learn some of the jargon of the Internet and e-commerce that is only just starting to be used widely in the somewhat conservative public and private sectors over here. In contrast, the community and voluntary sectors in Northern Ireland started down the same road over six years ago - they are the exception to statistics showing that Northern Ireland is one of the worst regions of the UK for take-up of the Internet.

Dermott Nesbitt, the junior minister in the Northern Ireland Executive who addressed the conference, is not the most wired up of people, but might nevertheless be the most IT-literate minister in the executive. Then again, how many ministers or permanent secretaries in London could pass the European Computer Driving Licence test?

Nesbitt said the Northern Ireland Executive was aware of the importance of computing and the Internet for delivering government services, particularly for economic development and education. It will shortly be publishing two papers: 'Citizens First', a framework for modernising government to serve citizens, and 'E-government for Northern Ireland', which will look at getting the government itself connected.

What does this mean in practice? We don't know yet, but we can pick up a few clues from the things said and left unsaid by the various conference speakers.

Several public and voluntary sector speakers gave practical examples of what has already been achieved. The Social Security and Employment Agencies in Northern Ireland have already set up pilot one stop shops in which both sets

of staff (and both IT systems) worked together to serve their common clients. Unemployment is now 30% lower in the Dungannon pilot area than in the matched control of Armagh.

The Northern Ireland Association of Citizens Advice Bureaux has been using Lotus Notes information and discussion databases for years to keep their offices up to date across the province. This is now being copied by NACAB in England (using inferior technology). Service to citizens is now becoming important - not just information provision, but personal advice and services.

For many of the speakers who came over from England, the next big thing in e-government will be 'customer' transactions. If e-commerce can sometimes deliver savings to private companies, let's try it in government.

There were three types of talk on transactional services. Some simply repeated a standard sales pitch, with no thought for the audience, such as the technical explanation of smart cards without any mention of their possible application in verifying voter identity in an island with a tradition of "vote early and vote often".

Others seemed to be blind to the fact that citizens are more than just customers. We actually own the government, through our votes and taxes. That's why civil servants are called servants, not masters.

When Rob Watts from Compaq talked about Cabinet Office projects, his vision was of individuals using a smart card to identify themselves to a web portal or call centre. Then up would pop all their records with all parts of government, so that the customer could fill in an application and pay for several related licences at one step, rather than traipsing from office to office. But nowhere in the design is a way for citizens to complain that they shouldn't have to fill in the form at all. He managed to make it sound so centralised it could be an electronic version of the former East German government. This definitely would not sell in nationalist, let alone republican or loyalist, areas of Northern Ireland.

More inspiring was the talk by Charles Lowe of BT, whose group will be developing the 'me.gov' central government portal. Lowe contrasted technologies that develop by small improvements in what exists, such as TV, with 'disruptive' technologies which transform the way we live.

He invited us to think of some of the possible radical changes that portals might lead on to. Regional and local government might collect tax and pass some along to central government. And what if some MPs represented an interest group right across the country, rather than a physical constituency, using the Internet to keep in touch with this dispersed group?

What seems to be absent from consideration of e-government in Northern Ireland, however, is a consideration of the use of technology to support public participation in decision-making. The province has a new assembly, with many new laws being introduced. Most of these require that all affected

authorities and agencies should carry out several stages of public consultation.

For example, some 120 agencies have had to consult on how to do equality impact assessments. How did they do this? They put adverts in the newspapers inviting people to write in for a paper copy, then send back their written comments on paper. People in several hundred community, business and union groups spent over a month doing nothing but replying to these consultation documents. Now civil servants are working through these paper replies and producing reports.

Such ridiculously inefficient processes cry out for transformation through technology. But not one speaker at this conference seems to have noticed.

* Article by Dr David R. Newman, Queen's University Belfast, School of Management and Economics
<http://www.qub.ac.uk/mgt/staff/dave/>

[Section four ends]

HOW TO RECEIVE E-GOVERNMENT BULLETIN

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> **ISSUE 89, JULY 2000**

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> SECTION ONE: NEWS

> DOWNING STREET FOLLOWS SCOTLAND TO ACCEPT E-PETITIONS

> The government is set to announce a pilot scheme to accept electronic petitions from its citizens, E-Government Bulletin has learned.

> Electronic petitions will break new ground for the UK government, although a trial system is already up and running at the Scottish Parliament in association with the International Teledemocracy Centre at Napier University. It is this same system - dubbed 'e-Petitioner' - that will be used UK-wide.

> The trial - due to be announced by Downing Street on 20 July - is likely to allow people to sign petitions entirely over the Internet, subject to controls including postcode checks to verify addresses and spot checks. The Scottish trials show that fears the system may be open to abuse appear unfounded, and if anything the greater level of background information on the web as opposed to paper petitions lead to a higher quality of debate.

> The scheme is an early success for the Scottish Parliament's aim to create an information age democracy, with the UK Parliament now running to catch up with its newer counterpart.

> * See also section three, this issue.

> NEW STATESMAN AWARD WINNERS

> The London Borough of Hackney has won this year's New Statesman new media award in the government category, for its web site 'Hackney Live' (<http://www.hackney.gov.uk/>). The colourful site was picked for its vibrancy and interactivity that reflected the diversity of its local community. Another London borough, Camden, won a commendation for its site 'Camden Connect' (<http://www.camden.gov.uk>) as did Hampshire County Council for its compendious county-wide 'Hantsnet' project (<http://www.hants.gov.uk/>)

> The winner of the elected representative award was Paul Flynn, MP for

- > Newport West, for an entertaining and hard-hitting site
- > (<http://www.paulflynmp.co.uk/>) Also commended in this category was the
- > Cambridge Labour representative and the first MP to have a web site, Anne
- > Campbell (<http://ds.dial.pipex.com/anne.campbell.mp/>)
- >
- > There was a special mention in this category for Andy White, not an MP and
- > therefore not technically eligible, whose Professional Contractors Group web
- > site (<http://www.ir35update.co.uk/>) alerting independent contractors to the
- > government's IR35 tax proposals was the first ever national, regional and
- > local political and media campaign run entirely through the web.
- >
- > The overall merit award went to the Brookmans Park Newsletter
- > (<http://www.brookmans.com/>), a lively and informative community web project
- > run by Dave Brewer of Brookmans Park in Hertfordshire. The newsletter
- > content is assembled by local individuals and organisations like the local
- > bobby and the local history society. There are also innovations like a
- > historical slide show and a 'have your say' section where local issues are
- > aired and often referred directly to the local authorities or companies
- > involved.
- >
- > For more on the awards see:
- > <http://www.newstatesman.co.uk/nma2000about.htm>

> UN AND OECD TARGET DIGITAL DIVIDE

- >
- > The United Nations and the Organisation for Economic Co-operation and
- > Development are urging richer nations to help the developing world reap the
- > benefits of modern technologies.
- >
- > Information technology was the central theme of the United Nations Economic
- > and Social Council meeting from 5-7 July in New York, where UN
- > Secretary-General Kofi Annan stressed the importance of ensuring that
- > technology-driven globalisation is for the benefit of all. See:
- > <http://www.un.org/esa/coordination/ecosoc/itforum/index.html>
- >
- > And in a statement to be presented to this month's G8 summit in Okinawa,
- > Japan, Mr Annan will call on the world's richest nations to make "a major
- > commitment of resources" to bringing technology to the developing world. IT
- > has the potential to improve health care, education, governance, agriculture
- > and trade in poorer nations, he will say. See:
- > <http://www.g8kyushu-okinawa.go.jp/e/index.html>
- >
- > Japan's Prime Minister Yoshiro Mori has already announced that his country -
- > the G8 host - is considering a comprehensive package of assistance for
- > developing countries including intellectual assistance towards formulation
- > of policy and institution building; training and education; assistance for
- > the development of telecommunications infrastructures; and promotion of the
- > use of IT through development assistance.
- >

> Meanwhile the United Nations Volunteers programme (<http://www.unv.org/>) has
> launched the United Nations Information Technology Service (UNITeS) website
> to mobilise volunteers around the world to help bridge the technological
> divide between developed and developing countries. And the UN Development
> Fund for Women (UNIFEM) (<http://www.undp.org/unifem/>), the International
> Telecommunication Union (ITU) and the UN Development Programme (UNDP) last
> week signed a formal agreement guaranteeing the impact of information and
> communications technologies on women will be included in policy dialogue and
> decision-making. The three agencies will encourage governments and the
> telecommunications industry to recruit, employ and train women on fair and
> equitable access to technology.

>
> Not to be outdone, the OECD Council ministerial meeting on 26-27 June 2000
> also warned against the creation of a digital divide. The organisation has
> begun a major study to identify whether a 'new economy' is taking shape and
> if so, what are the sources of growth and how government policies need to
> adjust. The study is due to be completed in 2001. See:
> <http://www.oecd.org/media/release/nw00-70a.htm>

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> STANDARDS IN EDUCATION

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> Readers of E-Government Bulletin in the education sector are invited to take
> part in an online debate on standards in education and the involvement of
> the private sector in education, to be held on the web from 25-27 July.

>

> The debate is being hosted by The Stationery Office, the UK's main publisher
> of government and official information, in association with the bulletin's
> publisher Headstar. The use of technology in schools will be an important
> strand of the debate. If you are interested in taking part please email the
> bulletin's editor Dan Jellinek on dan@headstar.com

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> HEALTH DEVELOPMENT AGENCY AND HEALTH PROMOTION ENGLAND

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> Following our report on the Health Development Agency and Health Promotion
> England, the two bodies which took over the work of the former Health
> Education Authority (HEA) on 1 April this year, both agencies have
> recontacted E-Government Bulletin to update us on their plans.

>

> The HDA says a new temporary web site was launched on 2 June, at:
> <http://www.hda-online.org.uk/>

>

> The agency says that Evidence Base 2000, one of the HDA's major electronic
> projects, started life last year under the management of the HEA, and has
> transferred directly to the HDA. However, it was not possible to start work
> on the HDA site until decisions had been made about the organisation's
> structure and visual identity. A permanent site is under construction and
> will be ready later this year.

>

> Health Promotion England says it is soon to launch a new corporate site, to
> be located at <http://www.hpe.org.uk/>
> Like the HDA, the agency says it has been delayed in setting up a site as it
> awaits decisions from the Department of Health about its structure,
> workplans and identity.

>
> HPE says it has taken over a number of websites which the HEA initially
> developed and it is now in the process of rebranding them. These include the
> drugs information website 'Trashed' (<http://www.trashed.co.uk/>), as well as
> other well established sites with information on alcohol, sexual health and
> immunisation. It has plans to launch several new innovative sites in these
> areas in the next few months.

>
>
> US GOVERNMENT TO LAUNCH NEW WEB PORTAL

>
> US President Bill Clinton used his first Internet webcast last month to
> announce plans for the launch this autumn of 'FirstGov', a new online portal
> to US government information on the web.

>
> Mr Clinton also announced plans to step up transactional public services
> online, such as application for government grants and competition for public
> sector contracts. A competition was launched in association with the
> non-profit Council for Excellence in Government to award up to 50,000 US
> Dollars to students, researchers, private sector workers or government
> employees who present the most creative ideas for new electronic government
> services. See:
> <http://www.firstgov.gov/>

>
>
> THE INTERNET AND DEMOCRATIC PARTICIPATION

>
> The State of Texas is seeking information and case study material from
> readers of this bulletin on live public participation in central or local
> government processes using the Internet, such as webcasting of council
> meetings, or live participation in open meetings online. The state's
> Department of Information Resources is drawing up a legislative study on
> broadcasting open meetings, to include a review of such activities
> worldwide.

>
> If you have relevant information you would like to submit to this study,
> please email Becky Lentz on becky.lentz@dir.state.tx.us

>
>
> JULY ROUND-UP - UK GOVERNMENT ONLINE

>
> The House of Commons Public Accounts Committee has published a report
> critical of the quality of UK government web sites. It said sites were often
> hard to navigate. See:
> <http://www.publications.parliament.uk/pa/cm199900/cmselect/cmpublicacc/331/3310>

> 2.htm

>

> The Department of the Environment, Transport and the Regions has published a
> consultation document on how far local government should emulate the target
> set by the Prime Minister for central government of 100% electronic service
> delivery capability by 2005. The document covers corporate approaches to
> managing information as well as service-specific targets, and response are
> invited by Thursday 10 August 2000. See:

> <http://www.local-regions.detr.gov.uk/consult/iag/index.htm>

>

> Health Secretary Alan Milburn has announced an additional 60 million UK
> pounds of spending to allow GPs to receive diagnostic test results over the
> NHS-wide secure network, NHSNet. It will also be possible for GPs to book
> hospital outpatient consultations while the patient is in their surgery,
> allowing patients to agree dates that suit them. Pilot projects will also be
> set up to allow GPs to send prescriptions electronically to their local
> pharmacy. See the press release section of the Department of Health web site
> for the second quarter 2000:

> <http://www.doh.gov.uk/>

>

> HM Land Registry has launched Land Registry Direct, providing low cost
> access over a secure extranet to 17 million computerised property registers
> and title plans to property, legal and finance professionals - a step
> towards the holy grail for house buyers of electronic conveyancing. The aim
> is to scan in more than 100 million filed images by 2004. See:

> <http://www.landregistrydirect.gov.uk/>

>

> Scottish Ministers have given initial approval to 46 of 104 bids for a share
> of the Scottish Parliament's 25 million UK Pound modernising government
> fund, to support innovative projects which harness new technology and
> promote joined-up working between public sector bodies and partnership with
> the private or voluntary sectors. The 46 shortlisted bidders have until 29
> September to submit more detailed plans. They include West Lothian Council,
> for a web site for 13 local public sector agencies; Aberdeen City Council,
> for smartcard technology allowing residents to pay for services; and the
> Scottish Executive Rural Affairs Department, for an electronic system for
> farmers' grant and subsidy claims.

>

> [Section One ends]

>

>

> SECTION TWO: CONFERENCE PREVIEW

> - NET SUCCESS

>

> LIVE TRIALS FOR SUPERFAST CITY NETWORK

>

> A blueprint for a super-fast computer network linking citizens and
> businesses in a regional or local area with a complete range of local public
> and private sector services is to be unveiled in Norwich this week.

>

- > The project is a partnership between the University of East Anglia's Centre
- > for Applied Research in Education (CARE) and the government's Central
- > Computer and Telecommunications Agency, and will be launched at the 'Net
- > Success' conference hosted by CARE on July 19-21.
- >
- > The conference will examine both the technological implications of
- > constructing local broadband networks and the knowledge management issues of
- > how organisations from different sectors can work together to provide
- > information through a single gateway or service. It will also include the
- > live demonstration of a high-speed network.
- >
- > The trial 'City-Plus' Metropolitan Area Network will feature high-speed
- > communications and data connections to schools, GPs and small businesses. It
- > will use xDSL and 100mbit services, operating at speeds of up to 10 times
- > faster than ISDN, which is currently the fastest available to ordinary
- > users. This will enable applications like videoconferencing to be run at
- > costs affordable to individuals and small organisations.
- >
- > Professor John Schostak, director of CARE, says: "The key to all this is the
- > cost, as we are concerned that all citizens should have access to these
- > types of networks, and the message we want to get across is that you can
- > obtain very high speed networking at relatively low cost.
- >
- > "There are two aspects to the creation of a city network: one is the
- > technical side, and the other is the human side - how does one create the
- > kinds of applications and networks that are appropriate for how people
- > actually work and what they need?"
- >
- > Applications to be woven into the Norwich network include education,
- > libraries, health, policing and land management - all areas that have
- > already made moves to use large-scale networking to provide services online.
- >
- > For citizens, local networks would take the guesswork out of finding local
- > services, Schostak says. With information organised into a directory format
- > and everything based locally, you would know that if you want to find a
- > doctor in Norwich you will not, as happened to him recently using a web
- > search engine, be directed to a doctor in Norwich USA.
- >
- > The networks could feature high-speed external connections as well, using
- > satellite technology, he says.
- >
- > The conference is the start of a year-long campaign to get organisations of
- > all kinds interested in setting up city networks across the UK. Schostak
- > says that local network projects need to be consortia-based, alliances
- > between public and private sector bodies. "At the moment the picture is
- > fragmented, with the sectors not working together properly. The difficulty
- > is in getting different types of organisation to hold a dialogue and work
- > towards a network with mutual benefits. There needs to be a core group of
- > bodies that see the network as their main strategy for their region or city"
- > .

>

> He says universities, councils and other public sector bodies are a natural
> starting point. But each region or locality has different needs, for example
> rural areas will have completely different networking needs to cities, so
> each will need a different group of organisations to meet those needs.

>

> Although public sector bodies are likely to lead the creation of local
> high-speed networks, businesses will stand to gain a great deal as well, as
> they will be able to reach their customers more easily, and vice versa. "The
> growth of e-commerce is hindered because internet businesses can't reach
> their customers effectively - the UK has Europe's largest e-commerce market
> but has the smallest market penetration".

>

> Some other cities including Manchester and Bristol have already linked some
> organisations with broadband technology, but Norwich is aiming to be the
> first to introduce a comprehensive city wide network. It is planned to keep
> this networking infrastructure operational at CARE to allow public sector
> service developers to use it for future trials and workshops.

>

> For more information see:
> <http://www.open.gov.uk/km>

>

> [Section Two ends]

>

>

> SECTION THREE: TELEDEMOCRACY

>

> SCOTLAND LEADS THE WAY TO ELECTRONIC PETITIONS

>

> Next month sees the first birthday of the International Teledemocracy Centre
> at Napier University in Scotland, a ground-breaking body that in 12 short
> months has positioned itself as a European leader in electronic petitioning
> and online democratic consultation.

>

> The centre was set up in August 1999, soon after the creation of the new
> Scottish Parliament. "It was an exciting time, because when a new Parliament
> is set up it doesn't have any legacy systems to hinder it", says Anne
> Macintosh, the centre's director. "And the standing orders that set up the
> Parliament said it wanted to encourage the use of technology".

>

> The centre was created to promote e-democracy - the use of information and
> communications technology in democracy - in the UK and across Europe. It
> also has a parallel academic role, to examine its own programmes and
> research whether and how technologies can improve participation in
> democracy. "There is no hard evidence yet to say that technology does
> increase participation", Macintosh says, "so the research aspect is
> important".

>

> The 'e-Petitioner' project is one of the centre's key initial programmes. It
> has a formal agreement with the public petitions committee of the Scottish

- > Parliament to act as the sole third party agent for the submission of
- > electronic petitions for a one-year trial period, which began in mid-May
- > this year.
- >
- > Earlier in the year, a small pilot project was run with the World Wildlife
- > Fund in Scotland, compiling a petition calling on the Scottish Parliament to
- > include Marine national parks in the National Parks for Scotland Bill. The
- > petition attracted more than 200 signatures.
- >
- > The first electronic petition raised under the trial proper is now underway,
- > calling on the Parliament to implement in full the 1999 Cubie report on
- > student fees and grants before the start of the academic year in September
- > 2000.
- >
- > Since its creation on 19 May this petition has gathered around 450
- > signatures, mainly from Scotland, but with a significant minority from
- > England and Wales and a handful from Australia, Canada, Finland, Ireland and
- > the US. It has always been the case that people anywhere in the world can
- > sign a UK petition, as long as it is of relevance to them (for example they
- > are coming to study in Scotland, have relatives in Scotland or visit
- > Scotland regularly).
- >
- > After the trial has been running for a few months, the centre will initiate
- > a six-month programme of research into the effectiveness of the e-Petitioner
- > system, from how it works to its democratic implications. A full-time
- > researcher is to be appointed from September 2000 to undertake this work,
- > with funding obtained from the Joseph Rowntree Foundation.
- >
- > The early signs are that electronic petitions work very well, and fears in
- > some quarters about them being open to abuse seem ill-founded. In fact, they
- > may prove to be of a higher quality and more interactive than the standard
- > petition in the street, where someone shoves a clip-board at you in a
- > shopping centre and you make a snap decision to sign it or ignore it based
- > on very little background information.
- >
- > "In a street where you sign a petition you just see the text", says
- > Macintosh. "We make it easier and more comfortable to read at your leisure,
- > and we add all the background to the debate and the rationale for the
- > petition. Then you decide.
- >
- > "There is also actually a place on the petition where you can add comments,
- > even if you decide not to sign it: so both sides of the debate can be
- > recorded, unlike an ordinary petition. We didn't want to simply implement an
- > electronic version of the paper-based system: there are new possibilities
- > with the electronic format".
- >
- > Various quality and confidence checks are implemented on the signatures,
- > like checks against postcode records to verify whether addresses are real,
- > checks for repeat signatures and so on. Spoof names like Bart Simpson are
- > also picked up, although Macintosh says there have been surprisingly few

> pranks like this. After the checks are carried out, confidence scores are
> assigned to each signature, and the Parliament can then decide what scores
> it will accept. The full names and addresses are also provided to the
> Parliament, although only a name and a country are reproduced publicly on
> the centre's web site for reasons of privacy and data protection.

>
> MSPs have also expressed an interest in being provided with information
> about which opinions are typically expressed from which postcodes, to help
> them target campaigns.

>
> Alongside the e-Petitioner project, an e-Consultant project is being
> developed by the centre to support and facilitate best practice in online
> democratic consultation by setting up online debates and evaluating the
> results.

>
> The first consultation exercise is being carried out on behalf of the
> Scottish Executive, to consult 16-18-year-olds in Scotland about policy in a
> wide range of areas including drugs, alcohol and sexual health. There have
> been around 600 submissions to the debate so far, an appreciable amount for
> that type of exercise.

>
> Interest in the consultation exercise was drummed up by the Scottish
> Executive by placing banner advertisements on web sites popular with young
> people, including the Neighbours site at <http://www.neighbours.com> and the
> Trouble site <http://www.trouble.co.uk>

>
> For the future, Macintosh is excited about the possibilities that mobile
> Internet devices like mobile phones will bring to teledemocratic
> participation. Other work planned includes involving small businesses in
> teledemocracy projects to influence business policy, and working with
> schools and local education authorities to ensure full participation by
> children of all ages.

>
> All in all, the centre is off to a flying start, and with new trials lined
> up for the UK Parliament (see news, this issue) is set to cement its
> positions as a European leader in teledemocracy.

>
> For more information see the centre's web site at:
> <http://www.teledemocracy.org/>

>
> And the e-Petitioner sub-site is at:
> <http://www.e-petitioner.org.uk/>

> [Section Three ends]

>
>
> SECTION FOUR:
> INTERNATIONAL CASE STUDY

>
> DANISH GOVERNMENT PIONEERS ONE-STOP BUSINESS REPORTING

>

> A one-stop government Internet service in Denmark, for businesses of all
> sizes to find out about their reporting requirements to public agencies, and
> to submit many forms online, is one of around 100 case studies in a new EU
> survey 'One-stop government in Europe'.

>

> The survey was undertaken as part of Action A14 of the European Union's COST
> research programme, on government and democracy in the information age. It
> examines projects in 11 European states: Austria, Belgium, Denmark, England
> and Wales, Finland, France, Germany, Ireland, Italy, Netherlands and Spain.

>

> The Danish business reporting project (<http://www.indberetning.dk/>) is a
> partnership between the Danish Ministry of Business and Industry, the Labour
> Market Pension Fund, the National Bureau of Statistics, the Directorate of
> Finances, the Directorate of Environment, the Directorate of Energy, the
> Customs and Taxation agency and many more - in all, 37 agencies or
> authorities. Representatives from industry have also been actively involved
> in the process. The idea is that no matter what kind of report, payment or
> application the company has to submit to a public body, it should be able to
> go through the internet portal.

>

> From the home page several routes can be chosen, depending on the type of
> company and the reporting situation. A user can choose a profile suitable
> for the company, and reports required for that type of company will be
> listed. After that the service can be fully customised, with each company
> tailors its own reporting profile. The system then notifies the company
> automatically when deadlines for the various relevant reports are
> approaching.

>

> Finally the system offers assistance based on a particular new situation or
> circumstance for the company. For example, it offers help on legal
> requirements if a company wants to hire new employees; on labour-related
> injuries in the workplace, on what is required if a company wants to set up
> shop in a particular region; on seeking apprentices or trainees, on the
> requirements of converting a farm from traditional to organic methods; and
> so on.

>

> So far, only 18 forms are available to complete online in a fully
> interactive electronic format, but some 200 others are available to download
> and print out to return by post. The site's goal is eventually to make every
> company-related report form available in electronic format, no small task as
> there are currently an estimated 1,000 company forms.

>

> Test work is also being carried out on EDI (Electronic Data Interchange)
> solutions, with the goal of using EDI for any reports that can make use of
> data already within the information systems of companies such as annual
> balance sheets. These solutions will be offered in cases where the amount of
> data is large and the frequency of reporting is high. EDI has not diffused
> throughout companies as quickly as expected so there is not yet a large
> demand for these solutions, although it is expected to rise in the near

> future.

>

> Testing is also being carried out on a system of digital signatures for
> companies, to boost security, using smart cards.

>

> The entire system is run by one and a half full-time employees, assisted by
> some consultants. The annual budget is around 5 million Danish Krone
> (400,000 UK Pounds), and 10 million Krone was spent initially establishing
> the system. Productivity benefits have already begun to emerge in the
> department, and a recent survey found that 70% of the companies said service
> from the department was improved by the system. It is also estimated that
> companies are already saving on average 5.5 minutes every day by using the
> system.

>

> Implementation has not been without its problems, however. The
> re-engineering of data transfers between public authorities, going from
> manual or analogue transfers to digital transfers, is a tremendous task in
> which many different information systems must be oriented towards common
> data-formats and interfaces.

>

> For every one-stop application it is necessary to negotiate new
> relationships within and in between involved agencies and institutions. All
> agencies possess relative autonomy to some extent, and their engagement may
> vary according to the relative benefits they obtain from the common
> projects.

>

> The main battles have occurred when different public agencies have proved
> hesitant to adopt to the common standards that the system tries to impose on
> them, and sought instead to create different individual profiles on their
> own web sites. These conflicts are handled by running pilot projects that
> demonstrate the productivity benefits to all.

>

> The project as a whole is based on the fact that major productivity benefits
> in one-stop government may be harvested in areas where the amount of data
> transfers and their frequency are high. This is certainly the case for the
> report demands imposed on companies.

>

> However overall, the European survey found that only a few countries such as
> the Netherlands, Italy or Finland have embraced an active
> one-stop-government strategy at the national level, and that new management
> methods are needed from governments across Europe to deliver new electronic
> services alongside traditional, physically based services. Crucial barriers
> are lack of consistent funding and political leadership.

>

> * Article by Christian Sørbye Friis and Ole Buch of the University of
> Roskilde, Denmark. 'One-stop government in Europe' is available online, with
> information on how to order in print, at:

> <http://www.fgtk.informatik.uni-bremen.de/cost/one-stop-government>

>

> The COST web site is at:

> <http://www.belspo.be/cost/>

>

> [Section four ends]

>

>

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> is also cited.

>

> [Issue ends]

>

>

E-GOVERNMENT BULLETIN

> The Email Newsletter On Electronic Government,

> UK And Worldwide.

>

> ISSUE 88, JUNE 2000

>

>

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> and new portal for local government; Yell web awards; Exchanging information

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>

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>

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> [End of contents]

>

> SECTION ONE: NEWS

>

>

>

> HAMPSHIRE LIBRARIES THE FIRST TO WAP?

>

> Hampshire County Council's library department has developed a WAP (Wireless
> Access Protocol) service which allows users with WAP-enabled mobile phones
> or other portable devices to find the address, contact details and opening
> times of all Hampshire libraries. Small text links allow access to the
> information via an alphabetical index.

>

> WAP-enabled devices can access the service at:

> www.hants.gov.uk/library/wap/

>

> If you do not have a WAP device, you can access a WAP simulator using a
> normal web browser at www.gelon.net - simply key in the above address and
> the simulator will run itself in a new browser window. Further information
> on developing WAP systems including the Nokia WAP Toolkit 1.2 can be found
> at the WAP Developer Forum site at:

> www.forum.nokia.com

>

> According to EARL, The Consortium for Public Library Networking, the
> Hampshire project is the first example of a local authority WAP service - if
> E-Government Bulletin readers are aware of any others, please email us on
> egb@headstar.com

>

> EARL's web site at www.earl.org.uk has also been given a makeover. Its new
> site has been designed to be easy to navigate and to conform with the World
> Wide Web Consortium's accessibility guidelines (see www.w3.org/WAI/).
> Features at the site include the ever-popular free online information
> service, 'Ask a Librarian'.

>

>

> NEW NATIONAL HEALTH SERVICE PORTAL LAUNCHED . . .

>

> The NHS Executive, the body that runs the National Health Service within the
> Department of Health, has launched a prototype for a new online portal to
> NHS web sites including hospital sites - NHS.uk (www.nhs.uk).

>

> Astonishingly, until now no such gateway site existed. There was an internal
> NHS network, NHSNet; an external site for public medical advice - the web
> arm of NHS Direct; and the Department of Health and other bodies also
> produced some public-facing sites in areas of health promotion. But no
> comprehensive public portal existed for NHS sites in people's local areas.

>

> The NHS management body the NHS Confederation used to run such an online
> gateway, but ceased production of the service due to budget cuts. A few
> months ago the NHS Executive formed a project board to step into the breach,
> and a contract has now been awarded to Cable and Wireless for the expansion

> of the prototype.

>

> The service will eventually combine NHS links with a public news service
> about the work of the NHS and background information about what the health
> service is and what it does. Such a service could be useful to help combat
> future NHS scare stories or bad publicity about waiting lists or doctors'
> real or perceived malpractice.

>

> Meanwhile there are still no web sites for the new Health Development Agency
> or Health Promotion England, the two bodies that have taken over the work of
> the former Health Education Authority, England's main provider of health
> promotion material. The HEA's innovative multimedia unit became known for
> online campaigns such as Trashed (www.trashed.co.uk), an educational site
> about the effects of street drugs targeted at young people.

>

> However, although the new bodies have been in place since 1 April, no plans
> were formulated in advance of the changeover to carry forward the web work,
> a surprising oversight. And when E-Government Bulletin contacted Health
> Promotion England, it could provide no timetable for future web work.

> Meanwhile the HEA web site remains up as an archive at:

> www.hea.org.uk

>

>

> . . . AND A NEW PORTAL TOO FOR LOCAL GOVERNMENT

>

> The Local Government Association is to launch a new online portal for local
> government and public sector news and information, 'local-government.net',
> at its annual conference on 27 June. The site, to be available at:

> www.local-government.net

> will replace the current LGAnet web service with a range of content
> 'channels' for each part of the public sector, in association with a number
> of third-party content providers, including your very own E-Government
> Bulletin.

>

> LGAnet already receives around a million hits a month, and the new service
> is intended to boost this figure with a news feed updated daily.

>

>

> LITTLE TO YELL ABOUT

>

> Government and public sector agencies were notable by their absence as the
> final shortlists were announced last week for this year's Yell UK Web Awards
> 2000, the fifth annual awards hosted by the information portal from the
> Yellow Pages Group.

>

> In fact, only the BBC made it through with a nomination for Best Youth Web
> Site - one of 11 awards categories - for its 'Kids site:

> www.bbc.co.uk/kids

>

> In the Non-Profit Making Organisations category, where a public service

> showing might have been expected, the shortlist of three was: The Royal
> National Lifeboats Institution (www.lifeboats.org.uk); Friends of the Earth
> (www.foe.org.uk); and STAND (www.stand.org.uk), a web site that allows you
> to lobby your MP online via a web to fax gateway.

>

> In the previous round of judging, which narrowed the field down to a
> shortlist of 10, there had been two public sector nominees in the form of
> The Science Museum (www.sciencemuseum.org.uk) and The British council
> (www.britishcouncil.org). Others were The Royal Horticultural Society
> (www.rhs.org.uk); school-web.co.uk (www.school-web.co.uk), an educational
> reference source for teachers, students and parents; The UK Home
> Repossession Page (www.home-repo.org); the Multiple Sclerosis Society
> (www.mssociety.org.uk); and the AIDS education and research trust AVERT
> (www.avert.org).

>

> After a further round of judgin, winners will be announced on 11 July. For
> more information see:
> www.yell.com/awards

>

>

> EXCHANGING INFORMATION WITH THE PUBLIC

>

> The EIP Group of around 90 local authorities - the acronym stands for
> Exchanging Information with the Public - is to hold a meeting of its
> development group in London on 20-21 June.

>

> The group was set up to share experiences of single access approaches to
> service delivery. It is facilitated by consultants CDW & Associates as part
> of the £1.7 million Treasury-funded PEG (Promoting Electronic Government)
> project, whose members also include the Local Government Improvement and
> Development Agency (I&DeA) and The Federation of the Electronics Industry.

>

> For more information see the 'Events' section of the EIP web site at:
> www.eipdg.org

>

>

> EUROPEAN COMMISSION PRESENTS E-EUROPE ACTION PLAN

>

> The European Commission has presented its contribution to the eEurope Action
> Plan, due to be agreed by EU leaders at the Feira summit in Portugal on
> 19-20 June. It sets out a strategy to establish a thriving and equitable
> information society in Europe, including access for all parts of society.

>

> The submission includes several suggested targets relating to the provision
> of public information online, including that all essential public data
> including legal, administrative cultural and environmental information is
> placed online by end 2002; the development of a co-ordinated approach for
> public sector information, including at European level, by end 2000; the
> creation of pan-European portals for interactive public services by mid
> 2001; the promotion of the use of open source software in the public sector

- > and international exchange of e-government best practice during 2001; and
- > all basic transactions with the European Commission (such as funding,
- > research contracts, recruitment and procurement) to be online by end 2001.

>

> See:

- > http://europa.eu.int/comm/information_society/eeurope/actionplan/index_en.htm
- > m

>

> [Section One ends]

>

>

> SECTION TWO: CONFERENCE REPORT
> - CITIZENS ONLINE

>

> POT OF MILLIONS SOUGHT TO BRIDGE THE DIGITAL DIVIDE

>

- > Citizens Online (www.citizenonline.org.uk), a charity set up to carry out
- > research into the social and cultural impacts of the Internet and help
- > bridge the 'digital divide', was launched last month with an ambitious plan
- > to raise some 16 million UK pounds in sponsorship between now and 2005.

>

- > John Fisher, Citizens Online's founder and Chief Executive, told a one-day
- > launch conference in London that the charity would undertake high quality
- > research into the nature and extent of the current digital divide in the UK,
- > as well as compiling and managing a database of all research in this field
- > carried out so far.

>

- > It would also seek to act in partnership with other bodies to generate
- > sponsorship and pool resources for projects, Fisher said. Citizens Online
- > has already forged a partnership with comm.unity, the digital divide arm of
- > the charity Business in the Community which gains sponsorship from big
- > business to help regenerate deprived communities (www.comm.unity.uk.net).

>

- > Other projects included in an action plan for the charity's first year
- > include the creation of a national think-tank into the digital divide;
- > funding for 10 new local projects across the UK; and work on a definition of
- > the digital divide to inform all their other initiatives.

>

- > The conference was launched with a powerful first-hand experience of the
- > value of access for all from the young entrepreneur Ben Way. Way is dyslexic
- > and as a result was set for low achievement at school despite his high
- > intelligence - at the age of nine he was told he would never read or write.
- > However, he a few years later he discovered that it was much easier for him
- > to write and spell using a computer keyboard - "I type faster than I wrote,
- > and sometimes I can't read my own writing, but on a computer it is all neat"
- > , he said.

>

- > His achievement levels and confidence soon soared and after gaining 11
- > GCSEs, he set up an e-commerce search company from his bedroom -
- > Waysearch.com - that attracted 25 million pounds worth of venture capital

> and is now a major success.

>

> "Without access to a computer, I would have been stunted in my development",
> he said. "There must now be access for all".

>

> Marian Scott, a consultant for Women Connect (www.womenconnect.org), said it
> was vital to bring gender issues into the mainstream, and help women use the
> Internet without barriers or prejudice.

>

> "Worldwide, women have made some extremely positive uses of the Internet,
> and in some areas lead the way, but still face a struggle in most areas. We
> need a focus on women and gender - men and women may need to be served in
> different ways".

>

> She said women were often invisible as a disadvantaged group because they
> were such a diverse group, including sub-groups of age, social scale and
> race, which made them harder to analyse. "But this does not mean they should
> be passed over. It is not going to be enough to stop when women are 50-50
> users of the Internet: there are also issues of stereotyped, limited and
> sexist content online, and a lack of women at the top of new media
> businesses."

>

> Women-friendly approaches to technology access and training which had been
> taken up by Women Connect included linking learning about technology to
> practice; offering safe and relevant learning spaces; creating learning
> networks; and offering mutual support, Scott said. "Our trainers understood
> the insidious internalised feelings of inadequacy women feel in relating to
> some technologies, and the need for task-related learning."

>

> She said while it was true that not all women need services from women's
> organisations, or could not make headway in the mainstream, many face
> serious difficulties and a gender analysis and mainstream approach across
> all online services was needed.

>

> In tackling the problem of the digital divide, it was important to challenge
> received wisdom on the nature of the problem, and approach it with a degree
> of 'positive scepticism', Professor Steve Woolgar of the 'Virtual Society?'
> research programme told the conference.

>

> Virtual Society? has drawn together new research from more than 20
> universities over the past three years. Woolgar said its research had shown
> that the provision of public Internet access points like cybercafes and
> telecottages do attract a broad cross-section of users. However, they tend
> to augment, and not replace, existing patterns of Internet access from the
> home: in other words, almost all users of Internet cafes already have home
> access, and so they do not act as access points for the unconnected.

>

> Access is a social, not a technical issue, Woolgar said. Cyberspace had its
> own social structures, which were self-organising and tended to reinforce
> class structure already present offline, so middle class people came off

- > best. So mere technical access may even be counter-productive - it needs the
- > right social context to be in place, and to build on existing social
- > arrangements, he said.
- >
- > In conclusion, he said it was important to resist and single definition of
- > the digital divide, but to look at what technology can do, what people want
- > from it, and how they can benefit.
- >
- > Virtual Society? is due to present its final findings at a major conference
- > at the QEII Conference Centre in London on 19 June. For more information see
- > its web site:
- > www.virtualsociety.org.uk
- >
- > [Section Two ends]
- >
- >
- > SECTION THREE: ANALYSIS
- > - MULTI-LINGUAL SERVICES
- >
- > WORKING TO DISMANTLE THE LANGUAGE BARRIER
- >
- > Many public sector organisations, particularly those in areas with diverse
- > ethnic communities, accept that the information and services they provide
- > have to be accessible by people speaking languages other than English. This
- > may mean producing copies of booklets in other languages, or the provision
- > of interpreters. But what about the provision of information on the
- > Internet? What information should be available in what language, and what
- > demand might there be for each?
- >
- > The UK is home to many people who do not speak English as a first language.
- > They range from people who have lived here for long periods of time, to
- > recent arrivals who may be refugees and asylum seekers. Language is a real
- > problem for them in accessing advice, public services, facilities and
- > benefits.
- >
- > While it may be the case that some people don't read the language they
- > speak, in which case text based sources are of little use, it is also the
- > case that some people entering the UK with limited or no English are
- > educated people who could deal with complex information in their own
- > languages.
- >
- > These issues are of particular importance to organisations that dispense
- > advice to the public, including information about benefits. Local
- > authorities which receive large numbers of visitors might also want to
- > produce information in different languages aimed at tourists; and it could
- > also be useful in attracting business investment from overseas. The European
- > Investment Bank recently decided to locate to London because it was the only
- > European capital city in which the 38 languages which the bank requires are
- > spoken.
- >

> As Internet technologies become more powerful and more bandwidth becomes
> available, more possibilities emerge for their use with sophisticated
> language applications. Services such as translated materials, audio and
> video clips could eventually be centralised and then shared across a large
> dispersed area.

>
> Instead of each organisation and public sector body producing their own
> separate translated material, these could be produced in partnership and
> shared across several organisations. Another advantage of the internet is
> that material can be stored centrally in a digital form, saving
> organisations the need to find valuable storage space.

>
> The main forms of storage for translated materials could initially be video
> clips, Adobe 'pdf' files which can preserve the characters and layouts of
> many alphabets and languages, and audio clips.

>
> There is some evidence to suggest that many enquiries to public sector
> organisations are 'stock' or frequently asked questions. It would therefore
> be extremely efficient to produce a databank of material which many
> organisations could create, develop and share. The use of centralised
> technical resources such as video servers would also be a huge cost
> advantage, saving each organisation the trouble and expense of installing
> and maintaining their own.

>
> Such a project should begin with an attempt to gain some idea of what
> internet language work, if any, is already going on across the country.
> Interested and relevant public sector associations could send out a
> questionnaire to their members asking questions such as:

- >
> * What demand is there for online information or services in community
> languages?
> * What sort of information should be provided?
> * In what format should it be provided?
> * Should it be aimed at users, intermediaries or both?
> * Would a centralised database of multilingual information be viable?

>
> As well as local government associations, other organisations which might be
> interested in addressing this issue could include the National Association
> of Citizens Advice Bureaux and the Refugee Council. The London Advice
> Services Alliance (LASA) is also starting a pilot project in Haringey, with
> an internet service in 14 community languages.

>
> It will be important to carry out further online research via the internet
> and e-mail lists to ask people in the field what their experiences are, what
> solutions - if any - they have arrived at, and what sort of demand they
> register for information in multiple languages.

>
> It would then perhaps be possible to more fully develop what questions we
> are trying to address, and what the demand is. It might also highlight with
> different groups the possibility of joint working and a partnership approach

> to this issue.

>

> For other examples of existing good practice, there are a number of sites in

> Australia which are ahead of anything seen in the UK. These include The

> Babel Tree Project to provide translated information on disability and

> disability services, at:

> www.adec.org.au/babeltree/

> and the community language section of New South Wales' Migrant Skills

> initiative at:

> www.migrantskills.org/languages.asp

> Both these sites are well worth seeing for some idea of what can be

> achieved.

>

> * Article by Danny Budzak of the London Borough of Newham. The article is a

> personal view, and is not the official position of Newham Council. If any

> Bulletin reader is interested in contributing to this debate or has examples

> of online language work, please email the editor on egb@headstar.com

>

> This feature first appeared on the Exchanging Information with the Public

> (EIP) Group web site. See News, this issue, and:

> <http://www.eipdg.org/>

>

> [Section Three ends]

>

>

> SECTION FOUR: ONLINE DEBATE

> - E-GOVERNMENT

>

> EMAIL OVERLOAD - A REAL OR IMAGINED THREAT?

>

> The problem of 'email overload' - both real and perceived - is holding back

> many public bodies from proper use of email to communicate with their

> citizens, according to last month's report of the global online debate

> Boosting the Net Economy 2000.

>

> A think-tank spanning more than 40 nations was assembled for the event,

> which was hosted by the publisher of E-Government Bulletin, Headstar, with

> backing from Bull Information Systems (see also our April and May issues).

>

> Jean-Paul Baquiast of Admiroutes, France, said: "In France public sector

> bodies are now able to develop web sites, but they are still unable to use

> email for real-time communication and co-operative work with citizens. This

> is particularly obvious when environment, health or security problems

> require quick answers from responsible bodies.

>

> "In the recent Erika oil pollution crisis on the West coast of France for

> instance, public bodies never answered emails asking questions or proposing

> solutions. The alleged reason of that is that they do not have enough people

> to manage email communication. But my personal feeling is that they still

> generally consider that citizens are troublesome, dangerous, and that the

> less they are associated with administrative business, the better."

>

> However, Bruno Mannoni of the Ministry of Culture and Communication, France,
> said: "It is not as easy as it seems to be. Email has to be answered by the
> civil servant in charge of the matter, which may have legal implications.

>

> In my ministry all email is routed to the person in charge to be answered. A
> very technical question can be difficult to answer, and we must provide a
> clear and correct answer. In a crisis situation, I do not think that e-mail
> is of any help: mass media like TV, radio, newspapers and the web are more
> efficient."

>

> Steven Clift of Democracies Online in the US said: "Email is the fundamental
> tool of the Internet. Elected officials and government agencies need to
> develop or apply tools that make it an effective communication tool.
> Citizens will expect it, and to be competitive with commercial sites,
> government has no choice but to ensure a right of e-mail correspondence with
> citizens to remain legitimate.

>

> "The truth is that e-mail from insiders to government staff is one of the
> most effective tools to influence government, while general email from
> citizens to general addresses is often the least effective."

>

> Other topics relating to electronic government that were covered in the
> wide-ranging debate included the use of technology for the regeneration of
> deprived communities.

>

> Stefano Kluzer of the development agency of the Emilia-Romagna Regional
> Authority in Italy (ERVET) said that there was a lack of understanding by
> governments and other public entities about how technology can be used to
> promote local regeneration and local development in general. He said three
> measures could address this issue:

>

> "First, you need to increase awareness of what new technologies are and what
> they can be used for, among decision-makers at all levels, including within
> local communities where development must be rooted.

>

> "Second, you need well analysed and presented reference cases of actual
> experiences of technology adoption and implementation in local communities.
> I'm always amazed by how difficult it is to find good quality case studies
> showing the positive as well as negative effects, the actual costs, the
> strategies adopted and so on by local authorities, small firms, and the
> like.

>

> "Third, you need to stimulate and facilitate wide [public] participation and
> a social discourse on the changes ahead."

>

> Jean-Paul Baquiast said an increasing number of non-profit organisations are
> now mature enough to share some public responsibilities by delegation,
> especially in the fields of social or environment protection, and the web

- > would make an ideal medium for co-operation, but administrations are still
- > reluctant to co-operate.
- >
- > "Charters protecting both sides would be surely necessary. But, as far as
- > public sector bodies are concerned, the idea that they may use Internet
- > networks and non-profit partners for providing services which they cannot
- > assure alone would have to be encouraged by governments."
- >
- > Finally, a short exchange took place on the radical concept of citizens from
- > one state receiving online services from governments of another.
- >
- > Horace Mitchell of European Telework Online, UK, said that there was no
- > 'natural law' that says a citizen must take her public services from her own
- > government. "It takes a leap of the imagination to perceive that something
- > that is reserved for the state to deliver might be delivered to the same
- > citizens by another state.
- >
- > "Free access to global information may make citizens aware of the
- > differences between what one government delivers for one amount of tax and
- > what another government delivers for another amount of tax. It is a little
- > difficult to work out exactly how citizens will start to make a virtual move
- > to get this service from this government while still taking that service
- > from that government; but then the future has never been entirely obvious
- > until it becomes history."
- >
- >
- > The full report of the debate is available on the web at:
- > www.netecon2000.com
- >
- > [Section four ends]
- >
- >
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ICANN and Internet Governance: Leveraging Technical Coordination to Realize Global Public Policy

Hans Klein

School of Public Policy, Georgia Institute of Technology, Atlanta, Georgia, USA

The Internet Corporation for Assigned Names and Numbers (ICANN) was created in 1998 to perform technical coordination of the Internet. ICANN also lays the foundations for governance, creating capabilities for promulgating and enforcing global regulations on Internet use. ICANN leverages the capabilities in the Internet domain name system (DNS) to implement four mechanisms of governance: authority, law, sanctions, and jurisdictions. These governance-related features are embodied in seemingly technical features of ICANN's institutional design. Recognition of ICANN's governance mechanisms allows us to better understand the Internet's emerging regulatory regime.

Keywords domain name system (DNS), global public policy, governance, ICANN, Internet

INTERNET GOVERNANCE

The Internet has often been hailed as a domain of benevolent anarchy, a place where free communication is securely in place. It is a “modern Hydra” capable of circumventing regulation (Froomkin, 1999, p.129) and a “space of no control” (Lessig, 1999, p. 24). As Internet bard John Perry Barlow says, “Governments of the Industrial World, . . . You have no sovereignty where we gather” (cited in Lessig, 1999, p. 218).

Stated less colorfully, the Internet presents challenges to *governance*. By governance I mean the existence of some authority able to make globally applicable rules for In-

ternet usage backed up by sanctions. Internet governance exists in various partial forms (e.g., AOL chat rooms or government regulation of computers within national territory), but overall the Internet does not have a coherent and effective system of authoritative rule making and enforcement. The reasons for this lie both in characteristics of the technology, which make control difficult, and in the global reach of Internet communications, which creates jurisdictional conflict among government regulators.

This “ungovernability” of the Internet, however, is changing. In his book *Code*, Lawrence Lessig (1999) documents various strategies to eliminate user anonymity and thereby facilitate law enforcement. Likewise, in a recent court case over Internet auctions of Nazi memorabilia that was illegal in France, the Yahoo! Corporation was ordered to detect viewer's location and apply local content regulations to them (AFP, 1999). As with other technologies preceding it, as the Internet becomes important to the society around it, attempts are made to integrate it within existing regulatory structures (Hughes, 1983).

The most significant development in the trend to render the Internet governable is the creation of the Internet Corporation for Assigned Names and Numbers (ICANN). Created in 1998, ICANN is a private, nonprofit entity whose official mandate is to perform technical coordination of core Internet resources, most notably domain names (e.g., mycomputer.org). Its site of incorporation lies in California but its authority extends, directly or indirectly, over all users of the Internet.

ICANN has the potential to radically change the nature of the Internet. By putting in place all the mechanisms needed for the creation, promulgation, and enforcement of regulations, ICANN makes effective Internet governance possible for the first time. No longer is the Internet a Hydra that is impossible to control. ICANN's mechanisms for governance can serve any number of possible regulations. The frequency of past attempts to regulate the Internet suggests that the realization of these mechanisms could attract

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widespread interest in their utilization (Froomkin, 1997). Depending on one's viewpoint, creation of a capability for governance holds the promise or the threat of taming the electronic frontier.

In what follows I offer a detailed analysis of ICANN. My purpose is to render comprehensible the interrelationship between technology, administration, and governance, explaining how a computer network addressing system makes possible a system of governance. To do this I explain what governance is, how the Internet's domain name system (DNS) works, and how the former is realized through the latter.

For policymakers and Internet users, this account can help inform policy. That the Internet has a point of central control and that ICANN makes global public policy possible are not widely admitted. Recognition of these governance capabilities justifies the application of normative criteria of legitimacy, accountability, and equity to the institution and its processes. This study contributes to a growing body of policy literature that analyzes ICANN from the perspective of its historical origins (Mueller, 1999; Klein, 2001a), its legal status (Froomkin, 2000; Klein, 2001c), and its institutional design (Post, 1998).

This account is also relevant to theoretical debates over the relationship between technological systems and their social context. Recent scholarship in the social construction of technology has emphasized the influence of social factors in shaping technological change (Bijker, 1995; Bijker et al., 1987; Klein & Kleinman, 2002). Writers on technology policy have likewise emphasized how designing systems is comparable to writing law, insofar as both activities create social structures that constrain human behavior (Lessig, 1999; Kapor, 1990; Klein, 2000). ICANN offers stark evidence of such social structuring, with the domain name system defining important parameters of governance.

In what follows, I first consider the technological and institutional factors that have inhibited Internet regulation and then continue with a more general discussion of what governance is. Following that I examine the domain name system, both as a technological and administrative hierarchy, and I identify characteristics that allow for governance. There then follows an analysis of the mechanisms of Internet governance as realized in ICANN. Then, as an illustration of how the governance mechanisms work in practice, I examine ICANN's global public policy defining property rights in domain names. I consider the problem of legitimacy in ICANN and speculate about possible future areas of regulation.

The Problem of Internet Governance

Regardless of whether one supports or opposes specific regulations, it is generally recognized that regulation of

the Internet has proven difficult. Copying music, software, and other forms of intellectual property has become simple, and the growth in legal actions against property violators likely represents only a small fraction of incidents of unauthorized copying (Fryer, 1995). Attempts by national governments to control content have foundered on the Internet's global nature and the interjurisdictional conflicts in regulation (Andrews, 1999).

Barriers to regulation arise in part from characteristics of the technology. Internet communications do not pass through a central channel but are instead passed between many independent networks, and even the messages themselves are broken into packets that may follow different itineraries from source to destination (Cerf & Kahn, 1974). With multiple independent parties sending multiple independent packets through multiple independent channels, there is no central communication channel that could serve as a control point for promulgating and enforcing regulations.

Regulation also founders on institutional factors. The Internet challenges established jurisdictions (Johnson & Post, 1997; Perrit, 1997). Public authority resides in the state, whose foundational characteristic is the exercise control over a geographically defined domain (Schroeder, 1998). Yet the "spaceless" nature of the Internet violates the geographical underpinning of public authority (Holitscher, 1999). The mismatch between a network that is global and regulations that are national undermines many attempts at regulation (Froomkin, 1997).

To make conceptual sense of this situation, it is useful to step back from the details and consider governance from a theoretical level. What is governance? What is needed in order to govern? What is needed for governance of the Internet?

In *Democracy and Its Critics* (1989), Robert Dahl defines what governance is and what is needed to achieve it. He identifies a set of "assumptions of a political order" (pp. 106–107) that specify the minimal conditions for a system of governance. I call these *mechanisms of governance*. Paraphrasing Dahl's definition, we can identify four such mechanisms. The first is an *authority*. Governance requires a governor or a sovereign. An entity, be it an individual or a group, must make policy decisions that apply to the members of the polity. A second governance mechanism is *law*. Laws implement policy decisions. They might take the form of a tax, a license, or simply a binding rule. Third, there must be some mechanism for imposing *sanctions*. This allows for punishment of those who violate laws. Finally, governance requires the definition of *jurisdiction*. Jurisdiction defines the space over which the authority makes decisions and within which the laws apply and are enforced by the threat of sanctions. These four mechanisms make governance possible: the governing *authority* can make a policy decision that applies within its

jurisdiction, embodying that decision in *law* and imposing *sanctions* on whomever disobeys. [A similar discussion can be found in the appendix of *Code* (Lessig, 1999).]

The Internet's vaunted ungovernability results from the absence of these four mechanisms. Regulation is difficult because authority, law, sanctions, and jurisdictions are not in place.

ICANN realizes these four mechanisms through its control of the Internet's domain name system (DNS). Although Internet communication has no central control point, Internet addressing, as realized in the DNS, is centralized. DNS provides the control point from which to regulate users. Moreover, the DNS is also an essential resource, so it provides a means of sanctioning users: denial of access to domain names is the equivalent to banishment from the Internet. The DNS also defines jurisdictions on the Internet. The logical organization of the DNS allows authority to be mapped onto distinct zones. Finally, the contractual foundations of the DNS provide opportunities to promulgate regulations. Taken together, these features render ICANN capable of governance.

DNS AND GOVERNANCE—A SIMPLE ACCOUNT

In order to understand ICANN, one must first understand the domain name system. Here I analyze DNS in two passes. I first present the DNS in a simplified form, treating it as a single, nondistributed system. Seen this way, the governance features of the DNS are most easily recognized. In a later section I examine the distributed inner structure of the DNS and present the various mechanisms used to realize coherent administration and policymaking.

DNS: The Control Point of the Internet

I begin with a little-recognized fact: The Internet really consists of two "systems," one for communications (the "TCP/IP" protocols) and one for addressing (the DNS). The communication system is the Internet as we commonly know it. It is extremely decentralized—so much so that it is really not a "system" at all but rather just a set of protocols by which independent computer networks can send data packets to each other. It is this decentralized system that informs most public understanding of the Internet and that underlies claims about ungovernability.

In marked contrast to this, the addressing system—the domain name system (DNS)—is centralized (Albitz and Liu, 1998). Nearly all Internet communications rely on this single system. The DNS can be thought of as the Internet's telephone book and directory assistance service. Before one computer can communicate with another, it must do the equivalent of contacting directory assistance with a name of the party it wishes to call and receiving back the number to dial. This is a necessary prelude to communication.

Internally, the DNS consists of a database and a dynamic lookup service. The database includes pairs of domain names and IP numbers. Domain names are alphanumeric (and hence human-friendly) identifiers of computers on the Internet. IP (Internet Protocol) numbers (or addresses) are machine-friendly numeric identifiers. For example, a given computer's domain name might be *mycomputer.org*, and its corresponding IP number might be *12.34.56.78*. The DNS resolves domain names into IP numbers. In name resolution, the DNS accepts a domain name from a user and returns the corresponding number. The DNS computers performing name resolution are called *name servers*. Only after resolution has occurred can the user-to-user e-mail or web communication begin.¹

This two-step procedure is immediately visible on most web browsers (e.g., Netscape Navigator). Once a user enters a domain name, the browser will indicate that it is interacting with the DNS by posting a message like "Looking up host . . ." As long as a few seconds may pass before resolution is performed, and IP number is returned, and actual communication may begin. Sometimes name resolution fails, as when a misspelled name generates an error message like, "Unable to locate host . . ." and no number is returned. By watching the status messages on a browser's screen, a user can observe the name resolution process.

At the heart of the DNS is the Internet's *name space*. The name space lists (nearly) all computers on the Internet.² At the time of this writing the name space contains tens of millions of entries. When one reads statistics about the growth of the Internet, the numbers usually refer to the size of the name space. It provides a rough approximation of the number of individual users: Since most computers listed in the DNS are gateways into private networks with many users, the number of users is much greater than the number of entries in the name space.

In a manner of speaking, the name space *is* the Internet. In order to exist on the Internet, a computer must be listed in the name space. Without a listing (without a domain name and an IP number) a computer cannot be found by others. Removal of a computer's listing from the name space constitutes a kind of banishment, for a computer disappears from the list of addressable computers. Whatever entity controls the name space database effectively controls the Internet. These points are discussed in detail next.

As currently designed, the name space must obey certain design principles (IAB, 2000; ICANN, 2001). The system's designers claim that the name space must be *unique* and it must be managed by a single entity. There can only be one database that constitutes the definitive listing of computers on the Internet. Copies may exist, but independent name spaces cannot, because they could evolve to have different contents. Were multiple, independent name spaces to exist, a given domain name could resolve to different IP addresses depending on which name space

was used, which would render communication unreliable. This technological imperative of uniqueness underlies the centrality of the DNS, for all communications must use a single, authoritative name space. The Internet's use of a unique name space (with a single administrator) "is a technical necessity, not a policy choice" (IAB, 2000). (Were this design feature not necessary, then numerous possibilities for policy choices would be opened).

Administration

DNS is more than a technical system; it is also an administrative and policy system. Continuing with our simplified view of DNS as a single, nondistributed database, we can examine the DNS in terms of a single administrator and a single policy authority. The *policy authority* entity makes general rules for changes to the name space, such as allowable domain names, cost of registration in the name space, and restrictions on the addition or deletion of names. The *administrator* implements these decisions, adding, deleting, and modifying the database entries to reflect the entry, exit, and changed status of computers. The administrator also ensures the reliable operation of the name server.

The DNS's uniqueness requirement means that the policy authority and the administrator exercise monopoly power. There must be a unique name space, and it must be managed by a unique administrator, who, in turn, must be subject to a unique policy authority. "Both the design and the implementation of the DNS protocol are heavily based on the assumption that there is a single owner or maintainer" (IAB, 2000). Only in this way can the name space be guaranteed to function reliably. Directly or indirectly, this one DNS administrator contracts with every network connected to the Internet. Thus, paralleling the DNS's technical centralization is administrative and policy centralization.

The DNS administrator is also called a *registry*. For a computer to be available on the Internet, the user must approach the administrator and request to be *registered*. The registry registers the computer by adding the user's name-number pair to the name space.

The legal mechanism used to connect the central policy authority with users is the *contract*. The Internet is a network of networks; most computers registered in the name space are gateways to private networks managed by network administrators. Each listing in the DNS is accompanied by a contract between the central DNS administrator and a *network administrator*. The contract specifies rules and conditions for inclusion in the name space, such as the provision of contact information, the payment of an annual fee, acknowledgment of the role of the DNS administrator, and so on. Thus, every network in the Internet has a contract with the single entity overseeing the DNS. These contracts implement policy centralization.

DNS and Internet Governance

In this simplified version of DNS it is easy to recognize the feasibility of implementing governance. Only relatively minor modifications would be needed to realize the four mechanisms of authority, law, sanctions, and jurisdictions.

The DNS defines a central authority for the Internet. The uniqueness requirement of the name space requires a single central authority, and its decisions apply to all servers in the name space. To render the DNS policy authority a true regulatory entity, its domain of decision making would simply have to expand to public issues, such as intellectual property regulation or content control. Since there are few technical barriers to such an expansion, it would be a policy choice. Thus, realizing governance on the Internet would require simply broadening the range of topics regulated by the DNS policy authority.

The DNS also defines the second governance mechanism: law. The law of the Internet is contained in the domain name registration contracts. The provisions of the contracts with network administrators specify the detailed regulations for their actions. To regulate on broader topics, the language in the contracts would simply have to expand.

Third, DNS provided a powerful mechanism for sanctions: domain name denial (i.e., the deletion of a user's name-number listing from the name space). This is the power of banishment: Network administrators who refused to obey the regulations in their contracts could be delisted from the name space and made to disappear. Name registration could be treated as a privilege, revocable if a user violated the rules.

The DNS neatly solves the problem of jurisdiction as well. The jurisdiction of the DNS policy authority extends to every computer on the Internet but no farther. The registration contract is the manifestation of jurisdiction. Every network administrator is contractually bound to the DNS's policy authority.

Thus, the domain name system provided the means to realize mechanisms of governance. Relatively minor changes to DNS could put each mechanism in place. The DNS policy authority would need to merely broaden its regulatory scope and include those broader regulations in contracts with network administrators. Domain name denial provides an adequate mechanism to sanction rule breakers. The jurisdiction of the policy authority would exactly cover the Internet, no less and no more.

In order to fully realize Internet governance, two additional considerations would have to be addressed. The first is practical: Some means would be needed to extend policy authority to the individual user. Since the domain name registration contract is between the central authority and a network administrator, individual users are not immediately subject to regulations. Regulation of individual users could be achieved using a *flow-down contract*. Network

administrators generally require users to sign an agreement when they obtain an account, and this user contract could repeat the provisions from the administrators' contract. In this way a single set of regulations could "flow down" from the central DNS administrator to network administrators and from there to all users. Indirectly, all Internet users could be regulated by the central DNS administrator. Violation of the user contract could lead to loss of Internet access for the user account. Network administrators who failed to enforce flow-down contracts on their users would find themselves subject to domain name denial, that is, banishment from the Internet. While such a user contract remains hypothetical, its feasibility is not. In a later section I survey the types of regulations that have been or could be implemented through such a system.

A second consideration about governance is more normative in nature. Were the DNS policy authority to become a general-purpose regulator, then careful thought would have to be given to its *legitimacy*. As the scope of its policymaking expanded, its authority would have to be grounded on some appropriate principle. This could be realized by placing ultimate policy authority in the hands of governments or in the hands of a newly constituted representational institution. As discussed later, when policy authority was located in ICANN, it adopted a representational mechanisms to ensure legitimacy.

The discussion so far has built on one simplifying assumption: that the Internet name space is a single, centralized database. In the early phases of the Internet's development this was true. In the 1970s the entire namespace was contained in one file called "hosts.txt" (Mockapetris, 1983). By 1983, however, the continued growth of the network had led researchers to redesign the name space, and break up the name space into multiple, interconnected pieces. The name space is less centralized than has been presented here. Decentralization renders governance of the Internet much more complex. I turn now to an analysis of that more complex architecture.

DNS AND GOVERNANCE—THE DISTRIBUTED SYSTEM

In fact, the name space is a *distributed* database. In theory, all name-number pairs could be held in one central database as described in the simplified account just given. However, since thousands of name resolution queries occur each second, a centralized DNS computer might be overwhelmed. Instead, the name space is distributed among multiple computers to share the workload.

The name space exists as a collection of partial, separate databases running on separate computers. Each partial database is called a *zone file* (or *zone*). A zone contains a subset of the total list of name-number pairs. To each zone is associated a *name server* (or *server*—a software pro-

gram for name resolution) and a *host computer* (or *host*—the hardware that hosts the zone file and name server). Thus, the entire name space is a distributed database-and-name-resolution system whose building block is the triad of a zone file, name server program, and host computer.

As in any distributed database, the relationship between the parts is carefully structured. The different zone are linked to each other to form a top-down pyramidal hierarchy or an inverted tree (with its root at the top). At the apex of the hierarchy is a single zone, the *root*. The root zone links to multiple zones just beneath it, and those zones in turn link to multiple zones beneath them, and so on. (This is the same structure as the files on a personal computer). The levels in the hierarchy are clearly identified: The root zone links to "top-level" zones, these link to "second-level" zones, then the "third-level" zones, and so on.

While a given zone may link downward to multiple zones, it can link upward to just one zone. Directly or indirectly, all zones link upwards to the single root zone. The existence of one root in the name space fulfills the uniqueness condition.

Subtrees in this distributed database are called *domains*. A domain consists of a zone and all zones beneath it in the hierarchy. Domain names are often referred to by their level in the tree. Domains beginning at top-level zones are *top-level domains* or TLDs; domains beginning at the next level are *second-level domains*, and so on. The domain of the root is the complete name space. The entire system constitutes the domain name system or DNS. The terms *zone* and *domain* are often used interchangeably, but the former refers to one single file and the latter refers to that single file and all lower files in its subtree.

A domain has a name—which, not surprisingly, is called a *domain name*. Well-known top-level domain names are .com, .org, and .net. The largest domain in the name space, .com links to millions of lower-level domains. An Internet address like mycomputer.com consists of a second-level domain (mycomputer) and a top-level domain (.com). A string of domain names, with the different levels separated by dots, uniquely identifies any computer in the name space.

This distributed hierarchy defines relationships of top-down control. Any zone file can be modified to link (include) or delink (exclude) the zones below it in the name space. This is the power of virtual life and death. When a name server is connected to the root via some series of links, then it exists in the name space. Should a zone file be modified to eliminate a link, the computer or computers below it in the hierarchy will be cut off from the name space. Each server in the hierarchy controls the path to the root for the servers below it.

An example may illuminate this. Suppose I want Internet e-mail services for my company. I already have an

internal company network, and now I want to connect my network to the Internet. To do that, I must link a host computer in my network into the name space, that is, register the host's domain name and IP address in a DNS zone file. Since the name space is a distributed database, there are many zone files to which I could link: A registry in Virginia maintains a zone file called .com, a registry in England maintains a zone file called .uk, my parent company hosts a zone file called .holdingcompany (which is itself linked to the .com zone file). By my registering my host into an available zone file, it becomes part of the name space and exists in the Internet. Likewise, should my entry in the zone file ever be delinked (the domain name canceled), my host would disappear from the Internet. The modification to the zone file that allows me to enter or exit from the Internet is not made by me but by the administrator of the next higher zone file, upon whom I continue to depend for my presence on the Internet.

Administration

In the simplified explanation earlier, DNS administration and policy authority were held by a single pair of organizations. In the distributed DNS, every domain has such an administration-policy pair (which I refer to simply as an "administrator"; in some cases it may be one and the same organization, anyway). These organizations are organized according to the distributed structure of the name space: Total DNS administration is a multiorganization hierarchy, with each administrator exercising control over lower level administrators. At the apex of the hierarchy is the root administrator.

Each administrator exercises monopoly control over its immediate zone file (to ensure uniqueness of its portion of the name space). Moreover, each administrator has authority over the entire domain beneath it. When it registers a lower level host, it delegates some authority to the lower level administrator, who exercises monopoly control over that lower zone file. Authority flows down the hierarchy from the root zone administrator, with responsibility for the entire name space, to the individual host computers at the lowest level zones. Each administrator is subject to the policies of higher level entities. In this way, the policies made at the root can be transmitted down through the levels of the hierarchy to apply, directly or indirectly, to all administrators in the DNS. As a group, the administrators serve as the gatekeepers to the name space and hence to the Internet.

Just as zone files are joined by links, administrators are joined by contracts. The root administrator formalizes its delegation of authority to top-level administrators in a contract. Some provisions of that contract may be required to be included in subsequent contracts. In this way, regulations may flow down the entire hierarchy to the individual

network administrator or possibly even the individual user, as discussed earlier.

As one would expect, the administration of the root zone is particularly important. All other hosts on the Internet access the name space only with a delegation of authority directly or indirectly from the root. Policy authority over the root—the power to add or delete top-level domains—confers direct control over all top-level domains and indirect power over all lower level domains. Authority over the root zone extends to the entire Internet.

In summary, this more accurate account of the DNS reveals another order of magnitude of technical and administrative complexity. Seen as a whole, the DNS is a centralized control point for the Internet. However, because it is a decentralized system, the DNS has an internal structure that relies on hierarchical control and contracts to achieve unified policy capabilities.

Historical Factors in DNS

At this point we can switch from technical analysis to historical analysis. The discussion so far outlined the functioning of the DNS and its structure as a distributed database. This historical analysis outlines evolution of the DNS namespace and its administrative hierarchy.

The Internet began as a research project in the 1970s, and the computer scientists developing it shaped the evolution of its administrative and policy institutions (Hafner & Lyon, 1998). This research community was centered in institutions like the Internet Engineering Task Force (IETF), the Internet Architecture Board (IAB), the University of Southern California's Information Sciences Institute (ISI), and the Internet Society (ISOC) (Leiner et al., 2000).

One person, in particular, played a key role in the DNS development: Dr. Jon Postel, a computer scientist at the University of Southern California. Working under a research contract from the US government, Postel exercised policy authority over the root, a function eventually called the Internet Assigned Number Authority (IANA). In his IANA role, Postel maintained the root zone file, authorized the addition of new top-level domains (TLDs), selected administrators to whom to delegate authority, and performed myriad other tasks. Postel had first assumed this task as a graduate student in the 1970s. As the Internet grew, the significance of Postel's decisions increased accordingly, and by the 1990s his decisions had global implications. Yet policy authority over the root continued to reside in him personally. Since he worked as a government contractor, final authority officially lay with the U.S. government—but for most of the 1980s and 1990s, Postel exercised personal authority over the DNS.

In 1984, in a document known as RFC920, Postel and colleague Joyce Reynolds defined the evolutionary trajectory of the name space (Postel & Reynolds, 1984). RFC920

defined the number of top-level zones and the names they would bear. While the name space would always have just one root zone file, Postel and Reynolds announced in 1984 that the top level would consist of some 250 zone files. RFC920 served as the blueprint for the structure of the namespace and its future growth. This number of zone files had no basis in technical necessity; it could have been smaller or larger.

RFC920 also specified the character strings to identify the zone files. The 250 TLDs would be divided into two naming classes: There would be six “generic” TLDs (gTLDs: .gov, .edu, .com, .org, .mil, and .net), and there would be some 244 “country code” TLDs (ccTLDs; based on the ISO 3166-1 standard list of two-character country codes like .uk for United Kingdom, .fr for France, .jp for Japan, and so on). Again, the particular character strings used in the domain names had no technical significance; they merely had to be unique. However, as chosen, the strings had major policy significance, for their meanings implied that different zones would have different uses. The 250 TLDs defined a name space partly based on function (.com for commercial, .mil for military, etc.) and partly based on geopolitical identifiers (country names). Decided long before the Internet’s global significance emerged, the number of TLDs and the meanings attached to them would have lasting consequences.

While RFC920 defined the DNS structure and naming conventions, its implementation proceeded incrementally over many years. Implementation of the TLDs required selecting an administrator to maintain the zone file and to operate the name server. Furthermore, the implementation of the generic TLDs proceeded very differently than the country code TLDs: The U.S. government selected the former, while IANA selected the latter.

While Postel/IANA possessed policy authority over the root, the administrator of the root was a private company: Network Solutions, Inc. (NSI). NSI took its orders from IANA, but ultimately operated under contract with the US government. NSI both administered and exercised policy authority over .com, .net, and .org.

Growth in .com made NSI both wealthy and powerful. After the U.S. government opened the Internet to commercial use in 1994, registrations in .com exploded. By the late 1990s, .com had grown to over 10 million registrations—more than half of the entire name space. This concentration of growth in the namespace was not an inherent feature of the DNS, but rather occurred as an unforeseen development—a combination of good marketing by NSI and widespread acceptance of the DNS naming convention, which identified .com as the commercial domain. Ultimately, the .com domain contained so much of the total name space that it rivaled the root for its importance for the overall network (Mueller, 1999). Charging an annual fee of \$35 per registered name, NSI collected hundreds of

millions of dollars of revenue from its monopoly of the Internet’s one commercially named domain.

In contrast to NSI, administrators of country code TLDs resembled IANA: They were usually nonprofit organizations, often affiliated with university research centers. Since IANA had defined zone files in terms of country codes and had created just one zone file per country, there was just one administrator in each country. Each of them constituted an implicit national monopoly: the .fr registry was France’s only registry, the .uk registry was the sole UK registry, and so on. Although there was no technical basis for national monopolies, the naming convention in RFC920 implied such a system. Organizationally, the system of national ccTLD monopolies was reminiscent of the system of national telephone companies (PTTs), which operated as national monopolies in many countries.

By October 2000 the full name space consisted of over 30 million name–number pairs (NetNames, 2000). Since IANA had not expanded the number of top-level domains since issuing RFC920, most growth in the name space occurred in second-level domains. Most of that was contained in a single TLD, .com, where NSI had registered over 18 million hosts. NSI’s .org and .net TLDs contained another 5 million hosts. The rest of the name space was mostly distributed in various country code TLDs. Above it all, Jon Postel at IANA oversaw delegations of authority to new administrators.

Thus the DNS as it existed toward the end of the 1990s was considerably more complex than the system described earlier. First, it was decentralized. The change from hosts.txt to the decentralized DNS occurred in 1983 (Mockapetris, 1983). Second, over the years numerous nontechnical developments had shaped the system. Most TLDs bore country code identifiers, which associated them with geopolitical entities (countries). One zone file in the hierarchy, .com, contained nearly the entire name space (thereby somewhat defeating decentralization). In the community of nonprofit DNS administrators, Network Solutions was emerging as a commercial giant. Most importantly, policy authority for the entire DNS lay with one person, Jon Postel. The DNS was complex—and rife with potential conflicts.

Governance

Nonetheless, the DNS could still be used to realize the mechanisms of governance. Although more complex arrangements would be needed than those discussed earlier, a decentralized DNS could still be used to realize authority, law, sanctions, and jurisdictions. In this section I consider in the abstract the manner in which the DNS technology would render governance possible.

Decentralization would not significantly affect the realization of two mechanisms: law and sanctions. Even

with the addition of multiple levels of hierarchy, flow-down contracts could still bring rules down to users. Decentralization would require a longer cascade of flow-down contracts but would not otherwise affect this mechanism. Likewise, domain name denial could still serve as a sanction. With each administrator in the name space, from the root on down, exercising monopoly control over its zone file, each one could delink lower level hosts from the name space. Name registration could still be treated as a privilege, revocable if a registrant violated the rules.

Decentralization would render the other two governance mechanisms considerably more difficult to realize, however. Decentralization fragmented authority and jurisdiction, especially in the country code domains.

Policy authority and jurisdiction would still be unified at the root. IANA could make rules for the entire name space and promulgate them down the hierarchy. However, at the top-level domains (TLDs) it would encounter another authority that might challenge it. The distinction between generic TLDs (gTLDs) and country code TLDs (ccTLDs) would inhibit unity of authority and jurisdiction.

ccTLDs are associated with countries, and most countries already have policy authorities: their national governments. National governments could claim jurisdiction in ccTLDs bearing their country code. Although national governments' domains were lower in the DNS hierarchy than IANA, it would be awkward for IANA to assert authority over them. An Internet governance institution would be in a poor position to challenge a national government's right to make public policy. Even if a national government was unaware of the DNS (as was often the case), the proactive exercise of policy authority by IANA might provoke a national government to act. Thus it would be difficult for the policy authority at the root to exercise policy authority in the ccTLDs.

Making matters more complex, among the ccTLDs there would be a plethora of authorities. Country code TLDs were independent from each other, and each could make its own policies in its domain, potentially resulting in a host of divergent and conflicting policies. Decentralization of the DNS had created hundreds of authorities, each with an implicit claim of jurisdiction over their ccTLD. Thus it would seem that integrated governance of the Internet would be impossible. The engineers' decision to organize the name space according to political lines, as codified in RFC920, had fragmented authority and jurisdiction.

In the gTLDs, in contrast, integrated governance would be possible. IANA could regulate domains like .com, .org, and .net, because these domains had no accountability to authorities outside of the DNS. Any authority they

possessed in the DNS was only by way of a delegation from IANA. Furthermore, although gTLDs were only a small number of the total set of domains, they contained the lion's share of all users. Effective authority in just these domains would still affect most Internet users.

Thus fully integrated governance would not be possible in the DNS—but a workable degree of governance would be. The realization of a single authority and a single jurisdiction in .com, .org, and .net would be straightforward. Moreover, such a jurisdiction would include most users, given the heavy concentration of registrations in the gTLDs. Policy authority at the root could regulate them by flow-down contracts backed by the threat of domain name denial. This would reduce but not overcome the problem of fragmented authority.

To further mitigate the fragmentation of authority, IANA and national governments could seek to coordinate policies. Although there were hundreds of ccTLDs, registrations were unevenly distributed among them. Domains like .uk or .jp contained many more registrations than others like .bg (Bulgaria). Coordination between IANA and just the largest ccTLDs would bring the Internet much closer to integrated governance by bringing most of the outstanding users under the same policies.

One could speculate that additional policy coherence could be achieved by pressuring any recalcitrant ccTLD authorities. Were a small ccTLD to resist enforcing some policy backed by IANA and by large governments, the larger parties could challenge the policy authority of the smaller national governments. IANA could exercise its ability to delink a top-level domain or reassign it to a more compliant administrator. In this way, smaller ccTLDs might be coaxed or bullied into adopting policies agreed on by larger players. Overall policy coherence would be improved.

In closing this section, a final issue must be addressed: the role of the U.S. government. The U.S. government employed Jon Postel and Network Solutions, and it claimed final authority over the root zone file. Although IANA was the highest policy authority in the DNS, IANA itself operated under policy authority of the United States. Were Internet governance mechanisms to be implemented, and were the status of the United States not to change, then the United States would be the final authority over the Internet. This again might cause tensions with other national governments, which would find themselves subordinate to the United States.

In summary, a decentralized DNS would not allow for full realization of mechanisms of governance. Law and sanctions could be easily realized, but authority and jurisdiction would be fragmented. Located in the gTLDs, most users could be regulated by IANA. Bringing the entire name space under IANA's authority, however, would

require negotiation with many autonomous national authorities.

ICANN

Having reviewed the DNS, we can now turn to the Internet Corporation for Assigned Names and Numbers (ICANN). Created in 1998 and still evolving at the time of this writing, ICANN realizes the governance potential in DNS, leveraging Internet addressing to achieve global governance. Not only has it created the capabilities for regulation, it has even employed them: In 1999 ICANN promulgated global public policy that defined intellectual property rights in domain names. In what follows I identify the specific features of ICANN by which it realizes authority, jurisdiction, law, and sanction.

I begin by setting the historical scene. By the late 1990s the DNS had come under severe stress from a variety of sources. The Internet had rapidly outgrown its original institutions, most notably the very personal nature of IANA, whose legitimacy was based on the reputation of one man. Should something have happened to Jon Postel, IANA could have become unstable. Another source of stress arose from entrepreneurs wishing to compete with NSI's monopoly: They began proposing alternate name spaces, new TLDs (e.g., .web), and independent registries (Mueller, 1998). This threatened to fragment the name space. The global nature of IANA was another issue. The United Nations' International Telecommunications Union (ITU) became involved and sought to assume authority over the name space. National governments and the European Commission became interested, too; they perceived a threat to their sovereignty from U.S. control of this new global information infrastructure. Disputes over sovereignty and jurisdiction were heating up. Intense conflicts also began to emerge over domain names that matched trademarks (e.g., coca-cola.com). The United Nations' World Intellectual Property Organization (WIPO) and U.S. interest groups applied intense political pressure to install trademark regulations in domain names (Shaw, 1997). Making this political mix all the more volatile was that these conflicts developed in "Internet time"; every passing month witnessed exponential growth in the size of both the network and the political stakes.

The process by which the research community, trademark interests, communication businesses, and national governments came together to create a new institution to replace IANA is documented elsewhere (Mueller, 1999; Klein, 2001a). Here we are interested in the product of that long and contentious process: ICANN. In the following institutional analysis I dissect a snapshot of ICANN, as it existed around year 2000.

ICANN is best understood as a set of semi-autonomous institutions. That set includes not only ICANN as a corporation but also some external entities like a committee of national governments and the TLD administrators. To distinguish ICANN-the-set-of-institutions and ICANN-the-corporation, I refer to the former as the "ICANN system" and the latter simply as "ICANN."

The four mechanisms of governance are mixed deep in ICANN's administrative system and so can be difficult to identify. In what follows, I analyze ICANN's features in terms of their governance-related functions. First I focus on how ICANN realized mechanisms for authority and jurisdictions, and in the following section I focus on the mechanisms for policy and sanctions.

Authority and Jurisdiction

The new ICANN corporation replaced Jon Postel as the policy authority over the root. ICANN solved the problem of stability: A person was replaced by an institution, so that the IANA could function independently of any one individual. ICANN also partially solved the problem of inter-governmental conflict: ICANN was private, and its bylaws explicitly forbade government officials from serving on the board. Thus although its authority would extend globally, that authority was ostensibly nongovernmental and would not conflict with national governments' sovereignty. Furthermore, with a mission to engage in simple technical coordination of the Internet, ICANN claimed to have no public policy role.

The problem of legitimacy was addressed by the composition of the board of directors. A person, Postel, was replaced by a collection of representatives; legitimacy through expertise and personal reputation was replaced by legitimacy through accountability to stakeholders. ICANN's board represented different functional and geographic constituencies. Of 19 directors, 9 represented technical expert groups, another 9 represented users, and the final director was the organization's top staff person.

ICANN's board, however, was itself subject to a higher authority: the U.S. government. The U.S. Department of Commerce (DOC) retained ultimate control of the root, leaving ICANN policy decisions subject to a potential veto. Despite the much-publicized privatization, the United States never completely ceded its hold over the Internet. As an official "fact sheet" of the DOC stated, "The Department of Commerce has no plans to transfer to any entity its policy authority to direct the authoritative root server" (DOC, 1999). Thus the Internet was internationalized and privatized but only under the watchful oversight of the U.S. government. (Whether the United States will eventually cede full authority to ICANN is not currently known.)

Beneath the root, contracts extended the authority of ICANN and the United States down to the administrators of the gTLDs and the ccTLDs. The generic TLDs proved more willing to sign on, since NSI administered nearly all of them and was under pressure from the United States to participate in ICANN. Following some bargaining over conditions, NSI and ICANN reached agreement in 1999. ICANN thereby achieved policy authority in the most populous domains. The ccTLDs proved more circumspect, and as late as 2001 ICANN was still reporting small progress in this area (ICANN, 2001). Top-down policy authority in these domains failed to be established and remained one of the most difficult issues in the system.

The implicit conflict of authority between ICANN and national governments manifested itself in the Governmental Advisory Committee (GAC). The GAC was an official ICANN advisory committee in which national governments could meet, discuss, and coordinate their actions. Individually, each national government could assert policy authority over the zone file bearing its country code. Together, in GAC, the national governments could coordinate policy.

GAC's first acts were to establish the legitimacy of members' claims to policy authority. First, GAC declared, "The Internet naming system is a public resource in the sense that its functions must be administered in the public or common interest" (GAC, 2000). By defining the DNS as a public good, similar to electromagnetic spectrum, GAC prepared the way for governmental oversight. Then GAC linked that public interest to national governments' authority: "ultimate public policy authority over the relevant [country code domain] rests with the relevant government" (GAC, 2000). This justified the claim by national authorities that ccTLD domains were under their jurisdiction.

Thus ccTLD administrators found themselves under two authorities—and they asserted a third of their own. ICANN claimed that ccTLDs' authority derived from its higher authority over the root; if administrators did not follow ICANN's policies, ICANN could redelegate authority to another party. For their part, national governments claimed that their zone file was a public resource under their authority. A third approach was backed by ccTLD administrators, who cited policy documents that located authority in the "local Internet community" rather than in ICANN or in governments (Postel, 1994). This prescription would render the administrators accountable to Internet users in their home country rather than to their government or ICANN.

GAC members sought to resolve this ambiguity in their favor by requesting from ICANN a veto power over ccTLDs similar to the U.S. veto power over the root. GAC proposed that ICANN's power of redelegation be given to national governments: "when ICANN is notified by the relevant government or public authority that the [administra-

tor] has contravened the terms . . . ICANN should act with the utmost promptness to reassign the delegation" (GAC, 2000). Country code managers would have access to the root only as long as their national government allowed it. ICANN resisted this arrangement, which would have subordinated it to national governments. At the time of this writing the fragmentation of authority over the ccTLDs remained unresolved.

The GAC forum allowed national governments to coordinate on a variety of other policies. GAC began developing a "best practice" document for country managers, so that national authorities could standardize their operations (GAC, 2000). Once common policies were defined, each national government could promulgate and enforce those practices in its own jurisdiction.

Thus the multiplicity of authorities caused jurisdictional fragmentation. ICANN claimed jurisdiction over the entire name space and, hence, over all users. Likewise, the U.S. jurisdiction extended over ICANN and so over the entire name space. At the top level of the name space, however, jurisdictional conflicts merged. The jurisdictions defined by the generic TLDs posed little problem; there ICANN prevailed. In the country code TLDs, however, national governments claimed jurisdiction. This prevented ICANN and the United States from realizing one unified jurisdiction in the name space. Still, the vast majority of Internet users found themselves in ICANN's sole jurisdiction.

Policy and Sanction

Although ICANN regulated users, it did not have direct contact with users. Instead, a four-tiered system was implemented, with ICANN at the top, users at the bottom, and two kinds of organization—registries and *registrars*—in between. At the top ICANN used its authority to make regulations. Beneath it, registries maintained the zone files and operated the servers (as described earlier). Beneath the registries came the registrars, who served as the retail interface to users. They performed customer-oriented tasks of leasing and servicing domain names to users, often bundling these with additional services like Internet service provision. Finally, at the bottom tier were users (or network administrators, who, in turn, contracted with individual users).

Flow-down contracts spanned these levels. ICANN's regulations were embodied in contracts with registries, which included the regulations in their contracts with registrars, who included them in their contracts with network administrators. Policies "flowed down" from ICANN to registries to registrars and ultimately to private networks. The terms of the contract defined the laws of the Internet.

At each level, ICANN backed up contracts with the threat of domain name denial. Registries who disobeyed could have their domain redelegated. Registrars who

disobeyed could lose their access to registries, so they would no longer be able to offer domain names to users. Users who disobeyed could have their domain names removed from the name space or assigned to someone else.

ICANN's Registrar Accreditation Contract (ICANN, 1999a) was the primary mechanism for promulgating law. Any organization that wished to serve as a registrar had to obey the terms of this contract. It included an open-ended requirement: "Registrar shall comply . . . with all ICANN-adopted Policies" (Section II.D.1.b.i).³ As ICANN policies changed and the accreditation agreement evolved (as foreseen in Section II.O, "Right to Substitute Updated Agreement"), so could the conditions imposed on domain name usage. It was this contractual blank check that most clearly gave ICANN the right to exercise broad governance activities. The contract's provisions had to be repeated in lower level contracts between registrars and users, guaranteeing that regulations would flow from ICANN to the registrars and eventually to users. These regulations were enforceable with clear sanctions: "The [domain name] holder shall agree that its registration of the [domain] name shall be subject to suspension, cancellation, or transfer pursuant to any ICANN-adopted policy . . . for the resolution of disputes" (Section II.J.7.i).

Thus the basic governance mechanisms were flow-down contracts backed up by domain-name denial. The accreditation contract stipulated the regulations for the Internet, and the power to revoke domain names provided the sanction for enforcement. Internet users could only enjoy access to the name space if they obeyed ICANN's rules; if they broke the rules, they could see their domain name suspended, canceled, or transferred.

GLOBAL PUBLIC POLICY

The preceding discussion of DNS, governance, and ICANN's institutional design has been largely descriptive and analytical. What is reviewed here is mostly established fact. If one accepts the four-part definition of governance, and if one admits that those mechanisms are indeed present in ICANN, then it is not controversial to state that ICANN has the capability to engage in Internet governance. So far, little has been said about whether ICANN exercises that capability or whether the system of governance is legitimate. In this section I engage some of these more contentious topics.

Global Public Policy

ICANN not only has the capacity to govern, it has also done so. ICANN has made global public policy. In this section I explain what it means to make public policy and how ICANN has done it.

Shortly after ICANN's governance capabilities were implemented, they were put into practice. In August 1999

ICANN promulgated its first major policy: the Uniform Dispute Resolution Policy (UDRP), which mandated a procedure for deciding who has intellectual property rights in a domain name (ICANN, 1999b). The UDRP illustrates how ICANN's governance mechanisms work in practice. The UDRP also constitutes ICANN's first global public policy.

In the late 1990s domain names became valuable, with names like yahoo.com and amazon.com becoming important business assets. As the value of domain names rose, disputes arose over name rights. Some disputes arose when individuals allegedly registered trademarks in anticipation of selling them to their owner; other arose when owners allegedly attempted to wrest control over desirable character strings from other users. Sometimes ownership rights conflicted with rights of fair use or free speech (Kleiman, 1999). The trouble with such conflicts was that existing trademark law was inadequate for many disputes: Trademark law was national, whereas many disputes were international. Legal mechanisms to settle international disputes in domain names were expensive and awkward to employ.

ICANN's UDRP defined procedures for resolving domain name disputes, thereby effectively setting rules of ownership and property. Disputes would be settled through an alternative dispute resolution procedure, in which certified private arbitrators would decide the question of rights based on criteria defined by ICANN. Arbitration decisions could be enforced by removal or transfer of the disputed name. It was a "voluntary" system in that parties who were unsatisfied by the outcome of arbitration could still resort to existing judicial forums for judgment. However, since existing forums were extremely costly, the UDRP would in most cases provide the final decision on property rights. The UDRP had de facto the force of law.

The implementation of the Uniform Dispute Resolution Policy (UDRP) illustrates ICANN's use of all four governance mechanisms. First, the UDRP was developed with input from staff and various parties and ultimately approved by the ICANN Board in an exercise of its authority. Second, the policy was codified into law through the Registrar Accreditation Agreement. ICANN made the UDRP a condition for registrar access to the name space, and registrars had to include the UDRP in their retail contracts with users (it had to "flow down"). Third, the UDRP included sanctions: Users who refused to agree to the policy in advance were denied access to the name space, and users who were found to be in violation of the UDRP could have their names deleted or reassigned (banishment). Finally, the UDRP applied in ICANN's jurisdiction. The policy regulated domain name usage in the .com, .net, and .org domains. In country code domains, where ICANN's authority did not immediately apply, the decision to adopt

the UDRP lay with country code administrators. At the time of this writing, the policy had been adopted in some domains but not in all.

In making the UDRP, ICANN made global public policy. The UDRP regulates something of public value: rules of property. Rules of property, such as trademark, copyright, and intellectual property, are traditionally made by governments. The U.S. Constitution, for instance, specifies rules of intellectual property protection in patents. At the global level, the reason for a lack of regulation is not that property rules are somehow less public, but that there has been no recognized public institution to make such rules. ICANN stepped into this void. By making global rules on property, ICANN made a decisions on public values. Although the UDRP may not have been a policy of enormous import—property rights in domain names is a relatively small area of regulation—it was a significant first step into policymaking.⁴

Legitimacy

If ICANN makes global public policy, then it is appropriately evaluated by such policy criteria as legitimacy, accountability, and equity. Indeed, it is around issues like these that most controversies have erupted (Weinberg, 2000; Froomkin et al., 1999; Klein, 2001c). Here I briefly review some of the issues that have arisen around the ICANN board's legitimacy.

U.S. policy for the creation of ICANN was laid out in the Department of Commerce "White Paper," which defined principles for ICANN. Two principles there were particularly relevant to legitimacy: ICANN should be committed to "private, bottom-up coordination," and it should be committed to "representation... [providing] input from the broad and growing community of Internet users" (DOC, 1998b). Some of these principles became embodied in ICANN's bylaws, especially in the mechanisms for representation on the board (Klein, 2001a).

In a number of instances these principles of legitimacy were not convincingly upheld. I mention three here. ICANN's first board of directors was a nine-person interim board. In a move that generated considerable public outcry (and hearings in the U.S. Congress), the first set of interim directors was appointed with no public participation or consultation. Instead, the selection process was conducted behind closed doors in a process later described even by Jon Postel as "undemocratic and closed" (Daley, 1998). However, it was this board that promulgated the Uniform Dispute Resolution Policy.

The ICANN board was also implemented unevenly. The directors for the nine expert representatives were seated within approximately 1 year of ICANN's creation, and those directors quickly moved to weaken the seats reserved

for Internet user representatives. In a series of board meetings in 1999 and 2000, the appointed and expert directors sought to eliminate, reduce, or delay the implementation of the elected directors (Klein, 2000a). In so doing, they repeatedly revised the corporate bylaws that constrained board actions. As one top government official declared to them at their meeting in July 2000, "the Board is increasingly giving the impression of being extremely cavalier in changes to the by-laws" (Wilkinson, 2000). Shortly thereafter, the board decided to modify the bylaws again to defer the final round of director elections until 2002—fully 4 years after the creation of ICANN.

Finally, ICANN's early board gave evidence of preferring industry professionals to represent Internet users. In the first, partial round of director elections, the board filled most of the nominee slots for user representatives with candidates of its own choosing, selecting individuals from telecommunications giants like France Telecom, Fujitsu, Deutsche Telekom, and Verizon (Klein, 2000b). This tendency to favor the telecommunications supply industry over Internet users attracted the notice at ICANN's July 2000 meeting, of an Australian government official, who stated, "[ICANN] runs the risk of potentially becoming a de facto industry association" (Twomey, 2000). The legitimacy of the board to make decisions affecting all Internet users was again weakened by this tendency for some interest groups to seek (and arguably to achieve) disproportionate influence on the board.

With ICANN making global public policy, its lack of legitimacy was striking. Although the elections of 2000 brought some user representation to ICANN, they fell short of implementing the degree of representation called for in ICANN's original bylaws (Klein, 2001b, 2001c).

Future Policy

Institutions are not static entities; they grow over time and often expand their areas of activity. Such seems likely for ICANN. As an Internet governance entity, what policies might ICANN promulgate in the future? Here I briefly speculate.

Perhaps the most likely area of policy expansion is in intellectual property protection. Such expansion of rights has been actively championed since the beginning of the ICANN process and would be consistent with the initial direction of ICANN's activities (Froomkin, 1999). The UDRP could be expanded to give special registration rights to owners of celebrity names, famous marks, geographical names, and so on. ICANN could become a global regulator in the service of property and e-commerce.

Control over the name space could also be leveraged to promote social justice. ICANN and ccTLD monopolies could raise funds for a universal service fund to

overcome the global digital divide, allowing poorer countries to pay less for Internet access than wealthy countries. In private conversations with this author, some ICANN directors from developing countries have supported such policies.

ICANN's capabilities could also be used for content regulation. Sites violating content regulations could be censored by having their domain names revoked or redirected. Domain name denial was used in this way in the case of *voteauction.com*, which operated a site containing illegal content (an online mechanism for the buying and selling of votes). The registrar for the domain canceled the registration to suppress its content (Perritt, 2001). In theory, ICANN could enforce regulations broadly using similar mechanisms.

ICANN could become a vehicle for taxation, perhaps serving as a means whereby governments collect e-commerce taxes or whereby ICANN funds its own initiatives. With domain names available from one sole source, users would have to either pay the fee or suffer denial of access. Indeed, both U.S. legislators and disgruntled ccTLDs have accused ICANN of levying taxes (McCullagh, 1999; Ward, 2000).

Finally, ICANN could become a vehicle for U.S. national policy. In times of war or terrorism, countries opposing the United States could see their domains removed from the Internet. Individual registrations could be canceled or redirected to reduce the effectiveness of hostile entities. The relationship between ICANN policy and U.S. national policy had already come up when the U.S. Department of Commerce had approved the addition of the .ps domain—for Palestine—to the root zone. Although the United States did not pursue its narrow national interest, the case attracted attention because of the potential for conflict (Cisneros, 2001).

With governance mechanisms in place, the possibility of mission creep—the steady expansion of ICANN's regulatory scope—seems possible. The combination of effective mechanisms for governance and weak mechanisms for legitimacy could allow some parties to make global public policies that favor their interests.

CONCLUSIONS

The simple recognition that ICANN engages in Internet governance is significant. It contradicts established beliefs and it raises concerns about what kind of governance is being established. It forces us to ask what should be done.

ICANN contradicts the popular myth of a benevolent Internet anarchy. As it turns out, the Internet *can* be controlled. The DNS provides a basis for top-down control, and ICANN leverages that to make policy. The implications of this are far-reaching and will only be seen over

time. For this reason, ICANN's future should concern all Internet users.

I close with some observations about the relationship of technology to society. In ICANN we see three ways in which technology shapes society.

First, objective features of the technology shaped the administrative and regulatory system. In particular, the technical characteristics of a distributed database set important policy parameters. The need for a single name space with a unique root created a central control point. Likewise, the need for unique identifiers (so that a name identifies just one host computer) created problems of control and monopoly. With just one .com zone, within which there could be registered just one .coca-cola, a system of monopoly registries was created and the basis for trademark fights was laid.

It may be that these technology design features were not absolutely necessary (although convincing alternatives were not advanced even by ICANN's critics). At minimum, however, history rendered those technical features sufficiently embedded that they became equivalent to "necessary." Any attempt to change ICANN's status as regulator may have to begin by redesigning the underlying technology (particularly the requirement for a unique root under the control of a unique administrator).

A second way that technology shaped society was the role of engineers in making policy. The selection of country codes as domain names was a historical decision with profound policy consequences. This decision was made so early in the Internet development process that the only participants were research engineers. These engineers decided that Internet domains should be associated with geopolitical entities. Had they selected different alphanumeric identifiers—one could imagine colors, sequential numbers, the table of elements—then there would have been no basis for the one-per-country distribution of registries nor the subsequent assertion of national authority over registries. The engineers decided to organize the Internet like national PTTs. Engineers could make such decisions because they controlled the process early in its developmental history.

A third way that technology influences society is that it provides legitimacy for secretive decision-making. When policy decisions are categorized as "technical," then it becomes legitimate for them to be made behind closed doors by elite groups. Policy disappears from the public sight (Lessig, 1999). The groups that gained control of ICANN invoked this veil of technological legitimacy to discount their critics. Despite having no technical training, ICANN's lawyers justified their actions by claiming that they were making neutral choices on the basis of technical expertise (McLaughlin, 2000).

ICANN leverages control of Internet addressing to realize global public policy. In ICANN technology has shaped society, technologists have made profound policy decisions, and interested social groups have exploited technological legitimacy. Most importantly, the regulatory framework for the global information infrastructure of the next century has been created.

NOTES

1. This is a slight oversimplification. In fact, Internet communication is possible by using IP numbers directly, which avoids the need for interaction with the DNS. However, very few communications use IP numbers directly. A note to the reader: In this author's experience, for nearly every statement made about the DNS an exception can be found. The reader should bear this in mind when reading this section, which may contain some oversimplifications in the pursuit of clarity.

2. This sentence overstates the case a bit. Some computers may be listed more than once. Other may be listed not at all and may be reached by using their IP address directly. In the majority of cases, however, a computer on the Internet has one entry in the DNS name space. Furthermore, as discussed later, most computers in the DNS are not user computers but gateways to private networks within which individual user accounts exist.

3. This part of the Registrar Accreditation Agreement is important but not particularly succinct. The full text of Section D.1.b.i is: "D. General Obligations of Registrar. 1. During the Term of this Agreement: b. Registrar shall comply, in such operations, with all ICANN-adopted Policies insofar as they: i. relate to one or more of the following: (A) issues for which uniform or coordinated resolution is reasonably necessary to facilitate interoperability, technical reliability and/or stable operation of the Internet or domain-name system, (B) registrar policies reasonably necessary to implement Consensus Policies relating to the Registry, or (C) resolution of disputes regarding the registration of domain names (as opposed to the use of such domain names)."

4. One question that I do not address here is whether the UDRP is "good" or "bad" public policy. The substance of the regulation is not the issue. UDRP has been praised by some (Cohen, 2000) and condemned by others (Flynn, 2000; Mueller, 2001). What is important here is that fact that ICANN regulates at all.

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ICANN and Internet Governance: Leveraging Technical Coordination to Realize Global Public Policy

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The Internet Corporation for Assigned Names and Numbers (ICANN) was created in 1998 to perform technical coordination of the Internet. ICANN also lays the foundations for governance, creating capabilities for promulgating and enforcing global regu-

ternet usage backed up by sanctions. Internet governance exists in various partial forms (e.g., AOL chat rooms or government regulation of computers within national territory), but overall the Internet does not have a coherent and effective system of authoritative rule making and en-

lations on Internet use. ICANN leverages the capabilities in the Internet domain name system (DNS) to implement four mechanisms of governance: authority, law, sanctions, and jurisdictions. These governance-related features are embodied in seemingly technical features of ICANN's institutional design. Recognition of ICANN's governance mechanisms allows us to better understand the Internet's emerging regulatory regime.

Keywords domain name system (DNS), global public policy, governance, ICANN, Internet

INTERNET GOVERNANCE

The Internet has often been hailed as a domain of benevolent anarchy, a place where free communication is securely in place. It is a “modern Hydra” capable of circumventing regulation (Froomkin, 1999, p. 129) and a “space of no control” (Lessig, 1999, p. 24). As Internet bard John Perry Barlow says, “Governments of the Industrial World,...You have no sovereignty where we gather” (cited in Lessig, 1999, p. 218).

Stated less colorfully, the Internet presents challenges to *governance*. By governance I mean the existence of some authority able to make globally applicable rules for In-

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forcement. The reasons for this lie both in characteristics of the technology, which make control difficult, and in the global reach of Internet communications, which creates jurisdictional conflict among government regulators.

This “ungovernability” of the Internet, however, is changing. In his book *Code*, Lawrence Lessig (1999) documents various strategies to eliminate user anonymity and thereby facilitate law enforcement. Likewise, in a recent court case over Internet auctions of Nazi memorabilia that was illegal in France, the Yahoo! Corporation was ordered to detect viewer's location and apply local content regulations to them (AFP, 1999). As with other technologies preceding it, as the Internet becomes important to the society around it, attempts are made to integrate it within existing regulatory structures (Hughes, 1983).

The most significant development in the trend to render the Internet governable is the creation of the Internet Corporation for Assigned Names and Numbers (ICANN). Created in 1998, ICANN is a private, non-profit entity whose official mandate is to perform technical coordination of core Internet resources, most notably domain names (e.g., mycomputer.org). Its site of incorporation lies in California but its authority extends, directly or indirectly, over all users of the Internet.

ICANN has the potential to radically change the nature of the Internet. By putting in place all the mechanisms needed for the creation, promulgation, and enforcement of regulations, ICANN makes effective Internet governance possible for the first time. No longer is the Internet a Hydra that is impossible to control. ICANN's mechanisms for governance can serve any number of possible regulations. The frequency of past attempts to regulate the Internet suggests that the realization of these mechanisms could attract

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widespread interest in their utilization (Froomkin, 1997). Depending on one's viewpoint, creation of a capability for governance holds the promise or the threat of taming the electronic frontier.

In what follows I offer a detailed analysis of ICANN. My purpose is to render comprehensible the interrelationship between technology, administration, and governance, explaining how a computer network addressing system makes possible a system of governance. To do this I explain what governance is, how the Internet's domain name system (DNS) works, and how the former is realized through the latter.

For policymakers and Internet users, this account can help inform policy. That the Internet has a point of central control and that ICANN makes global public policy possible are not widely admitted. Recognition of these governance capabilities justifies the application of normative criteria of legitimacy, accountability, and equity to the institution and its processes. This study contributes to a growing body of policy literature that analyzes ICANN from the perspective of its historical origins (Mueller, 1999; Klein, 2001a), its legal status (Froomkin, 2000; Klein, 2001c), and its institutional design (Post, 1998).

This account is also relevant to theoretical debates over the relationship between technological systems and their social context. Recent scholarship in the social construction of technology has emphasized the influence of social factors in shaping technological change (Bijker, 1995; Bijker et al., 1987; Klein & Kleinman, 2002). Writers on

the Internet has proven difficult. Copying music, software, and other forms of intellectual property has become simple, and the growth in legal actions against property violators likely represents only a small fraction of incidents of unauthorized copying (Fryer, 1995). Attempts by national governments to control content have foundered on the Internet's global nature and the interjurisdictional conflicts in regulation (Andrews, 1999).

Barriers to regulation arise in part from characteristics of the technology. Internet communications do not pass through a central channel but are instead passed between many independent networks, and even the messages themselves are broken into packets that may follow different itineraries from source to destination (Cerf & Kahn, 1974). With multiple independent parties sending multiple independent packets through multiple independent channels, there is no central communication channel that could serve as a control point for promulgating and enforcing regulations.

Regulation also founders on institutional factors. The Internet challenges established jurisdictions (Johnson & Post, 1997; Perrit, 1997). Public authority resides in the state, whose foundational characteristic is the exercise of control over a geographically defined domain (Schroeder, 1998). Yet the "spaceless" nature of the Internet violates the geographical underpinning of public authority (Holitscher, 1999). The mismatch between a network that is global and regulations that are national undermines many attempts at regulation (Froomkin, 1997).

technology policy have likewise emphasized how designing systems is comparable to writing law, insofar as both activities create social structures that constrain human behavior (Lessig, 1999; Kapor, 1990; Klein, 2000). ICANN offers stark evidence of such social structuring, with the domain name system defining important parameters of governance.

In what follows, I first consider the technological and institutional factors that have inhibited Internet regulation and then continue with a more general discussion of what governance is. Following that I examine the domain name system, both as a technological and administrative hierarchy, and I identify characteristics that allow for governance. There then follows an analysis of the mechanisms of Internet governance as realized in ICANN. Then, as an illustration of how the governance mechanisms work in practice, I examine ICANN's global public policy defining property rights in domain names. I consider the problem of legitimacy in ICANN and speculate about possible future areas of regulation.

The Problem of Internet Governance

Regardless of whether one supports or opposes specific regulations, it is generally recognized that regulation of

To make conceptual sense of this situation, it is useful to step back from the details and consider governance from a theoretical level. What is governance? What is needed in order to govern? What is needed for governance of the Internet?

In *Democracy and Its Critics* (1989), Robert Dahl defines what governance is and what is needed to achieve it. He identifies a set of “assumptions of a political order” (pp. 106 – 107) that specify the minimal conditions for a system of governance. I call these *mechanisms of governance*. Paraphrasing Dahl's definition, we can identify four such mechanisms. The first is an *authority*. Governance requires a governor or a sovereign. An entity, be it an individual or a group, must make policy decisions that apply to the members of the polity. A second governance mechanism is *law*. Laws implement policy decisions. They might take the form of a tax, a license, or simply a binding rule. Third, there must be some mechanism for imposing *sanctions*. This allows for punishment of those who violate laws. Finally, governance requires the definition of *jurisdiction*. Jurisdiction defines the space over which the authority makes decisions and within which the laws apply and are enforced by the threat of sanctions. These four mechanisms make governance possible: the governing *authority* can make a policy decision that applies within its

jurisdiction, embodying that decision in *law* and imposing *sanctions* on whomever disobeys. [A similar discussion can be found in the appendix of *Code* (Lessig, 1999).]

Internally, the DNS consists of a database and a dynamic lookup service. The database includes pairs of domain names and IP numbers. Domain names are alphanumeric

The Internet's vaunted ungovernability results from the absence of these four mechanisms. Regulation is difficult because authority, law, sanctions, and jurisdictions are not in place.

ICANN realizes these four mechanisms through its control of the Internet's domain name system (DNS). Although Internet communication has no central control point, Internet addressing, as realized in the DNS, is centralized. DNS provides the control point from which to regulate users. Moreover, the DNS is also an essential resource, so it provides a means of sanctioning users: denial of access to domain names is the equivalent to banishment from the Internet. The DNS also defines jurisdictions on the Internet. The logical organization of the DNS allows authority to be mapped onto distinct zones. Finally, the contractual foundations of the DNS provide opportunities to promulgate regulations. Taken together, these features render ICANN capable of governance.

DNS AND GOVERNANCE—A SIMPLE ACCOUNT

In order to understand ICANN, one must first understand the domain name system. Here I analyze DNS in two passes. I first present the DNS in a simplified form, treating it as a single, nondistributed system. Seen this way, the governance features of the DNS are most easily recognized. In a later section I examine the distributed inner structure of the DNS and present the various mechanisms used to realize coherent administration and policymaking.

DNS: The Control Point of the Internet

I begin with a little-recognized fact: The Internet really consists of two "systems," one for communications (the

(and hence human-friendly) identifiers of computers on the Internet. IP (Internet Protocol) numbers (or addresses) are machine-friendly numeric identifiers. For example, a given computer's domain name might be mycomputer.org, and its corresponding IP number might be 12.34.56.78. The DNS resolves domain names into IP numbers. In name resolution, the DNS accepts a domain name from a user and returns the corresponding number. The DNS computers performing name resolution are called *name servers*. Only after resolution has occurred can the user-to-user e-mail or web communication begin.¹

This two-step procedure is immediately visible on most web browsers (e.g., Netscape Navigator). Once a user enters a domain name, the browser will indicate that it is interacting with the DNS by posting a message like "Looking up host..." As long as a few seconds may pass before resolution is performed, and IP number is returned, and actual communication may begin. Sometimes name resolution fails, as when a misspelled name generates an error message like, "Unable to locate host ...," and no number is returned. By watching the status messages on a browser's screen, a user can observe the name resolution process.

At the heart of the DNS is the Internet's *namespace*. The name space lists (nearly) all computers on the Internet. At the time of this writing the name space contains tens of millions of entries. When one reads statistics about the growth of the Internet, the numbers usually refer to the size of the name space. It provides a rough approximation of the number of individual users: Since most computers listed in the DNS are gateways into private networks with many users, the number of users is much greater than the number of entries in the name space.

In a manner of speaking, the name space *is* the Internet.

“TCP/IP” protocols) and one for addressing (the DNS). The communication system is the Internet as we commonly know it. It is extremely decentralized—so much so that it is really not a “system” at all but rather just a set of protocols by which independent computer networks can send data packets to each other. It is this decentralized system that informs most public understanding of the Internet and that underlies claims about ungovernability.

In marked contrast to this, the addressing system—the domain name system (DNS)—is centralized (Albitz and Liu, 1998). Nearly all Internet communications rely on this single system. The DNS can be thought of as the Internet’s telephone book and directory assistance service. Before one computer can communicate with another, it must do the equivalent of contacting directory assistance with a name of the party it wishes to call and receiving back the number to dial. This is a necessary prelude to communication.

was used, which would render communication unreliable. This technological imperative of uniqueness underlies the centrality of the DNS, for all communications must use a single, authoritative name space. The Internet’s use of a unique name space (with a single administrator) “is a technical necessity, not a policy choice” (IAB, 2000). (Were this design feature not necessary, then numerous possibilities for policy choices would be opened).

Administration

In order to exist on the Internet, a computer must be listed in the name space. Without a listing (without a domain name and an IP number) a computer cannot be found by others. Removal of a computer’s listing from the name space constitutes a kind of banishment, for a computer disappears from the list of addressable computers. Whatever entity controls the name space database effectively controls the Internet. These points are discussed in detail next.

As currently designed, the name space must obey certain design principles (IAB, 2000; ICANN, 2001). The system’s designers claim that the name space must be *unique* and it must be managed by a single entity. There can only be one database that constitutes the definitive listing of computers on the Internet. Copies may exist, but independent name spaces cannot, because they could evolve to have different contents. Were multiple, independent name spaces to exist, a given domain name could resolve to different IP addresses depending on which name space

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DNS and Internet Governance

In this simplified version of DNS it is easy to recognize the feasibility of implementing governance. Only relatively minor modifications would be needed to realize the four mechanisms of authority, law, sanctions, and jurisdictions.

The DNS does not have a central authority for the Internet. The uniqueness requirement of the name space requires a single central authority, and its decisions apply to all servers in the name space. To render the DNS policy authority a true regulatory entity, its domain of decision making would

DNS is more than a technical system; it is also an administrative and policy system. Continuing with our simplified view of DNS as a single, nondistributed database, we can examine the DNS in terms of a single administrator and a single policy authority. The *policy authority* entity makes general rules for changes to the name space, such as allowable domain names, cost of registration in the name space, and restrictions on the addition or deletion of names. The *administrator* implements these decisions, adding, deleting, and modifying the database entries to reflect the entry, exit, and changed status of computers. The administrator also ensures the reliable operation of the name server.

The DNS's uniqueness requirement means that the policy authority and the administrator exercise monopoly power. There must be a unique name space, and it must be managed by a unique administrator, who, in turn, must be subject to a unique policy authority. "Both the design and the implementation of the DNS protocol are heavily based on the assumption that there is a single owner or maintainer" (IAB, 2000). Only in this way can the name space be guaranteed to function reliably. Directly or indirectly, this one DNS administrator contracts with every network connected to the Internet. Thus, paralleling the DNS's technical centralization is administrative and policy centralization.

The DNS administrator is also called a *registry*. For a computer to be available on the Internet, the user must approach the administrator and request to be *registered*. The registry registers the computer by adding the user's name - number pair to the name space.

The legal mechanism used to connect the central policy authority with users is the *contract*. The Internet is a network of networks; most computers registered in the name

simply have to expand to public issues, such as intellectual property regulation or content control. Since there are few technical barriers to such an expansion, it would be a policy choice. Thus, realizing governance on the Internet would require simply broadening the range of topics regulated by the DNS policy authority.

The DNS also defines the second governance mechanism: law. The law of the Internet is contained in the domain name registration contracts. The provisions of the contracts with network administrators specify the detailed regulations for their actions. To regulate on broader topics, the language in the contracts would simply have to expand.

Third, DNS provided a powerful mechanism for sanctions: domain name denial (i.e., the deletion of a user's name - number listing from the name space). This is the power of banishment: Network administrators who refused to obey the regulations in their contracts could be delisted from the name space and made to disappear. Name registration could be treated as a privilege, revocable if a user violated the rules.

The DNS neatly solves the problem of jurisdiction as well. The jurisdiction of the DNS policy authority extends to every computer on the Internet but no farther. The registration contract is the manifestation of jurisdiction. Every network administrator is contractually bound to the DNS's policy authority.

Thus, the domain name system provided the means to realize mechanisms of governance. Relatively minor changes to DNS could put each mechanism in place. The DNS policy authority would need to merely broaden its regulatory scope and include those broader regulations in contracts with network administrators. Domain name denial provides an adequate mechanism to sanction rule

space are gateways to private networks managed by network administrators. Each listing in the DNS is accompanied by a contract between the central DNS administrator and a *network administrator*. The contract specifies rules and conditions for inclusion in the name space, such as the provision of contact information, the payment of an annual fee, acknowledgment of the role of the DNS administrator, and so on. Thus, every network in the Internet has a contract with the single entity overseeing the DNS. These contracts implement policy centralization.

breakers. The jurisdiction of the policy authority would exactly cover the Internet, no less and no more.

In order to fully realize Internet governance, two additional considerations would have to be addressed. The first is practical: Some means would be needed to extend policy authority to the individual user. Since the domain name registration contract is between the central authority and a network administrator, individual users are not immediately subject to regulations. Regulation of individual users could be achieved using a *top-down contract*. Network

administrators generally require users to sign an agreement when they obtain an account, and this user contract could repeat the provisions from the administrators' contract. In this way a single set of regulations could "flow down" from the central DNS administrator to network administrators and from there to all users. Indirectly, all Internet users could be regulated by the central DNS administrator. Violation of the user contract could lead to loss of Internet access for the user account. Network administrators who failed to enforce top-down contracts on their users would find themselves subject to domain name denial, that is, banishment from the Internet. While such a user contract remains hypothetical, its feasibility is not. In a later section I survey the types of regulations that have been or could be implemented through such a system.

A second consideration about governance is more normative in nature. Were the DNS policy authority to become a general-purpose regulator, then careful thought

program for name resolution) and a *host computer* (or *host*—the hardware that hosts the zone file and name server). Thus, the entire name space is a distributed database-and-name-resolution system whose building block is the triad of a zone file, name server program, and host computer.

As in any distributed database, the relationship between the parts is carefully structured. The different zones are linked to each other to form a top-down pyramidal hierarchy or an inverted tree (with its root at the top). At the apex of the hierarchy is a single zone, the *root*. The root zone links to multiple zones just beneath it, and those zones in turn link to multiple zones beneath them, and so on. (This is the same structure as the files on a personal computer). The levels in the hierarchy are clearly identified: The root zone links to "top-level" zones, these link to "second-level" zones, then the "third-level" zones, and so on.

While a given zone may link downward to multiple

would have to be given to its *legitimacy*. As the scope of its policymaking expanded, its authority would have to be grounded on some appropriate principle. This could be realized by placing ultimate policy authority in the hands of governments or in the hands of a newly constituted representational institution. As discussed later, when policy authority was located in ICANN, it adopted a representational mechanism to ensure legitimacy.

The discussion so far has built on one simplifying assumption: that the Internet name space is a single, centralized database. In the early phases of the Internet's development this was true. In the 1970s the entire namespace was contained in one file called "hosts.txt" (Mockapetris, 1983). By 1983, however, the continued growth of the network had led researchers to redesign the name space, and break up the name space into multiple, interconnected pieces. The name space is less centralized than has been presented here. Decentralization renders governance of the Internet much more complex. I turn now to an analysis of that more complex architecture.

DNS AND GOVERNANCE—THE DISTRIBUTED SYSTEM

In fact, the name space is a *distributed* database. In theory, all name–number pairs could be held in one central database as described in the simplified account just given. However, since thousands of name resolution queries occur each second, a centralized DNS computer might be overwhelmed. Instead, the name space is distributed among multiple computers to share the workload.

The name space exists as a collection of partial, separate databases running on separate computers. Each partial database is called a *zone file* (or *zone*). A zone contains a

zones, it can link upward to just one zone. Directly or indirectly, all zones link upwards to the single root zone. The existence of one root in the name space fulfills the uniqueness condition.

Subtrees in this distributed database are called *domains*. A domain consists of a zone and all zones beneath it in the hierarchy. Domain names are often referred to by their level in the tree. Domains beginning at top-level zones are *top-level domains* or TLDs; domains beginning at the next level are *second-level domains*, and so on. The domain of the root is the complete name space. The entire system constitutes the domain name system or DNS. The terms *zone* and *domain* are often used interchangeably, but the former refers to one single file and the latter refers to that single file and all lower files in its subtree.

A domain has a name—which, not surprisingly, is called a *domain name*. Well-known top-level domain names are .com, .org, and .net. The largest domain in the name space, .com links to millions of lower-level domains. An Internet address like mycomputer.com consists of a second-level domain (mycomputer) and a top-level domain (.com). A string of domain names, with the different levels separated by dots, uniquely identifies any computer in the name space.

This distributed hierarchy defines relationships of top-down control. Any zone file can be modified to link (include) or delink (exclude) the zones below it in the name space. This is the power of virtual life and death. When a name server is connected to the root via some series of links, then it exists in the name space. Should a zone file be modified to eliminate a link, the computer or computers below it in the hierarchy will be cut off from the name space. Each server in the hierarchy controls the path to the root for the servers below it.

subset of the total list of name – number pairs. To each zone is associated a *name server* (or *server*—a software pro-

An example may illuminate this. Suppose I want Internet e-mail services for my company. I already have an

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internal company network, and now I want to connect my network to the Internet. To do that, I must link a host computer in my network into the name space, that is, register the host's domain name and IP address in a DNS zone

le. Since the name space is a distributed database, there are many zone les to which I could link: A registry in Virginia maintains a zone le called .com, a registry in England maintains a zone le called .uk, my parent company hosts a zone le called .holdingcompany (which is itself linked to the .com zone le). By my registering my host into an available zone le, it becomes part of the name space and exists in the Internet. Likewise, should my entry in the zone le ever be delinked (the domain name canceled), my host would disappear from the Internet. The modification to the zone le that allows me to enter or exit from the Internet is not made by me but by the administrator of the next higher zone le, upon whom I continue to depend for my presence on the Internet.

Administration

In the simplified explanation earlier, DNS administration and policy authority were held by a single pair of organizations. In the distributed DNS, every domain has such an administration – policy pair (which I refer to simply as an “administrator”); in some cases it may be one and the same

network administrator or possibly even the individual user, as discussed earlier.

As one would expect, the administration of the root zone is particularly important. All other hosts on the Internet access the name space only with a delegation of authority directly or indirectly from the root. Policy authority over the root—the power to add or delete top-level domains—confers direct control over all top-level domains and indirect power over all lower level domains. Authority over the root zone extends to the entire Internet.

In summary, this more accurate account of the DNS reveals another order of magnitude of technical and administrative complexity. Seen as a whole, the DNS is a centralized control point for the Internet. However, because it is a decentralized system, the DNS has an internal structure that relies on hierarchical control and contracts to achieve unified policy capabilities.

Historical Factors in DNS

At this point we can switch from technical analysis to historical analysis. The discussion so far outlined the functioning of the DNS and its structure as a distributed database. This historical analysis outlines evolution of the DNS namespace and its administrative hierarchy.

The Internet began as a research project in the 1970s,

organization, anyway). These organizations are organized according to the distributed structure of the name space: Total DNS administration is a multiorganization hierarchy, with each administrator exercising control over lower level administrators. At the apex of the hierarchy is the root administrator.

Each administrator exercises monopoly control over its immediate zone (to ensure uniqueness of its portion of the name space). Moreover, each administrator has authority over the entire domain beneath it. When it registers a lower level host, it delegates some authority to the lower level administrator, who exercises monopoly control over that lower zone. Authority flows down the hierarchy from the root zone administrator, with responsibility for the entire name space, to the individual host computers at the lowest level zones. Each administrator is subject to the policies of higher level entities. In this way, the policies made at the root can be transmitted down through the levels of the hierarchy to apply, directly or indirectly, to all administrators in the DNS. As a group, the administrators serve as the gatekeepers to the name space and hence to the Internet.

Just as zones are joined by links, administrators are joined by contracts. The root administrator formalizes its delegation of authority to top-level administrators in a contract. Some provisions of that contract may be required to be included in subsequent contracts. In this way, regulations may flow down the entire hierarchy to the individual

and the computer scientists developing it shaped the evolution of its administrative and policy institutions (Hafner & Lyon, 1998). This research community was centered in institutions like the Internet Engineering Task Force (IETF), the Internet Architecture Board (IAB), the University of Southern California's Information Sciences Institute (ISI), and the Internet Society (ISOC) (Leiner et al., 2000).

One person, in particular, played a key role in the DNS development: Dr. Jon Postel, a computer scientist at the University of Southern California. Working under a research contract from the US government, Postel exercised policy authority over the root, a function eventually called the Internet Assigned Number Authority (IANA). In his IANA role, Postel maintained the root zone, authorized the addition of new top-level domains (TLDs), selected administrators to whom to delegate authority, and performed myriad other tasks. Postel had first assumed this task as a graduate student in the 1970s. As the Internet grew, the significance of Postel's decisions increased accordingly, and by the 1990s his decisions had global implications. Yet policy authority over the root continued to reside in him personally. Since he worked as a government contractor, national authority of course lay with the U.S. government—but for most of the 1980s and 1990s, Postel exercised personal authority over the DNS.

In 1984, in a document known as RFC920, Postel and colleague Joyce Reynolds defined the evolutionary trajectory of the name space (Postel & Reynolds, 1984). RFC920

defined the number of top-level zones and the names they would bear. While the name space would always have just one root zone level, Postel and Reynolds announced in 1984 that the top level would consist of some 250 zone levels. RFC920 served as the blueprint for the structure of the namespace and its future growth. This number of zone levels had no basis in technical necessity; it could have been smaller or larger.

RFC920 also specified the character strings to identify the zone levels. The 250 TLDs would be divided into two naming classes: There would be six “generic” TLDs (gTLDs: .gov, .edu, .com, .org, .mil, and .net), and there would be some 244 “country code” TLDs (ccTLDs; based on the ISO 3166-1 standard list of two-character country codes like .uk for United Kingdom, .fr for France, .jp for Japan, and so on). Again, the particular character strings used in the domain names had no technical significance; they merely had to be unique. However, as chosen, the strings had major policy significance, for their meanings implied that different zones would have different uses. The 250 TLDs defined a name space partly based on function (.com for commercial, .mil for military, etc.) and partly based on geopolitical identifiers (country names). Decided long before the Internet’s global significance emerged, the number of TLDs and the meanings attached to them would have lasting consequences.

While RFC920 defined the DNS structure and naming conventions, its implementation proceeded incrementally over many years. Implementation of the TLDs required selecting an administrator to maintain the zone level and to operate the name server. Furthermore, the implementation of the generic TLDs proceeded very differently than the country code TLDs: The U.S. government selected the former, while IANA selected the latter.

millions of dollars of revenue from its monopoly of the Internet’s one commercially named domain.

In contrast to NSI, administrators of country code TLDs resembled IANA: They were usually non-profit organizations, often affiliated with university research centers. Since IANA had defined zone levels in terms of country codes and had created just one zone level per country, there was just one administrator in each country. Each of them constituted an implicit national monopoly: the .fr registry was France’s only registry, the .uk registry was the sole UK registry, and so on. Although there was no technical basis for national monopolies, the naming convention in RFC920 implied such a system. Organizationally, the system of national ccTLD monopolies was reminiscent of the system of national telephone companies (PTTs), which operated as national monopolies in many countries.

By October 2000 the full name space consisted of over 30 million name – number pairs (NetNames, 2000). Since IANA had not expanded the number of top-level domains since issuing RFC920, most growth in the name space occurred in second-level domains. Most of that was contained in a single TLD, .com, where NSI had registered over 18 million hosts. NSI’s .org and .net TLDs contained another 5 million hosts. The rest of the name space was mostly distributed in various country code TLDs. Above it all, Jon Postel at IANA oversaw delegations of authority to new administrators.

Thus the DNS as it existed toward the end of the 1990s was considerably more complex than the system described earlier. First, it was decentralized. The change from hosts.txt to the decentralized DNS occurred in 1983 (Mockapetris, 1983). Second, over the years numerous nontechnical developments had shaped the system. Most TLDs bore country code identifiers, which associated them

While Postel/IANA possessed policy authority over the root, the administrator of the root was a private company: Network Solutions, Inc. (NSI). NSI took its orders from IANA, but ultimately operated under contract with the US government. NSI both administered and exercised policy authority over .com, .net, and .org.

Growth in .com made NSI both wealthy and powerful. After the U.S. government opened the Internet to commercial use in 1994, registrations in .com exploded. By the late 1990s, .com had grown to over 10 million registrations—more than half of the entire name space. This concentration of growth in the namespace was not an inherent feature of the DNS, but rather occurred as an unforeseen development—a combination of good marketing by NSI and widespread acceptance of the DNS naming convention, which identified .com as the commercial domain. Ultimately, the .com domain contained so much of the total name space that it rivaled the root for its importance for the overall network (Mueller, 1999). Charging an annual fee of \$35 per registered name, NSI collected hundreds of

with geopolitical entities (countries). One zone level in the hierarchy, .com, contained nearly the entire name space (thereby somewhat defeating decentralization). In the community of nonpro t DNS administrators, Network Solutions was emerging as a commercial giant. Most importantly, policy authority for the entire DNS lay with one person, Jon Postel. The DNS was complex—and rife with potential conflicts.

Governance

Nonetheless, the DNS could still be used to realize the mechanisms of governance. Although more complex arrangements would be needed than those discussed earlier, a decentralized DNS could still be used to realize authority, law, sanctions, and jurisdictions. In this section I consider in the abstract the manner in which the DNS technology would render governance possible.

Decentralization would not significantly affect the realization of two mechanisms: law and sanctions. Even

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with the addition of multiple levels of hierarchy, downward contracts could still bring rules down to users. Decentralization would require a longer cascade of downward contracts but would not otherwise affect this mechanism. Likewise, domain name denial could still serve as a sanction. With each administrator in the name space, from the root on down, exercising monopoly control over its zone level, each one could delink lower level hosts

possessed in the DNS was only by way of a delegation from IANA. Furthermore, although gTLDs were only a small number of the total set of domains, they contained the lion's share of all users. Effective authority in just these domains would still affect most Internet users.

Thus fully integrated governance would not be possible in the DNS—but a workable degree of governance would be. The realization of a single authority and a sin-

from the name space. Name registration could still be treated as a privilege, revocable if a registrant violated the rules.

Decentralization would render the other two governance mechanisms considerably more difficult to realize, however. Decentralization fragmented authority and jurisdiction, especially in the country code domains.

Policy authority and jurisdiction would still be united at the root. IANA could make rules for the entire name space and promulgate them down the hierarchy. However, at the top-level domains (TLDs) it would encounter another authority that might challenge it. The distinction between generic TLDs (gTLDs) and country code TLDs (ccTLDs) would inhibit unity of authority and jurisdiction.

ccTLDs are associated with countries, and most countries already have policy authorities: their national governments. National governments could claim jurisdiction in ccTLDs bearing their country code. Although national governments' domains were lower in the DNS hierarchy than IANA, it would be awkward for IANA to assert authority over them. An Internet governance institution would be in a poor position to challenge a national government's right to make public policy. Even if a national government was unaware of the DNS (as was often the case), the proactive exercise of policy authority by IANA might provoke a national government to act. Thus it would be difficult for the policy authority at the root to exercise policy authority in the ccTLDs.

Making matters more complex, among the ccTLDs there would be a plethora of authorities. Country code TLDs were independent from each other, and each could make its own policies in its domain, potentially result-

ing in multiple jurisdictions in .com, .org, and .net would be straightforward. Moreover, such a jurisdiction would include most users, given the heavy concentration of registrations in the gTLDs. Policy authority at the root could regulate them by top-down contracts backed by the threat of domain name denial. This would reduce but not overcome the problem of fragmented authority.

To further mitigate the fragmentation of authority, IANA and national governments could seek to coordinate policies. Although there were hundreds of ccTLDs, registrations were unevenly distributed among them. Domains like .uk or .jp contained many more registrations than others like .bg (Bulgaria). Coordination between IANA and just the largest ccTLDs would bring the Internet much closer to integrated governance by bringing most of the outstanding users under the same policies.

One could speculate that additional policy coherence could be achieved by pressuring any recalcitrant ccTLD authorities. Were a small ccTLD to resist enforcing some policy backed by IANA and by large governments, the larger parties could challenge the policy authority of the smaller national governments. IANA could exercise its ability to delink a top-level domain or reassign it to a more compliant administrator. In this way, smaller ccTLDs might be coaxed or bullied into adopting policies agreed on by larger players. Overall policy coherence would be improved.

In closing this section, a final issue must be addressed: the role of the U.S. government. The U.S. government employed Jon Postel and Network Solutions, and it claimed national authority over the root zone file. Although IANA was the highest policy authority in the DNS, IANA itself operated under policy authority of the United States. Were

ing in a host of divergent and conflicting policies. Decentralization of the DNS had created hundreds of authorities, each with an implicit claim of jurisdiction over their ccTLD. Thus it would seem that integrated governance of the Internet would be impossible. The engineers' decision to organize the name space according to political lines, as codified in RFC920, had fragmented authority and jurisdiction.

In the gTLDs, in contrast, integrated governance would be possible. IANA could regulate domains like .com, .org, and .net, because these domains had no accountability to authorities outside of the DNS. Any authority they

Internet governance mechanisms to be implemented, and were the status of the United States not to change, then the United States would be the national authority over the Internet. This again might cause tensions with other national governments, which would not want themselves subordinate to the United States.

In summary, a decentralized DNS would not allow for full realization of mechanisms of governance. Law and sanctions could be easily realized, but authority and jurisdiction would be fragmented. Located in the gTLDs, most users could be regulated by IANA. Bringing the entire name space under IANA's authority, however, would

require negotiation with many autonomous national authorities.

ICANN

Having reviewed the DNS, we can now turn to the Internet Corporation for Assigned Names and Numbers (ICANN). Created in 1998 and still evolving at the time of this writing, ICANN realizes the governance potential in DNS, leveraging Internet addressing to achieve global governance. Not only has it created the capabilities for regulation, it has even employed them: In 1999 ICANN promulgated global public policy that defined intellectual property rights in domain names. In what follows I identify the specific features of ICANN by which it realizes authority, jurisdiction, law, and sanction.

ICANN is best understood as a set of semi-autonomous institutions. That set includes not only ICANN as a corporation but also some external entities like a committee of national governments and the TLD administrators. To distinguish ICANN-the-set-of-institutions and ICANN-the-corporation, I refer to the former as the "ICANN system" and the latter simply as "ICANN."

The four mechanisms of governance are mixed deep in ICANN's administrative system and so can be difficult to identify. In what follows, I analyze ICANN's features in terms of their governance-related functions. First I focus on how ICANN realized mechanisms for authority and jurisdictions, and in the following section I focus on the mechanisms for policy and sanctions.

I begin by setting the historical scene. By the late 1990s the DNS had come under severe stress from a variety of sources. The Internet had rapidly outgrown its original institutions, most notably the very personal nature of IANA, whose legitimacy was based on the reputation of one man. Should something have happened to Jon Postel, IANA could have become unstable. Another source of stress arose from entrepreneurs wishing to compete with NSI's monopoly: They began proposing alternate name spaces, new TLDs (e.g., .web), and independent registries (Mueller, 1998). This threatened to fragment the name space. The global nature of IANA was another issue. The United Nations' International Telecommunications Union (ITU) became involved and sought to assume authority over the name space. National governments and the European Commission became interested, too; they perceived a threat to their sovereignty from U.S. control of this new global information infrastructure. Disputes over sovereignty and jurisdiction were heating up. Intense conflicts also began to emerge over domain names that matched trademarks (e.g., coca-cola.com). The United Nations' World Intellectual Property Organization (WIPO) and U.S. interest groups applied intense political pressure to install trademark regulations in domain names (Shaw, 1997). Making this political mix all the more volatile was that these conflicts developed in "Internet time"; every passing month witnessed exponential growth in the size of both the network and the political stakes.

The process by which the research community, trademark interests, communication businesses, and national governments came together to create a new institution to replace IANA is documented elsewhere (Mueller, 1999;

Authority and Jurisdiction

The new ICANN corporation replaced Jon Postel as the policy authority over the root. ICANN solved the problem of stability: A person was replaced by an institution, so that the IANA could function independently of any one individual. ICANN also partially solved the problem of inter-governmental conflict: ICANN was private, and its bylaws explicitly forbade government officials from serving on the board. Thus although its authority would extend globally, that authority was ostensibly nongovernmental and would not conflict with national governments' sovereignty. Furthermore, with a mission to engage in simple technical coordination of the Internet, ICANN claimed to have no public policy role.

The problem of legitimacy was addressed by the composition of the board of directors. A person, Postel, was replaced by a collection of representatives; legitimacy through expertise and personal reputation was replaced by legitimacy through accountability to stakeholders. ICANN's board represented different functional and geographic constituencies. Of 19 directors, 9 represented technical expert groups, another 9 represented users, and the national director was the organization's top staff person.

ICANN's board, however, was itself subject to a higher authority: the U.S. government. The U.S. Department of Commerce (DOC) retained ultimate control of the root, leaving ICANN policy decisions subject to a potential veto. Despite the much-publicized privatization, the United States never completely ceded its hold over the Internet. As an official "fact sheet" of the DOC stated, "The Department of Commerce has no plans to transfer to any entity its policy authority to direct the authoritative root server" (DOC, 1999). Thus the Internet was international-

Klein, 2001a). Here we are interested in the product of that long and contentious process: ICANN. In the following institutional analysis I dissect a snapshot of ICANN, as it existed around year 2000.

ized and privatized but only under the watchful oversight of the U.S. government. (Whether the United States will eventually cede full authority to ICANN is not currently known.)

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Beneath the root, contracts extended the authority of ICANN and the United States down to the administrators of the gTLDs and the ccTLDs. The generic TLDs proved more willing to sign on, since NSI administered nearly all of them and was under pressure from the United States to participate in ICANN. Following some bargaining over conditions, NSI and ICANN reached agreement in 1999. ICANN thereby achieved policy authority in the most populous domains. The ccTLDs proved more circumspect, and as late as 2001 ICANN was still reporting small progress in this area (ICANN, 2001). Top-down policy authority in these domains failed to be established and remained one of the most difficult issues in the system.

The implicit conflict of authority between ICANN and national governments manifested itself in the Governmental Advisory Committee (GAC). The GAC was an official ICANN advisory committee in which national governments could meet, discuss, and coordinate their actions. Individually, each national government could assert policy authority over the zone bearing its country code. Together, in GAC, the national governments could coordinate policy.

GAC's first acts were to establish the legitimacy of

tor] has contravened the terms...ICANN should act with the utmost promptness to reassign the delegation" (GAC, 2000). Country code managers would have access to the root only as long as their national government allowed it. ICANN resisted this arrangement, which would have subordinated it to national governments. At the time of this writing the fragmentation of authority over the ccTLDs remained unresolved.

The GAC forum allowed national governments to coordinate on a variety of other policies. GAC began developing a "best practice" document for country managers, so that national authorities could standardize their operations (GAC, 2000). Once common policies were defined, each national government could promulgate and enforce those practices in its own jurisdiction.

Thus the multiplicity of authorities caused jurisdictional fragmentation. ICANN claimed jurisdiction over the entire name space and, hence, over all users. Likewise, the U.S. jurisdiction extended over ICANN and so over the entire name space. At the top level of the name space, however, jurisdictional conflicts merged. The jurisdictions defined by the generic TLDs posed little problem; there ICANN prevailed. In the country code TLDs, however, national

members' claims to policy authority. First, GAC declared, "The Internet naming system is a public resource in the sense that its functions must be administered in the public or common interest" (GAC, 2000). By defining the DNS as a public good, similar to electromagnetic spectrum, GAC prepared the way for governmental oversight. Then GAC linked that public interest to national governments' authority: "ultimate public policy authority over the relevant [country-coded domain] rests with the relevant government" (GAC, 2000). This justified the claim by national authorities that ccTLD domains were under their jurisdiction.

Thus ccTLD administrators found themselves under two authorities—and they asserted a third of their own. ICANN claimed that ccTLDs' authority derived from its higher authority over the root; if administrators did not follow ICANN's policies, ICANN could redelegate authority to another party. For their part, national governments claimed that their zone file was a public resource under their authority. A third approach was backed by ccTLD administrators, who cited policy documents that located authority in the "local Internet community" rather than in ICANN or in governments (Postel, 1994). This prescription would render the administrators accountable to Internet users in their home country rather than to their government or ICANN.

GAC members sought to resolve this ambiguity in their favor by requesting from ICANN a veto power over ccTLDs similar to the U.S. veto power over the root. GAC proposed that ICANN's power of redelegation be given to national governments: "when ICANN is notified by the relevant government or public authority that the [administra-

tion in the name space. Still, the vast majority of Internet users found themselves in ICANN's sole jurisdiction.

Policy and Sanction

Although ICANN regulated users, it did not have direct contact with users. Instead, a four-tiered system was implemented, with ICANN at the top, users at the bottom, and two kinds of organization—registries and *registrars*—in between. At the top ICANN used its authority to make regulations. Beneath it, registries maintained the zone files and operated the servers (as described earlier). Beneath the registries came the registrars, who served as the retail interface to users. They performed customer-oriented tasks of leasing and servicing domain names to users, often bundling these with additional services like Internet service provision. Finally, at the bottom tier were users (or network administrators, who, in turn, contracted with individual users).

Flow-down contracts spanned these levels. ICANN's regulations were embodied in contracts with registries, which included the regulations in their contracts with registrars, who included them in their contracts with network administrators. Policies "owed down" from ICANN to registries to registrars and ultimately to private networks. The terms of the contract defined the laws of the Internet.

At each level, ICANN backed up contracts with the threat of domain name denial. Registries who disobeyed could have their domain redelegated. Registrars who

disobeyed could lose their access to registries, so they would no longer be able to offer domain names to users. Users who disobeyed could have their domain names removed from the name space or assigned to someone else.

ICANN's Registrar Accreditation Contract (ICANN, 1999a) was the primary mechanism for promulgating law. Any organization that wished to serve as a registrar had to obey the terms of this contract. It included an open-ended requirement: "Registrar shall comply...with all ICANN-adopted Policies" (Section II.D.1.b.i).³ As ICANN policies changed and the accreditation agreement evolved (as foreseen in Section II.O, "Right to Substitute Updated Agreement"), so could the conditions imposed on domain name usage. It was this contractual blank check that most clearly gave ICANN the right to exercise broad governance activities. The contract's provisions had to be repeated in lower level contracts between registrars and users, guaranteeing that regulations would flow from ICANN to the registrars and eventually to users. These regulations were enforceable with clear sanctions: "The [domain name] holder shall agree that its registration of the [domain] name shall be subject to suspension, cancellation, or transfer pursuant to any ICANN-adopted policy...for the resolution of disputes" (Section II.J.7.i).

Thus the basic governance mechanisms were owed down contracts backed up by domain-name denial. The accreditation contract stipulated the regulations for the Internet, and the power to revoke domain names provided the sanction for enforcement. Internet users could only enjoy access to the name space if they obeyed ICANN's rules; if they broke the rules, they could see their domain name

ICANN promulgated its first major policy: the Uniform Dispute Resolution Policy (UDRP), which mandated a procedure for deciding who has intellectual property rights in a domain name (ICANN, 1999b). The UDRP illustrates how ICANN's governance mechanisms work in practice. The UDRP also constitutes ICANN's first global public policy.

In the late 1990s domain names became valuable, with names like yahoo.com and amazon.com becoming important business assets. As the value of domain names rose, disputes arose over name rights. Some disputes arose when individuals allegedly registered trademarks in anticipation of selling them to their owner; other arose when owners allegedly attempted to wrest control over desirable character strings from other users. Sometimes ownership rights conflicted with rights of fair use or free speech (Kleiman, 1999). The trouble with such conflicts was that existing trademark law was inadequate for many disputes: Trademark law was national, whereas many disputes were international. Legal mechanisms to settle international disputes in domain names were expensive and awkward to employ.

ICANN's UDRP defined procedures for resolving domain name disputes, thereby effectively setting rules of ownership and property. Disputes would be settled through an alternative dispute resolution procedure, in which certified private arbitrators would decide the question of rights based on criteria defined by ICANN. Arbitration decisions could be enforced by removal or transfer of the disputed name. It was a "voluntary" system in that parties who were unsatisfied by the outcome of arbitration

suspended, canceled, or transferred.

GLOBAL PUBLIC POLICY

The preceding discussion of DNS, governance, and ICANN's institutional design has been largely descriptive and analytical. What is reviewed here is mostly established fact. If one accepts the four-part definition of governance, and if one admits that those mechanisms are indeed present in ICANN, then it is not controversial to state that ICANN has the capability to engage in Internet governance. So far, little has been said about whether ICANN exercises that capability or whether the system of governance is legitimate. In this section I engage some of these more contentious topics.

Global Public Policy

ICANN not only has the capacity to govern, it has also done so. ICANN has made global public policy. In this section I explain what it means to make public policy and how ICANN has done it.

Shortly after ICANN's governance capabilities were implemented, they were put into practice. In August 1999

could still resort to existing judicial forums for judgment. However, since existing forums were extremely costly, the UDRP would in most cases provide the final decision on property rights. The UDRP had de facto the force of law.

The implementation of the Uniform Dispute Resolution Policy (UDRP) illustrates ICANN's use of all four governance mechanisms. First, the UDRP was developed within input from staff and various parties and ultimately approved by the ICANN Board in an exercise of its authority. Second, the policy was codified into law through the Registrar Accreditation Agreement. ICANN made the UDRP a condition for registrar access to the name space, and registrars had to include the UDRP in their retail contracts with users (it had to "show down"). Third, the UDRP included sanctions: Users who refused to agree to the policy in advance were denied access to the namespace, and users who were found to be in violation of the UDRP could have their names deleted or reassigned (banishment). Finally, the UDRP applied in ICANN's jurisdiction. The policy regulated domain name usage in the .com, .net, and .org domains. In country code domains, where ICANN's authority did not immediately apply, the decision to adopt

the UDRP lay with country code administrators. At the time of this writing, the policy had been adopted in some domains but not in all.

In making the UDRP, ICANN made global public policy. The UDRP regulates something of public value: rules of property. Rules of property, such as trademark,

for Internet user representatives. In a series of board meetings in 1999 and 2000, the appointed and expert directors sought to eliminate, reduce, or delay the implementation of the elected directors (Klein, 2000a). In so doing, they repeatedly revised the corporate bylaws that constrained board actions. As one top government official declared to

copyright, and intellectual property, are traditionally made by governments. The U.S. Constitution, for instance, specifies rules of intellectual property protection in patents. At the global level, the reason for a lack of regulation is not that property rules are somehow less public, but that there has been no recognized public institution to make such rules. ICANN stepped into this void. By making global rules on property, ICANN made a decision on public values. Although the UDRP may not have been a policy of enormous import—property rights in domain names is a relatively small area of regulation—it was a significant first step into policymaking.⁴

Legitimacy

If ICANN makes global public policy, then it is appropriately evaluated by such policy criteria as legitimacy, accountability, and equity. Indeed, it is around issues like these that most controversies have erupted (Weinberg, 2000; Fromkin et al., 1999; Klein, 2001c). Here I briefly review some of the issues that have arisen around the ICANN board's legitimacy.

U.S. policy for the creation of ICANN was laid out in the Department of Commerce "White Paper," which defined principles for ICANN. Two principles there were particularly relevant to legitimacy: ICANN should be committed to "private, bottom-up coordination," and it should be committed to "representation. . . [providing] input from the broad and growing community of Internet users" (DOC, 1998b). Some of these principles became embodied in ICANN's bylaws, especially in the mechanisms for representation on the board (Klein, 2001a).

In a number of instances these principles of legitimacy

them at their meeting in July 2000, "the Board is increasingly giving the impression of being extremely cavalier in changes to the by-laws" (Wilkinson, 2000). Shortly thereafter, the board decided to modify the bylaws again to defer the next round of director elections until 2002—fully 4 years after the creation of ICANN.

Finally, ICANN's early board gave evidence of preferring industry professionals to represent Internet users. In the first, partial round of director elections, the board filled most of the nominee slots for user representatives with candidates of its own choosing, selecting individuals from telecommunications giants like France Telecom, Fujitsu, Deutsche Telekom, and Verizon (Klein, 2000b). This tendency to favor the telecommunications supply industry over Internet users attracted the notice at ICANN's July 2000 meeting, of an Australian government official, who stated, "[ICANN] runs the risk of potentially becoming a de facto industry association" (Twomey, 2000). The legitimacy of the board to make decisions affecting all Internet users was again weakened by this tendency for some interest groups to seek (and arguably to achieve) disproportionate influence on the board.

With ICANN making global public policy, its lack of legitimacy was striking. Although the elections of 2000 brought some user representation to ICANN, they fell short of implementing the degree of representation called for in ICANN's original bylaws (Klein, 2001b, 2001c).

Future Policy

Institutions are not static entities; they grow over time and often expand their areas of activity. Such seems likely for ICANN. As an Internet governance entity, what policies

were not convincingly upheld. I mention three here. ICANN's first board of directors was a nine-person interim board. In a move that generated considerable public outcry (and hearings in the U.S. Congress), the first set of interim directors was appointed with no public participation or consultation. Instead, the selection process was conducted behind closed doors in a process later described even by Jon Postel as "undemocratic and closed" (Daley, 1998). However, it was this board that promulgated the Uniform Dispute Resolution Policy.

The ICANN board was also implemented unevenly. The directors for the nine expert representatives were seated within approximately 1 year of ICANN's creation, and those directors quickly moved to weaken these seats reserved

might ICANN promulgate in the future? Here I briefly speculate.

Perhaps the most likely area of policy expansion is in intellectual property protection. Such expansion of rights has been actively championed since the beginning of the ICANN process and would be consistent with the initial direction of ICANN's activities (Froomkin, 1999). The UDRP could be expanded to give special registration rights to owners of celebrity names, famous marks, geographical names, and so on. ICANN could become a global regulator in the service of property and e-commerce.

Control over the name space could also be leveraged to promote social justice. ICANN and ccTLD monopolies could raise funds for a universal service fund to

overcome the global digital divide, allowing poorer countries to pay less for Internet access than wealthy countries. In private conversations with this author, some ICANN directors from developing countries have supported such policies.

ICANN's capabilities could also be used for content regulation. Sites violating content regulations could be censored by having their domain names revoked or redirected. Domain name denial was used in this way in the case of **voteauction.com**, which operated a site containing illegal content (an online mechanism for the buying and selling of votes). The registrar for the domain canceled the registration to suppress its content (Perritt, 2001). In

time. For this reason, ICANN's future should concern all Internet users.

I close with some observations about the relationship of technology to society. In ICANN we see three ways in which technology shapes society.

First, objective features of the technology shaped the administrative and regulatory system. In particular, the technical characteristics of a distributed database set important policy parameters. The need for a single name space with a unique root created a central control point. Likewise, the need for unique identifiers (so that a name identifier just one host computer) created problems of control and monopoly. With just one .com zone, within which

theory, ICANN could enforce regulations broadly using similar mechanisms.

ICANN could become a vehicle for taxation, perhaps serving as a means whereby governments collect e-commerce taxes or whereby ICANN funds its own initiatives. With domain names available from one sole source, users would have to either pay the fee or suffer denial of access. Indeed, both U.S. legislators and disgruntled ccTLDs have accused ICANN of levying taxes (McCullagh, 1999; Ward, 2000).

Finally, ICANN could become a vehicle for U.S. national policy. In times of war or terrorism, countries opposing the United States could see their domains removed from the Internet. Individual registrations could be canceled or redirected to reduce the effectiveness of hostile entities. The relationship between ICANN policy and U.S. national policy had already come up when the U.S. Department of Commerce had approved the addition of the .ps domain—for Palestine—to the root zone. Although the United States did not pursue its narrow national interest, the case attracted attention because of the potential for conflict (Cisneros, 2001).

With governance mechanisms in place, the possibility of mission creep—the steady expansion of ICANN’s regulatory scope—seems possible. The combination of effective mechanisms for governance and weak mechanisms for legitimacy could allow some parties to make global public policies that favor their interests.

CONCLUSIONS

The simple recognition that ICANN engages in Internet governance is significant. It contradicts established beliefs and it raises concerns about what kind of governance is

there could be registered just one .coca-cola, a system of monopoly registries was created and the basis for trademark rights was laid.

It may be that these technology design features were not absolutely necessary (although convincing alternatives were not advanced even by ICANN’s critics). At minimum, however, history rendered those technical features sufficiently embedded that they became equivalent to “necessary.” Any attempt to change ICANN’s status as regulator may have to begin by redesigning the underlying technology (particularly the requirement for a unique root under the control of a unique administrator).

A second way that technology shaped society was the role of engineers in making policy. The selection of country codes as domain names was a historical decision with profound policy consequences. This decision was made so early in the Internet development process that the only participants were research engineers. These engineers decided that Internet domains should be associated with geopolitical entities. Had they selected different alphanumeric identifiers—one could imagine colors, sequential numbers, the table of elements—then there would have been no basis for the one-per-country distribution of registries nor the subsequent assertion of national authority over registries. The engineers decided to organize the Internet like national PTTs. Engineers could make such decisions because they controlled the process early in its developmental history.

A third way that technology influences society is that it provides legitimacy for secretive decision-making. When policy decisions are categorized as “technical,” then it becomes legitimate for them to be made behind closed doors by elite groups. Policy disappears from the pub-

being established. It forces us to ask what should be done.

ICANN contradicts the popular myth of a benevolent Internet anarchy. As it turns out, the Internet *can* be controlled. The DNS provides a basis for top-down control, and ICANN leverages that to make policy. The implications of this are far-reaching and will only be seen over

time (Lessig, 1999). The groups that gained control of ICANN invoked this veil of technological legitimacy to discount their critics. Despite having no technical training, ICANN's lawyers justified their actions by claiming that they were making neutral choices on the basis of technical expertise (McLaughlin, 2000).

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ICANN leverages control of Internet addressing to realize global public policy. In ICANN technology has shaped society, technologists have made profound policy decisions, and interested social groups have exploited technological legitimacy. Most importantly, the regulatory framework for the global information infrastructure of the next century has been created.

NOTES

1. This is a slight oversimplification. In fact, Internet communication is possible by using IP numbers directly, which avoids the need for interaction with the DNS. However, very few communications use IP numbers directly. A note to the reader: In this author's experience, for nearly every statement made about the DNS an exception can be found. The reader should bear this in mind when reading this section, which may contain some oversimplifications in the pursuit of clarity.

2. This sentence overstates the case a bit. Some computers may be listed more than once. Other may be listed not at all and may be reached by using their IP address directly. In the majority of cases, however, a computer on the Internet has one entry in the DNS name

Cisneros, Oscar. 2001. Dot-PS: Domain without a country.

Wired News, January 12. <http://www.wired.com/news/politics/0,1283,41135,00.html>

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space. Furthermore, as discussed later, most computers in the DNS are not user computers but gateways to private networks within which individual user accounts exist.

3. This part of the Registrar Accreditation Agreement is important but not particularly succinct. The full text of Section D.1.b.i is: "D. General Obligations of Registrar. 1. During the Term of this Agreement: b. Registrar shall comply, in such operations, with all ICANN-adopted Policies insofar as they: i. relate to one or more of the following: (A) issues for which uniform or coordinated resolution is reasonably necessary to facilitate interoperability, technical reliability and/or stable operation of the Internet or domain-name system, (B) registrar policies reasonably necessary to implement Consensus Policies relating to the Registry, or (C) resolution of disputes regarding the registration of domain names (as opposed to the use of such domain names)."

4. One question that I do not address here is whether the UDRP is "good" or "bad" public policy. The substance of the regulation is not the issue. UDRP has been praised by some (Cohen, 2000) and condemned by others (Flynn, 2000; Mueller, 2001). What is important here is that fact that ICANN regulates at all.

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tech-level**Promoviendo el Contenido**

por Juan Manuel Triana



De alguna manera, cada sitio web es una publicación, de allí que cada uno de estos sitios busque un flujo continuo de personas que lo visiten y lean una porción de su contenido. Es importante, por tanto, entender cómo las personas se comportan respecto a las publicaciones.

· Publicidad a través de Reportes vía E-mail

· Firmas de Correo Electrónico

· Ventanas Menores

· Registro en Máquinas de Búsqueda

· Promoción Offline

Utilizar un sistema de banners puede convertirse en una excelente herramienta para la promoción de historias, secciones y/o eventos importantes al interior de un sitio. Por ejemplo, supongamos que usted tiene una Intranet y busca promover un evento de capacitación.

Un aviso en un banner puede informar y ayudar como recordatorio de estos cursos.

La gente busca principalmente dos elementos en una publicación:

1. Encontrar el contenido de una manera rápida y sencilla. En un periódico bien puede ser la guía de televisión, el horóscopo o los resultados deportivos.

2. Encontrarse con una opinión; una mirada acerca de lo que deberían estar leyendo hoy en día.

Si usted visitó la página web de Noticias Intercom (www.noticias.com) el 18 de octubre, el titular más destacado correspondía a

Un sitio web con cierta tradición y con un número importante de afiliados debe pensar en la posibilidad de crear un reporte por correo electrónico. Siempre hay que recordar que es un medio de promoción de aquello que consideramos importante en nuestro sitio.

Una firma (un logo, un símbolo, un enlace) al final de un correo electrónico es un elemento que se puede explotar y convertir en otra oportunidad de difusión del contenido de la página web.

Cuando una compañía alcanza un número importante de personas trabajando en ella y se envía un número representativo de correos, significa que

"Voteauction.com permite a los estadounidenses subastar su voto". Esto significa que para el staff editorial de dicha página, aquella era la historia del día. Promover el contenido clave es una función central de una homepage. Hay tanto volumen allá fuera y un tiempo tan escaso para leerlo, que el lector que llega a su website espera que usted le presente una guía editorial acerca de lo que deben leer. Existen otras formas de promover el contenido al interior de su website. Estas incluyen:

· Publicidad Interna en Banners

se puede convertir una tarea simple y cotidiana en un vehículo de propaganda. Una sencilla recomendación: una firma de correo electrónica resulta eficaz cuando no sobrepasa las cinco líneas.

En circunstancias excepcionales podemos querer informar a un grupo importante de personas, de la manera más rápida posible acerca de algún acontecimiento especial o extraordinario generalmente acudimos al fax, el teléfono o el correo electrónico.

Sin embargo, un script en su sitio web que haga surgir una pequeña ventana cada vez que se abra una nueva página sin duda ayudará a que aquella información esencial se difunda más rápidamente.

Con respecto al registro en las máquinas de búsqueda, no se limita al simple registro de una URL. Fundamentalmente tiene que ver con la definición aplicada del contenido que se ofrece (las palabras claves) y del proceso de actualización permanente de cómo aparece el sitio en una máquina de búsqueda. Si cambiamos el área de contenido o focalizamos nuestra actividad en otros campos, es importante cambiar la forma en que somos relacionados en estos utilitarios de la red de manera simultánea.

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/ Edition No. 2/

tech-level

Promoting the Content

by Juan Manuel Triana



Somehow, each Web site is a publication, from which each one of these sites looks for a continuous flow of people who visit it and read a portion of their content. It is important, therefore, to understand how the people behave with respect to publications.

- Publicity through Reports via email
- Companies of Electronic mail
- Smaller Windows
- Registry in Machines search
- Offline Promotion

To use a system of banners can become an excellent tool for the promotion of histories, important sections and/or events to the interior of a site. For example, we suppose that you have an Intranet and looks for to promote a qualification event.

A warning in banner can inform and help like reminder of these courses.

↳ to people mainly looks for two elements in a publication:

1. To find the content of a fast and simple way. In a periodic one or it can be the television guide, horóscopo or the sport results.
2. To be with an opinion; a glance about which they would have to be reading nowadays.

If you visited the page Web of the Intercom News (www.noticias.com) the 18 of October, the most outstanding holder corresponded a

↳ A Web site with certain tradition and an important number of affiliated must think about the possibility of creating a report by electronic mail. It is always necessary to remember that it is promotion means of what we considered important in our site.

A company/signature (a logo, a symbol, a connection) at the end of an electronic mail is an element that can be operated and be turned another opportunity of diffusion of the content of the page Web.

When a company reaches an important number of people working in her and a representative number of post office is sent, it means that

" Voteauction.com allows the Americans to auction its vote ". This means that for the publishing staff of this page, that was the history of día. Promover the key content is a central function of a homepage. There is as much volume there outside and a so little time to read it, that the reader who arrives at his website hopes that you present/display a publishing guide to him about which they must read. Other forms exist to promote the content to the interior of his website. These include:

- Internal publicity in Banners

↳ a simple and daily task can be turned a propaganda vehicle. A simple recommendation: a company/signature of electronic mail is effective when it does not exceed the five lines.

In exceptional circumstances we can want to inform to an important group of people, of the possible fastest way about some special event or extraordinary g eneralmente we went to the fax, the telephone or the electronic mail.

Nevertheless, script in its Web site that makes arise a small window whenever it is opened a new page without a doubt will help to that that essential information spreads more quickly.

With respect to the registry in the machines search, it is not limited the simple registry of a URL Fundamentally has to do with the applied definition of the content that is offered (the key words) and of the process of permanent update of how it appears the site in a machine search. If we changed the content area or we focused our activity in other fields, is important to change the form in that we are related in these utilitarian ones of the network of simultaneous way.

Finally, when I talk about to promotion offline, I do not speak to buy newspaper publicity, in fences, television or radio. One is an exemplified affluent strategy in Intranets: many of these internal networks have an ample amount of information completely unknown by the personnel of the company, with the diffusion in printed warnings or memorandos located in corridors, casinos, etc., present can be done this content for them.

In the measurement in which the sobresupply of information becomes, in which of parallel form, the time is reduced to have this information, and the attention of the reading potentials concrete is reduced, the necessity to find promotion ways effective becomes a critical element. It is not sufficient with generating a quality content, is necessary to remove it outside and to make know it.

Its opinion is important...

It wishes to comment out some on this article?

Regístrese with Us

It wishes to recommend this article to a friend, partner, employee, etc.?

Email to that directs it

It has some restlessness?

Its email



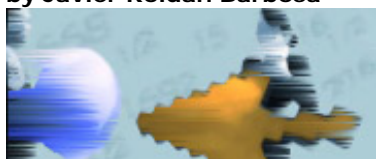
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nEw-tech
Palm, History of a Success. Part 2
by Juan Manuel Triana



Palm
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and-plan
Beyond its page Web.
by Javier Roldán Barbosa



pixOpotamia
Exponet 2000
by Luis Fernando Munoz R.



Or na of the technological revolutions of the last years has been the unstoppable ascent of the Personal Digital Assistants. This is the continuation of the history of

H to acer presence in the network is not simply question to have a page Web. A process of change of the administrative processes to the interior of the company and of

And stuvimos visiting the most important sample of Computer science Technology, Internet and software that are made in Colombia. We invited it to know some

Jeff Hawkins, father of the Palm Pilot.

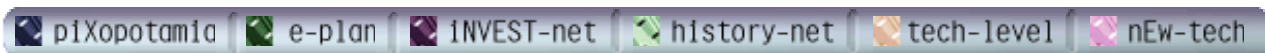
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organizational culture is everything.

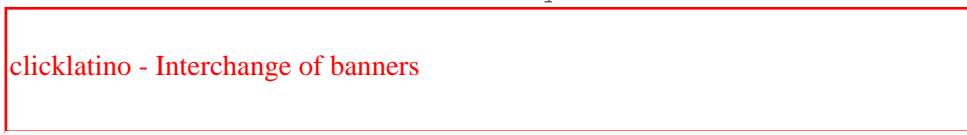
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Promoviendo el Contenido

por Juan Manuel Triana



De alguna manera, cada sitio web es una publicación, de allí que cada uno de estos sitios busque un flujo continuo de personas que lo visiten y lean una porción de su contenido. Es importante, por tanto, entender cómo las personas se comportan respecto a las publicaciones.

La gente busca principalmente dos elementos en una publicación:

1. Encontrar el contenido de una manera rápida y sencilla. En un periódico bien puede ser la guía de televisión, el horóscopo o los resultados deportivos.

2. Encontrarse con una opinión; una mirada acerca de lo que deberían estar leyendo hoy en día.

Si usted visitó la página web de Noticias Intercom (www.noticias.com) el 18 de octubre, el titular más destacado correspondía a

"**Voteauction**.com permite a los estadounidenses subastar su voto". Esto significa que para el staff editorial de dicha página, aquella era la historia del día. Promover el contenido clave es una función central de una homepage. Hay tanto volumen allá fuera y un tiempo tan escaso para leerlo, que el lector que llega a su website espera que usted le presente una guía editorial acerca de lo que deben leer. Existen otras formas de promover el contenido al interior de su website. Estas incluyen:

· Publicidad Interna en Banners

· Publicidad a través de Reportes vía E-mail

· Firmas de Correo Electrónico

· Ventanas Menores

· Registro en Máquinas de Búsqueda

· Promoción Offline

Utilizar un sistema de banners puede convertirse en una

Un sitio web con cierta tradición y con un número importante de afiliados debe pensar en la posibilidad de crear un reporte por correo electrónico. Siempre hay que recordar que es un medio de promoción de aquello que consideramos importante en nuestro sitio.

Una firma (un logo, un símbolo, un enlace) al final de un correo electrónico es un elemento que se puede

se puede convertir una tarea simple y cotidiana en un vehículo de propaganda. Una sencilla recomendación: una firma de correo electrónica resulta eficaz cuando no sobrepasa las cinco líneas.

En circunstancias excepcionales podemos querer informar a un grupo importante de personas, de la manera más rápida posible acerca de algún acontecimiento especial o

excelente herramienta para la promoción de historias, secciones y/o eventos importantes al interior de un sitio. Por ejemplo, supongamos que usted tiene una Intranet y busca promover un evento de capacitación.

Un aviso en un banner puede informar y ayudar como recordatorio de estos cursos.

explotar y convertir en otra oportunidad de difusión del contenido de la página web.

Cuando una compañía alcanza un número importante de personas trabajando en ella y se envía un número representativo de correos, significa que

extraordinario generalmente acudimos al fax, el teléfono o el correo electrónico.

Sin embargo, un script en su sitio web que haga surgir una pequeña ventana cada vez que se abra una nueva página sin duda ayudará a que aquella información esencial se difunda más rápidamente.

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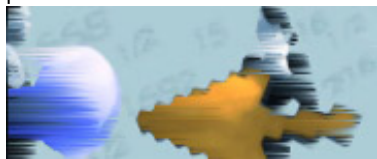
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Más allá de su página web.

por Javier Roldán Barbosa



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[Life:](#)

[Is it Jenna Bush's problem or ours?](#) By Fiona Morgan

Adolescent psychiatrist Lynn Ponton analyzes the first daughter's "age-appropriate" behavior. (05/31/2001)

[News:](#)

[Journalists or terrorists?](#) By Frederick Clarkson
The antiabortion Nuremberg Files, notorious for what critics call its "hit list" of abortion providers, now plans to broadcast abortion providers and patients over the Web and wrap its actions in the First Amendment. (05/31/2001)

[People:](#)

[UFOs in the land of the rising sun](#) By Steve Burgess
In Japan's version of Roswell, N.M., you don't stay out after dark, and even the soup contains flying saucers. (05/31/2001)

[Brooke Shields, scam artist](#) By Amy Reiter
Using mannequins, Agassi's ex faked her wedding to throw off her stalker; J.Lo saves her choking boyfriend; Jolie explains her sexiness. Plus: Heche wanders among wedding gowns! (05/31/2001)

[Politics:](#)

[Bushed!](#) By Salon staff
What justice does Jenna Bush face under her dad's tough-minded Texas laws? (05/31/2001)

[The first family's alcohol troubles](#) By Joan Walsh
President Bush downplayed his own drinking problem and hid a DUI. Now his daughters are making news for underage drinking. Is there a connection? (05/31/2001)

["You're not the Internet"](#) By Anthony York
White House spokesman Ari Fleischer calls on the White House press corps to behave. Are the Bush girls fair game? Plus: The California governor moves his war with the president to the Op-Ed page of the New York Times. (05/31/2001)

[The Jeffords affair](#) By Arianna Huffington
Had President Bush and Karl Rove heeded the final lesson of the Atwater School of Hardball Politics, Jeffords might still be a Republican. (05/31/2001)

[Salon Audio:](#)

[The week in dirt](#) Read by Amy Reiter
A new version of the Bible featuring Claudia Schiffer as Eve. Plus: Prince swears off dirty words, Angelina Jolie's beaver dreams, celebs playing stalker swap with Matthew Hooker and more. (05/31/2001)

[Sex:](#)

[Body Schatz](#) By Douglas Cruickshank

A collection of nudes by a photographer interested in "letting the gods in" emphasizes sensuality without being graphic. (05/31/2001)

Technology:

The revolt of the wage slave By Katharine Mieszkowski

It's better to take out your own trash than to spend a life working for the Man, says former Al Gore speechwriter Daniel Pink. (05/31/2001)

Wednesday, May 30, 2001

Arts & Entertainment:

Tough company By Eric Boehlert

Clear Channel is as big as NBC or Gannett. Chances are it owns a half-dozen radio stations in your town. And it's fighting employee suits alleging everything from broken contracts to sexual harassment. (05/30/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Wednesday, May 30, 2001 (05/30/2001)

Books:

Today in fiction

(05/30/2001)

Little devils By Maria Russo

Novelist Pat Barker talks about the nature of evil, children who kill and the similarities between writers and psychiatrists. (05/30/2001)

Bestsellers

This week's bestselling books, courtesy of Powells.com. (05/30/2001)

Bad behavior By Garrison Keillor

My roommate spits on the floor and farts regularly, no matter who's present. Is there any delicate way to address this sensitive topic? (05/30/2001)

Comics:

The K Chronicles By Keith Knight

A first look at the Dick 'n' Bush energy policy. (05/30/2001)

Life:

We think, therefore we diagnose By Carina Chocano

America is in the grips of sudden syndrome
proliferation syndrome. (05/30/2001)

News:

[Black and tan fantasy](#) By Richard Rodriguez
The Census says Hispanics are poised to outnumber
blacks as America's largest "minority" -- but can
Hispanics really be compared to African-
Americans? (05/30/2001)

[Why Tiger Woods is boring](#) By Allen Barra
He's the best in the game, but it takes more than one
great golfer to carry the sport. (05/30/2001)

People:

[Blue horse, dirty victim](#) By King Kaufman
Harland Braun is Robert Blake's "very, very bright"
attorney. Even Johnnie Cochran thinks he's gone too
far. (05/30/2001)

[Courtney Love drops her top](#) By Amy Reiter
The Hole one shows skin, buys time; the Bible,
featuring Claudia Schiffer! Prince: The artist no
longer known as pottymouth. Plus: David
Duchovny: "shaving my legs, surrounded by the
strangeness." (05/30/2001)

Politics:

[Bushed!](#) By Salon staff
Change the tone? Only when the press is bad.
(05/30/2001)

[Florida Dems: It's payback time](#) By Jake Tapper
The party is planning an out-of-state fundraising
campaign that targets Jeb Bush and his role in the
recount. (05/30/2001)

[The Free Republic and the Bush twins](#) By Anthony
York
Will Jenna become the poster girl for lowering the
legal drinking age? Plus: The GOP begins a new
fundraising pitch. And: More on the Fox flame wars.
(05/30/2001)

Salon Audio:

["War Letters"](#)
Andrew Carroll, co-founder of the Legacy Project,
presents correspondence from American soldiers
that encompasses every major conflict from the
Civil War to Desert Storm. (05/30/2001)

Sex:

[Mustang Ranch](#) By Alexa Albert

A writer gets to be a voyeur during a dominance party at the world-famous brothel. (05/30/2001)

[Technology:](#)

[The price of Internet freedom](#) By Katharine

Mieszkowski

Chinese dissidents thought of Yang Zili as a Web handyman. The government saw him as a threat. (05/30/2001)

[To be young, Chinese and Weiku](#) By Lisa Movius

China's dot-com boom went bust, but it gave birth to a way-cool generation of Web users who are creating their own cultural revolution. (05/30/2001)

Tuesday, May 29, 2001

[Arts & Entertainment:](#)

[Real Life Rock Top 10](#) By Greil Marcus

Lucinda Williams, John Henry and Vermeer: Ten observations on pop and its discontents, from the noted author and critic. (05/29/2001)

[Buffy's leap of faith](#) By Joyce Millman

A shocking season finale leaves the Slayer's fans facing the void. Plus: "West Wing," "X-Files" wrap-ups (05/29/2001)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Tuesday, May 29, 2001 (05/29/2001)

[Books:](#)

["Bad Bet on the Bayou" by Tyler Bridges](#) By

Charles Taylor

When gambling went legal in Louisiana, a new book shows, the state's incorrigible rogue of a governor was first in line at the public-money hogfest. (05/29/2001)

[Salon recommends](#)

A close-up look at the meticulous restoration of Leonardo's "Last Supper," a comic view of the new ruling class and their outsize accouterments and more. (05/29/2001)

[Comics:](#)

[This Modern World](#) By Tom Tomorrow

Profligate energy consumption? It's your right!

(05/29/2001)

[Story Minute](#) By Carol Lay
Serial romancer (05/29/2001)

Life:

[We believe children aren't the future](#) By Lori Steele
Infertility makes us snide and courageous and sad.
(05/29/2001)

People:

[Phil Jackson](#) By José Klein
The Zen-iest coach in basketball has a cruel streak.
He's weird and it works. (05/29/2001)

[Insert beaver joke here](#) By Amy Reiter
Angelina and Billy Bob want their own furry tree nibblers; the daughters of Muhammad Ali and Joe Frazier prepare for some punching of their own; and, oops, Britney's got her mom worried!
(05/29/2001)

Politics:

[Bushed!](#) By Salon staff
Poll: Public blames energy providers. (05/29/2001)

[Fox's flame wars](#) By Anthony York
Roger Ailes mixes it up with the MediaWhores; Plus: Michigan boots a state senator: He says it's because he's a maverick; his opponents say it's because of the porn on his computer. The online community weighs in. (05/29/2001)

Salon Audio:

["How the Dead Live"](#) Read by Will Self
Will Self reads from his third novel, which tracks Lily Bloom, a cantankerous American divorcée with breast cancer, from this world to the afterlife.
(05/29/2001)

Sex:

[Coy boy toy](#) By Chris Colin
Famous virgin Britney Spears now admits she's tempted. Something's changing in the way she teases us. (05/29/2001)

Technology:

[Mystic simulacrum](#) By Laura Miller
Exile, the sequel to Myst and Riven, is beautiful eye

candy, but not quite art. (05/29/2001)

Monday, May 28, 2001

Books:

Today in fiction

(05/28/2001)

News:

Tough love for Africa By Ben Barber

Colin Powell gets a hero's welcome and tells Africa's entrenched rulers to step aside.

(05/28/2001)

Politics:

California reaming By Anthony York

While Dick Cheney continues to blame the state's energy crisis on its Democratic governor, President Bush makes a rare visit. Can the oil patch kids ever solve their California problem? (05/28/2001)

Saturday, May 26, 2001

Books:

Today in fiction

(05/26/2001)

News:

Baseball boyfriend? By Steve Kettmann

When Out magazine's editor claimed his lover plays in the majors, he set off a media frenzy. But it's only a matter of time before gays get their Jackie Robinson. (05/26/2001)

The triumph of "multicultural" thugs

By David Horowitz (05/26/2001)

Politics:

"The Jim Whisperer" By Jake Tapper

Harry Reid, the man most responsible for guiding Sen. Jim Jeffords to a new political identity, has a long history with party-switching. (05/26/2001)

Friday, May 25, 2001

Arts & Entertainment:

["Pearl Harbor": Bombs away!](#) By Stephanie

Zacharek

Today, May 25, 2001 -- a date which will live in infamy -- the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Hollywood. Always will we remember the character of the onslaught against us. (05/25/2001)

["Our Song"](#) By Charles Taylor

A girl's life: Three young actresses star in a winning, kind movie about the sort of teens who don't make it into most mainstream movies. (05/25/2001)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Memorial Day weekend, May 25-28, 2001 (05/25/2001)

Books:

[Today in fiction](#)

(05/25/2001)

["Comic Book Nation" by Bradford W. Wright](#) By

Damien Cave

Before movies and rock 'n' roll, comics invented youth culture. But can they survive? (05/25/2001)

Life:

["Click on and jack off!"](#) By Margot Nightingale

My son discovers porn and I resort to subterfuge. (05/25/2001)

[Manhattan in wartime](#) By Jennifer Foote Sweeney

Donna and Rudy battle over Judi and we read all about it. (05/25/2001)

News:

[Major league aggravation](#) By King Kaufman

I was happy to pay \$9.95 to listen to baseball on the Web. But what I got for my money was a lesson in how little regard the game has for its fans. (05/25/2001)

People:

[It's a brave world after all, it's a brave new world!](#)

By Merle Kessler

They're not just faces on tortillas or reflections on walls. Everywhere, real idols are appearing -- J.Lo! Barbra! Brad & Jennifer! Angelina! Russell! Mariah! (05/25/2001)

[Show me the monkey!](#) By Chris Colin

India's menacing monkey-man has New Delhi in hysterics and the rest of the world in stitches. What's more, the birth of the terrifying beast was inevitable. (05/25/2001)

[His royal Bobness and the truth about polygamy](#)

Readers respond to Bill Wyman's profile of Bob Dylan, and Chris Colin's polygamy satire. (05/25/2001)

[Second-hand stalking](#) By Amy Reiter

Was Kidman's stalker on the rebound from tailing Schiffer? Plus: Spears and Aguilera offered \$2 million to strip, and "Sopranos" rumors dumped in the river! (05/25/2001)

[Politics:](#)

[The White House vandal scandal that wasn't](#)

By Kerry Lauerman and Alicia Montgomery (05/25/2001)

[Olson by a whisker](#) By Alicia Montgomery and Daryl Lindsey

In a surprising reversal of fortune, before relinquishing control of the Senate, Republicans force a vote on the controversial solicitor general -- and win. (05/25/2001)

[Bushed!](#) By Salon staff

Dems take the reins as Bush ducks the blame on Jeffords and the Senate flip. (05/26/2001)

[Salon Audio:](#)

[The recording industry eats its young](#)

Janelle Brown describes Vivendi Universal's surprising purchase of MP3.com and what it means for the future of online music. (05/25/2001)

[Sex:](#)

[The call of the window](#) By David Thomson

Susannah McCorkle had a sinister, sweet voice and apparently a broken heart on that fateful day. (05/25/2001)

[Technology:](#)

[Geek house](#) By Damien Cave

Hardware hackers are using a fast-spreading technology called X-10 to give their homes a cheap and speedy intelligence upgrade. (05/25/2001)

Thursday, May 24, 2001

Arts & Entertainment:

Bob school By Joey Sweeney

On the singer's 60th birthday, a musician remembers the lessons his dad taught him about Bob Dylan, rebellion and following your heart. (05/24/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Thursday, May 24, 2001 (05/24/2001)

Come back, little Yaney

The finale: Wolf and Whitlow, put through the rigors, face the recruits on Dismissal Hill. (05/24/2001)

Books:

Today in fiction

(05/24/2001)

Uncle Sam, manhunter By Laura Miller

Two new books detail America's deadly pursuit of Manuel Noriega and Pablo Escobar. (05/24/2001)

Comics:

Tom the Dancing Bug By Ruben Bolling

Fun facts about celebrities! (05/24/2001)

Life:

"Shrek" is not Shrek! By Margot Mifflin

William Steig's subversive misanthropy is jettisoned for winking innuendo in the movie version of his children's book. (05/24/2001)

News:

Death of a drug lord By Douglas Cruickshank

In "Killing Pablo," Mark Bowden details the 16-month game of cat and mouse that finally took down Medellín cartel founder Pablo Escobar -- with the help of the U.S. government. (05/24/2001)

People:

Waxing political By Michael J. Jordan

Madame Tussaud's Wax Museum is host to a feisty little uproar. Yasser Arafat, some say, deserves a good melting. (05/24/2001)

How to make an American blabbermouth By Amy Reiter

Does Brad know? Winona says Jennifer's a "very good kisser"; porn star on Bruce Willis: "We had sex all night long." Plus: Monica wants her dress back! (05/24/2001)

Politics:

Bushed! By Salon staff

Bush and the GOP brace for Senate flip as Dems relent on taxes. (05/24/2001)

Bush's brand-new Day

By Joan Walsh (05/24/2001)

Will Trent Lott pay for losing the Senate? By Bruce Shapiro

Angry GOP moderates say the White House and party right-wingers drove Jim Jeffords out of his own party. (05/24/2001)

Why'd he do it? By Jake Tapper

Sen. Jim Jeffords has had problems with his party for a long time, but President Bush appears to have pushed him over the edge. (05/25/2001)

The joy of no sex By Arianna Huffington

From the too much information department: Rudy Giuliani's lawyer uses the prostate cancer defense to imply that the mayor isn't having sexual relations with that woman, Judi Nathan. (05/24/2001)

Declaration of independence By Anthony York

McCain says there's a lesson to be learned in Jeffords' departure. Freepers tell McCain to drop dead. (05/24/2001)

Former American Spectator publisher: Olson is deceiving the Senate By Ralph J. Lemley

Ronald Burr confirmed to a friend and advisor that Olson was centrally involved in the Arkansas Project -- and led the charge to fire him after Burr demanded an audit. (05/24/2001)

Salon Audio:

The week in dirt Read by Amy Reiter

Bob Dylan's jockstrap on the auction block, Sinéad gets holey and Rebecca Romijn-Stamos does it with booze. Plus: Belinda Carlisle, Daryl Hannah and Tony Soprano. (05/24/2001)

Sex:

Butlers in love By Karen Croft

Mark Stock's most famous series of paintings depicts tuxedoed men in various obsessive poses.

(05/24/2001)

Technology:

Boobs and rubes

By Wagner James Au (05/24/2001)

Prime-time hypocrisy By Eric Boehlert

Barbara Walters helped ruin television news. So how did she get to be a martyr for journalistic credibility? (05/24/2001)

Wednesday, May 23, 2001

Arts & Entertainment:

Skanks for the memories! By Carina Chocano

Episode 6: The Ivy League meets a few shapely potted plants on the thrilling finale of "Chains of Love." (05/23/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Wednesday, May 23, 2001 (05/23/2001)

Don't call it a comeback By Andy Dehnart

How TV networks turned around their lily-white lineups -- and why that still isn't enough. (05/23/2001)

Books:

Today in fiction

(05/23/2001)

Evil takes the stand By Charles Taylor

When Holocaust denier David Irving demanded a libel trial in England, the nature of history itself was at stake. (05/23/2001)

Comics:

The K Chronicles By Keith Knight

Never trust a Canadian with a bungee cord. (05/23/2001)

Life:

Old and in the family way By Johanna Wald

Are aging parents doing the math when they add to their families late in the game? (05/23/2001)

News:

[Vince Carter gets an F](#) By Allen Barra

The NBA, which cares about higher education only as a source of player development, hypocritically praises the Toronto Raptors star's graduation side trip. (05/23/2001)

[People:](#)

[The energy mess and fascist gays](#) By Camille Paglia

The liberal elite is demonizing the "big oil" that keeps its cars running. Plus: Gays, get a clue -- heterosexuality is nature's norm. (05/23/2001)

[Not so doggone nice](#) By Amy Reiter

Daryl Hannah makes newspaper pay for its woofy allegations; White House pizza boy spills the beans on Bush and Clinton. Plus: Bono bears a thug, and Sinéad gets holey. (05/23/2001)

[Politics:](#)

[Greens red with rage](#) By Jake Tapper

The man known as the Mike Tyson of the coal and oil industries is on his way to an Interior post with little opposition from the Democrats. (05/23/2001)

[Bushed!](#) By Salon staff

Republicans set to lose the Senate if Jeffords jumps, and a green group sues Bush over arsenic rules. (05/23/2001)

[The White House vandal scandal that wasn't](#) By

Kerry Lauerman and Alicia Montgomery
How the incoming Bush team nudge-nudged a credulous press corps into swallowing a trashy Clinton story. (05/23/2001)

[Jeffords in the spotlight](#) By Anthony York

Democrats have a new hero while Republicans have a new object of hatred. (05/23/2001)

[Salon Audio:](#)

[The untalented Mr. Childish](#)

Billy Childish takes on the art establishment in a rambling spoken-word performance aptly titled "Crimes of the Future." (05/23/2001)

[Sex:](#)

[Solo pleasure](#) By Michael Castleman

A former sex columnist answers the most common masturbation questions and wonders why it's still taboo to talk about what we all do. (05/23/2001)

[Mentor in masturbation](#) By Morgan King

My daughter discovered the art of self-pleasure when she was 2. I was a late bloomer. (05/23/2001)

Technology:

Miles of aisles By Scott Rosenberg
Amazon, whipping boy of the e-commerce downturn, can still teach us all a thing or two about online shopkeeping. (05/23/2001)

On the run from L. Ron Hubbard By Damien Cave
Keith Henson, Scientology gadfly turned fugitive from justice, explains his reasons for fleeing the United States. (05/23/2001)

"Boobs and rubes" and "What has Barry McCaffrey been smoking?"
Readers respond to stories by Wagner James Au and Katharine Mieszkowski. (05/23/2001)

Tuesday, May 22, 2001

Arts & Entertainment:

Blue Glow By Joyce Millman
Salon's TV picks for Tuesday, May 22, 2001
(05/22/2001)

Books:

Today in fiction
(05/22/2001)

What's a guy to do? By Garrison Keillor
Snooping on my girlfriend's computer, I found a message in which she described herself as a "fun-loving lesbian." That's news to me! (05/22/2001)

Bestsellers
This week's bestsellers, courtesy of Powells.com.
(05/22/2001)

Comics:

Story Minute By Carol Lay
When scientists run amok. (05/22/2001)

Life:

Scary cherubs and bloody wall flowers By Stephen Lemons
Artist Becca Midwood, painter of haunting outdoor portraits, is getting a reputation as the "female Basquiat." (05/22/2001)

News:

[The triumph of "multicultural" thugs](#)

By David Horowitz (05/22/2001)

[Is Powell's peace plan a pipe dream?](#) By Ben Barber

With calls for the abandonment of settlement construction and a "total end of violence" at its core, the U.S. road map to Mideast peace may be doomed from Day 1. (05/22/2001)

[The Arkansas Project wasn't journalism](#) By Joe

Conason

Ted Olson's defenders say the Clinton-bashing effort was protected by the First Amendment -- and besides, Olson didn't know much about it anyway. They're wrong on both counts. (05/22/2001)

People:

[Bob Dylan](#) By Bill Wyman

At age 60, with a career that spans four decades, he remains one of rock's most eloquent, sexy and unpredictable singers. (05/22/2001)

[Leave the cheese alone](#) By Amy Reiter

Alone and sad, Nicole Kidman reconsiders what's important; Courtney Love has a miscarriage; and Ben Affleck beats his fear of flying -- by flying. (05/22/2001)

Politics:

[Bush's brand-new Day](#) By Joan Walsh

Trying to burnish his "compassionate" image, the president is now quoting Dorothy Day. Who's next -- Mother Jones? (05/22/2001)

[Bushed!](#) By Salon staff

Bush is booed at Yale while Dems stall his tax cut in the Senate. (05/22/2001)

[Jeffords set to switch parties](#) By Anthony York

The Vermont Republican calls a press conference for Wednesday, and could change the balance of power in the U.S. Senate. (05/22/2001)

Salon Audio:

[Don't touch the Channel Master](#) Read by Tony

Earley

In his memoir "Somehow Form a Family," Tony Earley recounts the arrival of color television in his family home and with it the invasion of "The Brady Bunch." (05/22/2001)

Sex:

Let's stay together! By Chris Colin

A panicky couple gets stuck during sex and is rushed to the hospital for disengagement. (05/22/2001)

Technology:

Boobs and rubes By Wagner James Au

The soft-porn fixation embarrassingly displayed at computer gaming's biggest convention, E3, is dooming the \$6 billion industry to the nerd-geek ghetto. (05/22/2001)

Monday, May 21, 2001

Arts & Entertainment:

Blue Glow By Joyce Millman

Salon's TV picks for Monday, May 21, 2001 (05/21/2001)

The dying game By Joyce Millman

A bloody "Sopranos" season ends with an emotionally bruising finale. (05/21/2001)

Books:

"In Cuba I Was a German Shepherd" by Ana

Menéndez By Ruth Henrich

A mesmerizing portrait of Miami's Cuban exiles, haunted by memories of endless blue skies, elegant homes and round-hipped women. (05/21/2001)

"Passage" by Connie Willis By Laura Miller

Scientists who study near-death experiences are pulled into their own research in a brainy, eerie, genre-defying suspense novel. (05/21/2001)

"Empire Falls" by Richard Russo By Maria Russo

In the latest from the author of "Mohawk" and "Nobody's Fool," the residents of a small Maine town survive on simmering feuds, dirty backroom deals and plenty of comic relief. (05/21/2001)

"Carry Me Across the Water" by Ethan Canin By Amy Reiter

In the author's latest novel, a wealthy, aging entrepreneur tries to correct a lifetime's mistakes. (05/21/2001)

"Glue" by Irvine Welsh By Amy Benfer

From the author of "Trainspotting," another high-octane tale of Edinburgh toughs who live for gitting

their hole and leathering laddies. (05/21/2001)

["Sister Noon" by Karen Joy Fowler](#) By Suzy Hansen

A mysterious black woman is running the show in a comic novel of strivers, do-gooders and racial fear in Gilded Age San Francisco. (05/21/2001)

["Endangered Species" by Louis Bayard](#) By Kerry Lauerman

A gay government worker hit with the urge to reproduce braves personal ads, surrogate moms and a showdown with the male biological imperative. (05/21/2001)

["Strange Fire" by Melvin Jules Bukiet](#) By Amy Benfer

An Israeli speechwriter blinded by torturers smells his way through a wise and satisfying novel of international intrigue. (05/21/2001)

["American Son" by Brian Ascalon Roley](#) By Suzy Hansen

In a searing look at the immigrant experience, two half-Filipino brothers navigate a California of small-time thieves, Mexican gangsters and attack dogs trained using Nazi techniques. (05/21/2001)

["My Little Blue Dress" by Bruno Maddox](#) By Maria Russo

The touching memoir of a 100-year-old woman -- forged by a young media commentator at the end of his rope. (05/21/2001)

[What to read: The best of May fiction](#) By Salon's critics

Richard Russo's masterly comic epic of small-town life; a thriller about the science of near-death experiences; randy, E-tarded Edinburgh lads from the author of "Trainspotting"; and more. (05/21/2001)

[Today in fiction](#)

(05/21/2001)

[Comics:](#)

[This Modern World](#) by Tom Tomorrow

Who's going to mind a little arsenic in the water? (05/21/2001)

[Life:](#)

[Do it yourself](#) By Janelle Brown

Homemaking gets its groove back as youthful Martha Stewart acolytes knit, purl and make curtains. (05/21/2001)

[Of pleather goods and wronged blonds](#) By Carina Chocano

A blond denounces cowhide; another denounces the denouncing of blonds. (05/21/2001)

[News:](#)

[The triumph of "multicultural" thugs](#) By David Horowitz

The physical assault on Ann Coulter at Cornell proves that fascism is alive and well on U.S. campuses. (05/21/2001)

[People:](#)

[Scott Carrier](#) By Christopher Kemp

The author of "Running After Antelope" is determined to win a footrace against the second fastest animal on earth. (05/21/2001)

[Politics:](#)

[Why the Senate should reject Ted Olson](#)

By Gary Kamiya (05/21/2001)

[Bushed!](#) By Salon staff

The Swiss say Bush's "hesitance" caused a blowup in the Middle East. (05/21/2001)

[Al Sharpton for president?](#) By Anthony York

The online community salivates over the New York reverend's trial balloon. (05/21/2001)

[Bush's fractured fairy tale](#) By Arianna Huffington

With the president's energy plan, no matter how much coal we burn, the sky will always be blue. (05/21/2001)

[The Kennedy compromise](#) By Jake Tapper

Conservatives might be screaming the loudest, but Democrats made their share of concessions in the House and Senate education bills. (05/21/2001)

[Salon Audio:](#)

[Cherry](#) By Mary Karr

Mary Karr recalls an age when children seek out the very trouble their parents hope they will avoid. (05/22/2001)

[Sex:](#)

[The other Cannes festival](#) By Stephen Walker

The most fabulous party at the Hot d'Or porn awards was rumored to be an orgy or free girls, free booze,

free everything. Too bad I got kicked out.
(05/21/2001)

Technology:

Rupert in the sky with diamonds By Eric Boehlert
If he seizes America's satellite TV market, über-mogul Rupert Murdoch will rule the airwaves on earth and in heaven. But John McCain may shoot him down. (05/21/2001)

Saturday, May 19, 2001

Arts & Entertainment:

Tony Soprano's female trouble By Bill Wyman
Will David Chase ever free his female characters from their sitcom-bound chains? (05/19/2001)

Books:

Today in fiction
(05/19/2001)

News:

The Colin Powell difference By Ben Barber
For Foreign Service veterans, the new secretary of state's openness is a welcome change from Madeleine Albright's snobbery. (05/19/2001)

Friday, May 18, 2001

Arts & Entertainment:

"Shrek" By Stephanie Zacharek
Computer animation is a technological miracle. So why does it leave us cold? (05/18/2001)

"Moulin Rouge" By Stephanie Zacharek
Baz Luhrmann's messy musical will get you drunk on romance and whimsy. A few days later, you won't even mind the hangover. (05/18/2001)

"Angel Eyes" By Andrew O'Hehir
The third movie in which a wounded Jennifer Lopez watches late-night TV alone turns into a weepy thriller without many thrills. (05/18/2001)

"The Young Girl and the Monsoon" By Charles Taylor
Terry Kinney finally gets a starring role in this scattershot little movie about a prickly dad and his demanding teenage daughter. (05/18/2001)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Weekend, May 18-20, 2001
(05/18/2001)

Books:

[Today in fiction](#)

(05/18/2001)

[Wanted](#) By Fred Branfman

If Henry Kissinger isn't guilty of war crimes, no one is. A Vietnam War whistleblower on Christopher Hitchens' case against the former secretary of state.
(05/18/2001)

[Don't look back](#)

By Allen Barra (05/18/2001)

Life:

[An epidemic of bastards](#) By Tracy Trefethen

I follow my forebears, full of love, into a legitimate trend of illegitimacy. (05/18/2001)

News:

[Who goes to the ballgame?](#) By King Kaufman

A look at this year's early attendance figures shows that a strong start in baseball doesn't necessarily get the turnstiles spinning. Except when it does.
(05/18/2001)

People:

[Black Caesars on their chrome chariots](#) Photographs
by Martin Dixon

A photographer captures the rides, rituals and rowdiness of New York's African-American motorcycle clubs. (05/18/2001)

[Everybody must get stoned](#) By Ian O'Doherty

Out of my gourd in Zimbabwe, I had the distinct feeling baboons were trailing me. And then the pelting began. (05/18/2001)

[Everybody's getting naked!](#) By Amy Reiter

Belinda Carlisle strips to make a point; Rebecca Romijn-Stamos does it with booze. Plus: Brad Renfro sent to the sneezer, and a new interactive video shows us ALL of Britney! (05/18/2001)

Politics:

[Committee deadlocked on Olson](#) By Alicia
Montgomery

Hatch asks, "Who the hell cares about the Arkansas Project?" as a full Senate vote looms. (05/18/2001)

[Bushed!](#) By Salon staff

Gun toter is nabbed near Bush, Greenpeace targets Cheney and California fumes over the energy plan. (05/18/2001)

[Let them eat coal](#) By Jake Tapper

Democrats charge that the Bush energy plan leaves the poor in the cold. (05/18/2001)

[Why the Senate should reject Ted Olson](#) By Gary Kamiya

His role in the sleazy Arkansas Project is bad enough. The fact that he hasn't told the truth about it is worse. (05/18/2001)

[What White House vandalism?](#) By Anthony York

An audit of the alleged trashing by outgoing Clintonites finds the rumors of destruction were greatly exaggerated. (05/18/2001)

[Salon Audio:](#)

[Therapy by e-mail](#)

All that hate mail was getting us down. So we sent a note to Usofyne.com and got back a healthy dose of ass-kissing. (05/18/2001)

[Sex:](#)

[It was 4,000-to-1](#) By David Thomson

With the ratio of guys to gals at Pearl Harbor, the film should have dealt a bit more with what must have been going on. (05/18/2001)

[Technology:](#)

[No recession for free software](#) By Andrew Leonard

Hackers scorn the theory that the economic downturn could hurt open-source software. (05/18/2001)

[Will culture-jam for food](#) By Katharine Mieszkowski

The prankster behind the Voteauction.com satire needs your help to pay off his \$3,800 legal debt. (05/18/2001)

[Battle of the gaming giants](#) By Justin Hall

At opening day of the E3 Electronic Entertainment Expo, Sony, Nintendo and Microsoft eye one another warily. (05/18/2001)

Thursday, May 17, 2001

Arts & Entertainment:

Blue Glow By Joyce Millman

Salon's TV picks for Thursday, May 17, 2001
(05/17/2001)

The gang's all here By Ian Rothkerch

Four of "The Sopranos" most memorable character actors have a sit-down on working with James Gandolfini, their favorite lines and where to find the best braciola. (05/17/2001)

Show and tell

David Gates responds to Charles Taylor's essay on why the book isn't always better than the movie. (05/17/2001)

It all comes down to gerbils By Carina Chocano

Episode 7: Recruits Whitlow and Wolf endure a sleepless, never-ending gauntlet. So do we. (05/17/2001)

Books:

Today in fiction

(05/17/2001)

"The Dying Animal" by Philip Roth By Charles

Taylor

In the author's new novel, carnal pursuits are all-consuming as a 62-year-old professor beds his 24-year-old student. (05/17/2001)

Comics:

Tom the Dancing Bug By Ruben Bolling

A mother's plea: Help me, Justice Scalia!
(05/17/2001)

Life:

If you flame, you get burned By Casey Creel

I'm the gay kid the Christian Coalition wants your kid to be able to harass at school. (05/17/2001)

News:

Why won't the government release the Shaheen

Report? By Joe Conason

Imagine if President Clinton had claimed he was exonerated by an investigation, but wouldn't release the results. (05/17/2001)

People:

[Raging polygamy menace threatens the United States!](#) By Chris Colin

As Utah cracks down on multiple-wife holder Tom Green, decent Americans ask: When will this depraved wildfire be extinguished? (05/17/2001)

[They "give good head"](#) By Carina Chocano

A cheeky shampoo ad gets New Yorkers in a lather over decency. (05/17/2001)

[Aguilera: Touch me!](#) By Amy Reiter

The pop bopper's proud to be unlike a virgin; Alec Baldwin loves America, misses his wife; Larry Flynt suffers a holy crotch bite! Plus: Behind-the-scenes "Sopranos" smooching! (05/17/2001)

Politics:

[Feeling the heat](#) By Anthony York

As Bush unveils his industry-friendly energy plan, even members of his own party are starting to sweat. (05/17/2001)

[Bushed!](#) By Salon staff

The nasty byproduct the energy plan ignores. (05/18/2001)

[David Brock's letter to Orrin Hatch](#)

The following is a reprint of the former American Spectator writer's missive regarding his role in the Arkansas Project to the chairman of the Senate Judiciary Committee. (05/18/2001)

[Smearing David Brock](#) By Daryl Lindsey and Kerry Lauerman

Ted Olson's defenders say the former right-wing journalist had nothing to do with the Arkansas Project. But the project's own records prove they're wrong. (05/18/2001)

[Dr. Mobil & Mr. Shell](#) By Jake Tapper

Overjoyed by the chance to portray Cheney & Bush as Big Oil fat cats, Democrats pour gasoline over the president's energy plan. (05/17/2001)

[Bush's drug two-faced drug war](#) By Arianna Huffington

The president claims treatment is the best way to lower the demand for drugs. So why is his new drug czar so obsessed with punishment and prisons? (05/17/2001)

[Irony and the Free Republic](#) By Anthony York

McSweeney's lampoons the conservative Web site.

(05/17/2001)

Salon Audio:

Joyful noise

In the second installment of the BOMB magazine interview series, Rick Moody and Darcey Steinke discuss their respective approaches to writing and how their own biographies come into play in their work. (05/17/2001)

Sex:

Hello dolly By Karen Croft

Photographer David Levinthal shoots dolls in poses so erotically charged that the figures seem real. (05/17/2001)

Wednesday, May 16, 2001

Arts & Entertainment:

Remembering the king of zydeco By Christen Clifford
Whenever I had Boozoo on my ass I felt good. (05/16/2001)

Blue Glow By Joyce Millman
Salon's TV picks for Wednesday, May 16, 2001 (05/16/2001)

Books:

Today in fiction
(05/16/2001)

Criminals, idiots, pickpockets!
(05/16/2001)

Loudmouths and legends By Gary Kamiya
The wild manifestos of modernism reveal the splendors and stupidities of the last moment when art mattered enough to hate. (05/16/2001)

Comics:

The K Chronicles By Keith Knight
Police softball league takes its work ethic onto the field (05/16/2001)

Life:

The pregnant pariah By Amy Benfer
I've got news for Gov. Jane Swift, and it probably

isn't what she wants to hear. (05/16/2001)

News:

Showtime for the NBA By Allen Barra

With four likely Hall of Famers on the floor, the Lakers-Spurs series ought to be one for the ages. But the outcome may turn on a much more prosaic performer. (05/16/2001)

Everybody has one By King Kaufman

Who cares if you don't know anything about the FBI and McVeigh? We want your opinion! (05/16/2001)

People:

The water in Cairo in summer By Jen Wiest

Sometimes the snakes, the bong hits and cancer are all visible through the lens of one place in one season. (05/16/2001)

Letters: Lumpen gangstas, Manilow's roadie and good parenting

Readers respond to recent articles about Snoop Dogg and Tom Waits. Plus: Robert W. Firestone on child rearing. (05/16/2001)

Too bloody much By Amy Reiter

Blood lovers Angelina and Billy Bob push the envelope to the grave. Plus: Oscar winners live longer, Brad Pitt wants us in his pants and J.Lo signs on to produce a sitcom! (05/16/2001)

Politics:

Bushed! By Salon staff

Bush's super-secret energy task force: The energy lobby? (05/16/2001)

"A dangerous step backwards" By Fiona Morgan

Why has President Bush cut funding to combat nuclear proliferation in Russia, and will Congress be able to bring it back? (05/16/2001)

Olson battle blows up By Alicia Montgomery and Kerry Lauerman

Solicitor general nomination has party leaders at each other's throats. (05/17/2001)

Return of the washed-up Clintonites! By Anthony York

Coming soon to a university near you. (05/16/2001)

Bush outlines energy plan Associated Press
(05/17/2001)

[ANWR drilling, and conservation too](#) By Jake

Tapper

A preview of Bush's energy plan reveals a lot the energy industry will love, and a little for its critics. (05/17/2001)

[Salon Audio:](#)

[The week in dirt](#) Read by Amy Reiter

Sting's very, very impressive sexual stamina and John Leguizamo's very, very large tripod exposed. Also: Matthew Hooker is very, very angry with Nicole Kidman, and more. (05/16/2001)

[Sex:](#)

[My father's bed](#) By Delaney Anderson

I thought it meant that I was special. I didn't know it would turn sex into an act of shame. (05/16/2001)

[Technology:](#)

[The poison pill](#) By Janelle Brown

The media, the government and the drug companies: They're all to blame for the fen-phen debacle, says "Dispensing With the Truth" author Alicia Mundy. (05/16/2001)

[Better dead than fat](#) By Janelle Brown

The pharmaceutical industry hooked millions on the dangerous diet drug fen-phen by manufacturing demand and ignoring warnings, says a new book. (05/16/2001)

[Life after Eazel](#) By Andrew Leonard

What does the collapse of one of the most prominent open-source start-ups mean for the future of free software? (05/16/2001)

Tuesday, May 15, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Tuesday, May 15, 2001 (05/15/2001)

[My butt rock epiphany](#) By Brian Byrne

Everyone should have a chance to live inside an album by their once-favorite band. I did, at a Tesla concert in Oklahoma City. (05/15/2001)

[Two cheeseballs, no waiting](#)

Is that a Garden-Weasel in your pocket, or are you just happy to see me? (05/16/2001)

Books:

Today in fiction

(05/15/2001)

Bestsellers

This week's bestselling books courtesy of Powells.com. (05/15/2001)

Doing the right thing By Garrison Keillor

So I resisted the affair with the teeth-achingly beautiful young woman. Now I'm miserable!
(05/15/2001)

Comics:

Story Minute By Carol Lay

The day that gravity quit. (05/15/2001)

Letters:

Secret pleasures of Salon Premium

Author Jonathan Lethem explains why you should subscribe. (05/15/2001)

Life:

A nauseating ruling By Dan Shapiro

Clarence Thomas says marijuana has no medical use. Maybe he'd like to try my cancer (05/15/2001)

News:

Let them eat chemo By Daniel Forbes

Will the Supreme Court's ostrich-like ruling shut down the medical marijuana movement?
(05/15/2001)

People:

Snoop Dogg By Stephen Lemons

A North Carolina cracker proclaims the reign of rap's highest hound a triumph of decadence over the numbing boredom of the status quo, in the tradition of the Marquis de Sade and Arthur Rimbaud.
(05/15/2001)

Politics:

Bushed! By Salon staff

New poll numbers on the energy crisis. Plus: Bush nominee tied to video porn as the NRA cheers the president's gun plan. (05/15/2001)

[Playing both sides](#) By Jake Tapper

President Bush unveils a new gun program carefully crafted to appease both the NRA and gun control advocates. (05/15/2001)

[Salon Audio:](#)

[J.R.R. Tolkien](#)

Hear a rare recording of the fantasy master himself reading from "The Two Towers," a book from his famed trilogy, "The Lord of the Rings." (05/15/2001)

[Sex:](#)

[We have liftoff](#) By Chris Colin

T-minus six years until the universe's first outer-space sex hotel penetrates the atmosphere. (05/15/2001)

[Technology:](#)

[A banner day for neo-Nazis](#)

By Jay Dixit (05/15/2001)

[So long, Douglas Adams, and thanks for all the fun](#)

By David Cassel

The author of "The Hitchhiker's Guide to the Galaxy" was a geek's geek. The Net will miss him. (05/15/2001)

Monday, May 14, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Monday, May 14, 2001 (05/14/2001)

[Real Life Rock Top 10](#) By Greil Marcus

Special Absurdity of Worldwide Commemoration of Bob Dylan's May 24 60th Birthday Edition! (05/14/2001)

[Books:](#)

[Don't look back](#) By Allen Barra

Two new books make it clear why Bob Dylan had to ditch the phony, self-righteous Greenwich Village folk scene. (05/14/2001)

[Scraping by](#)

By Laura Miller (05/14/2001)

Salon recommends

Profiles of rule-breaking women from Simone de Beauvoir to Princess Di, how wildlife triumphs in New York City and more. (05/14/2001)

Today in fiction

Bad news for a family hounded by death. (05/14/2001)

Comics:

This Modern World By Tom Tomorrow

Space Commander Bush, hero of the galaxy! (05/14/2001)

Life:

Letter from Hawaii By Janelle Brown

On Oahu and up to my eyeballs in coco-surf, sloppy-flora, roasted-pig chic. (05/14/2001)

Accessories wanted, dead or alive By Carina

Chocano

If you can't acquire a curator, go for the out-of-print coffee-table book. (05/14/2001)

People:

Robert Sapolsky By Douglas Cruickshank

The author of "A Primate's Memoir," and the world's funniest neuroscientist, talks about hanging out with baboons, madness in Africa and the difference between apes and his kids. (05/14/2001)

"Feels like a rape" By Amy Reiter

Lord of the Dance freaks out over intruder; sleeping with director gets Uma nowhere; Sting's sexual stamina ain't what it was. Plus: Kid Rock slobber fest! (05/14/2001)

Politics:

Twisting the truth in Florida By Jake Tapper

Olson wasn't above playing fast and loose with facts during his partisan push to win the presidency for George W. Bush. (05/14/2001)

Ted Olson's Arkansas problem By Daryl Lindsey

Despite his evasive disavowals, Salon investigations showed the right-wing consigliere was deeply involved in a sordid plot to bring down President Clinton. (05/14/2001)

The first Ted Olson scandal By David Neiwert

It didn't begin with the Clinton-smearing Arkansas Project. The solicitor general nominee's pattern of

ruthlessness and deception began during his tenure in the Reagan administration. (05/14/2001)

[Bushed!](#) By Salon staff

Rumsfeld's space invasion; Robert Redford brushes off Bush secretary. (05/15/2001)

[Jeb Bush denies affair rumors](#) By Anthony York

Florida's governor says stories linking him to a Cabinet secretary are "an outright lie." (05/14/2001)

[Salon Audio:](#)

[Blue screen of death](#) Read by Dennis Boutsikaris

In Jeff Deaver's latest thriller, "The Blue Nowhere," a killer hacks his victims' computers, invades their lives and lures them to their deaths. (05/14/2001)

[Sex:](#)

[The big buildup](#) By Randy Everhard (as told to B.D. Kwiatek)

My con depended on a Coppertone beauty who was turning heads and raising dicks all over the place. (05/14/2001)

[Technology:](#)

[What has Barry McCaffrey been smoking?](#) By

Katharine Mieszkowski

The former drug czar goes dot-com with an Internet company that charges \$1,200 for online drug treatment. (05/14/2001)

Saturday, May 12, 2001

[Books:](#)

[Today in fiction](#)

(05/12/2001)

[News:](#)

[One last conspiracy](#) By Kerry Lauerman

The FBI's bizarre foul-up on the McVeigh case gives leaders of the dying militia movement a reason to revisit their glory days. (05/12/2001)

[Botched!](#) By Alicia Montgomery and Fiona Morgan

"If the government can't get it right in this case, how can we rely on it to get it right in any case?" Experts react to the FBI blunder. (05/12/2001)

Friday, May 11, 2001

Arts & Entertainment:

Let's call the whole thing off

You say Moretty, we say Moretti! Plus: the case of the pilfered mint (05/12/2001)

"A Knight's Tale" By Stephanie Zacharek

Leave my rock 'n' roll out of your Ren Faire! (05/11/2001)

"Startup.com" By Jeff Stark

An engrossing documentary follows two friends as they soar and crash with the dot-com wave. (05/12/2001)

When we were kings By Jeff Stark

Filmmakers Chris Hegedus and Jehane Noujaim talk about their unblinking look at ill-fated GovWorks.com. (05/11/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Weekend, May 11-13, 2001 (05/11/2001)

Why the XFL tanked By Eric Boehlert

Vince McMahon and NBC were going to change the face of broadcast sports. Instead, they made the wrong kind of history. (05/11/2001)

Books:

Today in fiction

(05/11/2001)

"John Henry Days" By Jonathan Miles

In Colson Whitehead's dazzling follow-up to "The Intuitionist," a junketeering journalist pursues an American legend in an epic tale of man, machine and free drinks. (05/11/2001)

Life:

The failure of testing By Meg Robbins

President Bush wants to "test every child, every year." But a growing movement of families and teachers insists this is a formula for mediocre schooling and stressed-out kids. (05/11/2001)

Hefner begins European Playboy tour

(05/11/2001)

News:

The children's war, again By Daryl Lindsey

The killing of two Israeli teenagers, including one

with dual American citizenship, brings the war home -- but that's not likely to stop the bloodshed. (05/11/2001)

[It leave me](#) By King Kaufman

The XFL belongs to the ages now, and we're left with only our memories, if we can remember any. (05/11/2001)

People:

[Charlie Ward's holy hoops quiz](#) By Lance Gould

Time for Judaism's favorite point guard to brush up on his trivia. Feel free to play along -- even you stubborn Jews! (05/11/2001)

[Bush vs. China, and himself](#)

By Camille Paglia (05/11/2001)

[Paulie Walnuts is nuts about his mom](#) By Amy

Reiter

A very "Sopranos" Mother's Day; Laura Bush's powerful bust; Kidman's alleged stalker cries foul. Plus: Win our hot-kicker dry T-shirt contest! (05/11/2001)

Politics:

[Bushed!](#) By Salon staff

The president's approval numbers tumble as Cheney tells California to "tough" out its blackouts. (05/11/2001)

[Cash cowed](#) By Jake Tapper

The Republican Party's zeal for raising money has even some of its own members worried. (05/11/2001)

[Olson under fire](#) By Jake Tapper

More questions arise over how accurate President Bush's solicitor general-designate has been about his role in an anti-Clinton investigation. (05/11/2001)

[Is Jeb in or out?](#) By Anthony York

Rumors swirl about the Florida governor's political future. Plus: Online lefties cheer as the nomination of Ted Olson is put on hold. (05/11/2001)

Salon Audio:

[Why Yahoo pulled the plug on porn](#) By Damien

Cave and Amy Standen

Damien Cave tells the story of how the mega-portal got scared out of the sex-industry. (05/11/2001)

Sex:

[Letting it all hang out](#) By David Thomson
Nicole Kidman shimmies and sings in "Moulin Rouge," her first great film. (05/11/2001)

[Technology:](#)

[The porn crusaders](#) By Damien Cave
How a small group of media moralists busted Yahoo -- after years of failing to make a dent anywhere else. (05/11/2001)

Thursday, May 10, 2001

[Arts & Entertainment:](#)

["Calle 54"](#) By Charles Taylor
A loving, "Buena Vista Social Club"-style hymn to the rhythm and life of salsa (05/10/2001)

[Blue Glow](#) By Joyce Millman
Salon's TV picks for Thursday, May 10, 2001 (05/10/2001)

[Books:](#)

[Today in fiction](#)
(05/10/2001)

["Night of Stone" and "Is the honeymoon over?"](#)
Readers respond to Charles Taylor's review of a history of totalitarian terror in Russia and Suzy Hansen's interview with an expert who says American Jews' support of Israel is waning (05/10/2001)

[Gloom at the top](#) By Maria Russo
Get a bunch of bestselling authors together and what do they talk about? The agonies of success. (05/10/2001)

[Comics:](#)

[Tom the Dancing Bug](#) By Ruben Bolling
Coming soon! "Passing the Wind," starring Tom Green as Rhett Butler! (05/10/2001)

[Life:](#)

[The other woman](#) By Molly Hennessy-Fiske
When my mom split up with my not-mom, Mother's Day lost its charm. (05/10/2001)

[News:](#)

[Dog and pony show](#) By King Kaufman

With players straight out of central casting, San Francisco transforms the most gruesome and deadly canine attack in recent memory into a soap opera. (05/10/2001)

[What is Washington trying to hide?](#) By Arianna Huffington

The government outsources the war on drugs so it can point fingers at the private sector when the body bags start pouring in. (05/10/2001)

[People:](#)

[It's all good: The appeal of Deepak Chopra](#) By David Beers

What pulls people like Michael Jackson, Demi Moore and Bill Clinton to this spiritual tycoon? Is it a hunger for wonders or lack of sense? (05/10/2001)

[Rhyme time with Kidman's stalker!](#) By Amy Reiter
Nicole does her best to keep "a wonderful man" away. Plus: Britney disses her hometown, Leguizamo's got a major bulge and Woody Harrelson runs from the law! (05/10/2001)

[Politics:](#)

[Dick Cheney's 10 energy-saving tips!](#) By Tom McNichol

A few sensible ways not to end up like those losers in California. (05/10/2001)

[Dems to GOP: It's payback time!](#) By Jake Tapper

Republicans stonewalled Clinton's judicial appointments. Now angry Senate Democrats vow to return the favor. (05/10/2001)

[Bushed!](#) By Salon staff

Not so fast, Ted! Energy crisis solution: Less e-mail? "That's My Bush!" recap. Plus: Official gets egged in Seoul; the dirt on Bush's judicial nominees. (05/11/2001)

[Al Gore returns to Florida](#) By Anthony York

The former vice president holds his tongue as Democrats call on him to blast Bush. (05/10/2001)

[Salon Audio:](#)

[Cruisin' nude](#) Read by Maud Casey

In Maud Casey's novel "The Shape of Things to Come," when two ex-lovers are found getting it on, they flee in their car, naked, with seat belts fastened. (05/10/2001)

Sex:

Voluptuous curves By Debra Ollivier

The curator of the "Erotic Picasso" show in Paris talks about why the artist's most ribald work probably won't come to the U.S. (05/10/2001)

Technology:

The pigeon protocol By Peter Meyers

How the Talmud, hacker whimsy and a love of Linux inspired a group of Norwegian programmers to attach packets of computer code to birds' legs. (05/10/2001)

"Sesame Street" -- Brought to you by the letters A, O and L

By Katharine Mieszkowski (05/10/2001)

Wednesday, May 09, 2001

Arts & Entertainment:

A conversation with Robert Christgau By Barbara

O'Dair

The self-styled dean of American rock criticism talks about rock's past, its future and why he hit Ellen Willis in the face with a piece of pie. (05/09/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Wednesday, May 9, 2001 (05/09/2001)

The psycho beside me By Carina Chocano

Episode 4: Shannon goes wacky to get attention, but Tomas has eyes only for Jane's implants. (05/09/2001)

Books:

Scraping by By Laura Miller

Barbara Ehrenreich spent two years as a waitress, maid and Wal-Mart clerk, trying to find out how America's working poor make it. Her answer: A lot of them don't. (05/09/2001)

Today in fiction

(05/09/2001)

Comics:

The K Chronicles By Keith Knight

The phone works! The bus stops! And other amazing victories. (05/09/2001)

Life:

How to pronounce "memoir" By Stephen J. Lyons
Pretend someone stole your rattle and draw out that last syllable in a long "whaa." (05/09/2001)

News:

Bert Sugar on boxing By Allen Barra
The ring's resident raconteur talks about the state of the sport, his all-time heavyweights and this week's big fight. (05/09/2001)

The McVeigh effect By Earl Ofari Hutchinson
The media buzz over the white Oklahoma City bomber's execution is eclipsing the truth about federal death-row inmates: Most are black or Latino. (05/09/2001)

People:

Sumo's setting sun By Gabrielle Kennedy
Japan's heaviest tradition had a glimmer of hope on its way out. But as the Waka-Taka Boom learned, the sport needs a big shake-up if it's going to survive. (05/09/2001)

Politics:

Bushed! By Salon staff
Veep, governor disagree "big time" on power. Plus: Dems ready to slam and jam the president's bench picks; celebs in Britain blast Bush on the environment. (05/09/2001)

Democrats to LePore: Good riddance! By Anthony York
Plus: War breaks out over Bush's first 11 federal judicial nominations. Plus: McAuliffe says Bush "stole the election." (05/09/2001)

Salon Audio:

The week in dirt Read by Amy Reiter
"Survivor" Amber gets naked, but not paid. Plus: Classic rock is dead; Republican senators wrestle Arnold Schwarzenegger; a "Real World" cast member's unusual quest for "social healing." (05/09/2001)

Sex:

Good gimmick By David Tuller
A new sex advice book for gay guys is slight, sassy, silly and entertaining. (05/09/2001)

Technology:

[A banner day for neo-Nazis](#) By Jay Dixit

Last month, Hatewatch shut down, declaring that the battle against hate groups has been won. It hasn't. (05/09/2001)

Tuesday, May 08, 2001

Arts & Entertainment:

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Tuesday, May 8, 2001 (05/08/2001)

[Back from the dead -- it's "Saturday Night Live"!](#) By Joyce Millman

Led by Tina Fey and Jimmy Fallon, an enlivened show reverberates with the sweet thwack of jokes hit out of the park. (05/08/2001)

["Blazing Saddles"](#) By Max Garrone

Mel Brooks remembers working with Richard Pryor, and a time when farting jokes were as offensive as it gets. (05/08/2001)

Books:

[Long-distance love](#) By Garrison Keillor

I thought the Boyfriend away in graduate school was It, but then along came the Other Man, who lives right here. (05/08/2001)

[Built on the buzz](#)

By Maria Russo (05/08/2001)

Comics:

[Story Minute](#) By Carol Lay

The wish agent intervenes. (05/08/2001)

Life:

[Kids on the road](#) By Kate Convissor

They have exchanged hair gel and television for playing blindman's buff and swimming with manta rays. (05/08/2001)

News:

[The "Joe Camel" ads of AIDS?](#) By Daryl Lindsey

The FDA says ads for drugs to suppress HIV are making false promises, and could be contributing to

an epidemic of unsafe sex. (05/08/2001)

[Bush league](#) By Joe Conason

America's ouster from the U.N. Human Rights Commission reveals the arrogant incompetence of Bush's vaunted "wise men." (05/08/2001)

People:

[Tom Waits](#) By Anthony York

With his trademark throaty growl, he's a piano bar crooner and a Coney Island barker, singing songs of loneliness and desperation. (05/08/2001)

["Survivor" stripper strapped](#) By Amy Reiter

Amber shows some skin -- but nobody pays her to do it; Julia Roberts' head size debated by knitters. Plus: Classic rockers get the classic diss, and a "Real World" vet lands in real trouble. (05/08/2001)

Politics:

[Bushed!](#) By Salon staff

The broken promise: Why is Bush cutting the budget for anti-nuclear proliferation programs when he said he'd increase it? Plus: What Democrat will get a federal judgeship Wednesday? (05/08/2001)

[The ugly Americans](#) By Ian Williams

Don't blame it all on Bush -- the world's grievances against the U.S. have been stewing for a long time (05/08/2001)

[A phantom energy crisis](#) By Dan Ackman

The Bush administration has convinced the nation that we're in the middle of a power emergency, but the facts indicate otherwise. (05/08/2001)

[More on the Florida recount](#) By Anthony York

The media consortium gets ready to release its numbers. (05/08/2001)

Salon Audio:

[Peter Carey](#)

Robert Polito speaks with the author of "True History of the Kelly Gang," in our first installment of the 2001 interview series hosted by BOMB magazine and Salon. (05/08/2001)

Sex:

[Adultery's got a new price](#) By Chris Colin

A Malaysian court fines a woman for breaking up her lover's marriage. (05/08/2001)

Technology:

[Where have all the lap dancers gone?](#) By Laurel Rosen
Sex workers are surviving the dot-com bust, but they too mourn the days of easy venture capital and IPO-inspired lust. (05/08/2001)

Monday, May 07, 2001

Arts & Entertainment:

[Blue Glow](#) By Joyce Millman
Salon's TV picks for Monday, May 7, 2001
(05/07/2001)

[Exclusive: The 50 Most Beautiful People Alive in the World!](#) By Bill Matthews
From People magazine! The list with everyone on it: Julia and Mel and Prince William and ...
(05/07/2001)

Books:

[Culture of death](#) By Charles Taylor
A historian's view of 20th century Russia shows the traumatic legacy of totalitarian terror. (05/07/2001)

[Today in fiction](#)
(05/07/2001)

[Salon recommends](#)
A mysterious rebel leader, a mom who leaves no corner of her daughter's life unsupervised and more.
(05/07/2001)

Comics:

[This Modern World](#) By Tom Tomorrow
Dems rake Satan over the coals. (05/07/2001)

Letters:

[Salon Premium: It just gets better](#)
Arianna Huffington explains why you should subscribe. (05/08/2001)

Life:

[Heat chic](#) By Janelle Brown
Stitch-free halter tops, stretch capris and goofy shades blossom in the sun. (05/07/2001)

[I'm dancing naked in my Ugg boots as fast as I can](#)

By Carina Chocano
The new crop of girl guides consoles single women with stealthy heckling and humiliating tasks. (05/07/2001)

News:

Bush's political lynching By David Horowitz
The president has created the most diverse administration in history. So why does the race-baiting left continue to plant anti-Republican paranoia in black communities? (05/07/2001)

People:

Neve Campbell By Stephen Lemons
The star of "Party of Five," "Scream" and "Wild Things" talks about making out with strangers, taking risks and the pitfalls of being beautiful. (05/07/2001)

Eliminate the famous people! By Amy Reiter
Kobe Bryant and others line up for "Celebrity Survivor"; Baby Spice wants her breasts free. Plus: Repubs beg Ah-nold to run, and neighbors beg Hef to quiet down! (05/07/2001)

Politics:

Bushed! By Salon staff
Iraq to America: U.N. vote shows the world detests your "criminal tyranny." Plus: Walsh on Whitman: Walk, Christie, walk. And the president successfully talks up the energy crisis. (05/07/2001)

School of lies By Arianna Huffington
When it comes to education, only one rule applies in the nation's capital: "If it's broke, don't fix it." (05/07/2001)

Whither Colin Powell? By Anthony York
Conservatives sharpen their knives and take a few swipes at the secretary of state. (05/07/2001)

Salon Audio:

The programmer's lament By David Wadler
How one overworked, underpaid coder lost his health, his sanity and his faith in the dot-com dream. (05/07/2001)

Sex:

Sex slave By Karen Propp
My husband's prostate problem means that our lovemaking is, unfortunately, all about me.

(05/07/2001)

Technology:

Defending the cookie monster By Scott Rosenberg

There are lots worse things in the world than Web sites leaving cookies on your computer.

(05/07/2001)

Saturday, May 05, 2001

Arts & Entertainment:

Colby's choice By Bill Wyman

Who would have thought that a dumb reality TV show would have produced a moral exemplar for our times? (05/05/2001)

Books:

Today in fiction

(05/05/2001)

News:

Take this job and ... By King Kaufman

Rangers manager Johnny Oates takes the fall for leading a bad team to a lousy record. Plus: Neon Deion and good news; NBA playofzzzzzz.

(05/05/2001)

Friday, May 04, 2001

Arts & Entertainment:

"The Mummy Returns" By Charles Taylor

A sequel that's everything the original wasn't. That's not good. (05/04/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Weekend, May 4-6, 2001

(05/04/2001)

"Eureka" By Andrew O'Hehir

Indie movies go global with a four-hour Japanese film that, like life, keeps going -- even if you sneak off to the bathroom. (05/04/2001)

Books:

Today in fiction

(05/04/2001)

[Is the honeymoon over?](#) By Suzy Hansen

A historian says that American Jews are increasingly disenchanting with Israel and its policies, and more wrapped up in their own concerns. (05/04/2001)

[The poetry page](#) By Sharon Olds

Three poems from the author of "Blood, Tin, Straw." (05/04/2001)

["Mammy's revenge" and "Cut the flap"](#)

Readers respond to Laura Miller's essay on the myths of the South and Charles Taylor's critique of book flap copy. (05/04/2001)

[Life:](#)

[Crime family](#) By Paul Donnelly

In a passel of 10 kids, one learns the fine points of foraging, opportunism and guile. (05/04/2001)

[Letters](#)

Readers respond to "Jay Belsky doesn't play well with others" by Jennifer Foote Sweeney and "The wrong kind of black" by Cecelie Berry. (05/04/2001)

[News:](#)

[Louisiana calls Darwin a racist](#) By Fiona Morgan

The state Legislature casts him in the same league as Hitler. A science educator says it's going to be a rough year for evolutionists. (05/04/2001)

[People:](#)

[Show me the mummy!](#) By Chris Colin

In 1994, Bob Brier mummified a human body using ancient Egyptian techniques. Today his success story's all wrapped up. (05/04/2001)

[Eye witness?](#) By Amy Reiter

Zeta-Jones denies plastic surgery rumor; porn star and alleged Cruise-defamer Kyle Bradford is "sensual" and "honest." Plus: Liz Hurley figures out the Matthew Perry problem -- he was on drugs! (05/04/2001)

[Politics:](#)

[Bushed!](#) By Salon staff

A tarnished top brass. (05/04/2001)

[Democrats disavow indicted congressman](#) By

Anthony York

Plus: Crazy Commie hackers on Ritalin! Chinese

computer pranksters tinker with the veep's e-mail.
(05/04/2001)

Salon Audio:

Young Lions, Part 3

Uma Thurman and Ethan Hawke read from Akhil Sharma's "An Obedient Father," Myla Goldberg's "Bee Season," and "Chang and Eng" by Darin Strauss, all finalists for the New York Public Library's Young Lions Fiction Award. (05/04/2001)

Sex:

The selfish man By David Thomson

Philip Roth's latest character gets all hot and bothered over his gorgeous young Cuban lover, but he never loses control -- that's the problem.
(05/04/2001)

Technology:

Generation bankrupt

By Damien Cave (05/04/2001)

The not-com downturn By Damien Cave

Bankruptcies! Layoffs! Has the old economy bubble popped? (05/04/2001)

Thursday, May 03, 2001

Arts & Entertainment:

I survived "Survivor: The Australian Outback" By

Joyce Millman

And all I got was this drowsy sequel. (05/03/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Thursday, May 3, 2001

(05/03/2001)

Reality TV is hell

Episode 6: Treachery, thy name is Moretti-with-an-i.
Plus: Jackson is a water wussy! (05/03/2001)

I, Tina! By Jeff Stark

Colby: "It is a far, far better thing I do!" The stunning conclusion of "Survivor," complete with Probst ex machina! (05/03/2001)

Books:

Built on the buzz By Maria Russo

Drugs like alcohol and tobacco created the modern world, argues one historian, but caffeine still rules it.

(05/03/2001)

Today in fiction

(05/03/2001)

Comics:

Tom the Dancing Bug By Ruben Bolling

George W. Bush, compassionate environmentalist, rushes to the rescue of an endangered forest!

(05/03/2001)

Life:

Not a moment too soon By Helen Cordes

Orthodontists reap the benefits of the trend toward early treatment -- but do their young patients?

(05/03/2001)

News:

Secrets and lies By Cathy Young

The most pernicious thing about racial preferences is the culture of concealment that they spawn.

(05/03/2001)

People:

The sensual tortilla, the ambassador and Mr. Hulot

By Carlos Amantea

Extolling the glories of cornmeal, lime and a male Shirley Temple for the 21st century. (05/03/2001)

Don't know much Scientology ... By Amy Reiter

Beck denies religion rumors; Korn gets to "bone ugly groupie chicks"; Kentucky Joe and Anna Nicole keep their pants on; and more! (05/03/2001)

Politics:

Olson's inconsistencies By Jake Tapper

After further questioning, Bush's solicitor general-designate now admits he knew more about the anti-Clinton "Arkansas Project" than previously stated.

(05/03/2001)

Bushed! By Salon staff

Bush's cold shoulder; Flynt's indecent proposal.

(05/03/2001)

The first 100 days of Al Gore By Arianna

Huffington

Just what has the other guy been up to?

(05/03/2001)

[I love Lucianne.com!](#) By Anthony York
Plus: Drudge vs. Blumenthal, Day 2 (05/03/2001)

[Salon Audio:](#)

[The week in dirt](#) Read by Amy Reiter
Grandma Timberlake knows Justin keeps Britney's virginity intact. Plus: Janet Jackson's dreams of royalty, Benjamin Bratt sniffs Julia Roberts and more. (05/03/2001)

[Sex:](#)

[Show me your panties!](#) By David Bowman
Photographer Roy Stuart is the prince of Parisian up-the-skirt erotica. (05/03/2001)

[Technology:](#)

[The Web: I'm not dead yet!](#) By Janelle Brown
This year's Webby nominees are proof of the shakeout everyone knew was coming, and a sign that life still exists on the Net. (05/03/2001)

[Microsoft: Free-software licenses are the devil's work!](#) By Andrew Leonard
Bill Gates and Co. say open-source software harms technological innovation -- but the attack from Redmond could easily backfire. (05/03/2001)

Wednesday, May 02, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman
Salon's TV picks for Wednesday, May 2, 2001
(05/02/2001)

[I, scab](#) By Mark Sevi
A nonunion Hollywood screenwriter answers all your questions about the looming writers strike.
(05/02/2001)

[Hookers, threesomes and flirtatious young ladies](#) By Carina Chocano
Episode 3: It's another evening of classy entertainment on UPN! (05/02/2001)

[A PEN divided](#) By Sara Nelson
Writers group debates which author to defend -- Margaret Mitchell or her satirist. (05/02/2001)

[Books:](#)

[Mammy's revenge](#) By Laura Miller

"The Wind Done Gone" puts a chokehold on Scarlett & Co., but the South's infatuation with its past will never die. (05/02/2001)

[Today in fiction](#)

(05/02/2001)

[Comics:](#)

[The K Chronicles](#) Keith Knight

Kafka, Kierkegaard, King ... and Knight!
(05/02/2001)

[Letters:](#)

[Premium: The first seven days](#)

A progress report to subscribers and readers.
(05/03/2001)

[Life:](#)

[Generation S-E-X](#) By Amy Benfer

Contrary to ancient doctrine -- and the neighborhood pimp -- mommies can be hotties. (05/02/2001)

[News:](#)

[Is it time for a Vietnam truth commission?](#) By Bruce Shapiro

Suppressed atrocities haunt victims, perpetrators and politics alike. That's why unshrouding the secret history of former Sen. Bob Kerrey and the Vietnam War is imperative. (05/02/2001)

[Damn Twins!](#) By Allen Barra

The standings better turn upside down, or baseball's "small markets can't compete" argument is going to look pretty silly. Plus: There was no **** asterisk
(05/02/2001)

[People:](#)

["PETA's Ingrid Newkirk" and "Hey, NASA, quit hoggin' space!"](#)

Readers respond to Peter Brandt's interview with Newkirk and to Eric F. Lipton's essay on civilians in space. (05/02/2001)

[Bush vs. China, and himself](#) By Camille Paglia

Our president is refreshingly steady, but dismayingly awkward. Plus: Caroline Kennedy Schlossberg insults the first lady and Rush comes to the rescue! (05/02/2001)

[Past life? Shouldn't you work on the current one?](#) By

Amy Reiter

Janet Jackson pulls a Shirley MacLaine; Timberlake's grandma says he's not boffing Britney; and Geri Halliwell pees in cups. Plus: Eminem hits the big screen! (05/02/2001)

[Politics:](#)

[Star Wars, the gentler sequel](#) By Jake Tapper

In announcing his support for a national missile defense, George W. Bush puts a futuristic spin on a Cold War relic. (05/02/2001)

[Missile defense goes global](#) By Fiona Morgan

Bush seeks to woo Europe while violating our hallmark arms control agreement with Russia. Analysts react to the president's speech. (05/02/2001)

[Bushed!](#) By Salon staff

Kamiya: Why Bush's Star Wars plan may make America a more dangerous place. Plus: Introducing Bush League: Meet the commissioners who'll save Social Security. And who's sucking up, Fleischer or Bruni? (05/02/2001)

[Drudge vs. Blumenthal](#) By Anthony York

The inside story of the settlement negotiations that fell apart over an apology. (05/02/2001)

[Salon Audio:](#)

[Young Lions, Part 2](#)

Uma Thurman reads from David Ebershoff's novel "A Danish Girl," and Ethan Hawke reads from Heidi Julavits' "The Mineral Palace," two finalist in the New York Public Library Young Lions Fiction Award. (05/02/2001)

[Sex:](#)

["Be a slut! Be a slut! Be a slut!"](#) By Robin

Shamburg

Dominatrix Mistress Ruby makes the case that the best kinds of brazen women take their pleasure as men do -- with no apologies. (05/02/2001)

[Technology:](#)

[Coder on the cross](#) By David Wadler

Dazzled by the prospect of riches and the allure of the company dream, a programmer loses his health, social life and sense of self. (05/02/2001)

[Is the FBI tracking online protesters?](#) By Amy

Standen

A subpoena asking for the Independent Media Center's Web server logs sparks charges of government-sponsored intimidation. (05/02/2001)

Tuesday, May 01, 2001

Arts & Entertainment:

Real Life Rock Top 10 By Greil Marcus
(05/01/2001)

Blue Glow By Joyce Millman
Salon's TV picks for Tuesday, May 1, 2001
(05/01/2001)

Arrested development By Liz Hackett
A day in the life of a development executive, who may or may not lose her job in the Hollywood writers strike. (05/01/2001)

Books:

Solo sex By Garrison Keillor
He insists on pleasuring himself before he sees me, so when we get together it's like trying to stuff a marshmallow in a piggy bank. (05/01/2001)

Today in fiction
(05/01/2001)

Comics:

Story Minute By Carol Lay
No time to kill. (05/01/2001)

Life:

Days of women and silence By S.E. Molina
Living in a convent is an unusual choice for a student, but isn't every life a bit unusual?
(05/01/2001)

News:

Amy and Goliath By Daryl Lindsey
A first-year law student brought a giant pharmaceutical to its knees. But will her victory for South Africa's AIDS sufferers deprive the world of new medicines? (05/01/2001)

People:

[Björk](#) By Chris Colin

Violence may follow her, but so does everything else. Iceland's greatest export is taking us to the verge. (05/01/2001)

[Politics:](#)

[Philly blunt](#) By Jake Tapper

As mayor of Philadelphia and chairman of the DNC, Ed Rendell was criticized by fellow Democrats for speaking his mind. Now he wants to be governor of Pennsylvania. (05/01/2001)

[Bushed!](#) By Salon staff

Cheney reveals his inner oilman. (05/01/2001)

[Lunchtime with Dubya](#) By Anthony York

The president throws a party for himself -- and hardly anybody shows. Maybe it was the "Salmonella Surprise" on the menu. (05/01/2001)

[Salon Audio:](#)

[The Young Lions](#)

Ethan Hawke reads from the works of the finalists for the New York Public Library's Young Lions Fiction Award, with an introduction by Rick Moody. (05/01/2001)

[Sex:](#)

[Sometimes it's OK to wake them](#) By Chris Colin

A chronic somnambulist awoke naked on top of a 7-year-old. He'll do his sleepwalking in the clink from now on. (05/01/2001)

[Technology:](#)

[Can my mommy have her paycheck?](#) By Katharine

Mieszkowski

New economy, old economy -- what's the difference when you're working on the assembly line? Not much, say the makers of "Secrets of Silicon Valley." (05/01/2001)

[Take that, Silicon Valley!](#) By Katharine

Mieszkowski

A new documentary follows two young activists on a crusade to expose the tech industry's labor woes. (05/01/2001)

[Web etiquette lessons from David Lee Roth](#) By

Janelle Brown and Katharine Mieszkowski

The ex-Van Halen frontman sends condolences to his band mate via his Web site. Who's next? (05/01/2001)

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Thursday, May 31, 2001

[Arts & Entertainment:](#)

[Lucinda Williams' psychosexual murk](#) By Don McLeese

On "Essence," her new album, a fragile genius delivers an emotional mess of a masterpiece. (05/31/2001)

[Blue Glow](#) By Joyce Millman
Salon's TV picks for Thursday, May 31, 2001 (05/31/2001)

["Seven Samurai"](#) By David Lazarus
A Japanese film scholar gives new life to Kurosawa's sword-fighting epic. (05/31/2001)

[Books:](#)

[Today in fiction](#)
(05/31/2001)

[The cueball chronicles](#) By Suzy Hansen
Gersh Kuntzman talks about baldness cures, from the stinky to the effective, and how the tragedy of hair loss has shaped the course of empires and the cutting edge of science. (05/31/2001)

[Comics:](#)

[Tom the Dancing Bug](#) By Ruben Bolling

Super-Fun-Pak Comix! (05/31/2001)

Life:

Is it Jenna Bush's problem or ours? By Fiona

Morgan

Adolescent psychiatrist Lynn Ponton analyzes the first daughter's "age-appropriate" behavior. (05/31/2001)

News:

Journalists or terrorists? By Frederick Clarkson

The antiabortion Nuremberg Files, notorious for what critics call its "hit list" of abortion providers, now plans to broadcast abortion providers and patients over the Web and wrap its actions in the First Amendment. (05/31/2001)

People:

UFOs in the land of the rising sun By Steve Burgess

In Japan's version of Roswell, N.M., you don't stay out after dark, and even the soup contains flying saucers. (05/31/2001)

Brooke Shields, scam artist By Amy Reiter

Using mannequins, Agassi's ex faked her wedding to throw off her stalker; J.Lo saves her choking boyfriend; Jolie explains her sexiness. Plus: Heche wanders among wedding gowns! (05/31/2001)

Politics:

Bushed! By Salon staff

What justice does Jenna Bush face under her dad's tough-minded Texas laws? (05/31/2001)

The first family's alcohol troubles By Joan Walsh

President Bush downplayed his own drinking problem and hid a DUI. Now his daughters are making news for underage drinking. Is there a connection? (05/31/2001)

"You're not the Internet" By Anthony York

White House spokesman Ari Fleischer calls on the White House press corps to behave. Are the Bush girls fair game? Plus: The California governor moves his war with the president to the Op-Ed page of the New York Times. (05/31/2001)

The Jeffords affair By Arianna Huffington

Had President Bush and Karl Rove heeded the final lesson of the Atwater School of Hardball Politics, Jeffords might still be a Republican. (05/31/2001)

Salon Audio:

The week in dirt Read by Amy Reiter

A new version of the Bible featuring Claudia Schiffer as Eve. Plus: Prince swears off dirty words, Angelina Jolie's beaver dreams, celebs playing stalker swap with Matthew Hooker and more. (05/31/2001)

Sex:

Body Schatz By Douglas Cruickshank

A collection of nudes by a photographer interested in "letting the gods in" emphasizes sensuality without being graphic. (05/31/2001)

Technology:

The revolt of the wage slave By Katharine

Mieszkowski

It's better to take out your own trash than to spend a life working for the Man, says former Al Gore speechwriter Daniel Pink. (05/31/2001)

Wednesday, May 30, 2001

Arts & Entertainment:

Tough company By Eric Boehlert

Clear Channel is as big as NBC or Gannett. Chances are it owns a half-dozen radio stations in your town. And it's fighting employee suits alleging everything from broken contracts to sexual harassment. (05/30/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Wednesday, May 30, 2001 (05/30/2001)

Books:

Today in fiction

(05/30/2001)

Little devils By Maria Russo

Novelist Pat Barker talks about the nature of evil, children who kill and the similarities between writers and psychiatrists. (05/30/2001)

Bestsellers

This week's bestselling books, courtesy of Powells.com. (05/30/2001)

Bad behavior By Garrison Keillor

My roommate spits on the floor and farts regularly,

no matter who's present. Is there any delicate way to address this sensitive topic? (05/30/2001)

Comics:

The K Chronicles By Keith Knight

A first look at the Dick 'n' Bush energy policy. (05/30/2001)

Life:

We think, therefore we diagnose By Carina Chocano

America is in the grips of sudden syndrome proliferation syndrome. (05/30/2001)

News:

Black and tan fantasy By Richard Rodriguez

The Census says Hispanics are poised to outnumber blacks as America's largest "minority" -- but can Hispanics really be compared to African-Americans? (05/30/2001)

Why Tiger Woods is boring By Allen Barra

He's the best in the game, but it takes more than one great golfer to carry the sport. (05/30/2001)

People:

Blue horse, dirty victim By King Kaufman

Harland Braun is Robert Blake's "very, very bright" attorney. Even Johnnie Cochran thinks he's gone too far. (05/30/2001)

Courtney Love drops her top By Amy Reiter

The Holey one shows skin, buys time; the Bible, featuring Claudia Schiffer! Prince: The artist no longer known as pottymouth. Plus: David Duchovny: "shaving my legs, surrounded by the strangeness." (05/30/2001)

Politics:

Bushed! By Salon staff

Change the tone? Only when the press is bad. (05/30/2001)

Florida Dems: It's payback time By Jake Tapper

The party is planning an out-of-state fundraising campaign that targets Jeb Bush and his role in the recount. (05/30/2001)

The Free Republic and the Bush twins By Anthony York

Will Jenna become the poster girl for lowering the legal drinking age? Plus: The GOP begins a new

fundraising pitch. And: More on the Fox flame wars.
(05/30/2001)

Salon Audio:

"War Letters"

Andrew Carroll, co-founder of the Legacy Project, presents correspondence from American soldiers that encompasses every major conflict from the Civil War to Desert Storm. (05/30/2001)

Sex:

Mustang Ranch By Alexa Albert

A writer gets to be a voyeur during a dominance party at the world-famous brothel. (05/30/2001)

Technology:

The price of Internet freedom By Katharine

Mieszkowski

Chinese dissidents thought of Yang Zili as a Web handyman. The government saw him as a threat. (05/30/2001)

To be young, Chinese and Weiku By Lisa Movius

China's dot-com boom went bust, but it gave birth to a way-cool generation of Web users who are creating their own cultural revolution. (05/30/2001)

Tuesday, May 29, 2001

Arts & Entertainment:

Real Life Rock Top 10 By Greil Marcus

Lucinda Williams, John Henry and Vermeer: Ten observations on pop and its discontents, from the noted author and critic. (05/29/2001)

Buffy's leap of faith By Joyce Millman

A shocking season finale leaves the Slayer's fans facing the void. Plus: "West Wing," "X-Files" wrap-ups (05/29/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Tuesday, May 29, 2001
(05/29/2001)

Books:

"Bad Bet on the Bayou" by Tyler Bridges By

Charles Taylor

When gambling went legal in Louisiana, a new book shows, the state's incorrigible rogue of a governor was first in line at the public-money hogfest.

(05/29/2001)

[Salon recommends](#)

A close-up look at the meticulous restoration of Leonardo's "Last Supper," a comic view of the new ruling class and their outsize accouterments and more. (05/29/2001)

[Comics:](#)

[This Modern World](#) By Tom Tomorrow

Profligate energy consumption? It's your right!
(05/29/2001)

[Story Minute](#) By Carol Lay

Serial romancer (05/29/2001)

[Life:](#)

[We believe children aren't the future](#) By Lori Steele

Infertility makes us snide and courageous and sad.
(05/29/2001)

[People:](#)

[Phil Jackson](#) By José Klein

The Zen-iest coach in basketball has a cruel streak.
He's weird and it works. (05/29/2001)

[Insert beaver joke here](#) By Amy Reiter

Angelina and Billy Bob want their own furry tree nibblers; the daughters of Muhammad Ali and Joe Frazier prepare for some punching of their own; and, oops, Britney's got her mom worried!
(05/29/2001)

[Politics:](#)

[Bushed!](#) By Salon staff

Poll: Public blames energy providers. (05/29/2001)

[Fox's flame wars](#) By Anthony York

Roger Ailes mixes it up with the MediaWhores; Plus: Michigan boots a state senator: He says it's because he's a maverick; his opponents say it's because of the porn on his computer. The online community weighs in. (05/29/2001)

[Salon Audio:](#)

["How the Dead Live"](#) Read by Will Self

Will Self reads from his third novel, which tracks Lily Bloom, a cantankerous American divorcée with breast cancer, from this world to the afterlife.
(05/29/2001)

Sex:

Coy boy toy By Chris Colin

Famous virgin Britney Spears now admits she's tempted. Something's changing in the way she teases us. (05/29/2001)

Technology:

Mystic simulacrum By Laura Miller

Exile, the sequel to Myst and Riven, is beautiful eye candy, but not quite art. (05/29/2001)

Monday, May 28, 2001

Books:

Today in fiction

(05/28/2001)

News:

Tough love for Africa By Ben Barber

Colin Powell gets a hero's welcome and tells Africa's entrenched rulers to step aside. (05/28/2001)

Politics:

California reaming By Anthony York

While Dick Cheney continues to blame the state's energy crisis on its Democratic governor, President Bush makes a rare visit. Can the oil patch kids ever solve their California problem? (05/28/2001)

Saturday, May 26, 2001

Books:

Today in fiction

(05/26/2001)

News:

Baseball boyfriend? By Steve Kettmann

When Out magazine's editor claimed his lover plays in the majors, he set off a media frenzy. But it's only a matter of time before gays get their Jackie Robinson. (05/26/2001)

The triumph of "multicultural" thugs

By David Horowitz (05/26/2001)

Politics:

"The Jim Whisperer" By Jake Tapper

Harry Reid, the man most responsible for guiding Sen. Jim Jeffords to a new political identity, has a long history with party-switching. (05/26/2001)

Friday, May 25, 2001

Arts & Entertainment:

"Pearl Harbor": Bombs away! By Stephanie

Zacharek

Today, May 25, 2001 -- a date which will live in infamy -- the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Hollywood. Always will we remember the character of the onslaught against us. (05/25/2001)

"Our Song" By Charles Taylor

A girl's life: Three young actresses star in a winning, kind movie about the sort of teens who don't make it into most mainstream movies. (05/25/2001)

Blue Glow By Joyce Millman

Salon's TV picks for Memorial Day weekend, May 25-28, 2001 (05/25/2001)

Books:

Today in fiction

(05/25/2001)

"Comic Book Nation" by Bradford W. Wright By

Damien Cave

Before movies and rock 'n' roll, comics invented youth culture. But can they survive? (05/25/2001)

Life:

"Click on and jack off!" By Margot Nightingale

My son discovers porn and I resort to subterfuge. (05/25/2001)

Manhattan in wartime By Jennifer Foote Sweeney

Donna and Rudy battle over Judi and we read all about it. (05/25/2001)

News:

Major league aggravation By King Kaufman

I was happy to pay \$9.95 to listen to baseball on the Web. But what I got for my money was a lesson in how little regard the game has for its fans.

(05/25/2001)

People:

[It's a brave world after all, it's a brave new world!](#)

By Merle Kessler

They're not just faces on tortillas or reflections on walls. Everywhere, real idols are appearing -- J.Lo! Barbra! Brad & Jennifer! Angelina! Russell! Mariah! (05/25/2001)

[Show me the monkey!](#) By Chris Colin

India's menacing monkey-man has New Delhi in hysterics and the rest of the world in stitches. What's more, the birth of the terrifying beast was inevitable. (05/25/2001)

[His royal Bobness and the truth about polygamy](#)

Readers respond to Bill Wyman's profile of Bob Dylan, and Chris Colin's polygamy satire. (05/25/2001)

[Second-hand stalking](#) By Amy Reiter

Was Kidman's stalker on the rebound from tailing Schiffer? Plus: Spears and Aguilera offered \$2 million to strip, and "Sopranos" rumors dumped in the river! (05/25/2001)

Politics:

[The White House vandal scandal that wasn't](#)

By Kerry Lauerman and Alicia Montgomery (05/25/2001)

[Olson by a whisker](#) By Alicia Montgomery and

Daryl Lindsey

In a surprising reversal of fortune, before relinquishing control of the Senate, Republicans force a vote on the controversial solicitor general -- and win. (05/25/2001)

[Bushed!](#) By Salon staff

Dems take the reins as Bush ducks the blame on Jeffords and the Senate flip. (05/26/2001)

Salon Audio:

[The recording industry eats its young](#)

Janelle Brown describes Vivendi Universal's surprising purchase of MP3.com and what it means for the future of online music. (05/25/2001)

Sex:

[The call of the window](#) By David Thomson

Susannah McCorkle had a sinister, sweet voice and

apparently a broken heart on that fateful day.
(05/25/2001)

Technology:

Geek house By Damien Cave
Hardware hackers are using a fast-spreading technology called X-10 to give their homes a cheap and speedy intelligence upgrade. (05/25/2001)

Thursday, May 24, 2001

Arts & Entertainment:

Bob school By Joey Sweeney
On the singer's 60th birthday, a musician remembers the lessons his dad taught him about Bob Dylan, rebellion and following your heart. (05/24/2001)

Blue Glow By Joyce Millman
Salon's TV picks for Thursday, May 24, 2001
(05/24/2001)

Come back, little Yaney
The finale: Wolf and Whitlow, put through the rigors, face the recruits on Dismissal Hill.
(05/24/2001)

Books:

Today in fiction
(05/24/2001)

Uncle Sam, manhunter By Laura Miller
Two new books detail America's deadly pursuit of Manuel Noriega and Pablo Escobar. (05/24/2001)

Comics:

Tom the Dancing Bug By Ruben Bolling
Fun facts about celebrities! (05/24/2001)

Life:

"Shrek" is not Shrek! By Margot Mifflin
William Steig's subversive misanthropy is jettisoned for winking innuendo in the movie version of his children's book. (05/24/2001)

News:

Death of a drug lord By Douglas Cruickshank
In "Killing Pablo," Mark Bowden details the 16-month game of cat and mouse that finally took down

Medellín cartel founder Pablo Escobar -- with the help of the U.S. government. (05/24/2001)

People:

Waxing political By Michael J. Jordan

Madame Tussaud's Wax Museum is host to a feisty little uproar. Yasser Arafat, some say, deserves a good melting. (05/24/2001)

How to make an American blabbermouth By Amy Reiter

Does Brad know? Winona says Jennifer's a "very good kisser"; porn star on Bruce Willis: "We had sex all night long." Plus: Monica wants her dress back! (05/24/2001)

Politics:

Bushed! By Salon staff

Bush and the GOP brace for Senate flip as Dems relent on taxes. (05/24/2001)

Bush's brand-new Day

By Joan Walsh (05/24/2001)

Will Trent Lott pay for losing the Senate? By Bruce Shapiro

Angry GOP moderates say the White House and party right-wingers drove Jim Jeffords out of his own party. (05/24/2001)

Why'd he do it? By Jake Tapper

Sen. Jim Jeffords has had problems with his party for a long time, but President Bush appears to have pushed him over the edge. (05/25/2001)

The joy of no sex By Arianna Huffington

From the too much information department: Rudy Giuliani's lawyer uses the prostate cancer defense to imply that the mayor isn't having sexual relations with that woman, Judi Nathan. (05/24/2001)

Declaration of independence By Anthony York

McCain says there's a lesson to be learned in Jeffords' departure. Freepers tell McCain to drop dead. (05/24/2001)

Former American Spectator publisher: Olson is deceiving the Senate By Ralph J. Lemley

Ronald Burr confirmed to a friend and advisor that Olson was centrally involved in the Arkansas Project -- and led the charge to fire him after Burr demanded an audit. (05/24/2001)

Salon Audio:

[The week in dirt](#) Read by Amy Reiter

Bob Dylan's jockstrap on the auction block, Sinéad gets holey and Rebecca Romijn-Stamos does it with booze. Plus: Belinda Carlisle, Daryl Hannah and Tony Soprano. (05/24/2001)

[Sex:](#)

[Butlers in love](#) By Karen Croft

Mark Stock's most famous series of paintings depicts tuxedoed men in various obsessive poses. (05/24/2001)

[Technology:](#)

[Boobs and rubes](#)

By Wagner James Au (05/24/2001)

[Prime-time hypocrisy](#) By Eric Boehlert

Barbara Walters helped ruin television news. So how did she get to be a martyr for journalistic credibility? (05/24/2001)

Wednesday, May 23, 2001

[Arts & Entertainment:](#)

[Skanks for the memories!](#) By Carina Chocano

Episode 6: The Ivy League meets a few shapely potted plants on the thrilling finale of "Chains of Love." (05/23/2001)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Wednesday, May 23, 2001 (05/23/2001)

[Don't call it a comeback](#) By Andy Dehnart

How TV networks turned around their lily-white lineups -- and why that still isn't enough. (05/23/2001)

[Books:](#)

[Today in fiction](#)

(05/23/2001)

[Evil takes the stand](#) By Charles Taylor

When Holocaust denier David Irving demanded a libel trial in England, the nature of history itself was at stake. (05/23/2001)

[Comics:](#)

[The K Chronicles](#) By Keith Knight

Never trust a Canadian with a bungee cord.
(05/23/2001)

Life:

Old and in the family way By Johanna Wald
Are aging parents doing the math when they add to their families late in the game? (05/23/2001)

News:

Vince Carter gets an F By Allen Barra
The NBA, which cares about higher education only as a source of player development, hypocritically praises the Toronto Raptors star's graduation side trip. (05/23/2001)

People:

The energy mess and fascist gays By Camille Paglia
The liberal elite is demonizing the "big oil" that keeps its cars running. Plus: Gays, get a clue -- heterosexuality is nature's norm. (05/23/2001)

Not so doggone nice By Amy Reiter
Daryl Hannah makes newspaper pay for its woofy allegations; White House pizza boy spills the beans on Bush and Clinton. Plus: Bono bears a thug, and Sinéad gets holey. (05/23/2001)

Politics:

Greens red with rage By Jake Tapper
The man known as the Mike Tyson of the coal and oil industries is on his way to an Interior post with little opposition from the Democrats. (05/23/2001)

Bushed! By Salon staff
Republicans set to lose the Senate if Jeffords jumps, and a green group sues Bush over arsenic rules. (05/23/2001)

The White House vandal scandal that wasn't By Kerry Lauerman and Alicia Montgomery
How the incoming Bush team nudge-nudged a credulous press corps into swallowing a trashy Clinton story. (05/23/2001)

Jeffords in the spotlight By Anthony York
Democrats have a new hero while Republicans have a new object of hatred. (05/23/2001)

Salon Audio:

The untalented Mr. Childish
Billy Childish takes on the art establishment in a

rambling spoken-word performance aptly titled "Crimes of the Future." (05/23/2001)

Sex:

Solo pleasure By Michael Castleman

A former sex columnist answers the most common masturbation questions and wonders why it's still taboo to talk about what we all do. (05/23/2001)

Mentor in masturbation By Morgan King

My daughter discovered the art of self-pleasure when she was 2. I was a late bloomer. (05/23/2001)

Technology:

Miles of aisles By Scott Rosenberg

Amazon, whipping boy of the e-commerce downturn, can still teach us all a thing or two about online shopkeeping. (05/23/2001)

On the run from L. Ron Hubbard By Damien Cave

Keith Henson, Scientology gadfly turned fugitive from justice, explains his reasons for fleeing the United States. (05/23/2001)

"Boobs and rubes" and "What has Barry McCaffrey been smoking?"

Readers respond to stories by Wagner James Au and Katharine Mieszkowski. (05/23/2001)

Tuesday, May 22, 2001

Arts & Entertainment:

Blue Glow By Joyce Millman

Salon's TV picks for Tuesday, May 22, 2001 (05/22/2001)

Books:

Today in fiction

(05/22/2001)

What's a guy to do? By Garrison Keillor

Snooping on my girlfriend's computer, I found a message in which she described herself as a "fun-loving lesbian." That's news to me! (05/22/2001)

Bestsellers

This week's bestsellers, courtesy of Powells.com. (05/22/2001)

Comics:

[Story Minute](#) By Carol Lay
When scientists run amok. (05/22/2001)

Life:

[Scary cherubs and bloody wall flowers](#) By Stephen Lemons
Artist Becca Midwood, painter of haunting outdoor portraits, is getting a reputation as the "female Basquiat." (05/22/2001)

News:

[The triumph of "multicultural" thugs](#)
By David Horowitz (05/22/2001)

[Is Powell's peace plan a pipe dream?](#) By Ben Barber
With calls for the abandonment of settlement construction and a "total end of violence" at its core, the U.S. road map to Mideast peace may be doomed from Day 1. (05/22/2001)

[The Arkansas Project wasn't journalism](#) By Joe Conason
Ted Olson's defenders say the Clinton-bashing effort was protected by the First Amendment -- and besides, Olson didn't know much about it anyway. They're wrong on both counts. (05/22/2001)

People:

[Bob Dylan](#) By Bill Wyman
At age 60, with a career that spans four decades, he remains one of rock's most eloquent, sexy and unpredictable singers. (05/22/2001)

[Leave the cheese alone](#) By Amy Reiter
Alone and sad, Nicole Kidman reconsiders what's important; Courtney Love has a miscarriage; and Ben Affleck beats his fear of flying -- by flying. (05/22/2001)

Politics:

[Bush's brand-new Day](#) By Joan Walsh
Trying to burnish his "compassionate" image, the president is now quoting Dorothy Day. Who's next -- Mother Jones? (05/22/2001)

[Bushed!](#) By Salon staff
Bush is booed at Yale while Dems stall his tax cut in the Senate. (05/22/2001)

[Jeffords set to switch parties](#) By Anthony York
The Vermont Republican calls a press conference

for Wednesday, and could change the balance of power in the U.S. Senate. (05/22/2001)

Salon Audio:

Don't touch the Channel Master Read by Tony Earley

In his memoir "Somehow Form a Family," Tony Earley recounts the arrival of color television in his family home and with it the invasion of "The Brady Bunch." (05/22/2001)

Sex:

Let's stay together! By Chris Colin

A panicky couple gets stuck during sex and is rushed to the hospital for disengagement. (05/22/2001)

Technology:

Boobs and rubes By Wagner James Au

The soft-porn fixation embarrassingly displayed at computer gaming's biggest convention, E3, is dooming the \$6 billion industry to the nerd-geek ghetto. (05/22/2001)

Monday, May 21, 2001

Arts & Entertainment:

Blue Glow By Joyce Millman

Salon's TV picks for Monday, May 21, 2001 (05/21/2001)

The dying game By Joyce Millman

A bloody "Sopranos" season ends with an emotionally bruising finale. (05/21/2001)

Books:

"In Cuba I Was a German Shepherd" by Ana Menéndez By Ruth Henrich

A mesmerizing portrait of Miami's Cuban exiles, haunted by memories of endless blue skies, elegant homes and round-hipped women. (05/21/2001)

"Passage" by Connie Willis By Laura Miller

Scientists who study near-death experiences are pulled into their own research in a brainy, eerie, genre-defying suspense novel. (05/21/2001)

"Empire Falls" by Richard Russo By Maria Russo

In the latest from the author of "Mohawk" and "Nobody's Fool," the residents of a small Maine

town survive on simmering feuds, dirty backroom deals and plenty of comic relief. (05/21/2001)

["Carry Me Across the Water" by Ethan Canin](#) By Amy Reiter

In the author's latest novel, a wealthy, aging entrepreneur tries to correct a lifetime's mistakes. (05/21/2001)

["Glue" by Irvine Welsh](#) By Amy Benfer

From the author of "Trainspotting," another high-octane tale of Edinburgh toughs who live for gitting their hole and leathering laddies. (05/21/2001)

["Sister Noon" by Karen Joy Fowler](#) By Suzy Hansen

A mysterious black woman is running the show in a comic novel of strivers, do-gooders and racial fear in Gilded Age San Francisco. (05/21/2001)

["Endangered Species" by Louis Bayard](#) By Kerry Lauerman

A gay government worker hit with the urge to reproduce braves personal ads, surrogate moms and a showdown with the male biological imperative. (05/21/2001)

["Strange Fire" by Melvin Jules Bukiet](#) By Amy Benfer

An Israeli speechwriter blinded by torturers smells his way through a wise and satisfying novel of international intrigue. (05/21/2001)

["American Son" by Brian Ascalon Roley](#) By Suzy Hansen

In a searing look at the immigrant experience, two half-Filipino brothers navigate a California of small-time thieves, Mexican gangsters and attack dogs trained using Nazi techniques. (05/21/2001)

["My Little Blue Dress" by Bruno Maddox](#) By Maria Russo

The touching memoir of a 100-year-old woman -- forged by a young media commentator at the end of his rope. (05/21/2001)

[What to read: The best of May fiction](#) By Salon's critics

Richard Russo's masterly comic epic of small-town life; a thriller about the science of near-death experiences; randy, E-tarded Edinburgh lads from the author of "Trainspotting"; and more. (05/21/2001)

[Today in fiction](#)

(05/21/2001)

[Comics:](#)

[This Modern World](#) by Tom Tomorrow
Who's going to mind a little arsenic in the water?
(05/21/2001)

Life:

[Do it yourself](#) By Janelle Brown
Homemaking gets its groove back as youthful
Martha Stewart acolytes knit, purl and make
curtains. (05/21/2001)

[Of pleather goods and wronged blonds](#) By Carina
Chocano
A blond denounces cowhide; another denounces the
denouncing of blonds. (05/21/2001)

News:

[The triumph of "multicultural" thugs](#) By David
Horowitz
The physical assault on Ann Coulter at Cornell
proves that fascism is alive and well on U.S.
campuses. (05/21/2001)

People:

[Scott Carrier](#) By Christopher Kemp
The author of "Running After Antelope" is
determined to win a footrace against the second
fastest animal on earth. (05/21/2001)

Politics:

[Why the Senate should reject Ted Olson](#)
By Gary Kamiya (05/21/2001)

[Bushed!](#) By Salon staff
The Swiss say Bush's "hesitance" caused a blowup
in the Middle East. (05/21/2001)

[Al Sharpton for president?](#) By Anthony York
The online community salivates over the New York
reverend's trial balloon. (05/21/2001)

[Bush's fractured fairy tale](#) By Arianna Huffington
With the president's energy plan, no matter how
much coal we burn, the sky will always be blue.
(05/21/2001)

[The Kennedy compromise](#) By Jake Tapper
Conservatives might be screaming the loudest, but
Democrats made their share of concessions in the
House and Senate education bills. (05/21/2001)

Salon Audio:

Cherry By Mary Karr

Mary Karr recalls an age when children seek out the very trouble their parents hope they will avoid. (05/22/2001)

Sex:

The other Cannes festival By Stephen Walker

The most fabulous party at the Hot d'Or porn awards was rumored to be an orgy or free girls, free booze, free everything. Too bad I got kicked out. (05/21/2001)

Technology:

Rupert in the sky with diamonds By Eric Boehlert

If he seizes America's satellite TV market, über-mogul Rupert Murdoch will rule the airwaves on earth and in heaven. But John McCain may shoot him down. (05/21/2001)

Saturday, May 19, 2001

Arts & Entertainment:

Tony Soprano's female trouble By Bill Wyman

Will David Chase ever free his female characters from their sitcom-bound chains? (05/19/2001)

Books:

Today in fiction

(05/19/2001)

News:

The Colin Powell difference By Ben Barber

For Foreign Service veterans, the new secretary of state's openness is a welcome change from Madeleine Albright's snobbery. (05/19/2001)

Friday, May 18, 2001

Arts & Entertainment:

"Shrek" By Stephanie Zacharek

Computer animation is a technological miracle. So why does it leave us cold? (05/18/2001)

"Moulin Rouge" By Stephanie Zacharek

Baz Luhrmann's messy musical will get you drunk on romance and whimsy. A few days later, you

won't even mind the hangover. (05/18/2001)

["Angel Eyes"](#) By Andrew O'Hehir

The third movie in which a wounded Jennifer Lopez watches late-night TV alone turns into a weepy thriller without many thrills. (05/18/2001)

["The Young Girl and the Monsoon"](#) By Charles

Taylor

Terry Kinney finally gets a starring role in this scattershot little movie about a prickly dad and his demanding teenage daughter. (05/18/2001)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Weekend, May 18-20, 2001 (05/18/2001)

Books:

[Today in fiction](#)

(05/18/2001)

[Wanted](#) By Fred Branfman

If Henry Kissinger isn't guilty of war crimes, no one is. A Vietnam War whistleblower on Christopher Hitchens' case against the former secretary of state. (05/18/2001)

[Don't look back](#)

By Allen Barra (05/18/2001)

Life:

[An epidemic of bastards](#) By Tracy Trefethen

I follow my forebears, full of love, into a legitimate trend of illegitimacy. (05/18/2001)

News:

[Who goes to the ballgame?](#) By King Kaufman

A look at this year's early attendance figures shows that a strong start in baseball doesn't necessarily get the turnstiles spinning. Except when it does. (05/18/2001)

People:

[Black Caesars on their chrome chariots](#) Photographs

by Martin Dixon

A photographer captures the rides, rituals and rowdiness of New York's African-American motorcycle clubs. (05/18/2001)

[Everybody must get stoned](#) By Ian O'Doherty

Out of my gourd in Zimbabwe, I had the distinct

feeling baboons were trailing me. And then the pelting began. (05/18/2001)

[Everybody's getting naked!](#) By Amy Reiter
Belinda Carlisle strips to make a point; Rebecca Romijn-Stamos does it with booze. Plus: Brad Renfro sent to the sneezer, and a new interactive video shows us ALL of Britney! (05/18/2001)

Politics:

[Committee deadlocked on Olson](#) By Alicia Montgomery
Hatch asks, "Who the hell cares about the Arkansas Project?" as a full Senate vote looms. (05/18/2001)

[Bushed!](#) By Salon staff
Gun toter is nabbed near Bush, Greenpeace targets Cheney and California fumes over the energy plan. (05/18/2001)

[Let them eat coal](#) By Jake Tapper
Democrats charge that the Bush energy plan leaves the poor in the cold. (05/18/2001)

[Why the Senate should reject Ted Olson](#) By Gary Kamiya
His role in the sleazy Arkansas Project is bad enough. The fact that he hasn't told the truth about it is worse. (05/18/2001)

[What White House vandalism?](#) By Anthony York
An audit of the alleged trashing by outgoing Clintonites finds the rumors of destruction were greatly exaggerated. (05/18/2001)

Salon Audio:

[Therapy by e-mail](#)
All that hate mail was getting us down. So we sent a note to Usofyne.com and got back a healthy dose of ass-kissing. (05/18/2001)

Sex:

[It was 4,000-to-1](#) By David Thomson
With the ratio of guys to gals at Pearl Harbor, the film should have dealt a bit more with what must have been going on. (05/18/2001)

Technology:

[No recession for free software](#) By Andrew Leonard
Hackers scorn the theory that the economic downturn could hurt open-source software. (05/18/2001)

[Will culture-jam for food](#) By Katharine

Mieszkowski

The prankster behind the [Voteauction.com](#) satire needs your help to pay off his \$3,800 legal debt. (05/18/2001)

[Battle of the gaming giants](#) By Justin Hall

At opening day of the E3 Electronic Entertainment Expo, Sony, Nintendo and Microsoft eye one another warily. (05/18/2001)

Thursday, May 17, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Thursday, May 17, 2001 (05/17/2001)

[The gang's all here](#) By Ian Rothkerch

Four of "The Sopranos" most memorable character actors have a sit-down on working with James Gandolfini, their favorite lines and where to find the best braciola. (05/17/2001)

[Show and tell](#)

David Gates responds to Charles Taylor's essay on why the book isn't always better than the movie. (05/17/2001)

[It all comes down to gerbils](#) By Carina Chocano

Episode 7: Recruits Whitlow and Wolf endure a sleepless, never-ending gauntlet. So do we. (05/17/2001)

[Books:](#)

[Today in fiction](#)

(05/17/2001)

["The Dying Animal" by Philip Roth](#) By Charles

Taylor

In the author's new novel, carnal pursuits are all-consuming as a 62-year-old professor beds his 24-year-old student. (05/17/2001)

[Comics:](#)

[Tom the Dancing Bug](#) By Ruben Bolling

A mother's plea: Help me, Justice Scalia! (05/17/2001)

[Life:](#)

[If you flame, you get burned](#) By Casey Creel
I'm the gay kid the Christian Coalition wants your kid to be able to harass at school. (05/17/2001)

News:

[Why won't the government release the Shaheen Report?](#) By Joe Conason
Imagine if President Clinton had claimed he was exonerated by an investigation, but wouldn't release the results. (05/17/2001)

People:

[Raging polygamy menace threatens the United States!](#) By Chris Colin
As Utah cracks down on multiple-wife holder Tom Green, decent Americans ask: When will this depraved wildfire be extinguished? (05/17/2001)

[They "give good head"](#) By Carina Chocano
A cheeky shampoo ad gets New Yorkers in a lather over decency. (05/17/2001)

[Aguilera: Touch me!](#) By Amy Reiter
The pop bopper's proud to be unlike a virgin; Alec Baldwin loves America, misses his wife; Larry Flynt suffers a holy crotch bite! Plus: Behind-the-scenes "Sopranos" smooching! (05/17/2001)

Politics:

[Feeling the heat](#) By Anthony York
As Bush unveils his industry-friendly energy plan, even members of his own party are starting to sweat. (05/17/2001)

[Bushed!](#) By Salon staff
The nasty byproduct the energy plan ignores. (05/18/2001)

[David Brock's letter to Orrin Hatch](#)
The following is a reprint of the former American Spectator writer's missive regarding his role in the Arkansas Project to the chairman of the Senate Judiciary Committee. (05/18/2001)

[Smearing David Brock](#) By Daryl Lindsey and Kerry Lauerman
Ted Olson's defenders say the former right-wing journalist had nothing to do with the Arkansas Project. But the project's own records prove they're wrong. (05/18/2001)

[Dr. Mobil & Mr. Shell](#) By Jake Tapper
Overjoyed by the chance to portray Cheney & Bush

as Big Oil fat cats, Democrats pour gasoline over the president's energy plan. (05/17/2001)

[Bush's drug two-faced drug war](#) By Arianna Huffington

The president claims treatment is the best way to lower the demand for drugs. So why is his new drug czar so obsessed with punishment and prisons? (05/17/2001)

[Irony and the Free Republic](#) By Anthony York
McSweeney's lampoons the conservative Web site. (05/17/2001)

[Salon Audio:](#)

[Joyful noise](#)

In the second installment of the BOMB magazine interview series, Rick Moody and Darcey Steinke discuss their respective approaches to writing and how their own biographies come into play in their work. (05/17/2001)

[Sex:](#)

[Hello dolly](#) By Karen Croft

Photographer David Laundy shoots dolls in poses so erotically charged that the figures seem real. (05/17/2001)

Wednesday, May 16, 2001

[Arts & Entertainment:](#)

[Remembering the king of zydeco](#) By Christen Clifford
Whenever I had Boozoo on my ass I felt good. (05/16/2001)

[Blue Glow](#) By Joyce Millman
Salon's TV picks for Wednesday, May 16, 2001 (05/16/2001)

[Books:](#)

[Today in fiction](#)
(05/16/2001)

[Criminals, idiots, pickpockets!](#)
(05/16/2001)

[Loudmouths and legends](#) By Gary Kamiya
The wild manifestos of modernism reveal the splendors and stupidities of the last moment when art mattered enough to hate. (05/16/2001)

Comics:

[The K Chronicles](#) By Keith Knight

Police softball league takes its work ethic onto the field (05/16/2001)

Life:

[The pregnant pariah](#) By Amy Benfer

I've got news for Gov. Jane Swift, and it probably isn't what she wants to hear. (05/16/2001)

News:

[Showtime for the NBA](#) By Allen Barra

With four likely Hall of Famers on the floor, the Lakers-Spurs series ought to be one for the ages. But the outcome may turn on a much more prosaic performer. (05/16/2001)

[Everybody has one](#) By King Kaufman

Who cares if you don't know anything about the FBI and McVeigh? We want your opinion! (05/16/2001)

People:

[The water in Cairo in summer](#) By Jen Wiest

Sometimes the snakes, the bong hits and cancer are all visible through the lens of one place in one season. (05/16/2001)

[Letters: Lumpen gangstas, Manilow's roadie and good parenting](#)

Readers respond to recent articles about Snoop Dogg and Tom Waits. Plus: Robert W. Firestone on child rearing. (05/16/2001)

[Too bloody much](#) By Amy Reiter

Blood lovers Angelina and Billy Bob push the envelope to the grave. Plus: Oscar winners live longer, Brad Pitt wants us in his pants and J.Lo signs on to produce a sitcom! (05/16/2001)

Politics:

[Bushed!](#) By Salon staff

Bush's super-secret energy task force: The energy lobby? (05/16/2001)

["A dangerous step backwards"](#) By Fiona Morgan

Why has President Bush cut funding to combat nuclear proliferation in Russia, and will Congress be able to bring it back? (05/16/2001)

[Olson battle blows up](#) By Alicia Montgomery and Kerry Lauerman
Solicitor general nomination has party leaders at each other's throats. (05/17/2001)

[Return of the washed-up Clintonites!](#) By Anthony York
Coming soon to a university near you. (05/16/2001)

[Bush outlines energy plan](#) Associated Press
(05/17/2001)

[ANWR drilling, and conservation too](#) By Jake Tapper
A preview of Bush's energy plan reveals a lot the energy industry will love, and a little for its critics. (05/17/2001)

[Salon Audio:](#)

[The week in dirt](#) Read by Amy Reiter
Sting's very, very impressive sexual stamina and John Leguizamo's very, very large tripod exposed. Also: Matthew Hooker is very, very angry with Nicole Kidman, and more. (05/16/2001)

[Sex:](#)

[My father's bed](#) By Delaney Anderson
I thought it meant that I was special. I didn't know it would turn sex into an act of shame. (05/16/2001)

[Technology:](#)

[The poison pill](#) By Janelle Brown
The media, the government and the drug companies: They're all to blame for the fen-phen debacle, says "Dispensing With the Truth" author Alicia Mundy. (05/16/2001)

[Better dead than fat](#) By Janelle Brown
The pharmaceutical industry hooked millions on the dangerous diet drug fen-phen by manufacturing demand and ignoring warnings, says a new book. (05/16/2001)

[Life after Eazel](#) By Andrew Leonard
What does the collapse of one of the most prominent open-source start-ups mean for the future of free software? (05/16/2001)

Tuesday, May 15, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Tuesday, May 15, 2001
(05/15/2001)

[My butt rock epiphany](#) By Brian Byrne

Everyone should have a chance to live inside an album by their once-favorite band. I did, at a Tesla concert in Oklahoma City. (05/15/2001)

[Two cheeseballs, no waiting](#)

Is that a Garden-Weasel in your pocket, or are you just happy to see me? (05/16/2001)

Books:

[Today in fiction](#)

(05/15/2001)

[Bestsellers](#)

This week's bestselling books courtesy of Powells.com. (05/15/2001)

[Doing the right thing](#) By Garrison Keillor

So I resisted the affair with the teeth-achingly beautiful young woman. Now I'm miserable!
(05/15/2001)

Comics:

[Story Minute](#) By Carol Lay

The day that gravity quit. (05/15/2001)

Letters:

[Secret pleasures of Salon Premium](#)

Author Jonathan Lethem explains why you should subscribe. (05/15/2001)

Life:

[A nauseating ruling](#) By Dan Shapiro

Clarence Thomas says marijuana has no medical use. Maybe he'd like to try my cancer (05/15/2001)

News:

[Let them eat chemo](#) By Daniel Forbes

Will the Supreme Court's ostrich-like ruling shut down the medical marijuana movement?
(05/15/2001)

People:

[Snoop Dogg](#) By Stephen Lemons

A North Carolina cracker proclaims the reign of

rap's highest hound a triumph of decadence over the numbing boredom of the status quo, in the tradition of the Marquis de Sade and Arthur Rimbaud.

(05/15/2001)

Politics:

Bushed! By Salon staff

New poll numbers on the energy crisis. Plus: Bush nominee tied to video porn as the NRA cheers the president's gun plan. (05/15/2001)

Playing both sides By Jake Tapper

President Bush unveils a new gun program carefully crafted to appease both the NRA and gun control advocates. (05/15/2001)

Salon Audio:

J.R.R. Tolkien

Hear a rare recording of the fantasy master himself reading from "The Two Towers," a book from his famed trilogy, "The Lord of the Rings." (05/15/2001)

Sex:

We have liftoff By Chris Colin

T-minus six years until the universe's first outer-space sex hotel penetrates the atmosphere. (05/15/2001)

Technology:

A banner day for neo-Nazis

By Jay Dixit (05/15/2001)

So long, Douglas Adams, and thanks for all the fun

By David Cassel

The author of "The Hitchhiker's Guide to the Galaxy" was a geek's geek. The Net will miss him. (05/15/2001)

Monday, May 14, 2001

Arts & Entertainment:

Blue Glow By Joyce Millman

Salon's TV picks for Monday, May 14, 2001 (05/14/2001)

Real Life Rock Top 10 By Greil Marcus

Special Absurdity of Worldwide Commemoration of Bob Dylan's May 24 60th Birthday Edition! (05/14/2001)

Books:

[Don't look back](#) By Allen Barra

Two new books make it clear why Bob Dylan had to ditch the phony, self-righteous Greenwich Village folk scene. (05/14/2001)

[Scraping by](#)

By Laura Miller (05/14/2001)

[Salon recommends](#)

Profiles of rule-breaking women from Simone de Beauvoir to Princess Di, how wildlife triumphs in New York City and more. (05/14/2001)

[Today in fiction](#)

Bad news for a family hounded by death. (05/14/2001)

Comics:

[This Modern World](#) By Tom Tomorrow

Space Commander Bush, hero of the galaxy! (05/14/2001)

Life:

[Letter from Hawaii](#) By Janelle Brown

On Oahu and up to my eyeballs in coco-surf, sloppy-flora, roasted-pig chic. (05/14/2001)

[Accessories wanted, dead or alive](#) By Carina

Chocano

If you can't acquire a curator, go for the out-of-print coffee-table book. (05/14/2001)

People:

[Robert Sapolsky](#) By Douglas Cruickshank

The author of "A Primate's Memoir," and the world's funniest neuroscientist, talks about hanging out with baboons, madness in Africa and the difference between apes and his kids. (05/14/2001)

["Feels like a rape"](#) By Amy Reiter

Lord of the Dance freaks out over intruder; sleeping with director gets Uma nowhere; Sting's sexual stamina ain't what it was. Plus: Kid Rock slobber fest! (05/14/2001)

Politics:

[Twisting the truth in Florida](#) By Jake Tapper

Olson wasn't above playing fast and loose with facts during his partisan push to win the presidency for

George W. Bush. (05/14/2001)

[Ted Olson's Arkansas problem](#) By Daryl Lindsey
Despite his evasive disavowals, Salon investigations showed the right-wing consigliere was deeply involved in a sordid plot to bring down President Clinton. (05/14/2001)

[The first Ted Olson scandal](#) By David Neiwert
It didn't begin with the Clinton-smearing Arkansas Project. The solicitor general nominee's pattern of ruthlessness and deception began during his tenure in the Reagan administration. (05/14/2001)

[Bushed!](#) By Salon staff
Rumsfeld's space invasion; Robert Redford brushes off Bush secretary. (05/15/2001)

[Jeb Bush denies affair rumors](#) By Anthony York
Florida's governor says stories linking him to a Cabinet secretary are "an outright lie." (05/14/2001)

[Salon Audio:](#)

[Blue screen of death](#) Read by Dennis Boutsikaris
In Jeff Deaver's latest thriller, "The Blue Nowhere," a killer hacks his victims' computers, invades their lives and lures them to their deaths. (05/14/2001)

[Sex:](#)

[The big buildup](#) By Randy Everhard (as told to B.D. Kwiatek)
My con depended on a Coppertone beauty who was turning heads and raising dicks all over the place. (05/14/2001)

[Technology:](#)

[What has Barry McCaffrey been smoking?](#) By Katharine Mieszkowski
The former drug czar goes dot-com with an Internet company that charges \$1,200 for online drug treatment. (05/14/2001)

Saturday, May 12, 2001

[Books:](#)

[Today in fiction](#)
(05/12/2001)

[News:](#)

[One last conspiracy](#) By Kerry Lauerman

The FBI's bizarre foul-up on the McVeigh case gives leaders of the dying militia movement a reason to revisit their glory days. (05/12/2001)

[Botched!](#) By Alicia Montgomery and Fiona Morgan

"If the government can't get it right in this case, how can we rely on it to get it right in any case?" Experts react to the FBI blunder. (05/12/2001)

Friday, May 11, 2001

[Arts & Entertainment:](#)

[Let's call the whole thing off](#)

You say Moretty, we say Moretti! Plus: the case of the pilfered mint (05/12/2001)

["A Knight's Tale"](#) By Stephanie Zacharek

Leave my rock 'n' roll out of your Ren Faire! (05/11/2001)

["Startup.com"](#) By Jeff Stark

An engrossing documentary follows two friends as they soar and crash with the dot-com wave. (05/12/2001)

[When we were kings](#) By Jeff Stark

Filmmakers Chris Hegedus and Jehane Noujaim talk about their unblinking look at ill-fated GovWorks.com. (05/11/2001)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Weekend, May 11-13, 2001 (05/11/2001)

[Why the XFL tanked](#) By Eric Boehlert

Vince McMahon and NBC were going to change the face of broadcast sports. Instead, they made the wrong kind of history. (05/11/2001)

[Books:](#)

[Today in fiction](#)

(05/11/2001)

["John Henry Days"](#) By Jonathan Miles

In Colson Whitehead's dazzling follow-up to "The Intuitionist," a junketeering journalist pursues an American legend in an epic tale of man, machine and free drinks. (05/11/2001)

[Life:](#)

[The failure of testing](#) By Meg Robbins

President Bush wants to "test every child, every year." But a growing movement of families and teachers insists this is a formula for mediocre schooling and stressed-out kids. (05/11/2001)

[Hefner begins European Playboy tour](#)

(05/11/2001)

[News:](#)

[The children's war, again](#) By Daryl Lindsey

The killing of two Israeli teenagers, including one with dual American citizenship, brings the war home -- but that's not likely to stop the bloodshed. (05/11/2001)

[It leave me](#) By King Kaufman

The XFL belongs to the ages now, and we're left with only our memories, if we can remember any. (05/11/2001)

[People:](#)

[Charlie Ward's holy hoops quiz](#) By Lance Gould

Time for Judaism's favorite point guard to brush up on his trivia. Feel free to play along -- even you stubborn Jews! (05/11/2001)

[Bush vs. China, and himself](#)

By Camille Paglia (05/11/2001)

[Paulie Walnuts is nuts about his mom](#) By Amy Reiter

A very "Sopranos" Mother's Day; Laura Bush's powerful bust; Kidman's alleged stalker cries foul. Plus: Win our hot-kicker dry T-shirt contest! (05/11/2001)

[Politics:](#)

[Bushed!](#) By Salon staff

The president's approval numbers tumble as Cheney tells California to "tough" out its blackouts. (05/11/2001)

[Cash cowed](#) By Jake Tapper

The Republican Party's zeal for raising money has even some of its own members worried. (05/11/2001)

[Olson under fire](#) By Jake Tapper

More questions arise over how accurate President Bush's solicitor general-designate has been about his role in an anti-Clinton investigation. (05/11/2001)

[Is Jeb in or out?](#) By Anthony York

Rumors swirl about the Florida governor's political future. Plus: Online lefties cheer as the nomination of Ted Olson is put on hold. (05/11/2001)

Salon Audio:

Why Yahoo pulled the plug on porn By Damien Cave and Amy Standen
Damien Cave tells the story of how the mega-portal got scared out of the sex-industry. (05/11/2001)

Sex:

Letting it all hang out By David Thomson
Nicole Kidman shimmies and sings in "Moulin Rouge," her first great film. (05/11/2001)

Technology:

The porn crusaders By Damien Cave
How a small group of media moralists busted Yahoo -- after years of failing to make a dent anywhere else. (05/11/2001)

Thursday, May 10, 2001

Arts & Entertainment:

"Calle 54" By Charles Taylor
A loving, "Buena Vista Social Club"-style hymn to the rhythm and life of salsa (05/10/2001)

Blue Glow By Joyce Millman
Salon's TV picks for Thursday, May 10, 2001 (05/10/2001)

Books:

Today in fiction
(05/10/2001)

"Night of Stone" and "Is the honeymoon over?"
Readers respond to Charles Taylor's review of a history of totalitarian terror in Russia and Suzy Hansen's interview with an expert who says American Jews' support of Israel is waning (05/10/2001)

Gloom at the top By Maria Russo
Get a bunch of bestselling authors together and what do they talk about? The agonies of success. (05/10/2001)

Comics:

[Tom the Dancing Bug](#) By Ruben Bolling
Coming soon! "Passing the Wind," starring Tom Green as Rhett Butler! (05/10/2001)

[Life:](#)

[The other woman](#) By Molly Hennessy-Fiske
When my mom split up with my not-mom, Mother's Day lost its charm. (05/10/2001)

[News:](#)

[Dog and pony show](#) By King Kaufman
With players straight out of central casting, San Francisco transforms the most gruesome and deadly canine attack in recent memory into a soap opera. (05/10/2001)

[What is Washington trying to hide?](#) By Arianna Huffington
The government outsources the war on drugs so it can point fingers at the private sector when the body bags start pouring in. (05/10/2001)

[People:](#)

[It's all good: The appeal of Deepak Chopra](#) By David Beers
What pulls people like Michael Jackson, Demi Moore and Bill Clinton to this spiritual tycoon? Is it a hunger for wonders or lack of sense? (05/10/2001)

[Rhyme time with Kidman's stalker!](#) By Amy Reiter
Nicole does her best to keep "a wonderful man" away. Plus: Britney disses her hometown, Leguizamo's got a major bulge and Woody Harrelson runs from the law! (05/10/2001)

[Politics:](#)

[Dick Cheney's 10 energy-saving tips!](#) By Tom McNichol
A few sensible ways not to end up like those losers in California. (05/10/2001)

[Dems to GOP: It's payback time!](#) By Jake Tapper
Republicans stonewalled Clinton's judicial appointments. Now angry Senate Democrats vow to return the favor. (05/10/2001)

[Bushed!](#) By Salon staff
Not so fast, Ted! Energy crisis solution: Less e-mail? "That's My Bush!" recap. Plus: Official gets egged in Seoul; the dirt on Bush's judicial nominees. (05/11/2001)

[Al Gore returns to Florida](#) By Anthony York
The former vice president holds his tongue as Democrats call on him to blast Bush. (05/10/2001)

[Salon Audio:](#)

[Cruisin' nude](#) Read by Maud Casey
In Maud Casey's novel "The Shape of Things to Come," when two ex-lovers are found getting it on, they flee in their car, naked, with seat belts fastened. (05/10/2001)

[Sex:](#)

[Voluptuous curves](#) By Debra Ollivier
The curator of the "Erotic Picasso" show in Paris talks about why the artist's most ribald work probably won't come to the U.S. (05/10/2001)

[Technology:](#)

[The pigeon protocol](#) By Peter Meyers
How the Talmud, hacker whimsy and a love of Linux inspired a group of Norwegian programmers to attach packets of computer code to birds' legs. (05/10/2001)

["Sesame Street" -- Brought to you by the letters A, O and L](#)
By Katharine Mieszkowski (05/10/2001)

Wednesday, May 09, 2001

[Arts & Entertainment:](#)

[A conversation with Robert Christgau](#) By Barbara O'Dair
The self-styled dean of American rock criticism talks about rock's past, its future and why he hit Ellen Willis in the face with a piece of pie. (05/09/2001)

[Blue Glow](#) By Joyce Millman
Salon's TV picks for Wednesday, May 9, 2001 (05/09/2001)

[The psycho beside me](#) By Carina Chocano
Episode 4: Shannon goes wacky to get attention, but Tomas has eyes only for Jane's implants. (05/09/2001)

[Books:](#)

[Scraping by](#) By Laura Miller
Barbara Ehrenreich spent two years as a waitress,

maid and Wal-Mart clerk, trying to find out how America's working poor make it. Her answer: A lot of them don't. (05/09/2001)

Today in fiction

(05/09/2001)

Comics:

The K Chronicles By Keith Knight

The phone works! The bus stops! And other amazing victories. (05/09/2001)

Life:

How to pronounce "memoir" By Stephen J. Lyons

Pretend someone stole your rattle and draw out that last syllable in a long "whaa." (05/09/2001)

News:

Bert Sugar on boxing By Allen Barra

The ring's resident raconteur talks about the state of the sport, his all-time heavyweights and this week's big fight. (05/09/2001)

The McVeigh effect By Earl Ofari Hutchinson

The media buzz over the white Oklahoma City bomber's execution is eclipsing the truth about federal death-row inmates: Most are black or Latino. (05/09/2001)

People:

Sumo's setting sun By Gabrielle Kennedy

Japan's heaviest tradition had a glimmer of hope on its way out. But as the Waka-Taka Boom learned, the sport needs a big shake-up if it's going to survive. (05/09/2001)

Politics:

Bushed! By Salon staff

Veep, governor disagree "big time" on power. Plus: Dems ready to slam and jam the president's bench picks; celebs in Britain blast Bush on the environment. (05/09/2001)

Democrats to LePore: Good riddance! By Anthony York

Plus: War breaks out over Bush's first 11 federal judicial nominations. Plus: McAuliffe says Bush "stole the election." (05/09/2001)

Salon Audio:

[The week in dirt](#) Read by Amy Reiter

"Survivor" Amber gets naked, but not paid. Plus: Classic rock is dead; Republican senators wrestle Arnold Schwarzenegger; a "Real World" cast member's unusual quest for "social healing." (05/09/2001)

[Sex:](#)

[Good gimmick](#) By David Tuller

A new sex advice book for gay guys is slight, sassy, silly and entertaining. (05/09/2001)

[Technology:](#)

[A banner day for neo-Nazis](#) By Jay Dixit

Last month, Hatewatch shut down, declaring that the battle against hate groups has been won. It hasn't. (05/09/2001)

Tuesday, May 08, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Tuesday, May 8, 2001 (05/08/2001)

[Back from the dead -- it's "Saturday Night Live"!](#) By

Joyce Millman

Led by Tina Fey and Jimmy Fallon, an enlivened show reverberates with the sweet thwack of jokes hit out of the park. (05/08/2001)

["Blazing Saddles"](#) By Max Garrone

Mel Brooks remembers working with Richard Pryor, and a time when farting jokes were as offensive as it gets. (05/08/2001)

[Books:](#)

[Long-distance love](#) By Garrison Keillor

I thought the Boyfriend away in graduate school was It, but then along came the Other Man, who lives right here. (05/08/2001)

[Built on the buzz](#)

By Maria Russo (05/08/2001)

[Comics:](#)

[Story Minute](#) By Carol Lay

The wish agent intervenes. (05/08/2001)

Life:

Kids on the road By Kate Convissor

They have exchanged hair gel and television for playing blindman's buff and swimming with manta rays. (05/08/2001)

News:

The "Joe Camel" ads of AIDS? By Daryl Lindsey

The FDA says ads for drugs to suppress HIV are making false promises, and could be contributing to an epidemic of unsafe sex. (05/08/2001)

Bush league By Joe Conason

America's ouster from the U.N. Human Rights Commission reveals the arrogant incompetence of Bush's vaunted "wise men." (05/08/2001)

People:

Tom Waits By Anthony York

With his trademark throaty growl, he's a piano bar crooner and a Coney Island barker, singing songs of loneliness and desperation. (05/08/2001)

"Survivor" stripper strapped By Amy Reiter

Amber shows some skin -- but nobody pays her to do it; Julia Roberts' head size debated by knitters. Plus: Classic rockers get the classic diss, and a "Real World" vet lands in real trouble. (05/08/2001)

Politics:

Bushed! By Salon staff

The broken promise: Why is Bush cutting the budget for anti-nuclear proliferation programs when he said he'd increase it? Plus: What Democrat will get a federal judgeship Wednesday? (05/08/2001)

The ugly Americans By Ian Williams

Don't blame it all on Bush -- the world's grievances against the U.S. have been stewing for a long time (05/08/2001)

A phantom energy crisis By Dan Ackman

The Bush administration has convinced the nation that we're in the middle of a power emergency, but the facts indicate otherwise. (05/08/2001)

More on the Florida recount By Anthony York

The media consortium gets ready to release its numbers. (05/08/2001)

Salon Audio:

[Peter Carey](#)

Robert Polito speaks with the author of "True History of the Kelly Gang," in our first installment of the 2001 interview series hosted by BOMB magazine and Salon. (05/08/2001)

[Sex:](#)

[Adultery's got a new price](#) By Chris Colin

A Malaysian court fines a woman for breaking up her lover's marriage. (05/08/2001)

[Technology:](#)

[Where have all the lap dancers gone?](#) By Laurel

Rosen

Sex workers are surviving the dot-com bust, but they too mourn the days of easy venture capital and IPO-inspired lust. (05/08/2001)

Monday, May 07, 2001

[Arts & Entertainment:](#)

[Blue Glow](#) By Joyce Millman

Salon's TV picks for Monday, May 7, 2001
(05/07/2001)

[Exclusive: The 50 Most Beautiful People Alive in the World!](#) By Bill Matthews

From People magazine! The list with everyone on it: Julia and Mel and Prince William and ...
(05/07/2001)

[Books:](#)

[Culture of death](#) By Charles Taylor

A historian's view of 20th century Russia shows the traumatic legacy of totalitarian terror. (05/07/2001)

[Today in fiction](#)

(05/07/2001)

[Salon recommends](#)

A mysterious rebel leader, a mom who leaves no corner of her daughter's life unsupervised and more.
(05/07/2001)

[Comics:](#)

[This Modern World](#) By Tom Tomorrow

Dems rake Satan over the coals. (05/07/2001)

[Letters:](#)

[Salon Premium: It just gets better](#)

Arianna Huffington explains why you should subscribe. (05/08/2001)

[Life:](#)

[Heat chic](#) By Janelle Brown

Stitch-free halter tops, stretch capris and goofy shades blossom in the sun. (05/07/2001)

[I'm dancing naked in my Ugg boots as fast as I can](#)

By Carina Chocano

The new crop of girl guides consoles single women with stealthy heckling and humiliating tasks. (05/07/2001)

[News:](#)

[Bush's political lynching](#) By David Horowitz

The president has created the most diverse administration in history. So why does the race-baiting left continue to plant anti-Republican paranoia in black communities? (05/07/2001)

[People:](#)

[Neve Campbell](#) By Stephen Lemons

The star of "Party of Five," "Scream" and "Wild Things" talks about making out with strangers, taking risks and the pitfalls of being beautiful. (05/07/2001)

[Eliminate the famous people!](#) By Amy Reiter

Kobe Bryant and others line up for "Celebrity Survivor"; Baby Spice wants her breasts free. Plus: Repubs beg Ah-nold to run, and neighbors beg Hef to quiet down! (05/07/2001)

[Politics:](#)

[Bushed!](#) By Salon staff

Iraq to America: U.N. vote shows the world detests your "criminal tyranny." Plus: Walsh on Whitman: Walk, Christie, walk. And the president successfully talks up the energy crisis. (05/07/2001)

[School of lies](#) By Arianna Huffington

When it comes to education, only one rule applies in the nation's capital: "If it's broke, don't fix it." (05/07/2001)

[Whither Colin Powell?](#) By Anthony York

Conservatives sharpen their knives and take a few swipes at the secretary of state. (05/07/2001)

Salon Audio:

The programmer's lament By David Wadler
How one overworked, underpaid coder lost his health, his sanity and his faith in the dot-com dream.
(05/07/2001)

Sex:

Sex slave By Karen Propp
My husband's prostate problem means that our lovemaking is, unfortunately, all about me.
(05/07/2001)

Technology:

Defending the cookie monster By Scott Rosenberg
There are lots worse things in the world than Web sites leaving cookies on your computer.
(05/07/2001)

Saturday, May 05, 2001

Arts & Entertainment:

Colby's choice By Bill Wyman
Who would have thought that a dumb reality TV show would have produced a moral exemplar for our times? (05/05/2001)

Books:

Today in fiction
(05/05/2001)

News:

Take this job and ... By King Kaufman
Rangers manager Johnny Oates takes the fall for leading a bad team to a lousy record. Plus: Neon Deion and good news; NBA playofzzzzzz.
(05/05/2001)

Friday, May 04, 2001

Arts & Entertainment:

"The Mummy Returns" By Charles Taylor
A sequel that's everything the original wasn't. That's not good. (05/04/2001)

Blue Glow By Joyce Millman
Salon's TV picks for Weekend, May 4-6, 2001
(05/04/2001)

["Eureka"](#) By Andrew O'Hehir

Indie movies go global with a four-hour Japanese film that, like life, keeps going -- even if you sneak off to the bathroom. (05/04/2001)

Books:

[Today in fiction](#)

(05/04/2001)

[Is the honeymoon over?](#) By Suzy Hansen

A historian says that American Jews are increasingly disenchanted with Israel and its policies, and more wrapped up in their own concerns. (05/04/2001)

[The poetry page](#) By Sharon Olds

Three poems from the author of "Blood, Tin, Straw." (05/04/2001)

["Mammy's revenge" and "Cut the flap"](#)

Readers respond to Laura Miller's essay on the myths of the South and Charles Taylor's critique of book flap copy. (05/04/2001)

Life:

[Crime family](#) By Paul Donnelly

In a passel of 10 kids, one learns the fine points of foraging, opportunism and guile. (05/04/2001)

[Letters](#)

Readers respond to "Jay Belsky doesn't play well with others" by Jennifer Foote Sweeney and "The wrong kind of black" by Cecelie Berry. (05/04/2001)

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[Louisiana calls Darwin a racist](#) By Fiona Morgan

The state Legislature casts him in the same league as Hitler. A science educator says it's going to be a rough year for evolutionists. (05/04/2001)

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[Show me the mummy!](#) By Chris Colin

In 1994, Bob Brier mummified a human body using ancient Egyptian techniques. Today his success story's all wrapped up. (05/04/2001)

[Eye witness?](#) By Amy Reiter

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Writers group debates which author to defend -- Margaret Mitchell or her satirist. (05/02/2001)

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[Is it time for a Vietnam truth commission?](#) By Bruce

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[Bushed!](#) By Salon staff

Kamiya: Why Bush's Star Wars plan may make America a more dangerous place. Plus: Introducing Bush League: Meet the commissioners who'll save Social Security. And who's sucking up, Fleischer or Bruni? (05/02/2001)

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Uma Thurman reads from David Ebershoff's novel "A Danish Girl," and Ethan Hawke reads from Heidi Julavits' "The Mineral Palace," two finalist in the New York Public Library Young Lions Fiction Award. (05/02/2001)

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best kinds of brazen women take their pleasure as men do -- with no apologies. (05/02/2001)

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Coder on the cross By David Wadler

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Is the FBI tracking online protesters? By Amy Standen

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A day in the life of a development executive, who may or may not lose her job in the Hollywood writers strike. (05/01/2001)

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He insists on pleasuring himself before he sees me, so when we get together it's like trying to stuff a marshmallow in a piggy bank. (05/01/2001)

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Days of women and silence By S.E. Molina
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A first-year law student brought a giant pharmaceutical to its knees. But will her victory for South Africa's AIDS sufferers deprive the world of new medicines? (05/01/2001)

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Violence may follow her, but so does everything else. Iceland's greatest export is taking us to the verge. (05/01/2001)

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[Philly blunt](#) By Jake Tapper

As mayor of Philadelphia and chairman of the DNC, Ed Rendell was criticized by fellow Democrats for speaking his mind. Now he wants to be governor of Pennsylvania. (05/01/2001)

[Bushed!](#) By Salon staff

Cheney reveals his inner oilman. (05/01/2001)

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The president throws a party for himself -- and hardly anybody shows. Maybe it was the "Salmonella Surprise" on the menu. (05/01/2001)

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Ethan Hawke reads from the works of the finalists for the New York Public Library's Young Lions Fiction Award, with an introduction by Rick Moody. (05/01/2001)

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[Sometimes it's OK to wake them](#) By Chris Colin

A chronic somnambulist awoke naked on top of a 7-year-old. He'll do his sleepwalking in the clink from now on. (05/01/2001)

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[Can my mommy have her paycheck?](#) By Katharine Mieszkowski

New economy, old economy -- what's the difference when you're working on the assembly line? Not much, say the makers of "Secrets of Silicon Valley." (05/01/2001)

[Take that, Silicon Valley!](#) By Katharine

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A new documentary follows two young activists on a crusade to expose the tech industry's labor woes. (05/01/2001)

[Web etiquette lessons from David Lee Roth](#) By

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Thursday, May 31, 2001. Arts & Entertainment: Lucinda Williams' psychosexual murk By Don McLeese On "Essence," her new album, a fragile ...

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Thursday, January 31, 2002. Arts & Entertainment: Beat me! Shock me! By Carina Chocano Make me remember Taco Bell commercials! Two ...

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Friday, November 30, 2001. Arts & Entertainment: "The Affair of the Necklace" By Andrew O'Hehir In an ill-advised costume drama with ...

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Wednesday, October 31, 2001. Arts & Entertainment: "The Man Who Wasn't There" By Andrew O'Hehir Another cool, near-perfect puzzler ...

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Stories:2000

Public Information

These reports cover issues dealing with the public's right of access to information held by government agencies and courts, at the federal, state and local level. The typical laws involved are the California Public Records Act, the federal Freedom of Information Act, and rules on access to records of state courts, adopted by the California Legislature or the California Judicial Council.

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>>>> NEW LAW REQUIRES PUBLIC AGENCIES TO SHARE THE E-RECORDS (1/5/01)

As of this week, copies of public record information held by California government in electronic form must be made available to the public if requested in that form, and may be copied in any format used by the agency to generate copies for its own use.

Requesters can even have an agency "create" an e-record to combine data in new ways if they pay programming costs.

AB 2799 by Assemblyman Kevin Shelley (D-San Francisco), signed by Governor Gray Davis last fall, took effect January 1. It has repealed the long-standing California Public Records Act provision giving public agencies discretion over what form computerized public information must be produced in (e.g. electronic or hard copy printouts). The Act previously said nothing else about computer file access other than the general principle that information accessible to the public on paper remains legally accessible when stored electronically.

Under AB 2799, the Act has been amended to provide that:

- * Public information not exempt from disclosure must be made available in the electronic format requested if the public agency holding the information uses that format for making copies for its own or another agency's use.
- * If meeting the request involves only copying, any fee charged by the agency must be limited to the "direct cost of producing a copy."
- * If the request is for a format not used by the agency for its own copying, and therefore would require special work, extra charges and delay are authorized.
- * "The cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record," can be passed on to the requester when "the record is one that is produced only at otherwise regularly scheduled intervals" but is demanded off-schedule, or the formatting sought "would require data compilation, extraction, or programming."
- * An extension of up to 14 days could stretch the deadline for a determination response from the public agency, meaning a maximum total of 24 days, based on "the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data."
- * If the request is for a paper record, the agency may inform the requester that the information is also available in electronic format, but cannot limit access to the electronic version. Nor must it "reconstruct" a record in an electronic format if it "no longer has" the information in that format.
- * A request to release information in the format in which the agency keeps it would not have to be honored if doing so "would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained."

The new amendments include two other important provisions unrelated to electronic records. One restores the word "delay," substituted several years ago by the word "obstruct" in a provision prohibiting certain agency conduct that frustrates timely access to records. The new law now forbids both delay and obstruction. Also, the Act for the first time expressly requires that any notice from the agency announcing denial of access be in writing - if the request was made in writing.

COMMENT: How to use the new law, including how to structure an access request, depends more than ever on just what kind of access is desired to what kind of information. Some of the variables:

-- Inspection: If the desire is to simply review computer-stored information, either prior to or instead of asking for a copy, such inspection seems to be accommodated by the new rules, which for example speak distinctly of "making information available" and "providing a copy of an electronic record." The problems may be more practical than legal, i.e. when the text or database display a requester wants to read on a screen is salted with isolated items of confidential information.

-- Copying: Assuming no further work is required and the copies are those a requester could work with, this option should be straightforward, rapid and inexpensive.

-- Special work: AB 2799 resolves what under some jurisdictions' laws has been a quite serious issue, namely whether a public agency in electronically assembling a report to the tailored requirements of a requester is "creating a new record" - an activity not mandated by most access laws. The new amendments, by simply providing that such extra work can be charged for specially, presume that if requested, such work is within the Act's mandate, i.e. even when "the request would require data compilation, extraction, or programming to produce the record," the issue is not whether it must be produced but how much can be charged for the production.

The new law's provisions behooves the requester to check informally with those who are familiar with the agency's information systems to see if the desired report can be assembled, and how readily, and at what expense, rather than blindly dictating a demand for some documentation that cannot possibly be produced.

FRESNO STATE ORDERED TO RELEASE NAMES OF SKYBOX PATRONS (12/22/00)

The names of those leasing luxury skybox suites in a planned on-campus sports arena are matters of public record not protected by their privacy interests, a judge has ruled in a case brought by the Fresno Bee against Fresno State University and an auxiliary organization. Superior Court Judge Franklin P. Jones stayed his release order to allow time for appeal.

The case was brought last March when Fresno State and the CSU Fresno Association, Inc. declined to provide the names of some individuals and entities signing one year leases for skybox suites in the proposed Save Mart Center, to be built on Shaw Avenue as a multipurpose sports and recreation complex.

The defendants took the position that disclosing all names would dissuade future charitable contributions, citing the Section 6255 "catchall" exemption from the California Public Records Act. Also relied on was the exemption for personal privacy.

But Fresno Bee Executive Editor Charlie Waters said the 32 suites, ranging in lease price from \$45,000 to \$63,000 per year, were the subject of "simple business deals in which individuals or companies are paying for prime seating in a new arena."

In his Dec. 19 order, Judge Jones said he had reviewed the blank lease form but had not checked the names or individual lease agreements in chambers. He said the sports complex would operate by a public institution, as a public function. Although private money was anticipated as supporting most construction costs by the time of the 2002 opening, the state had already fronted \$8 million for off-site improvements, and yet leaseholders "will be deriving a significant and valuable benefit over and above what other donors and members of the public will enjoy."

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RECORDS CASE SHOWS LAWYER 'GHOST-WRITING' PLANNING DOCUMENTS (12/8/00)

A lawsuit filed under the California Public Records Act will cost Monterey County more than \$400,000 in attorney fees and other expenses after court-ordered release of records showed that a private law firm moving development projects through the planning approval process actually wrote many of the documents passed off as staff reports.

On Tuesday, December 5, County Administrative Officer Sally Reed announced appointment of a well-known local environmental activist as the new planning director, a move apparently prompted in part by the perception that the planning department has been manipulated by pro-development forces.

The background to the records suit is a bitter struggle in 1999 over September Ranch, a proposed 100-home luxury subdivision in Carmel Valley. Over-optimistic claims for adequate water supply and road access were among the key reasons for a superior court order effectively sending the project back to the drawing boards over a year ago. Chief opponent to September Ranch was the local chapter of the Sierra Club, of which new planning director Scott Hennessy is a former chairman. Hennessy is also most recently chairman of the county planning commission.

But meanwhile Patricia Bernardi, a retired schoolteacher living in Carmel Valley who first became politically active over water issues, became suspicious of how the planning department was handling project reviews. She told the Monterey County Herald that she attended a planning commission meeting and saw the staff all thumbs with its own

documentation, being advised by whispers from a project applicant's attorneys.

Bernardi later told the Monterey County Herald, "That was when my radar really blipped." She contacted attorney Michael Stamp, one of the team of lawyers representing the Sierra Club in challenging the September Ranch project. In February, 1999, Stamp requested from the planning department copies of documents prepared by the law firm of Lombardo & Gilles. Attorney Tony Lombardo, typically a very effective practitioner in land use regulation, had been on the applicant's losing side in the September Ranch case.

At that time Superior Court Judge Richard Silver had scolded Lombardo for his firm's preparation of "critical documents" for county planning staff. Stamp's public records request yielded a cartonful of miscellaneous documents - enough to make it clear that quite a few more - in paper and on diskette - were missing.

Stamp filed a public records access action with the superior court to obtain the missing files - and again drew Judge Silver, who eventually noticed that of the documents actually produced, a substantial number concerned the September Ranch application - and not all of them had been included in the administrative record filed in the Sierra Club environmental challenge, which the county had certified as complete.

Judge Silver found that the public records lawsuit "was ultimately filed based on a belief that in fact a substantial number of relevant materials were being withheld or destroyed. The discovery and depositions in this case confirmed that substantial documents and disks had not been produced and/or had been written over or destroyed, some after the lawsuit was filed."

Equally disturbing, "many of the documents (actually produced by Lombardo's law firm) are prepared in county format so that they appear to be prepared by county staff. Some of them even have the county seal on them. There is no reasonable way any member of the public could tell that they were not prepared by county staff."

The judge said that "the appearance of independent judgment is so tainted that public confidence is justifiably lost" when a law firm produces documents that appear to be written by government staffers.

The judge was not banned outright the practice of project applicants' attorneys drafting papers for county planning staff to work on, but all such documents must henceforth bear the author's stamp, and none may bear the county seal.

By December, the county's debts to its own lawyers and investigators and its requirement to pay Stamp's fees, were estimated to total \$415,318, with one county-retained law firm still to submit its fee bill.

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TRIAL LAWYERS LAUNCH TWO BILLS RESTRICTING SEALED SETTLEMENTS (12/8/00)

An association of plaintiffs' trial lawyers is sponsoring twin bills, introduced in the Senate and Assembly on December 4, to make it far more difficult for parties in certain consumer-sensitive civil lawsuits to keep settlements and discovery-produced business information confidential. Legislation like this has been eluding enactment for years.

Consumer Attorneys of California is backing SB 11 by Senator Martha Escutia (D-Montebello) and AB 36 by Assemblyman Darrell Steinberg (D-Sacramento).

The bills are the latest in a series of legislative attempts, beginning with that of then Senator Bill Lockyer in 1992 and continuing through SB 1254 of 1999 by then Senator Adam Schiff, to end the common practice of corporate defendants in certain cases in settling with injured plaintiffs-but only under terms that keep under wraps the settlements themselves as well as embarrassing company information acquired by the plaintiffs' lawyers in discovery.

Lockyer's bill was vetoed by Governor Pete Wilson; Schiff's bill was quietly dropped when the author learned that the California Judicial Council would be addressing the issue of sealing court records as part of its rulemaking process in 2000. As it happens, however, the council's rules, adopted this fall and going into effect in January, do not address out-of-court agreements to keep settlements and discovered information confidential.

Recent events have given the issue new urgency, including the Bridgestone/Firestone settlements of defective tire lawsuits, and more locally, the secrecy agreements used by insurance companies to settle claims tracing the the 1994 Northridge earthquake.

It was Senator Escutia who, during the investigation earlier this year into Charles Quackenbush's performance as Insurance Commissioner with respect to Northridge claims, made public a number of confidential insurance department records detailing thousands of potential violations of law by insurance companies.

The new bills explicitly address these episodes as proof that legislation is needed:

"The Legislature finds and declares all of the following:

"(a) Secrecy agreements that prohibit disclosure to the public or public safety agencies of information relating to defective products, financial fraud, unfair insurance claims practices, or environmental hazards are injurious to the health, safety, and economic well-being of all Californians.

"(b) Secrecy agreements can have tragic consequences. A widely known example of

the disastrous consequences of secrecy agreements is the tragedy resulting from dangerous defects in Firestone tires, which have reportedly caused more than 150 deaths and more than 500 injuries worldwide. For many years, Bridgestone/Firestone, Inc. knew about these dangerous defects, but kept the information out of the public eye by secretly settling many lawsuits brought as a result of crashes related to defective tires. During that time, the public continued to drive on Firestone tires, unaware of the mortal danger to their families and themselves. As a result of these hidden, dangerous defects, on August 9, 2000, Bridgestone/Firestone, Inc. and Ford Motor Co. jointly announced that Firestone would recall over 14 million tires. In the absence of a secrecy agreement, information about this dangerous product could have been disclosed publicly, which could have saved lives and avoided injuries. However, the companies demanded secrecy as the price of compensation for victims, resulting in many deaths and injuries that could have been avoided absent demands for secrecy agreements.

"(c) Secrecy agreements can allow companies to shield information that shows a practice of treating consumers unfairly and can permit those companies to continue illegal practices without accountability. The circumstances that allowed secrecy regarding the claims of victims of the Northridge earthquake and the contaminated drinking water connected with the story of Erin Brockovich also highlight the need for openness.

"(d) Secrecy agreements allow companies to shield life-threatening dangers and harmful practices from public view, thereby severely jeopardizing public welfare and safety. It is against the public interest to allow secrecy agreements about defective products, financial fraud, unfair insurance claims practices, or environmental hazards to remain confidential except in very limited circumstances upon careful judicial oversight and review."

The bills' key provisions are as follows:

o In any action based on injury, wrongful death, or financial loss allegedly caused by a defective product, financial fraud, unfair insurance claims practice, or environmental hazard, information about the defective product, financial fraud, unfair insurance claims practice, or environmental hazard contained in settlement agreements and confidentiality agreements not filed with the court, as well as similar information acquired through discovery, "shall be presumed to be public information and may not be kept confidential pursuant to agreement of the parties."

o The only way to keep such information confidential would be by obtaining a court order based on a finding that either:

(1) The information is a trade secret or otherwise privileged under existing law, or

(2) (A) An overriding interest exists that overcomes the right of public access to the information; and

(B) The overriding interest supports keeping the information confidential; and

(C) A substantial probability exists that the overriding interest will be prejudiced if the information is not kept confidential; and

(D) The proposed confidentiality is narrowly tailored; and

(E) No less restrictive means exist to achieve the overriding interest.

o Absent trade secrecy or other privilege, whether or not a court finds the balance of interests generally favoring confidentiality otherwise, any portion of an agreement or contract that restricts a party from disclosing such information to a governmental agency with enforcement authority over the defective product, financial fraud, unfair insurance claims practice, or environmental hazard "is void, contrary to public policy, and may not be enforced."

Attorney General Lockyer supports the legislation, but it faces very strong opposition from manufacturers, some Silicon Valley high-technology companies and venture capitalists, and a new source of resistance, the insurance industry.

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NORWIN YOFFIE, FORMER PUBLISHER AND FREEDOM FIGHTER, DIES AT 76 (12/2/00)

Memorial services were held in San Rafael Wednesday, November 29 for Norwin Yoffie, former publisher of the Marin Independent Journal and a dogged champion of open government and aggressive journalism on public issues. The local unit of the Society of Professional Journalists will rename its career achievement award in his memory.

Yoffie expired of complications from chronic kidney failure in Marin General Hospital on November 24, survived by his widow, Sandra, four children, seven grandchildren, his mother, and his sister.

It was Marin General that was the focus of Yoffie's most extraordinary commitment of personal resources to open government advocacy. In the 1980s, after his retirement from 18 years, culminating as publisher, of the Independent Journal, he and Sandra sued the Marin Hospital District under the Brown Act.

The district was among the earliest to take advantage of a state law allowing it to place its hospital under the management of a private corporation. A principal effect of this arrangement was to end most newsworthy activity by the district board and transfer discussions and actions, previously found in public meetings, to closed meetings of the corporate board.

Yoffie tried to get the Independent Journal to take court action to reverse the secrecy, but the new ownership declined. The Yoffies then sued in their own names, arguing that the responsibility to hold open meetings had, under the Brown Act, been transferred to the corporate board along with its acquired decision-making authority - that the hospital district could not shroud its business from the public simply by taking

its operational functions private.

The First District Court of Appeal disagreed, and the corporate meetings stayed closed. But as evidence that the Yoffies' position had strong merit, the Fourth District Court of Appeal dealt with the identical question in a later suit involving Desert Hospital in Palm Springs, and ruled in favor of opening the meetings of that corporate entity. The California Supreme Court was spared the need to address the conflict between the cases since the latter was kept unpublished, leaving it to bind the parties but unavailable as precedent.

But the Yoffies' lasting vindication on principle came in 1994, when as part of major revisions to the Brown Act, the legislature expressly amended the law to provide that future district hospital management transfers would carry the open meeting provisions with them to the corporate board actually running the facilities.

In his retirement years Norwin Yoffie not only continued to lend his wide experience of newspaper management to other publishers as a consultant, but served actively as a member of the Northern California Chapter of the Society of Professional Journalists, as a mainstay of its Freedom of Information Committee. He also contributed his time generously to planning the initial First Amendment Assembly of the California First Amendment Coalition, held in Oakland.

Bruce B. Brugmann, editor and publisher of the San Francisco Bay Guardian and a friend and colleague for many years, told the San Francisco Chronicle that Yoffie was "one of the truly great independent newspaper men of his generation," and a stalwart advocate for freedom of information in particular.

During his eulogy remarks at the funeral, Brugmann announced that the SPJ Chapter would re-title its annual freedom of information career achievement award to memorialize Yoffie by name.

Comment: As a 20-year-old fresh from the University of Missouri School of Journalism, Norwin Yoffie fought in an artillery unit driving the D-Day invasion into France and Germany. He served 30 years in the Army reserve and retired with the rank of lieutenant colonel. He was given military honors, including a rifle detail salute, a bugler's taps and a flag-draped coffin, in final ceremonies at Mt. Tamalpais Cemetery. A family member recalled how once, when staying in a hotel across the street from the American embassy in Mexico City, the Yoffies had seen demonstrators burn an American flag in the street, and Norwin had walked over to the embassy gate and ordered Marine sentries to recover the ashes for respectful burial. His great heart and sense of duty set a high standard for those continuing the effort to preserve open government in the interests of freedom.

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CORRECTION: INLAND VALLEY TIMES IS PUBLISHED SIX DAYS A WEEK (11/22/00)

Last week's Flash included a story about the Public Records Act litigation filed by the Three Valleys Water Agency stated that the Inland Valley Times is a weekly publication. The publication is issued as part of the Los Angeles Times six days a week, Monday through Saturday.

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WATER AGENCY REACTS TO RECORDS REQUEST BY SUING REQUESTERS (11/17/00)

A Claremont water agency, facing requests from two newspapers and an individual for records concerning its basis for a closed session at which litigation was averted, has opted to punt the issues into court. Named as defendants are the requesters, two of whom are, in effect, members of the board of directors of the California First Amendment Coalition.

The Claremont-based Three Valleys Municipal Water District has filed an action for declaratory relief with the Los Angeles Superior Court, naming as defendants Richard McKee, the weekly Claremont Courier, and the Inland Valley Times, a weekly publication of the Los Angeles Times.

The district's purpose, stated in a letter to a reporter for the Inland Valley Times, is "to guarantee an appropriate balancing of the dual public interests of maintaining personal privacy and ensuring governmental accountability without the appearance of any perceived impropriety by the District, and to further provide an independent forum to make sure that the rights of all interested parties are adequately heard and properly protected."

Translation: Rather than flatly deny access to a claim by a former employee involving the general manager's conduct - one with implications for both individuals - the district wants the court to make the decision on release.

The claim (actually a letter of complaint sent to three board members about a year ago) was made by Mary Anderson, former executive secretary to district general manager Richard Hansen. Its grievance was that Hansen had essentially detached Anderson, an eight-year incumbent in the position, from her former responsibilities and assigned her only trivial work.

In February, using a closed session citing pending litigation as its justification, the board approved by a 4-3 vote a settlement and severance package for Anderson

including a year's salary of more than \$53,000, six months of continuing health coverage, legal fees amounting to \$5,000 and forgiveness of Anderson's debt to the district for continuing education courses.

In return, Anderson resigned and agreed not to discuss the matter publicly on pain of a \$10,000 penalty.

But the board did not disclose the settlement at the time, and continued what would become a 10-month series of repeated closed sessions evaluating Hansen's performance. Within that period the board changed his contract, cutting his salary and eliminating a clause providing him with severance pay if he were dismissed. But on October 18 it voted 7-0 to retain Hansen and released copies of two evaluations of his performance made on August 4 and October 4. At its next meeting, the board will consider hiring a consultant to conduct yet another review of Hansen's performance.

What the board has never disclosed, however, are the "facts and circumstances" justifying its February closed session, i.e. the complaint letter submitted by Anderson or any other specific documentation of a threat of litigation.

This secrecy is unlawful, argues McKee, who was preparing to sue the district under both the Ralph M. Brown Act and the California Public Records Act to force release of the information. But the district beat him to the courthouse.

The Brown Act states that a closed session concerning a perceived threat of litigation against a public agency must be based on such facts and circumstances. Government Code Section 54956.9 provides also, in the words of the attorney general's guide to the Act:

"If a claim or some other written threat of litigation has been received, it is a public record and reference to it 'must be publicly stated on the agenda or announced' prior to the closed session."

The district cites another provision of Section 54956.9 which excuses local bodies from disclosing the facts and circumstances if doing so would alert a potential plaintiff that he or she might have a basis for filing suit. In effect, its argument seems to imply that making Anderson's grievance public might prompt other employees with similar complaints to make them known in a claim triggering litigation.

The Inland Valley Times and the Claremont Courier also sought copies of Anderson's complaint letter. Courier publisher Martin Weinberger, like McKee, sits on CFAC's board of directors, and both the Los Angeles Times and Claremont Courier are CFAC members.

The district's pre-emptive action in court apparently relies on a recent decision of the California Court of Appeal permitting public agencies to sue records requesters for

declaratory judgment. But that case specified that such action is permissible only when the agency has conclusively denied access to the records and was then aggressively threatened with litigation. In short, courts have no jurisdiction to make the initial decision on whether a record is public or not - only to review an agency's conclusion to that effect leading to an unequivocal denial of access.

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JUDICIAL COUNCIL ADOPTS NEW RULES ON SEALING OF COURT RECORDS (11/9/00)

The California Judicial Council has approved new rules that should end the practice in state courts of sealing court records on stipulation of the parties. Sealing is "disfavored" and must be done only after a judge concludes that vital interests would otherwise be compromised. Left unaffected is the sealing of discovery product and settlements.

The new rules, approved by the council at its October 27 meeting, are to take effect on January 1. Considered at the request of the state Supreme Court, the new rules follow the court's recent decision in (1999) 20 Cal.4th 1178. That decision held that the right of public access to trials applies to civil as well as criminal proceedings. It also provided guidance on the proper standard for courts to apply in deciding whether to seal documents filed in court as the basis for adjudication.

The new rules state, "Unless confidentiality is required by law, trial court records are presumed to be open." The rules incorporate the standard set out in the NBC case, providing that trial courts may not seal records unless the court expressly finds:

- there exists an overriding interest that overcomes the right of public access to the record;
- the overriding interest supports sealing the record;
- a substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- the proposed sealing is narrowly tailored; and
- no less restrictive means exist to achieve the overriding interest.

The rules affect only those instances where a court is asked to seal otherwise public records because of some ad hoc interest in confidentiality. Various statutes already defining certain court records as confidential, such as juvenile and certain family court files, are unaffected.

Likewise not addressed are the phenomena of sealing settlements and related discovery materials-an area of increasing controversy in recent years. The council apparently plans to assign those issues for study and recommendation by an advisory committee. Trial lawyers over the past decade have assailed the practice of large corporate defendants in agreeing to settlements with individual plaintiffs, contingent on their

consent to seal embarrassing material churned up in discovery, seal the settlement and refrain from discussing either. The Firestone tire debacle is the latest in a series of public health and safety crises said to be supported by this practice, which keeps consumers from learning of dangerous defects that might otherwise be highlighted in tort litigation.

Attorney General Bill Lockyer, when in the California Senate, carried legislation in 1991 that would have made these practices more difficult in cases involving products liability, environmental damage or consumer fraud. The bill passed the legislature but was vetoed by Governor Pete Wilson.

In 1998 Senator Adam Schiff (D-Burbank) revived many of the same idea in SB 1254, the "Sunshine in the Courts Act," a bill approved by both houses' judiciary committees but then put aside to await the Judicial Council's consideration of the matter. Schiff has just been elected to Congress.

That bill would have provided, as a matter of public policy, that in any action based on financial fraud, or on personal injury or wrongful death caused by a defective product or environmental hazard, the court could not enter into or enforce any confidentiality agreement, settlement agreement, stipulated agreement, or protective order, except as specified, unless a protective order regarding the information was entered by the court after a noticed motion.

SB 1254 would have also authorized the Attorney General to file a motion with the court to lift a protective order if that office determined that disclosure was required to protect the public health or safety.

(See bill information at http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_1254&sess=CUR&house=B&site=sen)

Several local court rules have been used to similar effect. For example, San Diego courts, with some of the strictest barriers to dubious secrecy provisions, unsealed records at the request of the San Diego Union-Tribune that showed how a private school in La Jolla had paid the parents of a black child \$7,500 to drop a claim that the school had discriminated against the child-and keep the matter to themselves.

In August, San Diego Superior Court Judge Richard Strauss ordered the settlement unsealed, finding no showing of a compelling reason for secrecy.

As for the new rules of court, the provisions affecting trial courts state:

Rule 243.1. Sealed records

(a) [Applicability and definition of "record"]

(1) Rules 243.1-243.4 apply to records sealed or proposed to be sealed by court order. These rules do not apply to records that are required to be 23 kept confidential by statute or other rule.

(2) Unless the context indicates otherwise, "record" as used in rules 243.1- 243.4 means all or a portion of any document, paper, exhibit, transcript, or other thing filed or lodged with the court.

(b) [Sealing of records disfavored]

The public has an interest in access to court records. Unless confidentiality is required by statute or rule, court records are presumed to be open. Orders sealing cases or records filed in an action or a proceeding are disfavored.

(c) [Overriding interest necessary to seal records]

The court may seal court records only if the court determines that there is an overriding interest that overcomes the right of public access to court records and that all the requirements of (d) are satisfied. Overriding interests that under appropriate circumstances may support the sealing of records include, without limitation, protecting an individual's right to a fair trial, protecting minor victims of sex crimes from further trauma or embarrassment, ensuring the anonymity of juvenile offenders in juvenile court, protecting the privacy interests of prospective jurors during voir dire, protecting witnesses from embarrassment or intimidation so extreme that it would traumatize them or render them unable to testify, protecting information within the attorney-client privilege, protecting attorney work product, protecting trade secrets, protecting binding contractual obligations not to disclose information, safeguarding national security, and preserving confidential investigative information.

(d) [Specific findings required to seal records]

The court may order that a record be filed under seal only if it specifically finds that:

- (1) An overriding interest supports sealing the record;
- (2) There is a substantial probability that the overriding interest will be prejudiced if the record is not sealed;
- (3) The proposed sealing is narrowly tailored to serve the overriding interest; and
- (4) There is no less restrictive means of achieving the overriding interest.

(e) [Scope of order]

(1) An order sealing the record shall

- (i) be based on a document-by-document review,
- (ii) expressly state the findings that support the order, and
- (iii) direct the sealing of only those documents and pages-or, if reasonably practicable, portions of those documents and pages-that contain the material that needs to be placed under seal. All other portions of each document or page shall be included in the public file.

(2) If the records that a party is requesting be placed under seal are voluminous, the court may appoint a referee, at the expense of that party, to review the records.

Rule 243.2. Procedure for filing records under seal

(a) [Court approval required]

A record shall not be filed under seal without a court order. The court shall not permit a record to be filed under seal based solely upon the agreement or stipulation of the

parties.

(b) [Motion to seal a record]

(1) A party requesting that a record be filed under seal shall file a noticed motion for an order sealing the record. The motion shall be accompanied by a memorandum of points and authorities and a declaration containing facts sufficient to justify the sealing.

(2) The party requesting that a record be filed under seal shall lodge it with the court under (d) when the motion is made, unless good cause exists for not lodging it. Pending the determination of the motion, the lodged record will be conditionally under seal.

(3) If necessary to prevent disclosure, the motion, any opposition, and any supporting documents may be filed in a public redacted version, and a full version may be lodged conditionally under seal.

(4) If the court does not grant the motion to seal, the clerk shall return the lodged record to the submitting party and shall not place it in the case file.

(c) [References to nonpublic material in public records]

(1) A record filed publicly in the court shall not disclose material contained in a record that is sealed, conditionally under seal, or subject to a pending motion to seal.

(2) If it is necessary that a motion to seal or unseal a record disclose confidential material, the motion and any supporting papers shall be prepared in both a redacted version-labeled "redacted"-and a separate full version-labeled "confidential."

(i) In the redacted version, redaction shall be limited to those specific portions whose disclosure would undermine the confidentiality of the material under seal or to be placed under seal.

(ii) The confidential version shall be filed under seal, if the reviewing court has ordered the material to be sealed, or lodged conditionally under seal, if it has not.

(d) [Lodging records requested to be placed under seal]

(1) The party requesting that a record be placed under seal shall put it in a manila envelope or other appropriate container, seal the envelope or container, and lodge it with the court.

(2) The envelope or container lodged with the court shall display prominently the notation, "CONDITIONALLY UNDER SEAL."

(3) The party submitting the lodged record shall affix to the envelope or 10 container a cover sheet that:

(i) Contains all the information required on a caption page under rule 201; and

(ii) States that the enclosed record is subject to a motion to be placed under seal.

(4) Upon receipt of a record lodged under this rule, the clerk shall stamp the affixed cover sheet as "lodged" and shall not file the record unless the court so orders.

(e) [Order]

(1) If the court grants an order sealing a record, the clerk shall substitute on the envelope or container for the notation required by (d)(2) a notation prominently stating, "SEALED BY ORDER OF THE COURT ON (DATE)," and shall replace the cover sheet required by (d)(3) with a file-endorsed copy of the court's order.

(2) The order shall state whether-in addition to records in the envelope or container-the order itself, the register of actions, any other court records, or any other records relating to the case are to be sealed.

(3) Sealed records shall not be open to inspection by any person except those expressly authorized by the court order.

(4) A sealed record shall not be unsealed or destroyed except upon order of the court.

(f) [Custody of sealed records]

Sealed records shall be securely filed and kept separately from the main file in the case.

(g) [Custody of voluminous records]

If the records to be placed under seal are voluminous and are in the possession of a public agency, the court may by written order direct the agency instead of the clerk to maintain custody of the original records in a secure fashion. If the records are requested by a reviewing court, the trial court shall order the public agency to deliver the records to the clerk for transmission to the reviewing court under these rules.

(h) [Motion to unseal records]

A party or member of the public, or the court on its own motion, may move to unseal a record. Notice of the motion to unseal shall be filed and served on the parties. The motion, opposition, reply, and supporting documents may be filed in a public redacted version and a sealed complete version if necessary to comply with (c).

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PRESIDENT VETOES 'OFFICIAL SECRETS ACT' PROVISION AS TOO BROAD (11/9/00)

President Bill Clinton's decision last Friday to veto the Intelligence Authorization Act because of its quietly embedded criminal penalty for those who disclose any classified information, irrespective of harm, has not discouraged those who want leaks plugged. There is talk already of a follow-up bill, but this one will have to be discussed publicly.

Clinton said in his veto message that national security concerns must be balanced against the public's need for information about the government. He added:

"This legislation does not achieve the proper balance. For example, there is a serious risk that this legislation would tend to have a chilling effect on those who engage in legitimate activities. A desire to avoid the risk that their good faith choice of words -- their exercise of judgment -- could become the subject of a criminal referral for prosecution might discourage government officials from engaging even in appropriate public discussion, press briefings, or other legitimate official activities.

"Similarly, the legislation may unduly restrain the ability of former government officials to teach, write, or engage in any activity aimed at building public understanding of complex issues. Incurring such risks is unnecessary and inappropriate in a society built on freedom of expression and the consent of the governed and is particularly inadvisable in a context in which the range of classified materials is so extensive. In such circumstances, this criminal provision would, in my view, create an undue chilling effect."

Clinton noted that " this provision was passed without benefit of public hearings -- a particular concern given that it is the public that this law seeks ultimately to protect."

But the Wall Street Journal on Monday reported that the issue will be back in bill form in the next session.

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COMMENT SOUGHT ON FEDERAL COURTS' PROPOSED E-RECORDS RULES (11/9/00)

Federal court administrators are asking for comment on how to make case files available to the public in electronic form, including remote dialup. California's Judicial Council addressed this issue several years ago, but when local court officials balked at a proposal to provide maximum access, the council settled for a voluntary, minimal standard instead.

The Court Administration and Case Management Committee of the Judicial Conference of the United States, through its Subcommittee on Privacy and Electronic Access to Case Files, is seeking comment on the attached document outlining policies under consideration to address issues of privacy and security concerns related to the electronic availability of court case files.

Comments will be accepted beginning Monday, November 13 through 5 p.m., January 26, 2001. Electronic submission of comments is "highly encouraged" and can be accomplished via <http://www.privacy.uscourts.gov> or via e-mail at

Privacy_Policy_Comments@ao.uscourts.gov. Comments can also be mailed to The Administrative Office of the United States Courts, Court Administration Policy Staff, Attn:

Privacy Comments, Suite 4-560, One Columbus Circle, NE., Washington, DC 20544.

According to the proposal described by Abel J. Mattos, chief of the court administration policy staff for the Administrative Office of the United States Courts, there are several options under consideration for civil, criminal and bankruptcy case files:

For civil cases the alternatives under study are:

"1. Maintain the presumption that all filed documents that are not sealed are available both at the courthouse and electronically. This approach would rely upon counsel and pro se litigants to protect their interests on a case-by-case basis through motions to seal specific documents or motions to exclude specific documents from electronic availability. It would also rely on judges' discretion to protect privacy and security

interests on a case-by-case basis through orders to seal or to exclude certain information from remote electronic public access.

"2. Define what documents should be included in the 'public file' and, thereby, available to the public either at the courthouse or electronically. This option would treat paper and electronic access equally and assumes that specific sensitive information would be excluded from public review or presumptively sealed. It assumes that the entire public file would be available electronically without restriction and would promote uniformity among district courts as to case file content. The challenge of this alternative is to define what information should be included in the public file and what information does not need to be in the file because it is not necessary to an understanding of the determination of the case or because it implicates privacy and security interests.

"3. Establish 'levels of access' to certain electronic case file information. This contemplates use of software with features to restrict electronic access to certain documents either by the identity of the individual seeking access or the nature of the document to which access is sought, or both. Judges, court staff, parties and counsel would have unlimited remote access to all electronic case files. This approach assumes that the complete electronic case file would be available for public review at the courthouse, just as the entire paper file is available for inspection in person. It is important to recognize that this approach would not limit how case files may be copied or disseminated once obtained at the courthouse.

"4. Seek an amendment to one or more of the Federal Rules of Civil Procedure to account for privacy and security interests."

Access to criminal case files is given only two options:

"1. Do not provide electronic public access to criminal case files. This approach advocates the position that the ECF component of the new CM/ECF system should not be expanded to include criminal case files. Due to the very different nature of criminal case files, there may be much less of a legitimate need to provide electronic access to these files. The files are usually not that extensive and do not present the type of storage problems presented by civil files. Prosecution and defense attorneys are usually located near the courthouse. Those with a true need for the information can still access it at the courthouse. Further, any legitimate need for electronic access to criminal case information is outweighed by safety and security concerns. The electronic availability of criminal files would allow co-defendants to have easy access to information regarding cooperation and other activities of defendants. This information could then be used to intimidate and harass the defendant and the defendant's family. Additionally, the availability of certain preliminary criminal information, such as warrants and indictments, could severely hamper law enforcement and prosecution efforts.

"2. Provide limited electronic public access to criminal case files. This alternative

would allow the general public access to some, but not all, documents routinely contained in criminal files. Access to documents such as plea agreements, unexecuted warrants, certain pre-indictment information and pre-sentence reports would be restricted to parties, counsel, essential court employees, and the judge."

Bankruptcy case files inherently contain more personal or proprietary financial information than the other systems, and the following options are under study:

"1. Seek an amendment to section 107 of the Bankruptcy Code. Section 107 that currently requires public access to all material filed with bankruptcy courts and gives judges limited sealing authority. Recognized issues in this area would be addressed by amending this provision as follows: (1) Specifying that only "parties in interest" may obtain access to certain types of information; and (2) enhancing the 107(b) sealing provisions to clarify that judges may provide protection from disclosures based upon privacy and security concerns.

"2. Require less information on petitions or schedules and statements filed in bankruptcy cases.

"3. Restrict use of Social Security, credit card, and other account numbers to only the last four digits to protect privacy and security interests.

"4. Segregate certain sensitive information from the public file by collecting it on separate forms that will be protected from unlimited public access and made available only to the courts, the U.S. Trustee, and to parties in interest."

Comment: In 1996 a California Judicial Council advisory committee recommended, after a study addressing comparable issues, that public access to case-related information maintained in electronic form be as complete and unqualified as access in the traditional paper medium. But the recommendation was withdrawn from consideration after extensive opposition from judges, court administrators, attorneys and privacy advocates surfaced in a 1997 public comment period. A new advisory committee, this time excluding representatives of the press and other information "consumers," was convened and its far more modest recommendation was adopted by the council, effective in 1999. The result is not a rule of court but a strictly voluntary Standard of Judicial Administration. It states, among other things, that "Cases involving family law, child support, juvenile law, mental health, probate, (or) criminal law...should not be included in electronic records made available through remote access." As for civil cases not excluded by that category, "A court should grant access to an electronic record only when the record is identified by the name or number of a case and only on a case-by-case basis."

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TIMES SEEKING ATTORNEY FEES IN CASE ON AUDIT OF FUNDS TRANSFER (11/9/00)

The Los Angeles Times is before the California Court of Appeal seeking reversal of a trial court's denial of attorney's fees in a public records case. The information revealed was in an audit done by the Alameda Corridor Authority after its controller was shown to have used her office computer to transfer \$3 million in agency funds to her own bank account.

A Los Angeles Superior Court judge ordered release of most of the information requested by the Times under the California Public Records Act - but not every last record. Because of that less than complete result, the judge ruled that the newspaper had not "prevailed" as a CPRA plaintiff and thus was not entitled to recover its court costs and attorney fees as is mandated by the statute.

Controller Nancy Schafer was removed from her post at the \$2 billion Alameda Corridor Transportation Authority, a major rail and truck transit construction project linking Los Angeles with the port at San Pedro, in March 1999. The revelation that she had transferred \$3 million into her personal bank account led the Los Angeles County district attorney's office and authority officials to investigate the incident, the latter using an audit.

Schafer managed hundreds of millions of dollars in agency funds and bond proceeds earmarked for the main portions of the project. She said the transfer was an innocent error and told the Times it happened during the first two transfers of proceeds from the corridor authority's sale of \$1 billion in revenue bonds. About \$3 million, she said, needed to be sent from a bond trust account to a corridor authority account, to allow contractors to be paid.

Schafer said that earlier she had uploaded information from a Palm Pilot, supplied by the agency, into her office computer. The uploaded data, she said, happened to include her personal bank account number, appointments and credit card numbers, kept in the Palm device as a matter of convenience. On the day set for the transfer, Schafer said, she called up what she thought were agency accounts on her office computer and mistakenly selected her bank account as the destination for the \$3 million.

When the agency completed its audit, the Times used the CPRA to request it and related information, and was forced to go to court to obtain it. But not every last record itemized in its request was ordered disclosed, and on that basis the judge ruled that it was not entitled to recoup its attorney fees as the "prevailing plaintiff."

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WHISTLEBLOWER LAW PROTEST BUILDS AS CLINTON'S CLOCK TICKS

(11/3/00)

Opposition to the anti-"leak" statute -- and support for a veto -- were mounting, as the November 4 deadline for a Presidential decision approached, reports the Project on Government Secrecy of the Federation of American Scientists (FAS). The legislation would make it a felony to disclose any classified information -- irrespective of harm.

An article in today's (Friday, October 3) Washington Post reported:

"Top Clinton aides failed to reach agreement yesterday on a controversial measure that makes it easier to prosecute government officials for leaking classified information, leaving it up to the president to weigh differing recommendations on whether he should sign or veto the legislation. President Clinton, who is in California campaigning for Democrats, is nonetheless expected to make his decision today on the measure."

The California First Amendment Coalition's executive director, Kent Pollock, is one of more than 30 co-signers on a letter to Clinton's chief of staff, John Podesta, urging a veto. The letter can be read at <http://www.ombwatch.org/info/2000/podestaletter.html>.

The Post article by Walter Pincus notes:

"One awkward problem for those who now oppose the measure, said to include Podesta and (National Security Advisor Sandy) Berger, is the administration's previous approval of the measure before it passed Congress. 'Normally we don't veto bills that we have cleared,' one senior White House official said yesterday."

Embarrassment on premature commitments to the secrecy measure is not limited to the White House. Pincus's report says that lawmakers themselves might be faced with prosecution:

"Confusion on what the bill actually means was highlighted by Rep. Nancy Pelosi (D-Calif.), who during floor debate last month questioned whether its provisions would apply to members of Congress and their staffs. According to a 1970 Supreme Court decision, the 'officers and employees' referred to in the measure would not include senators or representatives, but it would cover their staffs. Yesterday, a Justice Department official told reporters that lawmakers would be covered."

The following are excerpts from the FAS summary circulated Thursday, November 2.

Senator Charles Schumer (D-NY) urged his colleagues to support a veto at a press briefing yesterday. "This bill attempts to protect our national security in such broad and vague terms, and without regard for the potential of rampant overclassification of government information, that it will have profound effects on the ability of an informed citizenry to keep our government honest," he said.

See: <http://www.fas.org/sgp/news/2000/11/schumer.html>

The Chicago Tribune editorial board added its voice to the national chorus this morning: "Making this measure law clearly threatens to protect government errors and misdeeds by keeping the public ignorant. It deserves a veto." See: <http://www.chicagotribune.com/news/opinion/article/0,2669,SAV-0011020252,FF.html>

"This is a bizarre moment," writes Lars Erik Nelson in the New York Daily News. "Ten years after the end of the Cold War, we are about to enact Soviet style secrecy laws. What is worse, we are doing it with Soviet style legislation, drafted in secret, with no public hearings."

See:

http://www.nydailynews.com/2000-11-01/News_and_Views/Opinion/a-86679.asp

The CIA should henceforth be known as the C.Y.A. (as in "cover your ass"), writes columnist William Safire in the New York Times. The new law, he writes, is an "assault on free speech under the phony cover of national security."

See: <http://www.nytimes.com/2000/11/02/opinion/02SAFI.html>

Independent-minded former director of central intelligence R. James Woolsey spoke out against the leak statute in an interview with Jonathan Landay of Knight-Ridder News Service. "It seems to me that it sweeps overly broadly," he said.

See: <http://www.fas.org/sgp/news/2000/11/kr110200.html>

Washington Post cartoonist Herblock weighed in with an editorial cartoon on the new secrecy bill.

<http://washingtonpost.com/wp-srv/politics/herblock/herblock.htm>

Comment: The law that would be created by this bill is being widely referred to as an American "Official Secrets Act." Ironically, the British original is under increasing attack, marked by the abrupt collapse Wednesday, November 1 of the Crown's prosecution of a former army officer. The book's journalist author had also been charged originally, but dismissed as a defendant later based on insufficient evidence. The charged offense was the disclosure in a 1998 book of information on computer surveillance systems used in Northern Ireland, but another journalist showed that all the information said to be secret had been in the public domain at the time the book, *The Irish War*, was published. See <http://www.thetimes.co.uk/article/0,,28966,00.html>.

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EDITOR-PUBLISHER SUING POLICE DEPARTMENT FOR PUBLIC RECORDS

(11/3/00)

Tim Crews, editor and publisher of the twice-weekly Sacramento Valley Mirror in Glenn County north of Sacramento, is suing the Willows Police Department, asking the court to order it to begin providing all information defined as releasable under the California Public Records Act. The suit attacks the department's withholding of names and addresses.

Crews, a member of the board of directors of the California First Amendment Coalition, has won numerous awards, including a Beacon from CFAC at its recent Assembly, for his staunchness in going to jail earlier this year rather than divulge the names of confidential sources sought in a criminal prosecution.

His lawsuit, expected to be filed today (November 3) in Glenn County Superior Court, seeks an order directing the department to release CPRA-mandated information for a 10-day period in September in particular, and "in the future," and also to modify its public information policy to conform with the statute, including names and addresses of persons involved in incidents and the locations where they occurred.

Crews says that prior to the current city manager, Michael Mistrot, and police chief, Richard Shipley, the Valley Mirror enjoyed "years of excellent - and perfectly legal - press-police cooperation.

"This is a First Amendment issue," Crews told his readers in the current edition. "We cannot print what we cannot know."

The Willows department, instead of providing access to redacted copies of the original reports, writes digests of selected facts for its press log. The Valley Mirror prints detailed summaries of log entries in each edition. Examples of the Willows department's releases from the September 19 summary cited in the suit are:

"0550 Hours: Officer Lee responded to the 100 block of E. Sycamore street to (Harwell Well Service) to a suspicious person. Upon arrival, he made contact with the employees and it was discovered it was just an employee wanting in the business. No further action.

"1218 Hours: Officer Haas was dispatched to the 600 block of N. Butte street to a report of a physical fight. Upon arrival, he contacted the parties involved who wanted to press charges on each other for assault and battery but both refused to sign the arrest form. Both subjects were released. No further action taken.

"1408 Hours: Officer Porter responded to the 700 block of N. Humbolt street to assist Fire Personnel with an unresponsive male subject. Upon arrival, the subject was found to be deceased. Coroner's Office responded to handle.

"1501 Hours: Officer Porter was dispatched to the 1200 block of N. Wood street to

tenant/landlord dispute. Upon arrival, he made contact with the parties involved and the problem was temporarily solved. No further action."

While the CPRA, in Government Code Section 6254, subdivision (f), allows police to withhold most detailed investigative information from the public, certain basic facts are presumed to be public:

"Other provisions of this subdivision notwithstanding, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

"(1) The full name and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest, the factual circumstances surrounding the arrest, the amount of bail set, the time and manner of release or the location where the individual is currently being held, and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds.

"(2) the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved

The names and addresses the victims of certain crimes such as sexual assault, child or spousal abuse or hate crimes may be withheld.

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UCLA LEGAL SCHOLAR: PRIVACY LAWS THREATENING TO FREE SPEECH (11/3/00)

Proposals intended to protect privacy "are not easily defensible" under First Amendment doctrine, says UCLA law professor Eugene Volokh in a paper released by a think tank Tuesday, October 31. Volokh calls "the right to information privacy" created by legislation rather than contract "a right to have the government stop you from speaking about me."

In the paper, "Freedom of Speech and Information Privacy: The Troubling Implications

of a Right to Stop People From Speaking About You," Volokh contends that "Most of the justifications given for information privacy speech restraints are directly applicable to other speech controls. . . . Accepting these arguments "will be a powerful precedent for those other restraints and for still more that might be proposed in the future."

While he concedes the value of contractually agreed codes of information practices instituted voluntarily in the marketplace, Volokh rejects the legitimacy of government-mandated "fair information practices," arguing that "We already have a code of 'fair information practices,' and it is the First Amendment, which generally bars the government from controlling the communication of information."

The full text of the paper is available as a pdf file at <http://www.pff.org/pr/pr103100Volokhpaper.htm>.

Volokh is a professor at UCLA Law School and a frequently-quoted authority on First Amendment, intellectual property and related legal issues. Published in May as an article in the Stanford Law Review, the paper was posted in the Internet Tuesday by the Progress and Freedom Foundation, a Washington, D.C. think tank founded in 1993 to study "the digital revolution and its implications for public policy." See <http://www.pff.org>.

Foundation President Jeff Eisenach said he decided to release the paper because "far too little attention has been paid to the First Amendment consequences of proposals to regulate information. This article is a tour de force that ought to be read by everyone concerned about our basic Constitutional right to free speech."

Eisenach said the paper is being widely distributed as part of a major project examining government proposals to regulate personal information. That project is being led by Senior Fellow Paul Rubin, who testified earlier in October before the Senate Committee on Commerce.

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COURT TO UNSEAL FILES ON MERITS OF EXECUTING YOSEMITE KILLER (11/3/00)

A federal trial judge in Fresno has agreed to lift the seal on a prosecution bill of specifics prepared to justify recommending the death penalty for a confessed murderer. Cary Stayner has pleaded guilty to beheading a young woman in Yosemite National Park last year. He still faces state prosecution for the kidnap and murder of three other women.

Release of the government's document, and a defense response to it, will be held up until the defendant, a motel maintenance man, is sentenced on November 30, despite the request of a media lawyer that the material be made available without delay.

San Francisco attorney Neil L. Shapiro, appearing in a hearing on the issue Monday, October 29 before U.S. District Judge Anthony W. Ishii, was unable to persuade him that an immediate release was legally required. Ishii's rationale was that while Stayner has pleaded guilty to killing naturalist Joie Ruth Armstrong, 26, near her cabin in Foresta early in 1999, the defendant could withdraw the plea before the sentencing hearing, and the need for a jury trial could be revived. Stayner made the plea in September in exchange for a sentence of life without parole.

Release of the prosecutor's evidence supporting a capital case, which Ishii has kept under seal from the moment of its filing early in court proceedings, was sought by the Associated Press, McClatchy Newspapers, the Chronicle Publishing Company and the Hearst Newspapers. The media coalition had earlier failed to persuade Judge Ishii to lift the seal and had an appeal pending before the U.S. Ninth Circuit Court of Appeals when Stayner entered his guilty plea.

Lawyers representing Stayner in a separate pending capital case in Mariposa County argued vigorously against release, contending that publication of the literally gory details would make it impossible to draw an unprejudiced jury from the county's small population. Stayner is accused of kidnapping Carole Sund, her daughter Julie and a friend, Silvina Pelosso from their motel room and murdering them later. The case drew national headlines in 1999.

Judge Ishii said he understood the fair trial, but concluded that a federal judge has no authority to withhold court documents once the case is closed, regardless of possible prejudice in a state court proceeding.

Shapiro, asked by Ishii if the court could keep the material under seal in solicitude for the Armstrong family's feelings, answered that while doing so would respond to an understandable empathetic impulse, there was no basis in law for continuing to keep the public unaware of the reasons why the government had recommended the death penalty.

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**LAPD CONSENT DECREE'S PROVISIONS MAY MEAN A BIT MORE
SUNSHINE (11/3/00)**

Mayor Richard Riordan has announced his intention to sign a consent decree ending

federal court pursuit of the Los Angeles Police Department for alleged civil rights violations. Among several extraordinary measures, the decree binds LAPD to hold public information meetings and produce detailed reports on its contacts with minorities.

The city council approved the pact Thursday, and a last-minute hitch was avoided when a superior court judge declined to issue a restraining order sought by the Los Angeles Police Protective League, a union representing line officers. The League wanted city approval of the pact stalled until its own concerns were given due consideration.

The League objects not only to exclusion from negotiations, conducted privately between city staff and U.S. Justice Department representatives, but to two of the resulting provisions as well. One is a massive computer tracking system to be constructed to alert police officials to patterns of alleged and confirmed misconduct by individual officers. That, says the League, would invade officers' privacy.

Another is the requirement that officers record and report in considerable detail every traffic stop, noting the time, place, apparent ethnicity of the driver and passengers, any activity required of the occupants or actions taken by the officer, and the results if any, including vehicle searches or arrests. The League argues that this will unreasonably burden patrol officers in carrying out their duties.

For its part, the city says any impact on League members that must be negotiated will be submitted to good faith bargaining.

Under the decree, LAPD will be the largest police department ever subject to judicial monitoring as a result of the Justice Department's power to sue police agencies suspected of engaging in a "pattern or practice" of civil rights violations. The choice of who will be the court-appointed monitor, charged with reporting to the federal court on progress or the lack thereof in implementing the decree, appears to be the most controversial item remaining to be settled. If city and federal negotiators cannot agree on a choice, the federal court may make the appointment from nominees they separately submit.

In terms of public information, understanding and confidence, the sunshine provisions of the decree fall short of identifying individual misbehaving officers to the public, no matter what or how many their confirmed violations of department standards may be. What they require instead is more general outreach by the department and much more disclosure of patterns which might show disproportionate policing attention given to racial or ethnic minorities.

The two key provisions of the decree dealing with public information require that LAPD:

* conduct, during the first year, at least one public meeting per quarter in each of 18

geographic sectors of the city, to explain the consent decree, the department and its operations, how to work successfully with officers, and how to file a complaint if necessary. In the second and succeeding years only one such meeting per sector would be required. The meetings would be publicized in at least one citywide newspaper, and in various other publications with ethnic readerships, in appropriate languages.

* publish, on its website, semiannual reports with aggregate statistics, broken down by each geographic sector and by race and ethnicity of citizens involved, for all arrests, traffic stop data, and uses of force. Also included would be the summary results of audits conducted into the internal disciplinary process, showing type of misconduct and resulting discipline, broken down by the bureau and rank of the officer. Also to be posted are quarterly reports to the court by the compliance monitor, and annual reports by the city on steps taken to implement the decree.

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GROUPS IN COURT TO CHALLENGE SHUTDOWN OF VOTE-SWAP SITES (11/3/00)

American Civil Liberties Union affiliates in Los Angeles and San Diego and the National Voting Rights Project are seeking a court order blocking California Secretary of State Bill Jones from taking criminal action against one or more Internet websites allowing Nader and Gore supporters voluntarily to exchange votes for maximum mutual satisfaction.

The suit for a temporary restraining order on behalf of Voteswap 2000 (<http://www.voteswap2000.com>) was filed Thursday, November 2 in U.S. District Court in Los Angeles. It was to have been matched by another brought by a named voter wishing to use such facilities, according to the ACLU.

The idea behind this and several other similar sites, some of which have voluntarily shut down in the face of threatened prosecution, was described by scholar James Raskin in an October 24 article on the Slate website. Raskin, a professor in constitutional law and the political process at American University, described the reciprocal quandaries faced by both Green Party Nader backers who want a Nader vote total to qualify the party for federal funding in 2004, and Democrats backing Gore who see no problem in Green Party gains - except at the feared cost to the election of their own candidate in certain key states where a vote for Nader costs Gore the electoral college votes and thus is indeed "a vote for Bush."

Wrote Raskin:

"But wait! There is a way for Gore voters trapped in Republican states to liberate Nader supporters in the tossup states to vote for Gore without actually abandoning their

support for Nader and a strong Green Party in the future. The key is a variation on a voting device used in the Senate called "pairing," whereby senators on opposite sides of issues match up their votes if they are going to be away from Washington. (This arrangement is so formal that when the *Congressional Record* reports the ayes and nays on a vote, it reflects the pairs by name.)

"The Gore/Nader vote-swapping plan could use a Web site to pair individual Gore Democrats in Republican states with individual Nader supporters in swing states. Democrats from Texas and other states in the definite Bush column could register at the site by name under a brief text stating that, as Gore supporters in a Republican state, they have concluded that their best hope for contributing to a Gore victory is to vote for Nader in the explicit hope that Nader voters in swing states will correspondingly cast their ballots for Gore. Nader supporters in the swing states could add their names to a similar list under a brief text stating that, as Nader supporters in a tossup state, they have decided to vote for Gore but do so in the explicit hope that Gore voters in Republican states will correspondingly cast their ballots for Nader.

"Using sorting software, the Web site could then match individual Gore voters to individual Nader voters. If just 100,000 Gore supporters and 100,000 Nader supporters in the key states registered and kept their words, both a Gore victory and federal funding for the Greens could be accomplished."

(see full article at <http://slate.msn.com/Concept/00-10-24/Concept.asp>, and a followup Slate summary on the legal questions at http://slate.msn.com/netelection/entries/00-11-01_92442.asp)

As it turned out, one Internet site had already launched with just such a brokering service, and as of early last week there were no fewer than nine: the plaintiff in the current litigation plus:

<http://www.voteexchange.org/voteswap001.htm>

<http://www.nadertrader.org>

<http://www.winchell.com/NaderTrader>

<http://voteexchange.com>

<http://www.votexchange2000.com>

<http://nadergore.org>

<http://www.winwincampaign.org> and

<http://www.voteaucton.com>

Secretary of State Bill Jones, however, saw this reciprocity as criminal, specifically a conspiracy to foster the "inducement" of a particular vote by the offering of a particular "valuable consideration" and thus violate the anti-bribery statutes (Elections Code Sections 18500, 18521, 18522 and 18562). He so notified the Austrian owner of Voteauction.com, demanded that the site be shut down (it's the last link above - to a dead server), and moreover notified the official domain name registers to cancel the site's authorization.

In announcing the legal challenge, ACLU attorney Peter Eliasberg said Jones's reading of the Elections Code is either incorrect or, if accurate, unconstitutional.

"Discussing and agreeing to a co-operative voting strategy is absolutely distinct from offering or receiving payment for a vote," he said. "This is not equivalent to handing someone a five-dollar bill -- it is an obviously unenforceable and unverifiable personal pledge to vote in a certain way."

"Jones's interpretation of this law could conceivably qualify any kind of speech as an inducement," he added. "If I promise to commend a person for voting in a way I approve of, is that offering an inducement?"

Eliasberg offered several examples of common activity that Jones's interpretation of the law would make criminal:

o"Two spouses discuss their vote, realize they disagree on every important issue, and agree that, since they're canceling one another out, neither will vote.

* "Two friendly legislators who disagree with one another's positions arrange not to vote on two separate occasions, when one, then the other, is absent, thus canceling out the effect of their absences on the final decisions made.

* "A politician such as Governor George Bush or Vice President Al Gore offers a monetary inducement in the form of a tax cut to a voter.

* "A politician, during tough economic times, promises 'a chicken in every pot' if voters cast their vote for him.

* 'A political columnist urges voters to do exactly what the Web sites in question urge them to do.

In what must sting Jones particularly, in view of his enthusiastic championing on on-line information resources for voters, Eliasberg accused him of seeming "to be afraid of the Internet and the powers of expression and association that it gives to people.

"That power of combining immediate association and direct speech is the reason people have sought to regulate the Internet more strictly than other media."

One of the sites, Nadergore.org, stopped accepting pledges from New York residents after receiving a request from the New York State Board of Elections.

Jim Cody of Los Angeles, co-proprietor of Voteswap 2000, took the site down Monday, October 30 after receiving a letter from Jones threatening him with a potential for three years of felony liability for every violation. "I guess that would be three years

each for 5,000 violations," he said, referring to the registrations on the site to date.

Meanwhile, California Secretary of State Chief Counsel William Wood reportedly said on Wednesday, November 1, on CNN's Burden of Proof, that winwincampaign.org is legal according to California law: "It's a political discussion, and the Secretary of State of California believes that is protected political speech." Before acting on that quotation, interested voters may wish to check its accuracy with Mr. Wood at (916) 653-6488.

Comment: A. J. Langguth, , author of Patriots: The Men Who Started the American Revolution, informs us that while in colonial Virginia on the eve of the Revolution, electoral "candidates were expected to behave like gentlemen and refrain from asking for votes or making campaign promises," but other amenities that might be viewed as inducements were actually customary:

"A man running for office set out near the polls several barrels of rum and neat whiskey, along with applejack and beer. Any candidate who didn't offer a few drinks was considered too stingy or lacking in respect for his neighbors to deserve their votes. Several years earlier, a planter named George Washington had been rejected for failing to provide decent drink and a roast pig. Washington learned from that defeat, and the next time he ran he bought a quart and a half of liquor for each of his 361 supporters and won his seat in the Burgesses."

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ALERT: PUSH IS ON TO SLOW, REVISIT PENDING 'OFFICIAL SECRETS ACT' (10/27/00)

CFAC has joined an effort to thwart what is being called the first American "Official Secrets Act" that is on its way to becoming law without any hearings. An undebated section of the 2000-2001 Intelligence Authorization Act would make it a federal crime to disclose classified information, whether or not the disclosure injures national security interests.

CFAC, along with many other organizations, has signed on to a letter by Patrice McDermott of the nonprofit organization OMB Watch (<http://www.ombwatch.org>) urging President Clinton to veto the legislation. McDermott pointed out in a Tuesday, October 24 e-mail alert that "Congress could move back a year the effective date for the law to take effect, through an amendment to this year's spending bills. This would allow the House and Senate Judiciary Committees -- which normally review all changes in criminal law -- to hold hearings on the consequences, before Americans lose freedom of speech through a fait accompli."

The full authorization bill is headed for the White House after the insertion of the disclosure crime provision by voice votes on October 12. McDermott, in a Thursday,

October 26 update, said the bill as a whole faces a veto, but pressure needs to be kept up.

"It is highly likely that the President is going to veto the appropriations bill to which this language is attached. Not because of this Official Secrets language, but for other reasons. If this does transpire, the (White House) will have a seat at the negotiations when the bill goes back to Congress. In the meantime, please do write to the members of the conference committee... The more support there is for a rider delaying implementation, the better the chance of getting it in the negotiated bill."

McDermott's earlier message incorporated background and contact information from Doug Hartnett of the nonprofit Governmental Accountability Project (<http://www.whistleblower.org>), which reads as follows:

Date sent: Tue, 24 Oct 2000 17:08:49 -0400
From: Doug Hartnett <hartnett@whistleblower.org>
Subject: Urgent Action Alert

FREE SPEECH AND WHISTLEBLOWER RIGHTS FACE SEVERE THREAT

I. INTRODUCTION: On October 12 Congress made it a felony crime to disclose classified information, over protests that this hasty move would create an unconstitutional U.S. version of the British Official Secrets Act. By bypassing normal committee jurisdiction, and using unscheduled voice votes, sponsors of H.R. 4392, the Intelligence Authorization Act, succeeded in passing a law that will profoundly affect Congress and the public's right to know about government misconduct.

Despite reassurances that it would not change the meaning of "classified," the fine print in the bill removes all requirements that classified information be clearly marked to indicate its status. Under the new law, information could be classified even if there are no markings or other warning. That revives a discredited concept from the 1980s known as 'classifiable' information, which means virtually anything. It forces whistleblowers to seek advance permission before exposing nearly any evidence of bureaucratic misconduct, or risk criminal liability. The double whammy from this new definition combined with criminal liability creates an Official Secrecy Act far worse than the British version publicly feared.

This action alert explains the twin threats in more detail below. But there is still a chance to stop this from becoming law before the end of this session.

HOW YOU CAN HELP

We still have a chance to turn this legislation back before Congress adjourns, but only if we take IMMEDIATE ACTION. Support among Members is building to place a rider on the Commerce Justice, State and Judiciary appropriations bill to delay the

effective date of the criminal liability provision until 2002.

MESSAGE CONTENT:

Demand that the effective date of Sec. 303 of H.R. 4392, "Prohibition on Unauthorized Disclosure of Classified Information," be delayed until 2002. This will allow proper hearings and consideration of the far reaching impact this provision has on the First Amendment, whistleblower rights, and the Congress's and the public's right to know. Congress should not take such drastic action on a voice vote and without even a hearing to examine the impact it will have!

Reps. Hyde, Conyers and Barr are on record opposing the secrecy provision. Both Conyers and Barr spoke against it on the Floor of the House (see Cong. Rec. pp. H9857-H9859, Oct. 12, 2000) Rep. Hyde is the most likely candidate to offer the rider. Sen. Grassley is a longtime whistleblower champion who is intensely committed to turning back this legislation. (All whistleblowers should contact him!). Grassley is lobbying his colleagues in the Senate.

Rep. Rogers and Senator Gregg, as Chairs of the respective Appropriation Subcommittees, are key to allowing the rider.

Please copy any message to me: Hartnett@whistleblower.org (Doug Hartnett, GAP)

Please email the following Representatives and Senators:

Leadership:

Rep. Dennis Hastert, Speaker of the House Speakerofthehouse@mail.house.gov

Rep. Richard Gephardt, Minority Leader d.leadership@mail.house.gov

Sen. Trent Lott, Majority Leader senatorlott@lott.senate.gov

Sen. Tom Daschle, Minority Leader Tom_daschle@daschle.senate.gov

House Appropriations and Judiciary Committees:

Rep. Henry Hyde (R-IL), Chairman, Judiciary Committee Judiciary@house.mail.gov

Rep. Bill Young (R-FL), Chairman, Appropriations Committee approps@house.mail.gov

Rep. John Conyers, (D-IL). Ranking, Judiciary Committee john.conyers@mail.house.gov

Rep. Dave Obey, (D-WI), Ranking Appropriations Committee dem.approps@mail.house.gov

Rep. Bob Barr (R-GA), member of Judiciary and Govt. Reform Comm. barr.ga@mail.house.gov

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Sen. Patrick Leahy (D-VT) Ranking, Judiciary Committee senator_leahy@leahy.senate.gov

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ADDITIONAL BACKGROUND AND DETAILS

I. CRIMINALIZING CLASSIFIED LEAKS: "THE OFFICIAL SECRETS ACT"

This issue was the focus of public controversy, making unauthorized disclosure of

classified information a felony with three years imprisonment. Current law already bans classified leaks, and national security threats can be prosecuted. But now an unauthorized disclosure of official secrets will be a crime per se, even if the leak defends national security against corruption or bureaucratic abuse of power shielded by secrecy.

Congressional leaders rammed the bill through in unscheduled voice votes, but a broad range of opponents warned it was an irresponsible threat to constitutional rights, including the New York Times, Washington Post and Washington Times. Conservative Republican Representative Bob Barr wrote, "Most government scandals are revealed through the public disclosure of such information, better known as "whistleblowing." If this provision is signed into law, such disclosures would become virtually non-existent." Liberal Democrat John Conyers said "it will scare the bejesus out of whistleblowers and they will be able to be criminally prosecuted. . . ." Both are on the House Judiciary Committee. That Committee normally considers legislation making any major change in criminal law, but was entirely bypassed. Chairman Henry Hyde and Conyers jointly protested that the bill "has profound First Amendment implications, and goes to the very heart of the ability of the public to remain informed about matters of critical public interest, which often relate to governmental misdeeds."

Representative Conyers illustrated the impact in a floor speech prior to House passage. He listed examples of disclosures that would have been crimes if the bill were law over the last 30 years:

"One, the scope of the government's activities in Vietnam through the Pentagon papers would have resulted in prosecutions. Two, the CIA's complicity in the overthrow of Salvador Allende. Three, the Nixon administration's support of Pakistan in its 1971 war with India. Four, the revelations about spying at U.S. laboratories. Five, China's alleged military involvement with Pakistan and North Korea. Six, basic information about the size of the CIA's budget."

II. THE RETURN OF "CLASSIFIABLE"

Under current law, information does not qualify as classified unless it complies with rules requiring specific designation of its status as secret. Citizens are not required to guess. But H.R. 4392 has a new definition of "classified": citizens can be prosecuted without the information being marked secret. In fact, whistleblowers, journalists or others can go to jail for revealing anything if they have "reason to believe" it is properly classified -- even if it were not. The bill eerily resembles a 1980s concept called "classifiable," meaning liability for anything that should or could have been classified. As the key Administration official boasted, it means "virtually anything." In 1988 the courts threw out this blank check for secrecy as unconstitutionally vague. The return of "classifiable" creates an Official Secrecy Act, because now virtually anything can be an Official Secret.

The bill creates three strikes against the public's right to know, by:

- 1) realistically ending anonymous dissent;
- 2) requiring advance permission to exercise free speech rights; and
- 3) locking in advance warnings that permit wrongdoers to seal cover-ups by destroying evidence or classifying information after the fact because a whistleblower is forced to check the status of unmarked information. The Catch-22 for would-be whistleblowers is either expose themselves through a prior inquiry, or risk criminal liability by guessing about whether information they disclosing is may be unmarked but classified. More than a chilling effect, that will create a Deep Freeze on dissent and turn would-be whistleblowers into silent observers of fraud, waste and abuse.

Examples of vindicated whistleblowers who would be criminals under the Official Secrecy Act include those who disclosed:

- 1) security breaches creating vulnerability to espionage and theft of classified information;
- 2) evidence indispensable to expose human rights abuses like the My Lai massacre and Letelier assassination;
- 3) blank checks for the world's most expensive nuts, bolts, coffee pots and toilet seats;
- 4) falsified records concealing test failures that compromised Star Wars, the Bradley fighting vehicle and aircraft radar detectors;
- 5) Pentagon lies about multi-billion dollar cost overruns on weapons systems;
- 6) safety violations that made nuclear weapons and power plants accidents waiting to happen;
- 7) security breaches leaving nuclear weapons and other defense facilities vulnerable to terrorists;
- 8) false statements concealing leaks of radiation and other toxic substances into the environment;
- 9) massive worker exposure to radiation; and
- 10) systematic corruption in U.S. Justice Department programs training foreign police how to catch government corruption and defend human rights.

Ironically, Congress passed H.R. 4392 the same day it approved for the 13th straight year an appropriations rider known as the "anti-gag statute," which bans Executive Branch spending to implement or enforce gag orders violating congressional laws. That means virtually nothing after the Official Secrecy Act, which is a congressional blank check for gag orders. It is doubtful that legislators knew they were approving fundamentally contradictory policies the same day.

Comment: CFAC almost never expressly urges members to contact elected representatives on pending bills, but if ever a measure, its timing, its lack of deliberation and its consequences merited an exception, this one does. To the above directly involved legislators, you may want to add Senators Boxer (<http://www.senate.gov/~boxer/contact/webform.html>) and Feinstein (<http://www.senate.gov/~feinstein/contact.html>) and your Member of Congress, whose e-mail address can be easily located

by using the lookup feature at <http://www.house.gov/writerep>.

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CAMPUS CRIME DATA: REPORTING DEADLINE RUNS, NEW GUIDE AVAILABLE (10/27/00)

Of the 6,700 college and university campuses required for the first time to submit copies of their mandated annual campus crime reports to the federal government, 325 had failed to do so by the October 1 deadline. Meanwhile, the Student Press Law Center in Arlington, Virginia is offering an updated campus crime law guide for student journalists.

The Sacramento Bee reported Thursday, October 26 that the 325 schools missing the deadline will get a letter from the U.S. Department of Education giving them an extra 15 days to comply, and if they do not, they could face fines of up to \$25,000.

Since 1990 the Jeanne Clery Act has required federally-funded (which means virtually all) postsecondary schools to keep, organize and periodically report on- or near-campus incident statistics covering a variety of crimes against the person or property, disclosing them to prospective and actual students, parents and campus employees. For the first time this year copies of the annual summary reports were to have been submitted to the Department of Education by October 1.

For copies of reports from one or more California (or other) schools, see <http://ope.ed.gov/security>.

On Wednesday, October 25 the Student Press Law Center released the third edition of its popular publication, "Covering Campus Crime." The 52-page booklet provides a detailed description of the campus crime information student journalists have a legal right to, including a step-by-step guide for obtaining crime records.

The guide has sections that describe how journalists can obtain access to three different kinds of campus crime information: police or security department logs, campus crime statistics and disciplinary proceedings involving criminal behavior. The booklet incorporates regulations regarding federal crime reporting laws issued by the Department of Education this summer and includes an appendix with citations to statutes and resources related to campus crime reporting.

The publication was supported by a grant from the Sigma Delta Chi Foundation, the educational arm of the Society of Professional Journalists. Copies of the booklet can also be downloaded free from the center's Web site, <http://www.splc.org/resources/ccc/cccindex.html>.

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GOVERNOR VETOES BILL ON PUBLIC RECORDS REVIEW BY ATTORNEY GENERAL (10/6/00)

Governor Gray Davis, citing the cost of implementation, has vetoed for the second time legislation that would have permitted citizens to ask the attorney general to review state and local agencies' denial of requests for public records. Instead, Davis said he would direct his consumer affairs chief to investigate how well state agencies are complying with the California Public Records Act.

Davis' veto message, released October 1, reads:

"To Members of the California State Senate:

"I am returning Senate Bill No. 2027 without my signature.

"The bill would create a procedure for a person to request the Attorney General (AG) to review a denial by a public agency of a written request for disclosure of information under the Public Records Act, and would set up the time limits for the AG to complete the review. The bill would establish penalties of up to \$100 per day if a public agency declines to comply with a request for disclosure of information and the court determines that the agency acted in bad faith. The AG would be required to mail a copy of the opinion to the requester and to the denying agency, maintain copies for public inspection, publish the opinions annually in a special volume of AG Opinions, and made the opinions available on the Internet.

"While proponents of this bill contend that a weakness of the Public Records Act is the lack of recourse when state agencies refuse to comply, this bill does not address that issue. Instead the bill sets up a bureaucratic reporting mechanism, involving the preparation, posting and mailing of AG opinions on the merits of a state agency's decision to withhold requested information. The costs to comply with this bill would be borne by the General Fund and would likely be significant. Therefore, I am vetoing this bill.

"I do, however, believe that state agencies should be fully responsive to legitimate public record requests. Accordingly, I am directing my Secretary of State and (sic) Consumer Affairs, Aileen Adams to conduct a review of all state agencies' performance in responding to PRA requests and to make recommendations on appropriate procedures to ensure a timely response."

SB 2027 was the second attempt by Senator Byron Sher (D-Palo Alto) to provide attorney general review as a check against denials of access to public information held by state and local agencies. Currently, such denials are open to challenge only by private lawsuits. A year ago Davis vetoed the first effort, SB 48.

The main difference between that bill and SB 2027 was that the latter expressly exempted state agencies (as opposed to local government units) from attorney general review if their denial of access had been based on the attorney general's advice. All but a handful of state agencies use the attorney general's office for advice and representation in California Public Records Act requests. Last fall Davis said having the attorney general review records request denials would present a conflict of interest, so he vetoed SB 48.

SB 2027 addressed this issue by simply exempting from the review any records denial based on the attorney general's advice. But if the attorney general was never consulted, the agency's denial would have been subject to review by that office.

Otherwise, SB 2027 went to the governor essentially in the same form it has had since its initial introduction as SB 48 last year:

- A person having submitted a written request for inspection or copying under the California Public Records Act would have been entitled to a written form of denial citing the justification for nondisclosure.
- A disappointed requester could have sent the request and denials letters to the attorney general's office for review, with a response due normally in 20 to 40 days.
- The resulting opinion would have had no greater or lesser force than any other attorney general's opinion, and would not have compelled disclosure - or excuse it - on its own authority. But it could have been cited by either the agency or the requester in any subsequent litigation, assuming the agency, using a 10-day grace period in the bill, did not change its mind and release a record in the face of an opinion that it should do so.
- In any event the opinions generated under this procedure would have been printed annually, published in bound volumes and displayed on the Internet for free access.
- The attorney general, in analyzing a denied request for a record whose content was not obvious, could have requested to see the record or asked for additional information on a confidential basis in order to make a more confident assessment. The agency would not have been bound to share the information thus, but its refusal to do so might have worked against its interests if the attorney general found the refusal inadequately justified.
- Apart from attorney general review, a court would have been authorized in appropriate cases brought under the CPRA to not only declare a record public and order its release, but also to assess a monetary penalty against the agency (to be paid to the requester in addition to court costs and attorney fees) of up to \$100 for every day the agency withheld requested records in bad faith.

Comment: The governor cited "significant costs" in vetoing last year's bill as well, but then it was almost an afterthought to the main objection concerning the attorney general's conflicting roles. This year it was the only rationale. The attorney general's estimate of first year costs was \$500,000 - coincidentally identical to the cost estimate the governor did not see as an obstacle to adding a new privacy ombudsman's office to his consumer affairs department as the result of his signing Senator Steve

Peace's SB 129.

"The Governor's veto shows disdain for the public's right to know and incredible ignorance of the problems every-day citizens face when attempting to arm themselves with the information necessary to participate in their government," said CFAC Executive Director Kent Pollock. "Democracy thrives on sunshine and shrinks in the darkness."

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LOCAL GOVERNMENT DENYING ACCESS TO CLEARLY PUBLIC RECORDS (9/29/00)

Local government agencies in California routinely disregard the state's Public Records Act, rejecting outright-or stonewalling-requests for indisputably public information more than 75 percent of the time. Citizens seeking key records are forced either to abandon their pursuit of the records or to take the costly step of hiring a lawyer to sue the agencies to compel disclosure.

In a recent survey leading to this conclusion, sheriffs' departments were the worst offenders, denying requests for clearly public records 80 percent of the time. This rejection rate compared to 64 percent for police departments. Cities performed only slightly better, denying 60 percent of the requests for public documents, while school districts denied access almost 33 percent of the time.

This [public records "audit,"](#) designed to assess local government compliance with the California Public Records Act (CPRA), was undertaken by the California First Amendment Coalition (CFAC) and the Society of Professional Journalists (SPJ) and was supported by volunteer students of the journalism departments from five California universities.

Such audits, increasingly conducted in other states by professional journalists and news organizations, involve making formal requests for government documents that are clearly public by law, and then monitoring how government officials respond to those requests. The research issue: Do they comply fully, partially or not at all?

The California audit began last spring and was only recently tabulated. Under the supervision of their journalism professors, several dozen university students asked more than 130 local government agencies in the San Francisco Bay Area and the counties of Los Angeles, Orange and San Bernardino for information whose release to the public is clearly mandated by state law.

The records sought were those that track responses by police to citizens' distress calls, why school boards expel students, how cities pursue health and safety violations by slumlords, and why people die in prisons, jails or simply under arrest.

Police departments were asked for logs of 911 (emergency request for assistance) calls under the authority of Government Code Section 6254, subdivision (f), which allows secrecy for most information about law enforcement investigations, but which also says, in pertinent part:

"Other provisions of this subdivision notwithstanding, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

"(2) Subject to the restrictions imposed by Section 841.5 of the Penal Code*, the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved.

*This section provides, " no law enforcement officer or employee of a law enforcement agency shall disclose to any arrested person, or to any person who may be a defendant in a criminal action, the address or telephone number of any person who is a victim or witness in the alleged offense."

Despite the fact that logs of 911 calls contain the information specified as public as noted above, departments complied only 35.9 percent of the time - after both an initial oral request and, where necessary, a follow-up written request.

In rejecting the overwhelming majority of the requests, police departments wrongly informed the requesters that 911 dispatch information was confidential under the law, or could only be obtained with a subpoena. One department demanded that the requester sign an affidavit stating that she had never been arrested in that department's jurisdiction.

School districts were asked for records of pupil expulsions under the authority of Education Code Section 48918, which states in subdivision (k):

"The governing board shall maintain a record of each expulsion, including the cause therefor. Records of expulsions shall be a nonprivileged, disclosable public record."

The attorney general has concluded that even the pupil's name must be included in any disclosed expulsion order. (Opinion No. 96-501 [1997])

Nonetheless, school districts complied only 67.4 percent of the time - after both an

initial oral request and, where necessary, a follow-up written request. This rate of compliance was the best shown in the audit, but only after a written request-the initial oral request was denied 71.7 percent of the time.

Cities were asked for copies of notices to landlords of health or safety-related code violations rendering their premises "unfit for human occupation," under the authority of Government Code Section 6254.7, which states in pertinent part:

"(c) All records of notices and orders directed to the owner of any building of violations of housing or building codes, ordinances, statutes, or regulations which constitute violations of standards provided in Section 1941.1 of the Civil Code, and records of subsequent action with respect to those notices and orders, are public records."

Conditions triggering such notices are serious health and safety defects, including leaky walls or roofs, broken windows or doors, faulty plumbing or gas facilities, the lack of hot and cold running water connected to a sewage disposal system, faulty heating or electrical systems, premises rented with "accumulations of debris, filth, rubbish, garbage, rodents and vermin" or without adequate garbage or trash receptacles, or failure to maintain floors, stairways and railings in good repair.

Cities complied with the mandate to disclose such notices only 39.6 percent of the time overall, and rejected the initial oral requests 79.2 percent of the time.

Sheriff's departments were asked for copies of reports to the attorney general concerning the deaths of persons in custody, pursuant to the authority of Government Code Section 12525, which states:

"In any case in which a person dies while in the custody of any law enforcement agency or while in custody in a local or state correctional facility in this state, the law enforcement agency or the agency in charge of the correctional facility shall report in writing to the Attorney General, within 10 days after the death, all facts in the possession of the law enforcement agency or agency in charge of the correctional facility concerning the death. These writings are public records within the meaning of subdivision (d) of Section 6252 of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), are open to public inspection pursuant to Sections 6253, 6256, 6257, and 6258"

Nevertheless, sheriffs' departments shared this information with the requesters only 20 percent of the time: four out of five (in Los Angeles, Orange, San Bernardino and San Mateo Counties) failed to comply on the initial oral request, and the response did not improve after the written request. Only in San Francisco, where state access law is backed by a powerful, citizen-crafted Sunshine Ordinance, was access to the reports granted-on the first oral request.

Audits such as the one done by SPJ and CFAC have been shown to be an effective way to test government compliance with state public records laws. Over the last several years, audits have been done in more than 13 mid-western, southern and eastern states by the media, journalism schools, and coalitions of citizens concerned about government secrecy. (See a summary of most of these audits at <http://www.freedomforum.org/news/2000/03/2000-03-15-23.asp>)

Almost without exception, the audits have found that government officials fail to comply with public information laws in the majority of requests. The surveys also reveal that even if records are released, government agencies often fulfill requests only partially or take inordinate amounts of time to disclose the information sought.

But in almost half these states, the audits have prompted action by state governors and legislatures to improve open records laws and their enforcement. Perhaps the most notable survey was done in Indiana more than two years ago. The nine-month effort, mobilizing the unprecedented collaboration of seven daily newspapers, sent reporters fanning out over every county to test compliance. It was the first statewide audit in the country and found that government officials flagrantly violated the state's open records laws by refusing to turn over obviously public information to citizens.

In response, Indiana Governor Frank O'Bannon created the office of state Public Access Counselor, formed a task force to study problems with state public records laws, and issued warnings to offending agencies. The state legislature also created a blue-ribbon committee to look into ways to improve the state's open records laws.

The access counselor, a kind of ombudsman, has the power to provide written advisory opinions in response to formal complaints. The counselor also responds informally to citizens' questions and complaints about access to public records and even meetings of public agencies. Queries are taken and answered by telephone, e-mail or postal letter. (See the counselor's web site at <http://www.state.in.us/pac>)

Comment: The facts of these preliminary findings speak for themselves. The legislature has made it very plain it wants citizens to be able to find out which landlords are being cited for slum conditions, and how housing health and safety laws are being enforced. It wants citizens to determine, if they wish, how well public safety agencies are responding to calls for help from people who are witnessing or suffering crimes or facing other great hazards. It wants citizens to be able to monitor their schools to determine if students are being expelled for proper cause, and on a fair and non-discriminatory basis. And it wants citizens to be able to learn when, how and why prisoners - or even those simply arrested or taken into custody - lose their lives as well as their freedom.

Government documents providing this information were carefully chosen for this audit as a measure of how well public agencies respect and comply with their duty to stay accountable. If these clear, unqualified mandates are ignored or scorned, unlawful

secrecy is all the more likely where the Public Records Act gives state and local agencies the discretion to keep secrets based on their reading of "the public interest."

Although journalists and those who train them were integral to this audit, the concern is not with how well reporters fare. Newspapers and broadcasters have formidable resources to overcome official secrecy, including the power to draw on inside sources, to write expose stories and issue damning editorials, and to go to court if need be. Average citizens have no such alternatives or leverage. If they are told that government information is none of their business, they almost always have to swallow that answer and public officials know this. There is no prompt and affordable remedy or authoritative review in California for those whose requests go rejected, or even totally unanswered. Public officials know this as well.

This lack of consequences alone probably explains most of this astonishingly high level of rejection. Plainly, the Public Records Act needs serious attention by the legislature and Governor Davis if it is to be a force for informed self-government by voters and taxpayers.

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CFAC TO JUDICIAL COUNCIL: SUNSHINE PROVISIONS NEEDS TWEAKING (9/29/00)

The California First Amendment Coalition has told the state's court system governors that a proposal for releasing documents and conducting public meetings concerning trial court funding and its impact on court employees could stand some improvements. CFAC primarily cautions about allowing wide exceptions to the disclosure rule based on judgment calls favoring secrecy.

(The full text of the proposal and its drafters' comments is enclosed with this FLASH as an Adobe Acrobat pdf file and can be found on the California Judicial Council's web site at <http://www.courtinfo.ca.gov/invitationstocomment/spproposals.htm>.)

The judicial council set Friday, September 29 as the final day for comment, and CFAC submitted its views by an e-mail submission on that date, having seen the call for comments only two days earlier.

The proposed rule essentially calls for public release by both the judicial council and local court systems of records showing budgets and actual expenditures for trial court funding, and other information affecting pay and working conditions for court employees. It also for the first time formally mandates opening meetings of the judicial council to public attendance - for those discussions concerning budgets and court funding.

The proposed rule is the result of recently passed legislation, AB 2459 (Wiggins and Hertzberg), which requires the council to "adopt rules to provide for reasonable public access to budget allocation and expenditure information at the state and local level" as well as rules "ensuring that, upon written request, the trial courts provide, in a timely manner, information relating to the administration of the courts, including financial information and other information that affects the wages, hours, and working conditions of trial court employees."

CFAC's letter states:

"The California First Amendment Coalition is pleased to learn of the major thrust of this proposal to bring sunshine to certain fiscal and managerial aspects of California court administration.

"As described in the summary on the Judicial Council's Internet web site:

"The proposal would require trial courts and the Administrative Office of the Courts to maintain for 3 years and make available upon request budget and management information. With regard to council meetings on trial court budgets it provides that notice and copies of written materials shall be given to interested individuals; that the meetings are to be open to the public; that the public may present written materials to the council; and that the public may request the making of an oral presentation to the council'

"We note certain ambiguities, however, which should be clarified in a manner consistent with the legislative mandate triggering this process.

"1. References to the California Public Records Act

The proposed rule indicates that it is not intended to require disclosure of information that would be exempt under the California Public Records Act, and the drafters' comments list a number of CPRA exemptions that accordingly might apply. This approach significantly undermines the force of the rule.

"As you are probably aware, the CPRA permits, in Government Code Section 6255, withholding of information not exempt under any particular statutory exception, simply by demonstrating that given the particular circumstances, the public interest in nondisclosure outweighs the public interest in disclosure. For all practical purposes, this 'wild card' section allows the government to improvise ad hoc rationales for secrecy which are impervious to any challenge short of formal litigation.

"The California Supreme Court, moreover, has used Section 6255 to engraft into the CPRA a common law "deliberative process" privilege whose boundaries have yet to be discovered (see *Times Mirror Co. v. Superior Court*, 53 Cal. 3d 1325 and its progeny), but which has so far been applied to utterly factual material the disclosure of which would allow the public to draw inferences about the drift of executive thought

processes in reaching decisions. The CPRA admits of other broad exemptions (preliminary drafts, records pertaining to pending litigation, etc.) whose application to the information covered by this rule is hard to discern.

"We suggest that a better approach, inviting less confusion and conflict, is to embody within the rule a precise definition of the types of records and information that will be disclosed, without cavil or qualification. While there may be marginal issues of interpretation left, surely a plain list of what the employee groups and the public can expect to be provided without argument would advance the objectives of this rule considerably, and should not be that difficult to produce.

"2. The 'Internal' Exception

The proposed rule expressly exempts from disclosure 'internal memoranda' without defining that term. Our experience with executive branch and local agencies under the CPRA is that this phrasing is too often used casually and conclusorily simply to refer to information which in the view of some official is not appropriate to make 'external,' i.e. to share with the public. The term almost invites creation of a rubber stamp-INTERNAL- for convenient use in instantly classifying documents for secrecy. Again, what this means should be spelled out to avoid needless confusion and conflict.

"3. Enforcement Incentives

As the comment notes, there is no specified remedy. Under the CPRA, a person successful in obtaining a writ of mandate for disclosure is entitled to court costs and attorney's fees. If there were no such provision there would be far fewer enforcement actions, which are already notoriously infrequent. A purported disclosure mandate without at least a discretionary public interest provision for attorney's fees is designed to be ignored.

"4. Meeting Notices

Notice of public discussions by the Judicial Council of trial court funding issues is proposed to be sent to employee organization representatives who request such notice. With little extra cost and effort the notice could be sent to anyone requesting notice, and we believe it should be. While posting on the Council's web site is also required, experience shows that this useful resource is no substitute for the pointed impact of a direct notice, which could easily be accomplished by e-mail."

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STORIES ON U.C. CAMPUS CRIME SECRECY SPARKS CONGRESSIONAL INTEREST (9/29/00)

A two-part expose by the Sacramento Bee published recently shows what appears to be widespread failures at University of California campuses, and especially at U.C. Davis, to disclose sexual assault crimes affecting students and others as required by federal law. The university president pledged to check the facts, and a congresswoman said she was looking into hearings.

The series, published on September 24 and 25, reports the results of a Bee investigation into the university's compliance with the federal Clery Act, which mandates that all colleges and universities receiving federal funding - which in practical terms means virtually every institution of higher learning - must summarize and periodically report to students, parents and prospective students on- or near-campus crimes in certain categories, including sexual assaults.

The federal law is named after Jeanne Clery, a Lehigh University student who was raped, beaten and murdered by another student in her dormitory room in 1986. Her parents founded Security on Campus, Inc., a nonprofit organization dedicated to improving safety on campus and informing students and parents of the dangers of underreporting sexual and other violent crimes at colleges and universities.

Underreporting was determined by comparing the universities' reports to the FBI (under a separate legal requirement) and anecdotal information from rape counseling and other non-university sources with the official disclosures made under the Clery Act. Deficiencies were shown to be widespread, and U.C. President Richard Atkinson announced he was ordering the formation of an internal task force to determine whether campuses are complying with Clery Act disclosure requirements.

In addition, Rep. Lynn Woolsey (D-Petaluma) told the Bee she was "looking into holding hearings in the next Congress to determine what roadblocks campuses are facing." Woolsey, who said she was "appalled" at the prospect of underreporting sex crimes on campus, is a member of the House Committee on Education and the Workforce.

Officials at U.C. Davis, which was the focus of the entire second-day story in the series, are challenging what they call distortions in the newspaper's account.

(The full story is on the Bee's web site beginning at http://www.sacbee.com/news/news/local01_20000924.html. For related stories, use the search function with the keyword "Clery". For full information on the Clery Act and campus crime reporting problems nationally, see the Security on Campus web site, <http://www.securityoncampus.org>).

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GOVERNOR VETOES RECORDS-ON-INTERNET BILL (9/22/00)

Governor Gray Davis, acting on September 10, vetoed a bill that would have required state agencies to list their official reports and studies on their Internet sites. The governor's rationale was similar to a note about the bill in an earlier FLASH report: It's one thing to put reports on the Web, but given the number of official Web sites, how would one find them?

As noted in the FLASH report of April 21, AB 1759 by Assemblyman Lou Papan (D-

Millbrae) was prompted by last year's disclosure that the Department of Health Services quietly failed to publicize inconvenient poll data.

It was revealed in a report by the Auditor General that the department failed to disclose the fact that a poll it had taken to assess the feelings of bar owners toward the ban on smoking came up with general lack of support. This outcome undercut the official line that bar proprietors were satisfied or even happy with the prohibition, and while the department did not turn down requests for poll results, it apparently never got any requests because no one outside knew a poll had been taken.

Papan's AB 1759 was initially unclear on whether the reports and studies themselves would have to be fully posted. The word used in the bill is "listed," suggesting that a one-line title or thumbnail description might be sufficient. In any event, the bill required the listings to include completed and in-pipeline reports and studies, to be refreshed every 10 days to "list" also completed or updated documents.

The FLASH comment in April stated:

"This bill would represent a watershed advance in the California Public Records Act, which up to now has been an information-upon-specific-request law with no duty on the government's part to alert the public as to what information is available. To make this transition far more useful, however, the bill should require creation of a central Web site to house all state-generated reports and studies, cross-referenced to the originating agency's Web site. Just as it does little good to deem a report accessible to the public if no one knows it exists, it does little good (except for insiders) to require disclosure on each of scores of Web sites if no one knows that they exist."

The governor's veto message states:

"This bill would require all State agencies to post on their Internet sites a list of all of its reports and studies that are subject to disclosure under the Public Records Act (PRA). The bill would require that the list must be continuously updated to include every report within 10 days after its initiation or completion. The legislation is not clear and fails to indicate if the reports and studies to be posted would be those completed on or after date of enactment, or how the public is to access the reports. Consumers would have great difficulty, even those with extensive knowledge of the Internet, finding a list without links or clear instructions to make this effort worthwhile. As written, the bill would only provide information in a highly inefficient and confusing form. A stand-alone list of reports and studies does not seem to meet the stated intent of the Public Record Act."

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FEDS' PROPOSED LAPD REFORM INCLUDES ONLINE SUNSHINE ITEM
(9/15/00)

The consent decree proposed by the U.S. Department of Justice's Civil Rights Division as a way to reform the Los Angeles Police Department has an online disclosure requirement to help restore public confidence in that scandal-ridden institution. But the city's negotiators say this Web site information center goes too far and is not acceptable.

Signing on to the decree is the city's only alternative to defending a major civil rights lawsuit alleging serious and repeated violations by LAPD over a period of years, culminating in the Rampart Division corruption incidents, division chief Bill Lann Lee told the city council on Wednesday, September 13.

"We are insisting," Lee said, " that the consent decree hold city officials directly accountable to the public for their progress in making these reforms through regular assessments and reports by an independent monitor."

By late this week nine of the 15 council members were reportedly on the record as willing to sign on to such a decree, while four others were opposed and two undecided. Ten votes would be needed to survive a mayoral veto, and both Mayor Richard Riordan and Police Chief Bernard Parks have been lobbying against the decree.

They want at most a kind of contract, but not one supervised by a court as the decree would be, for at least five years. The council has set another special meeting on Monday, September 18 to reconsider the proposal, on which Lee is pushing for closure on by the end of the month.

Two key elements of the decree are a proposed newly created independent monitor to get detailed information from LAPD and file periodic reports with the supervising federal court, and a sophisticated computer database to track problem officers and units as incidents and even complaint clusters begin to suggest the need for attention.

While most of that information would remain as confidential as it is now, one novel element of the proposal would provide the community with considerably more concentrated information than it now gets. Item 163 of the proposed consent decree states:

"The LAPD shall prepare and publish on its Web site semiannual public reports that include aggregate statistics on LAPD activities and procedures broken down by area and unit and the race/ethnicity of the civilians involved. The reports shall include statistical summaries of uses of force, administrative investigations (including allegations, resolutions, and resulting discipline and positive corrective actions), searches and seizures, traffic and pedestrian stops, and other relevant information regarding LAPD law enforcement activities. Such reports shall include summaries of the results of audits prepared pursuant to the requirements of this decree. The LAPD shall also post a list and brief description of completed audits on its Web site."

The city's negotiators (who have on many other points of the proposed decree signaled

acceptance) reject this proposal, offering instead a requirement only that the department:

"report quarterly on its Web site a brief description of (i) each report of a specified audit completed in that quarter and any significant actions taken as a result of such audits and (ii) any new policies or changes in policies made by the department to address the requirements of this agreement..."

The city negotiators insist that all that should go on a Web site is a summary of the documentation otherwise required under the agreement -- not specially produced syntheses of various reports and data sources, tailored specifically for public information.

Another proposed requirement would be that existing community advisory groups in each are have direct participation in setting up outreach programs, including public meetings. The city's negotiators say this would be a waste of time with little substantive effect, and note that the Justice Department offers to drop this item if LAPD agrees to the Web site reports in the previous item.

Copies of the proposed consent degree and an item-by-item rundown of the city's responses and rationale can be obtained as PDF files at <http://www.lacity.org/lapd-reform>.

Comment: The city's acceptance and implementation of the Web site information center proposal in item 163 would be a significant step forward and should serve, in fact, as a model for other communities, at least those troubled by persistent complaints of inappropriate police treatment of racial and ethnic minorities. The information embraced in such disclosures would not invade protected individual personnel records but would present the kind of pattern picture sought (and in part obtained) the San Francisco Bay Guardian in its protracted public records case involving the Richmond Police Department.

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FINAL-DAYS BILL AMENDMENTS SWEETEN OFFICIALS' RETIREMENT PLANS (9/15/00)

Several current or former high-ranking state officials stand to benefit significantly from provisions added to an otherwise obscure "technical" bill approved by both houses of the legislature in the waning hours of the session with essentially no debate and no disclosure on the public record of just whose retirement plans would improve -- or why.

The Sacramento Bee has reported that SB 528 by Senate President pro Tempore John Buirton (D-San Francisco), a bill concerning the Public Employees Retirement System (PERS) would have the following effects:

-- Allow San Francisco Mayor Willie Brown, appointed to the PERS Board by

Governor Gray Davis in February, to send a stand-in to board meetings rather than attend in person. As noted in an earlier Bee report on the appointment, the value in the PERS seat is not its salary (there is none) or the glamor of attending meetings in Sacramento. All travel on behalf of PERS, nationally and internationally, is compensated and affords members close entree to "the world's top money managers." The board also controls billions in investments potentially favorable to investment firms, including those in San Francisco's financial district.

-- Allow Legislative Counsel Bion Gregory nearly \$2,000 more in retirement benefits a month (for a total of \$8,500 monthly) than he would otherwise have been entitled to under early retirement, by giving him credit for an extra four years of age and public service.

-- Allow former Assemblyman Dan Hauser (D-Arcata) to become eligible for retirement benefits normally restricted to those with 15 years' legislative service. Hauser, reportedly strapped for income, served only 14 years before being termed out in 1996.

-- Allow Jane Crawford, an \$87,408 per year appointments advisor on Governor Gray Davis' staff, to count her 14 years of service with a firefighters' union as part of her state service as a basis for retirement benefits. She served the union as political and legislative director and stayed on its payroll while loaned to Davis' campaign for the governorship in 1998, after which she stayed on as part of his transition team and then took the appointments job.

-- Allow former CSU Chancellor Barry Munitz, who headed Davis' transition team in fall 1998, to earn credit for as many years as he remains on "leave of absence" from the university. That's his actual status, although he now serves as president of the J. Paul Getty Trust in Los Angeles, which in its 1998-99 fiscal year paid him more than \$750,000 in compensation, according to records on file in the attorney general's office. The maximum leave of absence time now available for PERS credit is two years.

-- Allow what the Bee estimates to be "more than a dozen" former members of the legislature who work in other government posts to increase their PERS pension benefits sixfold. Currently former lawmakers who are not employed or at least not employed in state jobs are allowed full PERS benefits based on their time served and other factors, but if they take positions in state or local government (other than constitutional offices such as governor or attorney general) their benefits are approximately one sixth of the ordinary entitlement. This bill would provide them with full pension benefits, which would mean, for example, that former state senators and current state executive branch officers Robert Presley, head of the Youth and Adult Correctional Agency; Barry Keene, head of the Department of General Services and David Roberti, member of the California Integrated Waste management Board, could draw both full salaries and full pensions. The same would apply to former state legislators in local government posts.

SB 528 got lowball treatment, labeled in every committee and house analysis as making only "technical and clarifying amendments," and was given unhesitating, bipartisan support. In the final Assembly vote on September 1, 70 voted aye and there were only nine voting no or not voting -- all Republicans. Most of the changes were added in the Assembly on August 30, the day before adjournment, and that final

session has been described as unprecedentedly chaotic, especially in the Assembly. The confusion and rush there were so extreme that several bills generally regarded as of genuine policy significance failed to make the deadline in the final hours' crush, and died in their tracks.

Common Cause Executive Director Jim Knox told the Bee that he found the way SB 528 was handled "represents the legislature at its worst" and said that similar examples of last-minute approvals of perks for cronies "year after year indicates to me that the legislature is not only allowing it to take place, but that it is inviting it to take place."

The bill awaits action on Governor Davis's desk, but The Bee reported that sources indicate the Governor will likely veto the legislation.

Comment: Sunshine is a terrific disinfectant, and legislators who used the last-minute legislative scramble to keep the bill's provisions in the dark should be ashamed. There's no self-evident reason why former legislators should have to forego five sixths of the retirement payments otherwise due them simply because they continue on the public payroll in the executive branch or in local government. On the other hand, should other individuals get rule relaxations tailor-made to their circumstances just because enough people with a vote like them-or at least don't dislike them, and are comfortable with a tradition of reciprocal backscratching? Some of the retirement rule changes in SB 528, in other words, might well be passed with a straight face on their merits. Others would probably not withstand the process of explanation in committee. Bundling all these adjustments in a bill with both patronage and stealth written all over it does no favors to those whose retirement sacrifices could stand the light of open debate. But it does throw chum to those who are all too ready to write elected officials off categorically. And that corrosion rewards cynics everywhere. Those outside government point and say, "What did you expect?" Those inside government shrug and say, "There's no pleasing the public, so if we're going to be blamed anyway, let's get some business done."

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COURT: NO BASIS FOR PURGING JUVENILE OFFENSE FROM COURT FILES (9/15/00)

Federal courts have no inherent powers to reverse, erase or otherwise obliterate the record of a juvenile drug conviction as a matter of fairness. While they may take such steps to right a wrong in the sense of an unlawful conviction or a clerical error, they are otherwise limited to the few instances in which specific statutes authorize expungement.

So ruled the U.S. Court of Appeals for the Ninth Circuit in its opinion filed Tuesday, September 12 in U.S. v. Sumner, Case No. 99-10523.

The case involves Thomas Alan Sumner, a Nevada substitute teacher who in the fall of 1999 wanted to seek a teaching certificate but feared that a long-ago event might be cited to preclude that licensing. In 1972 Sumner was arrested in Yosemite National Park when his companions sold illegal drugs to an undercover Forest Service ranger. He pled guilty to the unlawful possession of a controlled substance and, as a minor, was sentenced under the Federal Youth Corrections Act (FYCA), which was repealed in 1984. He was ordered to 90 days of probation and a fine of \$100. He failed to pay by the deadline, a bench warrant was issued, he paid the fine two days overdue, and the warrant was recalled.

In 1999 Sumner went back to the same district court and moved to have his sentence expunged, either under the FYCA's "set aside" provision or under the court's own "inherent" equitable powers, i.e. powers to do the right thing. The court ruled that it had no jurisdiction (authority) under either theory to do what Sumner asked. On appeal, the Ninth Circuit agreed. First, the FYCA allowed a conviction to be set aside only where the court's failure to grant "an early unconditional discharge from probation" was due to an "oversight." Here there was no mistake; Sumner had not sought a discharge from probation in 1972 and none was granted.

Second, in the words of Judge Arthur Alarcon for the court, "Sumner also maintains that federal courts have 'the inherent power, under equitable principles, to order expungement of criminal records.' We disagree. The power of federal courts may not be expanded by a judicial decree." Only in cases of convictions held to be unconstitutional in later federal civil rights actions were federal courts empowered to offer equitable expungement as a remedy.

And ruling as a matter of first impression, the Ninth Circuit considered the third possibility, i.e. where a court was revisiting a case it had originally tried, employing its "ancillary" jurisdiction to reopen the matter. Even there, Judge Alarcon concluded for the court, "In our view, a district court's ancillary jurisdiction is limited to expunging the record of an unlawful arrest or conviction, or to correcting a clerical error."

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MARYLAND'S HIGHEST COURT REJECTS BROAD GOVERNOR'S PRIVILEGE (9/15/00)

In contrast to the California Supreme Court's 1991 discovery of a broad "deliberative process privilege" exempting a governor's appointment schedules and travel records from large-scale disclosure, the Court of Appeals of Maryland has rejected application of a broad "executive privilege" for its governor's meeting calendar and phone call records.

In *Office of the Governor v. Washington Post*, the court's 4-3 ruling issued Tuesday, September 12 concluded that the records of Gov. Parris N. Glendening and two of his chief aides are subject to the Maryland Public Information Act as a general proposition,

and that meeting appointment logs and phone records reflecting the official contacts of these officials are not categorically protected by executive privilege.

That term is the more direct and focused label for what the California Supreme Court called the "deliberative process" privilege in its 1991 decision in *Times Mirror v. Superior Court*. The court held that appointment calendars and travel itineraries for a five-year period of Governor George Deukmejian's incumbency were exempt from disclosure under that privilege, essentially because their release to the public would disclose the governor's thought processes and thereby inhibit the effectiveness of executive decision-making.

The Maryland court majority placed the burden on the governor's office to argue its executive privilege claim on an item-by-item basis, with the trial court inspecting the records in chambers as necessary.

The case cites *Times Mirror* at several points, noting that unlike California's very unusual "public interest balancing test," used to shoehorn in the common law privilege, Maryland law has no such "catchall" exemption, and the privilege must apply, if at all, under standards already established in Maryland case law.

Accordingly, records of an advisory or deliberative nature would be presumed covered by the privilege, but strictly factual material such as appointment or phone call logs would not. Nonetheless, in remanding the case back for further consideration by the trial court, the appellate court cited several passages from *Times Mirror* to show how, for example, the release of even factual material might chill the process of executive decision-making.

The Post has not explained why it wanted the records, but in the two years of negotiations to get them it has narrowed the scope of its interest to a six-month period in early 1996. The reach of its original request has also been trimmed by the appellate court, which ruled off limits all calls from the governor's residence and calls from business lines not specifically assigned to the governor and the two specified aides.

After oral argument in the case early in 1999 the court, shy one justice, was deadlocked 3-3. Then Governor Glendening filled the vacancy, oral argument was reheard before the new justice, and his vote created the 4-3 majority. The dissenters believe that the majority is giving insufficient respect to the governor's independence from the legislature, on separation of powers grounds as well as executive privilege concerns.

A PDF file copy of the opinion, labeled as "Governor v. Washington Post," can be obtained at <http://www.courts.state.md.us/cgi-bin/indexlist.pl?court=coa&year=2000&order=bydate&submit+button=Submit>.

**SANTA CLARA SUPERVISORS TO PONDER ON-LINE RESTAURANT
'GRADES' (9/8/00)**

The Santa Clara County Board of Supervisors will soon consider a proposal to put the results of restaurant inspections by the environmental health department on the county's Web site -- along with a new system of letter or number "grades" rating each eatery's compliance with codes and other standards. The local restaurant association supports it.

The proposal by Supervisor Joseph Simitian can be downloaded as a pdf file from http://www.supervisorsimitian.org/whats_hot.htm. It has two components, the first being production of placards, one for each restaurateur, which could be either placed in a prominent location or kept in a drawer. The placard would proclaim the establishment's A-C letter or 1-100 number grade. Alternatively or as Simitian would prefer, as a supplement, diners could go to the county's internet site and view all scores -- as well as the inspection reports behind them.

Simitian says his idea is responsive to increasing public and press concern with food poisoning in general and food handling practices in particular. His staff says the proposal is backed by the Santa Clara Restaurant Association, which would just as soon have the bad apples exposed.

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GOVERNOR GETS SIX BILLS ON SUNSHINE, JOURNALIST RIGHTS, PRIVACY (9/1/00)

Governor Gray Davis has on his desk awaiting action six pieces of legislation of special interest to the California First Amendment Coalition. One is on open meetings, two on public records, two on journalists' rights and one on privacy. Half the bills represent a second - or even third - try after a similar previous measure was struck down by a veto.

The bills, whose contents are covered in separate reports, include AB 1857 (Romero), a rewriting of the law governing open meetings of student body organizations of the California State University; AB 2799 (Shelley), on access to electronic public records; SB 2027 (Sher), on attorney general review of records access denials; AB 1860 (Migden), on procedures for subpoenas to journalists and dealing with the resulting shield law issues; AB 2101 (Migden), on press interviews with and mail from prison inmates; and SB 129 (Peace), which would create a new state office dedicated to the protection of personal privacy.

The governor has until midnight September 30 to take action on these measures. He can sign a bill, veto it or let it become law without his signature.

COMMENT:

Your letter to the governor urging action should identify the bill by number and author, and your position (support/opposition) in a prominent heading at the top, e.g. "AB 1234 (Smith): SIGNATURE

URGED." It is best addressed via:

mail: Governor Gray Davis, State Capitol Building, Sacramento, CA
95814
fax: (916) 445-4633
e-mail: graydavis@governor.ca.gov

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COMPUTERIZED INFORMATION-SEEKERS WOULD SEE FRIENDLIER LAW (9/1/00)

Governor Gray Davis is being given the third chance to sign legislation bringing the California Public Records Act into the electronic information age, after his and former governor Pete Wilson's vetoes of earlier attempts. AB 2799 by Assemblyman Kevin Shelly (D-San Francisco) requires copying at cost of computerized public records.

The bill would repeal the current California Public Records Act provision giving public agencies discretion as to in what form computerized public information must be produced in (e.g. electronic or hard copy printouts). The Act currently says nothing else about computer file access other than the general principle that information accessible to the public on paper remains legally accessible when stored electronically.

Under AB 2799, the Act would be amended to provide that:

- * Public information not exempt from disclosure must be made available in the electronic format requested if the public agency holding the information uses that format for making copies for its own or another agency's use.
- * If meeting the request involves only copying, any fee charged by the agency must be limited to the "direct cost of producing a copy."
- * If the request is for a format not used by the agency for its own copying, and therefore would require special work, extra charges and delay are authorized.
- * "the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record," could be passed on to the requester when " the record is one that is produced only at otherwise regularly scheduled intervals" but is demanded off-schedule, or the formatting sought "would require data compilation, extraction, or programming."
- * an extension of up to 14 days could stretch the deadline for a determination response from the public agency, meaning a maximum total of 24 days, based on "the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data."
- * If the request is for a paper record, the agency may inform the requester that the information is also available in electronic format, but cannot limit access to the electronic version. Nor must it "reconstruct" a record in an electronic format if it "no longer has" the information in that format.
- * A request to release information in the format in which the agency keeps it would not have to be honored if doing so "would jeopardize or compromise the security or

integrity of the original record or of any proprietary software in which it is maintained."

AB 2799 has two other important provisions unrelated to electronic records. One would restore the word "delay," substituted several years ago by the word "obstruct" in a provision prohibiting certain agency conduct that frustrates effective access to records. The passage of this bill would mean prohibiting both delay and obstruction. Also, the Act would for the first time expressly require that any notice from the agency announcing denial of access be in writing - if the request had been made in writing.

AB 2799's electronic records thrust presents a third attempt in this area. Two previous bills by Senator Debra Bowen (D-Marina del Rey) were vetoed: AB 179 by Governor Wilson in 1998 because a "reasonableness" test for denying access would, Wilson said, have invited needless litigation, and SB 1065, rejected last year by Governor Davis, who said he had asked Bowen to hold off bringing him a bill until the state had resolved Year 2000 compliance problems.

The legislature clearly views improved electronic access as an overdue imperative. The bill passed the Assembly on a 70-4 vote, and the Senate 33-0.

The bill is sponsored by the California Newspaper Publishers Association and supported by the Orange County Register, the Franchise Tax Board and CFAC. It is opposed by Orange County, which complains of the burden to staff in responding to records requests - editing and copying records for release or writing written justifications for non-release.

But the Register says express language disallowing delay is needed because of such phenomena as UC Irvine's foot-dragging in producing admittedly public records documenting abuses at the university's fertility clinic. When the Register finally got those records, it used them to support a series on the sale of fertilized eggs and won the Pulitzer Prize for its effort.

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THOSE DENIED LOCAL AGENCY RECORDS COULD GET SECOND OPINION (9/1/00)

Governor Gray Davis is being asked to sign a bill creating prompt attorney general review, on request, of any local agency's denial of access to public records, and adding court-imposed fines of up to \$100 for every day an agency knowingly and deliberately disregards its disclosure obligation. Davis vetoed a comparable bill last year.

Both measures are the work of Senator Byron Sher (D-Palo Alto). The main difference between last year's SB 48 and the current SB 2027 is that the latter expressly exempts most state agencies (as opposed to local government units) from attorney general

review. All but a handful of state agencies use the attorney general's office for advice in responding to, and court representation in defending against, California Public Records Act requests. Last fall Davis said that given this prior involvement, having the attorney general review records denials would present a conflict of interest in those circumstances, and for that reason vetoed SB 48.

SB 2027 addresses this issue by simply exempting from the review process, on a case by case basis, any records denial based on the attorney general's advice. Thus, for example, the attorney general's advice that a record could be withheld would preclude its rendering a review opinion. But if the attorney general was never consulted, the agency's denial would presumably be subject to review by that office.

Otherwise, SB 2027 goes to the governor essentially in the same form it has had since introduction, and indeed in the form taken by SB 48 last year:

- * A person having submitted a written request for inspection or copying under the California Public Records Act would be entitled to a written form of denial citing the justification for nondisclosure.
- * A disappointed requester could send the request and denials letters to the attorney general's office for review, with a response due normally in 20 to 40 days.
- * The resulting opinion would have no greater or lesser force than any other attorney general's opinion, and would not compel disclosure - or excuse it - on its own authority. But it could be cited by either the agency or the requester in any subsequent litigation, assuming the agency, using a 10-day grace period in the bill, did not change its mind and release a record in the face of an opinion that it should do so.
- * In any event the opinions generated under this procedure would be annually printed and published in bound volumes, and also displayed on the Internet for free access.
- * The attorney general, in analyzing a denied request for a record whose content was not obvious, could request to see the record or ask for additional information on a confidential basis in order to make a more confident assessment. The agency would not be bound to share the information thus, but its refusal to do so might work against its interests in the result, if the attorney general found the refusal inadequately justified.
- * Quite apart from attorney general review, a court would be authorized in appropriate cases brought under the CPRA to not only declare a record public and order its release, but also to assess a monetary penalty against the agency (to be paid to the requester in addition to court costs and attorney fees) of up to \$100 for every day the agency withheld requested records in bad faith.

The bill passed the Senate 31-6 and the Assembly 75-1, compared with SB 48's vote tallies of 35-0 and 78-0 respectively. It is sponsored by the California Newspaper Publishers Association and supported by CFAC and Attorney General Bill Lockyer. Known opposition as of mid-August had been reduced to the San Bernardino County Sheriff's Department, the California Association of Health Facilities, the Mosquito and Vector Control Association and the City of Newark.

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PRIVACY PROTECTION BILL TARGETS PRACTICES OF BUSINESSES, STATE (9/1/00)

Senator Steve Peace's occasionally far-ranging expedition into the prospects of total individual control over the use of information about oneself has been reduced, in the form of his SB 129 going to Governor Gray Davis for signature, into a far less controversial measure. The final bill would create a new state privacy protection office with no regulatory power.

Of keenest interest to the California First Amendment Coalition is the fact that SB 129 ended up with no reductions in the information available under the California Public Records Act. While the bill directs state agencies to adopt a privacy policy "in adherence with" the Information Practices Act, that statute (Civil Code Section 1798 et seq.) already provides that any request pursuant to the California Public Records Act is one which trumps its own restrictions on disseminating personal data about individuals Section 1798.24 (a) and (g)).

SB 129 at various earlier stages contained (or was proposed to contain) various provisions making individuals the legally recognized owners of most information about them conveyed in commercial transactions; requiring all organizations to get affirmative written consent for obtaining, using or transferring the information; providing stiff tort remedies for violations of individuals' ownership rights; and even preventing public and private entities from using information gained from surveillance cameras.

Aside from the privacy policy directive for state agencies, all the final version does is to create, within the Department of Consumer Affairs, an Office of Privacy Protection, whose mission would be to:

- * "inform the public of potential options for protecting the privacy of, and avoiding the misuse of, personal information";
- * "make recommendations to organizations for privacy policies and practices that promote and protect the interests of California consumers"; and
- * "promote voluntary and mutually agreed upon nonbinding arbitration and mediation of privacy related disputes where appropriate."* The director of the Department would be given more specific responsibilities, including the following:
 - * "Receive complaints from individuals concerning any persons' obtaining, compiling, maintaining, using, disclosing or disposing of personal information in a manner that may be potentially unlawful or violate a stated privacy policy relating to that individual, and provide advice, information, and referral where available";
 - * "Provide information to consumers on effective ways of handling complaints that involve violations of privacy related laws, including identity theft and identity fraud. Where appropriate local, state, or federal agencies are available to assist consumers
 - * with those complaints, the director shall refer those complaints to those agencies";
 - * "Develop information and educational programs and materials to foster public

understanding and recognition of the purposes of this article";

* "Investigate and assist in the prosecution of identity theft and other privacy related crimes, and, as necessary, coordinate with local, state, and federal law enforcement agencies in the investigation of similar crimes";

* "Assist and coordinate in the training of local, state, and federal law enforcement agencies regarding identity theft and other privacy related crimes, as appropriate"; and

* "Commencing in 2003, ... report to the Legislature on an annual basis, on or before January 31, detailing the activities engaged in by the department under this article."

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COURT: AGENCIES CAN SUE FOR DECLARATION AGAINST DISCLOSURE (8/25/00)

A public agency that has denied a California Public Records Act request in timely and explicit fashion may then, if the requester indicates disagreement with the response, take the matter to court seeking a confirming declaratory judgment. So concludes a recent opinion from the Second District, California Court of Appeal in a police records case.

The decision filed August 4 in *Filarsky v. Superior Court (Manhattan Beach)*, Case No. B139108, comes as a significant addendum to an earlier case, *City of Santa Rosa v. Press Democrat*, in which the First District Court of Appeal held that a public agency may not use declaratory judgment to get a court to rule against disclosure.

The Public Records Act itself expressly gives disappointed requesters the right to file an action for declaratory and/or injunctive relief - the former to establish that a records denial was unlawful and the latter to order release. But in both the Santa Rosa and *Filarsky* cases the agency from which the record was requested took the initiative to go to court for a judicial declaration that the record in question was not releasable.

The Second District in its recent opinion distinguished the Santa Rosa holding in two respects. First, in that case the City of Santa Rosa never made its own determination that the records sought by the daily *Press Democrat* newspaper - investigative findings by the police department concerning a high school teacher's alleged sexual intercourse with a minor - were confidential. Nor did the newspaper ever get the chance to tell the city that it disagreed with a decision to withhold, since that decision was never made.

Instead of deciding on its own, in short, the city tossed the question into court for a judicial determination in the first instance.

In the Manhattan Beach case, by contrast, the city expressly - and within the required 10-day period for response - denied the request of attorney Steve Filarsky for documents concerning the hiring of a new police captain, Paul Marshall. Filarsky then continued to press his requests for the records, and the city finally sued him in a declaratory relief action.

The trial court ruled for the city that the records were indeed properly confidential. Filarsky sought relief in the Second District but was turned down. He then got the state supreme court to order the Second District to reconsider the issue in light of the Santa Rosa case. Having done so, the appellate court concluded that that decision did not apply when the agency had issued an express denial of access and the requester persisted in asking for the records.

The court's decision in Filarsky also dealt with the merits of his request, upholding the city's decision on several grounds.

Filarsky, a Manhattan Beach resident, had had some prior experience with Marshall, the city's new police captain. More than a decade earlier he had represented the city of Pismo Beach in its successful effort to fire Marshall for what the Second District opinion refers to as "use of excessive force and inhumane treatment of a ward at a juvenile facility."

When word of the new hire reached him, Filarsky wrote the mayor and city council, informing them of Marshall's firing by Pismo Beach. The city manager told Filarsky that this was no news to the council, which also took into consideration that Marshall had in the interim been hired as an officer by Sacramento and later promoted to lieutenant, with a clean slate.

Filarsky then submitted a public records request for Marshall's job application and resume, the names of the oral board raters who had interviewed him, their rating sheets, the eligibility list for the captaincy, and the city's background investigation into Marshall's experience in Pismo Beach.

The city's denial cited Marshall's privacy interests, the confidentiality of peace officer personnel records and, with respect to the list of all officers eligible for the captaincy, the deliberative process privilege. The Second District found these exemptions of disclosure legitimate, concluding that Penal Code Section 832.7, protecting peace officer personnel records from disclosure outside a tightly controlled discovery process, applied to all the information about Marshall in particular, and the deliberative process privilege applied to the eligibility list naming other applicants for the captaincy because, in the words of Justice Joan D. Klein for the court:

"The sole purpose for the list is to aid the City in the process of selecting a police captain by allowing comparison of the candidates. The list would disclose the identity of at least 28 applicants considered by the City, 18 of which were rejected, and two of which withdrew their candidacy. The list would also disclose the City's rating and evaluation of each eligible candidate. Disclosing the list thus would not only reveal the names and corresponding test scores of those applicants who were not selected, but also the judgment and mental process of the City in its selection process. Such disclosure would compromise the City's decision-making process and its ability to safeguard the names and rating scores of candidates who apply for such positions. The

public interest in disclosure of the unredacted eligibility list is clearly outweighed by the public interest served in not making the list public."

COMMENT: Allowing a public agency to take the initiative in seeking court approval of a decision to deny access can leave a records requester who may have had no intention to sue with some tough choices. Since the agency's declaratory relief lawsuit names the requester as defendant, the first problem is the cost of litigating a defense or, if defense is not affordable, seeing the agency's denial potentially blessed by the court with no opposition.

The second is that even if the requester appears and "succeeds" in defending - even if the court declines to issue a judgment that the records are not public, it is not at all clear that this result alone forces the agency to release the record. Moreover, it is unclear whether the requester, having been forced to defend the right of access to the record and having in some sense succeeded in doing so, is thereby entitled to an award of court costs and attorney's fees.

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PROLONGING RECORDS FIGHT COSTS RICHMOND A QUARTER MILLION PLUS (8/25/00)

Ending a seven-year court battle over access to records concerning the conduct of its police officers, the city of Richmond has paid \$231,885 in court-ordered attorneys' fees to the San Francisco Bay Guardian, an amount which appears to set a record for such cases. The fight to avoid paying the newspaper's attorney fees more than doubled them.

In 1993, following up on several reported incidents and court judgments involving racial abuse and excessive force by Richmond officers, the weekly newspaper asked the police department for data summarizing citizen complaints. The city refused, arguing that the records were confidential as peace officer personnel information.

Two years after the Bay Guardian sued under the California Public Records Act, the First District Court of Appeal ordered the city to release some of the material. The opinion, although withheld from publication, was the first to clearly establish the public's right to use the act to gain some information about police discipline.

The city released more than 500 pages of records, which revealed what the Bay Guardian recently called "an alarming pattern of official tolerance of abusive behavior by police, ranging from pepper-spraying handcuffed inmates as punishment to punching suspects in the head." In its report summarizing the data, the newspaper noted that two out of every three officers found guilty of misconduct charges between 1990

and 1997 had seen their charges dismissed.

The Bay Guardian was represented in the records litigation by James Wheaton, founder and lead attorney for the Oakland-based First Amendment Project. He said the two-year fight for the records themselves was "the easy part." The Richmond City Attorney's Office then prolonged the litigation for several more years in hopes of avoiding paying the newspaper's attorney fees. That fight, he said, nearly trebled them.

"We are gratified that the city finally came to its senses, but mortified that it took so long," Wheaton said. "What is most distressing for Richmond's taxpayers is that the city wasn't even fighting about any principles or about the records. It was just about money, and the more they fought, the worse it got."

Richmond assistant city attorney Everett Jenkins told the Bay Guardian that Richmond agreed with the original 1996 ruling (in which it had prevailed) and was therefore not liable for fees. The city appealed a second time, he said, because it believed the fees awarded were excessive.

Last September Richmond received a "Black Hole Award" from the California First Amendment Coalition - given to individuals or groups whose actions show a "blatant disdain for the concepts of open access and sunshine."

Los Angeles-based public-interest lawyer Barbara Blinderman, chair of CFAC's legal review committee, said the Richmond case is one of the most egregious examples of government stonewalling she's seen - and part of a larger trend. "There certainly are an increasing number of governments that realize they can discourage access by an adversarial approach, which is not very good for democracy," she told the Bay Guardian.

Bay Guardian editor and publisher Bruce B. Brugmann cited "three clear messages" sent by the fees' victory.

"First, to any citizen or group or newspaper fighting a stonewalling city in a major public-access case: Keep fighting till you win - and then, if you win, keep fighting till you get your money.

"Second, to any city that stonewalls for eight years like Richmond: Look what happens and see how you have disgraced your electorate.

"Third, to the city attorney in Richmond and all other city officials who supported this classic stonewall: Resign or face impeachment or defeat in the next election."

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INSURANCE DEPARTMENT'S WHISTLEBLOWER BACK AT HER DESK

(8/18/00)

Cynthia Ossias, an attorney with the State Department of Insurance on leave and under a cloud for the past two months after leaking confidential documents to a legislative committee investigating the practices of then-Insurance Commissioner Charles Quackenbush, returned to work without prejudice on Monday, August 14.

Ossias, approached by a staff member of a legislative committee with jurisdiction over insurance industry regulation, agreed to provide the committee with market performance reports showing that four major insurance companies could have faced huge fines for their alleged treatment of homeowners' claims stemming from the Northridge earthquake.

Instead of pursuing the fines, Quackenbush settled the liabilities by allowing the firms to contribute much smaller amounts to several designated nonprofit organizations - resulting in political credit to him but no compensation for the policyholders.

Department officials in their legislative testimony left the impression that the companies had not been found to be liable for Insurance Code violations. The reports Ossias gave the committee, and her later confirming testimony, told a different story. But since the reports were legally confidential - unreachable even by committee subpoena without Quackenbush's consent - Ossias's conduct was investigated by the department for potential employment discipline, and for the duration she was placed on administrative leave.

Acting Commissioner Clark Kelso announced Monday that Ossias's job was secure, since the leak was protected from disciplinary action by whistleblower statutes shielding state agency staff members. He said this conclusion represented the view of the California Highway Patrol which, as the legislature's police agency, conducted the investigation into her conduct, as well as his own view and that of the attorney general's office. (See statement at <http://www.insurance.ca.gov/docs/FS-News.htm>)

Kelso said that not only was Ossias's action consistent with the laws "which generally protect employees who bring improper or illegal government conduct to light," but "she is to be commended for her extraordinarily difficult, courageous decision to make a disclosure of information when she thought she might suffer adverse consequences."

Ossias told the San Francisco Recorder that she would not hesitate to reveal department information again in comparable circumstances, but "might do it differently," informing the attorney general or the auditor general instead of the legislature. She hopes that Kelso's commendation for her behavior would discourage any move by the State Bar to discipline her.

She added that despite several offers from private firms received since her difficulties surfaced, she intends to continue working at the department for the time being.

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COURT: SECRET SANITIZING OF POLICE FILES UNDERMINES CONVICTION **(8/18/00)**

Santa Ana's extraordinary policy of sanitizing police personnel records sought by parties in civil and criminal discovery before turning them over for court review to determine their relevance has led to the reversal of a criminal conviction and a stern tongue-lashing for the city attorney and police officials by the California Court of Appeal for the Fourth District.

In People v. Mooc, Case No. G023714, filed June 30, the court sent the prosecution of Bau Mooc for battery on a peace officer back to the trial court with instructions to conduct an in camera review of the entire personnel file of Santa Ana police officer Frank Garcia, whom Mooc, an inmate in jail on an immigration hold, was accused of attacking.

In preparation for his original trial, defendant Mooc had made the customary "Pitchess motion" to have the city produce any and all personnel or other records that might show a propensity on Garcia's part for violence or lying. The only other witnesses to the fight were jail inmates, whose credibility the prosecutor would successfully impeach at trial, by methods later determined by the appellate court to be misconduct.

Responding to the Pitchess motion, the city attorney provided the court with some material which the judge examined in chambers and found to lack any evidence undermining Garcia's credibility. Mooc was denied access to the files and was convicted by a jury.

On appeal, Mooc argued improper denial of access to Garcia's personnel records. The Fourth District Court of Appeal issued repeated orders to the city attorney to produce the records for it to inspect independently, and to its dismay got a succession of ambiguous responses, including two brief documents, one of which was simply the police report of the incident. Santa Ana Assistant City Attorney Hugh Halford stated finally in a sworn declaration that the documents provided to the court of appeal were all that he could "recall" being produced for the trial court, and that no records regarding Garcia had been purged or removed from his personnel file.

Then came oral argument in the appeal, in which the court ordered the attendance of all involved city officers, and in the words of Justice David G. Sills for the court:

"...an astounding revelation occurred. We were informed that the Santa Ana Police Department and the City Attorney's Office **REGULARLY, SYSTEMATICALLY AND SECRETLY** censored all personnel files before conveying them to any court for in camera review, removing all worker's compensation claims or other records the agencies deemed superfluous. This revelation directly contradicted Halford's earlier

sworn declaration that 'no records of Officer Frank Garcia have been purged or removed from his personnel file.'" (emphasis in the original)

The Fourth District then demanded to be provided with the entire, unscreened personnel file, and got "an entire evidence box of files, forms, folders and records," wrote Justice Sills, adding: 'not surprisingly, more than one reference was found in the COMPLETE file which a court could deem to be potentially relevant.'" (emphasis in the original)

The court remanded the case back to the trial court, directing a new hearing on Mooc's Pitchess motion, and ordering that any discoverable information leading to admissible evidence helpful to the defense be made available accordingly.

Justice Sills added:

"This mountain of bureaucratic disobedience compels us to voice our disapproval of the actions of both the Santa Ana Police Department and City Attorney' s Office, and the shared responsibility which must be borne by the prosecutor' s office for failing to discover and remedy it. Public confidence in the criminal justice system is eroded when its officials deliberately fail to disclose records ordered disclosed. As Justice Brandeis so eloquently noted three-quarters of a century ago, 'Decency, security, and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. . . ' (Olmstead v. United States (1928) 277 U.S. 438, 485, dis. opn. of Brandeis, J.)"

COMMENT: The Pitchess motion is a standard element of any criminal defense in which the past behavior or credibility of a police officer may be a helpful source of contextual evidence: If the arresting or witnessing officer has a documented trail of discipline for brutality or untrustworthiness, for example, a jury may be less deferential to his or her version of what occurred. The motion takes its name from a landmark decision of the California Supreme Court in 1974, concluding that criminal defendants had the right to use discovery to reach relevant material of this kind in police personnel files. But that decision led to some reactive incidents which in turn prompted legislation:

"In the aftermath of Pitchess, there were reportedly incidents of law enforcement shredding records to prevent discovery. Penal Code sections 832.7 and 832.8 and Evidence Code sections 1043, 1045 and 1046 represented the Legislature's attempt to respond to Pitchess and law enforcement's alleged reaction." (City of Fresno v. Superior Court, 205 Cal.App.3d 1459, 1475)

These 1978 provisions, as subsequently interpreted by the courts, make peace officer personnel files exempt from the California Public Records Act and thus accessible only by a party to a criminal or civil case, in a discovery process giving the judge complete control over how much, if any, contents of such files are available to the party making a Pitchess motion. The Legislature's deal with the police was, in effect: " You must preserve citizen complaints for a period long enough to ensure their availability in discovery, but that discovery will be controlled by the court to ensure that only that will be produced which is demanded in the interests of justice when a defendant's or civil litigant's rights are at stake." But when the court itself is provided with only a covertly edited version of this material, represented as being responsive to a wholesale request such as Mooc's, the entire process is fundamentally subverted - hence the exasperation shown in this opinion. When the decision was announced, Santa Ana City Attorney Joseph W. Fletcher told the Orange County Register, "We produce what all departments produce." Perhaps this is simply wishful face-saving. But the only way to be sure is for district attorneys or grand juries in each county to investigate whether the Santa Ana sanitizing is indeed a local procedure as well.

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A.G. ASKED FOR OPINION ON RELEASE OF DATA FROM POLITICAL FILINGS (8/18/00)

Should street addresses and phone numbers contained in campaign and other political filing reports be made available to those who buy entire copies of the Secretary of State's database? That's the question to be answered in an attorney general's opinion requested by Secretary of State Bill Jones. Public comments are due by August 28.

Jones plans to begin selling electronic copies of the CAL-ACCESS database, most of which is now available on the Secretary of State's Website (<http://cal-access.ss.ca.gov>). But the 1997 legislation authorizing electronic filing of campaign and lobbying disclosure statements and calling for Internet availability of the data also directs that the street addresses of the filing parties be suppressed in the online version.

The addresses are still accessible to those who want to consult the paper filings, but "in the relatively near future," Jones says in his letter requesting the opinion, those who meet the electronic filing thresholds will no longer be required to file on paper.

In addition, as a matter of discretion, Jones has suppressed phone numbers from the Internet display of CAL-ACCESS, which became operational in January.

His question to Attorney General Bill Lockyer is, when sale of the CAL-ACCESS database in its entirety commences, "what information must be suppressed..., what information should be suppressed..., and whether the Secretary of State may place restrictions on the use of the database as a condition of its sale."

Jones grants that access to the entire database is in the public interest: "Political analysis of spending trends, legal research to support court challenges, and campaign mailing list development are obvious possibilities."

Yet in view of the statutory address restriction on Internet publication, Jones believes that the "prospect of ambiguity and confusion about the availability of campaign and lobbying disclosure information submitted and captured electronically demands that I seek clarification from the Attorney General in this matter."

Views on this matter should be sent to Deputy Attorney General Jonathan R. Davis, 300 South Spring Street, Los Angeles, CA 90013; for further information call Davis at (213) 897-2674.

LEGISLATIVE HALFTIME SUMMARY: PUBLIC INFORMATION (7/14/00)

Sacramento lawmakers recessed last Friday, July 7, for one-month before the race to complete legislation at summer's end. Among bills of interest to friends of open government and freedom of expression, the following is a status report on bills affecting access to public information.

Attorney General's Review of Public Records Access Denials (SB 2027, Sher)

This bill would authorize the attorney general to issue non-binding "second opinions," in a 20-40 day turnaround, to those whose written requests for access to public records had been denied. It would also authorize a court to fine a public agency (and award the fine to the requester) up to \$100 for every day of unlawful and bad faith access denial. The measure is set for hearing in the Assembly Judiciary Committee August 8, after having passed the Assembly Governmental Organization Committee 13-1 on June 26, the Senate Floor 31-6 on May 31, the Senate Appropriations Committee 8-3 on May 25, and the Senate Judiciary Committee 6-0 on March 29.

SB 2027 is a reworking of a 1999 bill by Sher, SB 48, which Governor Gray Davis vetoed last fall. Davis objected primarily to what he called a conflict of interest in which the attorney general's office, which represents most executive branch agencies in defending public records access litigation, might be put in the position of issuing a disapproving opinion concerning a denial by a Davis administration client.

Sher's response in SB 2027 is to provide that the attorney general review provision would not apply to access denials by any state agency normally relying on the attorney general for advice or representation on public records access matters. Thus almost all state agencies, but no local government entities, would be free from the attorney general review provision.

It is not known whether this adjustment will be acceptable to Governor Davis.

(Monitor the bill's language, history and progress at http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_2027&sess=CUR&house=B&site=sen)

Access to Public Records in Requested Electronic Format (AB 2799, Shelley)

This bill would for the first time require state and local agencies, upon request, to provide computerized data constituting public record information in any format used by the agency itself, normally at simple copying cost. The bill would allow recuperation of special programming, compiling or extraction costs, however, in charges to the requester.

AB 2799 is in the Senate Appropriations Committee, having passed the Senate Judiciary Committee 5-0 on July 5, the Assembly Floor 70-4 on May 25, the Assembly Appropriations Committee 17-2 on May 17, and the Assembly Governmental Organization Committee 12-2 on May 8.

In that earliest committee, the bill's author Assemblyman Kevin Shelley (D-San Francisco) faced an amputation decision and, to save the electronic records access provisions, deleted a far more controversial element of the bill which would have allowed courts to decide, based on specific circumstances, that the public interest warranted ordering disclosure of records which an agency normally was authorized to keep secret. After lobbying by both public agencies and insurance industry representatives, the Governmental Organization Committee made it clear that such a provision would be the death of the bill.

Shelley gave priority to the electronic records access provisions because the legislature had twice before passed similar bills, only to see them vetoed, first by Governor Pete Wilson and last fall by Governor Gray Davis. Davis' announced reason had mostly to do with concerns over Year 2000 compliance by state computer systems.

As currently amended the bill allows reprogramming cost recovery via special charges, as noted, and also excuses release in electronic form "if its release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained."

(Monitor the bill's language, history and progress at: http://info.sen.ca.gov/cgi-bin/postquery?bill_number=ab_2799&sess=CUR&house=B&site=sen)

Privacy, Access to, and Uses of Personally Identifiable Information (SB 129, Peace)

This bill is the vehicle for its author's ambition to convert facts about one's life into one's legally recognized property for all purposes, with serious but so far uncharted consequences for both business in the information economy and for freedom of information and expression as heretofore understood.

This "If It's about Me, I Own and Control It" presumption is comforting to victims of identity theft, distortions of their credit records, or unknown and unconsented uses of medical or biological information about them. The difference in the Peace approach is that, impatient with nuanced, gradualist approaches to these and other particular threats, the author wants a comprehensive and simple solution.

Recent events suggest that he apparently believes he has found it, by commoditizing biographical data as "property," at least those provided by a person as part of a business transaction, and giving him or her the right to special notice and a veto over every subsequent use or even transmission of the information.

That is the essence of a proposal assembled by an ad hoc research group of legislative staff attorneys whom Peace had testify at the latest hearing of what amounts to a "permanent floating" conference committee on his SB 129.

That bill originated as the action vehicle for the conclusions of a special legislative advisory committee which chewed over such issues for the better part of two years and wound with a phone-book size record of miscellaneous papers, but no report or recommendations as such. SB 129 has gone through several versions since its introduction in early 1999, but by and large has been allowed to slide through the process into a conference committee, with author's promises to come up with something concrete at that late stage.

The bill has thus been "in conference" since last September, and its content since then has been limited to the creation of a new tort, the "unlawful disclosure of personal information" (the latter term of which has yet to be defined), and of a new official, the Privacy Ombudsman, in the office of the secretary of state, with various "nonbinding" roles and unclearly charted jurisdictions (e.g. the implied but not expressly granted authority to find certain information practices "unlawful.")

The conference committee's most recent hearing in late June unveiled a modification of the ombudsman concept, drafted by Peace's staff, and the work of attorneys from the staffs of the Assembly and Senate Judiciary Committees, creating an even more exotic "hybrid" tort than the one found in the bill currently.

Instead of a mere ombudsman working for the secretary of state, however, the plan now would be to create a Personal Information and Privacy Protection Agency within the Department of Consumer Affairs. Legislative findings and declarations would

establish the policy that no "organization" - governmental, journalistic, commercial or nonprofit - may disclose or use information about an individual for any purpose other than the one for which it was expressly provided, without the subject's consent.

The judiciary committee staff proposed "hybrid" tort which would allow a person to sue for either "nominal" damages of \$1,000, or actual damages exceeding that amount, if any, plus attorney's fees and costs, for any disclosure or unrelated use committed "for any marketing or commercial purpose" without the subject's prior written consent.

The "personal information" thus converted to property status would mean "any individually identifiable information gathered in connection with a transaction with the person."

At the most recent hearing the author caught other committee members and staff off guard by suggesting an entirely new element that could be added to the bill, namely outlawing many if not most uses by government and private entities of monitoring video cameras not only in private spaces such as clothing store dressing rooms, but in completely public areas such as street corners, where they are increasingly used to document the running of red lights. One committee member otherwise sympathetic to Peace's data privacy concerns seemed to regard the inclusion of camera surveillance as needlessly controversial and complex new content in a bill already freighted with substantive adventure.

COMMENT: The lengths to which Peace and his staff advisors are prepared to go is suggested in the following comments distributed at the recent hearing, in which the problem was addressed of how to strip private companies of the property rights they already own in the personal information in their vast databases, without having to pay them for it. The solution: Just define information as not being property.

"Possible Problems: Some individuals, such as Professor Cate (Beth Cate, University of Indiana), argue the Takings Clause would raise serious constitutional problems for any legislation designed to give individuals control over their personal information.

"Possible Solutions: To this criticism, others respond that legislatures could simply pass laws declaring that no property interest accrues from the collection of personal data. Thus, privacy regulations would withstand constitutional challenge, as the Takings Clause only applies when property is implicated."

The communicative aspects of the First Amendment apply only when speech, press or petition is implicated. Can the legislature define the transmission of information about individuals as something other than communication enjoying constitutional protection?

(Monitor the bill's language, history and progress at http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_129&sess=CUR&house=B&site=sen)

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CFAC TO GOVERNOR'S NEW PRESS SECRETARY: "SHOW US THE MONEY!" (7/7/00)

The California First Amendment Coalition has sent a public records request to Governor Gray Davis' new press secretary, Steven Maviglio, asking for a copy of his employment contract and that of his deputy, also recently appointed. At the time the appointments were announced last week, the salaries to be paid these new officials were withheld.

CFAC's June 29 letter states:

Dear Mr. Maviglio,

In today's Sacramento Bee report of your appointment and that of Roger Salazar as your deputy, it is stated:

"The governor's office declined to disclose the salaries of the new appointees."

The California Public Records Act requires disclosure of such information. In Government Code Section 6254.8 it states:

'Every employment contract between a state or local agency and any public official or public employee is a public record which is not subject to the provisions of Sections 6254 and 6255.'

that is, not exempt from disclosure under any provision of the Act.

It may be that there was some miscommunication rather than an intent to withhold the information contrary to this provision.

In any event, please promptly send to the address below, or inform me as to where we should come to collect, copies of those documents memorializing the contracts of employment for you and Mr. Salazar, including any job description and an itemization of all elements of compensation.

We will be happy to pay copying costs.

The Bee has since reported speculation that one reason Maviglio (previously communications director for New Jersey Congressman Rush Holt) looked attractive to Davis is that he is a former three-term member of the legislature in New Hampshire, a state worth having inside expertise about for anyone who considers himself presidential timber.

In any event, Maviglio was caught last year in an Oops many of us can relate to. According to the Boston Globe, the episode began when Cher Castillo, a new member of a Florida congressman's staff, wanted to share a diet pill tip with five friends, but inadvertently sent it to all congressional offices.

Maviglio, whose boss was a co-sponsor of a bill to regulate unsolicited commercial e-mail (the "Can Spam Act" - see <http://congress.nw.dc.us/cgi-bin/webreturn.pl?link=www.house.gov/rholt/&dir=c-span>) wrote a sharp rejoinder deploring the intrusiveness of spamming - and sent it as "reply all" to what he thought was a list of about 40 addresses. Instead it arrived in some 10,000 official mailboxes on Capitol Hill.

For those patiently waiting for the relevance of this anecdote, here's the rest of the story as related by Globe columnist Patti Hartigan (Cyberlinks, 10/8/99):

"As for the original spammer, Castillo is not supposed to talk about the incident. Reached at her office, she sheepishly admitted that she did, in fact, send the errant e-mail. Was it an accident? Yes. Was she reprimanded? Yes. Can she elaborate? Well, no.

"I'm not allowed to answer any questions from the press," she explains.

"Her title?

"I'm the press secretary."

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SENATOR SEEKS YOUR IDEAS ON THE 'PERFECT FOIA ENVIRONMENT' (6/30/00)

How could the federal Freedom of Information Act (FOIA) be improved? What would the ideal public information disclosure law be like? Senator Patrick Leahy (D-VT) would like to get your ideas on this topic soon, and might reflect them in some legislation he is apparently planning to introduce. But you need to get the word back to him before long.

Rachel Boehm, the San Francisco attorney (with Steinhart & Falconer) who serves as Freedom of Information chair for the Northern California Chapter of Society of Professional Journalists, has forwarded to CFAC the following message from Ian Marquand, SPJ's national "Sunshine Chair":

"An opportunity has arisen to help Sen. Patrick Leahy of Vermont craft a 'wish list' for the federal FOIA. In essence, we need to express, as briefly as possible, what the 'perfect FOIA environment' would be.

"Examples might be:

- * Instant access (or no delays beyond 24 hours) to information sought.
- * Anonymity of access
- * Integration of text and video information
- * Complete linkage between related documents
- * A universal search tool common to all federal websites and departments
- * Multiple search tools available
- * A universal, user-friendly, file format

"Exactly what this will translate to isn't known yet, although Sen. Leahy is one of the original co-sponsors of E-FOIA. This may be the opportunity to get in on the ground floor of the next wave of federal access law.

"We've been told to be bold, to think of future possibilities and, above all, to be brief.

"We have until mid-July to submit our vision to Sen. Leahy. If you have thoughts, please send them to me ASAP."

Boehm says Marquand can be reached at ian@kpax.com.

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COURT: RIVERSIDE MUST GET COP'S WORK COMP SETTLEMENT UNSEALED (6/23/00)

The city of Riverside unlawfully engineered the sealing of a settlement in a workers' compensation case involving a former police officer, a judge has ruled, ordering the city to get the seal lifted and the settlement turned over to a daily newspaper. As in Claremont recently, city officials made it appear the secrecy agreement had been forced on them.

The case involves Rene Rodriguez, one of several Riverside officers who showed up on the scene shortly after the fatal shooting of Tyisha Miller by four fellow officers on December 28, 1998. She was shot at night after being found sleeping or unconscious in a parked car with a pistol in her lap.

Controversy over the exact circumstances leading the officers to open fire, including possible racial prejudice, has resulted in a corrosive polarization in the city between supporters of the victim and of the police, and has led to a federal civil rights investigation, a major civil rights lawsuit by the surviving family, an intensive investigation by a local blue-ribbon panel into police training and handling of citizen

complaints, and calls for a permanent citizen review board.

Rodriguez aggravated suspicions of racism by reporting that some officers had made "racially insensitive" remarks after the shooting, and on that basis, after a corroborating internal investigation, one officer was fired and another administratively disciplined.

Rodriguez later alleged more specifically that certain colleagues exchanged "high five" congratulations after the shooting, used obscenities to describe the teenaged victim, called her family members "animals" and joked about the color of the bullets used. These allegations were made in a discrimination claim against the department, lodged with the state Department of Fair Employment and Housing (DFEH).

That claim, filed late last summer, complained of an overall "hostile work environment" stemming from reactions to his first disclosures. Rodriguez had at that point been on unpaid leave for five months, contending that he feared for his safety.

Last winter the daily Press-Enterprise learned by chance that Rodriguez was no longer on the city payroll and that the details of his separation were documented in a settlement of a workers' compensation case. The city manager and city attorney told the newspaper that they would be inclined to release the specifics but were barred from doing so by the settlement order of the Workers' Compensation Appeals Board (WCAB) judge.

The newspaper sued, and the city released some information about the settlement, but not all. The litigation revealed that it was the city that had taken the initiative to persuade Rodriguez to agree to seek a sealing order, a maneuver reminiscent of the city of Claremont's disingenuous claim last year that it had been forced to accept a federal magistrate's order sealing a settlement in another police conduct-related case.

The city also argued the information was confidential as part of a peace officer's personnel file and as protected by the California Public Records Act's "catchall" exemption in Government Code Section 6255, both of which arguments were rebutted by Press-Enterprise counsel James Manning of the Riverside firm of Reid & Hellyer.

Superior Court Judge Dallas Scott Holmes on May 31 signed an order directing the city to:

- * apply to the WCAB to dissolve its sealing order;
- * provide Manning and Rodriguez's lawyer with "all documents submitted" to that tribunal; and
- * stand by to pay the Press-Enterprise's attorney fees and costs, to be decided later.

Holmes' order also specifies that the city "may not voluntarily disable itself from compliance with" the Public Records Act by seeking orders sealing its settlements, which under the Act are public once final.

Manning says that the newspaper has since learned that the settlement in the workers' compensation forum also contained terms under which Rodriguez withdrew his racial discrimination claims to the DFEH and - in a proceeding never disclosed to the public - also to the DFEH's federal counterpart, the Equal Employment Opportunity Commission.

COMMENT: For the second time in the span of a few months, a city has been caught with a Pinocchio nose - not only ignoring its obligation to make settlements public by taking the lead in persuading its party adversary and some otherwise ignorant magistrate that secrecy is desirable, but then claiming publicly that it would love to be more forthcoming, but its hands were tied by court order.

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E-RECORDS ACCESS BILL ADDING COST FACTOR FOR EXTRA PROCESSING (6/16/00)

Assemblyman Kevin Shelley's AB 2799, which would give the public the right to get copies of nonconfidential state and local government records in electronic form, is undergoing amendments to allow extra charges or in some cases unusual delay to reflect extraordinary work to meet the demands of a particular request.

The bill is awaiting a hearing date in the Senate Judiciary Committee after passing the Assembly, 70-4, on May 25. The amendments now being put in print by the Legislative Counsel's Office are intended to address some public agencies' concerns that some records requests, particularly for database information, may involve processing considerably beyond simple "copying," in terms of both time and cost to the agency. Another concern is that some databases are, for security reasons, designed not to allow copying.

One of the proposed amendments would add a new basis for extending the response time to as much as an additional 14 days, which is now permitted in the case of voluminous records to be processed, those stored in a remote archive or those for which several other agencies must approve release. Added to these bases for time extension would be "The need to compile data or to write a computer program to extract data."

The other pending amendment language is set off <<thus>> below; the entire section would be added to the California Public Records Act in the Government Code:

"6253.2. (a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record <<not exempt from disclosure pursuant to this chapter>> that is in an electronic format shall make that information available in an electronic format when requested by any person and, when applicable, shall comply with the

following:

(1) The agency shall make the information available in any electronic format in which it holds the information.

(2) Each agency shall provide a copy of an electronic record in the format requested if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies. Direct costs of duplication shall <<be limited to the direct cost of making a copy of a record in an electronic format.

(b) Notwithstanding subdivision (a)(2), the requestor shall bear the cost of producing the <<copy of the >> record, including the cost to construct a record or the cost of programming and other computer services necessary to produce the <<copy of the >> record when:

(i) In order to comply with the provisions in subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that is only produced at otherwise regularly scheduled intervals; or

(ii) The request would require data compilation, extraction, or programming to produce the record.

(c) Nothing in this section shall be construed to require the public agency to reconstruct a report record in an electronic format if the agency no longer has the report itself available in an electronic format.>>

(d) Nothing in this section shall be construed to permit an agency to make information available only in an electronic format.

<<(e) Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security of the record, or of any proprietary software in which it is maintained.>>

A. Nothing in this section shall be construed to permit public access to records held by the Department of Motor Vehicles to which access is otherwise restricted by statute. "

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L'AFFAIRE QUACKENBUSH: ENABLED BY WEAK PUBLIC RECORDS LAW (6/16/00)

Embattled Insurance Commissioner Chuck Quackenbush, accused of substituting his own political interests for timely and fair insurance payouts to earthquake victims, might never have been re-elected but for a weak public records law. Recent action by insurance industry lobbyists, moreover, saw to it that the law will stay weak.

Assemblyman Kevin Shelley's AB 2799 lost its most controversial content in April when lobbyists for both public agencies and the insurance industry forced Shelley to

drop his proposed "reverse balancing test." The bill now addresses primarily the issue of access to electronic records (see story above).

The California Public Records Act (CPRA) provides that even if a document is not covered by any express exemption from disclosure - and is therefore presumed to be accessible to the public - an agency may take the position that based on unusual facts and circumstances, the public interest in keeping the information (at least temporarily) secret outweighs the public interest in disclosure.

Shelley's short-lived "reverse" approach would have left this rule in place but added its reciprocal, affecting several categories of records concerning which agencies are given discretion whether to release or not. Shelley's rule would have allowed a judge to order release of a record withheld under one of those discretionary exemptions, based on a finding that, given particular facts, the public interest in disclosure outweighed the public interest in secrecy.

The killing of that provision occurred in the Assembly Committee on Governmental Organization, a "juice bill" processor often preoccupied with squeezing gambling and liquor legislation for what it is worth - normally benign to indifferent on "sunshine" issues but also unaccustomed to alienating lobbyists for powerful business interests.

The committee's signal to Shelley to remove (or else) public interest balancing as a threat to the secrecy of insurance regulation is prologue to an ironic episode this past week in the Capitol, where Insurance Commissioner Chuck Quackenbush is under politically terminal attack. He is charged with having allowed insurers, in lieu of exposure to potential billions of dollars in fines payable in connection with their treatment of customers suffering earthquake losses, to contribute millions to several friendly nonprofit groups to create "educational" advertising or otherwise patronize special constituencies in ways identified with and flattering to the commissioner.

One of several forums for calling those responsible to account is the Senate Insurance Committee's Subcommittee on Bad Faith Liabilities and Consumer Protection. On Monday, June 12 the subcommittee's chairwoman, Sen. Martha Escutia (D-Commerce) released copies of "market conduct" examinations conducted by the department on four big carriers who were allowed to avoid fines by contributing to the nonprofit.

The examination reports charge that Allstate, Farmers, State Farm and 20th Century did not adequately inspect damaged properties of their insureds, offered them insufficient settlements and even misled them about benefits. The reports reflect checks on more than 2,400 earthquake claims and how they were handled, and among the four firms alleged almost 3,200 violations of state law.

These reports are exempt from disclosure under the California Public Records Act, by Government Code Section 6254 (d), but the exemption is permissive or discretionary; disclosure is not flatly prohibited. Thus the secrecy for the market conduct examination

reports might have been overridden, in a given court challenge, by a judge's use of the "reverse" public interest balancing test in Shelley's bill.

How this might have happened is illustrated by last week's release of the reports, apparently leaked to the committee from some source inside the department. A spokesman for the department called Escutia's release "outrageous, illegal behavior," and his sentiment was echoed by a spokesman for the Personal Insurance Federation of California, who accused the senator of "placing herself above the law." The federation lined up with public agencies in April to force Shelley to drop the public interest balancing test.

Escutia, according to the Sacramento Bee "brushed aside objections to releasing the documents, saying the public's need to know the contents outweighed the importance of confidentiality."

Another connection between L'affaire Quackenbush and CPRA reform is that it was a failed attempt by a legislative watchdog unit two years ago to document early suspicions about the Insurance Commissioner that led the investigators to conclude that the CPRA was toothless. The department cited its very broad exemptions from the act in repeated letters rebuffing information requests from the Joint Legislative Task Force on Government Oversight.

As stated in the report it finally wrote, called "KEEP OUT: The Failure of the California Public Records Act":

"In November 1997, the Task Force undertook a review of the general policies and practices of the California Department of Insurance. Since his election to office in 1994, current Commissioner Chuck Quackenbush has come under continuous fire by consumer organizations and his own staff for instituting policies viewed as friendly to the insurance industry at a very high cost to consumers and ratepayers. Task Force staff began research on some of the criticized programs and policies with the intent of determining whether or not these criticisms were warranted...

"From November 1997 to January 1998, staff made several document requests pursuant to the provisions of the CPRA...for such public documents as copies of audits by the Department of Finance and California State Auditor, the minutes of meetings of advisory boards made up entirely of insurance agency representatives, copies of consumer satisfaction survey questions, etc.

"The Department did not respond to any of the requests in the timeframe required by law and, on January 16, provided a broad list of exemptions under which they denied all requests. However, none of the exemptions cited were tied to a specific request and none of the exemptions could be applied to any of the requested documents. Not one piece of requested information was provided to the Task Force."

To address various problems noted in the "KEEP OUT" report, Sen. Byron Sher (D-Palo Alto) introduced a bill to allow those denied public records access to get a second opinion from the Attorney General, and to allow judges to fine agencies which

withhold records unlawfully and in bad faith. Gov. Davis vetoed that bill (SB 48), and its successor is now SB 2027, awaiting assignment to an Assembly Committee after having passed the Senate by a 31-6 margin on May 31.

But meanwhile the Department of Insurance stonewall was effective in blunting the task force's inquiry. That entity published no report, and Chuck Quackenbush was re-elected, with record-breaking contributions to his campaign coffers from the insurance industry.

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COST-RELATED CHANGES SOUGHT FOR ELECTRONIC DATA ACCESS BILL (6/9/00)

Assemblyman Kevin Shelley's AB 2799, which would give requesters the right to receive government data in any electronic format used to maintain the information, may be amended soon in a subtle but significant manner. The upshot may be to end technical arguments about "creating a new record" and instead focus on cost and timing issues.

In its present form, the bill assumes that an electronic record either does or does not contain public information, and does not address the question of whether technical or procedural barriers inherent in the agency's information resources or practices may need to be dealt with. But after a recent meeting with several primarily local government associations, led by the California State Association of Counties, there seemed to be a consensus that instead of letting these considerations be a flat barrier to access, the legislation should allow for extra time, extra charges or both in order to allow for extracting never-before-released information.

The draft amendment being circulated by John McKibben of the executive offices of Los Angeles County has the following elements:

Time Extension: The California Public Records Act now allows an extension of up to 14 days (in addition to the initial 10-day period) for an agency to make release determinations if the records request is voluminous, if the records are stored remotely or if other agencies must be consulted to determine possible exemptions. The CSAC proposal would justify the extra 14 days also to deal with the "need to compile data or to write programming language to extract data."

Processing Costs: Whenever something above and beyond a simple "duplication" analogous to paper copying would be required to fulfill an electronic records request, the associated extra cost could be charged to the requester:

"The requestor shall bear the cost of producing the record, including the cost to construct a record or the cost of programming and other computer services necessary to produce the record when:

In order to comply with the provisions in subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that only is produced at otherwise regularly scheduled intervals; or

The request would require data compilation, extraction, or programming to produce the record."

Inherent Obstacles: Some government databases, for example some used by law enforcement agencies, do not permit copying, and in other cases information is carried in programs that can be run only via programs controlled by license. In such situations the following language would apply:

"Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security of the record, of any proprietary software in which it is maintained."

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SHELLEY'S BILL ON ELECTRONIC RECORDS PASSES FISCAL COMMITTEE (5/19/00)

A bill intended to make public information stored in digital form accessible to the public in any computer format used by the custodian agency advanced toward the Assembly floor May 17 with its 17-2 passage out of the Assembly Appropriations Committee. The bill would also ban "delay" in providing access and require denials to be put in writing.

Voting Yes on passage of AB 2799 were committee members Migden, Campbell, Alquist, Aroner, Ashburn, Cedillo, Corbett, Davis, Kuehl, Maldonado, Papan, Romero, Shelley, Thomson, Wesson, Wiggins and Zettel. Voting No were Ackerman and Brewer, and absent, abstaining or not voting were Runner and Wright.

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A.G.: POLICE PERSONNEL FILES CAN BE TRASHED AFTER FIVE YEARS (5/19/00)

California law enforcement agencies can destroy their internal affairs investigative files five years after being completed, and most peace officer personnel files five years after the subject is no longer on the agency's payroll, according to a recent opinion from the office of Attorney General Bill Lockyer. But destruction must not be in "bad faith."

In the May 2 opinion (No. 99-1111) written to answer questions by Ventura County District Attorney Michael Bradbury, Deputy Attorney General Gregory L. Gonot noted that a challenging party (such as a criminal defendant seeking such information to support his or her case) would have the burden to show "bad faith" on the part of a department in destroying such records after the statutory five-year period - so long as the destruction had been done as part of a routine and generally applied administrative

process.

State law requires preservation of such records for a minimum of five years. But so long as destruction is a routine procedure thereafter, in other words, the fact that it deprives the defendant of useful information will not be treated as a denial of due process.

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COURT: ROUTINE COP STOP NO BASIS FOR INVESTIGATIVE EXEMPTION (5/12/00)

When police stop a motorist out of misplaced suspicion triggered by an informant's tip and release the driver and passengers after a brief confrontation, any records relating to the stop or what led to it are not exempt from disclosure as investigative documents. But if the driver files a citizen's complaint, the paperwork then generated is a different story.

So concluded the California Court of Appeal for the Second District in its opinion filed May 2 in Haynie v. Superior Court, case no. B137707. Elgin Haynie had the misfortune of driving a van with three passengers shortly after Los Angeles County Sheriff's deputies on patrol heard a citizen's description of a similar vehicle in the neighborhood, into which several men with guns had just entered. One deputy later said he saw Haynie and his passengers behaving furtively, and pulled the van over.

The passengers were female, there were no weapons and the stop was obviously mistaken, but in the meantime Haynie became "argumentative," and was briefly handcuffed. He was then uncuffed and the officers left without further official attention, only to return shortly thereafter and find Haynie "attempting to inflict injury on his wrists by striking the pavement." The officers called for a supervisor and a paramedic and some photos were taken to establish that no serious injury had occurred.

That all occurred on July 1, 1999. Eleven days later Haynie's lawyer contacted the department, identified the deputies in the incident, and sought a variety of paper records and tape recordings documenting the informant's tip, patrol car radio traffic, statements made at the stop and even Haynie's later statements to the departmental investigator following up on his citizen's complaint.

The department denied the requests, characterizing the information sought as exempt as investigative records of a law enforcement agency, as relating to citizen complaints against a peace officer, or both. When Haynie sued, the county shifted its grounds to a combination of law enforcement investigation and pending litigation exemptions, dropping its reliance on the peace officer personnel file exemption. The trial court essentially upheld the court's position.

On appeal, the Second District agreed that the investigative exemption would apply to any records generated by Haynie's complaint after the incident, including a tape recording made of his debriefing by a sheriff's investigator.

But since there was no "concrete prospect of enforcement" involved in the van stop, any records pertaining to that incident before Haynie made his complaint would be available and not protected as part of an investigative file. Nor would the pending litigation exception apply, since no records created at the time of the stop were in anticipation of a lawsuit.

Finally, the court held that Haynie was entitled to the attorney's fees he sought because he had established that the stop-related records were public - even though, as the county suggested, there might be no surviving records concerning the stop itself.

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PAPAN BILLS ON COURT OPINIONS, NET REPORTS MEET SEPARATE FATES (4/28/00)

Assemblyman Lou Papan's AB 2404, which calls for all opinions of the state's appellate courts not contained in the official reports to be made available through private publishers, failed its first committee test this week. But his AB 1759 got out of committee as amended; it would require state agencies to list their studies and reports on the Internet.

The court opinions bill failed passage 9-3 in the Assembly Judiciary Committee on Tuesday, April 25. It was backed by those who felt the public and the legal profession should know what appellate courts have actually held in all their cases, even though opinions not officially published would have had only persuasive - not mandatory - weight as precedent.

Chief Justice Ronald George, for whose court the power to depublish lower court opinions is a major tool for controlling the direction of case law without having to explain why, strongly opposes the idea.

Papan's AB 1759, however, passed the Assembly Committee on Information Technology 5-0 on Wednesday, April 26, but was amended to remove a central ambiguity. As presented to the committee, the bill was not clear on whether it would require state agencies actually to publish their studies and reports on their Internet sites (if they had any), or simply to list them as completed and available. This week's

amendments made it clear that the latter is the case.

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SHELLEY DUMPS 'REVERSE BALANCING TEST' TO SAVE E-ACCESS BILL (4/28/00)

Hitting an effective stone wall of opposition from public agencies and private associations of insurance companies, Assemblyman Kevin Shelley dropped a provision of his AB 2799 that would have allowed courts to override certain exemptions from the California Public Records Act if and when the public interest in disclosure was weighty enough.

Such instances, although rare (applicable only in cases where the agency controlling the record had the discretion to release it, but declined), would have represented a counterbalance to current law. The Act now provides that even when a record would normally be public because no explicit exemption from disclosure applied, an agency may still deny access if it decides that the public interest in non-disclosure outweighs the interest in disclosure.

By the time of the Monday, April 24, hearing in the Assembly Committee of Governmental Organization, it became clear to Shelley that the opposition's lobbying efforts had been lethally effective. An easy majority of the committee, which despite its name typically concentrates its attention on contribution-sensitive vice regulation (liquor, gambling, horseracing), was susceptible to the chorus of public and private lobbyists, predicting dire consequences if courts were allowed to use public interest balancing to open records as well as to shut them.

Shelley's readiness to jettison the "reverse balancing test" stemmed from his concern to preserve momentum on the bill's other major provision - the third legislative attempt to provide ready access to computerized public records in whatever format used by the agency itself.

None of the opposition lobbyists showed problems with this aspect of AB 2799 (two bills to the same effect passed the legislature without much controversy in recent years, only to be vetoed by Governors Wilson and then Davis). But nonetheless, Shelley could not round up enough support in the hearing or during the rest of the day to get the bill out of committee. It will likely be back in the committee on May 8, probably for a vote only.

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DATA CLAMP: INDUSTRY'S WORST CASE CHEMICAL ACCIDENT SCENARIOS (4/28/00)

The federal government, wanting to keep sunshine policy from helping shady characters, says you have a right to know whether your home and community are in the affected plume of a "worst case" catastrophic chemical release. But because the public can't be trusted not to harbor terrorists, you shouldn't get this information easily or anonymously.

That's the thrust of regulations proposed yesterday (April 27) by the federal Environmental Protection Agency (EPA) and the Department of Justice, to be set for hearing in Washington, D.C. on May 9 and open for written public comment until June 8.

1990 amendments to the Clean Air Act require the EPA to collect risk management plans from plants using listed hazardous chemicals. Included in the plans are "offsite consequence analyses" showing how the neighborhood might be affected by a leak, spill or other accidental and toxic release. At one point the plan was to put all of these reports on the Internet for maximum public attention, but that idea was quashed by the fear that terrorists might use the information to plan bombing or other attacks calculated to affect a specific zone.

Now EPA and Justice, according to an alert from the nonprofit organization OMB Watch, propose that key portions of the offsite analyses be confined to paper and kept in federal and local reading rooms, at sites not yet described, where inspection would be by driver license identification-backed sign-ins only.

Confined to this mode of access would be information showing, for each offsite analysis, what chemical is involved, the assumed release rate and duration, the distance to the zone of vulnerability and within that zone the population, public facilities such as schools, shopping centers and parks, and maps and other graphical information. Viewers would be allowed to take notes but not make copies, and a log would be kept of exactly who had seen the analyses of exactly which industrial facility.

OMB Watch says that the reading rooms would probably not be in libraries, since the American Library Association last year took the position to oppose controls on public access to such analyses.

Further information is available at <http://www.ombwatch.org/info/rmprulesum.html> or by contacting Rick Blum, blumr@ombwatch.org.

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MEASURE WOULD REQUIRE "LISTING" OF STATE AGENCY REPORTS ON NET (4/21/00)

A bill to require every state agency with a Web site to "list" on it all its reports or studies is set for hearing Monday, April 24 in the Assembly Committee on Information Technology. AB 1759 by Assemblyman Lou Papan (D-Millbrae) is prompted by last year's disclosure that the Department of Health Services quietly failed to publicize inconvenient poll data.

It was revealed in a report by the Auditor General that the department failed to disclose the fact that a poll it had taken to assess the feelings of bar owners toward the ban on smoking came up with general lack of support. This outcome undercut the official line that bar proprietors were satisfied or even happy with the prohibition, and while the department did not turn down requests for poll results, it apparently never got any requests because no one outside knew a poll had been taken.

Papan's AB 1759 is so far unclear on whether the reports and studies themselves would have to be fully posted. The word used in the bill is "listed," suggesting that a one-line title or thumbnail description might be sufficient. In any event, the bill requires the listings to include not only completed but in-pipeline reports and studies, to be refreshed every 10 days to "list" also completed or updated documents.

A pre-hearing amendment by the author clarifies that the bill would apply to reports and studies prepared by contract consultants as well as agency staff.

Comment: This bill would represent a watershed advance in the California Public Records Act, which up to now has been an information-upon-specific-request law with no duty on the government's part to alert the public as to what information is available. To make this transition far more useful, however, the bill should require creation of a central Web site to house all state-generated reports and studies, cross-referenced to the originating agency's Web site. Just as it does little good to deem a report accessible to the public if no one knows it exists, it does little good (except for insiders) to require disclosure on each of scores of Web sites if no one knows that they exist.

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BILLS WOULD BROADEN, RESTRICT ACCESS TO HATE CRIME INFORMATION (4/21/00)

Two bills, both having passed their first committee hurdles in Sacramento, would affect public access to information about hate crimes. One would require convicted hate crime felons released from prison to register locally, like sex offenders, in a confidential file. The other would add school hate crimes and incidents to publicly accessible summary reports.

AB 1809 by Assemblyman George Runner (R-Lancaster), a bill to establish a statewide hate crimes database in the Department of Justice, passed the Assembly Public Safety Committee on a 7-0 vote on March 14.

"The lack of a specific hate crimes database makes it difficult for law enforcement to identify potential hate crime offenders or to coordinate statewide efforts against violent hate crimes," Runner said. "A hate crimes database would assist them in combating this type of violent activity."

Runner's measure would require those convicted of serious hate crimes -- or property crimes against religious organizations inflicting more than \$5,000 in damage -- to register as hate crime offenders, upon conviction or release, for ten years. The database would, however, be open only to law enforcement officials.

The Los Angeles County Sheriff's Department, sponsor of the bill, says current hate crime statistics can be unreliable because the methods of reporting crimes often vary from agency to agency and the data have not been collected long enough to indicate any strong trends.

A hate crimes database, it believes, will provide an automated and standardized method of gathering and retrieving hate crime information on a statewide basis to be used as a tool by law enforcement officials to track and reduce "hate activity."

The bill is opposed by the American Civil Liberties Union and the California Public Defenders Association. Despite the committee's unanimous passage vote, the analysis of the bill noted that registries of this sort are traditionally used to keep tabs on felons convicted of crimes with high recidivism rates (e.g. sex and drug offenses, arson). "The Committee has not received any information to confirm whether individuals who commit hate crimes tend to re-offend at high rates..."

The bill has reached the Assembly Appropriations Committee, and there been placed on the suspense file to await further information on available funding. The same is true for Assemblyman Antonio Villaraigosa's AB 1785, which passed the Public Safety Committee 7-0 on March 2.

This bill would add hate crimes and "hate-motivated incidents" to the list of offenses occurring on campus which schools must now report to district and county superintendents, and the latter must report in aggregate form to the State Department of Education, which must then provide statewide summary reports to government and other groups as well as the legislature. All district, county and statewide aggregate reports are now public records and would remain so under AB 1785.

"Hate crimes," for purposes of the Villaraigosa bill, would include any "act or attempted act against the person or property of another individual or institution which in any way manifest (sic) evidence of hostility toward the victim because of his or her actual or perceived race, religion, disability, gender, nationality, or sexual orientation."

A "hate motivated incident" is much more likely to be a speech act, since it includes

using "bigoted insults, taunts or slurs, distributing or posting hate group literature or posters, defacing, removing or destroying posted materials or announcements, posting or circulating demeaning jokes or leaflets."

This bill is co-sponsored by the California School Employees Association (school workers other than teachers, administrators or counselors) and the Anti-Defamation League. The latter, says the bill's analysis, states that for more than 15 years it has been training school officials how to handle and prevent hate crimes, but "the most common complaint at these sessions is fear of being singled out as a problem school by the district if a hate crime is reported." Mandating all schools to report the information should help solve that problem, the ADL believes.

Comment: Is the "hate motivated incident" category biting off more offensiveness than any school can be expected consistently to process? "Retard," "faggot," and the N-word are as casually employed -- often with no serious or literal reference to their target -- among adolescents as other unpleasant names. Is each one to generate a report even if not motivated by discriminatory intent? On the other hand, what about slurs, sneers and other abuses such as those which, as in Columbine High School and elsewhere, occasionally have spectacularly destructive consequences even though not targeted at race, religion, sex or the other targets of traditional bigotry, but instead at a behaviorally defined out-group?

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REVIVED CONTROVERSY IN COURT, CAPITOL ON UNPUBLISHED CASE LAW (4/21/00)

Anyone walking the stacks among official case reports in any law library might be surprised to learn that the California appellate courts now publish only about seven percent of their opinions. The rest are either deemed not for publication by the issuing courts or later "depublished" by the California Supreme Court. Some say that practice must change.

One is Lou Papan (D-Millbrae), a veteran member of the State Assembly, whose AB 1759 will go to its first hearing Tuesday (April 25) in the Assembly Judiciary Committee. His measure would not expand the scope of official reports and would leave with the courts the discretion they have under the state constitution to decide what cases to publish as mandatory precedent.

But the bill would state, however:

"All final opinions of the Supreme Court, of the courts of appeal, and of the appellate divisions of the superior courts shall be made available for private publication, in full; and shall constitute precedent under the doctrine of stare decisis the same as opinions published in the official reports."

One reporter for the Daily Journal Corporation has speculated that what the bill may eventually provide is for publication on the Internet -- to avoid the pulp-waste arguments of opponents -- and for designating the unpublished works as citable, but not mandatory, precedent -- something like the published case law of another state's court.

The person most identified for the publish-it-all movement, which has its periodic crests and has reached one recently, is Emeryville attorney Michael Schmier, who ran for state attorney general in the last election on the following single plank:

"The California Supreme Court has caused a major defect undermining our legal system. I want it fixed now. Appellate court rulings are no longer published for all to see. Secret rulings do not serve as future guidelines, even in the same court. They enable judges to ignore the law, knowing this injustice is hidden. Corruption and arrogance fester at every level because precedent is destroyed. Feedback to the public, necessary to prevent abuses, is prevented. I will ensure that this and other justice flaws are fixed, not buried. The foundation of law and order is order under law."

Schmier is not alone in his critique, which has its scholarly supporters (see <http://www.schmierforag.com/lawrev.html>). But his chief adversary on this issue may be California Chief Justice Ronald George, who is particularly impatient with the notion that the courts have something to hide.

"The phony business is the issue of secrecy," he told the Daily Journal. "It's unfortunate (the opinions) are denominated published or unpublished, but they're still there in written form."

Schmier, arguing that discretionary publication of appellate opinions ran afoul of the state constitution, sued for an injunction but lost, with the trial court's denial upheld by the Court of Appeal for the First District in a (published) opinion by Justice Zerne P. Haning in *Schmier v. California Supreme Court*, Case No. A085177 (2/28/2000).

Justice Haning's exasperation with Schmier's basic premise was evident:

"Appellant either misunderstands or ignores the realities of the intermediate appellate process. If appellant's view prevailed, the Court of Appeal would be required to publish all *Wende* opinions. As every criminal lawyer knows, a *Wende* case is one in which appellate counsel in a criminal appeal advises the court that no arguable appellate issues can be found, thereby invoking the obligation of the Court of Appeal to conduct an independent review of the record. A typical *Wende* opinion merely recites that the court's independent review has revealed no arguable issues.

"We have appeals from criminal defendants who enter into plea bargains in which they agree, for example, to accept the midterm as their sentence, and then appeal contending the court abused its discretion by sending them to prison. We also have appeals in criminal cases which challenge the constitutionality of the reasonable doubt instruction, in spite of the fact that every appellate court which has ruled thereon has found it to pass constitutional muster....

"We have appeals in family law cases where the trial court has divided the community assets equally, as it is required to do; but one of the parties nevertheless appeals for reasons having nothing to do with the law or the facts, conceding the equal division, but contending he or she failed to receive one of the assets that party wanted. We have appeals from parties seeking relief based on matters outside the appellate record, which we cannot review. We have appeals from nonlawyers appearing in propria persona, filing incomprehensible briefs with no understanding of the rules of appellate review, urging us to reweigh the evidence and reject, for example, the testimony of the six witnesses who said the traffic signal was red rather than green when appellant drove through it and struck the pedestrian in the crosswalk.

"Our typical opinions in such cases add nothing to the body of stare decisis, and if published would merely clutter overcrowded library shelves and databases with information utterly useless to anyone other than the actual litigants therein and complicate the search for meaningful precedent. Appellant fails to explain how or why such opinions contribute to the corpus juris."

Comment: While, as Justice Haning's litany of dubious appeals demonstrates, the range of substantive and cite-worthy cases any private publisher might be interested in could be a small fraction of the universe, Papan's bill and Schmier's complaint have a point. While the rules for deciding what does and does not merit publication are clear and objective enough, most lawyers know that what ends up in the official reports can be often fairly arbitrary. In CFAC's experience, for example, two appellate districts reached opposite decisions as to the application of the Brown Act to corporations created to manage hospital district facilities. One opinion, holding that such corporations are subject to the Act, was not published. The other to the contrary was. This practice saves the supreme court from the pressure to resolve conflicting intermediate appellate case law, but does that virtue alone justify it? Two other Brown Act cases from the Second and Fourth Districts have more recently been kept unpublished, both of which would have advanced the definition of that statute. Given the infrequency with which the Brown Act is ever litigated to the court of appeal and the motivator of making new case law which is precisely so often predominant in public interest litigation (money certainly isn't), the present system is not rational in effect and results in far less guidance to the public and the courts than could and should be the case.

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DATA FIRM AGAIN IN COURT FOR ACCESS TO ADDRESSES OF ARRESTEES (4/21/00)

United Reporting Publishing Corp., which last year lost its bid in the U.S. Supreme Court to establish a constitutional right of access to addresses of those arrested, is back at the U.S. Ninth Circuit Court of Appeals with a renewed try. This time the company

shifts the emphasis of its argued rights to commercial speech grounds -- and its journalistic role.

In its decision last summer the high court refused to find unconstitutional on its face a provision of the California Public Records Act which affects access to arrest information held by police agencies.

That statute, Government Code Section 6254(f)(3), requires those seeking the home addresses of crime victims or persons arrested to declare under penalty of perjury that the information is sought for a journalistic, scholarly, political, governmental or private investigator's purpose and will not be used, directly or indirectly, to sell a product or service to one or more individuals.

United Reporting, part of whose business it is to sell arrestees' names and addresses in particular to attorneys, alcoholism counselors and others with a service to provide to them, failed to convince the court that the law is unconstitutional on its face as a restriction of pure speech.

But the justices did not address alternate theories for attacking the statute, such as its intrusion into protected commercial speech or its unconstitutional impact on United Reporting as applied by the police. Nor did it consider whether the law might run afoul of California's own constitutional protection for speech.

These are the grounds on which the company now takes the case up again on remand from the supreme court. In its brief filed with the Ninth Circuit, United Reporting contends that that court's earlier decision on commercial speech grounds was correct.

That is, even granted the lower caliber of First Amendment protection for communications which carry no ideas or esthetic content but simply "propose a commercial transaction," this law accomplishes the ostensible objective of protecting privacy only in such a partial way as to be irrational.

It allows journalists, scholars, politicians, public officials and private detectives to do what they want in publicizing arrested people's identities and home addresses, but "protects" those in legal trouble only from a certain species of junk mail: offers of direct help from those who can provide it.

Nor has the Los Angeles Police Department ever presented evidence, the company notes, either that arrestees complained of receiving solicitations triggered by commercial access to their addresses, or that a simple opt-out system would not suffice to protect those with privacy anxieties.

Another ground for challenge argued is that the company maintains a Web site on which the data are displayed for anyone to see -- as "news." But even while it would qualify for the data as a journalistic enterprise, it dares not swear that others will not use it for the forbidden purposes, and this barrier disables its access for even the permitted purposes.

Finally, United Reporting asks the court to find that California's own constitutional protection for speech -- held in several cases to be more ample than the First Amendment -- renders the statute invalid.

Meanwhile, the company continues to seek financial support to wage the battle on two fronts: an estimated \$70,000 war chest for litigation and a separate \$25,000 fund for seeking a legislative remedy should it become necessary.

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CITY SAYS IT'S HEADED TO SUPREME COURT TO AVOID ATTORNEY'S FEES (4/14/00)

The City of Richmond, battling a public records quest by the San Francisco Bay Guardian for the past seven years, spent the first three losing its attempt to keep all police records away from the newspaper, and the last four losing its attempt to duck paying the paper's attorney fees. It now vows to fight the fees to the last taxpayer dollar.

It has announced, that is, that having lost on the fee issue repeatedly in the California First Appellate District, it will now seek review from the California Supreme Court.

The issue is not the city's duty to pay any fees at all claimed by attorneys with the Oakland-based First Amendment Project, who represented the Bay Guardian. That was the city's original position, but the court of appeal has made it clear that in being entitled to some records, the newspaper had sufficiently "prevailed" as a plaintiff.

The issue now is whether an attorney fee bonus, in effect, should be added to the claimed hourly fees, in order to reflect the complexity of the case and how hard the city resisted yielding any information.

This "lodestar" approach allows a multiplier add-on to encourage law firms to develop the special background needed to wage complex public records cases for citizens and media effectively. In this instance the court of appeal, in the most recent of three times it has addressed this case, approved a trial court calculus giving the First Amendment lawyers 1.5 times their claimed fees, for a lodestar total of \$167,864. That amount, they predict, will swell closer to \$200,000 when their latest fees spent to protect their earlier fees are turned in.

The Bay Guardian in 1993 sued Richmond to get records bearing on excessive force and racially-based abuse complaints against the police department. It did not get nearly all of what it sought -- the First District ruled that most of the information was confidential under the Penal Code protection for peace officer personnel files. But the court left some leeway concerning certain information, and in a settlement the city provided copies of 500 pages.

Then the project attorneys claimed their fees, and the city has been fighting to avoid them ever since: initially on the basis that the newspaper never "prevailed" and more recently on the lodestar multiplier.

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UKIAH BUSINESSMAN WINS BACKDOWN FROM COUNTY ON ACCESS FORM (4/14/00)

When a Ukiah building contractor wanted to see records that might show why a consultant's 180-day assignment to design road development standards was still apparently unfinished two years after the contract award, the county said he'd have to swear in writing he would not sue. He refused and got a lawyer instead, and it worked.

Lee Howard, a CFAC Associate member and a leader in keeping the Mendocino County business community aware of its public information rights, was told by the county department of transportation that records on the road development standards contract would be available to him only if he certified in writing that he would not use the information in litigation against the county.

Howard contacted attorney Neil Shapiro of the San Francisco law firm of Landels, Ripley and Diamond, who sent County Counsel H. Peter Klein a tough letter. "Mr. Howard is not obligated to make any such certification, the County's refusal to grant him access to the records he requested is without legal justification, and unless access is made available to him forthwith, the County can expect litigation," Shapiro wrote.

A day after getting the letter, Klein memoed the transportation director, informing her that the new records request form was "too restrictive in requiring a requester's certification," and acknowledging that the California Public Records Act's pending litigation exemption, which supposedly was the basis for insisting on the promise not to use the records in a lawsuit, is "limited to documents specifically prepared for...or where the dominant purpose behind preparation of the document was (to be) used in litigation." He directed that Howard be given access without certification as soon as possible.

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PASADENA PARENT WINS DATA BASIS FOR "SIMILAR SCHOOLS" RATINGS (4/14/00)

When State Superintendent of Public Instruction Delaine Eastin acknowledged that the "similar schools" sector of the recently published statewide school performance

rankings would need a little work, Pasadena school watchdog Rene Amy wanted to know why. He asked for the underlying data, was told "No," filed suit, and now has been given the data.

Two weeks before the April 21 date set for a court hearing in Amy's California Public Records Act suit against Eastin and the State Department of Education, late last week Deputy General Counsel Michael Hersher said the information on which schools were assigned to "similar" socioeconomic ranking groups would be forthcoming after all. But because no actual list of names had ever been scanned by human eyes in the department, Amy would have to analyze and derive that information himself -- all 7,000 schools worth. This he plans to do, and put the results on the Internet, he says.

Amy, an Associate member of CFAC who not long ago lost a runoff election for a seat on the Pasadena Unified School District Board, more recently won a federal court lawsuit against the district, ending race- and gender-based school admissions policies. As for Eastin, Amy remarks on the irony that it was he who two years ago organized the only public debate in the Los Angeles area between her and her challenger for the top schools post, Gloria Matta Tuchman.

Amy decided to sue for the "similar schools data" when questions were raised, as he says, as to "just what makes these schools 'similar?'" How the clusters of supposedly comparable schools, used as a more real-world measure of status than the brute top-to-bottom decile rankings on the Academic Performance Index, were derived was an item of curiosity not only to Amy, but to at least two newspapers whose own public records requests were similarly turned down: the Contra Costa Times in Walnut Creek and the North County Times in San Diego County.

The Eastin and the department took the position that releasing the data basis for the flawed information, which the state was in the process of correcting for release April 27, would cause the public harm, and that on that account the public interest in non-disclosure outweighed the public interest in disclosure.

But in his announcement to Amy's attorney, Kevin Snyder, Deputy General Counsel Hersher said, "We never actually produced the 100-school lists (in each of the 68 "similar school" clusters) in hard copy or in a computerized report that could be read or printed as a list. OPE (the department's Office of Policy and Evaluation) was planning to develop software (to produce school-identifying lists). But when the error factor cropped up, it became a moot issue."

On publication of the original API, many parents and others questioned the rationale for grouping certain schools with others as "similar" in some relevant manner. The department soon admitted its analysis was flawed and called on districts to re-submit their socioeconomic data.

Attorney Snyder, based in Springfield, Missouri, represented Amy in the federal court

suit on discriminatory school admissions. He took this case without charge to Amy, but will be seeking attorney's fees from the state.

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SHELLEY BILL'S "REVERSE BALANCING TEST" SPARKS FLAT OPPOSITION (4/14/00)

Turning the tables on public agencies' ability to find an overriding public interest in keeping a normally public record secret has brought flat opposition from many of those agencies, as well as some private sector interests. Accordingly, Assembly Member Kevin Shelley's AB 2799 was not heard as scheduled on April 10, but is re-set for April 24.

The bill would require public agencies to provide copies of computerized records in whatever format was both used by the agency and specified by the requester. It would also reaffirm that agencies may not use provisions in the California Public Records Act solely to delay disclosure.

But its clearly most controversial provision is its proposed reverse or reciprocal public interest balancing. Currently public agencies may cite the overriding public interest as a basis for not releasing a record even though its information is not covered in any specific exemption from disclosure.

AB 2799, rather than repealing that provision, would add a reciprocal rule authorizing a court to order disclosure of a record ordinarily up to the agency's discretion to release or not, if the public interest would be better served by disclosure.

A court could decide, for example, that under given circumstances the public interest in knowing the information would be high enough, and the injury to any public or private interest unlikely enough, that a pre-decisional draft, a document exchanged between the government and some entity it was suing, a public executive's performance evaluation or the record of a long-closed criminal investigation should be available for public scrutiny.

But late last week, only days before its scheduled April 10 hearing in the Assembly Governmental Organization Committee, the bill began drawing fire from two distinct but complementary interest groups.

Local public agencies, represented by the League of California Cities, the California State Association of Counties, the California Association of Sanitation Agencies, the California State Sheriffs' Association and Gary Penrod, Sheriff of San Bernardino County, displayed general dismay at the notion that an agency's discretion to withhold a record might be second-guessed by a court in given circumstances.

But a second tier of opposition, represented by the Personal Insurance Federation of California and the Association of California Insurance Companies, was worried not about government files per se but rather the private commercial -- proprietary -- information submitted to the government for regulatory purposes, in this case especially by life and other insurers.

At a meeting yesterday, April 13 in the offices of the California Newspaper Publishers Association, lobbyists for these and other opponents gathered to assure CNPA and Shelley's staff that they would accept no compromise on the balancing test provision. Most took the position that public agencies do not have discretionary exemptions -- that all exemptions from the public records law are in fact flat prohibitions against disclosure.

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SHER BILL ON ATTORNEY GENERAL REVIEW GOES ON "SUSPENSE" FILE (4/14/00)

The Senate Appropriations Committee sent Senator Byron Sher's SB 2027 to its "suspense" file Monday, April 10 because of its estimated cost. The measure, which would authorize the attorney general's office to review decisions by local and some state agencies denying access to government records, will probably be voted on late in May.

The committee's suspense file is where bills likely to cost the state more than \$150,000 get parked until the state's revenue picture becomes clearer, particularly regarding new programs. This bill's nearly identical predecessor, SB 48, went on the suspense file at about the same time in 1999 before being approved by the committee.

SB 48 was vetoed because of Governor Gray Davis' objection to what he called a conflict of interest. The attorney general's office advises most executive branch agencies on the law and represents them in litigation, including suits brought under the California Public Records Act.

Having the same office issuing public opinions potentially disagreeing with a state agency's withholding of a public record would be an undesirable situation, even if, as SB 48 provided, the attorneys reviewing the denials would be insulated from those providing the advice and representation.

Sher's' approach in SB 2027 is therefore to provide that the attorney general review process would not be available for any state agency advised or represented by the attorney general -- which means most of them. But local agency denials would all be reviewed.

The bill would also, like SB 48, permit a judge to penalize a public agency found to have not only incorrectly but willfully withheld or delayed access to a public record. The fine of up to \$100 for every day of such bad faith conduct would be awarded to the requester, in addition to court costs and attorney fees.

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TWO KEY PUBLIC RECORDS ACT BILLS FACE COMMITTEE ACTION MONDAY (4/7/00)

Two measures that would make significant improvements in the effectiveness of the California Public Records Act will be up for hearing in separate Capitol committees on Monday, April 10. One would allow courts to order release of some normally closed records, and the other would allow attorney general review of records access denials.

The first bill, AB 2799 by Assemblyman Kevin Shelley (D-San Francisco), is to get its first policy hearing in the Assembly Committee on Governmental Organization. The measure would authorize courts to order release of records governed by a discretionary exemption - where the public agency possessing them has a choice to release the material but opts to withhold it.

Just as a current provision of the California Public Records Act allows an agency to deny access to normally public files on the basis that under the circumstances the public interest in secrecy outweighs the public interest in disclosure, a court could decide that normally exempt files should be opened in the public interest. This rule would not affect records whose disclosure is flatly prohibited.

The public interest balancing provision might mean, for example, that a city council's scoring sheets used to evaluate the performance of a city manager could be ordered released, where surrounding circumstances - say an extraordinary pay increase out of line with comparable compensation standards - raised significant public concern. Or law enforcement investigative files concerning a closed case might be deemed of overriding public concern if other circumstances raised questions of a miscarriage of justice or prosecutorial mishandling.

The bill would also require agencies to provide access to electronic data in the form designated by the requester, if the agency maintains or uses the data in that form. Current law, adopted in 1968, allows the agency to decide in which form it will release computerized information. On the same day, SB 2027 by Sen. Byron Sher (D-Palo Alto) goes to the Senate Appropriations Committee, after having been passed by the Senate Judiciary Committee 6-0 in late March.

SB 2027, a retooled version of the senator's vetoed SB 48 of last year, would create attorney general review of public agencies' denial of public records, and would also allow courts to penalize public agencies which had withheld records in bad faith by a fine of up to \$100 for each day of such misconduct.

Gov. Gray Davis vetoed SB 48 because he did not want the attorney general, whose lawyers normally advise and represent state executive branch agencies in public records disputes, in the position of possibly ruling against such agencies' denials. The new Sher bill attempts to satisfy that objection by exempting from attorney general review any agency normally represented by that office.

Under this legislation the attorney general's review opinions, due in 20 to 40 days after being requested, would not be binding on agencies but would provide both sides with guidance on the soundness of the denial.

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MAYOR WILLIE BROWN BACKS OFF RECORDS DESTRUCTION PRACTICES (4/7/00)

In a response to both journalistic pressure and threatened litigation by the San Francisco Bay Guardian, supported by the California First Amendment Coalition, Mayor Willie Brown's administration has agreed to abandon its practice of destroying appointment calendars in as little as 15 days after creation - but instead save them for two years.

In conducting research for its annual Freedom of Information issue in March, the Bay Guardian discovered that the mayor was destroying his appointment calendars after 15 days, and Department of Public Works Director Mark Primeau was destroying his after 30 days.

The paper called for the destruction to stop and threatened legal action, citing San Francisco's Sunshine Ordinance, in a letter from its attorney, Thomas R. Burke of Davis Wright Tremaine.

Proposition G, approved by San Francisco's voters in November to expand the city's Sunshine Ordinance, requires that appointment calendars be maintained as "public records." State law requires that public records be maintained for at least two years.

Burke received word on April 4 from Deputy City Attorney Jackie Minor that Mayor Brown and each of the department heads in San Francisco will retain their appointment calendars for a minimum of two years.

San Franciscans have had a Sunshine Ordinance since 1993, but passage of Proposition G, on a 58 to 42 percent vote margin, extended that law to open up official meetings and records more than in any other community in California, and probably more than in any other community in the nation, according to Terry Francke, general counsel for CFAC and co-drafter of the proposition.

COMMENT: This is the first known time that a mayor's appointment calendar has been made public since *Times Mirror v. Superior Court*, a decision of the California Supreme Court of 1990, when the Los Angeles Times unsuccessfully sought access to Governor George Deukmejian's appointment calendars. The different result in San Francisco stems from Proposition G, which in reaction to the Times case specifically requires that officials' appointment calendars be considered public records and prevents the city from invoking the deliberative process privilege - the underlying legal rationale for such secrecy - in any context.

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A.G. REVIEW OF RECORDS DENIALS ROCKETES THROUGH FIRST HEARING (3/31/00)

A bill that would have the attorney general reviewing denials of access to public records, and that also would allow judges to punish bad-faith denials with a fine, went out of its first committee hearing on Tuesday, March 28 on a 6-0 vote with no testimony requested. The measure is a retooling of last year's SB 48, vetoed by Governor Gray Davis.

Author Byron Sher (D-Palo Alto) explained to the committee that the new SB 2027 attempted to accommodate the governor's objection concerning conflict of interest - that the original bill might have resulted in the attorney general reviewing denial of a record by a state agency normally represented by the attorney general.

The approach taken in SB 2027, Senator Sher noted, was that a state agency which relied on the attorney general for advice or defense in public records access matters would not have its decisions subject to review by that office.

There were no opposition witnesses, and without asking for supportive testimony, the committee moved and voted the bill out. The six Aye votes were Senators John Burton (D-San Francisco), Martha Escutia (D-Montebello), Jack O'Connell (D-San Luis Obispo), Sher, Cathie Wright (R-Simi Valley), and Committee Chair Adam Schiff (D-Burbank).

Recorded as absent, abstaining or not voting were Senators Ray Haynes (R-Riverside), Bill Morrow (R-Oceanside) and Steve Peace (D-El Cajon). The bill now moves to the Senate Appropriations Committee, with no hearing date set.

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COURT: INTERNET POSTING OF DOCTORS' ADDRESS OF RECORD ALLOWED (3/24/00)

The California Medical Board's requirement that licensed doctors provide the board with a mailing "address of record" for official purposes, and the board's practice of posting those addresses on the Internet, does not invade the doctors' privacy or other rights, because the Board allows the option of listing a post office box instead of a street address.

So ruled the California Court of Appeal for the First District in its opinion filed February 18 in *Lorig v. Medical Board of California*, Case No. A086261.

The "address of record" is used for official board mailings to the doctor, as well as to inform the public as to how he or she can be reached. Until recently, for example, it was provided to those inquiring by phone to the board's Sacramento office - former patients and others with a need to contact the physician but lacking a current address.

In July of 1997 the board announced it would begin listing the same information on its Internet web site, to allow round-the-clock access. Doctors were given until September if they wished to supply an alternate address of record for this purpose. They had the choice of listing the street address of their workplace or home, or a post office box, in which case their street addresses would be kept confidential.

Drs. Milton Lorig and Michael Burton, licensed by the board to practice in California and also apparently state or local agency employees, filed suit challenging the Internet posting. They argued that the practice violated the California Public Records Act, under which state employees' home addresses are confidential and information of a private nature generally is also exempt from disclosure. They also cited the Information Practices Act, which bars state agencies from releasing personal information about individuals without their consent.

But the trial court denied their motion for summary judgment, and instead granted summary judgment to the defendant board, concluding that the required address of

record was an item of public information, such that disclosure violated no one's rights.

The court of appeal agreed, noting that the board did not compel submission of a street address if a doctor preferred using a post office box. It noted, in the words of Justice Sepulveda, that making the contact information public serves several "compelling" public purposes:

"It enables patients to locate medical records maintained by their former physicians. It establishes a certain and reliable location for effecting service of process on the licensee... It also helps to more accurately identify a particular physician (e.g., where two or more physicians share the same name) about whom a prospective or former patient may wish to inquire (e.g., to locate medical records, or to find out about a record of discipline or malpractice judgments for a given physician)."

On the other hand, the estimated cost of \$40 for an annual box rental was a modest outlay, the court believed, imposed only on those who preferred not to list a street address.

"When appellants' complaint is thus boiled down to its essence, it becomes clear that they are simply objecting to an economic burden (and a certain amount of personal inconvenience) that will result from the Board's policy with respect to posting licensees' address information on its Web site. In that regard, the Board has effectively forestalled the use of a home address for that purpose, and required each physician to maintain either a business address or a post office box for that purpose. However, this approach is neither unlawful nor arbitrary but, rather, a reasonable accommodation of the physicians' legitimate concerns about privacy and personal safety, the public interest in access to 'information relating to the conduct of the public' s business' ... and the Board's obligations with respect to disclosure of public information and the regulation of the practice of medicine."

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FIRST HEARING TUESDAY ON SHER'S NEW BILL ON DENIAL REVIEW BY A. G. (3/24/00)

Senator Byron Sher's SB 2027, a second attempt at getting authority for the attorney general to review denials of access to information under the California Public Records Act, goes to its first hearing Tuesday, March 28 in the Senate Judiciary Committee. The new measure attempts to overcome Governor Gray Davis's concerns with conflict of interest.

As used by the governor in his veto message on Sher's 1999 bill, SB 48, conflict of interest refers to the prospect of having a state agency - even the governor's office - that is normally represented by the attorney general suddenly viewed as in violation of the California Public Records Act as a result of the attorney general's denial review process.

SB 48 was intended to give those denied access to records by state and local agencies a measure of relief via a non-binding "second opinion" from the attorney general. It also would have authorized courts to award requesters a monetary penalty to be paid by agencies that deliberately stalled or denied access to records they should have known were open to the public.

But the governor did not want the attorney general reviewing denials of access by most state agencies, which now use the attorney general for advice and defense if they deny access to records. SB 48 tried to overcome that problem by simply declaring that there would be no conflict, since the lawyers involved in the review process would never be in the position of advising an agency on compliance. That was not good enough for the governor, who vetoed SB 48 last fall.

The approach in SB 2027, introduced on February 25, is to provide that attorney general review of records access denials will apply only to those state agencies that rely on their own counsel and not the attorney general for advice on whether to release a record.

For example, state agencies that have their own legal counsel include the University of California, California State University, Department of Transportation, Division of Labor Standards Enforcement of the Department of Industrial Relations, Workers'

Compensation Appeals Board, Public Utilities Commission, State Compensation Insurance Fund, Inheritance Tax Department of the Secretary of State, State Lands Commission, Alcoholic Beverage Control Appeals Board and State Department of Education.

The bill's provision on this point states:

"Representation of a state agency by the Attorney General involving advice that a request for inspection or copies of public records be denied, in whole or in part, may provide a basis for that agency to claim an attorney-client relationship that would preclude the Attorney General from providing an opinion under this section. "

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FEDERAL JUDGES APPROVE INTERNET POSTING OF THEIR FINANCIAL DATA (3/17/00)

Administrators of the federal court system this week abandoned their announced disposition to bar access to statements of judges' financial interests to anyone planning to post them on the Internet. The about face, yielding to the request of APBnews.com, was clearly influenced by a message from the Chief Justice of the United States.

The announcement Tuesday, March 14 culminated a three-month impasse between APB and senior judges sitting on the Financial Disclosure Committee of the Administrative Office of the U.S. Courts, which led the online company to sue on First Amendment grounds. APB says it will stay in court to challenge other practices, such as forcing news organizations to pay for public documents.

Meanwhile APB employees are preparing to scan onto their Web site (<http://www.APBnews.com>) more than 12,500 pages of financial disclosure records for every active and semiretired federal judge.

Chief Judge Ralph Winter Jr. of the 2nd Circuit Court of Appeals in New York said the judges on the Judicial Conference voted 16-8 to release of the reports, which require a listing of gifts, free travel, investments and loans for each officeholder and immediate family members, but not residential addresses, Social Security numbers, account numbers or names of family members.

Federal law makes the information a public record unless a temporary access cutoff is justified by security concerns.

In his memo, Justice Rehnquist told the Financial Disclosure Committee it did not have the authority to block APB's request for documents.

"There are a large number of judges who feel strongly about security issues raised by financial disclosure," he wrote. "But I also note that although Judicial Conference Committees fulfill a number of roles for the conference, they generally are not rule-making or policy-making bodies."

While acknowledging that the public records statute allows for judges to edit information from disclosure forms because of security risks, Rehnquist noted that it was not an excuse to withhold the reports entirely.

"It is to be expected that closer public scrutiny will be applied when judges decide issues affecting judges," he said. "We have already seen evidence of this in editorial commentary, and I suspect it will increase. Moreover, the fact that officials from the Executive and Legislative branches must also file disclosure reports makes the committee's position more difficult to defend."

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POLITICAL WATCHDOG UNIT'S NEW DIRECTOR HAS NEWS BACKGROUND

(3/17/00)

California's Fair Political Practices Commission (FPPC), which tracks campaign contributions and spending and monitors lobbying expenditure and public officials' conflicts of interest, has named Wayne Strumpfer its new executive director, replacing veteran Robert Tribe, according to a March 7 report on the online legal news site law.com.

The site reports that "Strumpfer, 36, is a former radio news reporter and television production engineer who has been a prosecutor in the state attorney general's criminal law division since 1995, specializing in public-official corruption cases." The latter have involved police chiefs, judges, state office holders and other elected officials.

FPPC Chairwoman Karen Getman, in announcing the shift, "stressed Strumpfer's role in moving the FPPC in new directions she has sketched out for the agency: speedier prosecution of violations of the Political Reform Act and greater efforts to educate the public and politicians about the FPPC's mandate," noted law.com.

A deputy district attorney for Sacramento County from 1992-1995, Strumpfer worked at a Santa Rosa radio station and a Sacramento television station before graduating from McGeorge School of Law in 1992. He will assume his FPPC duties later this month.

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BILL WOULD TURN TABLES ON PUBLIC RECORDS "CATCHALL" EXEMPTION (3/10/00)

Legislation introduced February 28 by Assemblyman Kevin Shelley (D-San Francisco) would add an equalizer to the California Public Records Act's rule that now allows withholding of otherwise public records based on the net public interest. Under AB 2799, a court could cite the public interest to order release of ordinarily exempt records.

Government Code Section 6255 now provides that even if a given record is not exempt

from disclosure under any particular section in the public records law or elsewhere, a government agency may justify refusing to release it on the basis that "on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record."

This provision, often referred to as a "catchall" or the public records law's "balancing test," is also not uncommonly used by public agencies as a wild card, either as the only rule advanced for not disclosing a record or as an add-on to other exemptions cited as justification for withholding.

While appellate courts have generally been careful not to let agencies use Section 6255 as a facile escape from disclosure, the reality is that once an agency lays that card down, a requester has no option but to sue in order to see if it will trump. In some cases the agency will simply cite the section without even stating what it believes to be the public interest in nondisclosure.

AB 2799 would leave that provision in place but add to it a counterweight, permitting ad hoc suspension of secrecy in the public interest:

"Notwithstanding any provision of this chapter, an agency, or the superior court in any action brought (to enforce disclosure under the Public Records Act), may disclose or order to be disclosed any record made exempt by express provisions of this chapter if, on the facts of the particular case, the public interest served by disclosing the record clearly outweighs the public interest served by not disclosing the record."

As stated, this provision would not allow disclosure of records whose disclosure is prohibited by statutes outside the Public Records Act, such as income tax return information, medical history, pupil achievement or discipline records, or peace officer personnel files.

But it might allow a court, for example, to decide that the public interest in disclosure outweighed the discretionary confidentiality of police investigative records, where neither privacy nor criminal justice interests would be threatened, or of "records

pertaining to pending litigation" while the case was still pending, if it was clear that the information was already known to (or originated with) the party opposing the government agency.

AB 2799 would also restore language to the act expressly disapproving efforts to "delay" release of public information. That word was deleted in amendments effective two years ago, substituted for by the word "obstruct," which would remain in place under the bill. The California Newspaper Publishers Association, sponsor of the measure, has concluded that the effect of removing "delay" has been, in too many cases, the argument that delay is no longer considered objectionable.

But the bill's other major provision is to incorporate entirely the text of Sen. Debra Bowen's SB 1065, vetoed last fall by Gov. Gray Davis. That measure would have required public agencies to make available electronic public records in whatever format they themselves used, if so requested. Davis said he vetoed the measure because Bowen (D-Redondo Beach) had failed to take his suggestion to delay the bill's effective date until state computer systems were proven to be Y2K compliant.

Shelley, Assembly majority leader, was author of the San Francisco Sunshine Ordinance while serving on the board of supervisors in 1995. Last year he successfully carried a bill to restore a court's power to declare that a state agency had violated the open meeting law, after the state supreme court ruled that such declaratory judgments could not be issued regarding past violations.

That bill, AB 1234, also requires that beginning no later than July 1 of 2001, state agencies must post meeting agendas and notices on the Internet.

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NET ACCESS "HAVE-NOTS" THE SUBJECT OF NEW BOWEN LEGISLATION
(3/10/00)

Sen. Debra Bowen has introduced a bill expressing the intent of the legislature "to enact legislation to require that computer terminals installed in state offices be

available to the public for Internet access." Her staff indicates SB 1757 is a spot bill awaiting more or different specifics on solutions to the needs of the state's "information have-nots."

An entire public/private sector movement has arisen in recent years to address various aspects of the "digital divide" between families who have home computers and Internet connections and those who do not, because of poverty, geographical isolation or both (see, for example, the joint project of the Benton Foundation and the Urban League shown at <http://www.digitaldividenetwork.org>).

A parallel concern is the gap between those getting the training, education and incentives to enter computer- or Internet-related jobs and those who are not.

A study published two years ago found a racial divide as well, in that among families with incomes of less than \$40,000 per year, whites were twice as likely as blacks to own a home computer.

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BILL WOULD MAKE COPS' PERSONNEL FILES UNAVAILABLE IN LAWSUITS (3/10/00)

Legislation sponsored by the Peace Officers Research Association of California (PORAC) would eliminate discovery in civil lawsuits of citizen complaints and other information from the personnel files of police and other peace officers. The bill, by Assemblyman Dennis Cardoza, also further restricts discovery of such material by or for criminal defendants.

Currently, peace officer personnel files, including but not limited to citizen complaints and internal affairs inquiries, are confidential pursuant to Penal Code Section 832.7, which states that their contents "shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code."

Evidence Code Section 1043 sets forth the special procedures required for obtaining such information in discovery in "any case." The Merced Democrat's AB 2559 would make the procedures available only in discovery by a criminal defendant or defense attorney -by omission, leaving no authorized procedure for discovery in a civil case.

Also under the bill, when information from an officer's file was sought by a prosecutor in order to fulfill the state's duty to disclose to defendants information that would tend to clear them, the employing law enforcement agency would need to cooperate in disclosing only administratively "sustained" (confirmed) allegations of unlawful conduct by the peace officer on duty. Moreover, it would not permit disclosure of complaints sustained only on the basis of the officer's admission under coercion - which could mean any threat, from firing to a verbal reprimand.

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PASADENA ACTIVIST SUING TO GET DATA USED IN SCHOOL RANKINGS (3/3/00)

Rene Amy, a Pasadena parent, information access fighter and recent unsuccessful candidate for the school board, filed suit March 2 to force State Superintendent Delaine Eastin to release data showing how "similar school" clusters were set up for the Academic Performance Index. The API ranks schools in 10 groupings, from best to worst.

Amy's lawsuit, contending that the data are public under the California Public Records Act, pursues information also sought by at least two daily newspapers, but to no avail. The Contra Costa Times in Walnut Creek and the North County Times in Oceanside both sought the information from Eastin's office, but were rebuffed by identical letters contending that the information is exempt from disclosure.

Key to Eastin's position is Government Code Section 6255, which allows withholding of information if the public has a greater interest in non-disclosure than in disclosure. That applies here, say Eastin's attorneys, because "the harm of further publication of erroneous data outweighs the public benefit in seeing how the errors were made. "

Amy notes that Eastin and the Department of Education have conceded that the "similar schools" component of the API released January 25, supposedly as a more meaningful comparison between schools with similar advantages or disadvantages, is "replete with errors."

"Many schools," Amy says, "including Pasadena, have tried to buoy dismal showings in their overall rankings with relatively high scores (among) 'similar schools'... Just what makes schools 'similar?' Clearly the public has the right to know."

Amy, among other things an Associate member of the California First Amendment Coalition, is the Pasadena Unified School District's most energetic watchdog. He won two court battles with the district in the past year, including a federal case concluded only recently which eliminated race- and sex-based admissions to schools, and a suit to enforce the right of parents or others under the Education Code to have an issue of their choosing placed on the agenda of a school board meeting.

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SHER HAS NEW BILL TO PROVIDE A.G. REVIEW OF RECORDS DENIALS (3/3/00)

Senator Byron Sher (D-Palo Alto) has introduced a slightly retooled version of last session's vetoed SB 48, which would involve the attorney general's office in reviewing and opining on public agencies' denial of access to public records. The new bill, SB 2027, attempts to overcome Governor Gray Davis's concerns with conflict of interest.

As applied here, that phrase refers to the prospect of having a state agency -- even the governor's office -- that is normally represented by the attorney general suddenly viewed as in violation of the California Public Records Act as a result of the attorney general's denial review process.

SB 48 tried to overcome that problem by simply declaring that there would be no conflict, since the lawyers involved in the review process would never be in the position of advising an agency on compliance. That was not good enough for the governor, who vetoed the bill last fall.

The approach in SB 2027, introduced on February 25, is to provide in effect that attorney general review of records access denials will apply only to those state agencies (the University of California, for example) that rely on their own counsel and not the attorney general for advice on whether to release a record.

The bill's provision on this point states:

"Representation of a state agency by the Attorney General involving advice that a request for inspection or copies of public records be denied, in whole or in part, may provide a basis for that agency to claim an attorney-client relationship that would preclude the Attorney General from providing an opinion under this section. "

Whether that language satisfies the governor's concern remains to be seen. Other than the shift in language to address this issue, the bill is a clone of the final version of SB 48, which passed both houses with essentially unanimous bipartisan support last year.

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THAT HIDDEN 15 MINUTES: EXECUTION WITNESSING CASE GOES TO TRIAL (2/25/00)

Current and former wardens of San Quentin prison told a federal judge recently that the 15 to 20 minutes it now takes to get a condemned inmate into the death chamber and hooked up to the lethal injection shunt risks that members of the officiating "death team" will be recognized by witnesses, identified publicly, and exposed to retaliation.

That testimony marked the first day of trial in California First Amendment Coalition v. Calderon, in which the Northern California Chapter of the Society of Professional Journalists is a co-plaintiff. Attorneys affiliated with the ACLU of Northern California are providing legal representation.

The key issue to be settled in U.S. District Judge Vaughn Walker's court is whether the draping of the death chamber during the active process of the execution -- with official witnesses left to see only the inert inmate strapped to the gurney and receiving the deadly chemicals -- is or is not an "exaggerated response" to prison security concerns.

The problem developed after the state began using lethal injection for capital punishment in 1996, and witnesses discovered they had no clue as to the final gestures, words or demeanor of the condemned person, but were left instead to view a static corpse in the making. Unless the process is fully shown, argue the plaintiffs, the safeguard of independent execution witnesses is meaningless and concerns as to possible cruel and unusual punishment issues are left unanswered.

Former Warden Arthur Calderon testified in the non-jury trial that the concealment policy was never intended to influence the media, but only to preserve security. Protecting the volunteer death team's anonymity by having members wear surgical masks and gowns would not be suitable, he said, because if the prisoner struggled the masks could be ripped off. The condemned is now ushered into the death chamber bracketed between four correctional officers, with his hands shackled to his waist.

But Calderon also conceded that there had never been a struggle at the last moment, that no one had identified members of the death team during the gas chamber era, and that even during the one full exposure that witnesses got in a May 1996 execution -- while an order by Judge Walker kept the entire process visible -- there had been no security problems.

Appearing as witnesses for the plaintiffs on Wednesday were Jason Beaubien, a former reporter for KQED-FM in San Francisco who saw one execution with the concealment procedure and another without it, and Dr. Lonny Jay Shavelson, an emergency room doctor testifying on the use of surgical masks and garb.

Shavelson actually modeled the garb in court, and Beaubien testified that he could see little of the identifying detail that he had seen during the second execution when the procedures were open and the guards were exposed.

Judge Walker directed the parties' attorneys to file post-trial briefs and appear for final argument on March 6. He is aware that the next scheduled execution is set for March 15.

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CITIZEN'S COURT WIN WILL OPEN CLAREMONT'S SEALED SETTLEMENT (2/25/00)

The city manager of Claremont this morning (February 25) finally instructed the city's joint powers insurance agency (JPIA) to release to Richard McKee -- and thereby the public -- the full terms of a 1998 settlement in a civil lawsuit alleging excessive force by a police officer. McKee, a citizen activist, was represented by an attorney member of CFAC.

The weekly Claremont Courier originally queried the city last year as to how much was paid to make the litigation by another local activist, Eli Mellor, go away. The city said any such disclosure was barred by an order of the federal magistrate presiding in the pretrial phase of the case. The matter was handled for the city by its JPIA, whose attorneys said the gag had been forced on the parties over the city's objections. The city council took up the question of whether it should ask that the settlement be opened, but decided against doing so.

The Courier eventually used city disbursement records as a basis for estimating the dollar amount of the settlement, but McKee then made his own demand. One of the first generation of winners of CFAC's Beacon Award for extraordinary commitment in taking on a Brown Act lawsuit in 1995, representing himself, McKee is a chemistry professor at Pasadena City College. Since then, in another Brown Act case, he got a court to declare that meetings of a college committee assigned to review eligibility for sabbatical leave must be open and public.

McKee reported his progress in the Claremont settlement case to the CFAC board of directors last fall. That group agreed to pay the travel and other non-fee expenses of an experienced public records attorney to help McKee; Judy Alexander, a member of CFAC's legal review committee, agreed to take the case.

Los Angeles Superior Court Judge David P. Yaffe two weeks ago ruled for McKee, noting that under the California Public Records Act and the Brown Act, records of settlements entered into by state and local government agencies become public once they are final. Yaffe saw nothing in the minuted order of Federal Magistrate Robert Block which would prevent either of the parties from disclosing the record. The order -- which the city and its JPIA treated as a total ban -- simply meant that settlement documents in the court's own file would not be made public without the parties' consent.

Yaffe ordered disclosure but stayed the ruling for 10 days, allowing the city to query Block as to what his meaning had been. Earlier this week the city, McKee and Judge Yaffe got letters from Block which said in part:

"The parties' agreement regarding confidentiality was an agreement between them and not the subject of any court order. Thus, the court merely was respecting the parties' agreement regarding confidentiality when it ordered that part of the record sealed. The court never ordered the parties not to discuss the terms of the settlement (publicly or otherwise), and never ordered the parties not to disclose the terms of the settlement in response to a duly served subpoena or court order."

Despite this letter, city representatives simply increased the tap dancing tempo. The Claremont Our Times edition of the Los Angeles Times was told that attorneys for the city would listen to the tape of the court hearing to be sure that Block had not in fact ordered the parties mute, because their recollection differed from his and they were concerned with being held in contempt by Block, or sued by plaintiff Mellor. But Mellor's attorney, according to Our Times, said that the confidentiality agreement was the city's idea all along, and offered to waive it in a letter sent to the city last summer.

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Un-American Activities Files: Here's What The Order Made Public (1/28/00)

Because CFAC is sometimes asked what information was made public by the November 1999 court order which it obtained to open legislative hearing files on "Un-American Activities," a list of the content, taken from Secretary of State Bill Jones' web site (http://www.ss.ca.gov/archives/level3_suac.html), is available in a special edition of FLASH, also being sent today.

Summary of Public Hearing Transcripts, 1941-1958. The following transcripts of public hearings of the Joint and Senate Fact-Finding Committee on Un-American Activities are on file in Boxes 29-34 of the committee records. The public hearings were conducted at various locations in California between 1941 and 1958. The committee records are stored in the California State Archives. Photocopies of hearing transcripts are available at a cost of \$0.25/page; contact the State Archives for additional information. Skipped volume numbers usually signify transcripts of closed executive sessions.

Box 29, Volume 1: Secretary of Communist Party for Los Angeles County and others questioned about formation and goals of party in California, Young Communist League, Trotskyites, Communist Party membership in labor unions. July 28, 29, 30, 31 and Aug. 1, 1941. State Building, Los Angeles. (335 pages including exhibits)

Box 29, Volume 3: Union members quizzed about Communist Party activities; testimony on Communist efforts to penetrate Young Democrats; issue of whether American Civil Liberties Union, Anti-Defamation League are Communist organizations. Oct. 14, 15, 16, 17, 1941. State Building, Los Angeles. (265 pages)

Box 29, Volume 3a: Brief testimony about conversations at Deutsche Haus in Los Angeles, activities of German American Bund, National Patriots, America First Committee, Friends of New Germany. Oct. 16, 1941. State Building, Los Angeles. (42 pages)

Box 29, Volume 4: Committee questions 36 witnesses about activities of the America First Committee, Friends of the New Germany, German American Bund, anti-Semitism, propaganda films, Lindbergh rally at Hollywood Bowl. Oct. 14, 15, 16, 17, 1941. State Building, Los Angeles. (358 pages)

Box. 29, Volume 5: Series of hearings on the brutal 1936 murder of Chief Engineer George Albert of the steamship Point Lobos while docked in Alameda. Three merchant seaman, union activists, were convicted and sentenced 20 years in prison. Hearings concern their early release from prison, possible corruption on the Board of Paroles and alleged Communist pressure on Gov. Olson to pardon them. Dec. 1, 2, 3,4,5, 1941. Civic Auditorium, San Francisco. (390 pages)

Box 29, Volume 6: Testimony from acting Attorney General Earl Warren about his prosecution, as Alameda County district attorney, of convicted Point Lobos seamen Earl King, Earnest Ramsey and Frank Connor. Warren claims they were paroled early because they are "politically powerful Communist radicals." Description of Gov. Olson's visit with prisoners at San Quentin. Dec. 1, 2, 3, 4, 5, 1941. Civic Auditorium, San Francisco. (291 pages)

Box 29, Volume 7: Testimony about possible subversive influence in winning pardons for convicted murderers King, Connor and Ramsey; activities of Italian Fascist sympathizers in San Francisco; America First, No Foreign Wars Coalition; Young Communist League. Dec. 1, 2, 3, 4, 5, 6, 1941 and Dec. 11, 1942. Civic Auditorium, San Francisco and San Quentin prison. (207 pages)

Box 29, Volume 8: Testimony concerning Communist involvement in the American League Against War and Fascism; activities of the German-American Bund. Feb. 19 and 20, 1942. County Administration Building, San Diego. (365 pages including exhibits)

Box 29, Volume 9: Thirty-three witnesses called to testify about National Copperheads, Lindbergh, anti-Semitism, Nazi sympathizers; split loyalties of first generation Japanese-Americans; Japan's Okabo plan for expansion of Japanese world power; sabotage at Pearl Harbor, Manila and China; possible internment of Japanese

"colonies" on the West Coast. Feb. 23 and 24, 1942. State Building, Los Angeles. (355 pages)

Box 29, Volume 10: Twenty-two witnesses questioned about such subjects as possible involvement of the Japanese American Citizens League in subversive activities prior to Pearl Harbor; content of Japanese language newspapers in Los Angeles; funds collected in California for the Japanese war effort. March 24 and 26, 1942. State building, Los Angeles. (318 pages)

Box 29, Volume 10a: Witnesses questioned about activities of Mankind United, a suspected Fascist organization. May 12, 1942. Los Angeles. (109 pages)

Box 29, Volume 11: Nine witnesses, including self-described metaphysician, testify about fundraising activities of Mankind United; distribution of derogatory books about England; possession of device to paralyze traffic; ability of leader to reproduce himself. May 22 and 23, 1942. City Council Chambers, Fresno. (189 pages)

Box 29, Volume 12: Witnesses questioned about Italian Fascism in San Francisco; propaganda and sabotage; collection of 10,000 gold wedding bands in San Francisco to finance war in Ethiopia; Fascist salute given by mayor of San Francisco; Italian language schools. May 25, 1942. St. Francis Hotel, San Francisco. (120 pages including exhibits)

Box 29, Volume 13: Twenty-two witnesses, including Mayor Angelo Rossi of San Francisco; Paul Bibily, French vice-consul; and Harry Bridges, Longshoremen's Union leader, testify on such subjects as Italian Fascism in San Francisco; Legion of the Mothers of America, Ku Klux Klan, America First; German storm troopers manning German cargo ships; Longshoremen's refusal to load scrap metal collected by San Francisco scavenger wagons onto German ships. May 26 and 27, St. Francis Hotel, San Francisco. (270 pages)

Box 29, Volume 14: Testimony about Sinarquistas, pro-Nazi group accused of inciting

Mexican-American youth of Los Angeles against U.S. government over social injustice issues. Dec. 16, 1942. State Building, Los Angeles. (121 pages)

Box 29, Volume 15: Committee investigates construction of strategic installations for the Army and Navy at Pearl Harbor, Wake Island, Midway and Guam by German contractor Hans Wilhelm Rohl of Rohl-Connally Corp. March 1, 1943. (248 pages including exhibits)

Box 29, Volume 16: Continued discussion of Rohl-Connally Corp.; justification for internment of Japanese-American citizens. Feb. 27 and March 1, 1943. (47 pages)

Box 30, Volume 20: Witnesses questioned about involvement with Mankind United organization. March 20, 1944. State Building, Los Angeles. (143 pages including exhibits)

Box 30, Volume 21: Additional testimony about Mankind United. March 22, 1944, District Court of Appeal, Fresno. (61 pages)

Box 30, Volume 22: Three witnesses questioned about Christ Church of the Golden Rule and Mankind United. March 24, 1944, State Building, San Francisco. (230 pages)

Box 30, Volume 23: Thirteen witnesses, including union organizers, teachers, authors and Hollywood screen writers, questioned about their associations with Communist organizations. Oct. 12-13, 1944, State Building, Los Angeles. (259 pages including exhibits)

Box 30, Volume 24: Two witnesses, including union leader, questioned about Communist organizations. Oct. 27, 1944, State Building, Los Angeles. (130 pages)

Box 30, Volume 27: Several witnesses questioned about Communist activities in various Navy yards, defense industries in Alameda County. Sept. 25-26, 1946, Alameda County Courthouse, Oakland. (266 pages)

Box 30, Volume 28: Testimony of 39 witnesses regarding their activities, and beliefs, on behalf of the Communist Party and the Ku Klux Klan. Oct. 7-10, 1946, State Building, Los Angeles. (718 pages)

Box 30, Volume 29: Ten witnesses questioned about Communist Party activities in Contra Costa County. Oct. 31, 1946, Alameda County Courthouse, Oakland. (158 pages)

Box 30, Volume 30: Thirteen witnesses questioned about sex education in Chico public schools. Feb. 26, 1947, Veterans Memorial Building, Chico. (173 pages)

Box 30, Volume 31: Hearing on subversive activities in Fairfax community affairs. Oct. 23, 1947, Fairfax. (141 pages)

Box 30, Volume 32: Testimony on alleged Communist activity in the National Union of Marine Cooks and Stewards. Nov. 3-6, 1947, Courthouse, Oakland. (198 pages)

Box 31, Volume 33: Witnesses questioned about Communist organizations and activities in the San Francisco Bay Area. Includes questions about J. Robert Oppenheimer and atomic research. Nov. 3-6, 1947, Courthouse, Oakland. (183 pages)

Box 31, Volume 34: Hearing on unauthorized "bugging" of the committee's conference room in the Los Angeles State Building by a private detective hired by Communists. State Building, Los Angeles, Dec. 1, 1947. (141 pages)

Box 31, Volume 35: Statements taken relating to a farm labor strike at the DiGiorgio Farms in Kern County. January 16, 1948. Bakersfield. (71 pages)

Box 31, Volume 36: Election of temporary officers of the Southern California Citizen's Advisory Committee. February 15, 1948. Los Angeles. (108 pages)

Box 31, Volume 37: Hearing to read into the record histories of suspected Communist-front organizations. Feb. 16, 1948, State building, Los Angeles. (267 pages)

Box 31, Volume 38: Hearing to investigate suspected Communist-front organizations. Feb. 17, 1948, State Building, Los Angeles. (223 pages)

Box 31, Volume 39: Witnesses questioned about suspected Communist-front organizations. Feb. 18, 1948, State Building, Los Angeles. (203 pages)

Box 31, Volume 40: Continuation of investigation into suspected Communist-front organizations Feb. 19, 1948, State Building, Los Angeles. (189 pages)

Box 31, Volume 41: Documentary material read into record regarding Hollywood Writers Mobilization organization. Feb. 20, 1948, State Building, Los Angeles. (83 pages)

Box 31, Volume 42: Organizational meeting of the Northern California Citizen's Advisory Committee. April 10, 1948. San Francisco. (79 pages)

Box 31, Volume 44: Witnesses and exhibits presented relating to accused Communists and Communist-front organizations. State Building, Los Angeles, May 3, 1948. (343 pages)

Box 31, Volume 45: Hearing on alleged Communist infiltration of organized labor. State Capitol, Sacramento, Aug. 9, 1948. (94 pages)

Box 31, Volume 46: Conclusions presented from Citizens' Advisory committee. State Building, Los Angeles, Aug. 30, 1948. (61 pages)

Box 31, Volume 47: Hearing to recommend legislation to eliminate Un-American activities in California. (62 pages)

Box 31, Volume 48: Hearing to investigate California Labor School. State Building, Los Angeles, Sept. 7, 1948.(284 pages)

Box 31, Volume 49: Committee questions suspected Communists. San Diego, Sept. 8, 1948. (172 pages)

Box 31, Volume 50: Committee examines San Diego area citizens suspected of Communist activities. Chamber of Commerce Building, San Diego, Sept. 9, 1948. (150 pages)

Box 31, Volume 51: A continuation of Committee hearings to examine San Diego area citizens suspected of Communist activities. Chamber of Commerce Building, San Diego, Sept. 10, 1948. (178 pages)

Box 31, Volume 52: Discussion of nature and activities of the Labor Youth League. State Building, Los Angeles, Jan. 4, 1950. (83 pages)

Box 31, Volume 53: Testimony about activities of prominent members of Communist Party in San Francisco Bay Area During World War II. Courthouse, Oakland, May 8-10, 1950. (299 pages)

Box 31, Volume 54: Hearing on charges that a member of the Assembly was a Communist. Los Angeles, Sept. 12, 1950. (180 pages)

Box 31, Volume 55: Hearing into the death of UCLA student Everett Hudson. State Building, Los Angeles, Dec. 15, 1950. (210 pages)

Box 32, Volume 56: Fifteen witnesses questioned about alleged Communist front organizations in San Francisco and the East Bay. City Hall, San Francisco, Sept. 11-12, 1951. (252 pages)

Box 32, Volume 57: Officials of the City Housing Authority of Los Angeles questioned about Communist influence in the authority. Sept. 26, 1952, Aliso Village, Los Angeles. (52 pages)

Box 32, Volume 60: Thirty-five witnesses questioned about their membership in the Communist Party and other organizations. Jan. 5-9, 1954, State Building, Los Angeles. (551 pages)

Box 32, Volume 61: Witnesses questioned about Communist activities at Contra Costa County Junior College. May 8, 1954, Contra Costa County Junior College, Martinez. (52 pages)

Box 32, Volume 62: Writers, screen writers, producers and others involved in the motion picture industry deny Communist affiliations. July 26, 1954, State Building, Los Angeles. (84 pages)

Box 32, Volume 62A: Witnesses from the motion picture industry testify to correct information published in prior committee reports about their Communist affiliations. July 27, 1954, State Building, Los Angeles. (51 pages)

Box 32, Volume 62B: Testimony about subversive activities in the Westminster area. July 28, 1954, State Building, Los Angeles. (91 pages)

Box 32, Volume 63A: Hearing requested by Los Angeles Medical Society to investigate subversive activities among medical professionals. Dec. 6, 1954, State Building, Los Angeles. (88 pages)

Box 32, Volume 63B: Additional testimony by medical professionals about subversive infiltration. Dec. 7, 1954, State Building, Los Angeles. (68 pges)

Box 32, Volume 63C: Additional hearing concerning physicians and Communism in the medical community. Witnesses invoke Fifth Amendment. Dec. 8, 1954. State Building, Los Angeles. (117 pages)

Box 32, Volume 63D: Physicians questioned about involvement in subversive or Communist organizations. Dec. 9, 1954. State Building, Los Angeles. (117 pages)

Box 32, Volume 63E: Former Communist Party members testify about party meetings, individuals present, publications and party members. Dec. 10, 1954, State Building, Los Angeles. (168 pages)

Box 32, Volume 63F: Testimony of undercover agent about Communist Party activities. Dec. 11, 1954, State Building, Los Angeles. (59 pages)

Box 32, Volume 64: Five teachers questioned about Communist organizations and individuals. Aug. 6, 1956, State Building, Los Angeles. (80 pages)

Box 32, Volume 64A: Three witnesses invoke Fifth Amendment rights about Communist-front organizations. Aug. 6, 1956, State Building, Los Angeles. (26 pages)

Box 32, Volume 64B: Communist Party member employed by Southern California Gas Company testifies. Aug. 7, 1956, State building, Los Angeles. (65 pages)

Box 32, Volume 64C: Teacher questioned about Arts, Sciences and Professions Council. Aug 7, 1956, State Building, Los Angeles. (15 pages)

Box 32, Volume 65: Testimony on the death of Sheldon Abrams, a graduate student at UCLA, and the infiltration of higher education by Communists and other subversives. Dec. 10, 1956, State Building, Los Angeles. (96 pages)

Box 32, Volume 65A: Testimony on subversive activity in Los Angeles schools. Dec. 11, 1956, State Building, Los Angeles. (111 pages)

Box 32, Volume 66: Testimony on the Arts, Sciences, and Professions Council. June 9 and 10, 1958. State Building, Los Angeles. (163 pages)

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COURT: CONGRESS CAN ORDER STATES NOT TO RELEASE INFORMATION
1/14/00

The federalist principle that Congress cannot force states to adopt or execute federal

regulatory programs does not mean that it can't prohibit states from doing certain acts -- including releasing data from their own files. Thus the Driver's Privacy Protection Act (DPPA), barring release of DMV personal identifiers to most requesters, is constitutional.

So ruled the U.S. Supreme Court in a unanimous decision issued January 12 in *Reno v. Condon*, Case No. 98-1464.

South Carolina, whose law permits anyone identifying himself and providing an address to obtain the name and address of any registered vehicle owner or driver, and use the data for most purposes, challenged the constitutionality of the DPPA and won at the trial and appellate levels.

It argued that the federal law, authored by Senator Barbara Boxer (D-California), violates the Tenth Amendment, as interpreted by the high court in two recent cases in terms of federalism, i.e. Congressional respect for the sovereignty of the states' own legislative and executive processes. In these cases the Supreme Court held that Congress may neither tell a state what laws to pass in order to effectuate federal policy nor go around state legislatures and directly order state officials to implement federal programs.

The latter point was established in a 1997 case, *Printz v. U.S.*, in which the court held unconstitutional provisions of the Brady Act which mandated that state and local law enforcement officials conduct background checks on gun purchasers.

But these scenarios do not apply to the DPPA, concluded Chief Justice William Rehnquist in his opinion for the court. That statute does not mandate -- it prohibits. What it prohibits is that any state DMV office, without express "opt-in" consent of the person concerned, release names and addresses of private individuals to most requesters for most purposes. The same prohibition applies to private data holders who have received their information from a state DMV source.

While complying with this or other federal laws may impose substantial burdens,

Rehnquist said, this effect is different from the "commandeering" barred by the Tenth Amendment, where lawmakers or enforcement officers are drummed into the process of carrying out a federal program's impact on the people.

COMMENT: The specifics of this case are of little CONCERN in California, where access to driver names and addresses has been barred by state law for several years, tracing to the murder of actress Rebecca Shaeffer, stalked to her home by a mentally unbalanced fan. Ironically, the killer got the address data using a query made by a private investigator, and private investigators are allowed access to data under the DPPA, at least for certain purposes. But the larger significance of Condon is that informational secrecy can now be federalized. The high court's recent observation in *United Reporting* is that nothing in the federal constitution -- certainly not the First Amendment -- prevents states from ending public access to their files altogether. Condon now says that nothing in the constitution prevents Congress from subtracting whatever it pleases from state public records access laws. The only safeguard against both is likely to be an amendment to the California Constitution providing the public with some floor under their "sunshine" rights.

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Public Information

These reports cover issues dealing with the public's right of access to information held by government agencies and courts, at the federal, state and local level. The typical laws involved are the California Public Records Act, the federal Freedom of Information Act, and rules on access to records of state courts, adopted by the California Legislature or the California Judicial Council.

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>>>> NEW LAW REQUIRES PUBLIC AGENCIES TO SHARE THE E-RECORDS (1/5/01)

As of this week, copies of public record information held by California government in electronic form must be made available to the public if requested in that form, and may be copied in any format used by the agency to generate copies for its own use.

Requesters can even have an agency "create" an e-record to combine data in new ways if they pay programming costs.

AB 2799 by Assemblyman Kevin Shelley (D-San Francisco), signed by Governor Gray Davis last fall, took effect January 1. It has repealed the long-standing California Public Records Act provision giving public agencies discretion over what form computerized public information must be produced in (e.g. electronic or hard copy printouts). The Act previously said nothing else about computer file access other than the general principle that information accessible to the public on paper remains legally accessible when stored electronically.

Under AB 2799, the Act has been amended to provide that:

* Public information not exempt from disclosure must be made available in the electronic format requested if the public agency holding the information uses that format for making copies for its own or another agency's use.

* If meeting the request involves only copying, any fee charged by the agency must be limited to the "direct cost of producing a copy."

* If the request is for a format not used by the agency for its own copying, and

therefore would require special work, extra charges and delay are authorized.

* "The cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record," can be passed on to the requester when "the record is one that is produced only at otherwise regularly scheduled intervals" but is demanded off-schedule, or the formatting sought "would require data compilation, extraction, or programming."

* An extension of up to 14 days could stretch the deadline for a determination response from the public agency, meaning a maximum total of 24 days, based on "the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data."

* If the request is for a paper record, the agency may inform the requester that the information is also available in electronic format, but cannot limit access to the electronic version. Nor must it "reconstruct" a record in an electronic format if it "no longer has" the information in that format.

* A request to release information in the format in which the agency keeps it would not have to be honored if doing so "would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained."

The new amendments include two other important provisions unrelated to electronic records. One restores the word "delay," substituted several years ago by the word "obstruct" in a provision prohibiting certain agency conduct that frustrates timely access to records. The new law now forbids both delay and obstruction. Also, the Act for the first time expressly requires that any notice from the agency announcing denial of access be in writing - if the request was made in writing.

COMMENT: How to use the new law, including how to structure an access request, depends more than ever on just what kind of access is desired to what kind of information. Some of the variables:

-- Inspection: If the desire is to simply review computer-stored information, either prior to or instead of asking for a copy, such inspection seems to be accommodated by the new rules, which for example speak distinctly of "making information available" and "providing a copy of an electronic record." The problems may be more practical than legal, i.e. when the text or database display a requester wants to read on a screen is salted with isolated items of confidential information.

-- Copying: Assuming no further work is required and the copies are those a requester could work with, this option should be straightforward, rapid and inexpensive.

-- Special work: AB 2799 resolves what under some jurisdictions' laws has been a quite serious issue, namely whether a public agency in electronically assembling a report to the tailored requirements of a requester is "creating a new record" - an activity not mandated by most access laws. The new amendments, by simply providing that such extra work can be charged for specially, presume that if requested, such work is within the Act's mandate, i.e. even when "the request would require data compilation, extraction, or programming to produce the record," the issue is not whether it must be produced but how much can be charged for the production.

The new law's provisions behooves the requester to check informally with those who

are familiar with the agency's information systems to see if the desired report can be assembled, and how readily, and at what expense, rather than blindly dictating a demand for some documentation that cannot possibly be produced.

FRESNO STATE ORDERED TO RELEASE NAMES OF SKYBOX PATRONS (12/22/00)

The names of those leasing luxury skybox suites in a planned on-campus sports arena are matters of public record not protected by their privacy interests, a judge has ruled in a case brought by the Fresno Bee against Fresno State University and an auxiliary organization. Superior Court Judge Franklin P. Jones stayed his release order to allow time for appeal.

The case was brought last March when Fresno State and the CSU Fresno Association, Inc. declined to provide the names of some individuals and entities signing one year leases for skybox suites in the proposed Save Mart Center, to be built on Shaw Avenue as a multipurpose sports and recreation complex.

The defendants took the position that disclosing all names would dissuade future charitable contributions, citing the Section 6255 "catchall" exemption from the California Public Records Act. Also relied on was the exemption for personal privacy.

But Fresno Bee Executive Editor Charlie Waters said the 32 suites, ranging in lease price from \$45,000 to \$63,000 per year, were the subject of "simple business deals in which individuals or companies are paying for prime seating in a new arena."

In his Dec. 19 order, Judge Jones said he had reviewed the blank lease form but had not checked the names or individual lease agreements in chambers. He said the sports complex would operate by a public institution, as a public function. Although private money was anticipated as supporting most construction costs by the time of the 2002 opening, the state had already fronted \$8 million for off-site improvements, and yet leaseholders "will be deriving a significant and valuable benefit over and above what other donors and members of the public will enjoy."

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RECORDS CASE SHOWS LAWYER 'GHOST-WRITING' PLANNING DOCUMENTS (12/8/00)

A lawsuit filed under the California Public Records Act will cost Monterey County more than \$400,000 in attorney fees and other expenses after court-ordered release of records showed that a private law firm moving development projects through the planning approval process actually wrote many of the documents passed off as staff reports.

On Tuesday, December 5, County Administrative Officer Sally Reed announced appointment of a well-known local environmental activist as the new planning director, a move apparently prompted in part by the perception that the planning department has been manipulated by pro-development forces.

The background to the records suit is a bitter struggle in 1999 over September Ranch, a proposed 100-home luxury subdivision in Carmel Valley. Over-optimistic claims for adequate water supply and road access were among the key reasons for a superior court order effectively sending the project back to the drawing boards over a year ago. Chief opponent to September Ranch was the local chapter of the Sierra Club, of which new planning director Scott Hennessy is a former chairman. Hennessy is also most recently chairman of the county planning commission.

But meanwhile Patricia Bernardi, a retired schoolteacher living in Carmel Valley who first became politically active over water issues, became suspicious of how the planning department was handling project reviews. She told the Monterey County Herald that she attended a planning commission meeting and saw the staff all thumbs with its own documentation, being advised by whispers from a project applicant's attorneys.

Bernardi later told the Monterey County Herald, "That was when my radar really blipped." She contacted attorney Michael Stamp, one of the team of lawyers representing the Sierra Club in challenging the September Ranch project. In February, 1999, Stamp requested from the planning department copies of documents prepared by the law firm of Lombardo & Gilles. Attorney Tony Lombardo, typically a very effective practitioner in land use regulation, had been on the applicant's losing side in the September Ranch case.

At that time Superior Court Judge Richard Silver had scolded Lombardo for his firm's preparation of "critical documents" for county planning staff. Stamp's public records request yielded a cartonful of miscellaneous documents - enough to make it clear that quite a few more - in paper and on diskette - were missing.

Stamp filed a public records access action with the superior court to obtain the missing files - and again drew Judge Silver, who eventually noticed that of the documents actually produced, a substantial number concerned the September Ranch application - and not all of them had been included in the administrative record filed in the Sierra Club environmental challenge, which the county had certified as complete.

Judge Silver found that the public records lawsuit "was ultimately filed based on a belief that in fact a substantial number of relevant materials were being withheld or destroyed. The discovery and depositions in this case confirmed that substantial documents and disks had not been produced and/or had been written over or destroyed, some after the lawsuit was filed."

Equally disturbing, "many of the documents (actually produced by Lombardo's law

firm) are prepared in county format so that they appear to be prepared by county staff. Some of them even have the county seal on them. There is no reasonable way any member of the public could tell that they were not prepared by county staff."

The judge said that "the appearance of independent judgment is so tainted that public confidence is justifiably lost" when a law firm produces documents that appear to be written by government staffers.

The judge was not banned outright the practice of project applicants' attorneys drafting papers for county planning staff to work on, but all such documents must henceforth bear the author's stamp, and none may bear the county seal.

By December, the county's debts to its own lawyers and investigators and its requirement to pay Stamp's fees, were estimated to total \$415,318, with one county-retained law firm still to submit its fee bill.

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TRIAL LAWYERS LAUNCH TWO BILLS RESTRICTING SEALED SETTLEMENTS (12/8/00)

An association of plaintiffs' trial lawyers is sponsoring twin bills, introduced in the Senate and Assembly on December 4, to make it far more difficult for parties in certain consumer-sensitive civil lawsuits to keep settlements and discovery-produced business information confidential. Legislation like this has been eluding enactment for years.

Consumer Attorneys of California is backing SB 11 by Senator Martha Escutia (D-Montebello) and AB 36 by Assemblyman Darrell Steinberg (D-Sacramento).

The bills are the latest in a series of legislative attempts, beginning with that of then Senator Bill Lockyer in 1992 and continuing through SB 1254 of 1999 by then Senator Adam Schiff, to end the common practice of corporate defendants in certain cases in settling with injured plaintiffs-but only under terms that keep under wraps the settlements themselves as well as embarrassing company information acquired by the plaintiffs' lawyers in discovery.

Lockyer's bill was vetoed by Governor Pete Wilson; Schiff's bill was quietly dropped when the author learned that the California Judicial Council would be addressing the issue of sealing court records as part of its rulemaking process in 2000. As it happens, however, the council's rules, adopted this fall and going into effect in January, do not address out-of-court agreements to keep settlements and discovered information confidential.

Recent events have given the issue new urgency, including the Bridgestone/Firestone settlements of defective tire lawsuits, and more locally, the secrecy agreements used by insurance companies to settle claims tracing the the 1994 Northridge earthquake.

It was Senator Escutia who, during the investigation earlier this year into Charles Quackenbush's performance as Insurance Commissioner with respect to Northridge claims, made public a number of confidential insurance department records detailing thousands of potential violations of law by insurance companies.

The new bills explicitly address these episodes as proof that legislation is needed:

"The Legislature finds and declares all of the following:

"(a) Secrecy agreements that prohibit disclosure to the public or public safety agencies of information relating to defective products, financial fraud, unfair insurance claims practices, or environmental hazards are injurious to the health, safety, and economic well-being of all Californians.

"(b) Secrecy agreements can have tragic consequences. A widely known example of the disastrous consequences of secrecy agreements is the tragedy resulting from dangerous defects in Firestone tires, which have reportedly caused more than 150 deaths and more than 500 injuries worldwide. For many years, Bridgestone/Firestone, Inc. knew about these dangerous defects, but kept the information out of the public eye by secretly settling many lawsuits brought as a result of crashes related to defective tires. During that time, the public continued to drive on Firestone tires, unaware of the mortal danger to their families and themselves. As a result of these hidden, dangerous defects, on August 9, 2000, Bridgestone/Firestone, Inc. and Ford Motor Co. jointly announced that Firestone would recall over 14 million tires. In the absence of a secrecy agreement, information about this dangerous product could have been disclosed publicly, which could have saved lives and avoided injuries. However, the companies demanded secrecy as the price of compensation for victims, resulting in many deaths and injuries that could have been avoided absent demands for secrecy agreements.

"(c) Secrecy agreements can allow companies to shield information that shows a practice of treating consumers unfairly and can permit those companies to continue illegal practices without accountability. The circumstances that allowed secrecy regarding the claims of victims of the Northridge earthquake and the contaminated drinking water connected with the story of Erin Brockovich also highlight the need for openness.

"(d) Secrecy agreements allow companies to shield life-threatening dangers and harmful practices from public view, thereby severely jeopardizing public welfare and safety. It is against the public interest to allow secrecy agreements about defective products, financial fraud, unfair insurance claims practices, or environmental hazards to remain confidential except in very limited circumstances upon careful judicial oversight and review."

The bills' key provisions are as follows:

o In any action based on injury, wrongful death, or financial loss allegedly caused by a defective product, financial fraud, unfair insurance claims practice, or environmental hazard, information about the defective product, financial fraud, unfair insurance claims practice, or environmental hazard contained in settlement agreements and confidentiality agreements not filed with the court, as well as similar information acquired through discovery, "shall be presumed to be public information and may not be kept confidential pursuant to agreement of the parties."

o The only way to keep such information confidential would be by obtaining a court order based on a finding that either:

(1) The information is a trade secret or otherwise privileged under existing law, or

(2) (A) An overriding interest exists that overcomes the right of public access to the information; and

(B) The overriding interest supports keeping the information confidential; and

(C) A substantial probability exists that the overriding interest will be prejudiced if the information is not kept confidential; and

(D) The proposed confidentiality is narrowly tailored; and

(E) No less restrictive means exist to achieve the overriding interest.

o Absent trade secrecy or other privilege, whether or not a court finds the balance of interests generally favoring confidentiality otherwise, any portion of an agreement or contract that restricts a party from disclosing such information to a governmental agency with enforcement authority over the defective product, financial fraud, unfair insurance claims practice, or environmental hazard "is void, contrary to public policy, and may not be enforced."

Attorney General Lockyer supports the legislation, but it faces very strong opposition from manufacturers, some Silicon Valley high-technology companies and venture capitalists, and a new source of resistance, the insurance industry.

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NORWIN YOFFIE, FORMER PUBLISHER AND FREEDOM FIGHTER, DIES AT 76 (12/2/00)

Memorial services were held in San Rafael Wednesday, November 29 for Norwin Yoffie, former publisher of the Marin Independent Journal and a dogged champion of open government and aggressive journalism on public issues. The local unit of the Society of Professional Journalists will rename its career achievement award in his memory.

Yoffie expired of complications from chronic kidney failure in Marin General Hospital on November 24, survived by his widow, Sandra, four children, seven grandchildren,

his mother, and his sister.

It was Marin General that was the focus of Yoffie's most extraordinary commitment of personal resources to open government advocacy. In the 1980s, after his retirement from 18 years, culminating as publisher, of the Independent Journal, he and Sandra sued the Marin Hospital District under the Brown Act.

The district was among the earliest to take advantage of a state law allowing it to place its hospital under the management of a private corporation. A principal effect of this arrangement was to end most newsworthy activity by the district board and transfer discussions and actions, previously found in public meetings, to closed meetings of the corporate board.

Yoffie tried to get the Independent Journal to take court action to reverse the secrecy, but the new ownership declined. The Yoffies then sued in their own names, arguing that the responsibility to hold open meetings had, under the Brown Act, been transferred to the corporate board along with its acquired decision-making authority - that the hospital district could not shroud its business from the public simply by taking its operational functions private.

The First District Court of Appeal disagreed, and the corporate meetings stayed closed. But as evidence that the Yoffies' position had strong merit, the Fourth District Court of Appeal dealt with the identical question in a later suit involving Desert Hospital in Palm Springs, and ruled in favor of opening the meetings of that corporate entity. The California Supreme Court was spared the need to address the conflict between the cases since the latter was kept unpublished, leaving it to bind the parties but unavailable as precedent.

But the Yoffies' lasting vindication on principle came in 1994, when as part of major revisions to the Brown Act, the legislature expressly amended the law to provide that future district hospital management transfers would carry the open meeting provisions with them to the corporate board actually running the facilities.

In his retirement years Norwin Yoffie not only continued to lend his wide experience of newspaper management to other publishers as a consultant, but served actively as a member of the Northern California Chapter of the Society of Professional Journalists, as a mainstay of its Freedom of Information Committee. He also contributed his time generously to planning the initial First Amendment Assembly of the California First Amendment Coalition, held in Oakland.

Bruce B. Brugmann, editor and publisher of the San Francisco Bay Guardian and a friend and colleague for many years, told the San Francisco Chronicle that Yoffie was "one of the truly great independent newspaper men of his generation," and a stalwart advocate for freedom of information in particular.

During his eulogy remarks at the funeral, Brugmann announced that the SPJ Chapter would re-title its annual freedom of information career achievement award to memorialize Yoffie by name.

Comment: As a 20-year-old fresh from the University of Missouri School of Journalism, Norwin Yoffie fought in an artillery unit driving the D-Day invasion into France and Germany. He served 30 years in the Army reserve and retired with the rank of lieutenant colonel. He was given military honors, including a rifle detail salute, a bugler's taps and a flag-draped coffin, in final ceremonies at Mt. Tamalpais Cemetery. A family member recalled how once, when staying in a hotel across the street from the American embassy in Mexico City, the Yoffies had seen demonstrators burn an American flag in the street, and Norwin had walked over to the embassy gate and ordered Marine sentries to recover the ashes for respectful burial. His great heart and sense of duty set a high standard for those continuing the effort to preserve open government in the interests of freedom.

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CORRECTION: INLAND VALLEY TIMES IS PUBLISHED SIX DAYS A WEEK
(11/22/00)

Last week's Flash included a story about the Public Records Act litigation filed by the Three Valleys Water Agency stated that the Inland Valley Times is a weekly publication. The publication is issued as part of the Los Angeles Times six days a week, Monday through Saturday.

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WATER AGENCY REACTS TO RECORDS REQUEST BY SUING REQUESTERS
(11/17/00)

A Claremont water agency, facing requests from two newspapers and an individual for records concerning its basis for a closed session at which litigation was averted, has opted to punt the issues into court. Named as defendants are the requesters, two of whom are, in effect, members of the board of directors of the California First Amendment Coalition.

The Claremont-based Three Valleys Municipal Water District has filed an action for declaratory relief with the Los Angeles Superior Court, naming as defendants Richard McKee, the weekly Claremont Courier, and the Inland Valley Times, a weekly publication of the Los Angeles Times.

The district's purpose, stated in a letter to a reporter for the Inland Valley Times, is "to

guarantee an appropriate balancing of the dual public interests of maintaining personal privacy and ensuring governmental accountability without the appearance of any perceived impropriety by the District, and to further provide an independent forum to make sure that the rights of all interested parties are adequately heard and properly protected."

Translation: Rather than flatly deny access to a claim by a former employee involving the general manager's conduct - one with implications for both individuals - the district wants the court to make the decision on release.

The claim (actually a letter of complaint sent to three board members about a year ago) was made by Mary Anderson, former executive secretary to district general manager Richard Hansen. Its grievance was that Hansen had essentially detached Anderson, an eight-year incumbent in the position, from her former responsibilities and assigned her only trivial work.

In February, using a closed session citing pending litigation as its justification, the board approved by a 4-3 vote a settlement and severance package for Anderson including a year's salary of more than \$53,000, six months of continuing health coverage, legal fees amounting to \$5,000 and forgiveness of Anderson's debt to the district for continuing education courses.

In return, Anderson resigned and agreed not to discuss the matter publicly on pain of a \$10,000 penalty.

But the board did not disclose the settlement at the time, and continued what would become a 10-month series of repeated closed sessions evaluating Hansen's performance. Within that period the board changed his contract, cutting his salary and eliminating a clause providing him with severance pay if he were dismissed. But on October 18 it voted 7-0 to retain Hansen and released copies of two evaluations of his performance made on August 4 and October 4. At its next meeting, the board will consider hiring a consultant to conduct yet another review of Hansen's performance.

What the board has never disclosed, however, are the "facts and circumstances" justifying its February closed session, i.e. the complaint letter submitted by Anderson or any other specific documentation of a threat of litigation.

This secrecy is unlawful, argues McKee, who was preparing to sue the district under both the Ralph M. Brown Act and the California Public Records Act to force release of the information. But the district beat him to the courthouse.

The Brown Act states that a closed session concerning a perceived threat of litigation against a public agency must be based on such facts and circumstances. Government Code Section 54956.9 provides also, in the words of the attorney general's guide to the Act:

"If a claim or some other written threat of litigation has been received, it is a public record and reference to it 'must be publicly stated on the agenda or announced' prior to the closed session."

The district cites another provision of Section 54956.9 which excuses local bodies from disclosing the facts and circumstances if doing so would alert a potential plaintiff that he or she might have a basis for filing suit. In effect, its argument seems to imply that making Anderson's grievance public might prompt other employees with similar complaints to make them known in a claim triggering litigation.

The Inland Valley Times and the Claremont Courier also sought copies of Anderson's complaint letter. Courier publisher Martin Weinberger, like McKee, sits on CFAC's board of directors, and both the Los Angeles Times and Claremont Courier are CFAC members.

The district's pre-emptive action in court apparently relies on a recent decision of the California Court of Appeal permitting public agencies to sue records requesters for declaratory judgment. But that case specified that such action is permissible only when the agency has conclusively denied access to the records and was then aggressively threatened with litigation. In short, courts have no jurisdiction to make the initial decision on whether a record is public or not - only to review an agency's conclusion to that effect leading to an unequivocal denial of access.

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JUDICIAL COUNCIL ADOPTS NEW RULES ON SEALING OF COURT RECORDS (11/9/00)

The California Judicial Council has approved new rules that should end the practice in state courts of sealing court records on stipulation of the parties. Sealing is "disfavored" and must be done only after a judge concludes that vital interests would otherwise be compromised. Left unaffected is the sealing of discovery product and settlements.

The new rules, approved by the council at its October 27 meeting, are to take effect on January 1. Considered at the request of the state Supreme Court, the new rules follow the court's recent decision in (1999) 20 Cal.4th 1178. That decision held that the right of public access to trials applies to civil as well as criminal proceedings. It also provided guidance on the proper standard for courts to apply in deciding whether to seal documents filed in court as the basis for adjudication.

The new rules state, "Unless confidentiality is required by law, trial court records are presumed to be open." The rules incorporate the standard set out in the NBC case, providing that trial courts may not seal records unless the court expressly finds:

- there exists an overriding interest that overcomes the right of public access to the record;
- the overriding interest supports sealing the record;
- a substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- the proposed sealing is narrowly tailored; and
- no less restrictive means exist to achieve the overriding interest.

The rules affect only those instances where a court is asked to seal otherwise public records because of some ad hoc interest in confidentiality. Various statutes already defining certain court records as confidential, such as juvenile and certain family court files, are unaffected.

Likewise not addressed are the phenomena of sealing settlements and related discovery materials-an area of increasing controversy in recent years. The council apparently plans to assign those issues for study and recommendation by an advisory committee. Trial lawyers over the past decade have assailed the practice of large corporate defendants in agreeing to settlements with individual plaintiffs, contingent on their consent to seal embarrassing material churned up in discovery, seal the settlement and refrain from discussing either. The Firestone tire debacle is the latest in a series of public health and safety crises said to be supported by this practice, which keeps consumers from learning of dangerous defects that might otherwise be highlighted in tort litigation.

Attorney General Bill Lockyer, when in the California Senate, carried legislation in 1991 that would have made these practices more difficult in cases involving products liability, environmental damage or consumer fraud. The bill passed the legislature but was vetoed by Governor Pete Wilson.

In 1998 Senator Adam Schiff (D-Burbank) revived many of the same idea in SB 1254, the "Sunshine in the Courts Act," a bill approved by both houses' judiciary committees but then put aside to await the Judicial Council's consideration of the matter. Schiff has just been elected to Congress.

That bill would have provided, as a matter of public policy, that in any action based on financial fraud, or on personal injury or wrongful death caused by a defective product or environmental hazard, the court could not enter into or enforce any confidentiality agreement, settlement agreement, stipulated agreement, or protective order, except as specified, unless a protective order regarding the information was entered by the court after a noticed motion.

SB 1254 would have also authorized the Attorney General to file a motion with the court to lift a protective order if that office determined that disclosure was required to protect the public health or safety.

(See bill information at <http://info.sen.ca.gov/cgi-bin/postquery?>

bill_number=sb_1254&sess=CUR&house=B&site=sen)

Several local court rules have been used to similar effect. For example, San Diego courts, with some of the strictest barriers to dubious secrecy provisions, unsealed records at the request of the San Diego Union-Tribune that showed how a private school in La Jolla had paid the parents of a black child \$7,500 to drop a claim that the school had discriminated against the child-and keep the matter to themselves.

In August, San Diego Superior Court Judge Richard Strauss ordered the settlement unsealed, finding no showing of a compelling reason for secrecy.

As for the new rules of court, the provisions affecting trial courts state:

Rule 243.1. Sealed records

(a) [Applicability and definition of "record"]

(1) Rules 243.1-243.4 apply to records sealed or proposed to be sealed by court order. These rules do not apply to records that are required to be 23 kept confidential by statute or other rule.

(2) Unless the context indicates otherwise, "record" as used in rules 243.1- 243.4 means all or a portion of any document, paper, exhibit, transcript, or other thing filed or lodged with the court.

(b) [Sealing of records disfavored]

The public has an interest in access to court records. Unless confidentiality is required by statute or rule, court records are presumed to be open. Orders sealing cases or records filed in an action or a proceeding are disfavored.

(c) [Overriding interest necessary to seal records]

The court may seal court records only if the court determines that there is an overriding interest that overcomes the right of public access to court records and that all the requirements of (d) are satisfied. Overriding interests that under appropriate circumstances may support the sealing of records include, without limitation, protecting an individual's right to a fair trial, protecting minor victims of sex crimes from further trauma or embarrassment, ensuring the anonymity of juvenile offenders in juvenile court, protecting the privacy interests of prospective jurors during voir dire, protecting witnesses from embarrassment or intimidation so extreme that it would traumatize them or render them unable to testify, protecting information within the attorney-client privilege, protecting attorney work product, protecting trade secrets, protecting binding contractual obligations not to disclose information, safeguarding national security, and preserving confidential investigative information.

(d) [Specific findings required to seal records]

The court may order that a record be filed under seal only if it specifically finds that:

(1) An overriding interest supports sealing the record;

(2) There is a substantial probability that the overriding interest will be prejudiced if

the record is not sealed;

(3) The proposed sealing is narrowly tailored to serve the overriding interest; and

(4) There is no less restrictive means of achieving the overriding interest.

(e) [Scope of order]

(1) An order sealing the record shall

(i) be based on a document-by-document review,

(ii) expressly state the findings that support the order, and

(iii) direct the sealing of only those documents and pages-or, if reasonably practicable, portions of those documents and pages-that contain the material that needs to be placed under seal. All other portions of each document or page shall be included in the public file.

(2) If the records that a party is requesting be placed under seal are voluminous, the court may appoint a referee, at the expense of that party, to review the records.

Rule 243.2. Procedure for filing records under seal

(a) [Court approval required]

A record shall not be filed under seal without a court order. The court shall not permit a record to be filed under seal based solely upon the agreement or stipulation of the parties.

(b) [Motion to seal a record]

(1) A party requesting that a record be filed under seal shall file a noticed motion for an order sealing the record. The motion shall be accompanied by a memorandum of points and authorities and a declaration containing facts sufficient to justify the sealing.

(2) The party requesting that a record be filed under seal shall lodge it with the court under (d) when the motion is made, unless good cause exists for not lodging it. Pending the determination of the motion, the lodged record will be conditionally under seal.

(3) If necessary to prevent disclosure, the motion, any opposition, and any supporting documents may be filed in a public redacted version, and a full version may be lodged conditionally under seal.

(4) If the court does not grant the motion to seal, the clerk shall return the lodged record to the submitting party and shall not place it in the case file.

(c) [References to nonpublic material in public records]

(1) A record filed publicly in the court shall not disclose material contained in a record that is sealed, conditionally under seal, or subject to a pending motion to seal.

(2) If it is necessary that a motion to seal or unseal a record disclose confidential material, the motion and any supporting papers shall be prepared in both a redacted version-labeled "redacted"-and a separate full version-labeled "confidential."

(i) In the redacted version, redaction shall be limited to those specific portions whose disclosure would undermine the confidentiality of the material under seal or to be placed under seal.

(ii) The confidential version shall be filed under seal, if the reviewing court has ordered the material to be sealed, or lodged conditionally under seal, if it has not.

(d) [Lodging records requested to be placed under seal]

(1) The party requesting that a record be placed under seal shall put it in a manila envelope or other appropriate container, seal the envelope or container, and lodge it

with the court.

(2) The envelope or container lodged with the court shall display prominently the notation, "CONDITIONALLY UNDER SEAL."

(3) The party submitting the lodged record shall affix to the envelope or 10 container a cover sheet that:

(i) Contains all the information required on a caption page under rule 201; and

(ii) States that the enclosed record is subject to a motion to be placed under seal.

(4) Upon receipt of a record lodged under this rule, the clerk shall stamp the affixed cover sheet as "lodged" and shall not file the record unless the court so orders.

(e) [Order]

(1) If the court grants an order sealing a record, the clerk shall substitute on the envelope or container for the notation required by (d)(2) a notation prominently stating, "SEALED BY ORDER OF THE COURT ON (DATE)," and shall replace the cover sheet required by (d)(3) with a file-endorsed copy of the court's order.

(2) The order shall state whether-in addition to records in the envelope or container-the order itself, the register of actions, any other court records, or any other records relating to the case are to be sealed.

(3) Sealed records shall not be open to inspection by any person except those expressly authorized by the court order.

(4) A sealed record shall not be unsealed or destroyed except upon order of the court.

(f) [Custody of sealed records]

Sealed records shall be securely filed and kept separately from the main file in the case.

(g) [Custody of voluminous records]

If the records to be placed under seal are voluminous and are in the possession of a public agency, the court may by written order direct the agency instead of the clerk to maintain custody of the original records in a secure fashion. If the records are requested by a reviewing court, the trial court shall order the public agency to deliver the records to the clerk for transmission to the reviewing court under these rules.

(h) [Motion to unseal records]

A party or member of the public, or the court on its own motion, may move to unseal a record. Notice of the motion to unseal shall be filed and served on the parties. The motion, opposition, reply, and supporting documents may be filed in a public redacted version and a sealed complete version if necessary to comply with (c).

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PRESIDENT VETOES 'OFFICIAL SECRETS ACT' PROVISION AS TOO BROAD (11/9/00)

President Bill Clinton's decision last Friday to veto the Intelligence Authorization Act because of its quietly embedded criminal penalty for those who disclose any classified information, irrespective of harm, has not discouraged those who want leaks plugged. There is talk already of a follow-up bill, but this one will have to be discussed publicly.

Clinton said in his veto message that national security concerns must be balanced against the public's need for information about the government. He added:

"This legislation does not achieve the proper balance. For example, there is a serious risk that this legislation would tend to have a chilling effect on those who engage in legitimate activities. A desire to avoid the risk that their good faith choice of words -- their exercise of judgment -- could become the subject of a criminal referral for prosecution might discourage government officials from engaging even in appropriate public discussion, press briefings, or other legitimate official activities.

"Similarly, the legislation may unduly restrain the ability of former government officials to teach, write, or engage in any activity aimed at building public understanding of complex issues. Incurring such risks is unnecessary and inappropriate in a society built on freedom of expression and the consent of the governed and is particularly inadvisable in a context in which the range of classified materials is so extensive. In such circumstances, this criminal provision would, in my view, create an undue chilling effect."

Clinton noted that " this provision was passed without benefit of public hearings -- a particular concern given that it is the public that this law seeks ultimately to protect."

But the Wall Street Journal on Monday reported that the issue will be back in bill form in the next session.

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COMMENT SOUGHT ON FEDERAL COURTS' PROPOSED E-RECORDS RULES (11/9/00)

Federal court administrators are asking for comment on how to make case files available to the public in electronic form, including remote dialup. California's Judicial Council addressed this issue several years ago, but when local court officials balked at a proposal to provide maximum access, the council settled for a voluntary, minimal standard instead.

The Court Administration and Case Management Committee of the Judicial Conference of the United States, through its Subcommittee on Privacy and Electronic Access to Case Files, is seeking comment on the attached document outlining policies under consideration to address issues of privacy and security concerns related to the electronic availability of court case files.

Comments will be accepted beginning Monday, November 13 through 5 p.m., January 26, 2001. Electronic submission of comments is "highly encouraged" and can be

accomplished via <http://www.privacy.uscourts.gov> or via e-mail at Privacy_Policy_Comments@ao.uscourts.gov. Comments can also be mailed to The Administrative Office of the United States Courts, Court Administration Policy Staff, Attn: Privacy Comments, Suite 4-560, One Columbus Circle, NE., Washington, DC 20544.

According to the proposal described by Abel J. Mattos, chief of the court administration policy staff for the Administrative Office of the United States Courts, there are several options under consideration for civil, criminal and bankruptcy case files:

For civil cases the alternatives under study are:

"1. Maintain the presumption that all filed documents that are not sealed are available both at the courthouse and electronically. This approach would rely upon counsel and pro se litigants to protect their interests on a case-by-case basis through motions to seal specific documents or motions to exclude specific documents from electronic availability. It would also rely on judges' discretion to protect privacy and security interests on a case-by-case basis through orders to seal or to exclude certain information from remote electronic public access.

"2. Define what documents should be included in the 'public file' and, thereby, available to the public either at the courthouse or electronically. This option would treat paper and electronic access equally and assumes that specific sensitive information would be excluded from public review or presumptively sealed. It assumes that the entire public file would be available electronically without restriction and would promote uniformity among district courts as to case file content. The challenge of this alternative is to define what information should be included in the public file and what information does not need to be in the file because it is not necessary to an understanding of the determination of the case or because it implicates privacy and security interests.

"3. Establish 'levels of access' to certain electronic case file information. This contemplates use of software with features to restrict electronic access to certain documents either by the identity of the individual seeking access or the nature of the document to which access is sought, or both. Judges, court staff, parties and counsel would have unlimited remote access to all electronic case files. This approach assumes that the complete electronic case file would be available for public review at the courthouse, just as the entire paper file is available for inspection in person. It is important to recognize that this approach would not limit how case files may be copied or disseminated once obtained at the courthouse.

"4. Seek an amendment to one or more of the Federal Rules of Civil Procedure to account for privacy and security interests."

Access to criminal case files is given only two options:

"1. Do not provide electronic public access to criminal case files. This approach advocates the position that the ECF component of the new CM/ECF system should not be expanded to include criminal case files. Due to the very different nature of criminal case files, there may be much less of a legitimate need to provide electronic access to these files. The files are usually not that extensive and do not present the type of storage problems presented by civil files. Prosecution and defense attorneys are usually located near the courthouse. Those with a true need for the information can still access it at the courthouse. Further, any legitimate need for electronic access to criminal case information is outweighed by safety and security concerns. The electronic availability of criminal files would allow co-defendants to have easy access to information regarding cooperation and other activities of defendants. This information could then be used to intimidate and harass the defendant and the defendant's family. Additionally, the availability of certain preliminary criminal information, such as warrants and indictments, could severely hamper law enforcement and prosecution efforts.

"2. Provide limited electronic public access to criminal case files. This alternative would allow the general public access to some, but not all, documents routinely contained in criminal files. Access to documents such as plea agreements, unexecuted warrants, certain pre-indictment information and pre-sentence reports would be restricted to parties, counsel, essential court employees, and the judge."

Bankruptcy case files inherently contain more personal or proprietary financial information than the other systems, and the following options are under study:

"1. Seek an amendment to section 107 of the Bankruptcy Code. Section 107 that currently requires public access to all material filed with bankruptcy courts and gives judges limited sealing authority. Recognized issues in this area would be addressed by amending this provision as follows: (1) Specifying that only "parties in interest" may obtain access to certain types of information; and (2) enhancing the 107(b) sealing provisions to clarify that judges may provide protection from disclosures based upon privacy and security concerns.

"2. Require less information on petitions or schedules and statements filed in bankruptcy cases.

"3. Restrict use of Social Security, credit card, and other account numbers to only the last four digits to protect privacy and security interests.

"4. Segregate certain sensitive information from the public file by collecting it on separate forms that will be protected from unlimited public access and made available only to the courts, the U.S. Trustee, and to parties in interest."

Comment: In 1996 a California Judicial Council advisory committee recommended,

after a study addressing comparable issues, that public access to case-related information maintained in electronic form be as complete and unqualified as access in the traditional paper medium. But the recommendation was withdrawn from consideration after extensive opposition from judges, court administrators, attorneys and privacy advocates surfaced in a 1997 public comment period. A new advisory committee, this time excluding representatives of the press and other information "consumers," was convened and its far more modest recommendation was adopted by the council, effective in 1999. The result is not a rule of court but a strictly voluntary Standard of Judicial Administration. It states, among other things, that "Cases involving family law, child support, juvenile law, mental health, probate, (or) criminal law...should not be included in electronic records made available through remote access." As for civil cases not excluded by that category, "A court should grant access to an electronic record only when the record is identified by the name or number of a case and only on a case-by-case basis."

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TIMES SEEKING ATTORNEY FEES IN CASE ON AUDIT OF FUNDS TRANSFER (11/9/00)

The Los Angeles Times is before the California Court of Appeal seeking reversal of a trial court's denial of attorney's fees in a public records case. The information revealed was in an audit done by the Alameda Corridor Authority after its controller was shown to have used her office computer to transfer \$3 million in agency funds to her own bank account.

A Los Angeles Superior Court judge ordered release of most of the information requested by the Times under the California Public Records Act - but not every last record. Because of that less than complete result, the judge ruled that the newspaper had not "prevailed" as a CPRA plaintiff and thus was not entitled to recover its court costs and attorney fees as is mandated by the statute.

Controller Nancy Schafer was removed from her post at the \$2 billion Alameda Corridor Transportation Authority, a major rail and truck transit construction project linking Los Angeles with the port at San Pedro, in March 1999. The revelation that she had transferred \$3 million into her personal bank account led the Los Angeles County district attorney's office and authority officials to investigate the incident, the latter using an audit.

Schafer managed hundreds of millions of dollars in agency funds and bond proceeds earmarked for the main portions of the project. She said the transfer was an innocent error and told the Times it happened during the first two transfers of proceeds from the corridor authority's sale of \$1 billion in revenue bonds. About \$3 million, she said,

needed to be sent from a bond trust account to a corridor authority account, to allow contractors to be paid.

Schafer said that earlier she had uploaded information from a Palm Pilot, supplied by the agency, into her office computer. The uploaded data, she said, happened to include her personal bank account number, appointments and credit card numbers, kept in the Palm device as a matter of convenience. On the day set for the transfer, Schafer said, she called up what she thought were agency accounts on her office computer and mistakenly selected her bank account as the destination for the \$3 million.

When the agency completed its audit, the Times used the CPRA to request it and related information, and was forced to go to court to obtain it. But not every last record itemized in its request was ordered disclosed, and on that basis the judge ruled that it was not entitled to recoup its attorney fees as the "prevailing plaintiff."

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WHISTLEBLOWER LAW PROTEST BUILDS AS CLINTON'S CLOCK TICKS (11/3/00)

Opposition to the anti-"leak" statute -- and support for a veto -- were mounting, as the November 4 deadline for a Presidential decision approached, reports the Project on Government Secrecy of the Federation of American Scientists (FAS). The legislation would make it a felony to disclose any classified information -- irrespective of harm.

An article in today's (Friday, October 3) Washington Post reported:

"Top Clinton aides failed to reach agreement yesterday on a controversial measure that makes it easier to prosecute government officials for leaking classified information, leaving it up to the president to weigh differing recommendations on whether he should sign or veto the legislation. President Clinton, who is in California campaigning for Democrats, is nonetheless expected to make his decision today on the measure."

The California First Amendment Coalition's executive director, Kent Pollock, is one of more than 30 co-signers on a letter to Clinton's chief of staff, John Podesta, urging a veto. The letter can be read at <http://www.ombwatch.org/info/2000/podestaletter.html>.

The Post article by Walter Pincus notes:

"One awkward problem for those who now oppose the measure, said to include Podesta and (National Security Advisor Sandy) Berger, is the administration's previous approval of the measure before it passed Congress. 'Normally we don't veto bills that we have cleared,' one senior White House official said yesterday."

Embarrassment on premature commitments to the secrecy measure is not limited to the White House. Pincus's report says that lawmakers themselves might be faced with

prosecution:

"Confusion on what the bill actually means was highlighted by Rep. Nancy Pelosi (D-Calif.), who during floor debate last month questioned whether its provisions would apply to members of Congress and their staffs. According to a 1970 Supreme Court decision, the 'officers and employees' referred to in the measure would not include senators or representatives, but it would cover their staffs. Yesterday, a Justice Department official told reporters that lawmakers would be covered."

The following are excerpts from the FAS summary circulated Thursday, November 2.

Senator Charles Schumer (D-NY) urged his colleagues to support a veto at a press briefing yesterday. "This bill attempts to protect our national security in such broad and vague terms, and without regard for the potential of rampant overclassification of government information, that it will have profound effects on the ability of an informed citizenry to keep our government honest," he said.

See: <http://www.fas.org/sgp/news/2000/11/schumer.html>

The Chicago Tribune editorial board added its voice to the national chorus this morning: "Making this measure law clearly threatens to protect government errors and misdeeds by keeping the public ignorant. It deserves a veto." See: <http://www.chicagotribune.com/news/opinion/article/0,2669,SAV-0011020252,FF.html>

"This is a bizarre moment," writes Lars Erik Nelson in the New York Daily News. "Ten years after the end of the Cold War, we are about to enact Soviet style secrecy laws. What is worse, we are doing it with Soviet style legislation, drafted in secret, with no public hearings."

See:

http://www.nydailynews.com/2000-11-01/News_and_Views/Opinion/a-86679.asp

The CIA should henceforth be known as the C.Y.A. (as in "cover your ass"), writes columnist William Safire in the New York Times. The new law, he writes, is an "assault on free speech under the phony cover of national security."

See: <http://www.nytimes.com/2000/11/02/opinion/02SAFI.html>

Independent-minded former director of central intelligence R. James Woolsey spoke out against the leak statute in an interview with Jonathan Landay of Knight-Ridder News Service. "It seems to me that it sweeps overly broadly," he said.

See: <http://www.fas.org/sgp/news/2000/11/kr110200.html>

Washington Post cartoonist Herblock weighed in with an editorial cartoon on the new secrecy bill.

<http://washingtonpost.com/wp-srv/politics/herblock/herblock.htm>

Comment: The law that would be created by this bill is being widely referred to as an American "Official Secrets Act." Ironically, the British original is under increasing attack, marked by the abrupt collapse Wednesday, November 1 of the Crown's prosecution of a former army officer. The book's journalist author had also been charged originally, but dismissed as a defendant later based on insufficient evidence. The charged offense was the disclosure in a 1998 book of information on computer surveillance systems used in Northern Ireland, but another journalist showed that all the information said to be secret had been in the public domain at the time the book, *The Irish War*, was published. See <http://www.thetimes.co.uk/article/0,,28966,00.html>.

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EDITOR-PUBLISHER SUING POLICE DEPARTMENT FOR PUBLIC RECORDS (11/3/00)

Tim Crews, editor and publisher of the twice-weekly Sacramento Valley Mirror in Glenn County north of Sacramento, is suing the Willows Police Department, asking the court to order it to begin providing all information defined as releasable under the California Public Records Act. The suit attacks the department's withholding of names and addresses.

Crews, a member of the board of directors of the California First Amendment Coalition, has won numerous awards, including a Beacon from CFAC at its recent Assembly, for his staunchness in going to jail earlier this year rather than divulge the names of confidential sources sought in a criminal prosecution.

His lawsuit, expected to be filed today (November 3) in Glenn County Superior Court, seeks an order directing the department to release CPRA-mandated information for a 10-day period in September in particular, and "in the future," and also to modify its public information policy to conform with the statute, including names and addresses of persons involved in incidents and the locations where they occurred.

Crews says that prior to the current city manager, Michael Mistrot, and police chief, Richard Shipley, the Valley Mirror enjoyed "years of excellent - and perfectly legal - press-police cooperation.

"This is a First Amendment issue," Crews told his readers in the current edition. "We cannot print what we cannot know."

The Willows department, instead of providing access to redacted copies of the original reports, writes digests of selected facts for its press log. The Valley Mirror prints

detailed summaries of log entries in each edition. Examples of the Willows department's releases from the September 19 summary cited in the suit are:

"0550 Hours: Officer Lee responded to the 100 block of E. Sycamore street to (Harwell Well Service) to a suspicious person. Upon arrival, he made contact with the employees and it was discovered it was just an employee wanting in the business. No further action.

"1218 Hours: Officer Haas was dispatched to the 600 block of N. Butte street to a report of a physical fight. Upon arrival, he contacted the parties involved who wanted to press charges on each other for assault and battery but both refused to sign the arrest form. Both subjects were released. No further action taken.

"1408 Hours: Officer Porter responded to the 700 block of N. Humbolt street to assist Fire Personnel with an unresponsive male subject. Upon arrival, the subject was found to be deceased. Coroner's Office responded to handle.

"1501 Hours: Officer Porter was dispatched to the 1200 block of N. Wood street to tenant/landlord dispute. Upon arrival, he made contact with the parties involved and the problem was temporarily solved. No further action."

While the CPRA, in Government Code Section 6254, subdivision (f), allows police to withhold most detailed investigative information from the public, certain basic facts are presumed to be public:

"Other provisions of this subdivision notwithstanding, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

"(1) The full name and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest, the factual circumstances surrounding the arrest, the amount of bail set, the time and manner of release or the location where the individual is currently being held, and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds.

"(2) the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons

involved

The names and addresses the victims of certain crimes such as sexual assault, child or spousal abuse or hate crimes may be withheld.

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UCLA LEGAL SCHOLAR: PRIVACY LAWS THREATENING TO FREE SPEECH (11/3/00)

Proposals intended to protect privacy "are not easily defensible" under First Amendment doctrine, says UCLA law professor Eugene Volokh in a paper released by a think tank Tuesday, October 31. Volokh calls "the right to information privacy" created by legislation rather than contract "a right to have the government stop you from speaking about me."

In the paper, "Freedom of Speech and Information Privacy: The Troubling Implications of a Right to Stop People From Speaking About You," Volokh contends that "Most of the justifications given for information privacy speech restraints are directly applicable to other speech controls. . . . Accepting these arguments "will be a powerful precedent for those other restraints and for still more that might be proposed in the future."

While he concedes the value of contractually agreed codes of information practices instituted voluntarily in the marketplace, Volokh rejects the legitimacy of government-mandated "fair information practices," arguing that "We already have a code of 'fair information practices,' and it is the First Amendment, which generally bars the government from controlling the communication of information."

The full text of the paper is available as a pdf file at <http://www.pff.org/pr/pr103100Volokhpaper.htm>.

Volokh is a professor at UCLA Law School and a frequently-quoted authority on First Amendment, intellectual property and related legal issues. Published in May as an article in the Stanford Law Review, the paper was posted in the Internet Tuesday by the Progress and Freedom Foundation, a Washington, D.C. think tank founded in 1993 to study "the digital revolution and its implications for public policy." See <http://www.pff.org>.

Foundation President Jeff Eisenach said he decided to release the paper because "far too little attention has been paid to the First Amendment consequences of proposals to regulate information. This article is a tour de force that ought to be read by everyone concerned about our basic Constitutional right to free speech."

Eisenach said the paper is being widely distributed as part of a major project examining government proposals to regulate personal information. That project is being led by Senior Fellow Paul Rubin, who testified earlier in October before the Senate Committee on Commerce.

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COURT TO UNSEAL FILES ON MERITS OF EXECUTING YOSEMITE KILLER (11/3/00)

A federal trial judge in Fresno has agreed to lift the seal on a prosecution bill of specifics prepared to justify recommending the death penalty for a confessed murderer. Cary Stayner has pleaded guilty to beheading a young woman in Yosemite National Park last year. He still faces state prosecution for the kidnap and murder of three other women.

Release of the government's document, and a defense response to it, will be held up until the defendant, a motel maintenance man, is sentenced on November 30, despite the request of a media lawyer that the material be made available without delay.

San Francisco attorney Neil L. Shapiro, appearing in a hearing on the issue Monday, October 29 before U.S. District Judge Anthony W. Ishii, was unable to persuade him that an immediate release was legally required. Ishii's rationale was that while Stayner has pleaded guilty to killing naturalist Joie Ruth Armstrong, 26, near her cabin in Foresta early in 1999, the defendant could withdraw the plea before the sentencing hearing, and the need for a jury trial could be revived. Stayner made the plea in September in exchange for a sentence of life without parole.

Release of the prosecutor's evidence supporting a capital case, which Ishii has kept under seal from the moment of its filing early in court proceedings, was sought by the Associated Press, McClatchy Newspapers, the Chronicle Publishing Company and the Hearst Newspapers. The media coalition had earlier failed to persuade Judge Ishii to lift the seal and had an appeal pending before the U.S. Ninth Circuit Court of Appeals when Stayner entered his guilty plea.

Lawyers representing Stayner in a separate pending capital case in Mariposa County argued vigorously against release, contending that publication of the literally gory details would make it impossible to draw an unprejudiced jury from the county's small population. Stayner is accused of kidnapping Carole Sund, her daughter Julie and a friend, Silvina Pelosso from their motel room and murdering them later. The case drew national headlines in 1999.

Judge Ishii said he understood the fair trial, but concluded that a federal judge has no authority to withhold court documents once the case is closed, regardless of possible prejudice in a state court proceeding.

Shapiro, asked by Ishii if the court could keep the material under seal in solicitude for the Armstrong family's feelings, answered that while doing so would respond to an understandable empathetic impulse, there was no basis in law for continuing to keep the public unaware of the reasons why the government had recommended the death penalty.

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LAPD CONSENT DECREE'S PROVISIONS MAY MEAN A BIT MORE SUNSHINE (11/3/00)

Mayor Richard Riordan has announced his intention to sign a consent decree ending federal court pursuit of the Los Angeles Police Department for alleged civil rights violations. Among several extraordinary measures, the decree binds LAPD to hold public information meetings and produce detailed reports on its contacts with minorities.

The city council approved the pact Thursday, and a last-minute hitch was avoided when a superior court judge declined to issue a restraining order sought by the Los Angeles Police Protective League, a union representing line officers. The League wanted city approval of the pact stalled until its own concerns were given due consideration.

The League objects not only to exclusion from negotiations, conducted privately between city staff and U.S. Justice Department representatives, but to two of the resulting provisions as well. One is a massive computer tracking system to be constructed to alert police officials to patterns of alleged and confirmed misconduct by individual officers. That, says the League, would invade officers' privacy.

Another is the requirement that officers record and report in considerable detail every traffic stop, noting the time, place, apparent ethnicity of the driver and passengers, any activity required of the occupants or actions taken by the officer, and the results if any, including vehicle searches or arrests. The League argues that this will unreasonably burden patrol officers in carrying out their duties.

For its part, the city says any impact on League members that must be negotiated will be submitted to good faith bargaining.

Under the decree, LAPD will be the largest police department ever subject to judicial monitoring as a result of the Justice Department's power to sue police agencies suspected of engaging in a "pattern or practice" of civil rights violations. The choice of who will be the court-appointed monitor, charged with reporting to the federal court on progress or the lack thereof in implementing the decree, appears to be the most controversial item remaining to be settled. If city and federal negotiators cannot agree on a choice, the federal court may make the appointment from nominees they separately submit.

In terms of public information, understanding and confidence, the sunshine provisions of the decree fall short of identifying individual misbehaving officers to the public, no matter what or how many their confirmed violations of department standards may be. What they require instead is more general outreach by the department and much more disclosure of patterns which might show disproportionate policing attention given to racial or ethnic minorities.

The two key provisions of the decree dealing with public information require that LAPD:

- * conduct, during the first year, at least one public meeting per quarter in each of 18 geographic sectors of the city, to explain the consent decree, the department and its operations, how to work successfully with officers, and how to file a complaint if necessary. In the second and succeeding years only one such meeting per sector would be required. The meetings would be publicized in at least one citywide newspaper, and in various other publications with ethnic readerships, in appropriate languages.

- * publish, on its website, semiannual reports with aggregate statistics, broken down by each geographic sector and by race and ethnicity of citizens involved, for all arrests, traffic stop data, and uses of force. Also included would be the summary results of audits conducted into the internal disciplinary process, showing type of misconduct and resulting discipline, broken down by the bureau and rank of the officer. Also to be posted are quarterly reports to the court by the compliance monitor, and annual reports by the city on steps taken to implement the decree.

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GROUPS IN COURT TO CHALLENGE SHUTDOWN OF VOTE-SWAP SITES (11/3/00)

American Civil Liberties Union affiliates in Los Angeles and San Diego and the National Voting Rights Project are seeking a court order blocking California Secretary of State Bill Jones from taking criminal action against one or more Internet websites allowing Nader and Gore supporters voluntarily to exchange votes for maximum mutual satisfaction.

The suit for a temporary restraining order on behalf of Voteswap 2000 (<http://www.voteswap2000.com>) was filed Thursday, November 2 in U.S. District Court in Los Angeles. It was to have been matched by another brought by a named voter wishing to use such facilities, according to the ACLU.

The idea behind this and several other similar sites, some of which have voluntarily shut down in the face of threatened prosecution, was described by scholar James Raskin in an October 24 article on the Slate website. Raskin, a professor in constitutional law and the political process at American University, described the reciprocal quandaries faced by both Green Party Nader backers who want a Nader vote total to qualify the party for federal funding in 2004, and Democrats backing Gore who see no problem in Green Party gains - except at the feared cost to the election of their own candidate in certain key states where a vote for Nader costs Gore the electoral college votes and thus is indeed "a vote for Bush."

Wrote Raskin:

"But wait! There is a way for Gore voters trapped in Republican states to liberate Nader supporters in the tossup states to vote for Gore without actually abandoning their support for Nader and a strong Green Party in the future. The key is a variation on a voting device used in the Senate called "pairing," whereby senators on opposite sides of issues match up their votes if they are going to be away from Washington. (This arrangement is so formal that when the *Congressional Record* reports the ayes and nays on a vote, it reflects the pairs by name.)

"The Gore/Nader vote-swapping plan could use a Web site to pair individual Gore Democrats in Republican states with individual Nader supporters in swing states. Democrats from Texas and other states in the definite Bush column could register at the site by name under a brief text stating that, as Gore supporters in a Republican state, they have concluded that their best hope for contributing to a Gore victory is to vote for Nader in the explicit hope that Nader voters in swing states will correspondingly cast their ballots for Gore. Nader supporters in the swing states could add their names to a similar list under a brief text stating that, as Nader supporters in a tossup state, they have decided to vote for Gore but do so in the explicit hope that Gore voters in Republican states will correspondingly cast their ballots for Nader.

"Using sorting software, the Web site could then match individual Gore voters to individual Nader voters. If just 100,000 Gore supporters and 100,000 Nader supporters in the key states registered and kept their words, both a Gore victory and federal funding for the Greens could be accomplished."

(see full article at <http://slate.msn.com/Concept/00-10-24/Concept.asp>, and a followup Slate summary on the legal questions at http://slate.msn.com/netelection/entries/00-11-01_92442.asp)

As it turned out, one Internet site had already launched with just such a brokering

service, and as of early last week there were no fewer than nine: the plaintiff in the current litigation plus:

<http://www.voteexchange.org/voteswap001.htm>

<http://www.nadertrader.org>

<http://www.winchell.com/NaderTrader>

<http://voteexchange.com>

<http://www.votexchange2000.com>

<http://nadergore.org>

<http://www.winwincampaign.org> and

<http://www.voteaucton.com>

Secretary of State Bill Jones, however, saw this reciprocity as criminal, specifically a conspiracy to foster the "inducement" of a particular vote by the offering of a particular "valuable consideration" and thus violate the anti-bribery statutes (Elections Code Sections 18500, 18521, 18522 and 18562). He so notified the Austrian owner of **Voteauction**.com, demanded that the site be shut down (it's the last link above - to a dead server), and moreover notified the official domain name registers to cancel the site's authorization.

In announcing the legal challenge, ACLU attorney Peter Eliasberg said Jones's reading of the Elections Code is either incorrect or, if accurate, unconstitutional.

"Discussing and agreeing to a co-operative voting strategy is absolutely distinct from offering or receiving payment for a vote," he said. "This is not equivalent to handing someone a five-dollar bill -- it is an obviously unenforceable and unverifiable personal pledge to vote in a certain way."

"Jones's interpretation of this law could conceivably qualify any kind of speech as an inducement," he added. "If I promise to commend a person for voting in a way I approve of, is that offering an inducement?"

Eliasberg offered several examples of common activity that Jones's interpretation of the law would make criminal:

o "Two spouses discuss their vote, realize they disagree on every important issue, and agree that, since they're canceling one another out, neither will vote.

* "Two friendly legislators who disagree with one another's positions arrange not to vote on two separate occasions, when one, then the other, is absent, thus canceling out the effect of their absences on the final decisions made.

* "A politician such as Governor George Bush or Vice President Al Gore offers a monetary inducement in the form of a tax cut to a voter.

* "A politician, during tough economic times, promises 'a chicken in every pot' if voters cast their vote for him.

* 'A political columnist urges voters to do exactly what the Web sites in question urge them to do.

In what must sting Jones particularly, in view of his enthusiastic championing on on-line information resources for voters, Eliasberg accused him of seeming "to be afraid of the Internet and the powers of expression and association that it gives to people.

"That power of combining immediate association and direct speech is the reason people have sought to regulate the Internet more strictly than other media."

One of the sites, Nadergore.org, stopped accepting pledges from New York residents after receiving a request from the New York State Board of Elections.

Jim Cody of Los Angeles, co-proprietor of Voteswap 2000, took the site down Monday, October 30 after receiving a letter from Jones threatening him with a potential for three years of felony liability for every violation. "I guess that would be three years each for 5,000 violations," he said, referring to the registrations on the site to date.

Meanwhile, California Secretary of State Chief Counsel William Wood reportedly said on Wednesday, November 1, on CNN's Burden of Proof, that winwincampaign.org is legal according to California law: "It's a political discussion, and the Secretary of State of California believes that is protected political speech." Before acting on that quotation, interested voters may wish to check its accuracy with Mr. Wood at (916) 653-6488.

Comment: A. J. Langguth, , author of Patriots: The Men Who Started the American Revolution, informs us that while in colonial Virginia on the eve of the Revolution, electoral "candidates were expected to behave like gentlemen and refrain from asking for votes or making campaign promises," but other amenities that might be viewed as inducements were actually customary:

"A man running for office set out near the polls several barrels of rum and neat whiskey, along with applejack and beer. Any candidate who didn't offer a few drinks was considered too stingy or lacking in respect for his neighbors to deserve their votes. Several years earlier, a planter named George Washington had been rejected for failing to provide decent drink and a roast pig. Washington learned from that defeat, and the next time he ran he bought a quart and a half of liquor for each of his 361 supporters and won his seat in the Burgesses."

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ALERT: PUSH IS ON TO SLOW, REVISIT PENDING 'OFFICIAL SECRETS ACT' (10/27/00)

CFAC has joined an effort to thwart what is being called the first American "Official Secrets Act" that is on its way to becoming law without any hearings. An undebated section of the 2000-2001 Intelligence Authorization Act would make it a federal crime to disclose classified information, whether or not the disclosure injures national security interests.

CFAC, along with many other organizations, has signed on to a letter by Patrice McDermott of the nonprofit organization OMB Watch (<http://www.ombwatch.org>) urging President Clinton to veto the legislation. McDermott pointed out in a Tuesday, October 24 e-mail alert that "Congress could move back a year the effective date for the law to take effect, through an amendment to this year's spending bills. This would allow the House and Senate Judiciary Committees -- which normally review all changes in criminal law -- to hold hearings on the consequences, before Americans lose freedom of speech through a fait accompli."

The full authorization bill is headed for the White House after the insertion of the disclosure crime provision by voice votes on October 12. McDermott, in a Thursday, October 26 update, said the bill as a whole faces a veto, but pressure needs to be kept up.

"It is highly likely that the President is going to veto the appropriations bill to which this language is attached. Not because of this Official Secrets language, but for other reasons. If this does transpire, the (White House) will have a seat at the negotiations when the bill goes back to Congress. In the meantime, please do write to the members of the conference committee... The more support there is for a rider delaying implementation, the better the chance of getting it in the negotiated bill."

McDermott's earlier message incorporated background and contact information from Doug Hartnett of the nonprofit Governmental Accountability Project (<http://www.whistleblower.org>), which reads as follows:

Date sent: Tue, 24 Oct 2000 17:08:49 -0400
From: Doug Hartnett <hartnett@whistleblower.org>
Subject: Urgent Action Alert

FREE SPEECH AND WHISTLEBLOWER RIGHTS FACE SEVERE THREAT

I. INTRODUCTION: On October 12 Congress made it a felony crime to disclose classified information, over protests that this hasty move would create an unconstitutional U.S. version of the British Official Secrets Act. By bypassing normal committee jurisdiction, and using unscheduled voice votes, sponsors of H.R. 4392, the Intelligence Authorization Act, succeeded in passing a law that will profoundly affect

Congress and the public's right to know about government misconduct.

Despite reassurances that it would not change the meaning of "classified," the fine print in the bill removes all requirements that classified information be clearly marked to indicate its status. Under the new law, information could be classified even if there are no markings or other warning. That revives a discredited concept from the 1980s known as 'classifiable' information, which means virtually anything. It forces whistleblowers to seek advance permission before exposing nearly any evidence of bureaucratic misconduct, or risk criminal liability. The double whammy from this new definition combined with criminal liability creates an Official Secrecy Act far worse than the British version publicly feared.

This action alert explains the twin threats in more detail below. But there is still a chance to stop this from becoming law before the end of this session.

HOW YOU CAN HELP

We still have a chance to turn this legislation back before Congress adjourns, but only if we take IMMEDIATE ACTION. Support among Members is building to place a rider on the Commerce Justice, State and Judiciary appropriations bill to delay the effective date of the criminal liability provision until 2002.

MESSAGE CONTENT:

Demand that the effective date of Sec. 303 of H.R. 4392, "Prohibition on Unauthorized Disclosure of Classified Information," be delayed until 2002. This will allow proper hearings and consideration of the far reaching impact this provision has on the First Amendment, whistleblower rights, and the Congress's and the public's right to know. Congress should not take such drastic action on a voice vote and without even a hearing to examine the impact it will have!

Reps. Hyde, Conyers and Barr are on record opposing the secrecy provision. Both Conyers and Barr spoke against it on the Floor of the House (see Cong. Rec. pp. H9857-H9859, Oct. 12, 2000) Rep. Hyde is the most likely candidate to offer the rider. Sen. Grassley is a longtime whistleblower champion who is intensely committed to turning back this legislation. (All whistleblowers should contact him!). Grassley is lobbying his colleagues in the Senate.

Rep. Rogers and Senator Gregg, as Chairs of the respective Appropriation Subcommittees, are key to allowing the rider.

Please copy any message to me: Hartnett@whistleblower.org (Doug Hartnett, GAP)

Please email the following Representatives and Senators:

Leadership:

Rep. Dennis Hastert, Speaker of the House Speakerofthehouse@mail.house.gov

Rep. Richard Gephardt, Minority Leader d.leadership@mail.house.gov

Sen. Trent Lott, Majority Leader senatorlott@lott.senate.gov

Sen. Tom Daschle, Minority Leader Tom_daschle@daschle.senate.gov

House Appropriations and Judiciary Committees:

Rep. Henry Hyde (R-IL), Chairman, Judiciary Committee Judiciary@house.mail.gov

Rep. Bill Young (R-FL), Chairman, Appropriations Committee approps@house.mail.gov

Rep. John Conyers, (D-IL). Ranking, Judiciary Committee john.conyers@mail.house.gov

Rep. Dave Obey, (D-WI), Ranking Appropriations Committee dem.approps@mail.house.gov

Rep. Bob Barr (R-GA), member of Judiciary and Govt. Reform Comm. barr.ga@mail.house.gov

Rep. Harold Rogers (R-KY), Chair, Approps. Subcomm. on Judiciary harold.rogers@mail.house.gov

Rep. Jose Serrano (D-NY), Ranking, Approps. Subcomm. on Judiciary jserrano@mail.house.gov

Senate Appropriations and Judiciary Committees:

Sen. Ted Stevens (R-AK), Chairmen, Appropriations Committee senator_stevens@stevens.senate.gov

Sen. Robert Byrd (D-WV), Ranking, Appropriations Committee senator_byrd@byrd.senate.gov

Sen. Charles Grassley (R-IA), Chair, Judiciary Subcom. on Admin. chuck_grassley@grassley.senate.gov

Sen. Orrin Hatch, (R-UT), Chairman, Judiciary Committee senator_hatch@hatch.senate.gov

Sen. Patrick Leahy (D-VT) Ranking, Judiciary Committee senator_leahy@leahy.senate.gov

Sen. Judd Gregg (R-ID), Chair, Approps. Subcomm. On Judiciary mailbox@gregg.senate.gov

Sen. Ernest Hollings (D-SC), Ranking Approps Subcom. on Judiciary senator@hollings.senate.gov

ADDITIONAL BACKGROUND AND DETAILS

I. CRIMINALIZING CLASSIFIED LEAKS: "THE OFFICIAL SECRETS ACT"

This issue was the focus of public controversy, making unauthorized disclosure of classified information a felony with three years imprisonment. Current law already bans classified leaks, and national security threats can be prosecuted. But now an unauthorized disclosure of official secrets will be a crime per se, even if the leak defends national security against corruption or bureaucratic abuse of power shielded by secrecy.

Congressional leaders rammed the bill through in unscheduled voice votes, but a broad range of opponents warned it was an irresponsible threat to constitutional rights, including the New York Times, Washington Post and Washington Times. Conservative Republican Representative Bob Barr wrote, "Most government scandals are revealed through the public disclosure of such information, better known as "whistleblowing." If this provision is signed into law, such disclosures would become virtually non-existent." Liberal Democrat John Conyers said "it will scare the bejesus out of whistleblowers and they will be able to be criminally prosecuted. . . ." Both are on the House Judiciary Committee. That Committee normally considers legislation making any major change in criminal law, but was entirely bypassed. Chairman Henry Hyde and Conyers jointly protested that the bill "has profound First Amendment implications, and goes to the very heart of the ability of the public to remain informed about matters of critical public interest, which often relate to governmental misdeeds."

Representative Conyers illustrated the impact in a floor speech prior to House passage. He listed examples of disclosures that would have been crimes if the bill were law over the last 30 years:

"One, the scope of the government's activities in Vietnam through the Pentagon papers would have resulted in prosecutions. Two, the CIA's complicity in the overthrow of Salvador Allende. Three, the Nixon administration's support of Pakistan in its 1971 war

with India. Four, the revelations about spying at U.S. laboratories. Five, China's alleged military involvement with Pakistan and North Korea. Six, basic information about the size of the CIA's budget."

II. THE RETURN OF "CLASSIFIABLE"

Under current law, information does not qualify as classified unless it complies with rules requiring specific designation of its status as secret. Citizens are not required to guess. But H.R. 4392 has a new definition of "classified": citizens can be prosecuted without the information being marked secret. In fact, whistleblowers, journalists or others can go to jail for revealing anything if they have "reason to believe" it is properly classified -- even if it were not. The bill eerily resembles a 1980s concept called "classifiable," meaning liability for anything that should or could have been classified. As the key Administration official boasted, it means "virtually anything." In 1988 the courts threw out this blank check for secrecy as unconstitutionally vague. The return of "classifiable" creates an Official Secrecy Act, because now virtually anything can be an Official Secret.

The bill creates three strikes against the public's right to know, by:

- 1) realistically ending anonymous dissent;
- 2) requiring advance permission to exercise free speech rights; and
- 3) locking in advance warnings that permit wrongdoers to seal cover-ups by destroying evidence or classifying information after the fact because a whistleblower is forced to check the status of unmarked information. The Catch-22 for would-be whistleblowers is either expose themselves through a prior inquiry, or risk criminal liability by guessing about whether information they disclosing is may be unmarked but classified. More than a chilling effect, that will create a Deep Freeze on dissent and turn would-be whistleblowers into silent observers of fraud, waste and abuse.

Examples of vindicated whistleblowers who would be criminals under the Official Secrecy Act include those who disclosed:

- 1) security breaches creating vulnerability to espionage and theft of classified information;
- 2) evidence indispensable to expose human rights abuses like the My Lai massacre and Letelier assassination;
- 3) blank checks for the world's most expensive nuts, bolts, coffee pots and toilet seats;
- 4) falsified records concealing test failures that compromised Star Wars, the Bradley fighting vehicle and aircraft radar detectors;
- 5) Pentagon lies about multi-billion dollar cost overruns on weapons systems;
- 6) safety violations that made nuclear weapons and power plants accidents waiting to happen;
- 7) security breaches leaving nuclear weapons and other defense facilities vulnerable to terrorists;
- 8) false statements concealing leaks of radiation and other toxic substances into the environment;
- 9) massive worker exposure to radiation; and
- 10) systematic corruption in U.S. Justice Department programs training foreign police

how to catch government corruption and defend human rights.

Ironically, Congress passed H.R. 4392 the same day it approved for the 13th straight year an appropriations rider known as the "anti-gag statute," which bans Executive Branch spending to implement or enforce gag orders violating congressional laws. That means virtually nothing after the Official Secrecy Act, which is a congressional blank check for gag orders. It is doubtful that legislators knew they were approving fundamentally contradictory policies the same day.

Comment: CFAC almost never expressly urges members to contact elected representatives on pending bills, but if ever a measure, its timing, its lack of deliberation and its consequences merited an exception, this one does. To the above directly involved legislators, you may want to add Senators Boxer (<http://www.senate.gov/~boxer/contact/webform.html>) and Feinstein (<http://www.senate.gov/~feinstein/contact.html>) and your Member of Congress, whose e-mail address can be easily located by using the lookup feature at <http://www.house.gov/writerep>.

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CAMPUS CRIME DATA: REPORTING DEADLINE RUNS, NEW GUIDE AVAILABLE (10/27/00)

Of the 6,700 college and university campuses required for the first time to submit copies of their mandated annual campus crime reports to the federal government, 325 had failed to do so by the October 1 deadline. Meanwhile, the Student Press Law Center in Arlington, Virginia is offering an updated campus crime law guide for student journalists.

The Sacramento Bee reported Thursday, October 26 that the 325 schools missing the deadline will get a letter from the U.S. Department of Education giving them an extra 15 days to comply, and if they do not, they could face fines of up to \$25,000.

Since 1990 the Jeanne Clery Act has required federally-funded (which means virtually all) postsecondary schools to keep, organize and periodically report on- or near-campus incident statistics covering a variety of crimes against the person or property, disclosing them to prospective and actual students, parents and campus employees. For the first time this year copies of the annual summary reports were to have been submitted to the Department of Education by October 1.

For copies of reports from one or more California (or other) schools, see <http://ope.ed.gov/security>.

On Wednesday, October 25 the Student Press Law Center released the third edition of its popular publication, "Covering Campus Crime." The 52-page booklet provides a detailed description of the campus crime information student journalists have a legal right to, including a step-by-step guide for obtaining crime records.

The guide has sections that describe how journalists can obtain access to three different kinds of campus crime information: police or security department logs, campus crime statistics and disciplinary proceedings involving criminal behavior. The booklet incorporates regulations regarding federal crime reporting laws issued by the Department of Education this summer and includes an appendix with citations to statutes and resources related to campus crime reporting.

The publication was supported by a grant from the Sigma Delta Chi Foundation, the educational arm of the Society of Professional Journalists. Copies of the booklet can also be downloaded free from the center's Web site, <http://www.splc.org/resources/ccc/cccindex.html>.

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GOVERNOR VETOES BILL ON PUBLIC RECORDS REVIEW BY ATTORNEY GENERAL (10/6/00)

Governor Gray Davis, citing the cost of implementation, has vetoed for the second time legislation that would have permitted citizens to ask the attorney general to review state and local agencies' denial of requests for public records. Instead, Davis said he would direct his consumer affairs chief to investigate how well state agencies are complying with the California Public Records Act.

Davis' veto message, released October 1, reads:

"To Members of the California State Senate:

"I am returning Senate Bill No. 2027 without my signature.

"The bill would create a procedure for a person to request the Attorney General (AG) to review a denial by a public agency of a written request for disclosure of information under the Public Records Act, and would set up the time limits for the AG to complete the review. The bill would establish penalties of up to \$100 per day if a public agency declines to comply with a request for disclosure of information and the court determines that the agency acted in bad faith. The AG would be required to mail a copy of the opinion to the requester and to the denying agency, maintain copies for public inspection, publish the opinions annually in a special volume of AG Opinions, and made the opinions available on the Internet.

"While proponents of this bill contend that a weakness of the Public Records Act is the

lack of recourse when state agencies refuse to comply, this bill does not address that issue. Instead the bill sets up a bureaucratic reporting mechanism, involving the preparation, posting and mailing of AG opinions on the merits of a state agency's decision to withhold requested information. The costs to comply with this bill would be borne by the General Fund and would likely be significant. Therefore, I am vetoing this bill.

"I do, however, believe that state agencies should be fully responsive to legitimate public record requests. Accordingly, I am directing my Secretary of State and (sic) Consumer Affairs, Aileen Adams to conduct a review of all state agencies' performance in responding to PRA requests and to make recommendations on appropriate procedures to ensure a timely response."

SB 2027 was the second attempt by Senator Byron Sher (D-Palo Alto) to provide attorney general review as a check against denials of access to public information held by state and local agencies. Currently, such denials are open to challenge only by private lawsuits. A year ago Davis vetoed the first effort, SB 48.

The main difference between that bill and SB 2027 was that the latter expressly exempted state agencies (as opposed to local government units) from attorney general review if their denial of access had been based on the attorney general's advice. All but a handful of state agencies use the attorney general's office for advice and representation in California Public Records Act requests. Last fall Davis said having the attorney general review records request denials would present a conflict of interest, so he vetoed SB 48.

SB 2027 addressed this issue by simply exempting from the review any records denial based on the attorney general's advice. But if the attorney general was never consulted, the agency's denial would have been subject to review by that office.

Otherwise, SB 2027 went to the governor essentially in the same form it has had since its initial introduction as SB 48 last year:

- A person having submitted a written request for inspection or copying under the California Public Records Act would have been entitled to a written form of denial citing the justification for nondisclosure.
- A disappointed requester could have sent the request and denials letters to the attorney general's office for review, with a response due normally in 20 to 40 days.
- The resulting opinion would have had no greater or lesser force than any other attorney general's opinion, and would not have compelled disclosure - or excuse it - on its own authority. But it could have been cited by either the agency or the requester in any subsequent litigation, assuming the agency, using a 10-day grace period in the bill, did not change its mind and release a record in the face of an opinion that it should do so.
- In any event the opinions generated under this procedure would have been printed annually, published in bound volumes and displayed on the Internet for free access.

-- The attorney general, in analyzing a denied request for a record whose content was not obvious, could have requested to see the record or asked for additional information on a confidential basis in order to make a more confident assessment. The agency would not have been bound to share the information thus, but its refusal to do so might have worked against its interests if the attorney general found the refusal inadequately justified.

-- Apart from attorney general review, a court would have been authorized in appropriate cases brought under the CPRA to not only declare a record public and order its release, but also to assess a monetary penalty against the agency (to be paid to the requester in addition to court costs and attorney fees) of up to \$100 for every day the agency withheld requested records in bad faith.

Comment: The governor cited "significant costs" in vetoing last year's bill as well, but then it was almost an afterthought to the main objection concerning the attorney general's conflicting roles. This year it was the only rationale. The attorney general's estimate of first year costs was \$500,000 - coincidentally identical to the cost estimate the governor did not see as an obstacle to adding a new privacy ombudsman's office to his consumer affairs department as the result of his signing Senator Steve Peace's SB 129.

"The Governor's veto shows disdain for the public's right to know and incredible ignorance of the problems every-day citizens face when attempting to arm themselves with the information necessary to participate in their government," said CFAC Executive Director Kent Pollock. "Democracy thrives on sunshine and shrinks in the darkness."

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LOCAL GOVERNMENT DENYING ACCESS TO CLEARLY PUBLIC RECORDS (9/29/00)

Local government agencies in California routinely disregard the state's Public Records Act, rejecting outright-or stonewalling-requests for indisputably public information more than 75 percent of the time. Citizens seeking key records are forced either to abandon their pursuit of the records or to take the costly step of hiring a lawyer to sue the agencies to compel disclosure.

In a recent survey leading to this conclusion, sheriffs' departments were the worst offenders, denying requests for clearly public records 80 percent of the time. This rejection rate compared to 64 percent for police departments. Cities performed only slightly better, denying 60 percent of the requests for public documents, while school districts denied access almost 33 percent of the time.

This [public records "audit,"](#) designed to assess local government compliance with the California Public Records Act (CPRA), was undertaken by the California First

Amendment Coalition (CFAC) and the Society of Professional Journalists (SPJ) and was supported by volunteer students of the journalism departments from five California universities.

Such audits, increasingly conducted in other states by professional journalists and news organizations, involve making formal requests for government documents that are clearly public by law, and then monitoring how government officials respond to those requests. The research issue: Do they comply fully, partially or not at all?

The California audit began last spring and was only recently tabulated. Under the supervision of their journalism professors, several dozen university students asked more than 130 local government agencies in the San Francisco Bay Area and the counties of Los Angeles, Orange and San Bernardino for information whose release to the public is clearly mandated by state law.

The records sought were those that track responses by police to citizens' distress calls, why school boards expel students, how cities pursue health and safety violations by slumlords, and why people die in prisons, jails or simply under arrest.

Police departments were asked for logs of 911 (emergency request for assistance) calls under the authority of Government Code Section 6254, subdivision (f), which allows secrecy for most information about law enforcement investigations, but which also says, in pertinent part:

"Other provisions of this subdivision notwithstanding, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

"(2) Subject to the restrictions imposed by Section 841.5 of the Penal Code*, the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved.

*This section provides, " no law enforcement officer or employee of a law enforcement agency shall disclose to any arrested person, or to any person who may be a defendant in a criminal action, the address or telephone number of any person who is a victim or witness in the alleged offense."

Despite the fact that logs of 911 calls contain the information specified as public as noted above, departments complied only 35.9 percent of the time - after both an initial

oral request and, where necessary, a follow-up written request.

In rejecting the overwhelming majority of the requests, police departments wrongly informed the requesters that 911 dispatch information was confidential under the law, or could only be obtained with a subpoena. One department demanded that the requester sign an affidavit stating that she had never been arrested in that department's jurisdiction.

School districts were asked for records of pupil expulsions under the authority of Education Code Section 48918, which states in subdivision (k):

"The governing board shall maintain a record of each expulsion, including the cause therefor. Records of expulsions shall be a nonprivileged, disclosable public record."

The attorney general has concluded that even the pupil's name must be included in any disclosed expulsion order. (Opinion No. 96-501 [1997])

Nonetheless, school districts complied only 67.4 percent of the time - after both an initial oral request and, where necessary, a follow-up written request. This rate of compliance was the best shown in the audit, but only after a written request-the initial oral request was denied 71.7 percent of the time.

Cities were asked for copies of notices to landlords of health or safety-related code violations rendering their premises "unfit for human occupation," under the authority of Government Code Section 6254.7, which states in pertinent part:

"(c) All records of notices and orders directed to the owner of any building of violations of housing or building codes, ordinances, statutes, or regulations which constitute violations of standards provided in Section 1941.1 of the Civil Code, and records of subsequent action with respect to those notices and orders, are public records."

Conditions triggering such notices are serious health and safety defects, including leaky walls or roofs, broken windows or doors, faulty plumbing or gas facilities, the lack of hot and cold running water connected to a sewage disposal system, faulty heating or electrical systems, premises rented with "accumulations of debris, filth, rubbish, garbage, rodents and vermin" or without adequate garbage or trash receptacles, or failure to maintain floors, stairways and railings in good repair.

Cities complied with the mandate to disclose such notices only 39.6 percent of the time overall, and rejected the initial oral requests 79.2 percent of the time.

Sheriff's departments were asked for copies of reports to the attorney general concerning the deaths of persons in custody, pursuant to the authority of Government Code Section 12525, which states:

"In any case in which a person dies while in the custody of any law enforcement agency or while in custody in a local or state correctional facility in this state, the law enforcement agency or the agency in charge of the correctional facility shall report in writing to the Attorney General, within 10 days after the death, all facts in the possession of the law enforcement agency or agency in charge of the correctional facility concerning the death. These writings are public records within the meaning of subdivision (d) of Section 6252 of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), are open to public inspection pursuant to Sections 6253, 6256, 6257, and 6258"

Nevertheless, sheriffs' departments shared this information with the requesters only 20 percent of the time: four out of five (in Los Angeles, Orange, San Bernardino and San Mateo Counties) failed to comply on the initial oral request, and the response did not improve after the written request. Only in San Francisco, where state access law is backed by a powerful, citizen-crafted Sunshine Ordinance, was access to the reports granted-on the first oral request.

Audits such as the one done by SPJ and CFAC have been shown to be an effective way to test government compliance with state public records laws. Over the last several years, audits have been done in more than 13 mid-western, southern and eastern states by the media, journalism schools, and coalitions of citizens concerned about government secrecy. (See a summary of most of these audits at <http://www.freedomforum.org/news/2000/03/2000-03-15-23.asp>)

Almost without exception, the audits have found that government officials fail to comply with public information laws in the majority of requests. The surveys also reveal that even if records are released, government agencies often fulfill requests only partially or take inordinate amounts of time to disclose the information sought.

But in almost half these states, the audits have prompted action by state governors and legislatures to improve open records laws and their enforcement. Perhaps the most notable survey was done in Indiana more than two years ago. The nine-month effort, mobilizing the unprecedented collaboration of seven daily newspapers, sent reporters fanning out over every county to test compliance. It was the first statewide audit in the country and found that government officials flagrantly violated the state's open records laws by refusing to turn over obviously public information to citizens.

In response, Indiana Governor Frank O'Bannon created the office of state Public Access Counselor, formed a task force to study problems with state public records laws, and issued warnings to offending agencies. The state legislature also created a blue-ribbon committee to look into ways to improve the state's open records laws.

The access counselor, a kind of ombudsman, has the power to provide written advisory opinions in response to formal complaints. The counselor also responds informally to

citizens' questions and complaints about access to public records and even meetings of public agencies. Queries are taken and answered by telephone, e-mail or postal letter. (See the counselor's web site at <http://www.state.in.us/pac>)

Comment: The facts of these preliminary findings speak for themselves. The legislature has made it very plain it wants citizens to be able to find out which landlords are being cited for slum conditions, and how housing health and safety laws are being enforced. It wants citizens to determine, if they wish, how well public safety agencies are responding to calls for help from people who are witnessing or suffering crimes or facing other great hazards. It wants citizens to be able to monitor their schools to determine if students are being expelled for proper cause, and on a fair and non-discriminatory basis. And it wants citizens to be able to learn when, how and why prisoners - or even those simply arrested or taken into custody - lose their lives as well as their freedom.

Government documents providing this information were carefully chosen for this audit as a measure of how well public agencies respect and comply with their duty to stay accountable. If these clear, unqualified mandates are ignored or scorned, unlawful secrecy is all the more likely where the Public Records Act gives state and local agencies the discretion to keep secrets based on their reading of "the public interest."

Although journalists and those who train them were integral to this audit, the concern is not with how well reporters fare. Newspapers and broadcasters have formidable resources to overcome official secrecy, including the power to draw on inside sources, to write expose stories and issue damning editorials, and to go to court if need be. Average citizens have no such alternatives or leverage. If they are told that government information is none of their business, they almost always have to swallow that answer and public officials know this. There is no prompt and affordable remedy or authoritative review in California for those whose requests go rejected, or even totally unanswered. Public officials know this as well.

This lack of consequences alone probably explains most of this astonishingly high level of rejection. Plainly, the Public Records Act needs serious attention by the legislature and Governor Davis if it is to be a force for informed self-government by voters and taxpayers.

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CFAC TO JUDICIAL COUNCIL: SUNSHINE PROVISIONS NEEDS TWEAKING (9/29/00)

The California First Amendment Coalition has told the state's court system governors that a proposal for releasing documents and conducting public meetings concerning trial court funding and its impact on court employees could stand some improvements.

CFAC primarily cautions about allowing wide exceptions to the disclosure rule based on judgment calls favoring secrecy.

(The full text of the proposal and its drafters' comments is enclosed with this FLASH as an Adobe Acrobat pdf file and can be found on the California Judicial Council's web site at <http://www.courtinfo.ca.gov/invitationstocomment/spproposals.htm>.)

The judicial council set Friday, September 29 as the final day for comment, and CFAC submitted its views by an e-mail submission on that date, having seen the call for comments only two days earlier.

The proposed rule essentially calls for public release by both the judicial council and local court systems of records showing budgets and actual expenditures for trial court funding, and other information affecting pay and working conditions for court employees. It also for the first time formally mandates opening meetings of the judicial council to public attendance - for those discussions concerning budgets and court funding.

The proposed rule is the result of recently passed legislation, AB 2459 (Wiggins and Hertzberg), which requires the council to "adopt rules to provide for reasonable public access to budget allocation and expenditure information at the state and local level" as well as rules "ensuring that, upon written request, the trial courts provide, in a timely manner, information relating to the administration of the courts, including financial information and other information that affects the wages, hours, and working conditions of trial court employees."

CFAC's letter states:

"The California First Amendment Coalition is pleased to learn of the major thrust of this proposal to bring sunshine to certain fiscal and managerial aspects of California court administration.

"As described in the summary on the Judicial Council's Internet web site:

"The proposal would require trial courts and the Administrative Office of the Courts to maintain for 3 years and make available upon request budget and management information. With regard to council meetings on trial court budgets it provides that notice and copies of written materials shall be given to interested individuals; that the meetings are to be open to the public; that the public may present written materials to the council; and that the public may request the making of an oral presentation to the council'

"We note certain ambiguities, however, which should be clarified in a manner consistent with the legislative mandate triggering this process.

"1. References to the California Public Records Act

The proposed rule indicates that it is not intended to require disclosure of information that would be exempt under the California Public Records Act, and the drafters' comments list a number of CPRA exemptions that accordingly might apply. This approach significantly undermines the force of the rule.

"As you are probably aware, the CPRA permits, in Government Code Section 6255, withholding of information not exempt under any particular statutory exception, simply by demonstrating that given the particular circumstances, the public interest in nondisclosure outweighs the public interest in disclosure. For all practical purposes, this 'wild card' section allows the government to improvise ad hoc rationales for secrecy which are impervious to any challenge short of formal litigation.

"The California Supreme Court, moreover, has used Section 6255 to engraft into the CPRA a common law "deliberative process" privilege whose boundaries have yet to be discovered (see *Times Mirror Co. v. Superior Court*, 53 Cal. 3d 1325 and its progeny), but which has so far been applied to utterly factual material the disclosure of which would allow the public to draw inferences about the drift of executive thought processes in reaching decisions. The CPRA admits of other broad exemptions (preliminary drafts, records pertaining to pending litigation, etc.) whose application to the information covered by this rule is hard to discern.

"We suggest that a better approach, inviting less confusion and conflict, is to embody within the rule a precise definition of the types of records and information that will be disclosed, without cavil or qualification. While there may be marginal issues of interpretation left, surely a plain list of what the employee groups and the public can expect to be provided without argument would advance the objectives of this rule considerably, and should not be that difficult to produce.

"2. The 'Internal' Exception

The proposed rule expressly exempts from disclosure 'internal memoranda' without defining that term. Our experience with executive branch and local agencies under the CPRA is that this phrasing is too often used casually and conclusorily simply to refer to information which in the view of some official is not appropriate to make 'external,' i.e. to share with the public. The term almost invites creation of a rubber stamp-INTERNAL- for convenient use in instantly classifying documents for secrecy. Again, what this means should be spelled out to avoid needless confusion and conflict.

"3. Enforcement Incentives

As the comment notes, there is no specified remedy. Under the CPRA, a person successful in obtaining a writ of mandate for disclosure is entitled to court costs and attorney's fees. If there were no such provision there would be far fewer enforcement actions, which are already notoriously infrequent. A purported disclosure mandate without at least a discretionary public interest provision for attorney's fees is designed to be ignored.

"4. Meeting Notices

Notice of public discussions by the Judicial Council of trial court funding issues is proposed to be sent to employee organization representatives who request such notice. With little extra cost and effort the notice could be sent to anyone requesting notice, and we believe it should be. While posting on the Council's web site is also required, experience shows that this useful resource is no substitute for the pointed impact of a direct notice, which could easily be accomplished by e-mail."

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STORIES ON U.C. CAMPUS CRIME SECRECY SPARKS CONGRESSIONAL INTEREST (9/29/00)

A two-part expose by the Sacramento Bee published recently shows what appears to be widespread failures at University of California campuses, and especially at U.C. Davis, to disclose sexual assault crimes affecting students and others as required by federal law. The university president pledged to check the facts, and a congresswoman said she was looking into hearings.

The series, published on September 24 and 25, reports the results of a Bee investigation into the university's compliance with the federal Clery Act, which mandates that all colleges and universities receiving federal funding - which in practical terms means virtually every institution of higher learning - must summarize and periodically report to students, parents and prospective students on- or near-campus crimes in certain categories, including sexual assaults.

The federal law is named after Jeanne Clery, a Lehigh University student who was raped, beaten and murdered by another student in her dormitory room in 1986. Her parents founded Security on Campus, Inc., a nonprofit organization dedicated to improving safety on campus and informing students and parents of the dangers of underreporting sexual and other violent crimes at colleges and universities.

Underreporting was determined by comparing the universities' reports to the FBI (under a separate legal requirement) and anecdotal information from rape counseling and other non-university sources with the official disclosures made under the Clery Act. Deficiencies were shown to be widespread, and U.C. President Richard Atkinson announced he was ordering the formation of an internal task force to determine whether campuses are complying with Clery Act disclosure requirements.

In addition, Rep. Lynn Woolsey (D-Petaluma) told the Bee she was "looking into holding hearings in the next Congress to determine what roadblocks campuses are facing." Woolsey, who said she was "appalled" at the prospect of underreporting sex crimes on campus, is a member of the House Committee on Education and the Workforce.

Officials at U.C. Davis, which was the focus of the entire second-day story in the

series, are challenging what they call distortions in the newspaper's account.

(The full story is on the Bee's web site beginning at http://www.sacbee.com/news/news/local01_20000924.html. For related stories, use the search function with the keyword "Clery". For full information on the Clery Act and campus crime reporting problems nationally, see the Security on Campus web site, <http://www.securityoncampus.org>).

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GOVERNOR VETOES RECORDS-ON-INTERNET BILL (9/22/00)

Governor Gray Davis, acting on September 10, vetoed a bill that would have required state agencies to list their official reports and studies on their Internet sites. The governor's rationale was similar to a note about the bill in an earlier FLASH report: It's one thing to put reports on the Web, but given the number of official Web sites, how would one find them?

As noted in the FLASH report of April 21, AB 1759 by Assemblyman Lou Papan (D-Millbrae) was prompted by last year's disclosure that the Department of Health Services quietly failed to publicize inconvenient poll data.

It was revealed in a report by the Auditor General that the department failed to disclose the fact that a poll it had taken to assess the feelings of bar owners toward the ban on smoking came up with general lack of support. This outcome undercut the official line that bar proprietors were satisfied or even happy with the prohibition, and while the department did not turn down requests for poll results, it apparently never got any requests because no one outside knew a poll had been taken.

Papan's AB 1759 was initially unclear on whether the reports and studies themselves would have to be fully posted. The word used in the bill is "listed," suggesting that a one-line title or thumbnail description might be sufficient. In any event, the bill required the listings to include completed and in-pipeline reports and studies, to be refreshed every 10 days to "list" also completed or updated documents.

The FLASH comment in April stated:

"This bill would represent a watershed advance in the California Public Records Act, which up to now has been an information-upon-specific-request law with no duty on the government's part to alert the public as to what information is available. To make this transition far more useful, however, the bill should require creation of a central Web site to house all state-generated reports and studies, cross-referenced to the originating agency's Web site. Just as it does little good to deem a report accessible to the public if no one knows it exists, it does little good (except for insiders) to require disclosure on each of scores of Web sites if no one knows that they exist."

The governor's veto message states:

"This bill would require all State agencies to post on their Internet sites a list of all of its reports and studies that are subject to disclosure under the Public Records Act (PRA). The bill would require that the list must be continuously updated to include every report within 10 days after its initiation or completion. The legislation is not clear and fails to indicate if the reports and studies to be posted would be those completed on or after date of enactment, or how the public is to access the reports. Consumers would have great difficulty, even those with extensive knowledge of the Internet, finding a list without links or clear instructions to make this effort worthwhile. As written, the bill would only provide information in a highly inefficient and confusing form. A stand-alone list of reports and studies does not seem to meet the stated intent of the Public Record Act."

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FEDS' PROPOSED LAPD REFORM INCLUDES ONLINE SUNSHINE ITEM (9/15/00)

The consent decree proposed by the U.S. Department of Justice's Civil Rights Division as a way to reform the Los Angeles Police Department has an online disclosure requirement to help restore public confidence in that scandal-ridden institution. But the city's negotiators say this Web site information center goes too far and is not acceptable.

Signing on to the decree is the city's only alternative to defending a major civil rights lawsuit alleging serious and repeated violations by LAPD over a period of years, culminating in the Rampart Division corruption incidents, division chief Bill Lann Lee told the city council on Wednesday, September 13.

"We are insisting," Lee said, " that the consent decree hold city officials directly accountable to the public for their progress in making these reforms through regular assessments and reports by an independent monitor."

By late this week nine of the 15 council members were reportedly on the record as willing to sign on to such a decree, while four others were opposed and two undecided. Ten votes would be needed to survive a mayoral veto, and both Mayor Richard Riordan and Police Chief Bernard Parks have been lobbying against the decree.

They want at most a kind of contract, but not one supervised by a court as the decree would be, for at least five years. The council has set another special meeting on Monday, September 18 to reconsider the proposal, on which Lee is pushing for closure on by the end of the month.

Two key elements of the decree are a proposed newly created independent monitor to get detailed information from LAPD and file periodic reports with the supervising federal court, and a sophisticated computer database to track problem officers and units

as incidents and even complaint clusters begin to suggest the need for attention.

While most of that information would remain as confidential as it is now, one novel element of the proposal would provide the community with considerably more concentrated information than it now gets. Item 163 of the proposed consent decree states:

"The LAPD shall prepare and publish on its Web site semiannual public reports that include aggregate statistics on LAPD activities and procedures broken down by area and unit and the race/ethnicity of the civilians involved. The reports shall include statistical summaries of uses of force, administrative investigations (including allegations, resolutions, and resulting discipline and positive corrective actions), searches and seizures, traffic and pedestrian stops, and other relevant information regarding LAPD law enforcement activities. Such reports shall include summaries of the results of audits prepared pursuant to the requirements of this decree. The LAPD shall also post a list and brief description of completed audits on its Web site."

The city's negotiators (who have on many other points of the proposed decree signaled acceptance) reject this proposal, offering instead a requirement only that the department:

"report quarterly on its Web site a brief description of (i) each report of a specified audit completed in that quarter and any significant actions taken as a result of such audits and (ii) any new policies or changes in policies made by the department to address the requirements of this agreement..."

The city negotiators insist that all that should go on a Web site is a summary of the documentation otherwise required under the agreement -- not specially produced syntheses of various reports and data sources, tailored specifically for public information.

Another proposed requirement would be that existing community advisory groups in each are have direct participation in setting up outreach programs, including public meetings. The city's negotiators say this would be a waste of time with little substantive effect, and note that the Justice Department offers to drop this item if LAPD agrees to the Web site reports in the previous item.

Copies of the proposed consent degree and an item-by-item rundown of the city's responses and rationale can be obtained as PDF files at <http://www.lacity.org/lapd-reform>.

Comment: The city's acceptance and implementation of the Web site information center proposal in item 163 would be a significant step forward and should serve, in fact, as a model for other communities, at least those troubled by persistent complaints of inappropriate police treatment of racial and ethnic minorities. The information

embraced in such disclosures would not invade protected individual personnel records but would present the kind of pattern picture sought (and in part obtained) the San Francisco Bay Guardian in its protracted public records case involving the Richmond Police Department.

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FINAL-DAYS BILL AMENDMENTS SWEETEN OFFICIALS' RETIREMENT PLANS (9/15/00)

Several current or former high-ranking state officials stand to benefit significantly from provisions added to an otherwise obscure "technical" bill approved by both houses of the legislature in the waning hours of the session with essentially no debate and no disclosure on the public record of just whose retirement plans would improve -- or why.

The Sacramento Bee has reported that SB 528 by Senate President pro Tempore John Buirton (D-San Francisco), a bill concerning the Public Employees Retirement System (PERS) would have the following effects:

- Allow San Francisco Mayor Willie Brown, appointed to the PERS Board by Governor Gray Davis in February, to send a stand-in to board meetings rather than attend in person. As noted in an earlier Bee report on the appointment, the value in the PERS seat is not its salary (there is none) or the glamor of attending meetings in Sacramento. All travel on behalf of PERS, nationally and internationally, is compensated and affords members close entree to "the world's top money managers." The board also controls billions in investments potentially favorable to investment firms, including those in San Francisco's financial district.
- Allow Legislative Counsel Bion Gregory nearly \$2,000 more in retirement benefits a month (for a total of \$8,500 monthly) than he would otherwise have been entitled to under early retirement, by giving him credit for an extra four years of age and public service.
- Allow former Assemblyman Dan Hauser (D-Arcata) to become eligible for retirement benefits normally restricted to those with 15 years' legislative service. Hauser, reportedly strapped for income, served only 14 years before being termed out in 1996.
- Allow Jane Crawford, an \$87,408 per year appointments advisor on Governor Gray Davis' staff, to count her 14 years of service with a firefighters' union as part of her state service as a basis for retirement benefits. She served the union as political and legislative director and stayed on its payroll while loaned to Davis' campaign for the governorship in 1998, after which she stayed on as part of his transition team and then took the appointments job.
- Allow former CSU Chancellor Barry Munitz, who headed Davis' transition team in fall 1998, to earn credit for as many years as he remains on "leave of absence" from the university. That's his actual status, although he now serves as president of the J. Paul Getty Trust in Los Angeles, which in its 1998-99 fiscal year paid him more than \$750,000 in compensation, according to records on file in the attorney general's office. The maximum leave of absence time now available for PERS credit is two years.
- Allow what the Bee estimates to be "more than a dozen" former members of the

legislature who work in other government posts to increase their PERS pension benefits sixfold. Currently former lawmakers who are not employed or at least not employed in state jobs are allowed full PERS benefits based on their time served and other factors, but if they take positions in state or local government (other than constitutional offices such as governor or attorney general) their benefits are approximately one sixth of the ordinary entitlement. This bill would provide them with full pension benefits, which would mean, for example, that former state senators and current state executive branch officers Robert Presley, head of the Youth and Adult Correctional Agency; Barry Keene, head of the Department of General Services and David Roberti, member of the California Integrated Waste management Board, could draw both full salaries and full pensions. The same would apply to former state legislators in local government posts.

SB 528 got lowball treatment, labeled in every committee and house analysis as making only "technical and clarifying amendments," and was given unhesitating, bipartisan support. In the final Assembly vote on September 1, 70 voted aye and there were only nine voting no or not voting -- all Republicans. Most of the changes were added in the Assembly on August 30, the day before adjournment, and that final session has been described as unprecedentedly chaotic, especially in the Assembly. The confusion and rush there were so extreme that several bills generally regarded as of genuine policy significance failed to make the deadline in the final hours' crush, and died in their tracks.

Common Cause Executive Director Jim Knox told the Bee that he found the way SB 528 was handled "represents the legislature at its worst" and said that similar examples of last-minute approvals of perks for cronies "year after year indicates to me that the legislature is not only allowing it to take place, but that it is inviting it to take place."

The bill awaits action on Governor Davis's desk, but The Bee reported that sources indicate the Governor will likely veto the legislation.

Comment: Sunshine is a terrific disinfectant, and legislators who used the last-minute legislative scramble to keep the bill's provisions in the dark should be ashamed. There's no self-evident reason why former legislators should have to forego five sixths of the retirement payments otherwise due them simply because they continue on the public payroll in the executive branch or in local government. On the other hand, should other individuals get rule relaxations tailor-made to their circumstances just because enough people with a vote like them-or at least don't dislike them, and are comfortable with a tradition of reciprocal backscratching? Some of the retirement rule changes in SB 528, in other words, might well be passed with a straight face on their merits. Others would probably not withstand the process of explanation in committee. Bundling all these adjustments in a bill with both patronage and stealth written all over it does no favors to those whose retirement sacrifices could stand the light of open debate. But it does

throw chum to those who are all too ready to write elected officials off categorically. And that corrosion rewards cynics everywhere. Those outside government point and say, "What did you expect?" Those inside government shrug and say, "There's no pleasing the public, so if we're going to be blamed anyway, let's get some business done."

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COURT: NO BASIS FOR PURGING JUVENILE OFFENSE FROM COURT FILES (9/15/00)

Federal courts have no inherent powers to reverse, erase or otherwise obliterate the record of a juvenile drug conviction as a matter of fairness. While they may take such steps to right a wrong in the sense of an unlawful conviction or a clerical error, they are otherwise limited to the few instances in which specific statutes authorize expungement.

So ruled the U.S. Court of Appeals for the Ninth Circuit in its opinion filed Tuesday, September 12 in U.S. v. Sumner, Case No. 99-10523.

The case involves Thomas Alan Sumner, a Nevada substitute teacher who in the fall of 1999 wanted to seek a teaching certificate but feared that a long-ago event might be cited to preclude that licensing. In 1972 Sumner was arrested in Yosemite National Park when his companions sold illegal drugs to an undercover Forest Service ranger. He pled guilty to the unlawful possession of a controlled substance and, as a minor, was sentenced under the Federal Youth Corrections Act (FYCA), which was repealed in 1984. He was ordered to 90 days of probation and a fine of \$100. He failed to pay by the deadline, a bench warrant was issued, he paid the fine two days overdue, and the warrant was recalled.

In 1999 Sumner went back to the same district court and moved to have his sentence expunged, either under the FYCA's "set aside" provision or under the court's own "inherent" equitable powers, i.e. powers to do the right thing. The court ruled that it had no jurisdiction (authority) under either theory to do what Sumner asked. On appeal, the Ninth Circuit agreed. First, the FYCA allowed a conviction to be set aside only where the court's failure to grant "an early unconditional discharge from probation" was due to an "oversight." Here there was no mistake; Sumner had not sought a discharge from probation in 1972 and none was granted.

Second, in the words of Judge Arthur Alarcon for the court, "Sumner also maintains that federal courts have 'the inherent power, under equitable principles, to order expungement of criminal records.' We disagree. The power of federal courts may not be expanded by a judicial decree." Only in cases of convictions held to be unconstitutional in later federal civil rights actions were federal courts empowered to offer equitable expungement as a remedy.

And ruling as a matter of first impression, the Ninth Circuit considered the third

possibility, i.e. where a court was revisiting a case it had originally tried, employing its "ancillary" jurisdiction to reopen the matter. Even there, Judge Alarcon concluded for the court, "In our view, a district court's ancillary jurisdiction is limited to expunging the record of an unlawful arrest or conviction, or to correcting a clerical error."

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MARYLAND'S HIGHEST COURT REJECTS BROAD GOVERNOR'S PRIVILEGE (9/15/00)

In contrast to the California Supreme Court's 1991 discovery of a broad "deliberative process privilege" exempting a governor's appointment schedules and travel records from large-scale disclosure, the Court of Appeals of Maryland has rejected application of a broad "executive privilege" for its governor's meeting calendar and phone call records.

In *Office of the Governor v. Washington Post*, the court's 4-3 ruling issued Tuesday, September 12 concluded that the records of Gov. Parris N. Glendening and two of his chief aides are subject to the Maryland Public Information Act as a general proposition, and that meeting appointment logs and phone records reflecting the official contacts of these officials are not categorically protected by executive privilege.

That term is the more direct and focused label for what the California Supreme Court called the "deliberative process" privilege in its 1991 decision in *Times Mirror v. Superior Court*. The court held that appointment calendars and travel itineraries for a five-year period of Governor George Deukmejian's incumbency were exempt from disclosure under that privilege, essentially because their release to the public would disclose the governor's thought processes and thereby inhibit the effectiveness of executive decision-making.

The Maryland court majority placed the burden on the governor's office to argue its executive privilege claim on an item-by-item basis, with the trial court inspecting the records in chambers as necessary.

The case cites *Times Mirror* at several points, noting that unlike California's very unusual "public interest balancing test," used to shoehorn in the common law privilege, Maryland law has no such "catchall" exemption, and the privilege must apply, if at all, under standards already established in Maryland case law.

Accordingly, records of an advisory or deliberative nature would be presumed covered by the privilege, but strictly factual material such as appointment or phone call logs would not. Nonetheless, in remanding the case back for further consideration by the trial court, the appellate court cited several passages from *Times Mirror* to show how, for example, the release of even factual material might chill the process of executive decision-making.

The Post has not explained why it wanted the records, but in the two years of negotiations to get them it has narrowed the scope of its interest to a six-month period in early 1996. The reach of its original request has also been trimmed by the appellate court, which ruled off limits all calls from the governor's residence and calls from business lines not specifically assigned to the governor and the two specified aides.

After oral argument in the case early in 1999 the court, shy one justice, was deadlocked 3-3. Then Governor Glendening filled the vacancy, oral argument was reheard before the new justice, and his vote created the 4-3 majority. The dissenters believe that the majority is giving insufficient respect to the governor's independence from the legislature, on separation of powers grounds as well as executive privilege concerns.

A PDF file copy of the opinion, labeled as "Governor v. Washington Post," can be obtained at <http://www.courts.state.md.us/cgi-bin/indexlist.pl?court=coa&year=2000&order=bydate&submit+button=Submit>.

SANTA CLARA SUPERVISORS TO PONDER ON-LINE RESTAURANT 'GRADES' (9/8/00)

The Santa Clara County Board of Supervisors will soon consider a proposal to put the results of restaurant inspections by the environmental health department on the county's Web site -- along with a new system of letter or number "grades" rating each eatery's compliance with codes and other standards. The local restaurant association supports it.

The proposal by Supervisor Joseph Simitian can be downloaded as a pdf file from http://www.supervisorsimitian.org/whats_hot.htm. It has two components, the first being production of placards, one for each restaurateur, which could be either placed in a prominent location or kept in a drawer. The placard would proclaim the establishment's A-C letter or 1-100 number grade. Alternatively or as Simitian would prefer, as a supplement, diners could go to the county's internet site and view all scores -- as well as the inspection reports behind them.

Simitian says his idea is responsive to increasing public and press concern with food poisoning in general and food handling practices in particular. His staff says the proposal is backed by the Santa Clara Restaurant Association, which would just as soon have the bad apples exposed.

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GOVERNOR GETS SIX BILLS ON SUNSHINE, JOURNALIST RIGHTS, PRIVACY (9/1/00)

Governor Gray Davis has on his desk awaiting action six pieces of legislation of special interest to the California First Amendment Coalition. One is on open meetings, two on public records, two on journalists' rights and one on privacy. Half the bills represent a second - or even third - try after a similar previous measure was struck

down by a veto.

The bills, whose contents are covered in separate reports, include AB 1857 (Romero), a rewriting of the law governing open meetings of student body organizations of the California State University; AB 2799 (Shelley), on access to electronic public records; SB 2027 (Sher), on attorney general review of records access denials; AB 1860 (Migden), on procedures for subpoenas to journalists and dealing with the resulting shield law issues; AB 2101 (Migden), on press interviews with and mail from prison inmates; and SB 129 (Peace), which would create a new state office dedicated to the protection of personal privacy.

The governor has until midnight September 30 to take action on these measures. He can sign a bill, veto it or let it become law without his signature.

COMMENT:

Your letter to the governor urging action should identify the bill by number and author, and your position (support/opposition) in a prominent heading at the top, e.g. "AB 1234 (Smith): SIGNATURE URGED." It is best addressed via:

mail: Governor Gray Davis, State Capitol Building, Sacramento, CA
95814

fax: (916) 445-4633

e-mail: graydavis@governor.ca.gov

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**COMPUTERIZED INFORMATION-SEEKERS WOULD SEE FRIENDLIER LAW
(9/1/00)**

Governor Gray Davis is being given the third chance to sign legislation bringing the California Public Records Act into the electronic information age, after his and former governor Pete Wilson's vetoes of earlier attempts. AB 2799 by Assemblyman Kevin Shelly (D-San Francisco) requires copying at cost of computerized public records.

The bill would repeal the current California Public Records Act provision giving public agencies discretion as to in what form computerized public information must be produced in (e.g. electronic or hard copy printouts). The Act currently says nothing else about computer file access other than the general principle that information accessible to the public on paper remains legally accessible when stored electronically.

Under AB 2799, the Act would be amended to provide that:

* Public information not exempt from disclosure must be made available in the electronic format requested if the public agency holding the information uses that format for making copies for its own or another agency's use.

* If meeting the request involves only copying, any fee charged by the agency must be

limited to the "direct cost of producing a copy."

* If the request is for a format not used by the agency for its own copying, and therefore would require special work, extra charges and delay are authorized.

* "the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record," could be passed on to the requester when " the record is one that is produced only at otherwise regularly scheduled intervals" but is demanded off-schedule, or the formatting sought "would require data compilation, extraction, or programming."

* an extension of up to 14 days could stretch the deadline for a determination response from the public agency, meaning a maximum total of 24 days, based on "the need to compile data, to write programming language or a computer program, or to construct a computer report to extract data."

* If the request is for a paper record, the agency may inform the requester that the information is also available in electronic format, but cannot limit access to the electronic version. Nor must it "reconstruct" a record in an electronic format if it "no longer has" the information in that format.

* A request to release information in the format in which the agency keeps it would not have to be honored if doing so "would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained."

AB 2799 has two other important provisions unrelated to electronic records. One would restore the word "delay," substituted several years ago by the word "obstruct" in a provision prohibiting certain agency conduct that frustrates effective access to records. The passage of this bill would mean prohibiting both delay and obstruction. Also, the Act would for the first time expressly require that any notice from the agency announcing denial of access be in writing - if the request had been made in writing.

AB 2799's electronic records thrust presents a third attempt in this area. Two previous bills by Senator Debra Bowen (D-Marina del Rey) were vetoed: AB 179 by Governor Wilson in 1998 because a "reasonableness" test for denying access would, Wilson said, have invited needless litigation, and SB 1065, rejected last year by Governor Davis, who said he had asked Bowen to hold off bringing him a bill until the state had resolved Year 2000 compliance problems.

The legislature clearly views improved electronic access as an overdue imperative. The bill passed the Assembly on a 70-4 vote, and the Senate 33-0.

The bill is sponsored by the California Newspaper Publishers Association and supported by the Orange County Register, the Franchise Tax Board and CFAC. It is opposed by Orange County, which complains of the burden to staff in responding to records requests - editing and copying records for release or writing written justifications for non-release.

But the Register says express language disallowing delay is needed because of such phenomena as UC Irvine's foot-dragging in producing admittedly public records

documenting abuses at the university's fertility clinic. When the Register finally got those records, it used them to support a series on the sale of fertilized eggs and won the Pulitzer Prize for its effort.

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THOSE DENIED LOCAL AGENCY RECORDS COULD GET SECOND OPINION (9/1/00)

Governor Gray Davis is being asked to sign a bill creating prompt attorney general review, on request, of any local agency's denial of access to public records, and adding court-imposed fines of up to \$100 for every day an agency knowingly and deliberately disregards its disclosure obligation. Davis vetoed a comparable bill last year.

Both measures are the work of Senator Byron Sher (D-Palo Alto). The main difference between last year's SB 48 and the current SB 2027 is that the latter expressly exempts most state agencies (as opposed to local government units) from attorney general review. All but a handful of state agencies use the attorney general's office for advice in responding to, and court representation in defending against, California Public Records Act requests. Last fall Davis said that given this prior involvement, having the attorney general review records denials would present a conflict of interest in those circumstances, and for that reason vetoed SB 48.

SB 2027 addresses this issue by simply exempting from the review process, on a case by case basis, any records denial based on the attorney general's advice. Thus, for example, the attorney general's advice that a record could be withheld would preclude its rendering a review opinion. But if the attorney general was never consulted, the agency's denial would presumably be subject to review by that office.

Otherwise, SB 2027 goes to the governor essentially in the same form it has had since introduction, and indeed in the form taken by SB 48 last year:

- * A person having submitted a written request for inspection or copying under the California Public Records Act would be entitled to a written form of denial citing the justification for nondisclosure.
- * A disappointed requester could send the request and denials letters to the attorney general's office for review, with a response due normally in 20 to 40 days.
- * The resulting opinion would have no greater or lesser force than any other attorney general's opinion, and would not compel disclosure - or excuse it - on its own authority. But it could be cited by either the agency or the requester in any subsequent litigation, assuming the agency, using a 10-day grace period in the bill, did not change its mind and release a record in the face of an opinion that it should do so.
- * In any event the opinions generated under this procedure would be annually printed and published in bound volumes, and also displayed on the Internet for free access.
- * The attorney general, in analyzing a denied request for a record whose content was

not obvious, could request to see the record or ask for additional information on a confidential basis in order to make a more confident assessment. The agency would not be bound to share the information thus, but its refusal to do so might work against its interests in the result, if the attorney general found the refusal inadequately justified.

* Quite apart from attorney general review, a court would be authorized in appropriate cases brought under the CPRA to not only declare a record public and order its release, but also to assess a monetary penalty against the agency (to be paid to the requester in addition to court costs and attorney fees) of up to \$100 for every day the agency withheld requested records in bad faith.

The bill passed the Senate 31-6 and the Assembly 75-1, compared with SB 48's vote tallies of 35-0 and 78-0 respectively. It is sponsored by the California Newspaper Publishers Association and supported by CFAC and Attorney General Bill Lockyer. Known opposition as of mid-August had been reduced to the San Bernardino County Sheriff's Department, the California Association of Health Facilities, the Mosquito and Vector Control Association and the City of Newark.

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PRIVACY PROTECTION BILL TARGETS PRACTICES OF BUSINESSES, STATE (9/1/00)

Senator Steve Peace's occasionally far-ranging expedition into the prospects of total individual control over the use of information about oneself has been reduced, in the form of his SB 129 going to Governor Gray Davis for signature, into a far less controversial measure. The final bill would create a new state privacy protection office with no regulatory power.

Of keenest interest to the California First Amendment Coalition is the fact that SB 129 ended up with no reductions in the information available under the California Public Records Act. While the bill directs state agencies to adopt a privacy policy "in adherence with" the Information Practices Act, that statute (Civil Code Section 1798 et seq.) already provides that any request pursuant to the California Public Records Act is one which trumps its own restrictions on disseminating personal data about individuals Section 1798.24 (a) and (g)).

SB 129 at various earlier stages contained (or was proposed to contain) various provisions making individuals the legally recognized owners of most information about them conveyed in commercial transactions; requiring all organizations to get affirmative written consent for obtaining, using or transferring the information; providing stiff tort remedies for violations of individuals' ownership rights; and even preventing public and private entities from using information gained from surveillance cameras.

Aside from the privacy policy directive for state agencies, all the final version does is to create, within the Department of Consumer Affairs, an Office of Privacy Protection, whose mission would be to:

- * "inform the public of potential options for protecting the privacy of, and avoiding the misuse of, personal information";
- * "make recommendations to organizations for privacy policies and practices that promote and protect the interests of California consumers"; and
- * "promote voluntary and mutually agreed upon nonbinding arbitration and mediation of privacy related disputes where appropriate."* The director of the Department would be given more specific responsibilities, including the following:
 - * "Receive complaints from individuals concerning any persons' obtaining, compiling, maintaining, using, disclosing or disposing of personal information in a manner that may be potentially unlawful or violate a stated privacy policy relating to that individual, and provide advice, information, and referral where available";
 - * "Provide information to consumers on effective ways of handling complaints that involve violations of privacy related laws, including identity theft and identity fraud. Where appropriate local, state, or federal agencies are available to assist consumers
 - * with those complaints, the director shall refer those complaints to those agencies";
 - * "Develop information and educational programs and materials to foster public understanding and recognition of the purposes of this article";
 - * "Investigate and assist in the prosecution of identity theft and other privacy related crimes, and, as necessary, coordinate with local, state, and federal law enforcement agencies in the investigation of similar crimes";
 - * "Assist and coordinate in the training of local, state, and federal law enforcement agencies regarding identity theft and other privacy related crimes, as appropriate"; and
 - * "Commencing in 2003, ... report to the Legislature on an annual basis, on or before January 31, detailing the activities engaged in by the department under this article."

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COURT: AGENCIES CAN SUE FOR DECLARATION AGAINST DISCLOSURE (8/25/00)

A public agency that has denied a California Public Records Act request in timely and explicit fashion may then, if the requester indicates disagreement with the response, take the matter to court seeking a confirming declaratory judgment. So concludes a recent opinion from the Second District, California Court of Appeal in a police records case.

The decision filed August 4 in *Filarsky v. Superior Court (Manhattan Beach)*, Case No. B139108, comes as a significant addendum to an earlier case, *City of Santa Rosa v. Press Democrat*, in which the First District Court of Appeal held that a public agency may not use declaratory judgment to get a court to rule against disclosure.

The Public Records Act itself expressly gives disappointed requesters the right to file an action for declaratory and/or injunctive relief - the former to establish that a records

denial was unlawful and the latter to order release. But in both the Santa Rosa and Filarsky cases the agency from which the record was requested took the initiative to go to court for a judicial declaration that the record in question was not releasable.

The Second District in its recent opinion distinguished the Santa Rosa holding in two respects. First, in that case the City of Santa Rosa never made its own determination that the records sought by the daily Press Democrat newspaper - investigative findings by the police department concerning a high school teacher's alleged sexual intercourse with a minor - were confidential. Nor did the newspaper ever get the chance to tell the city that it disagreed with a decision to withhold, since that decision was never made.

Instead of deciding on its own, in short, the city tossed the question into court for a judicial determination in the first instance.

In the Manhattan Beach case, by contrast, the city expressly - and within the required 10-day period for response - denied the request of attorney Steve Filarsky for documents concerning the hiring of a new police captain, Paul Marshall. Filarsky then continued to press his requests for the records, and the city finally sued him in a declaratory relief action.

The trial court ruled for the city that the records were indeed properly confidential. Filarsky sought relief in the Second District but was turned down. He then got the state supreme court to order the Second District to reconsider the issue in light of the Santa Rosa case. Having done so, the appellate court concluded that that decision did not apply when the agency had issued an express denial of access and the requester persisted in asking for the records.

The court's decision in Filarsky also dealt with the merits of his request, upholding the city's decision on several grounds.

Filarsky, a Manhattan Beach resident, had had some prior experience with Marshall, the city's new police captain. More than a decade earlier he had represented the city of Pismo Beach in its successful effort to fire Marshall for what the Second District opinion refers to as "use of excessive force and inhumane treatment of a ward at a juvenile facility."

When word of the new hire reached him, Filarsky wrote the mayor and city council, informing them of Marshall's firing by Pismo Beach. The city manager told Filarsky that this was no news to the council, which also took into consideration that Marshall had in the interim been hired as an officer by Sacramento and later promoted to lieutenant, with a clean slate.

Filarsky then submitted a public records request for Marshall's job application and resume, the names of the oral board raters who had interviewed him, their rating sheets, the eligibility list for the captaincy, and the city's background investigation into

Marshall's experience in Pismo Beach.

The city's denial cited Marshall's privacy interests, the confidentiality of peace officer personnel records and, with respect to the list of all officers eligible for the captaincy, the deliberative process privilege. The Second District found these exemptions of disclosure legitimate, concluding that Penal Code Section 832.7, protecting peace officer personnel records from disclosure outside a tightly controlled discovery process, applied to all the information about Marshall in particular, and the deliberative process privilege applied to the eligibility list naming other applicants for the captaincy because, in the words of Justice Joan D. Klein for the court:

"The sole purpose for the list is to aid the City in the process of selecting a police captain by allowing comparison of the candidates. The list would disclose the identity of at least 28 applicants considered by the City, 18 of which were rejected, and two of which withdrew their candidacy. The list would also disclose the City's rating and evaluation of each eligible candidate. Disclosing the list thus would not only reveal the names and corresponding test scores of those applicants who were not selected, but also the judgment and mental process of the City in its selection process. Such disclosure would compromise the City's decision-making process and its ability to safeguard the names and rating scores of candidates who apply for such positions. The public interest in disclosure of the unredacted eligibility list is clearly outweighed by the public interest served in not making the list public."

COMMENT: Allowing a public agency to take the initiative in seeking court approval of a decision to deny access can leave a records requester who may have had no intention to sue with some tough choices. Since the agency's declaratory relief lawsuit names the requester as defendant, the first problem is the cost of litigating a defense or, if defense is not affordable, seeing the agency's denial potentially blessed by the court with no opposition.

The second is that even if the requester appears and "succeeds" in defending - even if the court declines to issue a judgment that the records are not public, it is not at all clear that this result alone forces the agency to release the record. Moreover, it is unclear whether the requester, having been forced to defend the right of access to the record and having in some sense succeeded in doing so, is thereby entitled to an award of court costs and attorney's fees.

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PROLONGING RECORDS FIGHT COSTS RICHMOND A QUARTER MILLION PLUS (8/25/00)

Ending a seven-year court battle over access to records concerning the conduct of its police officers, the city of Richmond has paid \$231,885 in court-ordered attorneys' fees to the San Francisco Bay Guardian, an amount which appears to set a record for such cases. The fight to avoid paying the newspaper's attorney fees more than doubled them.

In 1993, following up on several reported incidents and court judgments involving racial abuse and excessive force by Richmond officers, the weekly newspaper asked the police department for data summarizing citizen complaints. The city refused, arguing that the records were confidential as peace officer personnel information.

Two years after the Bay Guardian sued under the California Public Records Act, the First District Court of Appeal ordered the city to release some of the material. The opinion, although withheld from publication, was the first to clearly establish the public's right to use the act to gain some information about police discipline.

The city released more than 500 pages of records, which revealed what the Bay Guardian recently called "an alarming pattern of official tolerance of abusive behavior by police, ranging from pepper-spraying handcuffed inmates as punishment to punching suspects in the head." In its report summarizing the data, the newspaper noted that two out of every three officers found guilty of misconduct charges between 1990 and 1997 had seen their charges dismissed.

The Bay Guardian was represented in the records litigation by James Wheaton, founder and lead attorney for the Oakland-based First Amendment Project. He said the two-year fight for the records themselves was "the easy part." The Richmond City Attorney's Office then prolonged the litigation for several more years in hopes of avoiding paying the newspaper's attorney fees. That fight, he said, nearly trebled them.

"We are gratified that the city finally came to its senses, but mortified that it took so long," Wheaton said. "What is most distressing for Richmond's taxpayers is that the city wasn't even fighting about any principles or about the records. It was just about money, and the more they fought, the worse it got."

Richmond assistant city attorney Everett Jenkins told the Bay Guardian that Richmond agreed with the original 1996 ruling (in which it had prevailed) and was therefore not liable for fees. The city appealed a second time, he said, because it believed the fees awarded were excessive.

Last September Richmond received a "Black Hole Award" from the California First Amendment Coalition - given to individuals or groups whose actions show a "blatant disdain for the concepts of open access and sunshine."

Los Angeles-based public-interest lawyer Barbara Blinderman, chair of CFAC's legal review committee, said the Richmond case is one of the most egregious examples of government stonewalling she's seen - and part of a larger trend. "There certainly are an

increasing number of governments that realize they can discourage access by an adversarial approach, which is not very good for democracy," she told the Bay Guardian.

Bay Guardian editor and publisher Bruce B. Brugmann cited "three clear messages" sent by the fees' victory.

"First, to any citizen or group or newspaper fighting a stonewalling city in a major public-access case: Keep fighting till you win - and then, if you win, keep fighting till you get your money.

"Second, to any city that stonewalls for eight years like Richmond: Look what happens and see how you have disgraced your electorate.

"Third, to the city attorney in Richmond and all other city officials who supported this classic stonewall: Resign or face impeachment or defeat in the next election."

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INSURANCE DEPARTMENT'S WHISTLEBLOWER BACK AT HER DESK (8/18/00)

Cynthia Ossias, an attorney with the State Department of Insurance on leave and under a cloud for the past two months after leaking confidential documents to a legislative committee investigating the practices of then-Insurance Commissioner Charles Quackenbush, returned to work without prejudice on Monday, August 14.

Ossias, approached by a staff member of a legislative committee with jurisdiction over insurance industry regulation, agreed to provide the committee with market performance reports showing that four major insurance companies could have faced huge fines for their alleged treatment of homeowners' claims stemming from the Northridge earthquake.

Instead of pursuing the fines, Quackenbush settled the liabilities by allowing the firms to contribute much smaller amounts to several designated nonprofit organizations - resulting in political credit to him but no compensation for the policyholders.

Department officials in their legislative testimony left the impression that the companies had not been found to be liable for Insurance Code violations. The reports Ossias gave the committee, and her later confirming testimony, told a different story. But since the reports were legally confidential - unreachable even by committee subpoena without Quackenbush's consent - Ossias's conduct was investigated by the department for potential employment discipline, and for the duration she was placed on administrative leave.

Acting Commissioner Clark Kelso announced Monday that Ossias's job was secure, since the leak was protected from disciplinary action by whistleblower statutes shielding state agency staff members. He said this conclusion represented the view of the California Highway Patrol which, as the legislature's police agency, conducted the investigation into her conduct, as well as his own view and that of the attorney general's office. (See statement at <http://www.insurance.ca.gov/docs/FS-News.htm>)

Kelso said that not only was Ossias's action consistent with the laws "which generally protect employees who bring improper or illegal government conduct to light," but "she is to be commended for her extraordinarily difficult, courageous decision to make a disclosure of information when she thought she might suffer adverse consequences."

Ossias told the San Francisco Recorder that she would not hesitate to reveal department information again in comparable circumstances, but "might do it differently," informing the attorney general or the auditor general instead of the legislature. She hopes that Kelso's commendation for her behavior would discourage any move by the State Bar to discipline her.

She added that despite several offers from private firms received since her difficulties surfaced, she intends to continue working at the department for the time being.

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COURT: SECRET SANITIZING OF POLICE FILES UNDERMINES CONVICTION (8/18/00)

Santa Ana's extraordinary policy of sanitizing police personnel records sought by parties in civil and criminal discovery before turning them over for court review to determine their relevance has led to the reversal of a criminal conviction and a stern tongue-lashing for the city attorney and police officials by the California Court of Appeal for the Fourth District.

In People v. Mooc, Case No. G023714, filed June 30, the court sent the prosecution of Bau Mooc for battery on a peace officer back to the trial court with instructions to conduct an in camera review of the entire personnel file of Santa Ana police officer Frank Garcia, whom Mooc, an inmate in jail on an immigration hold, was accused of attacking.

In preparation for his original trial, defendant Mooc had made the customary "Pitchess motion" to have the city produce any and all personnel or other records that might show a propensity on Garcia's part for violence or lying. The only other witnesses to the fight were jail inmates, whose credibility the prosecutor would successfully impeach at trial, by methods later determined by the appellate court to be misconduct.

Responding to the Pitchess motion, the city attorney provided the court with some material which the judge examined in chambers and found to lack any evidence

undermining Garcia's credibility. Mooc was denied access to the files and was convicted by a jury.

On appeal, Mooc argued improper denial of access to Garcia's personnel records. The Fourth District Court of Appeal issued repeated orders to the city attorney to produce the records for it to inspect independently, and to its dismay got a succession of ambiguous responses, including two brief documents, one of which was simply the police report of the incident. Santa Ana Assistant City Attorney Hugh Halford stated finally in a sworn declaration that the documents provided to the court of appeal were all that he could "recall" being produced for the trial court, and that no records regarding Garcia had been purged or removed from his personnel file.

Then came oral argument in the appeal, in which the court ordered the attendance of all involved city officers, and in the words of Justice David G. Sills for the court:

"...an astounding revelation occurred. We were informed that the Santa Ana Police Department and the City Attorney's Office **REGULARLY, SYSTEMATICALLY AND SECRETLY** censored all personnel files before conveying them to any court for in camera review, removing all worker's compensation claims or other records the agencies deemed superfluous. This revelation directly contradicted Halford's earlier sworn declaration that 'no records of Officer Frank Garcia have been purged or removed from his personnel file.'" (emphasis in the original)

The Fourth District then demanded to be provided with the entire, unscreened personnel file, and got "an entire evidence box of files, forms, folders and records," wrote Justice Sills, adding: 'not surprisingly, more than one reference was found in the **COMPLETE** file which a court could deem to be potentially relevant.'" (emphasis in the original)

The court remanded the case back to the trial court, directing a new hearing on Mooc's Pitchess motion, and ordering that any discoverable information leading to admissible evidence helpful to the defense be made available accordingly.

Justice Sills added:

"This mountain of bureaucratic disobedience compels us to voice our disapproval of the actions of both the Santa Ana Police Department and City Attorney's Office, and the shared responsibility which must be borne by the prosecutor's office for failing to discover and remedy it. Public confidence in the criminal justice system is eroded when its officials deliberately fail to disclose records ordered disclosed. As Justice Brandeis so eloquently noted three-quarters of a century ago, 'Decency, security, and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its

example. . . ' (Olmstead v. United States (1928) 277 U.S. 438, 485, dis. opn. of Brandeis, J.)"

COMMENT: The Pitchess motion is a standard element of any criminal defense in which the past behavior or credibility of a police officer may be a helpful source of contextual evidence: If the arresting or witnessing officer has a documented trail of discipline for brutality or untrustworthiness, for example, a jury may be less deferential to his or her version of what occurred. The motion takes its name from a landmark decision of the California Supreme Court in 1974, concluding that criminal defendants had the right to use discovery to reach relevant material of this kind in police personnel files. But that decision led to some reactive incidents which in turn prompted legislation:

"In the aftermath of Pitchess, there were reportedly incidents of law enforcement shredding records to prevent discovery. Penal Code sections 832.7 and 832.8 and Evidence Code sections 1043, 1045 and 1046 represented the Legislature's attempt to respond to Pitchess and law enforcement's alleged reaction." (City of Fresno v. Superior Court, 205 Cal.App.3d 1459, 1475)

These 1978 provisions, as subsequently interpreted by the courts, make peace officer personnel files exempt from the California Public Records Act and thus accessible only by a party to a criminal or civil case, in a discovery process giving the judge complete control over how much, if any, contents of such files are available to the party making a Pitchess motion. The Legislature's deal with the police was, in effect: " You must preserve citizen complaints for a period long enough to ensure their availability in discovery, but that discovery will be controlled by the court to ensure that only that will be produced which is demanded in the interests of justice when a defendant's or civil litigant's rights are at stake." But when the court itself is provided with only a covertly edited version of this material, represented as being responsive to a wholesale request such as Mooc's, the entire process is fundamentally subverted - hence the exasperation shown in this opinion. When the decision was announced, Santa Ana City Attorney Joseph W. Fletcher told the Orange County Register, "We produce what all departments produce." Perhaps this is simply wishful face-saving. But the only way to be sure is for district attorneys or grand juries in each county to investigate whether the Santa Ana sanitizing is indeed a local procedure as well.

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A.G. ASKED FOR OPINION ON RELEASE OF DATA FROM POLITICAL FILINGS (8/18/00)

Should street addresses and phone numbers contained in campaign and other political filing reports be made available to those who buy entire copies of the Secretary of State's database? That's the question to be answered in an attorney general's opinion requested by Secretary of State Bill Jones. Public comments are due by August 28.

Jones plans to begin selling electronic copies of the CAL-ACCESS database, most of which is now available on the Secretary of State's Website (<http://cal-access.ss.ca.gov>). But the 1997 legislation authorizing electronic filing of campaign and lobbying disclosure statements and calling for Internet availability of the data also directs that the street addresses of the filing parties be suppressed in the online version.

The addresses are still accessible to those who want to consult the paper filings, but "in the relatively near future," Jones says in his letter requesting the opinion, those who meet the electronic filing thresholds will no longer be required to file on paper.

In addition, as a matter of discretion, Jones has suppressed phone numbers from the Internet display of CAL-ACCESS, which became operational in January.

His question to Attorney General Bill Lockyer is, when sale of the CAL-ACCESS database in its entirety commences, "what information must be suppressed..., what information should be suppressed..., and whether the Secretary of State may place restrictions on the use of the database as a condition of its sale."

Jones grants that access to the entire database is in the public interest: "Political analysis of spending trends, legal research to support court challenges, and campaign mailing list development are obvious possibilities."

Yet in view of the statutory address restriction on Internet publication, Jones believes that the "prospect of ambiguity and confusion about the availability of campaign and lobbying disclosure information submitted and captured electronically demands that I seek clarification from the Attorney General in this matter."

Views on this matter should be sent to Deputy Attorney General Jonathan R. Davis, 300 South Spring Street, Los Angeles, CA 90013; for further information call Davis at (213) 897-2674.

LEGISLATIVE HALFTIME SUMMARY: PUBLIC INFORMATION (7/14/00)

Sacramento lawmakers recessed last Friday, July 7, for one-month before the race to complete legislation at summer's end. Among bills of interest to friends of open government and freedom of expression, the following is a status report on bills affecting access to public information.

Attorney General's Review of Public Records Access Denials (SB 2027, Sher)

This bill would authorize the attorney general to issue non-binding "second opinions," in a 20-40 day turnaround, to those whose written requests for access to public records had been denied. It would also authorize a court to fine a public agency (and award the fine to the requester) up to \$100 for every day of unlawful and bad faith access denial. The measure is set for hearing in the Assembly Judiciary Committee August 8, after having passed the Assembly Governmental Organization Committee 13-1 on June 26, the Senate Floor 31-6 on May 31, the Senate Appropriations Committee 8-3 on May 25, and the Senate Judiciary Committee 6-0 on March 29.

SB 2027 is a reworking of a 1999 bill by Sher, SB 48, which Governor Gray Davis vetoed last fall. Davis objected primarily to what he called a conflict of interest in which the attorney general's office, which represents most executive branch agencies in defending public records access litigation, might be put in the position of issuing a disapproving opinion concerning a denial by a Davis administration client.

Sher's response in SB 2027 is to provide that the attorney general review provision would not apply to access denials by any state agency normally relying on the attorney general for advice or representation on public records access matters. Thus almost all state agencies, but no local government entities, would be free from the attorney general review provision.

It is not known whether this adjustment will be acceptable to Governor Davis.

(Monitor the bill's language, history and progress at http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_2027&sess=CUR&house=B&site=sen)

Access to Public Records in Requested Electronic Format (AB 2799, Shelley)

This bill would for the first time require state and local agencies, upon request, to provide computerized data constituting public record information in any format used by the agency itself, normally at simple copying cost. The bill would allow recuperation of special programming, compiling or extraction costs, however, in charges to the requester.

AB 2799 is in the Senate Appropriations Committee, having passed the Senate Judiciary Committee 5-0 on July 5, the Assembly Floor 70-4 on May 25, the Assembly Appropriations Committee 17-2 on May 17, and the Assembly Governmental Organization Committee 12-2 on May 8.

In that earliest committee, the bill's author Assemblyman Kevin Shelley (D-San Francisco) faced an amputation decision and, to save the electronic records access provisions, deleted a far more controversial element of the bill which would have allowed courts to decide, based on specific circumstances, that the public interest

warranted ordering disclosure of records which an agency normally was authorized to keep secret. After lobbying by both public agencies and insurance industry representatives, the Governmental Organization Committee made it clear that such a provision would be the death of the bill.

Shelley gave priority to the electronic records access provisions because the legislature had twice before passed similar bills, only to see them vetoed, first by Governor Pete Wilson and last fall by Governor Gray Davis. Davis' announced reason had mostly to do with concerns over Year 2000 compliance by state computer systems.

As currently amended the bill allows reprogramming cost recovery via special charges, as noted, and also excuses release in electronic form "if its release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained."

(Monitor the bill's language, history and progress at: http://info.sen.ca.gov/cgi-bin/postquery?bill_number=ab_2799&sess=CUR&house=B&site=sen)

Privacy, Access to, and Uses of Personally Identifiable Information (SB 129, Peace)

This bill is the vehicle for its author's ambition to convert facts about one's life into one's legally recognized property for all purposes, with serious but so far uncharted consequences for both business in the information economy and for freedom of information and expression as heretofore understood.

This "If It's about Me, I Own and Control It" presumption is comforting to victims of identity theft, distortions of their credit records, or unknown and unconsented uses of medical or biological information about them. The difference in the Peace approach is that, impatient with nuanced, gradualist approaches to these and other particular threats, the author wants a comprehensive and simple solution.

Recent events suggest that he apparently believes he has found it, by commoditizing biographical data as "property," at least those provided by a person as part of a business transaction, and giving him or her the right to special notice and a veto over every subsequent use or even transmission of the information.

That is the essence of a proposal assembled by an ad hoc research group of legislative staff attorneys whom Peace had testify at the latest hearing of what amounts to a "permanent floating" conference committee on his SB 129.

That bill originated as the action vehicle for the conclusions of a special legislative advisory committee which chewed over such issues for the better part of two years and wound with a phone-book size record of miscellaneous papers, but no report or

recommendations as such. SB 129 has gone through several versions since its introduction in early 1999, but by and large has been allowed to slide through the process into a conference committee, with author's promises to come up with something concrete at that late stage.

The bill has thus been "in conference" since last September, and its content since then has been limited to the creation of a new tort, the "unlawful disclosure of personal information" (the latter term of which has yet to be defined), and of a new official, the Privacy Ombudsman, in the office of the secretary of state, with various "nonbinding" roles and unclearly charted jurisdictions (e.g. the implied but not expressly granted authority to find certain information practices "unlawful.")

The conference committee's most recent hearing in late June unveiled a modification of the ombudsman concept, drafted by Peace's staff, and the work of attorneys from the staffs of the Assembly and Senate Judiciary Committees, creating an even more exotic "hybrid" tort than the one found in the bill currently.

Instead of a mere ombudsman working for the secretary of state, however, the plan now would be to create a Personal Information and Privacy Protection Agency within the Department of Consumer Affairs. Legislative findings and declarations would establish the policy that no "organization" - governmental, journalistic, commercial or nonprofit - may disclose or use information about an individual for any purpose other than the one for which it was expressly provided, without the subject's consent.

The judiciary committee staff proposed "hybrid" tort which would allow a person to sue for either "nominal" damages of \$1,000, or actual damages exceeding that amount, if any, plus attorney's fees and costs, for any disclosure or unrelated use committed "for any marketing or commercial purpose" without the subject's prior written consent.

The "personal information" thus converted to property status would mean "any individually identifiable information gathered in connection with a transaction with the person."

At the most recent hearing the author caught other committee members and staff off guard by suggesting an entirely new element that could be added to the bill, namely outlawing many if not most uses by government and private entities of monitoring video cameras not only in private spaces such as clothing store dressing rooms, but in completely public areas such as street corners, where they are increasingly used to document the running of red lights. One committee member otherwise sympathetic to Peace's data privacy concerns seemed to regard the inclusion of camera surveillance as needlessly controversial and complex new content in a bill already freighted with substantive adventure.

COMMENT: The lengths to which Peace and his staff advisors are prepared to go is suggested in the following comments distributed at the

recent hearing, in which the problem was addressed of how to strip private companies of the property rights they already own in the personal information in their vast databases, without having to pay them for it. The solution: Just define information as not being property.

"Possible Problems: Some individuals, such as Professor Cate (Beth Cate, University of Indiana), argue the Takings Clause would raise serious constitutional problems for any legislation designed to give individuals control over their personal information.

"Possible Solutions: To this criticism, others respond that legislatures could simply pass laws declaring that no property interest accrues from the collection of personal data. Thus, privacy regulations would withstand constitutional challenge, as the Takings Clause only applies when property is implicated."

The communicative aspects of the First Amendment apply only when speech, press or petition is implicated. Can the legislature define the transmission of information about individuals as something other than communication enjoying constitutional protection?

(Monitor the bill's language, history and progress at http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_129&sess=CUR&house=B&site=sen)

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CFAC TO GOVERNOR'S NEW PRESS SECRETARY: "SHOW US THE MONEY!" (7/7/00)

The California First Amendment Coalition has sent a public records request to Governor Gray Davis' new press secretary, Steven Maviglio, asking for a copy of his employment contract and that of his deputy, also recently appointed. At the time the appointments were announced last week, the salaries to be paid these new officials were withheld.

CFAC's June 29 letter states:

Dear Mr. Maviglio,

In today's Sacramento Bee report of your appointment and that of Roger Salazar as your deputy, it is stated:

"The governor's office declined to disclose the salaries of the new appointees."

The California Public Records Act requires disclosure of such information. In Government Code Section 6254.8 it states:

'Every employment contract between a state or local agency and any public official or public employee is a public record which is not subject to the provisions of Sections 6254 and 6255.'

that is, not exempt from disclosure under any provision of the Act.

It may be that there was some miscommunication rather than an intent to withhold the information contrary to this provision.

In any event, please promptly send to the address below, or inform me as to where we should come to collect, copies of those documents memorializing the contracts of employment for you and Mr. Salazar, including any job description and an itemization of all elements of compensation.

We will be happy to pay copying costs.

The Bee has since reported speculation that one reason Maviglio (previously communications director for New Jersey Congressman Rush Holt) looked attractive to Davis is that he is a former three-term member of the legislature in New Hampshire , a state worth having inside expertise about for anyone who considers himself presidential timber.

In any event, Maviglio was caught last year in an Oops many of us can relate to. According to the Boston Globe, the episode began when Cher Castillo, a new member of a Florida congressman's staff, wanted to share a diet pill tip with five friends, but inadvertently sent it to all congressional offices.

Maviglio, whose boss was a co-sponsor of a bill to regulate unsolicited commercial e-mail (the "Can Spam Act" - see <http://congress.nw.dc.us/cgi-bin/webreturn.pl?link=www.house.gov/rholt/&dir=c-span>) wrote a sharp rejoinder deploring the intrusiveness of spamming - and sent it as "reply all" to what he thought was a list of about 40 addresses. Instead it arrived in some 10,000 official mailboxes on Capitol Hill.

For those patiently waiting for the relevance of this anecdote, here's the rest of the story as related by Globe columnist Patti Hartigan (Cyberlinks, 10/8/99):

"As for the original spammer, Castillo is not supposed to talk about the incident. Reached at her office, she sheepishly admitted that she did, in fact, send the errant e-mail. Was it an accident? Yes. Was she reprimanded? Yes. Can she elaborate? Well, no.

"I'm not allowed to answer any questions from the press,' she explains.

"Her title?

"I'm the press secretary."

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SENATOR SEEKS YOUR IDEAS ON THE 'PERFECT FOIA ENVIRONMENT' (6/30/00)

How could the federal Freedom of Information Act (FOIA) be improved? What would the ideal public information disclosure law be like? Senator Patrick Leahy (D-VT) would like to get your ideas on this topic soon, and might reflect them in some legislation he is apparently planning to introduce. But you need to get the word back to him before long.

Rachel Boehm, the San Francisco attorney (with Steinhart & Falconer) who serves as Freedom of Information chair for the Northern California Chapter of Society of Professional Journalists, has forwarded to CFAC the following message from Ian Marquand, SPJ's national "Sunshine Chair":

"An opportunity has arisen to help Sen. Patrick Leahy of Vermont craft a 'wish list' for the federal FOIA. In essence, we need to express, as briefly as possible, what the 'perfect FOIA environment' would be.

"Examples might be:

- * Instant access (or no delays beyond 24 hours) to information sought.
- * Anonymity of access
- * Integration of text and video information
- * Complete linkage between related documents
- * A universal search tool common to all federal websites and departments
- * Multiple search tools available
- * A universal, user-friendly, file format

"Exactly what this will translate to isn't known yet, although Sen. Leahy is one of the original co-sponsors of E-FOIA. This may be the opportunity to get in on the ground floor of the next wave of federal access law.

"We've been told to be bold, to think of future possibilities and, above all, to be brief.

"We have until mid-July to submit our vision to Sen. Leahy. If you have thoughts, please send them to me ASAP."

Boehm says Marquand can be reached at ian@kpax.com.

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COURT: RIVERSIDE MUST GET COP'S WORK COMP SETTLEMENT UNSEALED (6/23/00)

The city of Riverside unlawfully engineered the sealing of a settlement in a workers' compensation case involving a former police officer, a judge has ruled, ordering the city to get the seal lifted and the settlement turned over to a daily newspaper. As in Claremont recently, city officials made it appear the secrecy agreement had been forced on them.

The case involves Rene Rodriguez, one of several Riverside officers who showed up on the scene shortly after the fatal shooting of Tyisha Miller by four fellow officers on December 28, 1998. She was shot at night after being found sleeping or unconscious in a parked car with a pistol in her lap.

Controversy over the exact circumstances leading the officers to open fire, including possible racial prejudice, has resulted in a corrosive polarization in the city between supporters of the victim and of the police, and has led to a federal civil rights investigation, a major civil rights lawsuit by the surviving family, an intensive investigation by a local blue-ribbon panel into police training and handling of citizen complaints, and calls for a permanent citizen review board.

Rodriguez aggravated suspicions of racism by reporting that some officers had made "racially insensitive" remarks after the shooting, and on that basis, after a corroborating internal investigation, one officer was fired and another administratively disciplined.

Rodriguez later alleged more specifically that certain colleagues exchanged "high five" congratulations after the shooting, used obscenities to describe the teenaged victim, called her family members "animals" and joked about the color of the bullets used. These allegations were made in a discrimination claim against the department, lodged with the state Department of Fair Employment and Housing (DFEH).

That claim, filed late last summer, complained of an overall "hostile work environment" stemming from reactions to his first disclosures. Rodriguez had at that point been on unpaid leave for five months, contending that he feared for his safety.

Last winter the daily Press-Enterprise learned by chance that Rodriguez was no longer on the city payroll and that the details of his separation were documented in a settlement of a workers' compensation case. The city manager and city attorney told the newspaper that they would be inclined to release the specifics but were barred from doing so by the settlement order of the Workers' Compensation Appeals Board (WCAB) judge.

The newspaper sued, and the city released some information about the settlement, but not all. The litigation revealed that it was the city that had taken the initiative to

persuade Rodriguez to agree to seek a sealing order, a maneuver reminiscent of the city of Claremont's disingenuous claim last year that it had been forced to accept a federal magistrate's order sealing a settlement in another police conduct-related case.

The city also argued the information was confidential as part of a peace officer's personnel file and as protected by the California Public Records Act's "catchall" exemption in Government Code Section 6255, both of which arguments were rebutted by Press-Enterprise counsel James Manning of the Riverside firm of Reid & Hellyer.

Superior Court Judge Dallas Scott Holmes on May 31 signed an order directing the city to:

- * apply to the WCAB to dissolve its sealing order;
- * provide Manning and Rodriguez's lawyer with "all documents submitted" to that tribunal; and
- * stand by to pay the Press-Enterprise's attorney fees and costs, to be decided later.

Holmes' order also specifies that the city "may not voluntarily disable itself from compliance with" the Public Records Act by seeking orders sealing its settlements, which under the Act are public once final.

Manning says that the newspaper has since learned that the settlement in the workers' compensation forum also contained terms under which Rodriguez withdrew his racial discrimination claims to the DFEH and - in a proceeding never disclosed to the public - also to the DFEH's federal counterpart, the Equal Employment Opportunity Commission.

COMMENT: For the second time in the span of a few months, a city has been caught with a Pinocchio nose - not only ignoring its obligation to make settlements public by taking the lead in persuading its party adversary and some otherwise ignorant magistrate that secrecy is desirable, but then claiming publicly that it would love to be more forthcoming, but its hands were tied by court order.

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E-RECORDS ACCESS BILL ADDING COST FACTOR FOR EXTRA PROCESSING (6/16/00)

Assemblyman Kevin Shelley's AB 2799, which would give the public the right to get copies of nonconfidential state and local government records in electronic form, is undergoing amendments to allow extra charges or in some cases unusual delay to reflect extraordinary work to meet the demands of a particular request.

The bill is awaiting a hearing date in the Senate Judiciary Committee after passing the Assembly, 70-4, on May 25. The amendments now being put in print by the Legislative Counsel's Office are intended to address some public agencies' concerns that some

records requests, particularly for database information, may involve processing considerably beyond simple "copying," in terms of both time and cost to the agency. Another concern is that some databases are, for security reasons, designed not to allow copying.

One of the proposed amendments would add a new basis for extending the response time to as much as an additional 14 days, which is now permitted in the case of voluminous records to be processed, those stored in a remote archive or those for which several other agencies must approve release. Added to these bases for time extension would be "The need to compile data or to write a computer program to extract data."

The other pending amendment language is set off <<thus>> below; the entire section would be added to the California Public Records Act in the Government Code:

"6253.2. (a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record <<not exempt from disclosure pursuant to this chapter>> that is in an electronic format shall make that information available in an electronic format when requested by any person and, when applicable, shall comply with the following:

(1) The agency shall make the information available in any electronic format in which it holds the information.

(2) Each agency shall provide a copy of an electronic record in the format requested if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies. Direct costs of duplication shall <<be limited to the direct cost of making a copy of a record in an electronic format.

(b) Notwithstanding subdivision (a)(2), the requestor shall bear the cost of producing the <<copy of the >> record, including the cost to construct a record or the cost of programming and other computer services necessary to produce the <<copy of the >> record when:

(i) In order to comply with the provisions in subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that is only produced at otherwise regularly scheduled intervals; or

(ii) The request would require data compilation, extraction, or programming to produce the record.

(c) Nothing in this section shall be construed to require the public agency to reconstruct a report record in an electronic format if the agency no longer has the report itself available in an electronic format.>>

(d) Nothing in this section shall be construed to permit an agency to make information available only in an electronic format.

<<(e) Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the

security of the record, or of any proprietary software in which it is maintained.>>

A. Nothing in this section shall be construed to permit public access to records held by the Department of Motor Vehicles to which access is otherwise restricted by statute. "

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L'AFFAIRE QUACKENBUSH: ENABLED BY WEAK PUBLIC RECORDS LAW (6/16/00)

Embattled Insurance Commissioner Chuck Quackenbush, accused of substituting his own political interests for timely and fair insurance payouts to earthquake victims, might never have been re-elected but for a weak public records law. Recent action by insurance industry lobbyists, moreover, saw to it that the law will stay weak.

Assemblyman Kevin Shelley's AB 2799 lost its most controversial content in April when lobbyists for both public agencies and the insurance industry forced Shelley to drop his proposed "reverse balancing test." The bill now addresses primarily the issue of access to electronic records (see story above).

The California Public Records Act (CPRA) provides that even if a document is not covered by any express exemption from disclosure - and is therefore presumed to be accessible to the public - an agency may take the position that based on unusual facts and circumstances, the public interest in keeping the information (at least temporarily) secret outweighs the public interest in disclosure.

Shelley's short-lived "reverse" approach would have left this rule in place but added its reciprocal, affecting several categories of records concerning which agencies are given discretion whether to release or not. Shelley's rule would have allowed a judge to order release of a record withheld under one of those discretionary exemptions, based on a finding that, given particular facts, the public interest in disclosure outweighed the public interest in secrecy.

The killing of that provision occurred in the Assembly Committee on Governmental Organization, a "juice bill" processor often preoccupied with squeezing gambling and liquor legislation for what it is worth - normally benign to indifferent on "sunshine" issues but also unaccustomed to alienating lobbyists for powerful business interests.

The committee's signal to Shelley to remove (or else) public interest balancing as a threat to the secrecy of insurance regulation is prologue to an ironic episode this past week in the Capitol, where Insurance Commissioner Chuck Quackenbush is under politically terminal attack. He is charged with having allowed insurers, in lieu of exposure to potential billions of dollars in fines payable in connection with their

treatment of customers suffering earthquake losses, to contribute millions to several friendly nonprofit groups to create "educational" advertising or otherwise patronize special constituencies in ways identified with and flattering to the commissioner.

One of several forums for calling those responsible to account is the Senate Insurance Committee's Subcommittee on Bad Faith Liabilities and Consumer Protection. On Monday, June 12 the subcommittee's chairwoman, Sen. Martha Escutia (D-Commerce) released copies of "market conduct" examinations conducted by the department on four big carriers who were allowed to avoid fines by contributing to the nonprofit.

The examination reports charge that Allstate, Farmers, State Farm and 20th Century did not adequately inspect damaged properties of their insureds, offered them insufficient settlements and even misled them about benefits. The reports reflect checks on more than 2,400 earthquake claims and how they were handled, and among the four firms alleged almost 3,200 violations of state law.

These reports are exempt from disclosure under the California Public Records Act, by Government Code Section 6254 (d), but the exemption is permissive or discretionary; disclosure is not flatly prohibited. Thus the secrecy for the market conduct examination reports might have been overridden, in a given court challenge, by a judge's use of the "reverse" public interest balancing test in Shelley's bill.

How this might have happened is illustrated by last week's release of the reports, apparently leaked to the committee from some source inside the department. A spokesman for the department called Escutia's release "outrageous, illegal behavior," and his sentiment was echoed by a spokesman for the Personal Insurance Federation of California, who accused the senator of "placing herself above the law." The federation lined up with public agencies in April to force Shelley to drop the public interest balancing test.

Escutia, according to the Sacramento Bee "brushed aside objections to releasing the documents, saying the public's need to know the contents outweighed the importance of confidentiality."

Another connection between L'affaire Quackenbush and CPRA reform is that it was a failed attempt by a legislative watchdog unit two years ago to document early suspicions about the Insurance Commissioner that led the investigators to conclude that the CPRA was toothless. The department cited its very broad exemptions from the act in repeated letters rebuffing information requests from the Joint Legislative Task Force on Government Oversight.

As stated in the report it finally wrote, called "KEEP OUT: The Failure of the California Public Records Act":

"In November 1997, the Task Force undertook a review of the general policies and practices of the California Department of Insurance. Since his election to office in

1994, current Commissioner Chuck Quackenbush has come under continuous fire by consumer organizations and his own staff for instituting policies viewed as friendly to the insurance industry at a very high cost to consumers and ratepayers. Task Force staff began research on some of the criticized programs and policies with the intent of determining whether or not these criticisms were warranted...

"From November 1997 to January 1998, staff made several document requests pursuant to the provisions of the CPRA...for such public documents as copies of audits by the Department of Finance and California State Auditor, the minutes of meetings of advisory boards made up entirely of insurance agency representatives, copies of consumer satisfaction survey questions, etc.

"The Department did not respond to any of the requests in the timeframe required by law and, on January 16, provided a broad list of exemptions under which they denied all requests. However, none of the exemptions cited were tied to a specific request and none of the exemptions could be applied to any of the requested documents. Not one piece of requested information was provided to the Task Force."

To address various problems noted in the "KEEP OUT" report, Sen. Byron Sher (D-Palo Alto) introduced a bill to allow those denied public records access to get a second opinion from the Attorney General, and to allow judges to fine agencies which withhold records unlawfully and in bad faith. Gov. Davis vetoed that bill (SB 48), and its successor is now SB 2027, awaiting assignment to an Assembly Committee after having passed the Senate by a 31-6 margin on May 31.

But meanwhile the Department of Insurance stonewall was effective in blunting the task force's inquiry. That entity published no report, and Chuck Quackenbush was re-elected, with record-breaking contributions to his campaign coffers from the insurance industry.

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COST-RELATED CHANGES SOUGHT FOR ELECTRONIC DATA ACCESS BILL (6/9/00)

Assemblyman Kevin Shelley's AB 2799, which would give requesters the right to receive government data in any electronic format used to maintain the information, may be amended soon in a subtle but significant manner. The upshot may be to end technical arguments about "creating a new record" and instead focus on cost and timing issues.

In its present form, the bill assumes that an electronic record either does or does not contain public information, and does not address the question of whether technical or procedural barriers inherent in the agency's information resources or practices may need to be dealt with. But after a recent meeting with several primarily local government associations, led by the California State Association of Counties, there seemed to be a consensus that instead of letting these considerations be a flat barrier to access, the legislation should allow for extra time, extra charges or both in order to

allow for extracting never-before-released information.

The draft amendment being circulated by John McKibben of the executive offices of Los Angeles County has the following elements:

Time Extension: The California Public Records Act now allows an extension of up to 14 days (in addition to the initial 10-day period) for an agency to make release determinations if the records request is voluminous, if the records are stored remotely or if other agencies must be consulted to determine possible exemptions. The CSAC proposal would justify the extra 14 days also to deal with the "need to compile data or to write programming language to extract data."

Processing Costs: Whenever something above and beyond a simple "duplication" analogous to paper copying would be required to fulfill an electronic records request, the associated extra cost could be charged to the requester:

"The requestor shall bear the cost of producing the record, including the cost to construct a record or the cost of programming and other computer services necessary to produce the record when:

In order to comply with the provisions in subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that only is produced at otherwise regularly scheduled intervals; or

The request would require data compilation, extraction, or programming to produce the record."

Inherent Obstacles: Some government databases, for example some used by law enforcement agencies, do not permit copying, and in other cases information is carried in programs that can be run only via programs controlled by license. In such situations the following language would apply:

"Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security of the record, of any proprietary software in which it is maintained."

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SHELLEY'S BILL ON ELECTRONIC RECORDS PASSES FISCAL COMMITTEE (5/19/00)

A bill intended to make public information stored in digital form accessible to the public in any computer format used by the custodian agency advanced toward the Assembly floor May 17 with its 17-2 passage out of the Assembly Appropriations Committee. The bill would also ban "delay" in providing access and require denials to be put in writing.

Voting Yes on passage of AB 2799 were committee members Migden, Campbell, Alquist, Aroner, Ashburn, Cedillo, Corbett, Davis, Kuehl, Maldonado, Papan, Romero, Shelley, Thomson, Wesson, Wiggins and Zettel. Voting No were Ackerman and

Brewer, and absent, abstaining or not voting were Runner and Wright.

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A.G.: POLICE PERSONNEL FILES CAN BE TRASHED AFTER FIVE YEARS

(5/19/00)

California law enforcement agencies can destroy their internal affairs investigative files five years after being completed, and most peace officer personnel files five years after the subject is no longer on the agency's payroll, according to a recent opinion from the office of Attorney General Bill Lockyer. But destruction must not be in "bad faith."

In the May 2 opinion (No. 99-1111) written to answer questions by Ventura County District Attorney Michael Bradbury, Deputy Attorney General Gregory L. Gonot noted that a challenging party (such as a criminal defendant seeking such information to support his or her case) would have the burden to show "bad faith" on the part of a department in destroying such records after the statutory five-year period - so long as the destruction had been done as part of a routine and generally applied administrative process.

State law requires preservation of such records for a minimum of five years. But so long as destruction is a routine procedure thereafter, in other words, the fact that it deprives the defendant of useful information will not be treated as a denial of due process.

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COURT: ROUTINE COP STOP NO BASIS FOR INVESTIGATIVE EXEMPTION

(5/12/00)

When police stop a motorist out of misplaced suspicion triggered by an informant's tip and release the driver and passengers after a brief confrontation, any records relating to the stop or what led to it are not exempt from disclosure as investigative documents. But if the driver files a citizen's complaint, the paperwork then generated is a different story.

So concluded the California Court of Appeal for the Second District in its opinion filed May 2 in Haynie v. Superior Court, case no. B137707. Elgin Haynie had the misfortune of driving a van with three passengers shortly after Los Angeles County Sheriff's deputies on patrol heard a citizen's description of a similar vehicle in the neighborhood, into which several men with guns had just entered. One deputy later said he saw Haynie and his passengers behaving furtively, and pulled the van over.

The passengers were female, there were no weapons and the stop was obviously mistaken, but in the meantime Haynie became "argumentative," and was briefly handcuffed. He was then uncuffed and the officers left without further official attention, only to return shortly thereafter and find Haynie "attempting to inflict injury on his wrists by striking the pavement." The officers called for a supervisor and a paramedic and some photos were taken to establish that no serious injury had occurred.

That all occurred on July 1, 1999. Eleven days later Haynie's lawyer contacted the department, identified the deputies in the incident, and sought a variety of paper records and tape recordings documenting the informant's tip, patrol car radio traffic, statements made at the stop and even Haynie's later statements to the departmental investigator following up on his citizen's complaint.

The department denied the requests, characterizing the information sought as exempt as investigative records of a law enforcement agency, as relating to citizen complaints against a peace officer, or both. When Haynie sued, the county shifted its grounds to a combination of law enforcement investigation and pending litigation exemptions, dropping its reliance on the peace officer personnel file exemption. The trial court essentially upheld the court's position.

On appeal, the Second District agreed that the investigative exemption would apply to any records generated by Haynie's complaint after the incident, including a tape recording made of his debriefing by a sheriff's investigator.

But since there was no "concrete prospect of enforcement" involved in the van stop, any records pertaining to that incident before Haynie made his complaint would be available and not protected as part of an investigative file. Nor would the pending litigation exception apply, since no records created at the time of the stop were in anticipation of a lawsuit.

Finally, the court held that Haynie was entitled to the attorney's fees he sought because he had established that the stop-related records were public - even though, as the county suggested, there might be no surviving records concerning the stop itself.

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PAPAN BILLS ON COURT OPINIONS, NET REPORTS MEET SEPARATE FATES (4/28/00)

Assemblyman Lou Papan's AB 2404, which calls for all opinions of the state's appellate courts not contained in the official reports to be made available through

private publishers, failed its first committee test this week. But his AB 1759 got out of committee as amended; it would require state agencies to list their studies and reports on the Internet.

The court opinions bill failed passage 9-3 in the Assembly Judiciary Committee on Tuesday, April 25. It was backed by those who felt the public and the legal profession should know what appellate courts have actually held in all their cases, even though opinions not officially published would have had only persuasive - not mandatory - weight as precedent.

Chief Justice Ronald George, for whose court the power to depublish lower court opinions is a major tool for controlling the direction of case law without having to explain why, strongly opposes the idea.

Papan's AB 1759, however, passed the Assembly Committee on Information Technology 5-0 on Wednesday, April 26, but was amended to remove a central ambiguity. As presented to the committee, the bill was not clear on whether it would require state agencies actually to publish their studies and reports on their Internet sites (if they had any), or simply to list them as completed and available. This week's amendments made it clear that the latter is the case.

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SHELLEY DUMPS 'REVERSE BALANCING TEST' TO SAVE E-ACCESS BILL (4/28/00)

Hitting an effective stone wall of opposition from public agencies and private associations of insurance companies, Assemblyman Kevin Shelley dropped a provision of his AB 2799 that would have allowed courts to override certain exemptions from the California Public Records Act if and when the public interest in disclosure was weighty enough.

Such instances, although rare (applicable only in cases where the agency controlling the record had the discretion to release it, but declined), would have represented a counterbalance to current law. The Act now provides that even when a record would normally be public because no explicit exemption from disclosure applied, an agency may still deny access if it decides that the public interest in non-disclosure outweighs the interest in disclosure.

By the time of the Monday, April 24, hearing in the Assembly Committee of Governmental Organization, it became clear to Shelley that the opposition's lobbying efforts had been lethally effective. An easy majority of the committee, which despite its name typically concentrates its attention on contribution-sensitive vice regulation (liquor, gambling, horseracing), was susceptible to the chorus of public and private

lobbyists, predicting dire consequences if courts were allowed to use public interest balancing to open records as well as to shut them.

Shelley's readiness to jettison the "reverse balancing test" stemmed from his concern to preserve momentum on the bill's other major provision - the third legislative attempt to provide ready access to computerized public records in whatever format used by the agency itself.

None of the opposition lobbyists showed problems with this aspect of AB 2799 (two bills to the same effect passed the legislature without much controversy in recent years, only to be vetoed by Governors Wilson and then Davis). But nonetheless, Shelley could not round up enough support in the hearing or during the rest of the day to get the bill out of committee. It will likely be back in the committee on May 8, probably for a vote only.

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DATA CLAMP: INDUSTRY'S WORST CASE CHEMICAL ACCIDENT SCENARIOS (4/28/00)

The federal government, wanting to keep sunshine policy from helping shady characters, says you have a right to know whether your home and community are in the affected plume of a "worst case" catastrophic chemical release. But because the public can't be trusted not to harbor terrorists, you shouldn't get this information easily or anonymously.

That's the thrust of regulations proposed yesterday (April 27) by the federal Environmental Protection Agency (EPA) and the Department of Justice, to be set for hearing in Washington, D.C. on May 9 and open for written public comment until June 8.

1990 amendments to the Clean Air Act require the EPA to collect risk management plans from plants using listed hazardous chemicals. Included in the plans are "offsite consequence analyses" showing how the neighborhood might be affected by a leak, spill or other accidental and toxic release. At one point the plan was to put all of these reports on the Internet for maximum public attention, but that idea was quashed by the fear that terrorists might use the information to plan bombing or other attacks calculated to affect a specific zone.

Now EPA and Justice, according to an alert from the nonprofit organization OMB Watch, propose that key portions of the offsite analyses be confined to paper and kept in federal and local reading rooms, at sites not yet described, where inspection would be by driver license identification-backed sign-ins only.

Confined to this mode of access would be information showing, for each offsite analysis, what chemical is involved, the assumed release rate and duration, the distance to the zone of vulnerability and within that zone the population, public facilities such as schools, shopping centers and parks, and maps and other graphical information. Viewers would be allowed to take notes but not make copies, and a log would be kept of exactly who had seen the analyses of exactly which industrial facility.

OMB Watch says that the reading rooms would probably not be in libraries, since the American Library Association last year took the position to oppose controls on public access to such analyses.

Further information is available at <http://www.ombwatch.org/info/rmprulesum.html> or by contacting Rick Blum, blumr@ombwatch.org.

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MEASURE WOULD REQUIRE "LISTING" OF STATE AGENCY REPORTS ON NET (4/21/00)

A bill to require every state agency with a Web site to "list" on it all its reports or studies is set for hearing Monday, April 24 in the Assembly Committee on Information Technology. AB 1759 by Assemblyman Lou Papan (D-Millbrae) is prompted by last year's disclosure that the Department of Health Services quietly failed to publicize inconvenient poll data.

It was revealed in a report by the Auditor General that the department failed to disclose the fact that a poll it had taken to assess the feelings of bar owners toward the ban on smoking came up with general lack of support. This outcome undercut the official line that bar proprietors were satisfied or even happy with the prohibition, and while the department did not turn down requests for poll results, it apparently never got any requests because no one outside knew a poll had been taken.

Papan's AB 1759 is so far unclear on whether the reports and studies themselves would have to be fully posted. The word used in the bill is "listed," suggesting that a one-line title or thumbnail description might be sufficient. In any event, the bill requires the listings to include not only completed but in-pipeline reports and studies, to be refreshed every 10 days to "list" also completed or updated documents.

A pre-hearing amendment by the author clarifies that the bill would apply to reports and studies prepared by contract consultants as well as agency staff.

Comment: This bill would represent a watershed advance in the California Public Records Act, which up to now has been an information-upon-specific-request law with

no duty on the government's part to alert the public as to what information is available. To make this transition far more useful, however, the bill should require creation of a central Web site to house all state-generated reports and studies, cross-referenced to the originating agency's Web site. Just as it does little good to deem a report accessible to the public if no one knows it exists, it does little good (except for insiders) to require disclosure on each of scores of Web sites if no one knows that they exist.

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BILLS WOULD BROADEN, RESTRICT ACCESS TO HATE CRIME INFORMATION (4/21/00)

Two bills, both having passed their first committee hurdles in Sacramento, would affect public access to information about hate crimes. One would require convicted hate crime felons released from prison to register locally, like sex offenders, in a confidential file. The other would add school hate crimes and incidents to publicly accessible summary reports.

AB 1809 by Assemblyman George Runner (R-Lancaster), a bill to establish a statewide hate crimes database in the Department of Justice, passed the Assembly Public Safety Committee on a 7-0 vote on March 14.

"The lack of a specific hate crimes database makes it difficult for law enforcement to identify potential hate crime offenders or to coordinate statewide efforts against violent hate crimes," Runner said. "A hate crimes database would assist them in combating this type of violent activity."

Runner's measure would require those convicted of serious hate crimes -- or property crimes against religious organizations inflicting more than \$5,000 in damage -- to register as hate crime offenders, upon conviction or release, for ten years. The database would, however, be open only to law enforcement officials.

The Los Angeles County Sheriff's Department, sponsor of the bill, says current hate crime statistics can be unreliable because the methods of reporting crimes often vary from agency to agency and the data have not been collected long enough to indicate any strong trends.

A hate crimes database, it believes, will provide an automated and standardized method of gathering and retrieving hate crime information on a statewide basis to be used as a tool by law enforcement officials to track and reduce "hate activity."

The bill is opposed by the American Civil Liberties Union and the California Public Defenders Association. Despite the committee's unanimous passage vote, the analysis of the bill noted that registries of this sort are traditionally used to keep tabs on felons convicted of crimes with high recidivism rates (e.g. sex and drug offenses, arson). "The Committee has not received any information to confirm whether individuals who

commit hate crimes tend to re-offend at high rates..."

The bill has reached the Assembly Appropriations Committee, and there been placed on the suspense file to await further information on available funding. The same is true for Assemblyman Antonio Villaraigosa's AB 1785, which passed the Public Safety Committee 7-0 on March 2.

This bill would add hate crimes and "hate-motivated incidents" to the list of offenses occurring on campus which schools must now report to district and county superintendents, and the latter must report in aggregate form to the State Department of Education, which must then provide statewide summary reports to government and other groups as well as the legislature. All district, county and statewide aggregate reports are now public records and would remain so under AB 1785.

"Hate crimes," for purposes of the Villaraigosa bill, would include any "act or attempted act against the person or property of another individual or institution which in any way manifest (sic) evidence of hostility toward the victim because of his or her actual or perceived race, religion, disability, gender, nationality, or sexual orientation."

A "hate motivated incident" is much more likely to be a speech act, since it includes using "bigoted insults, taunts or slurs, distributing or posting hate group literature or posters, defacing, removing or destroying posted materials or announcements, posting or circulating demeaning jokes or leaflets."

This bill is co-sponsored by the California School Employees Association (school workers other than teachers, administrators or counselors) and the Anti-Defamation League. The latter, says the bill's analysis, states that for more than 15 years it has been training school officials how to handle and prevent hate crimes, but "the most common complaint at these sessions is fear of being singled out as a problem school by the district if a hate crime is reported." Mandating all schools to report the information should help solve that problem, the ADL believes.

Comment: Is the "hate motivated incident" category biting off more offensiveness than any school can be expected consistently to process? "Retard," "faggot," and the N-word are as casually employed -- often with no serious or literal reference to their target -- among adolescents as other unpleasant names. Is each one to generate a report even if not motivated by discriminatory intent? On the other hand, what about slurs, sneers and other abuses such as those which, as in Columbine High School and elsewhere, occasionally have spectacularly destructive consequences even though not targeted at race, religion, sex or the other targets of traditional bigotry, but instead at a behaviorally defined out-group?

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REVIVED CONTROVERSY IN COURT, CAPITOL ON UNPUBLISHED CASE

LAW (4/21/00)

Anyone walking the stacks among official case reports in any law library might be surprised to learn that the California appellate courts now publish only about seven percent of their opinions. The rest are either deemed not for publication by the issuing courts or later "depublished" by the California Supreme Court. Some say that practice must change.

One is Lou Papan (D-Millbrae), a veteran member of the State Assembly, whose AB 1759 will go to its first hearing Tuesday (April 25) in the Assembly Judiciary Committee. His measure would not expand the scope of official reports and would leave with the courts the discretion they have under the state constitution to decide what cases to publish as mandatory precedent.

But the bill would state, however:

"All final opinions of the Supreme Court, of the courts of appeal, and of the appellate divisions of the superior courts shall be made available for private publication, in full; and shall constitute precedent under the doctrine of stare decisis the same as opinions published in the official reports."

One reporter for the Daily Journal Corporation has speculated that what the bill may eventually provide is for publication on the Internet -- to avoid the pulp-waste arguments of opponents -- and for designating the unpublished works as citable, but not mandatory, precedent -- something like the published case law of another state's court.

The person most identified for the publish-it-all movement, which has its periodic crests and has reached one recently, is Emeryville attorney Michael Schmier, who ran for state attorney general in the last election on the following single plank:

"The California Supreme Court has caused a major defect undermining our legal system. I want it fixed now. Appellate court rulings are no longer published for all to see. Secret rulings do not serve as future guidelines, even in the same court. They enable judges to ignore the law, knowing this injustice is hidden. Corruption and arrogance fester at every level because precedent is destroyed. Feedback to the public, necessary to prevent abuses, is prevented. I will ensure that this and other justice flaws are fixed, not buried. The foundation of law and order is order under law."

Schmier is not alone in his critique, which has its scholarly supporters (see <http://www.schmierforag.com/lawrev.html>). But his chief adversary on this issue may be California Chief Justice Ronald George, who is particularly impatient with the notion that the courts have something to hide.

"The phony business is the issue of secrecy," he told the Daily Journal. "It's unfortunate (the opinions) are denominated published or unpublished, but they're still there in written form."

Schmier, arguing that discretionary publication of appellate opinions ran afoul of the

state constitution, sued for an injunction but lost, with the trial court's denial upheld by the Court of Appeal for the First District in a (published) opinion by Justice Zerne P. Haning in *Schmier v. California Supreme Court*, Case No. A085177 (2/28/2000).

Justice Haning's exasperation with Schmier's basic premise was evident:

"Appellant either misunderstands or ignores the realities of the intermediate appellate process. If appellant's view prevailed, the Court of Appeal would be required to publish all *Wende* opinions. As every criminal lawyer knows, a *Wende* case is one in which appellate counsel in a criminal appeal advises the court that no arguable appellate issues can be found, thereby invoking the obligation of the Court of Appeal to conduct an independent review of the record. A typical *Wende* opinion merely recites that the court's independent review has revealed no arguable issues.

"We have appeals from criminal defendants who enter into plea bargains in which they agree, for example, to accept the midterm as their sentence, and then appeal contending the court abused its discretion by sending them to prison. We also have appeals in criminal cases which challenge the constitutionality of the reasonable doubt instruction, in spite of the fact that every appellate court which has ruled thereon has found it to pass constitutional muster....

"We have appeals in family law cases where the trial court has divided the community assets equally, as it is required to do; but one of the parties nevertheless appeals for reasons having nothing to do with the law or the facts, conceding the equal division, but contending he or she failed to receive one of the assets that party wanted. We have appeals from parties seeking relief based on matters outside the appellate record, which we cannot review. We have appeals from nonlawyers appearing in *propria persona*, filing incomprehensible briefs with no understanding of the rules of appellate review, urging us to reweigh the evidence and reject, for example, the testimony of the six witnesses who said the traffic signal was red rather than green when appellant drove through it and struck the pedestrian in the crosswalk.

"Our typical opinions in such cases add nothing to the body of *stare decisis*, and if published would merely clutter overcrowded library shelves and databases with information utterly useless to anyone other than the actual litigants therein and complicate the search for meaningful precedent. Appellant fails to explain how or why such opinions contribute to the *corpus juris*."

Comment: While, as Justice Haning's litany of dubious appeals demonstrates, the range of substantive and cite-worthy cases any private publisher might be interested in could be a small fraction of the universe, Papan's bill and Schmier's complaint have a point. While the rules for deciding what does and does not merit publication are clear and objective enough, most lawyers know that what ends up in the official reports can be often fairly arbitrary. In CFAC's experience, for example, two appellate districts reached opposite decisions as to the application of the Brown Act to corporations created to manage hospital district facilities. One opinion, holding that such corporations are subject to the Act, was not published. The other to the contrary was.

This practice saves the supreme court from the pressure to resolve conflicting intermediate appellate case law, but does that virtue alone justify it? Two other Brown Act cases from the Second and Fourth Districts have more recently been kept unpublished, both of which would have advanced the definition of that statute. Given the infrequency with which the Brown Act is ever litigated to the court of appeal and the motivator of making new case law which is precisely so often predominant in public interest litigation (money certainly isn't), the present system is not rational in effect and results in far less guidance to the public and the courts than could and should be the case.

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DATA FIRM AGAIN IN COURT FOR ACCESS TO ADDRESSES OF ARRESTEES (4/21/00)

United Reporting Publishing Corp., which last year lost its bid in the U.S. Supreme Court to establish a constitutional right of access to addresses of those arrested, is back at the U.S. Ninth Circuit Court of Appeals with a renewed try. This time the company shifts the emphasis of its argued rights to commercial speech grounds -- and its journalistic role.

In its decision last summer the high court refused to find unconstitutional on its face a provision of the California Public Records Act which affects access to arrest information held by police agencies.

That statute, Government Code Section 6254(f)(3), requires those seeking the home addresses of crime victims or persons arrested to declare under penalty of perjury that the information is sought for a journalistic, scholarly, political, governmental or private investigator's purpose and will not be used, directly or indirectly, to sell a product or service to one or more individuals.

United Reporting, part of whose business it is to sell arrestees' names and addresses in particular to attorneys, alcoholism counselors and others with a service to provide to them, failed to convince the court that the law is unconstitutional on its face as a restriction of pure speech.

But the justices did not address alternate theories for attacking the statute, such as its intrusion into protected commercial speech or its unconstitutional impact on United Reporting as applied by the police. Nor did it consider whether the law might run afoul of California's own constitutional protection for speech.

These are the grounds on which the company now takes the case up again on remand from the supreme court. In its brief filed with the Ninth Circuit, United Reporting contends that that court's earlier decision on commercial speech grounds was correct.

That is, even granted the lower caliber of First Amendment protection for

communications which carry no ideas or esthetic content but simply "propose a commercial transaction," this law accomplishes the ostensible objective of protecting privacy only in such a partial way as to be irrational.

It allows journalists, scholars, politicians, public officials and private detectives to do what they want in publicizing arrested people's identities and home addresses, but "protects" those in legal trouble only from a certain species of junk mail: offers of direct help from those who can provide it.

Nor has the Los Angeles Police Department ever presented evidence, the company notes, either that arrestees complained of receiving solicitations triggered by commercial access to their addresses, or that a simple opt-out system would not suffice to protect those with privacy anxieties.

Another ground for challenge argued is that the company maintains a Web site on which the data are displayed for anyone to see -- as "news." But even while it would qualify for the data as a journalistic enterprise, it dares not swear that others will not use it for the forbidden purposes, and this barrier disables its access for even the permitted purposes.

Finally, United Reporting asks the court to find that California's own constitutional protection for speech -- held in several cases to be more ample than the First Amendment -- renders the statute invalid.

Meanwhile, the company continues to seek financial support to wage the battle on two fronts: an estimated \$70,000 war chest for litigation and a separate \$25,000 fund for seeking a legislative remedy should it become necessary.

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CITY SAYS IT'S HEADED TO SUPREME COURT TO AVOID ATTORNEY'S FEES (4/14/00)

The City of Richmond, battling a public records quest by the San Francisco Bay Guardian for the past seven years, spent the first three losing its attempt to keep all police records away from the newspaper, and the last four losing its attempt to duck paying the paper's attorney fees. It now vows to fight the fees to the last taxpayer dollar.

It has announced, that is, that having lost on the fee issue repeatedly in the California First Appellate District, it will now seek review from the California Supreme Court.

The issue is not the city's duty to pay any fees at all claimed by attorneys with the Oakland-based First Amendment Project, who represented the Bay Guardian. That was the city's original position, but the court of appeal has made it clear that in being entitled to some records, the newspaper had sufficiently "prevailed" as a plaintiff.

The issue now is whether an attorney fee bonus, in effect, should be added to the claimed hourly fees, in order to reflect the complexity of the case and how hard the city resisted yielding any information.

This "lodestar" approach allows a multiplier add-on to encourage law firms to develop the special background needed to wage complex public records cases for citizens and media effectively. In this instance the court of appeal, in the most recent of three times it has addressed this case, approved a trial court calculus giving the First Amendment lawyers 1.5 times their claimed fees, for a lodestar total of \$167,864. That amount, they predict, will swell closer to \$200,000 when their latest fees spent to protect their earlier fees are turned in.

The Bay Guardian in 1993 sued Richmond to get records bearing on excessive force and racially-based abuse complaints against the police department. It did not get nearly all of what it sought -- the First District ruled that most of the information was confidential under the Penal Code protection for peace officer personnel files. But the court left some leeway concerning certain information, and in a settlement the city provided copies of 500 pages.

Then the project attorneys claimed their fees, and the city has been fighting to avoid them ever since: initially on the basis that the newspaper never "prevailed" and more recently on the lodestar multiplier.

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UKIAH BUSINESSMAN WINS BACKDOWN FROM COUNTY ON ACCESS FORM (4/14/00)

When a Ukiah building contractor wanted to see records that might show why a consultant's 180-day assignment to design road development standards was still apparently unfinished two years after the contract award, the county said he'd have to swear in writing he would not sue. He refused and got a lawyer instead, and it worked.

Lee Howard, a CFAC Associate member and a leader in keeping the Mendocino County business community aware of its public information rights, was told by the county department of transportation that records on the road development standards contract would be available to him only if he certified in writing that he would not use the information in litigation against the county.

Howard contacted attorney Neil Shapiro of the San Francisco law firm of Landels, Ripley and Diamond, who sent County Counsel H. Peter Klein a tough letter. "Mr. Howard is not obligated to make any such certification, the County's refusal to grant him access to the records he requested is without legal justification, and unless access

is made available to him forthwith, the County can expect litigation," Shapiro wrote.

A day after getting the letter, Klein memoed the transportation director, informing her that the new records request form was "too restrictive in requiring a requester's certification," and acknowledging that the California Public Records Act's pending litigation exemption, which supposedly was the basis for insisting on the promise not to use the records in a lawsuit, is "limited to documents specifically prepared for...or where the dominant purpose behind preparation of the document was (to be) used in litigation." He directed that Howard be given access without certification as soon as possible.

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PASADENA PARENT WINS DATA BASIS FOR "SIMILAR SCHOOLS" RATINGS (4/14/00)

When State Superintendent of Public Instruction Delaine Eastin acknowledged that the "similar schools" sector of the recently published statewide school performance rankings would need a little work, Pasadena school watchdog Rene Amy wanted to know why. He asked for the underlying data, was told "No," filed suit, and now has been given the data.

Two weeks before the April 21 date set for a court hearing in Amy's California Public Records Act suit against Eastin and the State Department of Education, late last week Deputy General Counsel Michael Hersher said the information on which schools were assigned to "similar" socioeconomic ranking groups would be forthcoming after all. But because no actual list of names had ever been scanned by human eyes in the department, Amy would have to analyze and derive that information himself -- all 7,000 schools worth. This he plans to do, and put the results on the Internet, he says.

Amy, an Associate member of CFAC who not long ago lost a runoff election for a seat on the Pasadena Unified School District Board, more recently won a federal court lawsuit against the district, ending race- and gender-based school admissions policies. As for Eastin, Amy remarks on the irony that it was he who two years ago organized the only public debate in the Los Angeles area between her and her challenger for the top schools post, Gloria Matta Tuchman.

Amy decided to sue for the "similar schools data" when questions were raised, as he says, as to "just what makes these schools 'similar?'" How the clusters of supposedly comparable schools, used as a more real-world measure of status than the brute top-to-bottom decile rankings on the Academic Performance Index, were derived was an item of curiosity not only to Amy, but to at least two newspapers whose own public records requests were similarly turned down: the Contra Costa Times in Walnut Creek and the North County Times in San Diego County.

The Eastin and the department took the position that releasing the data basis for the flawed information, which the state was in the process of correcting for release April 27, would cause the public harm, and that on that account the public interest in non-disclosure outweighed the public interest in disclosure.

But in his announcement to Amy's attorney, Kevin Snyder, Deputy General Counsel Hersher said, "We never actually produced the 100-school lists (in each of the 68 "similar school" clusters) in hard copy or in a computerized report that could be read or printed as a list. OPE (the department's Office of Policy and Evaluation) was planning to develop software (to produce school-identifying lists). But when the error factor cropped up, it became a moot issue."

On publication of the original API, many parents and others questioned the rationale for grouping certain schools with others as "similar" in some relevant manner. The department soon admitted its analysis was flawed and called on districts to re-submit their socioeconomic data.

Attorney Snyder, based in Springfield, Missouri, represented Amy in the federal court suit on discriminatory school admissions. He took this case without charge to Amy, but will be seeking attorney's fees from the state.

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SHELLEY BILL'S "REVERSE BALANCING TEST" SPARKS FLAT OPPOSITION (4/14/00)

Turning the tables on public agencies' ability to find an overriding public interest in keeping a normally public record secret has brought flat opposition from many of those agencies, as well as some private sector interests. Accordingly, Assembly Member Kevin Shelley's AB 2799 was not heard as scheduled on April 10, but is re-set for April 24.

The bill would require public agencies to provide copies of computerized records in whatever format was both used by the agency and specified by the requester. It would also reaffirm that agencies may not use provisions in the California Public Records Act solely to delay disclosure.

But its clearly most controversial provision is its proposed reverse or reciprocal public interest balancing. Currently public agencies may cite the overriding public interest as a basis for not releasing a record even though its information is not covered in any specific exemption from disclosure.

AB 2799, rather than repealing that provision, would add a reciprocal rule authorizing

a court to order disclosure of a record ordinarily up to the agency's discretion to release or not, if the public interest would be better served by disclosure.

A court could decide, for example, that under given circumstances the public interest in knowing the information would be high enough, and the injury to any public or private interest unlikely enough, that a pre-decisional draft, a document exchanged between the government and some entity it was suing, a public executive's performance evaluation or the record of a long-closed criminal investigation should be available for public scrutiny.

But late last week, only days before its scheduled April 10 hearing in the Assembly Governmental Organization Committee, the bill began drawing fire from two distinct but complementary interest groups.

Local public agencies, represented by the League of California Cities, the California State Association of Counties, the California Association of Sanitation Agencies, the California State Sheriffs' Association and Gary Penrod, Sheriff of San Bernardino County, displayed general dismay at the notion that an agency's discretion to withhold a record might be second-guessed by a court in given circumstances.

But a second tier of opposition, represented by the Personal Insurance Federation of California and the Association of California Insurance Companies, was worried not about government files per se but rather the private commercial -- proprietary -- information submitted to the government for regulatory purposes, in this case especially by life and other insurers.

At a meeting yesterday, April 13 in the offices of the California Newspaper Publishers Association, lobbyists for these and other opponents gathered to assure CNPA and Shelley's staff that they would accept no compromise on the balancing test provision. Most took the position that public agencies do not have discretionary exemptions -- that all exemptions from the public records law are in fact flat prohibitions against disclosure.

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SHER BILL ON ATTORNEY GENERAL REVIEW GOES ON "SUSPENSE" FILE (4/14/00)

The Senate Appropriations Committee sent Senator Byron Sher's SB 2027 to its "suspense" file Monday, April 10 because of its estimated cost. The measure, which would authorize the attorney general's office to review decisions by local and some state agencies denying access to government records, will probably be voted on late in May.

The committee's suspense file is where bills likely to cost the state more than \$150,000 get parked until the state's revenue picture becomes clearer, particularly regarding new programs. This bill's nearly identical predecessor, SB 48, went on the suspense file at about the same time in 1999 before being approved by the committee.

SB 48 was vetoed because of Governor Gray Davis' objection to what he called a conflict of interest. The attorney general's office advises most executive branch agencies on the law and represents them in litigation, including suits brought under the California Public Records Act.

Having the same office issuing public opinions potentially disagreeing with a state agency's withholding of a public record would be an undesirable situation, even if, as SB 48 provided, the attorneys reviewing the denials would be insulated from those providing the advice and representation.

Sher's' approach in SB 2027 is therefore to provide that the attorney general review process would not be available for any state agency advised or represented by the attorney general -- which means most of them. But local agency denials would all be reviewed.

The bill would also, like SB 48, permit a judge to penalize a public agency found to have not only incorrectly but willfully withheld or delayed access to a public record. The fine of up to \$100 for every day of such bad faith conduct would be awarded to the requester, in addition to court costs and attorney fees.

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TWO KEY PUBLIC RECORDS ACT BILLS FACE COMMITTEE ACTION MONDAY (4/7/00)

Two measures that would make significant improvements in the effectiveness of the California Public Records Act will be up for hearing in separate Capitol committees on Monday, April 10. One would allow courts to order release of some normally closed records, and the other would allow attorney general review of records access denials.

The first bill, AB 2799 by Assemblyman Kevin Shelley (D-San Francisco), is to get its first policy hearing in the Assembly Committee on Governmental Organization. The measure would authorize courts to order release of records governed by a discretionary exemption - where the public agency possessing them has a choice to release the material but opts to withhold it.

Just as a current provision of the California Public Records Act allows an agency to deny access to normally public files on the basis that under the circumstances the public interest in secrecy outweighs the public interest in disclosure, a court could decide that normally exempt files should be opened in the public interest. This rule would not affect records whose disclosure is flatly prohibited.

The public interest balancing provision might mean, for example, that a city council's scoring sheets used to evaluate the performance of a city manager could be ordered released, where surrounding circumstances - say an extraordinary pay increase out of line with comparable compensation standards - raised significant public concern. Or law enforcement investigative files concerning a closed case might be deemed of overriding public concern if other circumstances raised questions of a miscarriage of justice or prosecutorial mishandling.

The bill would also require agencies to provide access to electronic data in the form designated by the requester, if the agency maintains or uses the data in that form. Current law, adopted in 1968, allows the agency to decide in which form it will release computerized information. On the same day, SB 2027 by Sen. Byron Sher (D-Palo Alto) goes to the Senate Appropriations Committee, after having been passed by the Senate Judiciary Committee 6-0 in late March.

SB 2027, a retooled version of the senator's vetoed SB 48 of last year, would create attorney general review of public agencies' denial of public records, and would also allow courts to penalize public agencies which had withheld records in bad faith by a fine of up to \$100 for each day of such misconduct.

Gov. Gray Davis vetoed SB 48 because he did not want the attorney general, whose lawyers normally advise and represent state executive branch agencies in public records disputes, in the position of possibly ruling against such agencies' denials. The new Sher bill attempts to satisfy that objection by exempting from attorney general review any agency normally represented by that office.

Under this legislation the attorney general's review opinions, due in 20 to 40 days after

being requested, would not be binding on agencies but would provide both sides with guidance on the soundness of the denial.

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MAYOR WILLIE BROWN BACKS OFF RECORDS DESTRUCTION PRACTICES (4/7/00)

In a response to both journalistic pressure and threatened litigation by the San Francisco Bay Guardian, supported by the California First Amendment Coalition, Mayor Willie Brown's administration has agreed to abandon its practice of destroying appointment calendars in as little as 15 days after creation - but instead save them for two years.

In conducting research for its annual Freedom of Information issue in March, the Bay Guardian discovered that the mayor was destroying his appointment calendars after 15 days, and Department of Public Works Director Mark Primeau was destroying his after 30 days.

The paper called for the destruction to stop and threatened legal action, citing San Francisco's Sunshine Ordinance, in a letter from its attorney, Thomas R. Burke of Davis Wright Tremaine.

Proposition G, approved by San Francisco's voters in November to expand the city's Sunshine Ordinance, requires that appointment calendars be maintained as "public records." State law requires that public records be maintained for at least two years.

Burke received word on April 4 from Deputy City Attorney Jackie Minor that Mayor Brown and each of the department heads in San Francisco will retain their appointment calendars for a minimum of two years.

San Franciscans have had a Sunshine Ordinance since 1993, but passage of Proposition

G, on a 58 to 42 percent vote margin, extended that law to open up official meetings and records more than in any other community in California, and probably more than in any other community in the nation, according to Terry Francke, general counsel for CFAC and co-drafter of the proposition.

COMMENT: This is the first known time that a mayor's appointment calendar has been made public since *Times Mirror v. Superior Court*, a decision of the California Supreme Court of 1990, when the Los Angeles Times unsuccessfully sought access to Governor George Deukmejian's appointment calendars. The different result in San Francisco stems from Proposition G, which in reaction to the Times case specifically requires that officials' appointment calendars be considered public records and prevents the city from invoking the deliberative process privilege - the underlying legal rationale for such secrecy - in any context.

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A.G. REVIEW OF RECORDS DENIALS ROCKETES THROUGH FIRST HEARING (3/31/00)

A bill that would have the attorney general reviewing denials of access to public records, and that also would allow judges to punish bad-faith denials with a fine, went out of its first committee hearing on Tuesday, March 28 on a 6-0 vote with no testimony requested. The measure is a retooling of last year's SB 48, vetoed by Governor Gray Davis.

Author Byron Sher (D-Palo Alto) explained to the committee that the new SB 2027 attempted to accommodate the governor's objection concerning conflict of interest - that the original bill might have resulted in the attorney general reviewing denial of a record by a state agency normally represented by the attorney general.

The approach taken in SB 2027, Senator Sher noted, was that a state agency which relied on the attorney general for advice or defense in public records access matters would not have its decisions subject to review by that office.

There were no opposition witnesses, and without asking for supportive testimony, the committee moved and voted the bill out. The six Aye votes were Senators John Burton (D-San Francisco), Martha Escutia (D-Montebello), Jack O'Connell (D-San Luis Obispo), Sher, Cathie Wright (R-Simi Valley), and Committee Chair Adam Schiff (D-Burbank).

Recorded as absent, abstaining or not voting were Senators Ray Haynes (R-Riverside), Bill Morrow (R-Oceanside) and Steve Peace (D-El Cajon). The bill now moves to the Senate Appropriations Committee, with no hearing date set.

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COURT: INTERNET POSTING OF DOCTORS' ADDRESS OF RECORD ALLOWED (3/24/00)

The California Medical Board's requirement that licensed doctors provide the board with a mailing "address of record" for official purposes, and the board's practice of posting those addresses on the Internet, does not invade the doctors' privacy or other rights, because the Board allows the option of listing a post office box instead of a street address.

So ruled the California Court of Appeal for the First District in its opinion filed February 18 in Lorig v. Medical Board of California, Case No. A086261.

The "address of record" is used for official board mailings to the doctor, as well as to inform the public as to how he or she can be reached. Until recently, for example, it was provided to those inquiring by phone to the board's Sacramento office - former patients and others with a need to contact the physician but lacking a current address.

In July of 1997 the board announced it would begin listing the same information on its

Internet web site, to allow round-the-clock access. Doctors were given until September if they wished to supply an alternate address of record for this purpose. They had the choice of listing the street address of their workplace or home, or a post office box, in which case their street addresses would be kept confidential.

Drs. Milton Lorig and Michael Burton, licensed by the board to practice in California and also apparently state or local agency employees, filed suit challenging the Internet posting. They argued that the practice violated the California Public Records Act, under which state employees' home addresses are confidential and information of a private nature generally is also exempt from disclosure. They also cited the Information Practices Act, which bars state agencies from releasing personal information about individuals without their consent.

But the trial court denied their motion for summary judgment, and instead granted summary judgment to the defendant board, concluding that the required address of record was an item of public information, such that disclosure violated no one's rights.

The court of appeal agreed, noting that the board did not compel submission of a street address if a doctor preferred using a post office box. It noted, in the words of Justice Sepulveda, that making the contact information public serves several "compelling" public purposes:

"It enables patients to locate medical records maintained by their former physicians. It establishes a certain and reliable location for effecting service of process on the licensee... It also helps to more accurately identify a particular physician (e.g., where two or more physicians share the same name) about whom a prospective or former patient may wish to inquire (e.g., to locate medical records, or to find out about a record of discipline or malpractice judgments for a given physician)."

On the other hand, the estimated cost of \$40 for an annual box rental was a modest outlay, the court believed, imposed only on those who preferred not to list a street address.

"When appellants' complaint is thus boiled down to its essence, it becomes clear that they are simply objecting to an economic burden (and a certain amount of personal inconvenience) that will result from the Board's policy with respect to posting licensees' address information on its Web site. In that regard, the Board has effectively forestalled the use of a home address for that purpose, and required each physician to maintain either a business address or a post office box for that purpose. However, this approach is neither unlawful nor arbitrary but, rather, a reasonable accommodation of the physicians' legitimate concerns about privacy and personal safety, the public interest in access to 'information relating to the conduct of the public' s business' ... and the Board's obligations with respect to disclosure of public information and the regulation of the practice of medicine."

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FIRST HEARING TUESDAY ON SHER'S NEW BILL ON DENIAL REVIEW BY A. G. (3/24/00)

Senator Byron Sher's SB 2027, a second attempt at getting authority for the attorney general to review denials of access to information under the California Public Records Act, goes to its first hearing Tuesday, March 28 in the Senate Judiciary Committee. The new measure attempts to overcome Governor Gray Davis's concerns with conflict of interest.

As used by the governor in his veto message on Sher's 1999 bill, SB 48, conflict of interest refers to the prospect of having a state agency - even the governor's office - that is normally represented by the attorney general suddenly viewed as in violation of the California Public Records Act as a result of the attorney general's denial review process.

SB 48 was intended to give those denied access to records by state and local agencies a measure of relief via a non-binding "second opinion" from the attorney general. It also would have authorized courts to award requesters a monetary penalty to be paid by agencies that deliberately stalled or denied access to records they should have known were open to the public.

But the governor did not want the attorney general reviewing denials of access by most state agencies, which now use the attorney general for advice and defense if they deny access to records. SB 48 tried to overcome that problem by simply declaring that there would be no conflict, since the lawyers involved in the review process would never be in the position of advising an agency on compliance. That was not good enough for the governor, who vetoed SB 48 last fall.

The approach in SB 2027, introduced on February 25, is to provide that attorney general review of records access denials will apply only to those state agencies that rely on their own counsel and not the attorney general for advice on whether to release a record.

For example, state agencies that have their own legal counsel include the University of California, California State University, Department of Transportation, Division of Labor Standards Enforcement of the Department of Industrial Relations, Workers' Compensation Appeals Board, Public Utilities Commission, State Compensation Insurance Fund, Inheritance Tax Department of the Secretary of State, State Lands Commission, Alcoholic Beverage Control Appeals Board and State Department of Education.

The bill's provision on this point states:

"Representation of a state agency by the Attorney General involving advice that a request for inspection or copies of public records be denied, in whole or in part, may provide a basis for that agency to claim an attorney-client relationship that would preclude the Attorney General from providing an opinion under this section. "

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FEDERAL JUDGES APPROVE INTERNET POSTING OF THEIR FINANCIAL DATA (3/17/00)

Administrators of the federal court system this week abandoned their announced disposition to bar access to statements of judges' financial interests to anyone planning

to post them on the Internet. The about face, yielding to the request of APBnews.com, was clearly influenced by a message from the Chief Justice of the United States.

The announcement Tuesday, March 14 culminated a three-month impasse between APB and senior judges sitting on the Financial Disclosure Committee of the Administrative Office of the U.S. Courts, which led the online company to sue on First Amendment grounds. APB says it will stay in court to challenge other practices, such as forcing news organizations to pay for public documents.

Meanwhile APB employees are preparing to scan onto their Web site (<http://www.APBnews.com>) more than 12,500 pages of financial disclosure records for every active and semiretired federal judge.

Chief Judge Ralph Winter Jr. of the 2nd Circuit Court of Appeals in New York said the judges on the Judicial Conference voted 16-8 to release of the reports, which require a listing of gifts, free travel, investments and loans for each officeholder and immediate family members, but not residential addresses, Social Security numbers, account numbers or names of family members.

Federal law makes the information a public record unless a temporary access cutoff is justified by security concerns.

In his memo, Justice Rehnquist told the Financial Disclosure Committee it did not have the authority to block APB's request for documents.

"There are a large number of judges who feel strongly about security issues raised by financial disclosure," he wrote. "But I also note that although Judicial Conference Committees fulfill a number of roles for the conference, they generally are not rule-making or policy-making bodies."

While acknowledging that the public records statute allows for judges to edit information from disclosure forms because of security risks, Rehnquist noted that it was not an excuse to withhold the reports entirely.

"It is to be expected that closer public scrutiny will be applied when judges decide issues affecting judges," he said. "We have already seen evidence of this in editorial commentary, and I suspect it will increase. Moreover, the fact that officials from the Executive and Legislative branches must also file disclosure reports makes the committee's position more difficult to defend."

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POLITICAL WATCHDOG UNIT'S NEW DIRECTOR HAS NEWS BACKGROUND (3/17/00)

California's Fair Political Practices Commission (FPPC), which tracks campaign contributions and spending and monitors lobbying expenditure and public officials' conflicts of interest, has named Wayne Strumpfer its new executive director, replacing veteran Robert Tribe, according to a March 7 report on the online legal news site law.com.

The site reports that "Strumpfer, 36, is a former radio news reporter and television production engineer who has been a prosecutor in the state attorney general's criminal law division since 1995, specializing in public-official corruption cases." The latter have involved police chiefs, judges, state office holders and other elected officials.

FPPC Chairwoman Karen Getman, in announcing the shift, "stressed Strumpfer's role in moving the FPPC in new directions she has sketched out for the agency: speedier prosecution of violations of the Political Reform Act and greater efforts to educate the public and politicians about the FPPC's mandate," noted law.com.

A deputy district attorney for Sacramento County from 1992-1995, Strumpfer worked

at a Santa Rosa radio station and a Sacramento television station before graduating from McGeorge School of Law in 1992. He will assume his FPPC duties later this month.

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BILL WOULD TURN TABLES ON PUBLIC RECORDS "CATCHALL" EXEMPTION (3/10/00)

Legislation introduced February 28 by Assemblyman Kevin Shelley (D-San Francisco) would add an equalizer to the California Public Records Act's rule that now allows withholding of otherwise public records based on the net public interest. Under AB 2799, a court could cite the public interest to order release of ordinarily exempt records.

Government Code Section 6255 now provides that even if a given record is not exempt from disclosure under any particular section in the public records law or elsewhere, a government agency may justify refusing to release it on the basis that "on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record."

This provision, often referred to as a "catchall" or the public records law's "balancing test," is also not uncommonly used by public agencies as a wild card, either as the only rule advanced for not disclosing a record or as an add-on to other exemptions cited as justification for withholding.

While appellate courts have generally been careful not to let agencies use Section 6255 as a facile escape from disclosure, the reality is that once an agency lays that card down, a requester has no option but to sue in order to see if it will trump. In some cases the agency will simply cite the section without even stating what it believes to be the public interest in nondisclosure.

AB 2799 would leave that provision in place but add to it a counterweight, permitting ad hoc suspension of secrecy in the public interest:

"Notwithstanding any provision of this chapter, an agency, or the superior court in any action brought (to enforce disclosure under the Public Records Act), may disclose or order to be disclosed any record made exempt by express provisions of this chapter if, on the facts of the particular case, the public interest served by disclosing the record clearly outweighs the public interest served by not disclosing the record."

As stated, this provision would not allow disclosure of records whose disclosure is prohibited by statutes outside the Public Records Act, such as income tax return information, medical history, pupil achievement or discipline records, or peace officer personnel files.

But it might allow a court, for example, to decide that the public interest in disclosure outweighed the discretionary confidentiality of police investigative records, where neither privacy nor criminal justice interests would be threatened, or of "records pertaining to pending litigation" while the case was still pending, if it was clear that the information was already known to (or originated with) the party opposing the government agency.

AB 2799 would also restore language to the act expressly disapproving efforts to "delay" release of public information. That word was deleted in amendments effective two years ago, substituted for by the word "obstruct," which would remain in place under the bill. The California Newspaper Publishers Association, sponsor of the measure, has concluded that the effect of removing "delay" has been, in too many cases, the argument that delay is no longer considered objectionable.

But the bill's other major provision is to incorporate entirely the text of Sen. Debra Bowen's SB 1065, vetoed last fall by Gov. Gray Davis. That measure would have required public agencies to make available electronic public records in whatever format they themselves used, if so requested. Davis said he vetoed the measure because Bowen (D-Redondo Beach) had failed to take his suggestion to delay the bill's effective date until state computer systems were proven to be Y2K compliant.

Shelley, Assembly majority leader, was author of the San Francisco Sunshine

Ordinance while serving on the board of supervisors in 1995. Last year he successfully carried a bill to restore a court's power to declare that a state agency had violated the open meeting law, after the state supreme court ruled that such declaratory judgments could not be issued regarding past violations.

That bill, AB 1234, also requires that beginning no later than July 1 of 2001, state agencies must post meeting agendas and notices on the Internet.

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NET ACCESS "HAVE-NOTS" THE SUBJECT OF NEW BOWEN LEGISLATION (3/10/00)

Sen. Debra Bowen has introduced a bill expressing the intent of the legislature "to enact legislation to require that computer terminals installed in state offices be available to the public for Internet access." Her staff indicates SB 1757 is a spot bill awaiting more or different specifics on solutions to the needs of the state's "information have-nots."

An entire public/private sector movement has arisen in recent years to address various aspects of the "digital divide" between families who have home computers and Internet connections and those who do not, because of poverty, geographical isolation or both (see, for example, the joint project of the Benton Foundation and the Urban League shown at <http://www.digitaldividenetwork.org>).

A parallel concern is the gap between those getting the training, education and incentives to enter computer- or Internet-related jobs and those who are not.

A study published two years ago found a racial divide as well, in that among families with incomes of less than \$40,000 per year, whites were twice as likely as blacks to own a home computer.

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BILL WOULD MAKE COPS' PERSONNEL FILES UNAVAILABLE IN LAWSUITS (3/10/00)

Legislation sponsored by the Peace Officers Research Association of California (PORAC) would eliminate discovery in civil lawsuits of citizen complaints and other information from the personnel files of police and other peace officers. The bill, by Assemblyman Dennis Cardoza, also further restricts discovery of such material by or for criminal defendants.

Currently, peace officer personnel files, including but not limited to citizen complaints and internal affairs inquiries, are confidential pursuant to Penal Code Section 832.7, which states that their contents "shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code."

Evidence Code Section 1043 sets forth the special procedures required for obtaining such information in discovery in "any case." The Merced Democrat's AB 2559 would make the procedures available only in discovery by a criminal defendant or defense attorney -by omission, leaving no authorized procedure for discovery in a civil case.

Also under the bill, when information from an officer's file was sought by a prosecutor in order to fulfill the state's duty to disclose to defendants information that would tend to clear them, the employing law enforcement agency would need to cooperate in disclosing only administratively "sustained" (confirmed) allegations of unlawful conduct by the peace officer on duty. Moreover, it would not permit disclosure of complaints sustained only on the basis of the officer's admission under coercion - which could mean any threat, from firing to a verbal reprimand.

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PASADENA ACTIVIST SUING TO GET DATA USED IN SCHOOL RANKINGS (3/3/00)

Rene Amy, a Pasadena parent, information access fighter and recent unsuccessful

candidate for the school board, filed suit March 2 to force State Superintendent Delaine Eastin to release data showing how "similar school" clusters were set up for the Academic Performance Index. The API ranks schools in 10 groupings, from best to worst.

Amy's lawsuit, contending that the data are public under the California Public Records Act, pursues information also sought by at least two daily newspapers, but to no avail. The Contra Costa Times in Walnut Creek and the North County Times in Oceanside both sought the information from Eastin's office, but were rebuffed by identical letters contending that the information is exempt from disclosure.

Key to Eastin's position is Government Code Section 6255, which allows withholding of information if the public has a greater interest in non-disclosure than in disclosure. That applies here, say Eastin's attorneys, because "the harm of further publication of erroneous data outweighs the public benefit in seeing how the errors were made. "

Amy notes that Eastin and the Department of Education have conceded that the "similar schools" component of the API released January 25, supposedly as a more meaningful comparison between schools with similar advantages or disadvantages, is "replete with errors."

"Many schools," Amy says, "including Pasadena, have tried to buoy dismal showings in their overall rankings with relatively high scores (among) 'similar schools'... Just what makes schools 'similar?'" Clearly the public has the right to know."

Amy, among other things an Associate member of the California First Amendment Coalition, is the Pasadena Unified School District's most energetic watchdog. He won two court battles with the district in the past year, including a federal case concluded only recently which eliminated race- and sex-based admissions to schools, and a suit to enforce the right of parents or others under the Education Code to have an issue of their choosing placed on the agenda of a school board meeting.

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SHER HAS NEW BILL TO PROVIDE A.G. REVIEW OF RECORDS DENIALS (3/3/00)

Senator Byron Sher (D-Palo Alto) has introduced a slightly retooled version of last session's vetoed SB 48, which would involve the attorney general's office in reviewing and opining on public agencies' denial of access to public records. The new bill, SB 2027, attempts to overcome Governor Gray Davis's concerns with conflict of interest.

As applied here, that phrase refers to the prospect of having a state agency -- even the governor's office -- that is normally represented by the attorney general suddenly viewed as in violation of the California Public Records Act as a result of the attorney general's denial review process.

SB 48 tried to overcome that problem by simply declaring that there would be no conflict, since the lawyers involved in the review process would never be in the position of advising an agency on compliance. That was not good enough for the governor, who vetoed the bill last fall.

The approach in SB 2027, introduced on February 25, is to provide in effect that attorney general review of records access denials will apply only to those state agencies (the University of California, for example) that rely on their own counsel and not the attorney general for advice on whether to release a record.

The bill's provision on this point states:

"Representation of a state agency by the Attorney General involving advice that a request for inspection or copies of public records be denied, in whole or in part, may provide a basis for that agency to claim an attorney-client relationship that would preclude the Attorney General from providing an opinion under this section. "

Whether that language satisfies the governor's concern remains to be seen. Other than the shift in language to address this issue, the bill is a clone of the final version of SB 48, which passed both houses with essentially unanimous bipartisan support last year.

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THAT HIDDEN 15 MINUTES: EXECUTION WITNESSING CASE GOES TO TRIAL (2/25/00)

Current and former wardens of San Quentin prison told a federal judge recently that the 15 to 20 minutes it now takes to get a condemned inmate into the death chamber and hooked up to the lethal injection shunt risks that members of the officiating "death team" will be recognized by witnesses, identified publicly, and exposed to retaliation.

That testimony marked the first day of trial in California First Amendment Coalition v. Calderon, in which the Northern California Chapter of the Society of Professional Journalists is a co-plaintiff. Attorneys affiliated with the ACLU of Northern California are providing legal representation.

The key issue to be settled in U.S. District Judge Vaughn Walker's court is whether the draping of the death chamber during the active process of the execution -- with official witnesses left to see only the inert inmate strapped to the gurney and receiving the deadly chemicals -- is or is not an "exaggerated response" to prison security concerns.

The problem developed after the state began using lethal injection for capital punishment in 1996, and witnesses discovered they had no clue as to the final gestures, words or demeanor of the condemned person, but were left instead to view a static corpse in the making. Unless the process is fully shown, argue the plaintiffs, the safeguard of independent execution witnesses is meaningless and concerns as to possible cruel and unusual punishment issues are left unanswered.

Former Warden Arthur Calderon testified in the non-jury trial that the concealment

policy was never intended to influence the media, but only to preserve security. Protecting the volunteer death team's anonymity by having members wear surgical masks and gowns would not be suitable, he said, because if the prisoner struggled the masks could be ripped off. The condemned is now ushered into the death chamber bracketed between four correctional officers, with his hands shackled to his waist.

But Calderon also conceded that there had never been a struggle at the last moment, that no one had identified members of the death team during the gas chamber era, and that even during the one full exposure that witnesses got in a May 1996 execution -- while an order by Judge Walker kept the entire process visible -- there had been no security problems.

Appearing as witnesses for the plaintiffs on Wednesday were Jason Beaubien, a former reporter for KQED-FM in San Francisco who saw one execution with the concealment procedure and another without it, and Dr. Lonny Jay Shavelson, an emergency room doctor testifying on the use of surgical masks and garb.

Shavelson actually modeled the garb in court, and Beaubien testified that he could see little of the identifying detail that he had seen during the second execution when the procedures were open and the guards were exposed.

Judge Walker directed the parties' attorneys to file post-trial briefs and appear for final argument on March 6. He is aware that the next scheduled execution is set for March 15.

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CITIZEN'S COURT WIN WILL OPEN CLAREMONT'S SEALED SETTLEMENT (2/25/00)

The city manager of Claremont this morning (February 25) finally instructed the city's joint powers insurance agency (JPIA) to release to Richard McKee -- and thereby the public -- the full terms of a 1998 settlement in a civil lawsuit alleging excessive force by a police officer. McKee, a citizen activist, was represented by an attorney member

of CFAC.

The weekly Claremont Courier originally queried the city last year as to how much was paid to make the litigation by another local activist, Eli Mellor, go away. The city said any such disclosure was barred by an order of the federal magistrate presiding in the pretrial phase of the case. The matter was handled for the city by its JPIA, whose attorneys said the gag had been forced on the parties over the city's objections. The city council took up the question of whether it should ask that the settlement be opened, but decided against doing so.

The Courier eventually used city disbursement records as a basis for estimating the dollar amount of the settlement, but McKee then made his own demand. One of the first generation of winners of CFAC's Beacon Award for extraordinary commitment in taking on a Brown Act lawsuit in 1995, representing himself, McKee is a chemistry professor at Pasadena City College. Since then, in another Brown Act case, he got a court to declare that meetings of a college committee assigned to review eligibility for sabbatical leave must be open and public.

McKee reported his progress in the Claremont settlement case to the CFAC board of directors last fall. That group agreed to pay the travel and other non-fee expenses of an experienced public records attorney to help McKee; Judy Alexander, a member of CFAC's legal review committee, agreed to take the case.

Los Angeles Superior Court Judge David P. Yaffe two weeks ago ruled for McKee, noting that under the California Public Records Act and the Brown Act, records of settlements entered into by state and local government agencies become public once they are final. Yaffe saw nothing in the minuted order of Federal Magistrate Robert Block which would prevent either of the parties from disclosing the record. The order -- which the city and its JPIA treated as a total ban -- simply meant that settlement documents in the court's own file would not be made public without the parties' consent.

Yaffe ordered disclosure but stayed the ruling for 10 days, allowing the city to query Block as to what his meaning had been. Earlier this week the city, McKee and Judge Yaffe got letters from Block which said in part:

"The parties' agreement regarding confidentiality was an agreement between them and not the subject of any court order. Thus, the court merely was respecting the parties' agreement regarding confidentiality when it ordered that part of the record sealed. The court never ordered the parties not to discuss the terms of the settlement (publicly or otherwise), and never ordered the parties not to disclose the terms of the settlement in response to a duly served subpoena or court order."

Despite this letter, city representatives simply increased the tap dancing tempo. The Claremont Our Times edition of the Los Angeles Times was told that attorneys for the city would listen to the tape of the court hearing to be sure that Block had not in fact ordered the parties mute, because their recollection differed from his and they were concerned with being held in contempt by Block, or sued by plaintiff Mellor. But Mellor's attorney, according to Our Times, said that the confidentiality agreement was the city's idea all along, and offered to waive it in a letter sent to the city last summer.

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Un-American Activities Files: Here's What The Order Made Public (1/28/00)

Because CFAC is sometimes asked what information was made public by the November 1999 court order which it obtained to open legislative hearing files on "Un-American Activities," a list of the content, taken from Secretary of State Bill Jones' web site (http://www.ss.ca.gov/archives/level3_suac.html), is available in a special edition of FLASH, also being sent today.

Summary of Public Hearing Transcripts, 1941-1958. The following transcripts of public hearings of the Joint and Senate Fact-Finding Committee on Un-American Activities are on file in Boxes 29-34 of the committee records. The public hearings were conducted at various locations in California between 1941 and 1958. The committee records are stored in the California State Archives. Photocopies of hearing transcripts are available at a cost of \$0.25/page; contact the State Archives for additional information. Skipped volume numbers usually signify transcripts of closed executive sessions.

Box 29, Volume 1: Secretary of Communist Party for Los Angeles County and others questioned about formation and goals of party in California, Young Communist League, Trotskyites, Communist Party membership in labor unions. July 28, 29, 30, 31 and Aug. 1, 1941. State Building, Los Angeles. (335 pages including exhibits)

Box 29, Volume 3: Union members quizzed about Communist Party activities; testimony on Communist efforts to penetrate Young Democrats; issue of whether American Civil Liberties Union, Anti-Defamation League are Communist organizations. Oct. 14, 15, 16, 17, 1941. State Building, Los Angeles. (265 pages)

Box 29, Volume 3a: Brief testimony about conversations at Deutsche Haus in Los Angeles, activities of German American Bund, National Patriots, America First Committee, Friends of New Germany. Oct. 16, 1941. State Building, Los Angeles. (42 pages)

Box 29, Volume 4: Committee questions 36 witnesses about activities of the America First Committee, Friends of the New Germany, German American Bund, anti-Semitism, propaganda films, Lindbergh rally at Hollywood Bowl. Oct. 14, 15, 16, 17, 1941. State Building, Los Angeles. (358 pages)

Box. 29, Volume 5: Series of hearings on the brutal 1936 murder of Chief Engineer George Albert of the steamship Point Lobos while docked in Alameda. Three merchant seaman, union activists, were convicted and sentenced 20 years in prison. Hearings concern their early release from prison, possible corruption on the Board of Paroles and alleged Communist pressure on Gov. Olson to pardon them. Dec. 1, 2, 3,4,5, 1941. Civic Auditorium, San Francisco. (390 pages)

Box 29, Volume 6: Testimony from acting Attorney General Earl Warren about his prosecution, as Alameda County district attorney, of convicted Point Lobos seamen Earl King, Earnest Ramsey and Frank Connor. Warren claims they were paroled early because they are "politically powerful Communist radicals." Description of Gov. Olson's visit with prisoners at San Quentin. Dec. 1, 2, 3, 4, 5, 1941. Civic Auditorium, San Francisco. (291 pages)

Box 29, Volume 7: Testimony about possible subversive influence in winning pardons for convicted murderers King, Connor and Ramsey; activities of Italian Fascist sympathizers in San Francisco; America First, No Foreign Wars Coalition; Young Communist League. Dec. 1, 2, 3, 4, 5, 6, 1941 and Dec. 11, 1942. Civic Auditorium, San Francisco and San Quentin prison. (207 pages)

Box 29, Volume 8: Testimony concerning Communist involvement in the American League Against War and Fascism; activities of the German-American Bund. Feb. 19 and 20, 1942. County Administration Building, San Diego. (365 pages including exhibits)

Box 29, Volume 9: Thirty-three witnesses called to testify about National Copperheads, Lindbergh, anti-Semitism, Nazi sympathizers; split loyalties of first generation Japanese-Americans; Japan's Okabo plan for expansion of Japanese world power; sabotage at Pearl Harbor, Manila and China; possible internment of Japanese "colonies" on the West Coast. Feb. 23 and 24, 1942. State Building, Los Angeles. (355 pages)

Box 29, Volume 10: Twenty-two witnesses questioned about such subjects as possible involvement of the Japanese American Citizens League in subversive activities prior to Pearl Harbor; content of Japanese language newspapers in Los Angeles; funds collected in California for the Japanese war effort. March 24 and 26, 1942. State building, Los Angeles. (318 pages)

Box 29, Volume 10a: Witnesses questioned about activities of Mankind United, a suspected Fascist organization. May 12, 1942. Los Angeles. (109 pages)

Box 29, Volume 11: Nine witnesses, including self-described metaphysician, testify about fundraising activities of Mankind United; distribution of derogatory books about England; possession of device to paralyze traffic; ability of leader to reproduce himself. May 22 and 23, 1942. City Council Chambers, Fresno. (189 pages)

Box 29, Volume 12: Witnesses questioned about Italian Fascism in San Francisco; propaganda and sabotage; collection of 10,000 gold wedding bands in San Francisco to finance war in Ethiopia; Fascist salute given by mayor of San Francisco; Italian language schools. May 25, 1942. St. Francis Hotel, San Francisco. (120 pages including exhibits)

Box 29, Volume 13: Twenty-two witnesses, including Mayor Angelo Rossi of San Francisco; Paul Bibily, French vice-consul; and Harry Bridges, Longshoremen's Union leader, testify on such subjects as Italian Fascism in San Francisco; Legion of the Mothers of America, Ku Klux Klan, America First; German storm troopers manning German cargo ships; Longshoremen's refusal to load scrap metal collected by San Francisco scavenger wagons onto German ships. May 26 and 27, St. Francis Hotel, San Francisco. (270 pages)

Box 29, Volume 14: Testimony about Sinarquistas, pro-Nazi group accused of inciting Mexican-American youth of Los Angeles against U.S. government over social injustice issues. Dec. 16, 1942. State Building, Los Angeles. (121 pages)

Box 29, Volume 15: Committee investigates construction of strategic installations for the Army and Navy at Pearl Harbor, Wake Island, Midway and Guam by German contractor Hans Wilhelm Rohl of Rohl-Connally Corp. March 1, 1943. (248 pages including exhibits)

Box 29, Volume 16: Continued discussion of Rohl-Connally Corp.; justification for internment of Japanese-American citizens. Feb. 27 and March 1, 1943. (47 pages)

Box 30, Volume 20: Witnesses questioned about involvement with Mankind United organization. March 20, 1944. State Building, Los Angeles. (143 pages including exhibits)

Box 30, Volume 21: Additional testimony about Mankind United. March 22, 1944, District Court of Appeal, Fresno. (61 pages)

Box 30, Volume 22: Three witnesses questioned about Christ Church of the Golden Rule and Mankind United. March 24, 1944, State Building, San Francisco. (230 pages)

Box 30, Volume 23: Thirteen witnesses, including union organizers, teachers, authors and Hollywood screen writers, questioned about their associations with Communist organizations. Oct. 12-13, 1944, State Building, Los Angeles. (259 pages including exhibits)

Box 30, Volume 24: Two witnesses, including union leader, questioned about Communist organizations. Oct. 27, 1944, State Building, Los Angeles. (130 pages)

Box 30, Volume 27: Several witnesses questioned about Communist activities in various Navy yards, defense industries in Alameda County. Sept. 25-26, 1946, Alameda County Courthouse, Oakland. (266 pages)

Box 30, Volume 28: Testimony of 39 witnesses regarding their activities, and beliefs, on behalf of the Communist Party and the Ku Klux Klan. Oct. 7-10, 1946, State Building, Los Angeles. (718 pages)

Box 30, Volume 29: Ten witnesses questioned about Communist Party activities in Contra Costa County. Oct. 31, 1946, Alameda County Courthouse, Oakland. (158 pages)

Box 30, Volume 30: Thirteen witnesses questioned about sex education in Chico public schools. Feb. 26, 1947, Veterans Memorial Building, Chico. (173 pages)

Box 30, Volume 31: Hearing on subversive activities in Fairfax community affairs.

Oct. 23, 1947, Fairfax. (141 pages)

Box 30, Volume 32: Testimony on alleged Communist activity in the National Union of Marine Cooks and Stewards. Nov. 3-6, 1947, Courthouse, Oakland. (198 pages)

Box 31, Volume 33: Witnesses questioned about Communist organizations and activities in the San Francisco Bay Area. Includes questions about J. Robert Oppenheimer and atomic research. Nov. 3-6, 1947, Courthouse, Oakland. (183 pages)

Box 31, Volume 34: Hearing on unauthorized "bugging" of the committee's conference room in the Los Angeles State Building by a private detective hired by Communists. State Building, Los Angeles, Dec. 1, 1947. (141 pages)

Box 31, Volume 35: Statements taken relating to a farm labor strike at the DiGiorgio Farms in Kern County. January 16, 1948. Bakersfield. (71 pages)

Box 31, Volume 36: Election of temporary officers of the Southern California Citizen's Advisory Committee. February 15, 1948. Los Angeles. (108 pages)

Box 31, Volume 37: Hearing to read into the record histories of suspected Communist-front organizations. Feb. 16, 1948, State building, Los Angeles. (267 pages)

Box 31, Volume 38: Hearing to investigate suspected Communist-front organizations. Feb. 17, 1948, State Building, Los Angeles. (223 pages)

Box 31, Volume 39: Witnesses questioned about suspected Communist-front organizations. Feb. 18, 1948, State Building, Los Angeles. (203 pages)

Box 31, Volume 40: Continuation of investigation into suspected Communist-front organizations Feb. 19, 1948, State Building, Los Angeles. (189 pages)

Box 31, Volume 41: Documentary material read into record regarding Hollywood Writers Mobilization organization. Feb. 20, 1948, State Building, Los Angeles. (83 pages)

Box 31, Volume 42: Organizational meeting of the Northern California Citizen's Advisory Committee. April 10, 1948. San Francisco. (79 pages)

Box 31, Volume 44: Witnesses and exhibits presented relating to accused Communists and Communist-front organizations. State Building, Los Angeles, May 3, 1948. (343 pages)

Box 31, Volume 45: Hearing on alleged Communist infiltration of organized labor. State Capitol, Sacramento, Aug. 9, 1948. (94 pages)

Box 31, Volume 46: Conclusions presented from Citizens' Advisory committee. State Building, Los Angeles, Aug. 30, 1948. (61 pages)

Box 31, Volume 47: Hearing to recommend legislation to eliminate Un-American activities in California. (62 pages)

Box 31, Volume 48: Hearing to investigate California Labor School. State Building, Los Angeles, Sept. 7, 1948.(284 pages)

Box 31, Volume 49: Committee questions suspected Communists. San Diego, Sept. 8, 1948. (172 pages)

Box 31, Volume 50: Committee examines San Diego area citizens suspected of Communist activities. Chamber of Commerce Building, San Diego, Sept. 9, 1948. (150 pages)

Box 31, Volume 51: A continuation of Committee hearings to examine San Diego area citizens suspected of Communist activities. Chamber of Commerce Building, San Diego, Sept. 10, 1948. (178 pages)

Box 31, Volume 52: Discussion of nature and activities of the Labor Youth League. State Building, Los Angeles, Jan. 4, 1950. (83 pages)

Box 31, Volume 53: Testimony about activities of prominent members of Communist Party in San Francisco Bay Area During World War II. Courthouse, Oakland, May 8-10, 1950. (299 pages)

Box 31, Volume 54: Hearing on charges that a member of the Assembly was a Communist. Los Angeles, Sept. 12, 1950. (180 pages)

Box 31, Volume 55: Hearing into the death of UCLA student Everett Hudson. State Building, Los Angeles, Dec. 15, 1950. (210 pages)

Box 32, Volume 56: Fifteen witnesses questioned about alleged Communist front organizations in San Francisco and the East Bay. City Hall, San Francisco, Sept. 11-12, 1951. (252 pages)

Box 32, Volume 57: Officials of the City Housing Authority of Los Angeles questioned about Communist influence in the authority. Sept. 26, 1952, Aliso Village, Los Angeles. (52 pages)

Box 32, Volume 60: Thirty-five witnesses questioned about their membership in the Communist Party and other organizations. Jan. 5-9, 1954, State Building, Los Angeles. (551 pages)

Box 32, Volume 61: Witnesses questioned about Communist activities at Contra Costa County Junior College. May 8, 1954, Contra Costa County Junior College, Martinez. (52 pages)

Box 32, Volume 62: Writers, screen writers, producers and others involved in the motion picture industry deny Communist affiliations. July 26, 1954, State Building, Los Angeles. (84 pages)

Box 32, Volume 62A: Witnesses from the motion picture industry testify to correct information published in prior committee reports about their Communist affiliations. July 27, 1954, State Building, Los Angeles. (51 pages)

Box 32, Volume 62B: Testimony about subversive activities in the Westminster area. July 28, 1954, State Building, Los Angeles. (91 pages)

Box 32, Volume 63A: Hearing requested by Los Angeles Medical Society to investigate subversive activities among medical professionals. Dec. 6, 1954, State Building, Los Angeles. (88 pages)

Box 32, Volume 63B: Additional testimony by medical professionals about subversive infiltration. Dec. 7, 1954, State Building, Los Angeles. (68 pges)

Box 32, Volume 63C: Additional hearing concerning physicians and Communism in the medical community. Witnesses invoke Fifth Amendment. Dec. 8, 1954. State Building, Los Angeles. (117 pages)

Box 32, Volume 63D: Physicians questioned about involvement in subversive or Communist organizations. Dec. 9, 1954. State Building, Los Angeles. (117 pages)

Box 32, Volume 63E: Former Communist Party members testify about party meetings, individuals present, publications and party members. Dec. 10, 1954, State Building, Los Angeles. (168 pages)

Box 32, Volume 63F: Testimony of undercover agent about Communist Party activities. Dec. 11, 1954, State Building, Los Angeles. (59 pages)

Box 32, Volume 64: Five teachers questioned about Communist organizations and individuals. Aug. 6, 1956, State Building, Los Angeles. (80 pages)

Box 32, Volume 64A: Three witnesses invoke Fifth Amendment rights about Communist-front organizations. Aug. 6, 1956, State Building, Los Angeles. (26 pages)

Box 32, Volume 64B: Communist Party member employed by Southern California Gas Company testifies. Aug. 7, 1956, State building, Los Angeles. (65 pages)

Box 32, Volume 64C: Teacher questioned about Arts, Sciences and Professions Council. Aug 7, 1956, State Building, Los Angeles. (15 pages)

Box 32, Volume 65: Testimony on the death of Sheldon Abrams, a graduate student at UCLA, and the infiltration of higher education by Communists and other subversives. Dec. 10, 1956, State Building, Los Angeles. (96 pages)

Box 32, Volume 65A: Testimony on subversive activity in Los Angeles schools. Dec. 11, 1956, State Building, Los Angeles. (111 pages)

Box 32, Volume 66: Testimony on the Arts, Sciences, and Professions Council. June 9 and 10, 1958. State Building, Los Angeles. (163 pages)

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COURT: CONGRESS CAN ORDER STATES NOT TO RELEASE INFORMATION 1/14/00

The federalist principle that Congress cannot force states to adopt or execute federal regulatory programs does not mean that it can't prohibit states from doing certain acts -- including releasing data from their own files. Thus the Driver's Privacy Protection Act (DPPA), barring release of DMV personal identifiers to most requesters, is constitutional.

So ruled the U.S. Supreme Court in a unanimous decision issued January 12 in *Reno v. Condon*, Case No. 98-1464.

South Carolina, whose law permits anyone identifying himself and providing an address to obtain the name and address of any registered vehicle owner or driver, and use the data for most purposes, challenged the constitutionality of the DPPA and won at the trial and appellate levels.

It argued that the federal law, authored by Senator Barbara Boxer (D-California), violates the Tenth Amendment, as interpreted by the high court in two recent cases in terms of federalism, i.e. Congressional respect for the sovereignty of the states' own

legislative and executive processes. In these cases the Supreme Court held that Congress may neither tell a state what laws to pass in order to effectuate federal policy nor go around state legislatures and directly order state officials to implement federal programs.

The latter point was established in a 1997 case, *Printz v. U.S.*, in which the court held unconstitutional provisions of the Brady Act which mandated that state and local law enforcement officials conduct background checks on gun purchasers.

But these scenarios do not apply to the DPPA, concluded Chief Justice William Rehnquist in his opinion for the court. That statute does not mandate -- it prohibits. What it prohibits is that any state DMV office, without express "opt-in" consent of the person concerned, release names and addresses of private individuals to most requesters for most purposes. The same prohibition applies to private data holders who have received their information from a state DMV source.

While complying with this or other federal laws may impose substantial burdens, Rehnquist said, this effect is different from the "commandeering" barred by the Tenth Amendment, where lawmakers or enforcement officers are drummed into the process of carrying out a federal program's impact on the people.

COMMENT: The specifics of this case are of little CONCERN in California, where access to driver names and addresses has been barred by state law for several years, tracing to the murder of actress Rebecca Shaeffer, stalked to her home by a mentally unbalanced fan. Ironically, the killer got the address data using a query made by a private investigator, and private investigators are allowed access to data under the DPPA, at least for certain purposes. But the larger significance of *Condon* is that informational secrecy can now be federalized. The high court's recent observation in *United Reporting* is that nothing in the federal constitution -- certainly not the First Amendment -- prevents states from ending public access to their files altogether. *Condon* now says that nothing in the constitution prevents Congress from subtracting whatever it pleases from state public records access laws. The only safeguard against both is likely to be an amendment to the California Constitution providing the public with some floor under their "sunshine" rights.

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Graphic Design Culpability and Responsibility

Introduction

Any progressive cultural critique must address the implicit relationships between the means of mass communication and the political, economic and social constructs which drive them. Though these connections are often difficult to make, for a wide variety of reasons, not least among them that they are often intentionally obscured, there is no denying that our communications environment at large is becoming saturated, supported and directed by advertising and marketing interests. It is estimated that the average American adult is exposed to over ten thousand advertisements per day. The growth of global advertising spending outpaces the growth of the world economy by thirty-three percent.¹ As the public sphere recedes under this commercial pressure, the danger of our means of communication becoming completely relegated to the status of a commodity is becoming readily apparent. The implications of this trend are dramatic and severe: the more we are appealed to as consumers, the less we are appealed to as citizens, or, as social historian Stuart Ewen states, “advertising has become the primary mode of public address.”² Yet advertising is rarely publicly controlled, and as much as marketers may wish us to believe the opposite, rarely does it serve public interest. It is by its very nature a medium of manipulation and persuasion, of opinion-making and consolidation, and as such its place within a democratic society is, at the very best, questionable.

Though there has been a wealth of public criticism on the ethics of advertising, these critiques have had only a remedial effect on the industry since the consumer movements of the 1930s. Within the predominantly academic spheres of political science, cultural studies and philosophy, there is abundant critical discourse on the broader subject of the image culture which advertising feeds. Progressive political movements have also begun to challenge the ubiquity of commercial imagery and its relationship to the construction of an economic hegemony. Though the breadth of these criticisms will not be addressed at this point, it is important to note that what is often only addressed abstractly (if at all) is the very system of representation that gives these images form. Graphic design is implicitly involved as a mediator at every point within the communication processes of contemporary society; it is the language through which we understand our environment and as such it bears an enormous social role and responsibility.

This notion of social responsibility has played a central role in design education. The modernist movement, characterised by the Bauhaus, “sought to contribute to the development of a society in which creativity would be fostered, and in which human needs would motivate the forces of production.”³ Similarly, the late Tibor Kalman nostalgically yet aptly summarises:

"In its enthusiastic youth, design was invested with vision. Awestruck by futurism, swept by currents of modernity, design, it was claimed, could communicate new ideas about society, light the way to new and democratic ways of seeing."⁴

These lofty ideals have essentially gone unrealised. With the consolidation of our current advanced capitalist economic system, graphic design has for the most part become entrenched as a tool of marketing. Yet advertising has always been a patron of the graphic arts. Though the “elitist prejudices” of many designers have defiantly attempted to separate the two, their histories are deeply intertwined. Steven Heller clearly demonstrates this in his article *Advertising: Mother of Graphic Design*:

"As the modern movements sought to redefine the place of art and the role of the artist in society, advertising was seen not only as a medium ripe for reform, but also as a platform on which the graphic symbols of reform could be paraded along with the product being sold."⁵

Though the advertising platform has far from yielded the utopian fruits of modernist ideology, the intimate relationship suggested by Heller’s article is of crucial importance. The exponential growth of the advertising industry has brought to life and even celebrity the profession of graphic design. Ignoring the role of advertising in design theory and criticism implies that consumerism and marketing have no bearing on the ‘art’ of graphic design.⁶ This theoretical separation is both misleading and dangerous. Any criticism of advertising must intrinsically be levelled against graphic design as well. Within the design community, it can be said that this criticism formally began with Ken Garland’s *First Things First* manifesto, published in 1964. The manifesto challenged graphic designers to move away from the increasingly lucrative field of advertising, and argued that its messages had become ‘sheer noise’ that contributed ‘little or nothing to our national prosperity.’ Garland believed that there were projects far more deserving and in need of designers’ skills and proposed “a reversal of priorities in favour of the more useful and lasting forms of communication.”⁷ Issued during a time when graphic design was coming into its own as a genuine professional activity, when consumer culture was rapidly gaining momentum, the manifesto was both poignantly received and critically dismissed. Much of this criticism lay in its supposed naivety, yet clearly Garland’s foresight into the direction of graphic design’s development was entirely accurate. His naivety lay in his belief that a ‘saturation point’ in advertising had, or indeed could, ever be reached.

In 1999 the manifesto was re-issued with a definitively more urgent tone in the midst of a growing socio-political movement against corporate globalisation. The new manifesto, which was initially published in the major design related journals *Adbusters*, the *AIGA Journal*, *Eye*, *Emigre*, *Items* and *Form*, demonstrated that the dominance of commercial culture over design was still at the forefront of many graphic designers’ thoughts as well. As the debate around *First Things First* 2000 continues, there is a growing recognition that graphic design plays a key role in the larger social conflicts that are becoming characterised by clouds of tear gas and black-clad protesters. However, it is undoubtedly presumptuous to say that this recognition is universal or that the nature and positioning

of graphic design's role in these conflicts is even close to agreed upon by its practitioners. The updated manifesto received an onslaught of criticism very much in line with its predecessor. It was again dismissed for its naivety, elitism, simplicity and hypocrisy.

Nonetheless, the manifesto has, at an incredibly crucial time, sparked a wealth of critical debate within the field of graphic design. As design critic Rick Poynor notes:

"In fifteen years as a design writer, I have never observed anything in the design press to compare with the scale, intensity and duration of international reaction to First Things First."⁸

Poynor, who has played a leading role in design writing, provides an in-depth response both to the manifesto itself and its detractors' critiques in his article First Things Next. In challenging the multitude of critiques, from the supposed hypocrisy of its signatories (who have all worked in the commercial sphere) to the assumption that design is and should be a neutral, value-free process, Poynor reveals that although many designers understood the manifesto enough to make them feel uneasy about the social positioning of their profession, they fundamentally missed its point. The key argument of First Things First is that there is an "increasingly desperate need to preserve a space for other forms of thinking, other shades of feeling and other ways of being in the world"⁹. Addressing this need requires a radical shift in thinking on design, and it is perhaps this radicalism that has unnerved the design community so much. Poynor concludes that:

"Determining the 'new kind of meaning' is a huge collective project beyond the scope of a brief manifesto and a creative task in which all those who can imagine other possibilities are free to participate."¹⁰

However, this poetic conclusion seems merely to echo the conclusion of Poynor's First Things First article, published two years earlier in Adbusters magazine:

"Even now, at this late hour in a culture of rampant commodification... it is possible for visual communicators to discover alternative ways of operating in design."¹¹

In the face of such complex issues, Poynor's optimism is encouraging, yet remains rather vague and insubstantial. Just as many detractors of First Things First were critical of its call for 'a new kind of meaning,' Poynor's response of "a huge collective project" does little to provide any further constructive direction. In the final article of his compilation Obey The Giant, entitled Future Imperfect, Poynor concludes:

"Designers who allow space for the peculiar, the wayward, the imperfect and, sometimes, the just plain 'wrong' - set in motion a process and create the conditions for the viewer to have truly unexpected encounters with design that are one of its keenest, most human pleasures and a large part of its point."¹²

Though insightful, this hardly seems a fitting statement to end on for a compilation that sets out to address critically and challenge implicitly "The Giant" of commercial design. This is not meant to dismiss Poynor's undeniably valuable contributions to design criticism, however it is representative of the profession's reluctance to engage genuinely with the socio-political issues that surround it. It

should not be denied that many notable designers have taken critical positions on these issues, yet the general ambivalence within practice is disheartening. If graphic designers actually want to move design into a more progressive social positioning they must confront this fear of radical change. The proposition is this: graphic design can and must work to establish itself in a more fundamental manner outside of the commercial sphere, thereby creating greater opportunities to act as an important medium for social reflection, commentary and dialogue. This requires an engagement with a multiplicity of issues. Addressing the structural factors that influence design production is obviously of utmost concern. Understanding who actually benefits from a work and how that work is received within the public sphere must lead to a more selective choice of clients. Of equal importance is a re-evaluation of its formal language. Due to how directly graphic design has been driven by marketing culture, its visual language has been largely reduced to one of stylisation and the creation of desire. An understanding of the complexity of the communications process drawn from a multi-disciplinary analysis of cultural discourse needs to be synthesised into design thinking. In order to enact the necessary radical changes within the profession, these issues must be addressed simultaneously. This essay will attempt to take up this challenge by engaging in a broad-ranging critique of commercial communications culture with the specific goal of identifying and analysing dominant themes that support and direct the creation and dissemination of messages into the public sphere. In *All Consuming Images*, Stuart Ewen proposes that the only requirements for an image's appropriation into the style-market are its disembodiment or separation from its source, its capacity to be economically reproduced and its ability to be marketed and sold.¹³ These requirements will be taken as a point of departure, and explored and expanded upon within a broader thematic framework in order to determine the contextual processes by which experience is transformed into commodity.

The first theme to be identified is that of separation. As graphic design is a practice primarily engaged in the act of selection and representation, the theme of separation is an implicit starting point. Any form of representation intrinsically separates meaning from its context. The vast amount of critical theory surrounding this aspect of representation has only begun to be introduced in graphic design writing. Closely related to the theme of separation is the theme of reductionism. A component of modernist theory, the simplification of form presents an ideal model for communications. However, seen from a contemporary critical vantage point, its communicative limitations become apparent. Additionally, reductionist strategies allow for the exact repeatability of sign systems and the development of a truly hegemonic mass media with all its inherent effects. The final stage of commodification occurs with the theme of idealisation and the creation of desire. Desire is what drives the image economy and its effects are all encompassing. It is at this point that any argument of efficient communication ends and the dictates of the market economy on a message become resolutely clear. The influences of these themes dominate both the external and internal relationships of a work of graphic design. Understanding these themes and the development of strategies to challenge them is the goal of this essay.

NOTES

1. Notes from a lecture by David Berman, *How Logo Can We Go?* Presented at the Declarations of [Inter]dependence and the Im[media]cy of Design symposium, Concordia University, Montréal, October 26, 2001.
2. Stuart Ewen in *The Public Mind: Consuming Images*, Bill Moyers, PBS, 1989.
3. Stuart Ewen, *All Consuming Images: The Politics of Style in Contemporary Culture* (New York: Basic Books, 1988), 140.

4. Tibor Kalman and Karrie Jacobs. "We're Here to be Bad," in *Print Magazine* (Jan./Feb. 1990)
5. Steven Heller, "Advertising: Mother of Graphic Design," in *Looking Closer*, ed. Michael Bierut, William Drenttel, Steven Heller and DK Holland (New York: Allworth Press, 1997), 113.
6. *Ibid.* 115.
7. Ken Garland, "First Things First," published in *Design*, the *Architects' Journal*, the *SIA Journal*, *Ark*, *Modern Publicity*, *The Guardian*, April 1964.
8. Rick Poynor, "First Things Next," in *Obey The Giant: Life in the Image World* (London: August Media, 2001) 141.
9. *Ibid.* 148.
10. Rick Poynor, "First Things Next," in *Obey The Giant: Life in the Image World* (London: August Media, 2001) 150.
11. *Ibid.* 140.
12. Rick Poynor, "Future Imperfect," in *Obey The Giant: Life in the Image World* (London: August Media, 2001) 213.
13. Stuart Ewen, *All Consuming Images: The Politics of Style in Contemporary Culture* (New York: Basic Books, 1988) 247.

1. Design Culpability and Responsibility

Separation

Critical theories of language and literature have come to play an increasingly prominent role in design theory. Primers in semiotic theory are now commonplace in design education and the writings of authors such as Roland Barthes and Ferdinand de Saussure have found their way into design reading lists. However, within this context, Barthes' generous contribution to cultural theory is generally understood through a purely formalist lens; its application is derived from the poetics of his criticism and detached from its original Marxist analysis. In such a way, graphic designers speak of being visual communicators within an image culture, without understanding the critical debates around the subject matter. In his seminal work, *Mythologies*, Barthes presents the concept of Myth through numerous texts investigating the meaning of various manifestations of mass culture. Essentially, Barthes' Myth can be understood as a mode of signification based on the appropriation and transformation of existing signs. His analysis of it is in no way politically neutral, and through a thorough semiological critique, he demonstrates Myth's nature of distorting and impoverishing meaning, in normalising and actively de-politicising speech.¹⁴

The language of Myth is very much inclusive of and parallel to the 'language' of graphic design. Barthes' insights into the nature of appropriation, representation, communication and understanding are crucial to the theoretical grounding of graphic design practice. Yet, as designer Jeffery Keedy states, "It was the poetic aspect of Roland Barthes which attracted me, not the Marxist analysis."¹⁵ By separating Barthes' work from the political context in which it was derived, designers have in fact mythologised it in turn, further contributing to what Barthes determinedly sought to challenge. Another seminal text dealing with representation and more specifically its relationship to capital, cultural imperialism and the mediation of social relations is Guy Debord's *Society of the Spectacle*. Though the theoretical, aphoristic and highly critical nature of Debord's text may prevent its appropriation into graphic design theory as it exists now, his concept of The Spectacle,

complementary to Barthes' Myth, is invaluable to an informed understanding of the context within which graphic design exists. Additionally, The Society of the Spectacle acted as a revolutionary handbook for the student and labour insurrections of May 1968 in Paris, which had repercussions throughout the world. The ability to engage with theory, bringing it into practice, is an example of the praxis-based approach that graphic design will have to take in order to reposition its role.

"In societies where modern conditions of production prevail all of life presents itself as an immense accumulation of spectacles. Everything that was directly lived has moved away into a representation." 16

The opening thesis from Debord's text introduces the fundamental nature of the image culture that is so often casually spoken of. It describes a cultural phenomenon that has forsaken genuine experience for vicarious representation through images. Furthermore, these images, detached from reality, have taken on an autonomous nature that no longer even represents reality, but replaces it within its artifice.

It is important to recognise that, as Debord states, "the spectacle is not a collection of images, but a social relation among people, mediated by images." 17 Through the initial act of separating images and ideas from their contextual relationships, graphic design creates the condition for their autonomous social movement. When directed through the logic of the market, these images and ideas collectively achieve ubiquity within the social sphere. This ubiquity in turn provides the condition for the domination of the Spectacle over all aspects of social life. The separated nature at the root of the spectacle is reflected in its multiplicity of effects: the growing sense of social and self-alienation, the resulting political apathy, the systemic control of production and consumption and the organisation of time and space. Within all of its complexity, the spectacle is essentially "the autocratic reign of the market economy which had acceded to an irresponsible sovereignty, and the totality of new techniques of government which accompanied this reign." 18

Taken in its entirety, Debord's stinging critique of capitalism, even with its emphasis on the power of image, can seem to lose its direct relevance to graphic design. What it does provoke however, is a recognition of the mediated environment that graphic design participates in constructing and is constructed within. Visual culture cannot be referred to casually; it must be investigated critically. The dramatic separation between the beautifully rendered surfaces presented through the mass media and the crumbling surfaces of social reality reveals the urgency with which graphic designers need to address the critique of the spectacle. In order to understand the practical development of the spectacle and its relationship to separation, an historical analysis is necessary. As a Marxist critique, the discourse on the spectacle represents the manifestation of social relationships under an advanced capitalist society and thus finds its roots in the industrialisation of society and its systems of mass production. Much of Debord's text relates to a person's alienation from their production and the resulting externalisation of the economy:

"The spectacle within society corresponds to a concrete manufacture of alienation. Economic expansion is mainly the expansion of this specific industrial production." 19

Another key component of Debord's text is the principle of commodity fetishism, "the domination of society by intangible as well as tangible things," 20 whereby the perceived value of an object has superseded its reality and its exchange value replaces its use value.

By drawing the relationship between these factors, the creation of the markets upon which mass production is dependent becomes the locus from which to begin the historical analysis of the spectacle. Along with the many radical social changes that occurred during this period, the change in popular representations of style is of primary interest. Stuart Ewen, who provides an exemplary and exhaustive critique of 'style' in *All Consuming Images*, writes:

"The impact of industrialism on the character and scale of the style market was prodigious. Industries previously characterised by the artisanal handcrafts, and by relative scarcity of output, were now able to turn out enormous quantities of goods. Elegantly worked surfaces, once the product of slow and deliberate skill, were now the product of high-speed, less-skilled, factory processes."²¹

The elaborate ornamentation of goods, previously exclusively available to the elite, became accessible to the growing middle class. The standardisation of the production process not only allowed for elaborate ornamentation to be easily and universally applied, but also required it in order to differentiate products that were essentially the same. With the technological developments and refinement of chromolithography and photography, the advertising and packaging of everyday goods became lavishly decorated with alluring images. "Superficially ornate goods were linked to broadly disseminated images, creating an interwoven fabric of mass-produced style."²²

The expanding markets that were developed by the rise of corporate capitalism at the end of the 19th century and the growing desire by industry to organise and control those markets can be identified as the birthplace of modern advertising. Prior to the 1880s, the great bulk of products were sold without extensive advertising, which was reserved for fringe products and novelties.²³ The fundamental changes in the economic organisation of industry necessitated the application of advertising to everyday goods in order to stimulate and maintain the newly developed mass markets.

The growing accessibility to this style-driven market is often seen as a democratisation of elite culture. On a symbolic level, this may well be true, but the growing choice of consumer goods and their affiliated images was simply that, the choice between which products to consume. The elite in power, the owners of the means of production, remained in power largely due to the economic contributions of a populace longing to be satiated by the illusionary trappings of that power.

In addition to the ornamental imagery adorning products and their advertisements, the mass market of goods gave rise to a plethora of new marketing techniques. The development of modern advertising's 'psychological' component can be traced back to a necessity created by the rise of large enterprise and the emergence of national and international distribution markets. By the 1920s control over those markets was becoming increasingly specialised and, encouraged by the new sciences of motivational psychology, extended to the salesperson at the end of the distribution chain. Vast amounts of business literature, such as Dale Carnegie's *How to Win Friends and Influence People*, were directed at technically refining the process of 'human relations'.²⁴ Control over and appropriately framed presentation of emotions was of key importance. Through the objectification, standardisation, and commercial application of human emotions, a dramatic separation in the notion of selfhood begins to take effect. "Personal characteristics, drawn from the reservoir of human experience, were becoming the techniques of false personality."²⁵ More dramatically, however, the sheer scale of distribution markets dictated that, as salespeople could not be consistently directed by centralised control, products themselves began to acquire the characteristics of these disembodied emotions. The

separation of people from their emotions was refocused towards the products they consumed. As we near Debord's Spectacle, "the more [a person's] life is now his [sic] product, the more he [sic] is separated from his [sic] life."²⁶ Significantly, the rapid expansion of advertising did not go uncontested. The 1930s saw increasing resistance from a variety of consumer movements that were critical of the advertising industry's use of emotional appeal, false testimonials, scientific jargon and sexual imagery to sell products. The shift from actual product information to emotive and manipulative statements and images was seen as an outright attack on consumers' rights.²⁷ The Tugwell bill, named after the Assistant Secretary of Agriculture Rexford G. Tugwell, a reputed defender of consumers' rights, was introduced into Senate in 1933 and called for an end to the 'false advertising' of any food, drug, or cosmetic. The advertising industry reacted vehemently to this bill and used the full weight of its new economic and political positioning to contest it. This crisis for the advertising industry brought to life a closely associated field, that of public relations. The goal of public relations was to move public opinion to a more favourable direction towards the industry and to lobby lawmakers and regulators, a model that is used to this day. Through the development of business-backed consumer groups, sponsorship of education, manipulation of dependent media industries and the creation of political and business partnerships, the public relations industry managed to provoke the rewriting of the Tugwell Bill into the Wheeler-Lea amendment in 1938, which was a considerably more lenient bill. Whereas the original bill defined the use of ambiguity and inference as 'false advertising,' the amendment redefined falsehood explicitly and put the burden of proof on the government. The ironic yet significant effect of this policy was an immediate shift from the use of verbal claims in an advertisement, which could be easily proved false, to the use of all manners of suggestive imagery. ²⁸ A bill that initially set out to curb the manipulative nature of advertising had in fact opened the door for its consolidation through the realm of the autonomous image. In part as a result of this key legislation, the domination of image over reality has come to pass and contemporary graphic design, for the most part ignorant of its controversial history, plays no small part in determining the social consequences of this dominion. Criticism of ambiguity and inference in advertising today is routinely dismissed. Yet, when exploited to the extreme, the fundamental problem of the separation of image from product reveals itself.

Within contemporary design history, Oliviero Toscani's 'social marketing' campaigns for the clothing company Benetton have received an enormous amount of coverage, both critical and celebratory, for pushing the boundaries of the role of images in advertising. The beautifully shot and composed photographs of a new born baby girl, a dying AIDS patient and his mourning family, a dead soldier's blood-stained clothes, and portraits of inmates on death row have nothing to do with the clothing being sold or the company selling them. This separation is further expressed formally in the advertisements with the careful compositional use of surrounding white space and full-bleed cropping to disassociate any notion of their original context. The carefully placed brand mark is the only remaining association made available for the viewer. Toscani makes no qualms about this decontextualisation and in fact advocates it as a way of engaging with the public. Seeing the controversy that his campaigns have sparked, it is hard to dismiss his supposed consciousness-raising intentions outright. However at the root of the controversy are not the issues presented in the advertisements, but the appropriateness of their presentation in a commercial medium to begin with. Whatever Toscani's intentions, the outcome is that "social criticism is appropriated in the struggle for brand identification."²⁹

It has been argued that given the 'success' of the Benetton campaign, it may serve as a model to

elevate the role of advertising, as a provider for important and accessible social communication³⁰. Though the ideological impetus for this line of argument may seem noble, the reality of it is far less promising. Editorial compromises due to advertising interests are already commonplace. Further blurring the line between the two will “make culture itself appear to exist at their [brands] behest.”³¹ Moreover, the impact of Benetton’s model can already be observed. Benetton’s ‘success’ was not in promoting social causes but in strategically and whole-heartedly disassociating a brand from its product. This strategy has now become the norm, allowing advertisers to appropriate any subject matter for its purposes, including its own criticism.

Diesel, an Italian fashion company, has also taken this ironic approach to advertising since its inception in 1978. Juxtaposing typical sexual imagery with absurd thematic concepts (such as their ‘For Successful Living’ campaign) they have carved a global niche for their brand. The campaigns were cynical and stylish, but rarely reached the level of ‘depth’ of the Benetton campaigns. Yet in 1998, Diesel launched a series of ads which should have drawn intense criticism had it not been for Toscani’s ‘ice-breaking’ strategies. Supposedly set in North Korea, the series depicted drab scenes of poverty (read communist) juxtaposed by the inclusion of a stereotypical piece of western advertising depicting young, beautiful Diesel models selling a fake brand entitled ‘Lucky.’ A commentary is made, but it is not ‘we are concerned about the detrimental effects of the globalised economy,’ but rather ‘we don’t care about those effects and neither should you.’ Diesel continues to expand its markets, and the evolution of its marketing strategy continues to emphasise this message of absurd detachment. Its most recent ‘Happy Valley’ campaign directly integrates the criticism of advertising and over consumption into a grotesque series of advertisements each themed around the commodification of a particular emotion. The hypocrisy of such an approach is no longer even relevant, yet the ridicule of vital social issues and their integration into the commodity structure is a frightening characteristic of advertising’s assault on the public sphere.

Along similar lines, Sprite has supposedly been making fun of traditional advertising approaches since 1994, when its ‘Obey Your Thirst’ campaign began. Purporting to deconstruct the linking of product consumption with happiness and success, recent television spots depict a stereotypical advertising narrative which is interrupted by the drinking of Sprite, causing ‘reality’ to subvert the narrative through humour. The spots conclude with a high impact display of their logo and tagline: ‘Image Is Nothing. Thirst Is Everything. Obey Your Thirst.’ Though less satirical (and perhaps less offensive) than the Diesel campaigns, the Sprite campaign’s hypocrisy is exponentially increased when the scope of the analysis extends to the company’s ownership. Sprite is wholly owned and operated by the company where ‘Image Is Everything,’ the most powerful brand in the world, Coca-Cola.

Coca-Cola’s ubiquitous cultural monopoly over the world is unquestionable; ‘Coke’ is the second most recognised word in the world following ‘okay,’ the Coca-Cola company is the creator of Santa Claus and can be seen as the indisputable reflection of American popular culture. Coca-Cola has a long history of ground breaking marketing strategies. It was the first company to use women systematically in their advertising, produce consistent point-of purchase promotional ephemera and aggressively develop sponsoring partnerships. Coca-Cola has played a definitive role in not only representing but also shaping American culture. Moreover, its advertising has always exploited an ambiguous emotional appeal, easily universalised to foreign markets.³² This is exemplified by the much-acclaimed 1971 ‘I Want to Buy the World a Coke’ television ad with the emphatic chorus ‘I’d

like to teach the world to sing in perfect harmony'. Coke's early adoption of a global marketing strategy has successfully positioned it as one of the few truly global brands.

The realities of Coca-Cola's global reach are far less ideal than the picture painted by their advertising. In developing nations, Coca-Cola's branding dominates the physical landscape. In Tanzania, schools, hospitals, and even orphanages are sponsored by Coca-Cola, which pays a small amount (approximately fifteen US dollars a year) to brand signage with Coca-Cola advertising. Road and street signs are uniformly branded as well. The saturation of Coke's advertising is conjoined with the presence of their product. During a time of drought and famine in Northern Kenya in 1999, though staples such as food and water were unavailable, stores were consistently stocked with Coke. As Don Knauss, President of Coca-Cola in Southern Africa, states: "Our competition is alternative sources of liquid refreshment, including water... [and] other non-essential items competing for consumer spending..."³³ The simple message of this ubiquitous presence is that Coca-Cola is equated with all that is good; education, health, wealth and happiness. Not having been socialised to deal with these types of messages, the population of Tanzania is taught to accept these associations. In 2001, one million people died in Africa due to malaria. The price of a can of Coke is equivalent to the price of the malaria pill. When asked what to take when ill, many in Tanzania will commonly advise the use of Coca-Cola, 'because it cures all illness'.³⁴ Malaria pills cannot compete with the brand image of Coca-Cola. This is but one example of the false education that the strategy of separating a brand from its context perpetuates. It is also but one example of how, quite disturbingly, people are dying by design.

NOTES

14. See Roland Barthes, "Myth Today." In *Mythologies* (New York: Hill and Wang, 1972).
15. Andrew Howard, "There is Such a Thing as Society," in *Looking Closer 2*, ed. Michael Beirut, William Drenttel, Steven Heller and DK Holland (New York: Allworth Press, 1997), 199.
16. Guy Debord, *Society of the Spectacle* (Detroit: Black & Red, 1977), aphorism 1.
17. *Ibid.* aphorism 3.
18. Guy Debord, *Comments on the Society of the Spectacle*, trans. Malcom Imrie (Verso, London, 1991), 2.
19. Guy Debord, *Society of the Spectacle* (Detroit: Black & Red, 1977), aphorism 31.
20. *Ibid.* aphorism 36.
21. Stuart Ewen, *All Consuming Images: The Politics of Style in Contemporary Culture* (New York: Basic Books, 1988), 32.
22. *Ibid.* 38.
23. Raymond Williams, "Advertising: The magic system," in *Problems in Materialism and Culture* (London: Verso, 1980), 177.
24. Stuart Ewen, *All Consuming Images: The Politics of Style in Contemporary Culture* (New York: Basic Books, 1988), 84.
25. *Ibid.*
26. Guy Debord, *Society of the Spectacle* (Detroit: Black & Red, 1977), aphorism 33.
27. Inger L. Stole, "Advertising," in *Culture Works: the Political Economy of Culture*, ed. Richard Maxwell (Minneapolis: University of Minnesota Press, 2001), 89-90.
28. *Ibid.* 92-95.
29. Andrew Howard, "There is Such a Thing as Society," in *Looking Closer 2*, ed. Michael Beirut, William Drenttel, Steven Heller and DK Holland (New York: Allworth Press, 1997), 198.

30. See "Commercial Art," in Eye Magazine 29, 1998, 26-35.
31. Rick Poyner, "Sentenced to Buy," in Obey The Giant: Life in the Image World (London: August Media, 2001), 62.
32. For a complete history of the Coca-Cola brand see Mark Pendergast, For God, Country & Coca-Cola (New York: Basic Books, 1993).
33. Sven Lunsch, "Knauss to satisfy Coke's thirst for new markets," Business Times, May 17 1998, electronic text available at <www.btimes.co.za/98/0517/news/news.htm>.
34. From a lecture by David Berman, How Logo Can We Go? Presented at the Declarations of [Inter]dependence and the Im[media]cy of Design symposium, Concordia University, Montréal, October 26, 2001.

2. CRITICAL ENGAGEMENT

Graphic Design Culpability and Responsibility

Reductionism

The history of separation cannot be fully understood without addressing its complementary principle of reductionism. Without the ability to simplify, condense and repeat the images created through separation, their control, manipulation and dissemination would be impossible. Of all the cultural movements appropriated into commercial culture during the twentieth century, the Eastern European modernist movement of the twenties has undoubtedly played the largest role in shaping its form. Founded in radical socialist ideologies, characterised by the revolutionary work of members of the Russian avant-garde, such as El Lissitzky and Aleksandr Rodchenko, the modernist aesthetic of bold, dynamic typography, photo-montage and abstract symbolic devices arranged within a rational grid represented a universal, utopian and emancipatory engagement. The revolutionary and progressive symbolism of the new industrial technologies formed the basis of a design philosophy centred on clarity, conciseness and precision. Ironically, these values also held great weight within the expanding corporate commercial sphere and, among other factors, provided a touchstone between art and commerce. Another key factor was the belief held by many artists that participation within the commercial sphere would provide the opportunity to democratise art and communicate modernist values.³⁵ This approach saw artists simultaneously advocating anti-capitalist politics while designing for commerce. Nevertheless, the revolutionary ideological grounding of modernism remained strong, and during the 1920s "the choice between commerce and social revolution... was the significant intellectual dilemma facing many modernist graphic designers."³⁶

While many designers struggled to reconcile this contradiction, the commercial viability of its visual impact was undeniable and its expanding exposure through the mass media reified the modernist 'project' as a modernist 'style,' simultaneously consolidating its formal aesthetic while diluting its ideology. In Germany, which had become the meeting-ground for many important modernist theorists and practitioners, the rise to power of the Nazis in 1933 had a dramatic effect on the development of modernist culture. Vilified by the Nazis for promoting internationalist and socialist ideals, the Nazi regime caused an exodus of modern designers to Western Europe and North

America. While Europe became engulfed by war, in America, where modernist languages of design had already been assimilated by the mid 1930s, émigré European designers received a warm welcome. Distanced from the political turmoil of central Europe, many designers took to working for commercial enterprises and soon became integrated into corporate culture. The value of modernism, both as a philosophy of rational organisation and an aesthetic cultural movement, became a useful tool in the internal communications and external promotions of corporations:

American industry [...] turned to designers to promote a strong corporate image to various audiences, including their own employees, shareholders and the public. [...] Design was increasingly used in systematic fashion to unite large conglomerates and to promote a coherent and vigorous public image.³⁷

The growing focus on corporate identity and the culture of branding was an important development for graphic design in America, elevating it to the status of a respected profession, complete with its own literature, research processes and awards ceremonies. Though the concept of corporate identity and the use of symbols and logos had existed for quite some time, the injection of modernist principles into these areas of marketing changed them into the dominant modes of commercial communication. To understand the significance of this change it is of interest to examine the development and adoption by commerce of the reduced forms of modernist iconography. An ideal example of the modernist project of achieving universalism through the scientific reduction of form was the development of Otto Neurath's Isotype (International System of Typographic Picture Education) during the 1920s and 30s. A Viennese philosopher and social scientist, Neurath designed a collection of uniform graphic symbols to represent people, places, objects and actions. Intended primarily for use in educational materials, these symbols provided a visual perceptual system for the presentation of social statistics. Through principles of reduction and consistency, Neurath's symbol-signs brought together "the mechanical empiricism of photography with the rational structures of mathematics and geometry" ³⁸ in an attempt to create an objective and universal system of communication.

Neurath's work has since been reified into the public sphere through the application of the U.S. Department of Transportation's standard symbol set, designed under the guidance of the American Institute of Graphic Arts in 1974. The D.O.T. system has been applied internationally to such a degree that it has achieved a consistency of understanding that extends beyond the boundaries of verbal language. The high universal application of these symbols is a testament to the effectiveness of Neurath's approach and the power of pictographic communication. Perhaps more telling still is the appropriation of this type of communication by the commercial sphere in the form of corporate logotypes and brand marks. The ubiquitous presence of these reduced signs within a commercially saturated communications environment has dramatic effects on the process of understanding. As Ellen Lupton and Abbott Miller state in their article *Critical Way Finding*:

"This diaphanous veil of commercial imagery is punctuated with a pattern of hieroglyphics, signs that are neither image nor text but occupy a middle ground between them. Such signs, whether generated in the name of private commerce or public information, are attempts to anchor or regulate the ongoing barrage of pictures and products. Like digital rocks in an analog stream, hieroglyphics guide the flow of communication by directing the interpretation of events, the consumption of goods, or the navigation of public spaces."³⁹

Though these reduced signs, or hieroglyphics, have in some sense achieved the modernist project of internationalisation, the supposed objectivity and neutrality of their character masks numerous problems. The simplified geometric forms of these signs, which contributes heavily to their semblance of objectivity, encapsulate and represent vast amounts of cultural meaning. And though conventionalised, these meanings are in no way objective or neutral.

Within the D.O.T. system, the male and female figures are used to represent lavatories for men and lavatories for women. The female figure is distinguished by the fin-like extensions of a party dress, a loaded cultural convention. Furthermore in every other sign save one, the male symbol is used to represent people in general. The only other sign in which we see the female symbol (more accurately, the women's lavatory symbol) is the sign for ticket sales, where the 'woman' serves the 'man.' In this way the D.O.T. system clearly represents more than objective information, it represents cultural customs, value systems, and structures of power.⁴⁰

The ability of these simple symbolic marks to represent the vastness of human experience while maintaining the appearance of objectivity, and hence authority, through highly economical means, is at the root of their stylistic appropriation by the commercial sphere. Through advertising, powerful associations are created between a wide range of intangible values and emotions and a corporation's logo, which is then replicated ad infinitum. Through their mass exposure, these logos become conventionalised signifiers of a complex range of values and emotions.

The grafting of these signs onto experience is reinforced by the reciprocal approach of using seemingly complex, realistic imagery to represent conventionalised and generic ideas and emotions. Water droplets on cans and bottles of beverages represent the notion of refreshment, smooth, polished surfaces are equated with beauty, health, and progress, SUVs tearing through the wilderness with freedom, fast food with family. These conceptual associations become further reduced and applied formally by graphic designers, where fast moving lines and angular abstract shapes symbolise technology, jagged typography represents counter-culture, Helvetica represents truth.

Coupled with the hieroglyphic language of logos, a complex yet reductive and codified system of representation is promoted through advertising and reinforced within numerous manifestations of popular culture. However, beyond their role in consolidating this system of representation, logos play an essential role in communicating brand ownership. Logos provide the visual reference point connecting a brand to its property. Thus, an analysis of ownership structures becomes essential to the contextual understanding of strategies of reduction.

By examining the primary sources of production and distribution of these reductive forms of communication, a parallel can be drawn between the formal execution of this language and the structural reduction occurring through the wave of media mergers over the last two decades. The liberalisation and deregulation of communication policies coupled with the rampant growth of commercial advertising has created an oligopolistic media market dominated by a handful of global corporations. This consolidation is not only reflective of the dramatic concentration of wealth and power characteristic of the global economy, but obviously plays a dominant role in reinforcing it. Criticism of these media monopolies is commonplace, focussing primarily on the homogenisation of cultural material and the destruction of diversity that this entails. However, undoubtedly a valuable and necessary critique, this approach falls short when critical analysis of the media environment

reveals that there remains quite a diversity of information and entertainment, and that maintaining and encouraging this diversity is of primary concern to many media owners.⁴¹

What becomes revealing is the type of diversity that is created and allowed for. Though corporate media is surprisingly inclusive in representing social problems such as racism and discrimination, “the focus tends to be on the individual, not the structural; the specific manifestations of suffering, not the broad social conditions underlying them.”⁴² Reducing and concentrating social issues to representations of individual experience inevitably compromises social understanding while simultaneously creating strong emotive connections with the audience. A similar approach is used in the creation of ‘niche’ markets, which act as the representatives of media diversity.

With the consolidation of the current media giants, there has been a shift from the focus on producing mass cultural forms that appeal to the majority to the development of more fragmented ‘niche’ products.⁴³ Media companies seek out the issues and ideas that are not dealt with by their mainstream coverage and subsequently promote them within specific markets. These products have clearly-defined cultural boundaries that through their specificity generate greater audience interest and investment.

This intensity of interest allows niche products to “be marketed to consumers and sponsoring advertisers at a premium price.”⁴⁴ Additionally, through control of both mass and niche markets, products can then be strategically moved between the two, carrying the intensity of a niche product into the mainstream (an ideal example being the popularity of Hip-hop music) or creating a niche market for a once mainstream product (such as Star Trek). What becomes apparent is that the interest of media companies is not so much “to homogenise popular culture than to organise and exploit diverse forms of creativity toward profitable ends.”⁴⁵ The relevance of these issues to graphic design returns to the forefront when we examine the structures of control that are utilised to organise the diverse and chaotic media environment. Intellectual property laws, a central topic of design discourse, are what bind media brands and products together through “elaborate architectures of copyrighted texts, trademarks, and licensing agreements.”⁴⁶ Based in romantic notions of sanctified authorship, intellectual property laws have since developed into complex systems of regulation and ownership. The lengthening of copyrights and the extension of intellectual property laws into areas that were previously regarded as public domain (the most dramatic example being human genetic material) reflect a dramatic shift from the previously held assumption “that things in the public domain should stay that way unless a compelling case could be made for privatisation, [to the assumption] that things should be privatised unless a compelling case can be made not to.”⁴⁷ This becomes representative of the extreme reduction of cultural ideas to the point of returning to intangibility, yet an intangibility that is owned as property and traded as a commodity.

Graphic designers, acting as mediators within an often appropriative sphere, are asked to work within the limits defined by these property laws. As corporate ownership extends to images and ideas that were once publicly available, the reservoir from which graphic designers draw is increasingly constricted and codified. Beyond the economic control provided by intellectual property laws, corporations are increasingly using these laws to silence criticism or even commentary that reference their ‘property’ (such as logos or slogans). Graphic designers who wish to engage in social commentary, a function that is so well suited to their craft, are constantly in danger of the repercussions of violating these laws. The process of reduction controls and directs cultural

production within the public sphere contributing to its privatisation. Through complex structures, cultural representations are simplified and tied to commercial ownership. As democratic dialogue is constrained, the very notion of free speech is called into question.

NOTES

35. David Crowley and Paul Jobling, *Graphic Design: reproduction and representation since 1800* (Manchester: Manchester University Press, 1996), 150.
36. *Ibid.* 146.
37. *Ibid.* 159.
38. Ellen Lupton and Abbott Miller, "Modern Hieroglyphs," in *Design Writing Research* (London: Phaidon Press Ltd., 1999), 41-43.
39. Ellen Lupton and Abbott Miller, "Critical Way Finding," in *Looking Closer 2*, ed. Michael Beirut, William Drenttel, Steven Heller and DK Holland (New York: Allworth Press, 1997), 208.
40. *Ibid.*
41. Michael Curtin and Thomas Streeter, "media," In *Culture Works: the Political Economy of Culture*, ed. Richard Maxwell (Minneapolis: University of Minnesota Press, 2001), 226.
42. *Ibid.* 227.
43. *Ibid.* 231.
44. *Ibid.* 232.
45. *Ibid.* 231.
46. *Ibid.* 234.
47. *Ibid.* 235.

CRITICAL ENGAGEMENT

3. Graphic Design Culpability and Responsibility

Idealisation

The processes of separation and reductionism that have been explored thus far create the necessary conditions for the commodification of the communications environment by creating a value system based in detached and reduced signification. Idealisation, understood simply as the attribution of unwarranted positive characteristics to a product, message or concept – from the stylisation of surfaces to the projection of false promises – exploits these conditions, gives currency to this system and directs its movement. Whereas the creation of desirable objects, imbuing them with aesthetic and spiritual value, can be said to be an integral part of human nature, the manufacture of desire for its own sake is a phenomenon that requires greater analysis.

The roots of this phenomenon can be located at the beginning of the 1900s, with the development of mass markets and the techniques of psychological advertising described earlier. "By the early 1900s the most successful advertising agents were trying not only to attract attention but aggressively shape consumers' desires."⁴⁸ In order to create desire, above and beyond what was achieved through the stylisation of goods and the application of emotional characteristics to products and packaging, advertisers, directly informed by the realm of psychology, played upon what Jackson Lears has termed the 'therapeutic ethos.' Lears describes this ethos as:

"[a] reaction against the rationalization of culture – the growing effort to exert systematic control, over man's external environment and ultimately over his inner life as well. [...] Many began to sense that their familiar sense of autonomy was being undermined, and that they had been cut off from intense physical, emotional, or spiritual experience. The therapeutic ethos promised to heal the wounds inflicted by rationalization, to release the cramped energies of a fretful bourgeoisie."49

Advertisers reacted to this sense of detachment, providing a symbolic universe filled with promises of physical beauty and emotional fulfilment that proved to be extremely profitable. However, this universe was in actuality rather limited in scope, grounded in the generic concept of self-betterment. The growing sense of urban malaise allowed advertisers to create a standardised platform from which to sell all manners of products. This uniform approach of appealing to a generic psychological dissatisfaction allowed for the expansion and unification of markets by ignoring the specificity of individual consumers, their ethnic background, geographical location and most importantly, their actual needs. The presence of idealised advertising imagery and messages created an environment where the dissatisfaction felt by many was transformed into needs felt by all. This played an incredibly important role in the burgeoning American economy:

Psychological standardisation – that is, simply to use a way of life as the basis of unification [...] determines the extent of the American market. Mass production requires mass consumption, but there cannot be mass consumption without widespread identical views as to what the necessities of life are.50

Though 'life style' advertising was effective in controlling economic markets, it was the advent of the First World War that provided the catalyst for its development into a new and totalising form of psychological propaganda:

"... it was in the war itself, when now not a market but a nation had to be controlled and organized, yet in democratic conditions [...] that new kinds of persuasion were developed and applied. [...] Alongside the traditional appeals to patriotism lay [a] kind of entry into basic personal relationships and anxieties."51

Advertisers began to develop complex techniques of persuasion in order to sell their products, rooted in the creation of what has become known as 'the American Dream': a mythic construct built upon idealised notions of family, freedom, progress and success. Though its economic role was invaluable, its effectiveness in mobilising a diverse populace during the war is what consolidated its position within American society.

One example of this new role for the umbrella industry of American public relations and marketing can be found in the 'Mohawk Valley Formula'. In a reaction to growing labour strikes in the late 1930s, public relations industries developed this 'scientific method of strikebreaking,' which consisted of mobilising a community against strikers and union activists rather than engaging police in direct violence against them, which was the 'method' used previously.52

The 'Mohawk Valley Formula' basically consisted of entering a community and flooding it with propaganda that presented an idealised picture of the world, of hard working people and their possessions, of harmonious familial life, and of a singularly unified community. Once the community

became accustomed to this constructed environment, the strikers were positioned as dangerous threats to its harmonious ways of life, and made into scapegoats for why people's actual lives did not live up to the construction.⁵³

Though the techniques have become more sophisticated, the myth diversified, and the channels of delivery vastly expanded, the formula remains the same. Advertising today, more so than ever, serves to indoctrinate people with value systems that are both economically and politically profitable to elite structures. This is not to suggest that all commercial media are engaged in a mass conspiracy, but that by acting under a "guided market system"⁵⁴ they create an environment that achieves these ends:

"... one out of six dollars in the whole economy is spent on marketing. It's an extremely inefficient use of funds. Marketing doesn't produce anything, any public good. But marketing is a form of manipulation and deceit. It's an effort to create artificial wants, to control the way people look and think about things. A lot of that marketing is straight propaganda, advertising. Most of it is tax-free... which means the way our system works, you pay for the privilege of being propagandized, of having all this stuff dumped on you."⁵⁵

The societal consequences of this are extreme. In America, this kind of marketing propaganda generally operates at a continuous, yet low level of intensity, socialising the public to accept and in turn idealise a certain way of life. This way of life obviously allows for an ample amount of diversity (as examined earlier) yet the structural foundations, concepts such as freedom and self-betterment, remain the same. When necessary however, this propaganda can quickly build upon the value system created and become a direct form of propaganda, mobilising the populace to action, or inaction as the case may be.

The attacks of September 11th provide an ideal example. An onslaught of advertising and public relations campaigns launched shortly after the attack unilaterally supported war and helped to earn George W. Bush, a president marginally elected under great controversy, an approval rating of 92 percent.⁵⁶ Filled with American flags and heroic imagery, this propaganda called for patriotic consumption and unwavering support for a war-mongering government. Though it would be presumptuous to give disproportionate credit to the campaigns themselves, commercial media played an important role in consolidating public opinion. A population bred upon the concept of freedom has been led to accept this concept as the justification for a continual state of war, of 'good' against 'evil'.

This form of blatant propaganda requires little critical scrutiny in order to be understood; it is designed with specific purposes, under specific conditions and uses conventionalised strategies to achieve its goals. However, the creation of the conditioned responses these strategies play upon is a far more complex system of sociological propaganda, with far more subtle expressions. This subtlety has much to do with the naturalisation of the 'Mohawk Valley' approach through advertising and is reflective of its effectiveness. As Ellen Lupton and Abbott Miller describe:

Advertising's impact emanates from its representations of the "everyday," its reiteration of stereotypes and relations of power. Much consumer advertising portrays the apparent naturalness of social conditions, not exceptionally or bombastically, but in the course of its daily business. These images are all the more forceful because of their incidental and offhanded nature.⁵⁷

Though Lupton and Miller are referring specifically to advertising, the nature of sociological propaganda is such that it extends to the majority of cultural products. Graphic design has largely internalised the assumption of idealisation as part of its role, the 'value-added' of making products desirable. Yet inherently, this creation of desire plays into the system of creating and consolidating values and behaviours, which are in turn reintegrated into the designer's toolbox. This cyclical and cumulative process of idealisation leads inevitably to the marginalisation of genuine social experience and communication. As a form of systemic social control, this is frightening, yet on an individual level, the psychological conditioning it necessitates may be more frightening still. As Jacques Ellul argues:

"A person subjected to propaganda does not remain intact or undamaged: not only will his opinions and attitudes be modified, but also his impulses and his mental and emotional structures. Propaganda's effect is more than external; it produces profound changes."⁵⁸

An environment saturated with idealised images inevitably creates artificial needs in people that cannot be materially satisfied. Though this is a common critique, often trivialised for its generality and simplicity, its reiteration is imperative. As the dislocation grows between the ideal and the real, dissatisfaction translates into a myriad of forms, from loneliness, apathy and alienation to the serious psychological disorders that are growing at an epidemic rate. Though, quantifiable psychological studies examining the relationship between mass media and psychological illnesses are only beginning to surface, dramatic rises in the prevalence rates of severe depression, especially amongst youth, are well documented.⁵⁹ Along with the rising rates of depression, a host of other 'illnesses' have been pathologised; anxiety disorders, eating disorders, ADHD, etc., along with the drugs to 'cure' them. In the US, suicide is now the third leading cause of death among people 15 to 24 years of age.⁶⁰ A general sense of despair and alienation is growing amongst youth in the west, and, notably, they are the primary target market for the majority of commercial media.

A prime example of this targeting is the development of the Channel One network, a commercially produced television news program that is broadcast in tens of thousands of American schools. In exchange for the 'donation' of equipment necessary to receive their broadcasts, schools open educational institutions to commercial inundation. Coupled with the abundance of magazines, television shows, and commercially sponsored events that are specifically aimed at teenagers, Channel One has colonised one of the last remaining commercially free spaces. Teenagers bear the brunt of the onslaught of idealised images. At a formative stage of development, they are indoctrinated to desire and to be desirable. The creation of desire lies at the heart of consumer culture, the detrimental effects of which are becoming increasingly severe. The diverse psychological, environmental, political and social problems that our society faces are intricately tied to the development of an unsustainable way of life. Yet not only are these problems masked by the idealised representations of this way of life, its advancement is the most vocal solution being proposed by the officially sanctioned mass media. George W. Bush's rallying cry to shop in the wake of September 11th provides a recent example. The absurdity and irony of these tactics reveals what designer Andrew Howard stated in 1997: "the nature of the problem is not just consumption but the ordering of our consciousness to become consumers in the first place."⁶¹ Driven by economic and political motivations, the mediated environment is laying waste to humanist concerns, cultivating a society of individuals who are rapidly being stripped of the means to fight back.

"To the extent that necessity is socially dreamed, the dream becomes necessary. The spectacle is the nightmare of imprisoned modern society which ultimately expresses nothing more than its desire to sleep. The spectacle is the guardian of sleep." 62

NOTES

48. T.J. Jackson Lears, "Salvation to Self-realization," in *The Culture of Consumption*, eds. Richard Wightman Fox and T.J. Jackson Lears (New York: Pantheon Books, 1983), 18.
49. *Ibid.* 17.
50. Jacques Ellul, *Propaganda: The Formation of Men's Attitudes*, trans. Konrad Kellen and Jean Lerner (New York: Random House, 1973), 68.
51. Raymond Williams, "Advertising: The magic system," in *Problems in Materialism and Culture* (London: Verso, 1980), 179.
52. Noam Chomsky, "Propaganda and Control of the Public Mind," in *Capitalism and the Information Age: The Political Economy of the Global Communication Revolution*, eds. Robert W. McChesney, Ellen Meiskins Wood and John Bellamy Foster (New York: Monthly Press Preview, 1998), 183.
53. *Ibid.* 184.
54. Noam Chomsky, "The Propaganda Model Revisited," in *Capitalism and the Information Age: The Political Economy of the Global Communication Revolution*, eds. Robert W. McChesney, Ellen Meiskins Wood and John Bellamy Foster (New York: Monthly Press Preview, 1998), 195.
55. Noam Chomsky, "Propaganda and Control of the Public Mind," in *Capitalism and the Information Age: The Political Economy of the Global Communication Revolution*, eds. Robert W. McChesney, Ellen Meiskins Wood and John Bellamy Foster (New York: Monthly Press Preview, 1998), 189.
56. Gallup Poll, Oct. 2001.
57. Ellen Lupton and Abbott Miller, "Subliminal Seduction," in *Design Writing Research* (London: Phaidon Press Ltd., 1999), 141.
58. Jacques Ellul, *Propaganda: The Formation of Men's Attitudes*, trans. Konrad Kellen and Jean Lerner (New York: Random House, 1973), 161.
59. Peter M. Lewinsohn, "Age-cohort changes in the lifetime occurrence of depression and other mental disorders," in the *Journal of Abnormal Psychology*, 102, 1993, 110-120.
60. National Institute of Mental Health web site. Suicide Statistics available at <<http://www.nimh.nih.gov/research/suifact.htm>>.
61. Andrew Howard, "There is Such a Thing as Society," in *Looking Closer 2*, ed. Michael Beirut, William Drenttel, Steven Heller and DK Holland (New York: Allworth Press, 1997), 200.
62. Guy Debord, *Society of the Spectacle* (Detroit: Black & Red, 1977), aphorism 21.

CRITICAL ENGAGEMENT

4. Graphic Design Culpability and Responsibility

Hope

The purpose of the preceding thematic critiques has been to demonstrate the economic and political context within which the majority of graphic design operates. The critiques present a small component of a much broader critique of monopoly capitalism, corporate globalisation and its growing hegemony. Whereas it would be arrogant, not to mention impossible, to propose a dogmatic solution to the complexity of issues involved, especially through the lens of graphic design, it would be equally recessive and defeatist to not propose solutions at all.

Graphic design is a vast field, and the themes of separation, reductionism and idealisation, though integral to an understanding of context, are by no means the definitive boundaries by which the medium is set. This essay has been organised to focus on them because they offer tangible points from which graphic designers can directly act. Through an understanding of the mechanisms underlying these themes and their detrimental impact, designers can make active and responsible choices to avoid exploiting their representations in language. Furthermore, a strategy favouring the inversion of these themes can provide a working model for more honest and informative forms of communication. By making genuine attempts at grounding imagery in the context of its production and reception, diversifying codes of representation, providing alternative viewpoints and refusing idealised stereotypes and manipulative emotive techniques, designers can and have directly challenged the commodification process. The necessary complement to this strategy of inversion is the development of a public discourse around the societal effects of separation, reductionism and idealisation. Designers need to take the initiative in revealing and problematising these issues within practice. These propositions should not be understood as reformist principles calling for a return to vernacular design nor as an attack on fundamental principles of 'good' design and aesthetic values. What is being proposed is a critical engagement in the construction of meaningful communication by directing design language away from the commodity structure. This kind of engagement in language is reciprocal to the development of a broader social responsibility from designers, which takes form in a wide variety of approaches, fundamentally grounded in the recognition of graphic design as a social and political practice.

Liz McQuiston's *Suffragettes to She-Devils* presents a wealth of examples of socially engaged graphic design. The book catalogues an extensive amount of visual material drawn from the feminist movements of the twentieth century. Acting, in their own right as "agents and carriers of the ongoing call for change"⁶³ the diverse forms of graphic expression helped to disseminate information, establish communications networks, promote issue-oriented education and deliver stinging social critiques. Graphic design played an important role as a tool of empowerment, giving voice to women and articulating their concerns.

The vast stylistic variety of the material represented in McQuiston's book is not only demonstrative of the diverse issues and contexts from which it is derived but provides an interesting insight into graphic design's place in social struggles. In contrast to the emancipatory and utopic vision of the modernist movement, the images of the women's movement in no way prescribed to a unifying aesthetic dogma. Obviously, these movements are fundamentally different and stylistic comparisons would not provide constructive insights. However, when seen in conjunction with other social and counter-cultural movements that became symbolic of a certain stylistic representation (for example the DIY style of the 'punk' movement or the urban aggressiveness of hip-hop), what can be noted is that the women's movement's lack of stylistic unity, though not an intentional strategy, in fact adds a level of resistance against its co-option, commodification and resulting dissolution. What unifies the

works presented in Suffragettes to She-Devils is a passionate commitment to the issues and a political engagement from the artists far beyond the level of rhetoric.

This level of engagement to social issues is rare amongst professional designers. Indeed a concerted effort to distance oneself from what might be called biased perspectives, under the guise of neutrality and objectivity, is often seen as the invaluable asset of professionals. Hence, emphasising design's growing economic function while ignoring its social and political ramifications is common within the promotion and practice of graphic design. Katherine McCoy states:

"Commerce is where we are investing time, budgets, skills, and creativity. This is a decisive vote for economics over other potential concerns, including social, cultural, spiritual, and political needs. This is a political statement in itself, both in education and practice."⁶⁴

Jan van Toorn emphatically reiterates the effects of subsuming graphic design's social role to institutional private interests:

"Not questioning social responsibilities implies that you surrender to that sector of society that, because it possesses all our means of survival, manoeuvres design in the role of entrepreneurial aesthetics. Design, often regarded as autonomous activity, thereby functions more and more as an aesthetic legitimisation of the dominant ideology."⁶⁵

The strategy to advocate a design autonomy as apolitical and dissociated from social concerns can be traced to a multiplicity of social, cultural and political factors that tend to place the economy above all other concerns, effectively engaging in the depoliticisation of the citizenry at large. Specifically within the field of graphic design, Katherine McCoy places an emphasis on educational factors, and the role of modern formalist training employed by many design schools:

"The Basel graphic translation projects, so effective in training a keen formal sense, unfortunately use a process of abstractional analysis, thereby stripping imagery of its encoding symbolism. Divorcing design form from content or context is a lesson in passivity, implying that graphic form is something separate and unrelated to subjective values or even ideas."⁶⁶

As a design educator, McCoy proposes a simple, clear-sighted appeal to engage students, from the very beginning of their education, with content-based projects of personal and political significance: "The responsibility for developing content is a crucial one; it counteracts the passive design role in which one unquestioningly accepts client-dictated copy."⁶⁷ In shifting the focus of design education from formal concerns to genuine and tangible communicative challenges, educators empower students to develop their own voices as well as the critical faculties to recognise voices that are not often heard. This progressive approach begins to move design beyond the realm of representation into the role of actual communication. The efficacy of education and the academy as a site of resistance should not be understated. In 1997, the Jan van Eyck Academie in Maastricht, The Netherlands, hosted the design beyond Design conference. This international gathering centred on critical, alternative and dissident design practices. A statement by bell hooks, which was used as the motto for the conference, underscored the marginal nature of these

practices:

"I was not speaking of marginality one wishes to lose, to give up, or surrender as part of moving into the center but rather as a site one stays in, clings to even, because it nourishes one's capacity to resist. It offers the possibilities of radical perspectives from which to see and create, to imagine alternatives, new worlds."⁶⁸

Els Kuijpers, one of the organisers of design beyond Design, relates this statement to the role of the academy:

...it is logical that education can be so effective in working towards an emancipatory programme because it is where the dominant culture is both confirmed and called into question. This means that education is one of the sites of the conditions for critical action and transformation. That is to say, the academy as a potential source of counter-images.⁶⁹

The conference, which brought together academics, intellectuals and design practitioners along with an exhibition of their work, acted as just such a site, and became a pivotal event in the contemporary history of critical design practice. The works presented covered a breadth of specific projects and issues, and was unified by an attempt to investigate "the discrepancy between the socio-economic and symbolic reality of the world-wide information and consumption culture and the prospects for the democratisation of the media."⁷⁰ Supported by strategic theoretical dialogue and discussion, the designers presented striking examples of alternative design practices. Though a large diversity of work was presented, there was a consistent challenging of dominant design ideologies, as well as an inherent action against the thematic principles of separation, reductionism and idealisation.

Much of the success of the design beyond Design conference lay in its inclusion of participants who create strong links between social responsiveness in design and active practice.

The work in the public sphere of Sheila Levrant de Bretteville focuses on a dialogue-based understanding of context, and commemorates histories of the people that have lived in the communities she works in. Specifically, her work aims to make "the plurality of voices of people in those neighbour-hoods visible, allowing us to listen."⁷¹ This approach counters the separation of a work from its historical and geographic context, transforming the physical environment into a document of its past, too often effaced by gentrification and other economic prejudices.

Another project of interest is the design studio 2x4's Museum of the Ordinary, which defines a section of the urban environment of Manhattan as a museum, consequently labelling and intervening on objects and public spaces within it. Using devices typical of a museum, 'ordinary' objects are framed and isolated while labels provide information of their social and economic histories and values. In doing so, the museum deconstructs the naturalisation of the constructed environment and critiques the idealised notions of design practice.

Another important design beyond Design participant was Gérard Paris-Clavel, one of the founders of the Ne pas plier activist design collective. Ne pas plier creates graphics to support popular social struggles, giving voice to marginalised people. Their work moves graphic design into the streets, reclaiming social space and connecting directly to individuals and groups who actively use it. In his conference lecture, Paris-Clavel eloquently describes the group's objective, "that the signs of poverty

not be joined by a poverty of signs, and that the exclusion of language not be replaced by languages of exclusion.”⁷²

All these projects associated with design beyond Design, reinforce bell hooks’ statement that it is in the margins of design culture, rather than in the mainstream, where activist efforts are still most effective. They present powerful and necessary alternative visions of what design can be. Moreover, while remaining at a critical distance, they can and do strategically influence the centre. The renewing of the First Things First manifesto, with its broad reach, would not have been possible, nor relevant, without the contributions made at this pivotal conference.

At the recent Declarations of [inter]dependence and the im[media]cy of design symposium, which took place in Montreal in October 2001, the initiatives made at the design beyond Design conference were further extended into practice. Student-oriented, the symposium proper was preceded by intensive four-day collaborative workshops where a wide variety of both image and object-based design work was produced and disseminated into the public sphere, as well as being presented within a gallery setting.

Ironically, the symposium, which focussed on politically and socially engaged design practice, took place in the aftermath of September 11th amidst the surge of war mongering American propaganda. The work produced by the Design Is Not Enough workshop, led by Tony Credland, Sandy Kaltenborn and Brian Holmes, reacted to this critical moment by producing work to counter the propaganda being issued by the mass media. Oriented towards creating public dialogue, disseminating information and critiquing the media, the facilitators and students created a body of work based firmly in the context of its reception and the interaction between designer and audience.

This dialogic process was also explored by the We Interrupt The Programme workshop. A project initiated by Ian Noble and Russel Bestley at the design beyond Design conference, We Interrupt The Programme focused on deconstructing the language of graphic design in order to challenge assumed communication hierarchies and open the construction of meaning to a more democratic process. Breaking down the design process to the juxtaposition of individual words and images which were generated autonomously by the students, a matrix of narratives was created that was reflective of the collaborative group yet open-ended enough to allow for negotiated interpretations by the audience. Working through an experimental approach, not centred on the determination of specific meaning, a more organic approach to communication design was explored.

"Though the message can never be an open, democratic construct between sender and receiver, we can attempt to expose the nature of the process at work by allowing the reader a free hand in the act of construction itself."⁷³

Inherently, this revealing process seeks to satisfy two goals. Firstly, it empowers the reader by placing them into a collaborative position in the generation of meaning. And secondly, it brings attention, albeit obliquely, to the strategies of persuasion employed in graphic design, challenging the viewer to be more critical of the mediated environment at large.

The development of critical and dialogic approaches to visual language at the Declarations conference was coupled with an engagement in socio-political concerns. Though this has not resulted

in any explicit utopic solutions, what the conference has succeeded in achieving is invaluable, and that is the creation of dialogue itself. At the root of the argument is the fact that if design is about communication, it must be inherently about the creation of dialogue. Dialogue as exchange, dialogue as education, dialogue as resistance. In Jacques Ellul's treatise on propaganda, he systematically demonstrates its all-encompassing power and its apocalyptic destructive effects. Yet hidden in the introductory definition of propaganda's characteristics, Ellul makes a bold and empowering statement: "Propaganda ceases where simple dialogue begins."⁷⁴

The creation of spaces for dialogue is an essential component of the progressive struggle. The Internet has provided an ideal medium for the delivery of alternative information, creating spaces of autonomous dialogue. Though it is being rapidly colonised by commercial interests, its viability as a platform for activists is unprecedented. Perhaps the best example of this is the Indymedia⁷⁵ web site. Established in 1999 for the purpose of providing grassroots coverage of the World Trade Organisation (WTO) protests in Seattle, the site has since become a global portal for independently produced media. Constructed around open-source open-publishing software, the site allows for anyone to participate by posting articles, images, sound and video footage. The success of the initial site has spawned over eighty affiliated media centres worldwide presenting alternative, non-corporate media, connecting local struggles and initiatives to a global audience.

The Internet is populated with an abundance of web sites that share the radically democratic spirit of Indymedia which provide critical, alternative, and dissenting perspectives, information and content.⁷⁶ One such site, the Guerrilla News Network⁷⁷ showcases short video documentaries that expose global issues too often ignored by the mass media. The videos combine high impact imagery with innovative video-scratching techniques and informative commentary set to powerful musical soundtracks. The site describes them as "music videos for people who think."⁷⁸ These videos are exemplary of design's role in communicating vital alternative information in an engaging fashion.

Graphic design, which is now understood as including design for the web, has an important role to play, not only in how users will interact with the medium, but in contributing to its viability as a source of independent production. A vibrant design community exists on the web, consisting of designers seeking to push the boundaries of the medium's communicative potential.⁷⁹ Experimental design sites abound alongside personal sites showcasing graphic design's expressive nature. Bridging the gap between these sites and those with a progressive agenda would be a tremendous step towards furthering the Internet as a tool for social change.

The @TMark web site⁸⁰ provides a strong example of the conjoining of creative practice, technological sophistication and dissenting politics. The site plays on the corporate investment model to list, support and document anti-corporate projects. From the creation of satirical web sites such as gwobush.com, **voteauction**.com and gatt.org which specifically mimics the World Trade Organisation's official web site, to subversive 'public relations' email campaigns, @TMark has successfully caused interventions to the corporate agenda. Most notably, their Toywar campaign prevented the corporate buyout of a Swiss art collective's website, etoy.com, by the Internet toy distribution company Etoys. The campaign helped to bring Etoys stock value down from 67 dollars in November 1999 to just under 20 dollars by January 2000, when the suit from Etoys was dropped.⁸¹

Though operating from a very different direction, the Saturation Engine project⁸² is equally

illustrative of the combining of creativity, technology and dissenting politics. The engine reclaims the imagery from the media fallout after September 11th and recontextualises it into an audio-visual barrage. The condensed, repeated and conflicting images not only reveal their propagandistic nature but “create[s] a situation where new meanings can be constructed from the imagery that surrounds us constantly.”⁸³

Both these sites aim to challenge existing structures of media and corporate power. They exploit the potential of the Internet as a space of dialogue and dissemination to encourage critical thought and action. Evidently, the generation and sustenance of dialogue as a critical strategy needs to be complemented by direct action strategies within the public sphere. The reassertion of its public character is of primary importance. ‘Culture jamming’, a term coined by the band Negativland, has become a popular strategy employed by media activists. Understood under the term ‘détournement’ by the situationists, it was seen as a key strategic concept, “an insurrectional style by which a past form is used to show its own inherent untruth— an untruth masked by ideology.”⁸⁴ Culture jamming can be used to describe a broad range of subversive activity, from the work of graffiti artists to the radical ‘refacement’ of billboards by the Billboard Liberation Front⁸⁵ to pirate radio broadcasts. In essence, it is an attempt to challenge the authority of the mass media through creative acts of resistance within the public sphere.

Adbusters magazine, the ‘journal of the mental environment,’ has appropriated culture jamming as the rallying cry for their manifesto, seeing it as a social movement with the revolutionary aim of “toppl[ing] existing power structures and forg[ing] a major rethinking of the way we live in the 21st century.”⁸⁶ This type of sloganism, typical of the more recent issues of Adbusters, along with the slickness of its design has drawn the magazine regular criticism. The apparent contradiction between its anti-advertising objectives and its image-based editorial strategies, not to mention its aggressive self-promotional techniques, raises questions regarding its integrity and accountability. Though this criticism is understandable and necessary, Adbusters’ approach has placed the magazine in a unique and important position. Found alongside popular publications, often co-existing with major design journals, Adbusters maintains a highly critical and radical perspective, both in form and content. The magazine’s image-based approach and strategic use of design elements provide powerful examples of graphic design’s ability to subvert dominant messages and raise challenging questions. Jan van Toorn, though not speaking specifically about Adbusters, provides insight into the magazine’s approach, differentiating between the role of the visual and that of the image:

"The problem of design today is that it is more fascinated by the visual, as a realistic imitation or decoration, and not by the image as a subjective narrative and interpretive element. As a result of its internal dialogue, however, the image is more than a perception. It is a necessary construction on the brink of fiction, that reveals the dialectic of representation and presentation."⁸⁷

Adbusters, though at times guilty of crossing the line between the visual and the image, plays an active and important role in the contemporary development of the image as a critical tool. Criticism, albeit warranted, should not be used to efface the culture jamming that it engages in, and, more significantly that it inspires in others.

Yet the effectiveness of culture jamming as a direct action strategy is limited if it does not move beyond a critique of the media to address directly the structural factors and inequalities underlying its power. Direct action in graphic design implies the support of direct action in people’s struggles. It

cannot exist as an autonomous critique, as the members of Ne pas plier describe:

"...an image is not an inert object to be contemplated, nor is it a political tool in itself. Only when inserted into action or struggle does it produce political effects; only when carried by individuals or groups does it come alive, generating meaning in return."⁸⁸

During the protests against the Free Trade Agreement of the Americas (FTAA) meeting in Québec City in April 2001, Ne pas plier along with a network of other designers and artists organised an 'exhibition', "conceived as a temporary agit-prop centre in support of the movement,"⁸⁹ where a wide diversity of graphic material; stickers, posters and banners, was given out free for use by demonstrators. Exemplary as an indicator of the nature of the works, was the 'mask' project designed by the Cactus Network in collaboration with students and teachers at Concordia University. Over 4,000 bandanas - printed with a laughing face on one side, and a gagged face behind cyclone fencing on the other – were given out providing both symbolic strength and physical protection from the excessive amounts of tear gas (5,148 canisters) used by the police.

The protests in Quebec City generated an abundance of visual material, both simple and sophisticated, that symbolises the importance of graphic design in social struggle. From a placard scrawled with the message 'Canada is not for sale but our PM is' to the intricate anti-FTAA poster designed by the Beehive design collective, graphic material aids in the construction of a meaningful narrative and provides a visual memory of the events. This poster, and others designed by the Beehive, are excellent examples of political critique explored through the language of graphic design. The collective's characteristic illustrative style uses a complex fractal-like approach to depict diverse and specific political conflicts that are interwoven into a larger narrative image. By revealing simultaneously the multiplicity of issues involved and their relationship to larger issues, such as the FTAA, their posters present beautiful and comprehensive political critiques.

Ne pas plier, the Cactus Network and the Beehive Collective are but three of the countless organisations and individuals that had chosen to use their graphical talents to protest the FTAA agreement in Quebec City. The city was awash in colourful and emphatic political expressions, countering the clouds of tear gas and black suited police. This diversity of expression within political struggles returns these discussions to the strengths and successes of the graphic support material of the feminist movements, and optimistically, of the concrete progress made by the movements themselves.

The examples that have been presented explore a wide range of possibilities for socially engaged design practice. They revolve around the complementary strengths of education, dialogue and direct action as instigators of social change. Supported by a thorough understanding of the thematic incursions of separation, reductionism and idealisation on design practice and language, they will lead, I hope, to the generation of a more fundamental concept of design responsibility. This responsibility cannot be based solely in the continued development of critical thinking and writing on design, but must take place in the creation of a practice composed of designers who think, listen and most importantly, act. Graphic design has played the part of social pacifier for far too long. Taking action is an essential component of taking responsibility. It means getting out of the cocoon and into real situations of social co-operation and confrontation.⁹⁰ It means believing, supporting, and participating in movements for radical change. At heart, it is about democracy. As Jan van Toorn

states:

"In the light of the economic and social relations of power in the world, it is not realistic, I believe, to hope for the direct participation in the media by those who have no voice. That accounts for the incredible importance that practical intellectuals as designers should attach to an emancipatory view of their role as contribution to the real democratisation of the media as public spaces."⁹¹

If we wish to continue to believe that we live in a democratic society, then we, as citizens, must engage in a more direct control over the makeup of our social environment. The environment cannot be left to regulation by an idealised market system. The belief in an unsustainable economic model has led to countless atrocities; rampant environmental destruction, an exponentially growing divide between the rich and the poor, endless war. If we understand that the means of communication set the basic parameters for the functioning of society, then designers are complicit in the perpetuation of these problems. Yet this understanding also places the designer in a privileged position for the furthering of a socially progressive agenda. As the adverse effects of rampant commercial culture grow, it is continually challenged by popular resistance. It is design's urgent role to not only give voice to this resistance, but to work towards the construction of a genuinely sustainable and democratic communications environment.

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LEGAL TECHNOLOGY NEWS.COM

Friday 10 November 2000 - Issue #052

HOLWAY GIVES UK COMPUTING INDUSTRY THE THUMBS DOWN

At a recent seminar organised by London law firm Berwin Leighton, independent computer services analyst Richard Holway warned that UKs IT sector could expect another two years of weak growth and falling profits, with many suppliers suffering the kind of losses not seen since the early 1990s. Holway suggested most companies will be lucky if they enjoy growth rates of 10 percent and suggests it will be the year 2002 before the market starts to recover. He also predicted that most B2B and B2C internet businesses would fail and the only winners in the e-commerce arena would be bricks and mortar companies when they get their act together". Holway blames the recession on the "Y2K microclimate" which saw many customers bring forward their IT investment plans to tackle the millennium bug but have since frozen all new development work and expenditure.

TWO MORE ONLINE LEGAL SERVICE INITIATIVES

London law firm Richards Butler has launched RB-AssetsOnline, a new internet based virtual dealroom facility for handling the management of property and commercial property market transactions online. Clients and property managers will be able to retrieve and view all documents relating to property online, as well as access to continuous transaction reporting around the clock. The firm says that while property is currently regarded as a secure asset, when viewed in terms of its liquidity the time delay involved in transactions, has tended to be one of its greatest drawbacks. Along with offering 24/7 access, Richards Butler believe the new service will effectively help improve the liquidity of property assets.

And, Herbert Smith has announced it has entered into a "strategic arrangement" with one of its clients - the Crosby Group - to provide the legal content for a new B2B commercial deals and exchange site GrowAsia.com that focuses on the South East Asian market.

JUST ASK! JUST MISSES OUT

The Lord Chancellor's Department's JustAsk! legal advice web portal for the general public was the runner up in two categories in this week's Computer Weekly e-business awards however congratulations to Companies House which won the E-Government Award for the best use of e-business in the public sector.

FREELANCE CASE TO GO TO THE SUPREME COURT

The US Supreme Court has announced that it will hear an appeal in the continuing dispute between a group of New York freelance journalists and a number of leading publishers, including the New York Times and Reed Elsevier's Lexis-Nexis division, over whether the journalists should have been notified or compensated when their work was republished on CD-Rom and online database services. The publishers were keen to take their case to the Supreme Court after the US Appeals Court for the Second Circuit, in New York, ruled in New York Times -v- Tasini, in September 1999, the the 1976 Copyright Act prevents companies from republishing the author's work without permission or payment. In fact since then most publishers have introduced new contracts to ensure they acquire both the print and digital rights to work supplied by freelancers.

FRENCH EXPERTS SAY YAHOO! COULD BLOCK ACCESS

The three internet experts appointed by a Paris judge to advise on whether it would be possible for Yahoo! to prevent French web surfers from accessing web sites hosting auctions of Nazi era memorabilia - it is illegal under French law to sell or display objects that promote racism - have said it would be possible to block access to about 70 percent of French surfers because they use easily identifiable French ISPs. The court is expected to rule later this year on what action it require Yahoo! to take.

ONLINE PROTESTS FLOURISH

In the UK a number of businesses that have been threatened with legal action for having a similar web address to the low cost airlines-to-car hire and internet services company EasyGroup have launched a web-based protest site at www.EasyProtest.com. EasyGroup says it has only taken action against companies that have registered domain names in bad faith or engaged in passing off activities. Meanwhile judges in Illinois and Massachusetts have issued court orders to shut down the www.VoteAuction.com site on the basis that it contravenes the US Constitution to allow individuals to sell their votes to the highest bidder. The Austrian owners of the site said that is should have been "obvious even to the legal folk" that the site was all a piece of satire designed to highlight the huge amounts of money spent on campaigning in the build-up to this week's US presidential elections.

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Non è stato ancora inviato alcun commento su questo articolo.

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NO PILL ON THE WEB IN AUSTRALIA

A Federal court in Australia has granted a temporary injunction banning Australian birth control campaigner David Zero Population Growth Hughes from selling contraceptive pills via his www.crowded.org web site to members of the public following a complaint from the Australian Competition and Consumer Commission.

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Friday 10 November 2000 - Issue #052

HOLWAY GIVES UK COMPUTING INDUSTRY THE THUMBS DOWN

At a recent seminar organised by London law firm Berwin Leighton, independent computer services analyst Richard Holway warned that UKs IT sector could expect another two years of weak growth and falling profits, with many suppliers suffering the kind of losses not seen since the early 1990s. Holway suggested most companies will be lucky if they enjoy growth rates of 10 percent and suggests it will be the year 2002 before the market starts to recover. He also predicted that most B2B and B2C internet businesses would fail and the only winners in the e-commerce arena would be bricks and mortar companies when they get their act together". Holway blames the recession on the "Y2K microclimate" which saw many customers bring forward their IT investment plans to tackle the millennium bug but have since frozen all new development work and expenditure.

TWO MORE ONLINE LEGAL SERVICE INITIATIVES

London law firm Richards Butler has launched RB-AssetsOnline, a new internet based virtual dealroom facility for handling the management of property and commercial property market transactions online. Clients and property managers will be able to retrieve and view all documents relating to property online, as well as access to continuous transaction reporting around the clock. The firm says that while property is currently regarded as a secure asset, when viewed in terms of its liquidity the time delay involved in transactions, has tended to be one of its greatest drawbacks. Along with offering 24/7 access, Richards Butler believe the new service will effectively help improve the liquidity of property assets.

And, Herbert Smith has announced it has entered into a "strategic arrangement" with one of its clients - the Crosby Group - to provide the legal content for a new B2B commercial deals and exchange site GrowAsia.com that focuses on the South East Asian market.

JUST ASK! JUST MISSES OUT

The Lord Chancellor's Department's JustAsk! legal advice web portal for the general public was the runner up in two categories in this week's Computer Weekly e-business awards however congratulations to Companies House which won the E-Government Award for the best use of e-business in the public sector.

FREELANCE CASE TO GO TO THE SUPREME COURT

The US Supreme Court has announced that it will hear an appeal in the continuing dispute between a group of New York freelance journalists and a number of leading publishers, including the New York Times and Reed Elsevier's Lexis-Nexis division, over whether the journalists should have been notified or compensated when their work was republished on CD-Rom and online database services. The publishers were keen to take their case to the Supreme Court after the US Appeals Court for the Second Circuit, in New York, ruled in New York Times -v- Tasini, in September 1999, the the 1976 Copyright Act prevents companies from republishing the author's work without permission or payment. In fact since then most publishers have introduced new contracts to ensure they acquire both the print and digital rights to work supplied by freelancers.

FRENCH EXPERTS SAY YAHOO! COULD BLOCK ACCESS

The three internet experts appointed by a Paris judge to advise on whether it would be possible for

-  STAMPA
-  INVIA x MAIL
-  COMMENTA
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ULTIMI COMMENTI

Non è stato ancora inviato alcun commento su questo articolo.

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Newsletter:

Yahoo! to prevent French web surfers from accessing web sites hosting auctions of Nazi era memorabilia - it is illegal under French law to sell or display objects that promote racism - have said it would be possible to block access to about 70 percent of French surfers because they use easily identifiable French ISPs. The court is expected to rule later this year on what action it require Yahoo! to take.

ONLINE PROTESTS FLOURISH

In the UK a number of businesses that have been threatened with legal action for having a similar web address to the low cost airlines-to-car hire and internet services company EasyGroup have launched a web-based protest site at www.EasyProtest.com. EasyGroup says it has only taken action against companies that have registered domain names in bad faith or engaged in passing off activities. Meanwhile judges in Illinois and Massachusetts have issued court orders to shut down the www.VoteAuction.com site on the basis that it contravenes the US Constitution to allow individuals to sell their votes to the highest bidder. The Austrian owners of the site said that is should have been "obvious even to the legal folk" that the site was all a piece of satire designed to highlight the huge amounts of money spent on campaigning in the build-up to this week's US presidential elections.

NO PILL ON THE WEB IN AUSTRALIA

A Federal court in Australia has granted a temporary injunction banning Australian birth control campaigner David Zero Population Growth Hughes from selling contraceptive pills via his www.crowded.org web site to members of the public following a complaint from the Australian Competition and Consumer Commission.

Pagina numero **1** di **2**

| **1** | **2** | >>

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Soziologie

Aspekte der Evaluation wissenschaftlicher Webseiten

Hausarbeit
zur Erlangung des Magistergrades
der
Philosophischen Fakultät
zu Münster, Westfalen

vorgelegt von

Thies Albers
aus Kiel
2001

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I. Abkürzungsverzeichnis

BMBF	Bundesministerium für Bildung und Forschung
CERN	Conseil Européen pour la Recherche Nucléaire (Europäische Organisation für Kernforschung)
E-Journal	Electronic Journal
FAQ	Frequently Asked Questions
FTP	File Transfer Protocol
HTML	Hypertext Markup Language
http	Hypertext Transport Protocol
ICANN	Internet Corporation for Assigned Names and Numbers
IP	Internet Protocol
MIT	Massachusetts Institute of Technology
TCP	Transmission Control Protocol
TLD	Top Level Domain
URL	Uniform Resource Locator
VRML	Virtual Reality Modeling Language
W3C	World Wide Web Consortium
WAIS	Wide Area Information Service
WWW	World Wide Web

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*„Das 20. Jahrhundert stand im Zeichen der Technologie.
Das 21. Jahrhundert wird im Zeichen der Menschen stehen,
die mit Technologie umgehen müssen.“*

Klaus C. Hofer
(HOFER / ZIMMERMANN²2000 : 5)

1. Einleitung

Durch die Entwicklung des Internet und spätestens seit Entstehung des World Wide Web (WWW) in den 90er Jahren des 20. Jahrhunderts ist die digitale Revolution nicht mehr aufzuhalten. Millionen von Usern kommunizieren heute täglich über das weltweite Datennetz, und noch in diesem Jahrzehnt wird die Milliardengrenze überschritten werden (vgl. TAPSCOTT 1999 : 13). Das Internet hat damit bereits jetzt schon eine Größenordnung erreicht, die zu weitreichenden Veränderungen und Auswirkungen in Wirtschaft, Politik, Unterhaltung und Gesellschaft führen. Die Industriegesellschaft, deren ökonomisches Fundament materieller Natur ist und einst die Agrargesellschaft ersetzte, wird nun selbst von der Wissensgesellschaft, deren Fundament auf Bits und Bytes beruht und deren maßgeblicher Produktionsfaktor Wissen ist, abgelöst (vgl. BÜHL 1997 : 49). Wissen bekommt damit eine zentrale Bedeutung, weil es der Auslöser dieser gesellschaftlichen Veränderungen ist. Dass wir uns in dieser gesellschaftlichen Übergangsphase befinden, wird dadurch deutlich, dass sowohl geistes- als auch naturwissenschaftliches Wissen immer mehr an Bedeutung und Einfluss auf das tägliche Leben gewinnt. Der Soziologe Nico Stehr spricht sogar davon, dass die Abhängigkeit von Wissensberufen immer stärker wird, denn schon heute kämen die wichtigsten politischen, sozialen und ökonomischen Handlungskomplexe nicht mehr ohne eine wissenschaftliche Legitimation aus (vgl. BÜHL 1997 : 48). Die Zahl der zur Zeit auf der Welt arbeitenden Wissenschaftler ist so groß wie die Anzahl der Wissenschaftler der letzten 2000 Jahre zusammengenommen. Daraus resultiert, dass täglich 20.000 wissenschaftliche Publikationen erscheinen und sich das weltweit verfügbare Wissen alle fünf bis sieben Jahre verdoppelt (vgl. SCHIPANSKI 2001).

Diese Informationsflut ruft die Illusion eines Wissensparadieses hervor, kann aber auch schnell zur Wissensdürre werden (vgl. SCHIPANSKI 2001), da es sich bei Informationen noch lange nicht um Wissen handelt. Informationen stellen eine

Teilmenge von Wissen dar, die aktuell in Handlungssituationen benötigt wird und demnach von Kontext und Nutzen abhängig ist (vgl. KUHLEN 1999 : 410; KÜBLER 2001 : 159). Wissen bezeichnet damit etwas Übergeordnetes und Handlungsorientiertes und entsteht erst durch die Verarbeitung von Information und gewinnt somit an eigentlichem Wert. So heißt es auch im Anhang des Schlussberichtes der ENQUETE-KOMMISSION DES DEUTSCHEN BUNDESTAGES:

„Information erhält ihre menschliche Dimension und damit ihre gesellschaftliche Bedeutung erst dann, wenn sie von Menschen aufgenommen wird, wenn die Information zu Wissen wird. Wissen macht handlungsfähig. Zuverlässige Informationen sind die Voraussetzung dafür. Aber erst die bedeutungsgerechte Beurteilung erweckt sie zum Leben“ (1998 : 114).

Hier wird die Forderung deutlich, dass Informationen bewertet werden müssen, um sie in nutzbares Wissen, den Produktionsfaktor der Wissensgesellschaft, zu verwandeln. Deshalb verlangt diese Gesellschaftsform Bildung, die eine Förderung der Medienkompetenz beinhaltet, d.h. es muss ein verantwortungsbewusster und kritischer Umgang mit den elektronischen Medien erlernt werden, da wir unser Wissen „über unsere Gesellschaft, ja über die Welt, in der wir leben, ... durch die Massenmedien“ (LUHMANN ²1996 : 9) vermittelt bekommen. Aber was bedeutet dies nun genau, bezogen auf das Massenmedium Internet¹?

Mit der oben erwähnten Zunahme der Anschlüsse an das Internet wächst natürlich auch die für den einzelnen Nutzer potentiell verfügbare Datenmenge. Schätzungen gehen heutzutage von über 2,5 Milliarden Webseiten weltweit aus. Die Internet Firma Bright Planet schätzt in ihrem White Paper „The Deep Web: Surfacing Hidden Value“ die Zahl der Webseiten noch wesentlich höher ein. Unter Hinzunahme der Seiten aus Intranets, Internet gestützten Datenbanken und dynamisch generierten Seiten wird die Zahl auf über 550 Milliarden vermutet. Täglich kommen ungefähr 7,3 Millionen neue Seiten im Internet hinzu. (Vgl. MURRAY / MOORE 2000 : 2; BERGMAN 2001 : 1) Die Bandbreite der angebotenen Informationen im Internet ist entsprechend weit gestreut. Kaum eine Universität, Organisation, Institution, Behörde oder ein Unternehmen kann es sich heute leisten, keine Sach- oder Selbstdarstellung auf einer

¹ Im September 2001 nutzten 42,9% (27,3 Mio.) der Deutschen das Internet (vgl. SCHMITT-WALTER 2001) und überschritten damit inzwischen die im Konzept der kritischen Masse genannte 10% Marke deutlich. Da der Anteil der Gesellschaft diesen Punkt überstiegen hat, kann demzufolge das Internet als Massenmedium in der BRD angesehen werden (vgl. SCHWEIGER 1999 : 89).

eigenen Homepage anzubieten. Aber auch unzählige Privatpersonen bieten Websites zu den verschiedensten Themen an. Hinzu kommen noch etliche Datenbanken und Tausende von Newsgroups und Foren.

Dieses Bild schlägt sich auch in der Wissenschaft nieder. Über eine Million wissenschaftliche Artikel aus allen Fachbereichen sind zur Zeit online abrufbar (vgl. LAWRENCE 2001 : 521). Fachzeitschriften, die exklusiv im Internet erscheinen, spielen eine immer wichtigere Rolle, da die Informationen über das Netz schneller gefunden werden und zudem oft auch preiswerter sind. Hieraus folgt, dass online frei erhältliche Artikel inzwischen öfter zitiert werden als Artikel aus Printzeitschriften. (Vgl. DÖRING 1999 : 28; LAWRENCE 2001 : 521).

Das Netz ermöglicht einen schnellen Zugriff auf riesige Datenmengen, aber die dadurch gewonnenen Informationen müssen mit Vorsicht betrachtet werden und scheinen ohne zusätzliche Recherche mit herkömmlichen Hilfsmitteln nicht verwendbar zu sein (vgl. SONNLEITNER / STADTHAUS / WEICHERT 1999 : 252). Gründe hierfür sind die Fülle an Fehl- und Desinformationen und Seiten mit propagandistischen, satirischen oder parodistischen Inhalten, die neben den vielen seriösen Quellen angeboten werden. Es bedarf also ganz offensichtlich eines Vor- und Erfahrungswissens für den Umgang mit Online-Informationen, da im Internet die Informationsbeschaffung unmittelbar mit der Bewertung aufgrund der Vielfalt, Heterogenität und Glaubwürdigkeit der Quellen verbunden ist.

Damit wird die oben schon erwähnte Forderung nach Medienkompetenz für Internetquellen nochmals verdeutlicht. Es geht also nicht nur darum, technische Fähigkeiten und Fertigkeiten bei der Bedienung eines Computers zu erlangen, sondern vielmehr mit den angebotenen Informationen und der Informationsflut umgehen zu können. Paul GILSTER definiert Medienkompetenz² auch als „... *the ability to understand information – more important – to evaluate and integrate information in multiple formats that the computer deliver*“ (zitiert nach POOL 1997).

Vier zentrale Punkte sind bei der Online-Recherche und dem Umgang mit Internetquellen besonders wichtig, um das Informationspotential wirklich anzunutzen:

² Paul Gilster spricht hier wörtlich von „*digital literacy*“, dies ist aber in seiner Bedeutung durchaus mit dem deutschen Wort „Medienkompetenz“ in Bezug auf das Internet gleichzusetzen.

1. Das Erkennen der chaotischen und dezentralen Struktur des Internet, da sie nicht auf inhaltlichen, sondern auf technischen Ordnungsprinzipien beruht.³ Es ist ein „Spielplatz der Entropie“ (DYSON 1999 : 172). Das Netz ist nicht für eine benutzerfreundliche Informationssuche entwickelt worden (vgl. MEIER ²1999b : 165 f.).

2. Die Wahl der Suchhilfe (Suchmaschine, Katalog, Portal, virtuelle Bibliothek etc.), der genaue Umgang mit dieser und die Entwicklung entsprechender Suchstrategien, um Daten effektiv und schnell zu finden und nicht in den Weiten des Netzes verlorenzugehen: „Lost in Cyberspace“ (BRAKE 1997 : 12).

3. Die Selektion der Informationen aus der Fülle der oft unzähligen Treffer und das Erkennen der Heterogenität der Informationen und Informationsanbieter:

„Im ‚Medium‘ World Wide Web präsentieren die unterschiedlichsten Anbieter aus unterschiedlichsten Motiven nach unterschiedlichsten Kriterien unterschiedlichste Inhalte für unterschiedlichste Zielgruppen.“ (RÖSSLER / OGNIANOVA 1999 : 110)

4. Die abschließende Einschätzung und Bewertung der gefundenen Quellen anhand von Evaluationskriterien. Die Evaluation stellt den zentralen Punkt beim Umgang mit Online-Quellen dar, denn erst danach kann der User die Quelle für seine Zwecke verwenden.

Der letzte Punkt, die Evaluation von Internetquellen, steht im Mittelpunkt dieser Arbeit. Der Begriff der Evaluation wird hierbei im wörtlichen Sinne verwendet: Bewertung und Beurteilung eines Sachverhaltes aufgrund festgelegter Kriterien und Wertmaßstäbe. (Vgl. REINHOLD ³1997 : 161; KROMREY ⁸1998 : 97)

Es wird erläutert, welche Aspekte bei der Bewertung von Internetquellen eine wichtige Rolle spielen und ebenso als Richtlinien bei der praktischen Umsetzung dienen. Das Ziel hierbei ist es, durch die Evaluation die Datenflut zu differenzieren und zu bewerten, so dass das Risiko von Fehl- oder Desinformationen minimiert und der zu ziehende Nutzen aus einer Quelle maximiert wird.

³ Die Visualisierung dieser dezentralen Struktur zeigt Martin Dodge sehr anschaulich auf seiner Seite „The Geography of Cyberspace Directory“ (www.geog.ucl.ac.uk/casa/martin/topology_maps.html) [Stand: 20.11.2001].

Da es viele verschiedene Arten der Informationsquellen und Themen im Netz gibt, werden hier aufgrund des Umfangs nur wissenschaftliche Webseiten berücksichtigt. Dies bedeutet, dass die hier diskutierten Aspekte der Evaluation sich auf Webseiten mit einem geistes- oder naturwissenschaftlichen Hintergrund beziehen, denn bei der Vermittlung von Wissen ist die Glaubwürdigkeit, Exaktheit und Objektivität der Quelle von elementarer Bedeutung. Somit werden kommerzielle Web-Angebote ohne wissenschaftlichen Bezug, Portale, Suchmaschinen, Datenbanken, FAQs, Newsgroups, Mailinglisten und FTP-Archive nicht berücksichtigt, da sich hier die Evaluationskriterien bzw. die Schwerpunkte der Evaluation wiederum ändern würden. (Vgl. COOKE 1999 : 85; ALEXANDER / TATE 1999 : 3)

Nachdem in der Einleitung auf die Bedeutung von Medienkompetenz im Umgang mit dem Internet hingewiesen wird, werden im zweiten Kapitel dieser Arbeit die Grundlagen des Mediums World Wide Web erklärt. Darin wird zuerst eine kurze historische Einführung über die Entstehung und Entwicklung des Internet und des WWW gegeben. Es folgt eine Übersicht über die sechs hauptsächlichen Informationsanbieter im Netz: Universitäten, Organisationen, Medienarchive, Datenbanken, Unternehmen und Privatpersonen. Abschließend werden kurz die grundsätzlichen Unterschiede zwischen Webseiten und Printmedien vorgestellt.

Das dritte Kapitel weist auf die Probleme mit Informationsquellen im Internet hin. Allein aufgrund des schnellen Wachstums des Netzes ergeben sich schon eine Reihe von Problemen. So stellt die Größe an sich und die dadurch bestehende Komplexität eine Schwierigkeit dar. Hierdurch entsteht wiederum das Problem der Selektion von Informationsquellen, das bisher auch nicht durch Suchmaschinen und Kataloge behoben werden konnte, da diese selbst für diese Lage mitverantwortlich sind. Ein weiteres Problem stellt die laufende Veränderung im Netz dar. Online-Quellen sind einer ständigen Modifikation ausgesetzt, so dass Informationen im WWW instabil und flüchtig sind. Das größte Problem insbesondere in Bezug auf die Wissensvermittlung via Internet ist die mangelnde Glaubwürdigkeit von Online-Quellen, da es neben seriösen Anbietern auch ebenso viele unsinnige und falsche Informationsangebote im Netz gibt. Hiermit wird verdeutlicht, warum eine Evaluation von Quellen im Internet vonnöten ist.

Das vierte Kapitel gibt zunächst einem Überblick über bereits bestehende Evaluationsdienste im Netz und ihre Vorgehensweise. Zu diesen Diensten gehören die privaten und redaktionellen Awards, Review-Dienste und die themen-basierten Portale, auch virtuelle Bibliotheken genannt. Danach werden die individuellen Kriterien der Evaluation näher erläutert. Die Hauptaspekte sind Glaubwürdigkeit, Genauigkeit, Abdeckung, Ausgewogenheit, Quellennachweise, Benutzerfreundlichkeit und eine abschließende Bewertung der Quelle.

Das Resümee fasst schließlich die wichtigsten Ergebnisse der Arbeit noch einmal zusammen.

2. Das Medium World Wide Web

In den sechziger Jahren wurde von einer Abteilung des US-Verteidigungsministeriums das ARPA-Net (Advanced Research Project Agency) entwickelt. Zwei Ideen standen dabei im Vordergrund. Erstens sollten Forschungseinrichtungen, die über eine große räumliche Distanz voneinander getrennt waren, miteinander verbunden werden, da zu dieser Zeit Computer und damit Rechenleistung extrem teuer waren und eine Aufteilung der Kapazitäten auf verschiedene Institute eine kostengünstige und praktikable Lösung darstellte. Zweitens sollte gleichzeitig eine dezentrale Kommunikationsplattform entstehen, die auch bei Ausfall einzelner Teile, wie z.B. im Falle eines Krieges, weiterhin funktionsfähig bleiben sollte.

Diese Idee wurde erstmals 1969 erfolgreich getestet, als die Rechner der kalifornischen Universitäten Berkeley, Santa Barbara und dem Stanford Research Institute miteinander vernetzt wurden. In den siebziger Jahren wurden die weiteren technischen Grundlagen durch die Entwicklung des TCP/IP Protokolls⁴, der E-Mail und des BBS (Bulletin Board System)⁵ gelegt. Das Netz weitete sich immer mehr auf staatliche, wissenschaftliche und universitäre Bereiche aus. In den achtziger Jahren entwickelte sich dann eine Struktur von eigenen Netzen und Unternetzen, die die heutige Grundlage des Internet bilden. Hierdurch entstand auch der Name, der den Namen „ARPA-Net“ ablösen sollte: „Internet“, eine Abkürzung für „interconnected networks“.⁶ (Vgl. LEINER et al. 2000)

Der endgültige Durchbruch des Internet hin zum Massenmedium erfolgte Anfang der 90er Jahre mit der Geburtsstunde des „*multimedialen Zweig[s, T.A.] des Internet*“ (HAFNER/LYON ²2000 : 305), dem World Wide Web, auch WWW oder W3 genannt.⁷ Das umständlich zu bedienende und rein textbasierte Internet erschloss sich plötzlich für den User ganz einfach durch ein paar Mausklicks und eine grafische Benutzeroberfläche, die neben einfachen Texten nun auch Bilder, Töne und

⁴ TCP/IP steht für „Transmission Control Protocol/Internet Protocol“ und ist der Oberbegriff für eine ganze Reihe von Übertragungsprotokollen auf denen die Datenübermittlung im Internet beruht.

⁵ Das Bulletin Board System ist eine Art elektronisches schwarzes Brett. Hier können User Mitteilungen hinterlegen und von anderen abgelegte Nachrichten lesen.

⁶ Die Entstehungs- und Entwicklungsgeschichte des ARPA-Net, beginnend in den 60er bis in die 90er Jahre hinein, wird sehr detailliert bei HAFNER/LYON ²2000 beschrieben.

⁷ Entwickelt wurde das WWW von dem englischen Informatiker Timothy Berners-Lee am Kernforschungszentrum CERN (www.cern.ch) [Stand: 20.11.2001]. Daraufhin schuf Marc Andreessen mit „Mosaic“, dem späteren „Netscape Navigator“, den ersten Browser für die Öffentlichkeit.

Animationen darstellen konnte. Hinzu kam, dass sich alle bisherigen Internetdienste, wie E-Mail, FTP (File Transfer Protocol), Usenet, Telnet oder WAIS (Wide Area Information Service), zu einem einzigen Dienst verbanden. Diese Entwicklung führte zu einem wahren Internet-Boom, der bis heute anhält. (Vgl. WILKE 1999b : 753; HAFNER/LYON ²2000 : 305 f. ; ZIMMER 2000 : 189 f.)

2.1 Quellen im Internet

Bei dieser Masse an angebotenen Informationen muss man sich darüber klar werden, wer Informationen bereitstellt und welche Arten von Daten man im Internet überhaupt findet. MEIER (²1999b : 177) unterteilt die Informationsanbieter in sechs wesentliche Bereiche:

- **Universitäten und Forschungseinrichtungen** waren die ersten, die das Internet zum Austausch von Informationen und Wissen nutzten. Wissenschaftler aller Fachbereiche, insbesondere der Naturwissenschaften, gebrauchen das WWW als Plattform, um Forschungsergebnisse zu publizieren und darüber zu diskutieren. (Vgl. ebd. : 178 f.)
- **Unternehmen** nutzen das Internet als Marketing- und Vertriebsinstrument. Es dient dem Vertrieb von Waren, aber auch der Selbstdarstellung. Das Informationsmaterial wird in Form einfacher Werbung bis hin zu Pressemitteilungen angeboten. (Vgl. ebd. : 179 f.)
- **Organisationen und staatliche Stellen**, zu denen u.a. politische Parteien und Non-Profit-Organisationen gehören, bieten häufig sehr umfassende Informationen über das Internet an, da die Verbreitung auf diesem Wege kostengünstiger ist als das Versenden von Broschüren und Faltblättern. Die Art der Information reicht von Gesetzestexten über Statistiken bis hin zu Reden und Stellungnahmen. (Vgl. ebd. : 180 f.)

- **Medienarchive** umfassen sämtliche im Internet publizierten Zeitungen und Zeitschriften. Bei diesen Online-Archiven handelt es sich zumeist um Ableger von Printmedien, die teils kostenfrei, teils kostenpflichtig sind und zumeist bis Anfang/Mitte der 90er Jahre zurückgehen. Das Magazin „Focus“ (www.focus.de) ist beispielsweise seit dem 18.1.1993 und die Wochenzeitung „Die Zeit“ (www.zeit.de) seit dem 8.3.1995 online. Zudem erscheint inzwischen eine große Anzahl von reinen Online-Zeitschriften, die ausschließlich im WWW zu finden sind, so z.B. „First Monday“ (www.firstmonday.org) oder „Telepolis“ (www.telepolis.de). Für alle diese Archive gilt, dass es keine thematischen Beschränkungen gibt. (Vgl. ebd. : 182 f.)
- Nicht nur die Medien geben ihre **Archive und Datenbanken** frei, sondern auch Firmen und Organisationen stellen ihre Datenbestände in das Internet. Die Bandbreite reicht hier vom Verzeichnis lieferbarer Bücher (www.buchhandel.de) über das „CIA World Factbook“ (www.odci.gov/cia/publications/factbook/) bis hin zu kommerziellen wirtschaftlichen, juristischen und wissenschaftlichen Datenbanken, wie z.B. die Wirtschaftsdatenbank „Genios“ (www.genios.de) der Verlagsgruppe „Handelsblatt GmbH“, die allerdings oft nur gegen eine hohe Gebühr benutzt werden können. (Vgl. ebd. : 184 f.)
- **Privatpersonen** mit ihren Homepages bieten inzwischen einen nicht überschaubaren Pool von Informationen, Erfahrungen und Meinungen zu den verschiedensten Themen an. Nicht nur die thematische Bandbreite ist sehr hoch, sondern auch die qualitative, da man im WWW alles, von privaten Urlaubsfotos bis hin zu wissenschaftlichen Aufsätzen, finden kann. (Vgl. ebd. : 186 f.)

2.2 Unterschiede zwischen Webseiten und Printmedien

Da sich diese Arbeit mit dem Medium World Wide Web beschäftigt, sollen hier kurz die wesentlichen Unterschiede zu den Printmedien, dem herkömmlichen Träger wissenschaftlicher Informationen, erläutert werden. Diese Unterschiede liegen in der

Hypertext-Technik, in multimedialen und interaktiven Elementen und der erhöhten Aktualität und der Verfügbarkeit

Das Wesen von Webseiten unterscheidet sich damit grundsätzlich in ihrem Nutzungs- und Wirkungspotential von herkömmlichen Medien, wobei die Gründe hierfür hauptsächlich in den technischen Möglichkeiten liegen (vgl. ZIPFEL 1998 : 26 f.; NIELSEN 1999a). Dieses Potential wird mit der fortschreitenden technischen Entwicklung noch weiter zunehmen, aber zur Zeit werden in der Praxis diese Möglichkeiten nur in einem geringen Maße ausgenutzt (vgl. NEUBERGER 2000 : 314 und 318; ZÜRN 2000 : 324).

2.2.1 Hypertext

Printdesign ist zweidimensional und folgt somit einer strengen Logik. Es wird, dies gilt zumindest für unseren westlichen Kulturkreis, von links nach rechts und von vorne nach hinten gelesen. Die einzige Art der Navigation besteht im Umblättern der Seite. Im Gegensatz dazu sind Webseiten durch die Hypertext-Technologie n-dimensional (vgl. NIELSEN 1999a).⁸ Die Leserichtung bleibt erhalten, aber die Erzählstruktur und die Navigation ändert sich grundsätzlich (s. Abb. 1) .

Durch diese nicht lineare Struktur und die Verknüpfungsmöglichkeiten ändert sich die Erzählweise, da Themenkomplexe unterteilt, zerlegt und neu angeordnet werden können. Hinzu kommt die Möglichkeit, zusätzlich andere Medienformen, wie Video und Audio, in diese Struktur einzufügen. Hierdurch lassen sich Sachverhalte sehr komplex und detailreich erläutern, so dass eine hohe Informationsdichte erzeugt werden kann, da Websites keinen Platzbeschränkungen wie gedruckte Zeitungen und Zeitschriften unterliegen.

⁸ Die Idee des „Hypertextes“ stammt von Vannevar Bush aus dem Jahre 1945, der in der Theorie die „Memex“ (Memory Extender) Maschine entwarf, die verschiedenste Text- und Bildquellen miteinander verknüpfen sollte (vgl. BUSH 1945). Der eigentliche Begriff „Hypertext“ wurde von Ted Nelson in den 60er Jahren geprägt. Er entwickelte die Idee, Texte durch Links zu verbinden, und arbeitete in den 70er Jahre an der konzeptionellen Umsetzung der Idee. (Vgl. ZIMMER 2000 : 306 f.)

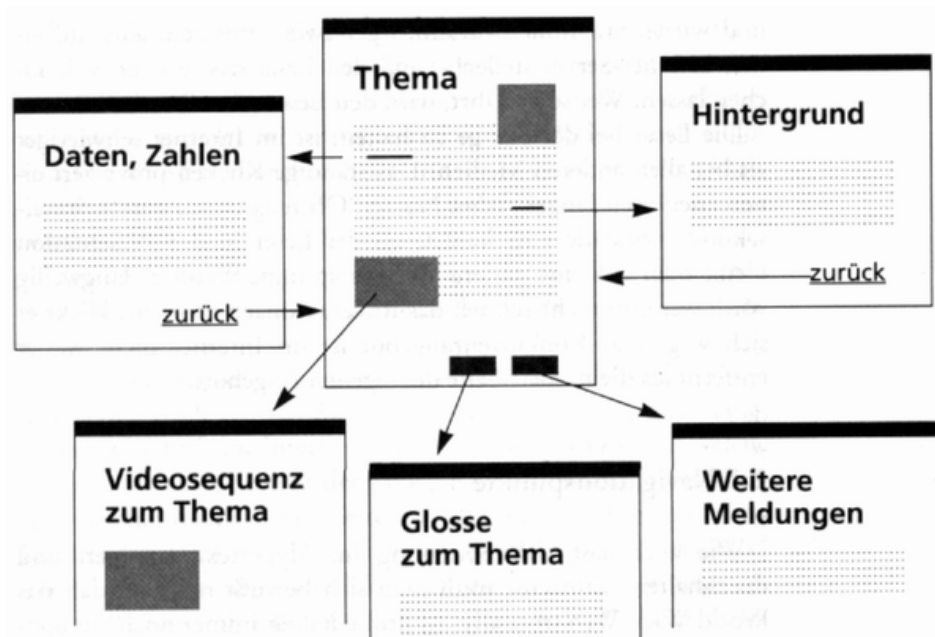


Abb. 1 : Hypertext-Prinzip (MEIER ²1999 : 29)

2.2.2 Multimedia und Interaktivität

Webseiten sind im Gegensatz zu Printseiten nicht statisch, es können multimediale und interaktive Elemente mit in das Design einfließen. Die multimedialen Möglichkeiten reichen von Audio und Videoaufnahmen bis hin zur Darstellung von räumlichen-virtuellen Welten, die man als künstlicher Avatar durchstreifen kann. Diese Mittel erlauben dem Autor der Website eine synästhetische Präsentation seiner Informationen. (Vgl. NICKL 1996 : 391 ff.; ZIPFEL 1998 : 27; PÖPPEL 2000 : 39)

Durch interaktive Inhalte ist es möglich, dass Informationen in beide Kommunikationsrichtungen fließen können (vgl. McKELVEY 1999 : 6) und somit kann der User Inhalte direkt und aktiv mit beeinflussen.

„The Internet’s communication forms can be understood as a continuum. Each point in the traditional model of communication process can, in fact, vary from one to a few to many on the Internet.” (MORRIS/ORGAN zitiert nach ZIPFEL 1998 : 27)

Webseiten, ergänzt durch E-Mail Adressen, Chatrooms, Messageboards, Newsgroups etc., werden somit zu vollständigen Kommunikationsplattformen. Die Grenzen

zwischen Massen-, Gruppen- und Individualkommunikation lösen sich im Internet auf (vgl. DÖRING 1999 : 88).

2.2.3 Aktualität und Verfügbarkeit

Das World Wide Web stellt ein völlig neues Veröffentlichungs- und Vertriebssystem dar, weil es ermöglicht, Informationen in Echtzeit zu publizieren und abzurufen. Insbesondere Online-Zeitungen treten durch diese hohe Aktualität und Aktualisierbarkeit eher in Konkurrenz zu elektronischen Medien, wie Fernsehen und Radio, als zu Zeitungen und Zeitschriften. (Vgl. NEUBERGER 1997 : 657; McKELVEY 1999 : 6)

Die allgemeine Verfügbarkeit ist bei beiden Medientypen sehr hoch. Allerdings ist das Verbreitungsgebiet von Tageszeitungen lokal begrenzt. Webseiten hingegen sind grenzenlos und ermöglichen somit einem globalen Publikum den Zugriff auf ihre Informationen. Die Nutzung wird allerdings stärker als bei Printmedien durch die eigenen Kapazitätsgrenzen determiniert, die sich im Know-how oder in den technischen Mitteln widerspiegeln. (Vgl. ZIPFEL 1998 : 27; McKELVEY 1999 : 6)

3. Probleme mit Informationsquellen im Internet

Das Internet ist, wie schon in den vorhergegangenen Kapiteln erwähnt, das jüngste und am schnellsten wachsende Massenmedium unserer Zeit. Allein in Deutschland hat sich die Anzahl der Nutzer seit 1997 vervierfacht (vgl. BMBF 2001 : 99).

Der Direktor des Media Labs am Massachusetts Institute of Technology (MIT), Nicholas Negroponte, lobt diese Entwicklung mit den Worten:

„Das Internet ist nicht nur im Sinne eines überall vorhandenen, globalen Netzwerkes interessant, sondern auch als etwas, das sich ohne einen eindeutigen verantwortlichen Designer entwickelt hat und dabei (wie der Vogelschwarm) seine Form beibehält. Es gibt keinen Big Brother, und alle Teile fügen sich bislang auf bewundernswerte Weise zusammen.“ (NEGROPONTE 1997 : 221 f.)

Aber die Entwicklung des Netzes wird auch kritischer gesehen, so z.B. auch vom Bibliothekar Michael Gorman:

„The net is like a huge vandalized library. Someone has destroyed the catalog and removed the front matter, indexes, etc., from hundreds of thousands of books and torn and scattered remains ... ‘Surfing’ is the process of sifting through this disorganized mess in the hope of coming across some useful fragments of text and images that can be related to other fragments. The net is even worse than a vandalized library because thousands of additional unorganized fragments are added daily by the myriad cranks, sages, and persons with time on their hands who launch their unfiltered messages into cyberspace.“ (zitiert nach RETTIG 1995)

Diese beiden Zitate verdeutlichen, dass das Netz mit seiner riesigen Informationsmenge sowohl positive als auch negative Aspekte in Bezug auf herkömmliche Medien beinhaltet. Die Vorteile sind u.a. ein von Ort und Zeit unabhängiger schneller und einfacher Zugriff speziell auf aktuelle Informationen, wie z.B. politische und wirtschaftliche Nachrichten des Tages (vgl. ZIPFEL 1998 : 26; HARRIS INTERACTIVE 2001). Die Nachteile liegen insbesondere in der Komplexität des Netzes und der Glaubwürdigkeit der Informationen. Diese Problematik soll in diesem Kapitel näher erläutert werden.

3.1 Komplexität und Größe des Internet

Mit der Erfindung des World Wide Web zu Beginn der 90er Jahre nahm das Wachstum des Internet stetig zu, es war durch ein exponentielles Wachstum geprägt. Besonders die zahlenmäßig starke Zunahme von Internet-basierten Datenbanken und des wachsenden Bereiches des E-Commerces Mitte der 90er Jahre förderte diese Entwicklung, die dann bis Ende des letzten Jahrhunderts anhielt (s. Abb. 2). Heute verdoppelt sich die Anzahl der weltweiten Internet-Hosts⁹ ungefähr alle 18 Monate (vgl. BMBF 2001 : 96).

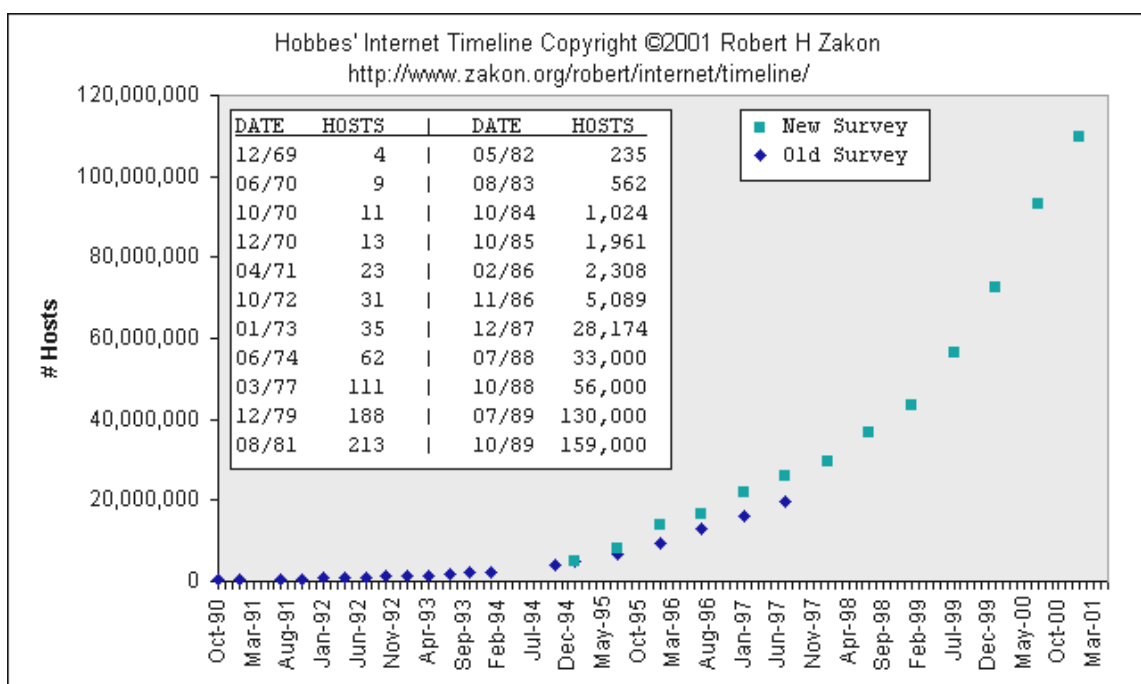


Abb. 2: Entwicklung der Internet Hosts : Dezember 1969 bis März 2001 (ZAKON 2001)

Die Struktur des WWW lässt sich nach neuesten Untersuchungen grob in zwei Bereiche unterteilen (vgl. BERGMAN 2001 : 1 f.): Zum einen in das oberflächliche Web (engl. „Surface Web“), das heute ca. 2,5 Milliarden Webseiten beinhaltet und der Teil ist, der von den bekannten Suchmaschinen bzw. Katalogen, wie z.B. „Lycos“ (www.lycos.de), „AltaVista“ (www.altavista.de), „HotBot“ (www.hotbot.com) oder „Yahoo“ (www.yahoo.de), erschlossen wird. Die Datenmenge dieses Teils des Web

⁹ „Host“ bezeichnet Großrechner und Server, die es Arbeitsstationen (Workstations) ermöglichen auf das Internet zu zugreifen.

umfasst 25 bis 50 Terabyte¹⁰ Daten (Texte, Bilder, Videos etc.) bzw. 10 bis 20 Terabyte an reinem Text (vgl. BERGMAN 2001 : 1). Der andere Bereich ist das tiefe Web (engl. „*Deep Web*“), das z.T. auch als unsichtbares Web (engl. „*Invisible Web*“) bezeichnet wird, da dieses für konventionelle Suchmaschinen und damit für die meisten User nicht sichtbar ist. Es besitzt ein viel größeres Informationspotential als das Surface Web, da hier auch Webseiten aus Datenbanken, Intranets und dynamisch generierten Systemen auftauchen. Im tiefen Web ca. 550 Milliarden Webseiten gesammelt, was einer Datenmenge von 7500 Terabytes entspricht. Nicht nur die Quantität ist wesentlich größer, sondern auch die Qualität ist höher, da zu diesem Teil des Internet insbesondere viele wissenschaftliche und staatliche Datenbanken gehören, so z.B. das „National Climatic Data Center“ (NOAA)¹¹, die „National Aeronautics and Space Administration“ (NASA)¹² und das Angebot der US-amerikanischen Finanzbehörde¹³. Eine genaue Aufstellung der zur Zeit größten öffentlichen und nicht-öffentlichen „Deep Websites“ ist bei BERGMAN (2001 : 6 f.) zu finden.

Die beiden einzigen kostenlosen Suchmaschinen zur Zeit, die Teile dieses Deep Web durchsuchen können, sind „Google“ (www.google.de) und „Direct Hit“ (www.directhit.com). Die Spezialsuchmaschinen „Bulls Eye Pro“ (www.intelliseek.com/prod/bullseye/pro.htm) und „Lexibot“ (www.lexibot.com) durchsuchen das tiefe Netz gegen eine monatliche Gebühr. (Vgl. SMITH 2001 : 17)

¹⁰ 1024 Bytes = 1 Kilobyte (KB); 1000 KB = 1 Megabyte (MB); 1000 MB = 1 Gigabyte (GB); 1000 GB = 1 Terabyte (TB)

¹¹ Ein öffentlicher Teil dieser Datenbank für Satellitenbilder ist unter <http://www.ncdc.noaa.gov/ol/satellite/satelliteresources.html> [Stand: 17.07.2001] zu finden. Geschätzte Größe 366.000 Gigabyte (vgl. BERGMAN 2001 : 6).

¹² Der Zugang zum EOS Data Gateway der NASA befindet sich unter: <http://redhook.gsfc.nasa.gov/~imswww/hidden/imswelcome/> [Stand: 17.07.2001]. Geschätzte Größe 219.000 Gigabyte (ebd.).

¹³ Die oberste staatliche US Finanzbehörde ist unter <http://factfinder.census.gov> [Stand: 17.01.2001] im Netz vertreten. Geschätzte Größe 610 Gigabyte (ebd.).

3.2 Problem der Selektion

Die oben genannten Zahlen verdeutlichen das Problem der Größe und Komplexität des Internet. Eine daraus resultierende Schwierigkeit ist das der Selektion von Informationen. Deshalb sind Suchmaschinen „*die wichtigsten Türen im Cyberspace*“ (RÖTZER 1998), da sie Orientierung im Netz bieten. Die Wichtigkeit von Suchdiensten für die Online-Gemeinde beweisen auch die Zugriffszahlen auf diese Webseiten. Allein vier Suchdienste werden im Oktober 2000 unter den Top 10 der weltweit meistbesuchtesten Seiten im Netz verzeichnet (vgl. MEDIA METRIX 2000):

- Platz 2 „Yahoo“ (87,5 Mio. Unique Visitors¹⁴)
- Platz 4 „Lycos“ (50,1 Mio. Unique Visitors)
- Platz 5 „Excite“ (38,1 Mio. Unique Visitors)
- Platz 10 „AltaVista“ (19,7 Mio. Unique Visitors)

Aber auch Suchmaschinen bieten keine hundertprozentige Orientierung, im Gegenteil, es tauchen wiederum neue Fragen auf. Bei dieser maschinellen Selektion bleibt der Prozess, den die Suchmaschine bei einer Anfrage durchläuft, nicht transparent, so dass man weder weiß, welche Teile des Netzes durchforstet worden sind noch wie es zu diesem Ergebnis bzw. zu dieser Rangliste gekommen ist. Florian RÖTZER (1998) spricht deshalb auch von der Suchmaschine als „*Black Box*“, da die genauen Funktionsmechanismen im dunkeln bleiben.

Um diese Problemfelder zu verdeutlichen, muss man sich als erstes über die Technik und Funktionsweise von Suchdiensten klar werden.

3.2.1 Funktion von Suchdiensten

Hartmut WINKLER (1997) unterscheidet drei Typen von Suchmaschinen.¹⁵ Da der technische Fortschritt auch vor Suchmaschinen nicht haltgemacht hat, muss man diese Klassifizierung um einen Typus erweitern, so dass man heute von vier verschiedenen

¹⁴ Unique Visitors = Anzahl Besucher : Die hochgerechnete Anzahl der Besucher (basierend auf der IP-Adresse), die ein Angebot in einem bestimmten Zeitraum (meistens 30 Tage) mindestens einmal besucht haben. Wichtig dabei ist, dass mehrmalige Besuche einer Person nur einfach gezählt werden.

¹⁵ Die Überlegungen von Hartmut WINKLER basieren auf dem Text von STEINBERG (1996).

Arten von Suchmaschinen im WWW sprechen kann. Meta-Suchmaschinen, wie z.B. „MetaGer“ (www.metager.de), werden hier nicht berücksichtigt, da sie nur auf bestehende Suchmaschinen zurückgreifen und keine eigenen Datenbanken oder Suchalgorithmen besitzen.

3.2.2 Typ 1 (Der Katalog)

Der erste Typ von Suchdiensten ist der Katalog, dessen erfolgreichster Vertreter der von Jerry Yang und David Filo im Jahr 1994 entwickelte Web-Katalog „Yahoo“ ist. Hier werden Schlagworte in ein vordefiniertes, hierarchisches System eingeordnet. Dieser Prozess wird von menschlichen Redakteuren durchgeführt. Sie bewerten und katalogisieren die Webseiten per Hand, was zum Teil auch für die Suche nach neuen Webseiten gilt. Hier werden die Redakteure allerdings zusätzlich von einer Suchsoftware unterstützt.

Der Faktor Mensch stellt das größte Problem bei diesem Suchdienst dar, da der Prozeß des Katalogisierens nur sehr langsam vonstatten geht und damit schnell auf quantitative Grenzen stößt. „Yahoo“ hat weniger als 1% des gesamten Netzes katalogisiert (vgl. WINKLER 1997).

STEINBERG (1996) vergleicht deshalb Jerry Yang auch mit Charlie Chaplin in dem Filmklassiker „Moderne Zeiten“, der einem endlosen und immer schneller werdenden Strom neuer Arbeit entgegensieht, der nicht zu bewältigen ist.

Die Stärke dieses Typus liegt in der Kategorisierung, da der grobe Bezug zu bestimmten Inhalten schnell hergestellt werden kann. Als Beispiel sei hier die „Blue Ribbon Kampagne“¹⁶ genannt. Diese fällt bei „Yahoo.de“ unter die Kategorie „Gesellschaft und Soziales ⇒ Grundrechte ⇒ Zensur ⇒ Internet“. Die Einordnung macht sofort deutlich, dass die Website „Zensur im Internet“ zum Thema hat, und hilft somit dem User bei der Auswahl der Online-Quellen.

¹⁶ Zu finden unter http://members.aol.com/iqmm/blue_ribbon/index.html [Stand: 11.08.2001].

3.2.3 Typ 2 (Suchmaschine der 1. Generation)

Zum zweiten Typ gehören die Suchmaschinen der ersten Stunde des World Wide Web. Diese führen eine Volltextsuche des gesamten Internet durch und erstellen einen sogenannten "inverted index", d.h. sie erstellen eine Tabelle mit allen auf der Webseite gefundenen Wörtern, auf die die einzelne Suchanfrage dann zugreift. Die Suchmaschinen „AltaVista“ und „Lycos“ arbeiten nach diesem System. Der Vorteil dieser Methode ist, dass die Suchsoftware, sogenannte Web-Crawler, z.T. auch als Spinnen, Spiders oder Index-Roboter bezeichnet, selbständig das Netz durchforstet und es katalogisiert und damit kein menschlicher Redakteur vonnöten ist. „AltaVista“ indiziert auf diese Weise täglich 2,5 Millionen Dokumente und ist damit deutlich schneller als der Katalog „Yahoo“ (vgl. WINKLER 1997).

Der Nachteil liegt bei dieser Methode besonders in der Quantität der Suchergebnisse, bei denen es nicht ungewöhnlich ist, wenn man Tausende von Hits für ein Suchwort bekommt. Hinzu kommt, dass die Ordnung der Ergebnislisten unklar bleibt.

3.2.4 Typ 3 (Suchmaschine der 1. Generation mit Clusteranalyse)

Der dritte Typus führt zwar auch eine Volltextsuche des WWW durch, arbeitet aber zusätzlich mit einem semantischen Modell, das die gefundenen Wörter in Clustern zusammenfasst, so dass Stichworte automatisch zu Kategorien zusammengeführt werden. Dies geschieht durch die Auswertung von Synonymen und der Analyse des Kontextes, mit der Annahme, dass Wörter, die gemeinsam auf einer Webseite auftreten, auch eine inhaltliche Beziehung zueinander haben (vgl. REIMANN 1999 : 24). Somit braucht das gesuchte Wort nicht zwangsläufig auf der Seite zu erscheinen, um in der Ergebnisliste aufzutauchen. Dieses System hat eine qualitative Steigerung der Rankinglisten zur Folge.

„Excite“ und „Northern Light“ seien hier als Beispiele für diesen Typ genannt. Nichtsdestotrotz sind die Vor- und Nachteile ähnliche wie die des zweiten Typs.

3.2.5 Typ 4 (Suchmaschine der 2. Generation)

Der vierte Typ stellt die zweite (aktuelle) Generation von Suchmaschinen dar (vgl. LEMM 1999 : 106). Diese versuchen insbesondere das Problem der qualitativ schlechten Ergebnislisten zu lösen, indem sie auf die Erfahrungen der menschlichen Surfer zurückgreifen.

„Direct Hit“ bezieht Informationen von herkömmlichen Suchmaschinen und wertet automatisch aus, welche Seiten wie oft und wie lange von Usern besucht worden sind. Daraus wird dann eine Ergebnisliste mit Webseiten generiert. Die Frage von Gary Cullis, dem Erfinder von „Direct Hit“, fasst den Sinn dieser Funktionsweise zusammen: *„Wer könnte besser beurteilen, ob ein Link etwas taugt, als die Nutzer selbst, die ja genau wissen, was sie suchen?“* (zitiert nach LEMM 1999 : 106). Jeder User wird damit zum Redakteur und die Schlussfolgerung dieses fragwürdigen Konzeptes lautet also, dass die beliebtesten Seiten auch automatisch die besten sind.¹⁷

Die Suchmaschine „Google“ arbeitet mit der sogenannten PageRank-Technologie¹⁸, die die Link-Struktur des WWW als Organisations- und Bewertungskriterium nutzt. Die Leitfrage des Suchdienstes, ob eine Seite sinnvoll ist, wird durch die Anzahl der Links, die zu einer Seite führen, und deren Ursprung beantwortet. D.h. eine Seite ist wichtig, wenn zum einen viele Links zu ihr führen und zum anderen bekannte Institutionen auf sie verlinken. „Google“ unterscheidet dabei, ob der Link z.B. auf einer privaten Homepage oder auf der Seite einer Universität steht.

MEDIA METRIX (2001) führt „Google“ mit 15.2 Millionen Unique Visits im Monat auf Platz 15 der in den USA beliebtesten Seiten im Netz. Dieser Erfolg zeigt, dass diese Methodik ein Schritt in die richtige Richtung ist, was die Suche nach einfachen, populären Stichworten angeht, da hier die große Stärke der Popularitätsbewertung liegt (LEWANDOWSKI 2001 : 384). Das Auftauchen von Nachahmern in diesem Jahr, wie „WiseNut“ (www.wisenut.com) oder „Teoma“ (www.teoma.com), bestätigt den Erfolg dieses Systems ebenfalls.

¹⁷ Näheres zur Technik im White Paper von „Direct Hit“ unter http://www.directhit.com/about/products/technology_whitepaper.html [Stand: 15.08.2001].

¹⁸ Die Dissertation „The Anatomy of a Large-Scale Hypertextual Web Search Engine“ der „Google“-Erfinder Sergey Brin und Lawrence Page schildert Entstehung und Funktionsweise der Suchmaschine. Eine leicht gekürzte Fassung dieser Dissertation ist unter <http://www7.scu.edu.au/programme/fullpapers/1921/com1921.htm> [Stand: 17.07.2001] abgelegt. Die Seite http://www.google.de/intl/de/why_use.html [Stand: 17.07.2001] gibt einen kurzen deutschsprachigen Abriss über die Methodik der PageRank-Technologie.

3.3 Probleme durch Suchmaschinen

Wie oben schon angedeutet, bleiben bei der Arbeit mit Suchmaschinen einige Fragen offen. Die für die Selektion besonders kritischen Punkte sind zum einen die Abdeckung des WWW durch Suchmaschinen und zum anderen sowohl die Generierung als auch die Darstellung der Ergebnisse.

3.3.1 Abdeckung des WWW durch Suchmaschinen

Trotz automatischer Indexierung durch Web-Crawler ist es unmöglich, die gesamte Datenmenge des Internet zu erfassen, da das Wachstum des Netzes zu schnell voranschreitet. Auch wenn von Seiten verschiedener Firmen und Institutionen versucht wird, „*dem Problem der Quantität mit brutaler Rechenleistung zu begegnen*“ (LEPSKY 1998 : 336), indem beispielweise rund 7000 Linux - PCs an fünf Standorten, an West- und Ostküste der USA verteilt, für „Google“ arbeiten, so scheint die komplette Katalogisierung des Internet ein Ding der Unmöglichkeit zu sein. Louis Monier, Chief Technical Officer bei „Alta Vista Software“, meint dazu: „*Nobody can afford enough hardware to index the whole Web and serve it back to the entire planet*“ (zitiert nach BRAKE 1997 : 12).

Die sechs bekanntesten, öffentlichen Suchmaschinen („AltaVista“, „Excite“, „HotBot“, „Infoseek“, „Lycos“ und „Northern Light“) erfassen zusammen nur etwa 60% des Web (vgl. LAWRENCE / GILES 1999 : 107). Die Suchmaschine mit dem größten Index ist zur Zeit „Google“ mit knapp 1,4 Mrd. Seiten, gefolgt mit großem Abstand von „FAST“ und „AltaVista“ (s. Abb. 3). Geht man von einer Größe des oberflächlichen Netzes von ca. 2,5 Mrd. Webseiten aus, erfasst selbst „Google“ nur knapp mehr als die Hälfte aller Seiten.

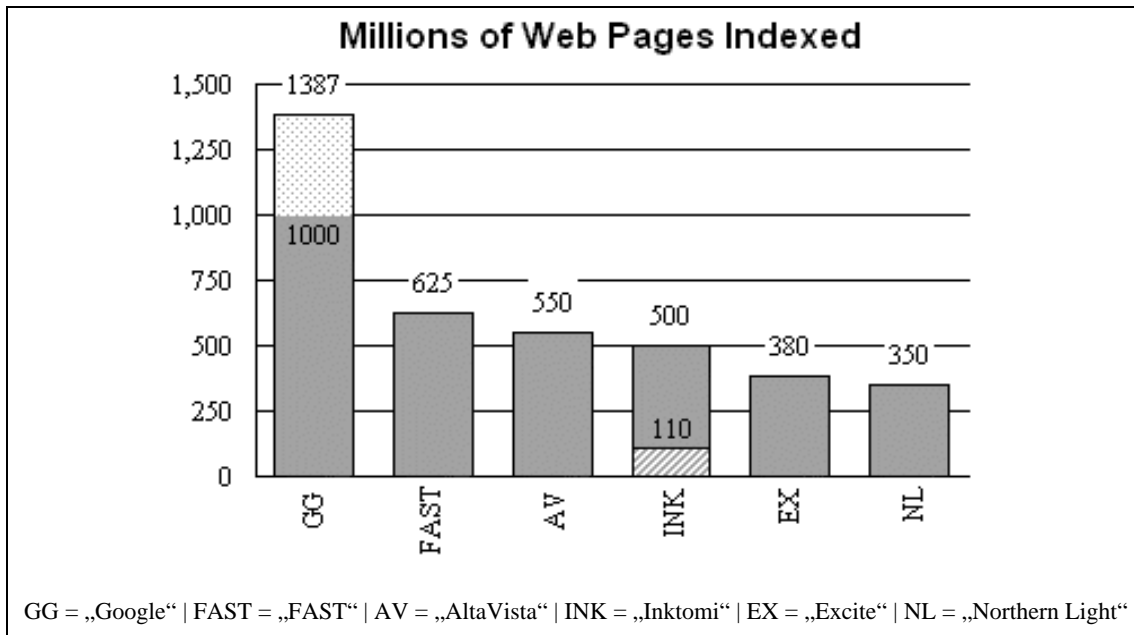


Abb. 3: Anzahl der von Suchmaschinen erfassten Webseiten in Millionen. Stand: August 2001 (SULLIVAN 2001)

Aber nicht nur das immense Wachstum des Netzes ist Schuld an der geringen Erfassung der Datenmenge, die Gründe liegen auch bei der Software der Suchmaschinen. Wie folgende Beispiele zeigen, können Webcrawler längst nicht alle Arten von Informationen im WWW in die Datenbanken aufnehmen.

- **Kostenpflichtige Datenbanken oder Datenbankgateways** mit dynamisch-generierten Seiten können von Crawlern nicht eingelesen werden, obwohl gerade diese von großem Interesse sind, da es sich hierbei oft um wissenschaftliche Datenbanken handelt, die hochqualifiziertes Wissen beinhalten. Die Ausnahme bildet momentan die Suchmaschine „Northern Light“. Sie bietet zusätzlich als Funktion die erweiterte Suche in den sogenannten „special collection documents“ an. Hierbei handelt es sich um eine Sammlung von kostenpflichtigen Dokumenten, die momentan gut 700 wissenschaftliche Zeitschriften¹⁹ umfasst.
- **Nicht öffentliche und geschützte Dokumente**, die viele Server beinhalten sind für unerlaubte Zugriffe durch Passwörter, Registrierung oder Firewalls gesichert. Eine

¹⁹ Eine genaue Auflistung aller 700 Zeitschriften ist unter http://www.northernlight.com/docs/specoll_help_overview.html [Stand: 20.11.2001] zu finden.

Suchanfrage durch einen Crawler wäre so ein Zugriff und wird deshalb von den jeweiligen Servern abgewiesen. (Vgl. LEWANDOWSKI 2001 : 381)

- **Video-, Bild- oder Toninformationen** können bisher nur anhand des Dateinamens oder des „ALT“-Tags²⁰ im HTML-Code erkannt werden, da nur reine Textinformationen durchsucht werden. Doch es gibt intensive Bemühungen, dieses zu ändern. Das Programm „WebSEEK“ (www.ctr.columbia.edu/webseek/) der New Yorker Columbia-Universität verbindet Schlüsselwort- und Bildanalyse und ist somit imstande, Formen und Farben zu erkennen und zu unterscheiden. (Vgl. LYNCH 1998 : 27)
- Auch die meisten **nicht HTML-kompatiblen Textformate** bleiben bei einer Volltextsuche durch einen Webcrawler außen vor. Allein die Suchmaschine „Google“ durchsucht auch Dateien des von der Firma Adobe (www.adobe.com) entwickelten „Portable Document Formats“ (PDF), welches im Internet sehr weit verbreitet ist.
- Bei **neu erstellten und geänderten HTML-Dateien** dauert es zum Teil sehr lange, bis diese von einem Webcrawler indiziert werden. Neue Seiten, auf die keine Links verweisen, weil der Server z.B. noch neu ist, oder Webseiten die bei Suchmaschinen nicht direkt angemeldet worden sind, können von Suchmaschinen auch nicht gefunden werden. Geänderte Dokumente werden erst im nächsten Aktualisierungszyklus der jeweiligen Suchmaschine erkannt. Dieser Zyklus kann bis zu mehreren Wochen dauern. (Vgl. BABIAK 1999 : 107, FRIES et al. 2001 : 49)
- Seiten mit **Framesets, Java oder Javascript** können Crawlern Probleme bereiten. Das Problem bei Frames liegt darin, dass mehrere Inhalte unter einer URL verfügbar sind, was eine Zuordnung zwischen Suchbegriff und Treffer-URL fast unmöglich macht. Java und Javascripts erschweren das Erfassen dadurch, dass sie für Menüs und Verweise verwendet werden, die aber von Suchmaschinen nicht

²⁰ Der „ALT“-Tag gibt dem Bild einen alternativen Text, falls das Bild im Internet-Browser nicht angezeigt werden sollte. Beispiel: ``

erkannt werden, da es sich um eine Programmiersprache und nicht um reinen Text handelt. (Vgl. BABIAK 1999 : 108 f.)

3.3.2 Ergebnisse und Ergebnislisten

Das andere große Problem stellt das eigentlich Suchergebnis dar. Suchmaschinen produzieren bei einer einfachen Suche mit einem Schlagwort oft eine sehr große Anzahl an Treffern. Sie werden auch oft „Hits“ oder „Matches“ genannt. Diese Suchergebnisse bestehen also häufig mehr durch Quantität als durch Qualität, Tabelle 1 veranschaulicht dies. Die einfache Suche mit den Wörtern „Evaluation“ und „Website“ ergibt bei fast allen Suchmaschinen Treffer, deren Zahl in die Millionenhöhe steigt. Selbst bei einer eingeschränkten Suche mit zwei Wörtern („Evaluation UND Website“) geht das Ergebnis in die Tausende. Doch User überprüfen selten mehr als die ersten zehn bis 20 Treffer einer Ergebnisliste, der Rest der Links muss somit als verloren angesehen werden. (Vgl. RÖTZER 1998; LEWANDOWSKI 2001 : 381)

Hierbei wird auch der Unterschied zum Katalog deutlich, den Jerry Yang mit den treffenden Worten beschreibt: „*The difference between a catalog and an index is that a catalog provides context*“ (zitiert nach STEINBERG 1996).

Schlagwort	Hits / Suchmaschine			
	Altavista (www.altavista.de)	Lycos (www.lycos.de)	Excite (www.excite.com)	Google (www.google.de)
Evaluation	3.402.820	5.962.116	493.400	9.580.000
Website	21.643.970	22.693.752	7.389.131	30.600.000
Evaluation UND Website	34.148	443.148	4.820	791.000

Tab. 1 : Beispiel für die Anzahl der Hits bei verschiedenen Suchmaschinen²¹

²¹ Die Suche wurde am 14.08.2001 durchgeführt. Da es sich bei „Yahoo“ um einen Katalog handelt, ist dieser nicht in die Suche mit einbezogen worden.

Gleichzeitig zeigt dieses Beispiel, wie unterschiedlich die Ergebnisse der einzelnen Suchmaschinen sind und beweist den oben genannten heterogenen Abdeckungsgrad des Netzes durch die einzelnen Dienste.

Die Funktionsweise der Suchmaschinen hilft zwar beim Verständnis von Suchergebnissen, weil aber technische Details und insbesondere die Methode des Rankingverfahrens der Ergebnisliste nicht bekanntgegeben werden, bleibt sie doch eine „Black Box“. Die Gründe dafür liegen im wirtschaftlichen Bereich, da die Suchalgorithmen letztendlich das Kapital der Firmen, die die Suchmaschinen betreiben, darstellen.

Wie schon erwähnt, ist die Reihenfolge der Auflistung der Suchergebnisse nicht unproblematisch. RÖTZER (1999b) weist eine direkte Manipulation der Ergebnisse zurück, deutet aber auf die Probleme der sehr unterschiedlichen Selektionskriterien der einzelnen Suchmaschinen hin. SCHULZKI-HADDOUTI (2001) geht weiter und sagt: *„Werbetreibende missbrauchen diesen Suchmechanismus und verfälschen die Ergebnisse der Suchmaschinen.“* Probleme bereitet somit die Vermarktung und der Verkauf von Ergebnissen. Die Suchmaschine „GoTo“ (www.goto.com) war der Vorreiter mit der 1997 entwickelten „Pay-for-Performance“ - Technologie, mit der Ergebnisse direkt vermarktet werden. Hierbei werden die Suchergebnisse nach der Höhe des gezahlten Geldbetrages angezeigt. Heute vermarkten alle größeren Suchmaschinen ihre Ergebnisse, zuletzt führte „Yahoo“ die „Sponsored Sites“ ein. Nur „Excite“ verwaltet zur Zeit noch keine bezahlten Listen (vgl. SCHULZKI-HADDOUTI 2001).

Aber auch die Popularitätsbewertung, wie sie „Google“ und „Direct Hit“ durchführen, beinhaltet Gefahren. Beide Suchmaschinen arbeiten mit der Idee, dass die Popularität einer Seite gleichbedeutend ist mit der inhaltlichen Güte. Ob dies wirklich so ist, sei hier in Frage gestellt, da diese Methode einen „Trendverstärker“ (RÖTZER 1999b) darstellt, der die Konzentrationsprozesse um bekannte Seiten im Netz nur noch verstärkt und kleine, unbekannte Sites benachteiligt.

Verlierer hierbei sind Anbieter, Institutionen oder Firmen, die nur wenig Geld fürs Ranking bzw. für Werbung zur Förderung der Popularität aufbringen können und somit in eine Abwärtsspirale geraten.

3.4 Instabilität von Online-Quellen

McKELVEY schreibt in seinem Buch „Hypergraphics“, dass „Websites ... evolutionäre Dokumente“ (1999 : 65) sind. Mit dieser Aussage wird ein weiteres Problem deutlich, nämlich die Instabilität von Online-Quellen. Das Internet ist einer ständigen Modifikation unterworfen. Neue Sites entstehen oder verschwinden, neue Dokumente werden ins Netz gestellt, alte werden aktualisiert oder gelöscht. Webseiten besitzen ein durchschnittliches Alter zwischen 44 und 70 Tagen (vgl. ZIMMER 2000 : 184; GROTE 2000 : 116; RÖTZER 2000), und 89 % aller Seiten im Web sind jünger als ein Jahr (s. Tab. 2).

Alter der Webseiten	< 1 Jahr	1 – 2 Jahre	2 – 3 Jahre	3 – 4 Jahre	4 - 5 Jahre	5 - 6 Jahre	> 6 Jahre
Prozent der Webseiten	89 %	6,5 %	2,5 %	1,1 %	0,4 %	0,1 %	0,1 %

Tab. 2 : Das Alter von Internet-Seiten (N.N. 2001 : 166)

Diese hohe Fluktuation im Netz lässt sich durch Veränderungen der Technik (Hard- und Software) und dem Wandel des Zeitgeistes erklären:

Heutzutage ist es sehr einfach, eine Webseite in kürzester Zeit zu verändern. Dank moderner HTML-Editoren, wie z.B. Microsofts „Frontpage“ oder Macromedias „Dreamweaver“, ist es möglich, ohne jede HTML- oder Programmierkenntnisse eine Seite zu erstellen oder in jeglicher Weise zu verändern, egal ob es sich um das Aussehen, die Form oder die Schriftarten handelt. Grafiken können gelöscht, hinzugefügt oder ausgetauscht werden, dasselbe gilt für Links. Der Charakter einer Seite ist in einem ständigen Fluss (vgl. ROBERTS 1999).

Hinzu kommt, dass Websites, genau wie z.B. auch die Mode, schnelllebigen Trends unterworfen sind. Webdesigner David SIEGEL (1997 : 26 f.) spricht von drei Generationen von Websites seit deren Entstehung Anfang der 90er Jahre. Aber auch die dritte Generation ist laut Klaus HOFER und Hansjörg ZIMMERMANN (2000 : 16) schon wieder passé. Was heute im Netz „in“ ist, kann morgen schon wieder „out“ sein. Ständig werden Awards für das Design von Webseiten vergeben, aber „beständig ist allein der Wandel“ (HOFER / ZIMMERMANN 2000 : 16).

Websites der ersten Generation waren einfache Textseiten mit sehr wenigen Grafiken. Die Seiten waren gut lesbar auf monochromen Bildschirmen und bauten sich auch bei einem langsamen Modem schnell auf. Die zweite Generation, ab ca. 1995, war dank der Weiterentwicklung des HTML-Standards als auch neuer Versionen der Browsersoftware wesentlich bunter und verspielter. Es wurden mehr Grafiken und vielfarbige Hintergründe eingefügt. Oft blieb bei soviel Design die Lesbarkeit auf der Strecke. Die Sites der dritten Generation sollten für den User „eine ganzheitliche Erfahrung, vom Eintritt bis zum Ausgang“ (SIEGEL 1997 : 29) werden. Das Design wurde durch Metaphern und Modelle der Konsumentenpsychologie erweitert. Die aktuelle Generation von Websites ist auf bestimmte Nutzergruppen zugeschnitten. Es werden spezielle technische Features, wie z.B. Macromedias Flash, eingesetzt und auch keine Rücksicht mehr auf Browserkompatibilität genommen, da es zu viele Plattformen neben dem PC gibt, wie z.B. Palmtops oder WAP-Handys. Seiten sollen heute unterhalten und gleichzeitig Themen multimedial transportieren (vgl. HOFER / ZIMMERMANN ²2000 : 120).

Dieser Wandel wurde durch die Einführung neuer Techniken möglich, die den HTML Standard ständig erweitern, wie z.B. XML (Extensible Markup Language) zur Erstellung dynamischer Webseiten, SMIL (Synchronized Multimedia Integration Language), um Audio- und Videosequenzen in Webseiten einzufügen oder VRML (Virtual Reality Modeling Language), mit der es möglich ist, dreidimensionale Räume und Landschaften in einem Browser darzustellen. Aber auch Programmiersprachen wie Java, Javascript, ActiveX oder Flash erweitern die Möglichkeiten der Darstellung von Inhalten ständig.

Hinzu kommt die schnelle technische Weiterentwicklung der Hardware. Durch die Entwicklung immer schnellerer Computer, von Netzwerken und umfangreicheren Speichermedien erweitern sich automatisch die Möglichkeiten im Netz: Webseiten werden durch Chatrooms interaktiv, User treffen sich als Avatare in virtuellen Welten, Audio- und Videostreaming bringen Konzerte und Filme in digitaler Qualität in jedes Wohnzimmer. Es kommt zu einer Konvergenz der Medien.

Durch all diese Faktoren ist die Schnellebigkeit des Netzes zu erklären. Firmen, Organisationen und auch Privatleute wollen bzw. müssen immer up-to-date bleiben, da der wirtschaftliche Erfolg ausbleibt, wenn die Webseite nicht interessant für den Surfer gestaltet ist.

Aufgrund dieser ständigen Veränderung gibt es Bestrebungen, das World Wide Web zu archivieren, wobei dies ein hoffnungsloser Wettlauf mit dem Wachstum des WWW und dem Verschwinden von Sites ist (vgl. RIEDER 1997 : 112 f.). Als „Deja.com“, Betreiber der umfassendsten Sammlung von alten Usenet-Diskussionen, seine Server aus Kostengründen vom Netz nahm, schrieb das Online-Magazin „Salon“ (www.salon.com) : „Wir verbrennen keine Bücher mehr, wir stöpseln nur die Server aus“ (zitiert nach DRÖSSER 2000). Mit einem Knopfdruck verschwanden Tausende von Beiträgen zu verschiedensten Themen, die sich über fünf Jahre lang im Netz gesammelt hatten.

Um diesen „drohenden Gedächtnisverlust“ (DRÖSSER 2000) des Netzes aufzuhalten, legt das „Internet Archive“ (www.archive.org) mit Hilfe der Software „Alexa“ (www.alexa.com) ständig Images des Netzes an, so dass Momentaufnahmen des WWW entstehen. Zur Zeit (Stand: März 2001) sind über 100 Terabyte an Daten bzw. elf Milliarden Webseiten gespeichert, und jede Woche kommen ca. 150 Millionen Seiten neu hinzu. Aber auch dieses Verfahren birgt einige Probleme, weil viele Fragen unbeantwortet bleiben. Da nur Teile des Netzes archiviert werden, sowohl aus technischen als auch aus Kostengründen, stellt sich die Frage, welche Seiten wichtig oder unwichtig sind. Wer bestimmt über die Auswahl der zu archivierenden Seiten? Welche Seiten sind so interessant, dass sie der Nachwelt erhalten bleiben sollten? Welche sollen dem Vergessen preisgegeben werden? Auch die Copyright-Frage bleibt offen, nämlich ob man ohne Wissen des Autors überhaupt private Websites archivieren darf. So bleibt dies zweifellos ein interessanter Versuch, das Netz der Nachwelt zu erhalten, aber mehr eben auch nicht.²²

Das Problem der Archivierung bzw. der mangelnden Dokumentationsform spielt insbesondere bei wissenschaftlichen Inhalten im Netz eine Rolle. Im Gegensatz zu Büchern, die materiell gebunden sind, gibt es im Netz keine Auflagen, sondern immer nur das aktuelle Update einer Webseite, das jederzeit überschrieben und erneuert werden kann.

Diese immer weiter fortschreitende Digitalisierung führt dazu, dass das Buch als Leitmedium der Gegenwart durch den Computer abgelöst wird. BOLZ (1995)

²² Seit Oktober 2001 kann das „Internet Archive“ über eine kostenlose und freizugängliche Schnittstelle, die „Way Back Machine“ (web.archive.org/), durchsucht werden.

bezeichnet diesen Prozess, in Anlehnung an Marshall McLuhan, als Ende der Gutenberg-Galaxis.

Das WWW ist immer aktuell, es existiert somit nur die Gegenwart. DEBATIN vertritt die Ansicht, dass Printmedien eine „zeitlich kodierte Selbstreferentialität im Hinblick auf den Wissens- und Erkenntnisstand“ (1998) erzeugen. Im Gegensatz dazu haben Dokumente im Internet eine „ahistorische und palimpsestische Struktur“ (ebd.). Es ist nie sicher, welche Version man vor sich hat, ob sie kopiert worden ist, und wer der tatsächliche Autor ist. Auch RIEDER vertritt diesen Standpunkt, wenn er sagt, dass „Webseiten ... kein Gedächtnis [haben, T.A.]: Durch ihre permanente, spurlose Erneuerung verlieren sie ihre eigene Geschichte“ (1997 : 112). Informationen sind auf Knopfdruck erhältlich, aber genauso schnell verflüchtigt sich diese Information auch wieder im Netz. Der Wissensspeicher des WWW ist vergänglich.

3.5 Glaubwürdigkeit von Onlinequellen

Das Informationsangebot im Internet ist unüberschaubar. Tausende von Fachzeitschriften sind inzwischen als Volltext abrufbar, Universitäten publizieren neueste Forschungsergebnisse auf ihren Seiten. Das MIT stellt neuerdings sogar sämtliche Vorlesungen und Seminare unter dem Titel „MIT Open Courseware“ (web.mit.edu/ocw/) online, gibt damit dem „Open Source“-Gedanken eine völlig neue Dimension und stellt sich gleichzeitig gegen die ständig wachsende Kommerzialisierung des Netzes.²³

Aber es gibt ebenso viele unsinnige und falsche Informationsangebote im Netz. Eine Untersuchung medizinischer Webseiten ergab, dass über die Hälfte aller untersuchten Seiten von Institutionen oder Privatpersonen dubiose und voreingenommene Inhalte verbreiten (vgl. OBST 1997).

Daran sieht man, dass Authentizität und Glaubwürdigkeit von Online-Informationen das größte Problem darstellen. Dieser Umstand liegt vor allem an einem der größten Vorteile im Netz, der hier aber auch gleichzeitig zum Problem wird, nämlich dass jeder Nutzer die Freiheit hat, zu jedem Thema etwas zu publizieren, egal ob er

²³ Über 80% der Inhalte im Internet sind kommerziell ausgerichtet, die Tendenz ist steigend. Nicht einmal 10% aller Webseiten haben natur- oder geisteswissenschaftliche Themen zum Inhalt. (Vgl. LAWRENCE / GILES 1999 : 107)

dementsprechend qualifiziert ist oder nicht. Oder wie es der Münsteraner Bibliothekar Dr. Oliver OBST ausdrückt: „*Jeder Idiot kann etwas auf dem Internet veröffentlichen – und jeder Idiot tut es auch.*“ (OBST 1997)

Daher ist es oft schwer zu erkennen, wie glaubwürdig Daten oder Informationen wirklich sind. Artikel in Zeitschriften, Magazinen, Lexika oder Bücher durchlaufen einen für den Leser unsichtbaren Prozess der Kontrolle. Editoren als Experten lesen und bewerten Artikel oder Bücher und geben diese erst nach genauer Prüfung zur Veröffentlichung frei. Große wissenschaftliche Journale, wie z.B. „The Lancet“ oder das „The New England Journal of Medicine“, haben Ablehnungsquoten von bis zu 90% (vgl. OBST 2000; ROBERTS 1999).

Das Peer-Review Verfahren und andere Methoden sorgen als Qualitätsfilter dafür, dass nur nach dem gegenwärtigen Stand der Wissenschaft korrekte Informationen publiziert werden. Dieser entscheidende Filtermechanismus fehlt so gut wie im Internet, somit liegt es beim Nutzer, die Gefahren eigenständig zu erkennen.

Die Qualität von Online-Information wird zumeist negativ eingeschätzt, insbesondere wird dem Medium ein Glaubwürdigkeitsdefizit zugesprochen, da die Information nicht mehr an das geschriebene bzw. gedruckte Wort gekoppelt ist, wie es bei Büchern oder Zeitschriften der Fall ist. Hinzu kommt, dass dem Internet eine Tendenz der Vermischung von Realität und Virtualität zugeschrieben wird, was insbesondere an den zahlreichen Verschwörungstheorien, die im Netz kursieren, deutlich wird (vgl. DEBATIN 1998).

Der Journalist David SHENK betitelte sein Buch „*Datenmüll und Infosmog*“ (1998), MEIER spricht von „*Informationsmüllhalde*“ (MEIER ²1999b : 163), die Tageszeitung „Frankfurter Rundschau“ nennt das Netz ein „*Gerüchtemedium, die Gerüchteküche par excellence*“ (zitiert nach SCHWEIGER 1999 : 97) und die „New York Times“ schrieb, einer Website zu trauen „*is like following a helpful stranger in Morocco who offers to take you to the best drug store*“ (zitiert nach NIELSEN 1999b). Empirische Untersuchungen weisen sehr unterschiedliche Ergebnisse bezüglich der Glaubwürdigkeit des Internet auf. Neueren Umfragen zufolge bezeichnen immerhin 50% der Befragten das Medium „Internet“ als glaubwürdig. Hiermit rangiert es in der Rangliste vor „Zeitschriften“ (46%), aber weit hinter „Zeitungen“ (74%), „Fernsehen“ (82%) und „Radio“ (87%). In einer anderen Umfrage, in der allerdings nach dem Medium mit der höchsten Glaubwürdigkeit gefragt wurde, sprachen nur 1% der Personen dem „Internet“ diese zu (vgl. RÖSSLER / WIRTH 1999b : 8). Martin

GOLDMANN weist allerdings zu recht darauf hin, dass man kein Internet braucht, um sich von den Medien belügen zu lassen: „*Fernsehen, Zeitschriften sowie Radio bieten genauso kanalisierte, vorgekaute Nachrichten und Halbwahrheiten*“ (1999 : 22). Allerdings sind Informationen im Internet anders geartet als in herkömmlichen Medien, da es im Internet zu einer Verschmelzung verschiedener Medientypen (Video, Audio etc.) kommt. Es gibt zwar auch bei Printmedien eine große Bandbreite von Formaten, von der Regenbogenpresse bis hin zum streng wissenschaftlichen Magazin, aber im Internet ist sie erheblich größer, da sie stärker von Promotion und Werbung durchsetzt ist, was das Differenzieren wesentlich erschwert. Diese Bandbreite entsteht durch die schon erwähnte Möglichkeit, dass jeder Mensch mit einem Zugang zum Internet ein Massenpublikum mit seiner Botschaft erreichen kann. (Vgl. ROBERTS 1999; RÖSSLER / OGNIANOVA 1999 : 111; SCHWEIGER 1999 : 96; TILLMAN 2000)

Die Gefahr liegt nicht nur in Fehlinformationen, d.h. dass eine Angabe wirklich falsch ist, sondern die viel größere Gefahr birgt die Grauzone, die im Netz existiert. Dieser Bereich enthält Seiten, die einen radikalen Standpunkt vertreten, stark übertreiben, polemisieren oder parodieren, letztere werden meist als „Hoax“²⁴ bezeichnet.

Diese Seiten können durchaus auch einen positiven Effekt haben. Zum einen können sie einen alternativen Standpunkt im Gegensatz zur gängigen öffentlichen Meinung vertreten, zum anderen schulen solche Seiten den kritischen Blick und das Hinterfragen von Informationen. Sie zeigen, dass jede Art von Information eine subjektive Tendenz hat, die es nötig macht, sie zu evaluieren. (Vgl. PIPER 2000; MINKEL 2000 : 33)

Diese Grauzone von Webseiten lässt sich in verschiedene Kategorien unterteilen, wobei viele Webseiten durchaus in mehrere dieser Kategorien fallen können:

- Parodien und Satire
- Fiktive Inhalte
- Gezielte Desinformation
- Fälschungen
- Propaganda
- Gehackte Seiten

²⁴ „Hoax“ bedeutet übersetzt Schwindel, Falschmeldung oder Ente. Dieser Begriff hat sich im Netz als allgemeine Bezeichnung für falsche Warnungen per E-Mail und gefälschte Webseiten eingebürgert. Hierzu siehe auch TU Berlin (www.tu-berlin.de/www/software/hoax.html) oder Universität Hamburg (minerva.sozialwiss.uni-hamburg.de/majordomo/hoax.html) [beide Stand 31.07.2001].

GREER et al. (1999b) und PIPER (2000) führen auch „Werbung“ in dieser Kategorisierung, aber aufgrund der rein kommerziellen Inhalte von Werbung werde ich in dieser Arbeit nicht näher darauf eingehen.

3.5.1 Parodien und Satire

Sehr häufig im Netz anzutreffen ist die Kategorie der Parodie (engl. „*parody*“ oder „*spoof*“), wobei insbesondere die politische Satire oder Parodien auf Computerfirmen, speziell Microsoft, sehr beliebt sind.

Parodien sind nie ernstgemeint und meist als solche schnell zu erkennen. Wobei PIPER (2000) und MINKEL (2000 : 33) zu Recht darauf hinweisen, dass bei gut gemachten Parodien leichtgläubige Menschen und Kinder trotzdem darauf hereinfallen können. Problematisch ist es oft auch, wenn Suchmaschinen Unterseiten einer Website finden und als Suchergebnis präsentieren, so dass man nicht den direkten Bezug zur Hauptseite erkennt, die deutlich macht, dass es sich hierbei um Satire handelt. So ist es schon des öfteren vorgekommen, dass Meldungen des Satire-Internetmagazins „The Onion“ (www.onion.com) in seriösen Arbeiten und Nachrichten zitiert wurden (vgl. PIPER 2000).

Bei Parodien wird zumeist der Domain-Name mit einer anderen Top-Level-Domain (z.B. .org oder .net) übernommen oder der Name wird leicht verfälscht, z.B. aus der Adresse der Weltbank „worldbank.org“ wird „whirledbank.org“, aus „microsoft.com“ wird „microshaft.com“ oder aus „altavista.com“ wird „hastalavista.com“.

- **Whitehouse.gov / .com / .org / .net**

Das Weiße Haus stellt im Netz ein beliebtes Objekt für Parodien dar. Hier wird auch die oben angesprochene Übernahme von Namen mit anderer Top-Level-Domain (TLD) deutlich. Die Originalseite besitzt die US-staatliche Top-Level-Domain .gov (whitehouse.gov) (s. Abb. 4 a).

Parodien dieser Seite sind u.a. zu finden unter:

- Whitehouse.org²⁵, die die Originalseite am rechten Rand mit Werbung verschiedener Energiekonzerne verziert, die den Wahlkampf des jetzigen US-Präsidenten George W. Bush unterstützten (s. Abb. 4 b).
- Whitehouse.net, die mit der Parodie auf politische Geschehnisse in den USA anspielt.²⁶ Die Abbildung zeigt einen fingierten Hackerangriff durch Chinesen nach dem Absturz eines amerikanischen Spionageflugzeuges in China (s. Abb. 4 c).
- Whitehouse.com, die hier nur der Vollständigkeit halber genannt wird, da es sich hier um keine Parodie handelt, sondern um die Seite eines Pornographie-Anbieters (s. Abb. 4 d). Dies aber zeigt, wie wichtig es ist, auf die TLD der jeweiligen Internet-Adresse zu achten.



Abb. 4: Die Index-Seite von a.) www.whitehouse.gov, b.) www.whitehouse.org [beide Stand: 29.08.2001], c.) www.whitehouse.net und d.) www.whitehouse.com [beide Stand: 10.11.2001]

²⁵ Die Seite ist seit dem 11.09.2001 aufgrund des terroristischen Anschlages auf das World Trade Center und des Pentagons aus dem Netz genommen und durch eine Kondolenz-Seite ersetzt worden.

²⁶ Die Entstehung und Historie der Seite ist unter <http://www.whitehouse.net/protest.html> [Stand: 28.09.2001] nachzulesen.

- Clones-R-Us

Auch naturwissenschaftliche Parodien sind im Netz vertreten. Das Angebot reicht von einfachen Artikeln über absichtlich falsche Studien, wie z.B. „Feline Reactions to Bearded Men“ (www.improb.com/airchives/classical/cat/cat.html), bis hin zur kompletten, vielschichtigen Site, wie z.B. die von „Dream Technologies International“ (www.d-b.net/dti/) mit Clones-R-Us (s. Abb. 5).

Auf dieser Seite bietet die Firma „Dreamtech“ das Klonen von Menschen an. Die Seite erläutert das Klonen anschaulich, gestützt auf Kommentaren imaginärer Wissenschaftler, bietet diverse Statistiken an und lässt begeisterte Kunden zu Wort kommen. Die Linksammlung beinhaltet Verweise zu bekannten, real existierenden Universitäten und anderen ernstgemeinten wissenschaftlichen Seiten zum Thema Klonen im Netz. Dass es sich um eine Parodie handelt, erkennt man u.a. an den Punkten „Price List“ und „Order Form“ in der Navigationsleiste. Hier kann man erfahren, was ein Klon von sich selbst oder einer bekannten Persönlichkeit kostet. Ein Klon des Models Cindy Crawford gibt es für 79.999.- US-\$, im Gegensatz dazu kostet ein Klon des ehemaligen US-Präsidenten John F. Kennedy nur 499.- US-\$. Über ein Bestellformular auf der Webseite kann man gleich seinen gewünschten Klon anfordern. Unter „About Us“ wird klargestellt, dass es sich um eine Parodie handelt und die Seite nur zum Nachdenken über das Klonen von Menschen anregen will. Dieser Diskurs lässt sich im „Guestbook“ nachlesen.

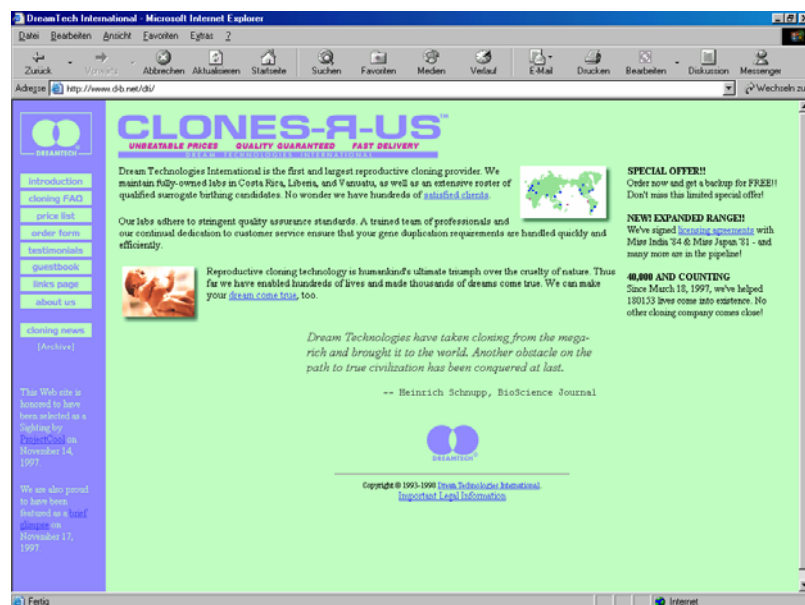


Abb. 5: Index-Seite von „Dream Technologies International“ (www.d-b.net/dti/) [Stand: 10.11.2001]

3.5.2 Fiktive Inhalte

Parodien beinhalten immer einen Bezug zur Realität. Es existieren aber auch Seiten mit rein fiktivem Inhalt, der jedoch als Realität dargestellt wird. Hier lassen sich zwei Arten unterscheiden. Zum einen die Seiten, die nur der reinen Unterhaltung dienen, wie z.B. die Seite des Mikrostaates „Molossia“ (www.molossia.org). Ebenso die Seiten über die beiden im US-Bundestaat Minnesota gelegenen Städte „Mankato“ (www.lme.mankato.msus.edu/mankato/mankato.html) und „New Hartford“ (lme.mnsu.edu/newhartford/newhtfd.html), die nur im Internet und auf keiner Landkarte existieren. Beliebt sind auch Seiten über fiktive Tiere, wie z.B. das „Mountain Walrus“ (www.end.com/~jynx/walrus/) oder den „Pacific Northwest Tree Octopus“ (zapatopi.net/treeoctopus.html).

Aber es gibt auch durchaus fiktive Seiten mit einem ernstgemeinten wissenschaftlichen Hintergrund, allerdings ist dies eher selten der Fall. Die Webseite des fiktiven Landes „Ruritania“ (homepages.udayton.edu/~ahern/rurindx.htm) informiert über die geographische Lage des Landes und über historische und demographische Daten. Das Land „Ruritania“ hat über 4 Millionen Bewohner und liegt in Skandinavien zwischen Norwegen und Schweden. Das Ganze ist ein Projekt des Fachbereiches Politik der Universität Dayton / USA und dient als Anschauungsobjekt und Simulation eines Staates im universitären Lehrbetrieb.

3.5.3 Gezielte Desinformation

Die bisher genannten Kategorien (Parodien und fiktive Inhalte) sind zwar auch eine Art von Desinformation, aber diese Inhalte sind zumeist offensichtlich nicht ernstgemeint, so dass daraus keine schwerwiegenden Konsequenzen erfolgen. Die gezielte Verbreitung von Falschmeldungen im Internet dagegen, die dann Einzug in die übrige Medienwelt erhalten, wird inzwischen als „Media-Hack“ bezeichnet. Diese neue Generation von Hackern will nach eigenem Bekunden durch die Lügen im Netz eine gesellschaftliche Diskussion anstoßen. Um Erfolg zu haben, Menschen die Geschichte also glauben und weitererzählen, muss *„die Geschichte ... wahr sein können“* sagt die Netzkünstlerin und Hackerin Lizlvx (MIKA 2000). So geschehen z.B. mit der Webseite

„Voteauction.com“, die während des letzten Präsidentschaftswahlkampfes in den USA anbot, Wählerstimmen gegen Geld zu kaufen. Obwohl es nie zu einem Handel mit Stimmen kam, wurde die Seite verklagt und auf richterlichen Beschluss hin abgeschaltet. Die Macher wollten mit ihrer Aktion den Leuten verdeutlichen, wieviel ihre Stimme in einem Wahlkampf, der über 3 Milliarden US-\$ kostete, eigentlich wert ist. (Vgl. MIKA 2000; KREMPL 2000; MEDOSCH 2001)

Schwerwiegender wird der Fall meist bei falschen medizinischen oder finanziellen Informationsangeboten, die im Extremfall zum Tode oder Ruin führen können.

▪ **Medizinische Desinformation**

Informationen über Krankheiten und deren Heilung gehören im Internet zu den gefragtesten Themen (vgl. OBST 1997; AMBRE et al. 1997 : 1-1). Neben seriösen medizinischen Datenbanken, wie z.B. die „MedLine“²⁷, existieren auch unzählige unseriöse und ethisch bedenkliche Quellen im Netz. Da verspricht William Donald Kelley, der sich selbst als „Medical Missionary“ bezeichnet, auf seiner Webseite: *„There is no cure for the common cold. But there is a very simple CURE for cancer.“* (www.ioa.com/~dragonfly/news/kelley.html). Gestützt wird diese These von dubiosen medizinischen Erkenntnissen und Verschwörungstheorien.

Betty Martini erklärte in einer Mail, die an über 450 Newsgroups ging, dass Süßstoff der Auslöser für Multiple Sklerose und Hauttuberkulose ist (www.nancymarkle.com/betty/betty.html) und schaffte damit den Sprung auf diverse Titelblätter. Die Behauptung wurde inzwischen von Experten widerlegt, aber nichtsdestotrotz glauben viele Betroffene heute noch immer daran. (Vgl. PIPER 2000; KELLEY 1999)

Das „Institute for Investigative Medicine“, dem u.a. die Nobelpreisträgerin für Chemie Kary Mullis angehört, schreibt auf der „AIDS Myth Site“ (www.virusmyth.com/aids/index.htm), dass AIDS weder durch den HIV-Virus ausgelöst noch sexuell übertragen wird, sondern dass die Infizierten an den Nebenwirkungen der Medikamente sterben. Diese Aussagen werden sehr umfangreich

²⁷ Der Zugang zum öffentlichen Teil der „Medline“, der „PubMed“, ist über <http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?db=PubMed> [Stand:30.09.2001] zu erreichen.

und mit Hilfe international anerkannter Wissenschaftler näher erläutert, so dass man sich fragen muss, ob dies wirklich nur dubiose und falsche Erkenntnisse sind, oder ob es sich vielleicht doch um eine unpopuläre, aber innerhalb des wissenschaftlichen Diskurses vertretbare Sichtweise handelt. Die Macher selbst beklagen sich darüber, dass ihr Standpunkt durch Zensur unterdrückt wird (vgl. PIPER 2000).

Organisationen wie „Quackwatch“ (www.quackwatch.com) und das „Center for Disease Control and Prevention (CDC)“ (www.cdc.gov/hoax_rumors.htm) geben einen Überblick über Quacksalber und warnen vor deren dubiosen Methoden im Internet.

▪ **Wirtschaftliche Desinformation**

Das Interesse an Aktien von Kleinanlegern ist durch das Internet und den dadurch entstandenen Boom des neuen Marktes stark gefördert worden. Jederzeit kann man ohne Probleme die aktuellen weltweiten Börsenkurse abrufen und sich mit den neuesten Wirtschaftsinformationen versorgen. Aber genau hier liegt das Problem. Am 3. November 2000 kursierte im Internet die Meldung, dass der Chef des Softwareunternehmens „Oracle“, Larry Ellison, gestorben und der gesamte Vorstand der Firma zurückgetreten sei. Diese Meldung führte zu massiven Kurseinbrüchen, die Aktie verlor um 29% ihres Wertes. Diese Falschmeldung war der Mitauslöser dafür, dass die Anleger innerhalb eines halben Tages 50 Milliarden US-Dollar verloren (vgl. MÜLLER 2000).

Ende August 2000 verschickte ein amerikanischer Student eine Mail an den Presse-Distributor „Internet Wire“ (www.internetwire.com). Die Mail hatte den Anschein, als sei sie von der Firma „Emulex“ (www.emulex.com) versandt worden, die darin mitteilte, dass die Geschäftsberichte neu geschrieben werden müssten und von der amerikanischen Börsenaufsicht zur Zeit überprüft würden. Die katastrophale Fehlinformation wurde umgehend von Börsendiensten aufgenommen und verbreitet, mit der Folge, dass der Aktienkurs der Firma „Emulex“ binnen Minuten um 60% fiel.

Während ein Großteil der Aktionäre bei diesem Kurseinbruch viel Geld verlor, profitierte der Student durch diese Talfahrt, da er sogenannte Leerverkäufe²⁸ („short sales“) getätigt hatte und somit in kurzer Zeit 240.000 US-\$ Gewinn machte (vgl. REDAKTION INTERN.DE 2000; KREMPL 2000).

3.5.4 Fälschungen

Gefälschte Webseiten (engl. „*counterfeit*“) bergen mit die größte Gefahr im Netz, denn diese versuchen, andere Seiten durch geschickte Adaptierung von journalistisch relevanten Regeln und Formaten nachzuahmen, so dass sie mit den ernstgemeinten Originalseiten verwechselt werden können. Inhaltlich wird das Thema seriös dargestellt, dass im Gegensatz zur Originalseite nicht objektiv, sondern subjektiv und voreingenommen berichtet. Sie dienen meist der gezielten Verbreitung von Fehlinformationen und Propaganda. PIPER (2000) vergleicht diesen Typus von Website auch mit dem Trojanischen Pferd, da sie nicht das darstellt, was sie in Wirklichkeit ist.

Bei einem solchem Hoax wird zumeist eine thematisch eindeutige WWW-Adresse genommen, so dass der User diese schneller findet und für eine offizielle Seite hält, so bei dem unten aufgeführten Beispiel der Website über Martin Luther King, Jr., deren Adresse www.martinlutherking.org ist.

Ein anderes Beispiel ist die Fälschung der Seite der Welthandelsorganisation (WTO), die nach dem Allgemeinen Zoll- und Handelsabkommen (GATT) benannt ist: www.gatt.org. Die offizielle Seite ist unter www.wto.org zu finden. (Vgl. PIPER 2000)

Zudem wird oft das Grunddesign der Site übernommen, wie z.B. Seitenaufteilung, Farbgebung, Form der Buttons oder der Navigationszeile, so dass es schon optisch leicht zu Verwechslungen kommen kann und der User damit nicht erkennt, dass es sich um eine Fälschung handelt.

²⁸ *Definition:* „Leerverkauf (Blankoverkauf): Bei Termingeschäften der Verkauf von Wertpapieren, Devisen oder Waren, die der Verkäufer noch nicht besitzt, sondern erst später erwirbt, in der Erwartung, sich bis zum Erfüllungstermin zu niedrigeren Kursen bzw. Preisen eindecken zu können, als es bei Abschluß des Termingeschäfts möglich ist.“ (SCHREIBER 2000 : 290)

- www.martinlutherking.org

Als Beispiel für eine solche Fälschung sei hier die Seite „Martin Luther King, Jr. – An Historical Examination“ (www.martinlutherking.org) genannt (s. Abb. 6).

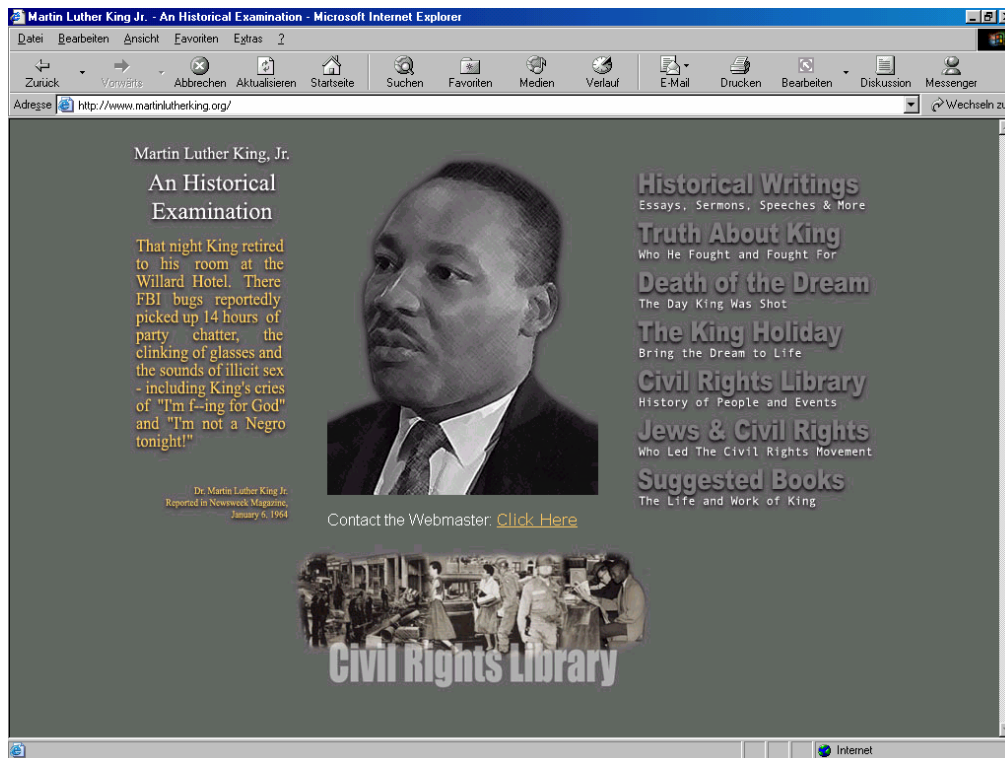


Abb. 6: Fälschung: Index-Seite „Martin Luther King, Jr. – An Historical Examination“ (www.martinlutherking.org) [Stand: 10.11.2001]

Diese Site berichtet über das Leben und Werk des amerikanischen Bürgerrechtlers und scheint oberflächlich somit eine „offizielle“ Martin Luther King Webseite zu sein. Dieser Eindruck wird durch die WWW-Adresse verstärkt. Auch die eindeutige Navigationsstruktur u.a. mit Hinweisen zu seinen Schriften („Historical Writings“) und anderen Bürgerrechtsbewegungen („Jews & Civil Rights“) sowie das klare und übersichtliche Design weisen auf eine professionell erstellte Seite hin. Hinweise für einen Hoax erkennt man erst bei näherer Betrachtung der Inhalte. Schon auf der Titelseite steht ein zweifelhaftes Zitat aus der amerikanischen Zeitschrift „Newsweek“: „... - including King's cries of *'I'm f...ing for God' and 'I'm not a Negro tonight!'*.“ Gewissheit für den zweifelhaften Inhalt dieser Seite bekommt man beim Anklicken des Links „Contact the Webmaster“, der eine E-Mail Adresse der rechtsradikalen Organisation „Stormfront“ öffnet. Auch die darunterliegenden Seiten verbreiten rechtsradikales Gedankengut.

Eine objektive Seite über den Bürgerrechtler ist unter <http://www.thekingcenter.com/> zu finden. Das Design gleicht sich nicht nur bei der Farbgebung mit den verschiedenen Grautönen und der gelben Schrift, auch die Anordnung der verschiedenen Elemente ist sehr ähnlich: das zentrale Porträt in schwarzweiß, das Martin Luther King Zitat auf der linken Seite und die seitliche Navigationsleiste rechts, die eine ähnliche Unterteilung aufweist (s. Abb. 7).

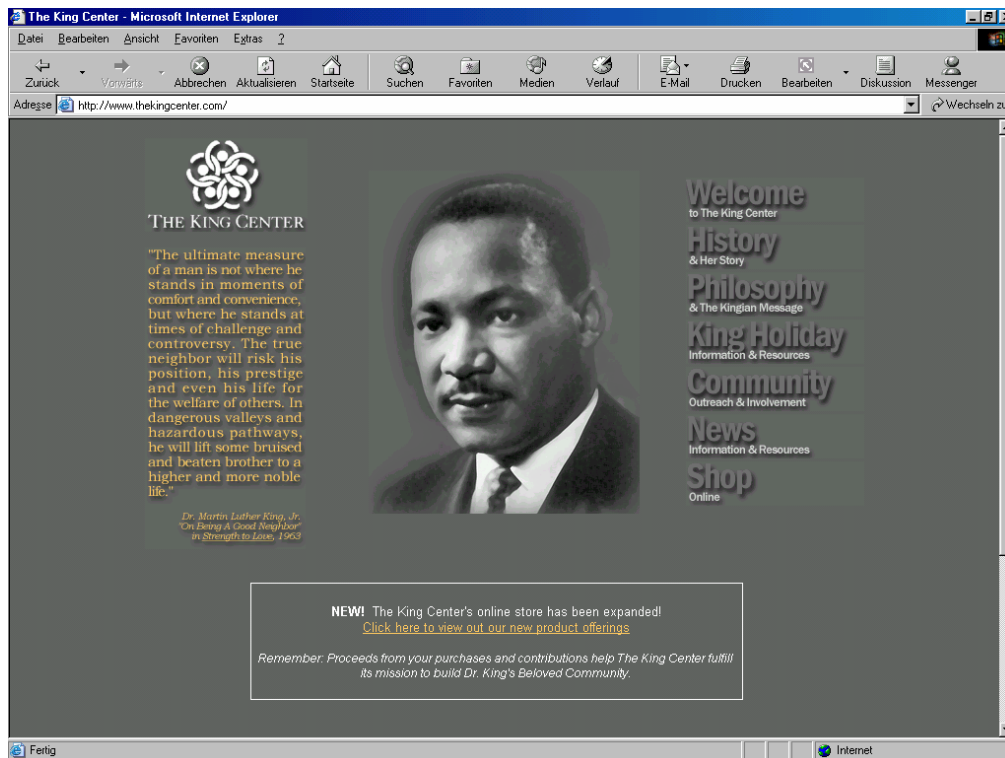


Abb. 7: Original: Index-Seite „The King Center“ (www.thekingcenter.com) [Stand: 10.11.2001]

3.5.5 Propaganda

Ein weiteres Problem im Netz ist das der Propaganda. Diese gilt als systematischer Manipulationsversuch, d.h. es wird versucht, durch die Verbreitung von Informationen, Fakten, Gerüchten, Halbwahrheiten und Lügen die öffentliche Meinung zielgerichtet zu manipulieren. Dieses Mittel wird im Netz oft von verfassungsfeindlichen Parteien und Organisationen benutzt. Sie kommunizieren über das Internet, um somit rechtlichen Problemen leicht ausweichen zu können.

Dieses sehr umfassende Problem soll es hier nur kurz exemplarisch dargestellt werden. Weiterführende Informationen zu diesem Thema sind auf den Seiten der „Gesellschaft

Sozialwissenschaftlicher Infrastruktureinrichtungen“ (GESIS) (www.social-science-geis.de/Information/Themen/Fokus/) oder auf der Seite „Wissenschaft plus Politik“ (staff-www.uni-marburg.de/~rillingr/root1.html) zu finden.

Ein Beispiel für gezielte politische Propaganda im WWW stellt die Seite des „Institute for Historical Review“ (www.ihr.org) dar. Auf deren Anfangsseite steht, dass die Site wissenschaftliche Informationen und nachdenkliche Kommentare zu neuzeitlichen politischen Ereignissen bietet, so z.B. zum 2. Weltkrieg, dem Holocaust und dem Konzentrationslager Auschwitz, und dabei weder ideologisch noch politisch noch konfessionell in der Berichterstattung ist. Das Gegenteil ist jedoch der Fall. Genau wie es für eine solche Seite typisch ist (vgl. GREER et al. 1999b), werden der Holocaust verneint und die Auschwitz-Lüge propagiert. Die weiterführenden Links führen zu Seiten, die auch diesen Standpunkt vertreten, so z.B. zur rechtsradikalen „Zündelsite“ (www.zundelsite.org) oder zur Stiftung „Vrij Historisch Onderzoek“ (vho.org), die Personen juristisch unterstützt, die nicht an die Existenz von Gaskammern glauben und aufgrund dessen angeklagt sind.

3.5.6 Gehackte Webseiten

Der typische Hack einer Website ist eindeutig zu erkennen. Hacker hinterlassen auf der entsprechenden Seite meist einen Hinweis, dass sie die Seite gehackt haben, zumeist gefolgt von politischen Statements und einer grafischen Entstellung der Seite, was dann als „defacement“ (Entstellung) bezeichnet wird. Dieser Typus ist nur sehr kurzlebig und deshalb auch nur selten anzutreffen, da er schnell entdeckt wird und sofort durch die reguläre Seite wieder ersetzt wird (vgl. PIPER 2000).

Aufgrund dieser Kurzlebigkeit archivieren einige Hackergruppen diese Seiten. Solche Archive sind z.B. bei „Attrition“ (www.attrition.org/mirror/attrition/) oder „Onething“ (www.onething.com/archive/) zu finden.

Viel schwieriger zu erkennen sind sogenannte News-Hacks. Dabei manipulieren Hacker Nachrichten in News-Angeboten im Web. Diese Art des Hacks taucht zur Zeit immer häufiger auf, weil er sehr einfach durchzuführen ist. Zum Eindringen in solche

Web Content Management Systeme ist neben dem Wissen nicht mehr als ein üblicher Internet-Browser nötig. (vgl. POULSEN 2001; REDAKTION INTERN.DE 2001)

Im August 2001 drang der 20-jährige Adrian Lamo bei „Yahoo.com“ ein, änderte bestehende Nachrichten und veröffentlichte selbst neue. Diese Änderungen waren so minimal, dass sie tagelang nicht auffielen. Erst als der Hacker selbst die Firma „Security Focus“ darüber informierte, fielen die Änderungen auf und „Yahoo.com“ schloss die Sicherheitslücke. Lamo war selbst erstaunt und schockiert, wie einfach das Eindringen in das System war und welche Macht man durch die Manipulation von Nachrichten haben kann. Er sagte:

„At that point I had more potential readership than the Washington Post. ... It could have caused a lot of people who were interested in the days events a lot of unwarranted grief if false and misleading information had been put up.“ (zitiert nach POULSEN 2001)

Diese Gefahr ist nicht zu unterschätzen, da Nachrichtenseiten zu den beliebtesten Angeboten im Netz zählen. Nach den Terroranschlägen auf New York und Washington am 11. September 2001 zählten Nachrichtenagenturen über 15 Millionen Zugriffe, und bei „Yahoo.com“ verdoppelten sich die Zugriffszahlen des gesamten Monats innerhalb von Stunden (vgl. POULSEN 2001; SIEGLE 2001 : 101). Knapp drei Wochen später ergab eine Umfrage in den USA, dass das Internet inzwischen hinter dem Fernsehen zur zweitwichtigsten Informationsquelle für Berichte über die Terroranschläge geworden war (vgl. HARRIS INTERACTIVE 2001).

Dass dieses Thema ein sehr wichtiges im Internet war, belegt die Statistik der Suchmaschine „Google.com“. Die neun der zehn häufigsten Suchbegriffe im September 2001 standen alle im Zusammenhang mit den Terroranschlägen, nur der Computerwurm „Nimda“ schaffte es auch in die Liste: 1. „Nostradamus“, 2. „CNN“, 3. „World Trade Center“, 4. „Osama Bin Laden“, 5. „Taliban“, 6. „Afghanistan“, 7. „Nimda“, 8. „American Flag“, 9. „BBC“ und 10. „FBI“ (www.google.com/press/zeitgeist/zeitgeist-sept.html).²⁹

Die Frage, die sich hier stellt: Was hätten in diesem Falle Falschmeldungen im WWW über Attentäter und Opfer für einen Schaden anrichten können? Allein schon harmlose

²⁹ Mehr über die Rolle von „Google“ während der Ereignisse in New York bei Richard W. Wiggins „The Effects of September 11 on the Leading Search Engine“ (www.firstmonday.dk/issues/issue6_10/wiggins/index.html) [Stand: 16.10.2001]. Unter <http://www.google.com/press/zeitgeist/9-11-search.html> [Stand 16.10.2001] bietet „Google“ exakte Statistiken zu Zugriffszahlen am 11. September 2001.

Urban Legends, wie eine falsche Nostradamus Prophezeiung oder die unzähligen gefälschten Fotos, sorgten weltweit für Diskussionen (vgl. SIEGLE 2001 : 102).³⁰

³⁰ Urbane Legenden, Falschmeldungen und manipulierte Fotos zu dem Terroranschlag auf das World Trade Center in New York sind auf der Site „Rumors of War“ (www.snopes2.com/rumors/rumors.htm) und „Terrorist Attack Hoax Watch“ (www.csicop.org/hoaxwatch/) [beide Stand: 04.10.2001] zu finden.

4. Aspekte der Evaluation von Webseiten

Das vorhergehende Kapitel hat deutlich gemacht, dass die Informationsfülle des Internet ihren Preis hat, da die Quellen einer hohen inhaltlichen wie gestalterischen Fluktuation unterliegen, schwer auffindbar, leicht zu manipulieren und zu fälschen sind und meist die Quantität der Qualität überwiegt.

Daraus ergibt sich ein sehr zweigeteiltes Bild des Rechercheinstruments „Internet“. Diese Aussage wird durch eine Umfrage, die von Martin SONNLEITNER, Marcus STADTHAUS und Stephan WEICHERT durchgeführt wurde, deutlicher. Sie befragten Redakteure verschiedener deutscher Tages- und Wochenzeitungen nach Vor- und Nachteilen der Online-Recherche. Positiv wurde besonders die „Zeitersparnis“ und die „Ergiebigkeit“ bewertet, da über das Netz ein schneller Zugriff auf ein breites Spektrum von Informationen möglich ist. Im Gegensatz dazu wurde insbesondere die „Oberflächlichkeit“ und die „Unglaubwürdigkeit“ von Online-Quellen moniert. (Vgl. SONNLEITNER/STADTHAUS/WEICHERT 1999 : 252 f.)

Eine Studie von Wolfgang SCHWEIGER ergab ähnliche Ergebnisse. Hier werden dem WWW gegenüber dem Fernsehen und der Tageszeitung Attribute wie „unseriös“, „schlecht recherchiert“, „unkritisch“ und „unglaubwürdig“ zugesprochen (1999 : 102). Dem Netz wird als einziger Pluspunkt ein dynamischeres, „frecheres“ Image verglichen mit anderen Medien zugestanden, was dadurch erklärt wird, dass jeder seine Meinung in Form einer Website publizieren kann, und darin liegt *„offensichtlich auch in der Wahrnehmung des Publikums eine Stärke des Mediums“* (ebd. : 103).

Das wachsende Interesse an Online-Quellen, ausgelöst durch das starke Wachstum des World Wide Web, führte dazu, dass ab Mitte der 90er Jahre Angehörige von Universitäten und Bibliotheken sich verstärkt mit der Entwicklung von theoretischen und praktischen Methoden der Evaluation von Webseiten beschäftigten. Da Online-Informationen in vielfältiger Form vorliegen (Webseiten, Newsgroup-Artikel etc.), und es keine generellen Bestimmungen zur Formatierung von Webseiten gibt, konnte und kann auch heute noch keine Software den Evaluationsprozess übernehmen und muss somit manuell vom Menschen vorgenommen werden (vgl. ANAGNOSTELIS / COX 1996).

Es bildeten sich zwei Arten von Evaluationsansätzen für Onlinequellen heraus (vgl. CIOLEK 1996):

1. Die Bewertung von Online-Quellen durch Editoren und Redaktionen, die diese zu Linksammlungen und kommentierten Katalogen zusammenführten, um somit die qualitativ hochwertigen Angebote vom Rest des Netzes zu trennen.
2. Die individuelle Bewertung anhand der von Universitäten und Bibliotheken entwickelten Kriterienkataloge oder Checklisten, deren Hauptaugenmerk auf Wahrnehmung, Analyse und Vergleich von gefundenen Webseiten liegt.

4.1 Evaluationsdienste im Netz: Awards, Review-Dienste und Portale

Suchmaschinen und Kataloge sollen dem Surfer helfen, Informationen zu finden, aber diese Suche führt zu diversen Problemen. Hierzu gehören, wie schon in Kapitel 3 erläutert, das Auffinden von qualitativ hochwertigen Quellen und die Glaubwürdigkeit von Webseiten. Deshalb existieren im Internet unzählige Dienste, die Webseiten bewerten, wobei man hier zwei grundsätzliche Systeme unterscheiden muss:

Zum einen gibt es Awards und Zertifikate, d.h. Organisationen, Zeitschriften oder Privatpersonen rezensieren Webangebote und zeichnen diese dann aus. Diese Art des Qualitätssiegels ist aber mit Skepsis zu betrachten, da nur selten Evaluationskriterien offengelegt werden und es nur wenige wirklich seriöse Anbieter gibt. (Vgl. BRAUN 2001 : 117)

Zum anderen existieren seit Mitte der 90er Jahre im WWW Review-Dienste und themen-basierte Portale (engl. „*subject-based gateways*“), die von Universitäten, Bibliotheken, aber auch von kommerziellen Anbietern verwaltet werden. Ihr Ziel ist es, dem User mit Hilfe von Experten zusammengestellte Linksammlungen gezielt und effektiv qualitativ hochwertige Informationen zu präsentieren. Im Gegensatz zu Katalogen, wie z.B. „Yahoo.com“ oder „Web.de“, unterliegen diese Dienste genauen Evaluationskriterien, die sie auch öffentlich bekanntmachen. (Vgl. COOKE / McNAB / ANAGNOSTELIS 1996; COOKE 1999 : 27 f.)

Aufgrund des enormen Aufwandes einer Evaluation lässt sich ableiten: Je genauer die Evaluation vom jeweiligen Anbieter durchgeführt wird, desto kleiner wird die Anzahl der angebotenen Quellen, aber auch desto qualitativ besser die Auswahl der Links (s. Abb. 8).

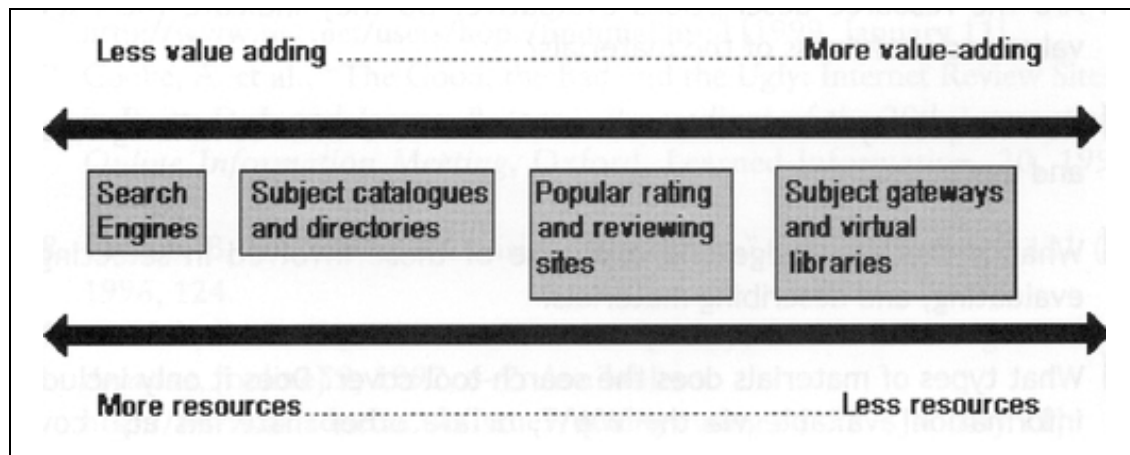


Abb. 8: Vor- und Nachteile verschiedener Suchdienste & Kataloge (COOKE 1999 : 49)

4.1.1 Awards & Zertifikate

Die Datenbank „Awards.de“ führte im Oktober dieses Jahres über 3000 bekannte Awards auf, wobei die eigentliche Ziffer der im Netz kursierenden Auszeichnungen bei über 10.000 liegen mag (vgl. BRAUN 2001 : 116). Das Problem ist, dass diese Awards (s. Abb. 9) zumeist von Privatpersonen vergeben werden, die einfach für sie interessante Webseiten auszeichnen, ohne hierbei auf einen ernsthaften Kriterienkatalog zurückzugreifen und somit in den meisten Fällen kein Qualitätssiegel darstellen. Verliehen werden diese Awards aufgrund ihrer mangelnden Reputation nur an private Homepages.



Abb. 9: Auswahl typischer Awards privater Homepages

Bei Awards von Zeitschriften sieht die Situation schon anders aus. Der „Weka Computerzeitschriften Verlag“ rezensiert Webangebote und zeichnet die besten deutschsprachigen Websites mit dem „Webtip“ (www.webtip.de) aus (s. Abb. 10). Die Rezensenten hierbei sind Experten. Allerdings werden nur zwei Kriterien bewertet, nämlich Inhalt und Design, wobei die Gewichtung der Kriterien bei einzelnen Kategorien unterschiedlich angewandt wird. Durch die Bewertung der Seiten durch Experten hebt sich ein solches Online-Angebot zwar deutlich von den anderen Awards ab, aber durch den sehr kleinen Kriterienkatalog bietet auch eine solche Seite nur einen geringen Qualitätsstandard.



Abb. 10: Webtip- Logo

Ein wirklicher Qualitätsstandard kann nur durch eine strenge Evaluierung von Experten gesichert werden. Dies ist z.B. bei dem Zertifikat „HON - Code of Conduct“ der Fall. Dieser Code wurde 1996 von der „Health on the Net Foundation (HON)“ (www.hon.ch) entwickelt, zu deren Mitgliedern u.a. die Weltgesundheitsorganisation (WHO), das Kernforschungszentrum CERN (Conseil Européen pour la Recherche Nucléaire) und die Europäische Union gehören. Das Ziel dieser Stiftung war und ist es, neue Technologien in der Medizin zu fördern. Mit dem „HON - Code of Conduct“ werden medizinische Quellen ausgezeichnet, die sehr strenge Richtlinien erfüllen. So dürfen u.a. *„alle medizinischen und gesundheitsbezogenen Ratschläge, die auf dieser Website erteilt werden, nur von medizinisch/gesundheitswissenschaftlich geschulten und qualifizierten Fachleuten gegeben“* (HEALTH ON THE NET FOUNDATION 1997) werden. Die Erfüllung der Richtlinien wird von der HON streng überwacht. Somit kann der User sicher sein, dass Webseiten mit dem HON-Logo (s. Abb. 11) glaubhafte und wissenschaftliche Informationen beinhalten.



Abb. 11: Logo des „HON – Code of Conduct“ (2-fach vergrößert)

4.1.2 Review-Dienste

Die meisten Suchmaschinen und Kataloge bieten inzwischen eine Art Review-Dienst an, in dem bestimmte Quellen hervorgehoben werden. So gibt es z.B. bei „Web.de“ die Kategorie „Cool Spot“, in die laut „Web.de“ (surftipps.web.de/cool/) besonders gute Webseiten aufgenommen werden. Aber der Name macht schon ein Problem deutlich, denn hier werden „coole“ Seiten aufgeführt. Doch was bedeutet „cool“? Damit wird weder etwas über die Qualität des Inhalts der einzelnen Seite ausgesagt, noch werden Auswahlkriterien, geschweige denn Evaluationskriterien aufgeführt, so dass man bei solchen Kategorisierungen kaum von einem wirklichen Review-Dienst sprechen kann. (Vgl. RETTIG 1996; ANAGNOSTELIS / COOKE / McNAB 1997; SMITH 1997)

Anders ist es bei dem wohl bekanntesten Review-Dienst im Internet, „Argus Clearinghouse (ACH)“ (www.clearinghouse.net). Dieses Projekt der Universität Michigan / USA entstand im Jahre 1993 mit dem Ziel, jedem Internet User einen Zugang zu nützlichen und wertvollen Internetquellen zu ermöglichen. Dazu werden die Quellen von Universitätsangehörigen gesichtet, beschrieben und evaluiert und anschließend bewertet in den thematisch sortierten Katalog aufgenommen. Beurteilt werden fünf Kategorien: Inhalt, Qualität, Design, Struktur und Meta-Informationen, wie z.B. Autor und Aktualität der Seite (vgl. ARGUS ASSOCIATES 2000; TILLMAN 2000). Positiv bewertete Seiten dürfen das „Seal of Approval“ (s. Abb. 4.5) auf ihrer Eingangsseite einblenden.



Abb. 12: Auszeichnung von Argus Clearinghouse (www.clearinghouse.net)

4.1.3 Themen-basierte Portale

Themen-basierte Portale werden zumeist von Bibliothekaren oder Experten erstellt, die zum Ziel haben, Benutzer mit qualitativ sehr hochwertigen Internet-Quellen zu versorgen. Diese Portale werden oft auch als „virtuelle Bibliotheken“ bezeichnet. (Vgl. ANAGNOSTELIS / COOKE / McNAB 1997; SMITH 1997; COOKE 1999 : 34)

Im Jahre 1993 wurde in England das Projekt „Electronic Library Programme (eLib)“ gestartet und stellt heute das größte seiner Art dar. Zu diesem Projekt gehören inzwischen eine Vielzahl von Informationsportalen, die verschiedene natur- und geisteswissenschaftliche Bereiche abdecken:

- ADAM : The Art, Design, Architecture and Media Information Gateway (www.adam.ac.uk)
- Biz/ed : The Business and Economics Gateway (www.bized.ac.uk)
- EEVL : The Edinburgh Engineering Virtual Library (www.eevl.ac.uk)
- OMNI : Organizing Medical Networked Information (omni.ac.uk)
- RUDI : Resources for Urban Design Information (rudi.herts.ac.uk)
- SOSIG : The Social Science Information Gateway (sosig.ac.uk)

Jedes dieser Portale bietet Zugriff auf Ressourcen im Internet, die von Bibliothekaren nach strengen Richtlinien ausgewählt und evaluiert worden sind. Zu jedem Eintrag werden entsprechende Informationen und Zusammenfassungen der Quelle angeboten. (Vgl. COOKE 1999 : 35)

Der Vorteil solcher virtueller Bibliotheken liegt eindeutig in der sehr guten Auswahl der Quellen, die eine hohe Informationsqualität sicherstellt. Auch werden hier die Evaluationskriterien genau definiert und dokumentiert, so dass der Evaluationsvorgang nachvollziehbar ist.³¹ Im Gegensatz zu Suchmaschinen und Katalogen bieten virtuelle Bibliotheken nicht nur einen Überblick über Quellen im World Wide Web, sondern auch Newsgroups, Mailinglisten und FTP-Server werden mit ins Angebot aufgenommen. Aber aus der strengen Auswahl an Informationen ergibt sich auch ein Nachteil, der in der Limitierung der Quellen liegt. (Vgl. COOKE 1999 : 40 f.)

³¹ Die genauen Evaluationskriterien von „SOSIG“ z.B. sind unter <http://www.sosig.ac.uk/desire/-ecrit.html> [Stand:22.10.2001] zu finden.

4.2 Individuelle Evaluationsmethoden

Da Review-Dienste und Portale jedoch nur wenige Seiten im WWW abdecken und zudem dem schnellen Wachstum des Netzes nicht folgen können, sind individuelle Evaluationsmethoden gefragt.

In ersten theoretischen Überlegungen versuchten CIOLEK (1997, ursprünglich 1994), CAYWOOD (1995), TILLMAN (2000, ursprünglich 1995), GRASSIAN (1996) und SMITH (1997) essentielle Merkmale von Webseiten und deren Inhalte zu erfassen und somit Indikatoren für Qualitätsmerkmale zu erstellen. Diese sollen als Orientierungs- und Faustregeln für die Evaluation gelten.

Die folgende Auflistung stellt nur die Hauptmerkmale der Methoden vor. Jeder dieser Punkte ist meist noch in verschiedene Unterpunkte unterteilt.

- CIOLEK bewertet die Einzigartigkeit der Quelle, dazu Inhalt, Auffindbarkeit im Netz, Zugang, Struktur, Formatierung und Pflege der Seite (1997).
- CAYWOOD bewertet in sehr knapper Form hauptsächlich drei Punkte: Zugang, Design und Inhalt (1995).
- TILLMAN bewertet die Bandbreite der angebotenen Informationen, die Leichtigkeit der Identifizierung von Meta-Daten (Autor, Aktualität etc.), die Stabilität von Online-Quellen und die Benutzerfreundlichkeit (2000).
- GRASSIAN bewertet Inhalt, Quelle, Aktualität und Struktur (1996).
- SMITH bewertet vier Aspekte sehr ausführlich: inhaltliche, rhetorisch-kommunikative, multimedial-interaktive Aspekte und die Kostendimension (1997).

Seitdem wurden die Evaluationsmethoden ständig weiterentwickelt. Stellvertretend seien hier AMBRE et al. (1997), SCHROCK (1998), COOKE (1999), ALEXANDER / TATE (1999), HARRIS (2000), KIRK (2001) und das EU-Projekt „DESIRE“ (www.desire.org), aus dem der „Internet Detective“ (PLACE / HIOM / PEEREBOOM

1999) entstanden ist, genannt. Bei diesen Methoden wurden zumeist die Basismerkmale der vorhergegangenen Methoden übernommen und lediglich weiter verfeinert oder neu zusammengefasst, so dass auch hierbei kein allgemeingültiger Kanon von Kriterien entstanden ist. Aber alle diese Methoden haben einen gemeinsamen Kern, wobei sich die Kriterien der Evaluation von netzexternen Dokumenten (z.B. Zeitschriften, Bücher, Datenbanken, CD-ROMs etc.) in der Regel nicht sonderlich von denen der Webseiten unterscheiden.

Folgende Kernkriterien sind allgemein gültig (vgl. RETTIG 1996; DEBATIN 1998):

- Glaubwürdigkeit
- Zuverlässigkeit
- Objektivität
- Richtigkeit
- Genauigkeit
- Aktualität
- Nachweisbarkeit
- Benutzerfreundlichkeit
- Zugänglichkeit

Der größte Unterschied bei der Evaluation von netzexternen Dateien und Webseiten besteht in der Zeitdimension und der Multimedialität.

Die Zeit spielt aufgrund der Aktualität und einfachen Veränderbarkeit von Webseiten eine große Rolle. Hinzu kommen die Elemente des Hypertextes, die durch die Verlinkung zu anderen Seiten oder Textteilen den Text aus einer chronologischen Reihenfolge herausheben, wie es beispielsweise bei einem Buch der Fall wäre. Die Multimedialität zeigt sich durch die Möglichkeit, interaktive und audio-visuelle Elemente, wie z.B. Videos oder Audiodateien, einzufügen (vgl. DEBATIN 1998; TILLMAN 2000).

4.3 Evaluationskriterien

Zur Evaluation von Information ist, wie schon erwähnt, ein genau definierter Kriterienkatalog vonnöten. Hierzu gehören aber nicht nur die unten aufgeführten Aspekte Glaubwürdigkeit, Genauigkeit, Abdeckung, Ausgewogenheit, Nachweisbarkeit und die Benutzerfreundlichkeit, sondern auch einige allgemeine grundsätzliche Aspekte. Diese müssen vor Beginn der eigentlichen Evaluation kontrolliert werden. Zuerst muss festgestellt werden, um welchen Typus von Online-Quelle es sich handelt: um die Homepage einer Organisation oder einer Privatperson oder ist es eine thematisch-orientierte Seite? Andere Quellen, wie FTP Archive, Newsgroup-Artikel, FAQs oder Datenbanken werden in dieser Arbeit nicht berücksichtigt.³²

Die Identifizierung der Art der Quelle ist deshalb wichtig, weil der Typus einen Einfluss auf den Schwerpunkt der verschiedenen Evaluationskriterien besitzt. Die Frage z.B. nach der Glaubwürdigkeit ist bei einer privaten Homepage viel höher einzuschätzen als bei der Website einer Universität, die schon aufgrund der Institution eine hohe Glaubwürdigkeit und Reputation besitzt. Ein anderes Beispiel ist die Aktualität, die bei Seiten aus dem IT- oder Nachrichtensektor eine größere Rolle spielt als bei historischen Webseiten. (Vgl. COOKE 1999 : 85; HARRIS 2000 : 60; GREER et al. 1999c)

Der hier aufgestellte Kriterienkatalog zur Evaluation von Webseiten orientiert sich hauptsächlich an den Überlegungen von Robert HARRIS (2000), Alison COOKE (1999), Janet ALEXANDER & Marsha Ann TATE (1999) und John AMBRE et al. (1997).

Die wichtigsten Aspekte der Evaluation mit ihren jeweiligen Unterpunkten sind:

1. Glaubwürdigkeit
 - a. Allgemeine Plausibilität der Quelle
 - b. Kompetenz des Autors
 - c. Hinweis auf Institution / Organisation

³² Mehr zur Evaluation dieser Typen der Online-Quellen bei COOKE (1999 : 85).

- d. Hinweis auf Review-Verfahren
 - e. Internet - Domain
2. Genauigkeit und Abdeckung
 - a. Aktualität
 - b. Genauigkeit der Quelle
 - c. Abdeckung des Themas
 - d. Absicht und Zielgruppe
 3. Ausgewogenheit
 - a. Objektivität
 - b. Folgerichtigkeit
 4. Quellennachweise
 - a. Kontaktmöglichkeit
 - b. Quellenverzeichnis
 - c. Bestätigung durch Dritte
 5. Benutzerfreundlichkeit
 - a. Struktur und Navigation
 - b. Zugang
 - c. Ausnutzung interaktiver und multimedialer Möglichkeiten

Am Schluss steht dann die Einschätzung der Gesamtqualität, die aber erst nach einem Vergleich mit anderen Quellen geschehen kann, um diese in Relation zu setzen (vgl. COOKE 1999 : 80 f.; MEIER ²1999b : 188).

Wichtig dabei zu beachten ist, dass es zum Teil keine deutliche Abgrenzung gibt und manche Faktoren bei mehreren Kriterien eine Rolle spielen. So sind z.B. Review-Verfahren nicht nur für die Glaubwürdigkeit bedeutsam, sondern auch für die Genauigkeit der Quelle.

Bei der Evaluation ist zu bedenken, dass die vom Evaluator gemachte Einschätzung immer subjektiv ist (DEBATIN 1998). HARRIS (2000 : 60) bezeichnet die Evaluation auch als Kunst und macht deutlich, dass es keinen perfekten einzelnen Indikator zur

Evaluation von Informationen gibt, sondern dass nur eine Schlussfolgerung aus einer Anzahl von verschiedenen Anhaltspunkten und Indikatoren gezogen werden kann.

Jedem Kapitel folgt eine Reihe von Leitfragen, die dem Evaluator helfen sollen, Anhaltspunkte innerhalb der Quelle zu finden, um die einzelnen Aspekte der Evaluation in die Praxis umzusetzen.

4.3.1 Glaubwürdigkeit

Der wichtigste Punkt der Evaluation ist die Glaubwürdigkeit der Quelle, denn hiermit steht oder fällt die Informationsqualität (vgl. HARRIS 2000 : 99; AMBRE et al. 1997 : 2-3).

Das Ziel einer jeden Quelle muss es sein, gute und vor allem nachweisbare Gründe zu liefern, damit man dieser trauen kann, denn Vertrauen ist der Schlüssel zur Glaubwürdigkeit (vgl. HARRIS 2000 : 61). Wie ist dies erreichbar?

Die Merkmale einer glaubwürdigen Seite sind oft logisch und leicht zu erschließen. Zum einen ist dies die allgemeine Plausibilität der Quelle, die Kompetenz des Autors, Hinweise auf seriöse Institutionen oder Organisationen und der Hinweis auf Editoren oder Review-Verfahren. Diese Merkmale lassen sich auch bei anderen netzexternen Quellen anwenden. Eine Ausnahme macht hier nur das letzte Glaubwürdigkeitsmerkmal, die Internet-Domain.

4.3.1.1 Allgemeine Plausibilität der Quelle

HARRIS (2000 : 60) und MEIER (²1999b : 188 f.) empfehlen, sich erst einmal an der allgemeinen Plausibilität der Information zu orientieren. Anhand einfacher Leitfragen kann man auf diese Weise auf eine gewisse innere „Stimmigkeit“ der Quelle schließen, die zeigt, dass ein Autor sich ernsthaft mit dem jeweiligen Thema auseinandergesetzt hat.

Leitfragen:

- ✓ Existieren hinreichende Beweise für eine überzeugende Argumentation?
- ✓ Sind überzeugende Argumente und Gründe gegeben?
- ✓ Werden genügend Details für eine vernünftige Schlussfolgerung angegeben?
- ✓ Wird Fachvokabular richtig angewendet?
- ✓ Werden allgemein bekannte Sachverhalte, Probleme etc. richtig dargestellt?

4.3.1.2 Kompetenz des Autors

Die Frage nach dem Autor ist die zentrale Fragestellung bei einer Evaluation, da dieser für die Glaubwürdigkeit und Genauigkeit der Inhalte der Seite verantwortlich ist.

Erfahrung, Kompetenz und Verlässlichkeit des Autors lassen sich aus verschiedenen Angaben schließen, die auf der Webseite zu finden sein sollten: Zum einen biografische Informationen, wie beruflicher Werdegang, Titel, jetzige berufliche Position und Arbeitgeber, zum anderen Kontaktmöglichkeiten via E-Mail, Telefon oder Post, die im Zweifel auch genutzt werden sollten, um so auf einfache Art und Weise mehr Details zu erfahren oder Unklarheiten beseitigen zu können (vgl. ALEXANDER/TATE 1999 : 11; COOKE 1999 : 60 f.; HARRIS 2000 : 61; KIRK 2001).

Wenn der Autor Mitglied einer allgemein bekannten und respektierten Organisation ist, sollte dies auf der Webseite deutlich erkennbar sein, da dies automatisch zur Qualitätssicherung beiträgt (s.a. folgendes Kapitel).

Als exemplarisches Beispiel sei hier die Eingangsseite der Homepage von Dr. Oliver Obst genannt, der hier in kurzer Form alle wichtigen Angaben zu seiner Person zeigt (s. Abb. 13).



Abb. 13: Ausschnitt der Eingangsseite von Dr. Oliver Obst (medweb.uni-muenster.de/~obsto)
[Stand: 10.11.2001]

Sehr hilfreich kann auch das Wissen über die Reputation eines Autors unter Kollegen sein. Diese Angaben sind allerdings oft schwer zu erfahren. Gute Dienste können hierbei die schon erwähnten Organisationen wie „Quackwatch“ (www.quackwatch.com) und das „Center for Disease Control and Prevention (CDC)“ (www.cdc.gov) leisten. Sie führen Listen mit unseriösen Medizinern und Wissenschaftlern. Leider existieren solche Aufstellungen bisher nur im Bereich der Medizin.

Leitfragen:

- ✓ *Erfährt man etwas über die Kompetenz des Autors?*
- ✓ *Möglichkeiten der Kontaktaufnahme via E-Mail, Telefon etc. mit dem Autor?*
- ✓ *Ist der Autor Mitglied in einer anerkannten Organisation/Institution?*
- ✓ *Wie ist die Reputation des Autors?*
- ✓ *Veröffentlichungen des Autors auch in anerkannten Fachzeitschriften des Printbereiches?*

4.3.1.3 Hinweis auf Institution / Organisation

Viele Seiten im Internet haben ein Gegenstück im Bereich der Print- oder Fernsehmedien, wie z.B. die Zeitschrift „Der SPIEGEL“ und seine Online-Ausgabe „SPIEGEL Online“ (www.spiegel.de). Wenn die netzexterne Quelle als zuverlässig und vertrauenswürdig gilt, dann betrifft dies auch die entsprechende Website. Aus zwei Gründen ist dies der Fall: Zum einen muss die Website die Reputation der netzexternen Quelle aufrechterhalten, zum anderen wird das Online-Angebot aus denselben Ressourcen gespeist, d.h., dass Online-Redaktionen zumeist ihre Informationen aus den traditionellen Redaktionen bzw. denselben glaubwürdigen Quellen beziehen (vgl. NEUBERGER 2000 : 313 f.). Dasselbe gilt für Informationen, die auf Seiten von Universitäten oder von allgemein anerkannten und vertrauenswürdigen Organisationen liegen. (Vgl. COOKE 1999 : 60; HARRIS 2000 : 65, KIRK 2001)

Leitfragen:

- ✓ *Ist die Webseite Ableger einer Printausgabe?*
- ✓ *Gehören die Seiten zu einer Universität oder anerkannten Organisation?*

4.3.1.4 Hinweis auf Review-Verfahren

Wie schon erwähnt, müssen sich wissenschaftliche Artikel einem Review-Verfahren unterziehen, in dem Experten den Artikel untersuchen und überprüfen, um ihn dann erst zur Veröffentlichung freizugeben. Dieses Verfahren ist bei Texten im Internet bisher nur sehr selten anzutreffen (vgl. AMBRE et al. 1997 : 2-6; ALEXANDER/TATE 1999 : 12). Eine Ausnahme bildet das E-Journal „First Monday“ (www.firstmonday.org). Hier ist unter jedem veröffentlichten Artikel ein Hinweis des

Editors gegeben, wann der Text eingereicht, akzeptiert und überarbeitet wurde (s. Abb. 14).³³

Editorial history

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The Effects of September 11 on the Leading Search Engine by Richard W. Wiggins
First Monday, volume 7, number 10 (October 2001),
URL: http://firstmonday.org/issues/issue6_10/wiggins/index.html

Abb. 14: Ausschnitt eines Artikels aus dem E-Journal „First Monday“ (www.firstmonday.org) [Stand: 10.11.2001]

Leitfragen:

- ✓ Werden die Texte von einem Editor oder einer Redaktion kontrolliert?
- ✓ Unterliegt der Text einem anerkannten Review-Verfahren?

4.3.1.5 Internet – Domain

Die Internetadresse einer Seite, auch „*Uniform Resource Locator (URL)*“ genannt, kann als Anhaltspunkt für Glaubwürdigkeit dienen. Eine URL wird durch drei Grundelemente gebildet (s. Abb. 15):

1. Protokollname : „http://“
2. Hostname : „www.uni-muenster.de“
3. Verzeichnis- und Dateiname : „.../Soziologie/veranstaltungen/kvv_ws01.htm“

³³ Näheres zum Prozess des Review-Verfahrens von „First Monday“ unter <http://www.firstmonday.org/idea.html> [Stand: 28.10.2001].



Abb. 15: Beispiel zum Aufbau einer Internetadresse (URL) [Stand: 10.11.2001]

Entscheidend für die Glaubwürdigkeit sind der Hostname samt der Top-Level-Domain (TLD). Aus dem Hostnamen lässt sich oftmals direkt die Institution oder Organisation ablesen, die den Web-Server betreibt, in diesem Falle die Universität Münster (s. Abb. 4.8). Und, wie oben bereits erwähnt, gilt: Wenn die Quelle auf einem Server einer glaubwürdigen Institution liegt, dann wird auch die Information als authentisch angesehen.

Auch die Top-Level-Domain kann Auskunft über die Glaubwürdigkeit von Quellen geben, denn neben den Länderkürzeln, wie z.B. „.de“ für Deutschland oder „.uk“ für Großbritannien, die bei der Evaluation nicht helfen, da sie keine Aussagekraft haben, existieren noch weitere TLDs, wie „.edu“ für Bildungseinrichtungen, „.gov“ für Regierungsstellen, „.mil“ für militärische Einrichtungen, „.net“ für Netzanbieter, „.org“ für nichtkommerzielle Organisationen und „.com“ für kommerzielle Anbieter.³⁴ Diese Domain-Bezeichnungen waren ursprünglich nur für den US-amerikanischen Raum bestimmt, werden aber mittlerweile weltweit genutzt. Die drei erstgenannten Top-Level Domains („.edu“, „.gov“ und „.mil“) werden nur an staatliche Organisationen vergeben und sind deshalb als autoritative Quellen für Wissenschaft und Forschung anzusehen, während „.net“ und „.com“ auf rein kommerzielle Anbieter hinweisen und deshalb mit Skepsis in Bezug auf die dargebotenen Informationen zu sehen sind. Schwierig ist es bei der Domain „.org“, da diese Endung sowohl von seriösen als auch unseriösen Institutionen getragen wird, so besitzen z.B. die „Vereinten Nationen“ die Adresse www.un.org, während das rechtsradikale „Institute for Historical Review“ ist unter www.ihr.org im Netz vertreten ist. (Vgl. GREER et al. 1999c; HENDERSON 2001)

³⁴ In diesem Kapitel werden die sieben neuen Top-Level-Domains (.aero / .biz / .coop / .info / .museum / .name / .pro) nicht berücksichtigt, da sie bisher so gut wie noch nicht im Internet in Erscheinung getreten sind und man deshalb zur Zeit noch keine näheren Aussagen über sie treffen kann. Informationen zu den neuen TLDs bei ICANN unter <http://www.icann.org/tlds/>. Ein Überblick über alle Top-Level-Domains bietet „Netplanet“ unter <http://www.netplanet.org/adressierung/-index.html?sub=tld.html> [beide Stand: 02.11.2001] an.

Leitfragen:

- ✓ Welche Top-Level-Domain beinhaltet die Adresse?
- ✓ Weist die Adresse auf eine Institution oder Organisation hin?

4.3.1.6 Indikatoren für Glaubwürdigkeitsdefizite

Ein deutlicher Indikator für mangelnde Glaubwürdigkeit ist die Anonymität, das Fehlen jeglicher Angaben über den Autor oder die Herkunft der Quelle. Weitere Anzeichen sind die mangelnde Sicherung der Informationsqualität durch Reviews oder Editoren und negative Metainformationen, d.h. kritische Besprechungen der Quelle auf Seiten, wie „Argus Clearinghouse“ oder „SOSIG“. Auch auffallend viele Rechtschreib- und Grammatikfehler weisen auf eine unglaubwürdige Quelle hin, da wissenschaftliche Texte vor der Veröffentlichung, wie jeder andere Text eigentlich auch, nach formalen Aspekten untersucht werden. (Vgl. HARRIS 2000 : 62)

4.3.2 Genauigkeit und Abdeckung

Das Ziel von Genauigkeit und Abdeckung in einer Quelle ist, dass die Informationen tatsächlich heute aktuell, sachlich, ausführlich, genau und umfassend sind, so dass sich eine wahrheitsgemäße und unverzerrte Darstellung der Fakten ergibt.

4.3.2.1 Aktualität

Die Aktualität einer Webseite beinhaltet zwei verschiedene Faktoren: die Aktualität der eigentlichen Quelle und die Pflege und Instandhaltung der Seite.

Aktualität stellt bei Webseiten oft ein Problem dar, weil man ihnen das Alter, im Gegensatz zu Büchern, die das Erscheinungsjahr im Impressum oder Vorwort führen, nicht auf Anhieb ansehen kann. Eine veraltete Information kann genauso nutzlos wie

eine ungenaue oder irreführende sein. Man sollte sich aber auch im klaren sein, welche Art von Information man sucht. „Alt“ bedeutet nicht gleich „schlecht“, da die Aktualität einer Quelle natürlich nicht immer eine Rolle spielt und somit nicht in jedem Fall wichtig sein muss. Manche Texte sind zeitlos, wie philosophische Schriften von Aristoteles oder auch die Werke von William Shakespeare, andere verlieren ihren Wert nur langsam, während Texte sehr schnell veralten, wenn es sich etwa um technologische oder medizinische Fakten handelt. So ist z.B. die sehr ausführliche Bibliographie zum Thema „Computers in K-12 Education“ (pixel.cs.vt.edu/%7Ermohn/k12/edbib.html) nutzlos, da der neueste Eintrag aus dem Jahre 1994 stammt und somit völlig veraltet ist.

Bei der Aktualität kommt es sehr auf den thematischen Bezug an. Nichtsdestotrotz sollte die Quelle das Alter der Information angeben und grundsätzlich nur zeitgemäße Angaben liefern. (Vgl. AMBRE et al. 1997 : 2-5 f.; COOKE 1999 : 63 f.; ALEXANDER/TATE 1999 : 13 f.; HARRIS 2000 : 63)

Wenn es keine Angaben über die Häufigkeit und Regelmäßigkeit von Updates gibt, weist oft die Funktionstüchtigkeit sämtlicher auf der Seite befindlichen Links auf den aktuellen Zustand hin (vgl. NIELSEN 1998a).

Leitfragen:

- ✓ *Wie alt ist die Information und von wann stammt das letzte Update der Seite?*
- ✓ *Wie häufig wird die Quelle einem Update unterzogen?*
- ✓ *Funktionieren die Links?*

4.3.2.2 Genauigkeit der Quelle

Mit der Genauigkeit ist die faktische Exaktheit bzw. die Korrektheit einer Informationsquelle gemeint, wobei diese Einschätzung von zwei Faktoren abhängig ist, nämlich von der Natur der Information und vom Wissensstand des Evaluators.

Während es in der Mathematik als Antwort in der Regel nur richtig oder falsch gibt, die Genauigkeit also eindeutig ist, existiert so eine Exaktheit bei Theorien insbesondere im geisteswissenschaftlichen Bereich nicht, da hier oft eine absolut richtige oder falsche

Antwort nicht möglich ist. Die Einschätzung der Genauigkeit kann der Evaluator entweder anhand des eigenen Wissens oder aber mit Hilfe einer zusätzlichen Informationsquelle erreichen. (Vgl. COOKE 1999 : 61)

Wichtig für den Leser ist die Wahrnehmung der Genauigkeit der Quelle. Diese kann sich darin widerspiegeln, dass der Text durch Editoren geprüft oder durch Hinweise auf die Voreingenommenheit von Autor, Verleger oder Sponsor deutlich gemacht wurden. Auch die formalen Aspekte, wie Rechtschreibung, Grammatik und Zeichensetzung sollten beachtet werden. (Vgl. ebd. : 61 f.)

Leitfragen:

- ✓ *Um welche Art von Information handelt es sich?*
- ✓ *Wurde die Quelle von Editoren, Redakteuren o.ä. überprüft?*
- ✓ *Existieren überdurchschnittlich viele formale Fehler?*

4.3.2.3 Abdeckung des Themas

Die Abdeckung des Themas stellt einen der wesentlichen Faktoren bei der Bewertung nach der Nützlichkeit einer Quelle dar. Die wichtigsten Aspekte sind die Bandbreite, die sich aus der Anzahl der angesprochenen Themen ergibt, der Umfang der Abdeckung innerhalb einer Quelle und der Detailgrad einer Information, der die Tiefe der angesprochenen Themen in der Quelle wiedergibt. Zusätzlich kann auch die zeitlich rückwirkende Abdeckung eines Themas die Nützlichkeit beeinflussen, also ein Thema nur den jetzt aktuellen Forschungsstand präsentiert oder aber die gesamte Entwicklung eines Forschungsgegenstandes. Durch all diese Faktoren entsteht ein Bild über die Vollständigkeit der Quelle. (Vgl. ALEXANDER / TATE 1999 : 14; COOKE 1999 : 54 f.)

Doch kein Thema kann wirklich komplett abgedeckt werden, dafür erscheinen zu viele Bücher, Fachzeitschriften etc.. Um jedoch kein falsches Bild aufkommenzulassen, dürfen nicht absichtlich Fakten oder Daten ausgelassen werden. Deshalb ist es auch

hier wichtig, auf eine möglichst große und „vollständige“ Sammlung von Quellenangabe zu achten. (Vgl. HARRIS 2000 : 63 f.)

Wie unterschiedlich die Abdeckung eines Themas sein kann, soll am Beispiel „Holocaust“ kurz erläutert werden. Die Website „Shoa.de“ (www.shoa.de/) bearbeitet dieses Thema sehr umfassend. Die Informationspalette reicht von allgemeinen Informationen zum Thema „Antisemitismus“ bis hin zu Artikeln über einzelne Personen, wie z.B. Anne Frank. Hinzu kommt eine umfangreiche Bibliographie und Linksammlung, die durch eine Quellensammlung, welche sowohl Video- als auch Audioquellen umfasst, abgerundet wird. Das genaue Gegenteil dieser Site stellt die private Homepage von Arthur R. Butz (pubweb.acns.nwu.edu/~abutz/) dar. Diese Seite beinhaltet kaum Informationen zum Thema und die wenigen Angaben sind auch noch falsch, da er als Revisionist den Holocaust verneint.

Leitfragen:

- ✓ *Wie groß ist die Bandbreite des Themas?*
- ✓ *Wie weit wird ins Detail gegangen?*
- ✓ *Wird das Thema umfassend behandelt?*
- ✓ *Existieren Hinweise zu anderen Quellen (Literatur, Links etc.)?*

4.3.2.4 Absicht und Zielgruppe

Da die Genauigkeit einer Quelle auch die unverzerrte Darstellung von Informationen umfasst, sind Fragen nach der Absicht und der Zielgruppe wichtig.

Die Quelle kann in ihrer Absicht sehr unterschiedlichen Beweggründen folgen. Sie kann z.B. politisch oder kommerziell motiviert sein und somit ein nicht objektives Bild vermitteln. Formulierungen über Absichten und Ziele einer Quelle befinden sich zumeist auf einer Website unter Punkten wie „About Us“ oder FAQ (Frequently Asked Questions).

Wie wichtig es ist, die Beweggründe zu kennen, verdeutlicht die „Zündelsite“ (www.zundelsite.org) als Beispiel für eine politisch motivierte Seite. Hier wird die rechtsradikale Einstellung der Autoren in der Einleitung zur Webseite sehr deutlich:

“The Zündelsite documents will chip away at a World War II propaganda monstrosity - the so-called "Holocaust". The Zündelsite web pages will prove in many different ways - statistically, forensically, and logically - that it is historically inaccurate, emotionally misleading and cruelly unfair to claim the "Holocaust" took place in the form portrayed by conventional media.” (www.zundelsite.org/english/misc/mission.html)

Durch die Absicht wird auch die Zielgruppe definiert. Die Identifizierung der in der Quelle angesprochenen Zielgruppe ist wichtig, da der User feststellen muss, ob die Informationen auf einem für ihn passenden Wissensstand präsentiert werden oder nicht. (Vgl. AMBRE et al. 2-9 f. ; COOKE 1999 : 53; HARRIS 2000 : 64)

Ein weiteres Beispiel ist die Website „OncoLink“ der Universität Pennsylvania, die in ihrer Rubrik „About Oncolink“ (www.oncolink.com/templates/about/index.cfm) sowohl die Ziele als auch die Zielgruppe genau definiert (s. Abb. 16).

The image shows a screenshot of the 'About OncoLink' page. The page title is 'About OncoLink'. The main text reads: 'OncoLink was founded in 1994 by Penn cancer specialists with a mission to help cancer patients, families, health care professionals and the general public get accurate cancer-related information at no charge. Recent changes have been made to OncoLink to update the look and feel of our site.' A red underline is drawn under the sentence: 'mission to help cancer patients, families, health care professionals and the general public get accurate cancer-related information at no charge.' To the right of the screenshot, there is a white arrow pointing left towards the underlined text, with the text 'Ziel und Zielgruppe von "OncoLink"' next to it.

Abb. 16: Ausschnitt aus der Webseite „OncoLink“ (www.oncolink.com/templates/about/index.cfm) [Stand: 10.11.2001]

Leitfragen:

- ✓ *Welches sind die Ziele und Absichten der Quelle?*
- ✓ *Werden diese vom Autor in einem FAQ o.ä. deutlich gemacht?*
- ✓ *Für wen ist diese Seite gemacht? (Schüler/Studenten/Experten/etc.)*

4.3.2.5 Indikatoren für mangelnde Genauigkeit und Abdeckung

Indikatoren für mangelnde Genauigkeit und Abdeckung einer Quelle sind das Fehlen des Datums auf einem Dokument oder ein überholtes Datum eines Themas, von dem allgemein bekannt ist, dass sich die Erkenntnisse ständig ändern. Weitere Indizien für Mängel sind Behauptungen, die vage sind oder denen es an Details fehlt, unqualifizierte Ausdrücke, eine einseitige und voreingenommene Betrachtung des Themas und das Fehlen neuer Erkenntnisse. Des Weiteren eine mangelnde Pflege der Webseite, die sich in „toten“ Links oder „Under Construction“-Seiten ausdrückt. (Vgl. HARRIS 2000 : 64)

4.3.3 Ausgewogenheit

Das Ziel von Ausgewogenheit ist es, dass die Quelle ihr Thema überlegt und sachgemäß präsentiert. Außerdem sollte ein ausgewogener Text um die Wahrheit bemüht sein. (Vgl. DEBATIN 1998; HARRIS 2000 : 70)

4.3.3.1 Objektivität

Eine absolute Objektivität gibt es nicht, aber ein Autor sollte seine Voreingenommenheit kontrollieren können, die Argumente sollten ausgeglichen und begründet sein. Das größte Problem hierbei ist der Konflikt mit dem eigenen Interesse. Viele Quellen haben ein finanzielles, politisches, emotionales oder psychologisches Interesse, einen Glauben zu machen, dass sie allein die Wahrheit vertreten. Die Objektivität lässt sich meistens schon an der Art und Weise des Tonfalls erkennen. Der

Stil muss sachlich und darf nicht manipulativ oder emotional sein. (Vgl. AMBRE et al. 1997 : 2-5 ; ALEXANDER/TATE 1999 : 13; HARRIS 2000 : 64 f., KIRK 2001)

Ein Beispiel für finanzielles Eigeninteresse zeigt Dr. Allen Buresz in seinem Artikel „Attention Deficit Disorder & Hyperactivity Success“ (www.all-natural.com/add.html). Hier weist er mit Hilfe wissenschaftlicher Studien auf die erfolgreiche Behandlung von ADHS (Aufmerksamkeitsdefizit-/Hyperaktivitäts-Syndrom) durch natürliche Nahrungsergänzungsmittel anstelle von Medikamenten hin. Die Objektivität ist deshalb anzuzweifeln, da diese Nahrungsergänzungen gleichzeitig auf der Website bestellt werden können und so ein eindeutiges finanzielles Interesse besteht. Ein objektiver Artikel zu diesem Thema wäre z.B. „ADHS: Das Zappel-Philipp-Syndrom“ von Astrid Deilmann aus dem Magazin „GEO“ (www.geo.de/themen/medizin_psychologie/-adhs/index.html).

Leitfragen:

- ✓ *Hat der Autor ein politisches, religiöser, kommerzielles o.ä. Interesse?*
- ✓ *Ist der Tonfall im Text eher sachlich oder emotional?*
- ✓ *Werden rhetorische Stil- und Manipulationsmittel eingesetzt?*

4.3.3.2 Folgerichtigkeit

Eine Information sollte nicht nur objektiv, sondern auch folgerichtig sein, denn nur dann kann man diese als ausgewogen bezeichnen. Diese Folgerichtigkeit ergibt sich aus einer geradlinigen Argumentation, in der keine Widersprüche auftauchen, so dass sich ein klarer thematischer Zusammenhang ergibt. Es darf innerhalb des Textes auch nicht zu einer Verdrehung von Tatsachen oder falschen Schlussfolgerungen kommen, so dass Unwahrheiten entstehen (vgl. HARRIS 2000 : 66).

Leitfragen:

- ✓ *Ist die Argumentation widersprüchlich?*
- ✓ *Kommt es zur Verdrehung von Tatsachen?*
- ✓ *Werden Fakten falsch bewertet oder interpretiert?*

4.3.3.3 Indikatoren für mangelnde Ausgewogenheit

Der Tonfall in einer Quelle ist beim Erkennen der Ausgewogenheit ein wichtiger Indikator. Ein Mangel ist zu erkennen, wenn der Autor aus eigenem Interesse sehr emotional schreibt und stark über- oder untertreibt und somit nicht mehr objektiv bleibt. Desweiteren müssen die Zusammenhänge in der Information einer klaren Argumentation folgen und in sich logisch und schlüssig sein. (Vgl. HARRIS 2000 : 66 f.)

4.3.4 Quellennachweise

Der Aspekt „Quellennachweis“ beinhaltet die direkten Kontaktmöglichkeiten mit dem Autor, ein Quellenverzeichnis und die Bestätigung der Quelle durch andere Ressourcen. Das Ziel der Nachweise ist, dass die Quelle belegbare Informationen enthält, die glaubwürdig und nachvollziehbar sind, denn nur dann kann sie Geltungsansprüche für den Wahrheitsgehalt einfordern.

4.3.4.1 Kontaktmöglichkeiten

Wie auch schon bei der Glaubwürdigkeit (s. Kapitel 4.3.1.2) spielt auch hier die Möglichkeit der direkten Kontaktaufnahme mit dem Autor eine wichtige Rolle. E-Mail Adresse, Postanschrift, Telefonnummer oder Anschrift der Institution sollten angegeben sein, da anonyme Quellen unseriös sind und unglaubhaft wirken.

Leitfragen:

- ✓ *Kann man den Autor per E-Mail, Telefon oder Post erreichen?*

4.3.4.2 Quellenverzeichnis

Egal, ob es sich um eine Internet- oder Printquelle handelt, ein Quellenverzeichnis ist immer elementarer Bestandteil des Textes. Nur hierdurch wird ein Text beleg- und nachweisbar, so dass er zuverlässig, glaub- und vertrauenswürdig wird.

Das Verzeichnis sollte gleichermaßen aus Print- und Online-Quellen bestehen. Links haben den Vorteil, dass der User schnellstmöglich zusätzliche Informationen findet. Hierbei muss allerdings verhindert werden, dass er sich im Netz verliert, da ein User nach etwa drei Hyperlinks vergisst, wo er davor gewesen ist (HOFER / ZIMMERMANN ²2000 : 29). Deshalb sollten externe Links als solche kenntlichgemacht werden. Zudem ist eine Kommentierung der Links sinnvoll, damit der User weiß, welche Informationen er über diese noch zusätzlich erreichen kann (vgl. AMBRE et al. 1997 : 2-11 f.).

Leitfragen:

- ✓ *Existieren Hinweise zu anderen Quellen (Literatur, Links etc.)?*
- ✓ *Sind diese kommentiert?*
- ✓ *Nach welchen Kriterien sind diese ausgewählt?*
- ✓ *Sind die zitierten Quellen populär- oder fachwissenschaftlich orientiert?*

4.3.4.3 Bestätigung durch Dritte

Eine Bestätigung durch Dritte kann insbesondere dann wichtig sein, wenn die Quelle wichtige Informationen enthält, die aber nicht allen Evaluationskriterien standhält. Dann muss die Information mit Hilfe anderer Quellen auf ihren Wahrheitsgehalt geprüft werden. Erst wenn mindestens zwei weitere Quellen mit den gefundenen Informationen übereinstimmen, kann die Information als glaubwürdig betrachtet werden. Wichtig hierbei zu beachten ist, dass die Kontrollquellen entweder von neutralen Dritten stammen, d.h. die Quellen nicht genauso beeinflusst sind, wie die zu untersuchende, oder aber positiv bei Review-Diensten wie „Argus Clearinghouse“ oder Portalen wie „SOSIG“ bewertet werden. (Vgl. MEIER ²1999b : 188; HARRIS 2000 : 68)

Auch eine Besprechung in anderen Medien, z.B. einer renommierten Zeitschrift, kann eine Bestätigung darstellen.

Leitfragen:

- ✓ *Wird die Quelle auf anderen Seiten verlinkt ?*
- ✓ *Gibt es Kommentare zu der Quelle (im WWW, in Zeitschriften etc.)?*

4.3.4.4 Indikatoren für mangelnde Quellennachweise

Quellen sind nur dann für den User nützlich, wenn sie belegbare Informationen enthalten, die durch Nachweise aus dem Internet oder den Printmedien gestützt werden. Deshalb sind Informationen ohne jegliche Quellennachweise für den wissenschaftlichen Gebrauch nicht von Nutzen. Dieser Mangel drückt sich in fehlenden Literaturverzeichnissen, Linksammlungen oder Kontaktmöglichkeiten aus. Die Quelle ist ebenso mit Skepsis zu betrachten, wenn überhaupt keine Bestätigung durch Dritte, in Form von Zeitschriften- oder Online-Reviews, vorliegt.

4.3.5 Benutzerfreundlichkeit

Jakob NIELSEN schreibt in seiner Kolumne „Alertbox“ (www.useit.com/alertbox/): „*The Web is all about content.*“ (1998b), dieser Leitspruch gilt auch für die Evaluation von Online-Quellen. Der Inhalt ist der primäre Faktor. Webspezifische Eigenschaften, wie Benutzerfreundlichkeit, Struktur, Zugang und multimediale Darbietung sind sekundär, da die User an den Informationen interessiert sind, egal auf welche Art und Weise diese präsentiert werden. Hinzu kommt, dass die optische und funktionelle Gestaltung subjektiv ist und vom persönlichen Empfinden („*Look and Feel*“) des einzelnen bestimmt wird. Eine Bewertung dieser Faktoren hängt deshalb vom individuellen Gesamteindruck der Seite ab. Dieser Punkt ist aber insofern wichtig, da eine gute Präsentation und klare Struktur dem User bei Suche, Auffinden, Anwenden und Verstehen der Informationen hilfreich sein kann. Hierbei gilt der Leitspruch der Bauhausarchitekten: „*Form follows Function*“, d.h. es wird erst der Zweck und die Funktion der Website definiert und daran die gestalterische Umsetzung angelehnt. Der Spruch wird im Bereich des Webdesign oft sogar noch, um die Bedürfnisse und Ansprüche des Websurfers, erweitert: „*Form follows Function follows User Demands.*“ (Vgl. McKELVEY 1999 : 11 ff.)

4.3.5.1 Struktur und Navigation

Für die Navigation auf einer Webseite existieren verschiedene Möglichkeiten: Site Maps, Inhaltsverzeichnisse, Menüs oder seiteninterne Suchmaschinen. Diese Features helfen zum einem dem User, die gewünschte Information zu finden, und zum anderen verschaffen sie einen Überblick über die Bandbreite der Informationen auf einer Website. Der Evaluator sollte alle Möglichkeiten des Auffindens von Informationen testen, um so die Effektivität der Seite zu bewerten, indem die Anzahl der Schritte bzw. „clicks“ bis zur benötigten Information gezählt werden. Geachtet werden sollte auch auf Kategorisierungen, also ob Themenbereiche sinnvoll zusammengefasst worden sind und ob es Shortcuts gibt (vgl. AMBRE et al. 1997 : 2-14; McKELVEY 1999 : 11 f.; HOFER / ZIMMERMANN ²2000 : 98 f.).

Aber allein schon die Präsentation und Anordnung der Information kann dem User helfen, die gewünschte Information zu finden, wie z.B. ein klares, ästhetisches und übersichtliches Screendesign, nicht zu viele verschiedene Informationen auf einer Seite und leicht verständliche Überschriften. Exemplarisch seien hier die Startseiten der Zeitschriften „GEO“ (Abb. 17) und „Scientific American“ (Abb. 18) verglichen. Die „GEO“-Seite lässt sich grob in drei Sektionen unterteilen: die Navigationszeile auf der linken Seite, aktuelle Nachrichten in der zentralen Spalte und Eigenwerbung und Hinweise auf der rechten Seite. Unterstützt wird das Layout durch die einfache Farbgebung (schwarz/weiß/grün), so dass ein sehr klares und übersichtliches Design entsteht. Anders ist dies bei der Seite von „Scientific American“, die sich in fünf Bereiche (von links nach rechts) untergliedern lässt: die Navigationszeile, aktuelle Nachrichten, Fragen und Antworten mit einer Umfrage, wieder eine Navigationszeile und Hinweise, Eigenwerbung. Aufgrund dieser Aufteilung und der vielen Überschriften wirkt die Seite unübersichtlich, was durch die bunte Farbgebung noch gesteigert wird.



Abb. 17: Ausschnitt der Startseite der Zeitschrift „GEO“ (www.geo.de) [Stand: 10.11.2001]

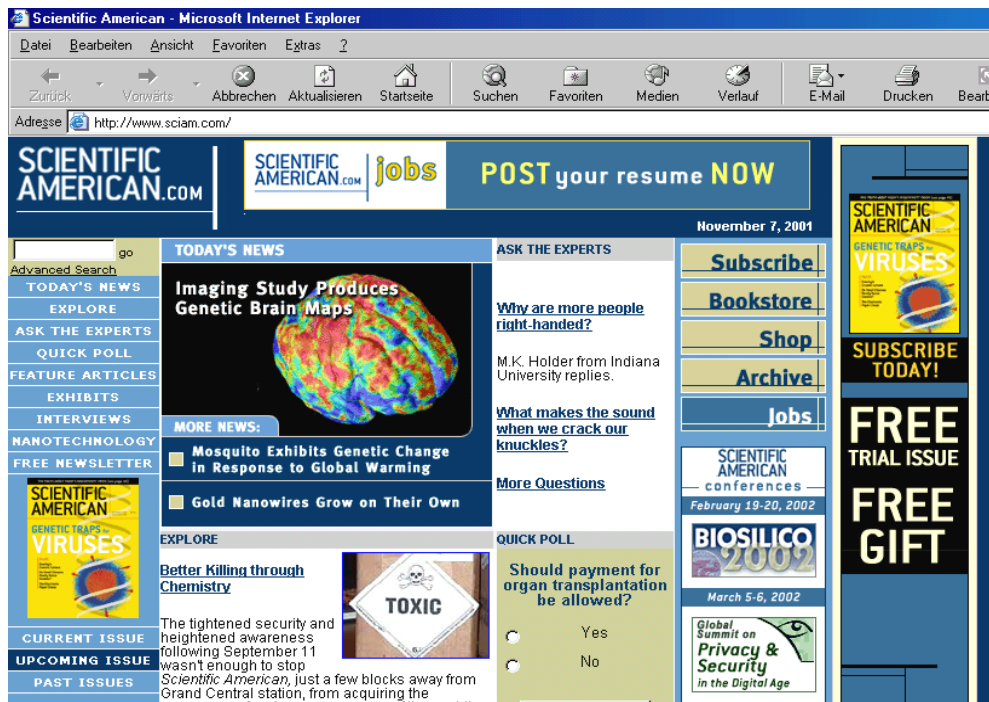


Abb. 18: Ausschnitt der Startseite der Zeitschrift „Scientific American“ (www.sciam.com) [Stand: 10.11.2001]

Aber auch die Navigation innerhalb einer Seite sollte bewertet werden. Extrem lange Seiten, bei denen der User viel scrollen muss, werden meist negativ bewertet, da lange Texte am Bildschirm schlecht zu lesen sind. Untersuchungen haben ergeben, dass nur 10% der User Seiten scrollen (vgl. HOFER / ZIMMERMANN ²2000 : 98). Umfangreiche Texte, die in kurze Sektionen unterteilt werden, so dass kurze, überschaubare Seiten entstehen, die sich per Mausklick „umblättern“ lassen, werden eher bevorzugt (vgl. COOKE 1999 : 72; HOFER / ZIMMERMANN ²2000 : 35 und 65 f.).

Leitfragen:

- ✓ *Wie schnell lassen sich gesuchte Informationen finden?*
- ✓ *Gibt es Site Maps, Navigationshilfen oder Suchmöglichkeiten?*
- ✓ *Werden die Informationen klar und deutlich präsentiert?*
- ✓ *Wie überschaubar sind die Seiten?*

4.3.5.2 Zugang

Der Zugang beeinflusst die Wahl einer Informationsquelle nicht unerheblich. Das Internet wird oft zur Informationssuche benutzt, da es dank vernetzter Computer mit Bedieneroberflächen sehr bequem ist. Dieser Weg ist schneller und leichter als der Gang zur Bibliothek. Zudem sind die meisten Informationen im Internet, im Gegensatz zu professionellen Datenbanken beispielsweise, kostenlos. Die User wollen also grundsätzlich einen einfachen, kostengünstigen und schnellen Zugang zu Informationen. Aber auch dies ist im Internet nicht immer gewährleistet, da verschiedene Faktoren die Bequemlichkeit des Zugriffs erschweren.

- **Allgemeine Zugangsschwierigkeiten**

Der Zugang zu Informationen kann durch Sprache, Registrierung, Passwort oder Mitgliedschaft erschwert werden.

Die erste Hürde stellt häufig die Sprache dar, denn ca. 78% aller Webseiten und sogar ca. 96% der E-Commerce-Seiten sind englischsprachig, aber nur 50% der User haben Englisch als Muttersprache (vgl. LYMANN/VARIAN 2001a).

Eine weitere Hürde stellt die Registrierung dar. Viele Webseiten, insbesondere Zeitschriften, geben nur einen Teil der Seiten frei. Erst nachdem der User sich registriert hat, wird der komplette Inhalt preisgegeben. Das Problem bei der Registrierung ist, dass dafür persönliche Daten (Name, Adresse, Geburtsdatum etc.) angegeben werden müssen, die zum Teil dann an Dritte weitergegeben werden, oder dass durch die Registrierung Kosten entstehen (s.u. Kapitel „Kosten“). Gleiches gilt für die Zugangsbeschränkung durch Passwörter oder Mitgliedschaften. (Vgl. COOKE 1999 : 67 f.)

Leitfragen:

- ✓ *In welcher Sprache ist die Website verfasst? Muttersprache?*
- ✓ *Gibt es eine Übersetzung der Seite? Zwei- oder mehrsprachig?*
- ✓ *Muss man sich registrieren, um an die Informationen zu gelangen?*

- **Zugriffsgeschwindigkeit**

Die Geschwindigkeit des Zugriffs auf Informationen kann durch viele Gründe gebremst werden. Das kann zum einen an der Technik liegen. Es kommt auf die eigene technische Ausstattung an, wie Modem, analoger oder digitaler Anschluss etc., oder aber auf die der Gegenseite, wo die entsprechende Information liegt. Durch langsame Server und geringe Bandbreite kann es zu Verzögerungen unterschiedlicher Stärke kommen. Um das Problem in den Griff zu bekommen, haben inzwischen viele Suchmaschinen und Portale Mirror-Sites angelegt, so dass der Zugriff auf lokale, länderspezifische Server erfolgen kann.

Es kann aber auch an der schlechten Gestaltung der Webseiten liegen, die zu viele und große Bilder enthalten und dadurch eine lange Ladezeit benötigen. Studienergebnisse belegen, dass ein User im Durchschnitt nicht länger als acht Sekunden auf den Aufbau einer Seiten wartet (vgl. HOFER / ZIMMERMANN ²2000 : 99). Um dieses Problem zu umgehen, benutzen viele Seiten inzwischen Thumbnails, dies sind kleine Vorschaubilder, die sich erst beim Anklicken vergrößern, oder aber auch alternative „Text-Only“ Seiten, die komplett ohne Grafiken auskommen. So bietet z.B. die deutsche Suchmaschine „Fireball.de“ (www.fireball.de) unter der Internet-Adresse <http://www.fireball.de/express.t.html> ein Interface ohne Grafiken und Werbeeinblendungen an. (Vgl. ALEXANDER / TATE 1999 : 16; COOKE 1999 : 66 f.)

Leitfragen:

- ✓ *Wie schnell ist der Zugriff auf den Server ?*
- ✓ *Bauen sich die Seiten schnell auf?*
- ✓ *Gibt es eine rein textbasierte Alternative?*
- ✓ *Wird die Website gespiegelt (Mirror-Server)?*

- **Einschränkungen durch Software**

Aber nicht nur die Hardware kann eine Problemquelle für den schnellen und einfachen Zugriff auf Informationen sein, sondern auch die Software. Dies beginnt schon bei der Wahl der Browser-Software, da der „Netscape Communicator“, der „Microsoft Internet Explorer“ und andere Browser nicht alle den gleichen Standards folgen, so dass immer Probleme bei der Darstellung bestimmter Seiten auftreten können.

Bei Ausnutzung aller multimedialer Möglichkeiten im Netz kommt das Problem der Plug-Ins zum Tragen, da es unzählige Formate zur Übertragung von Layout-, Audio- und Videodaten gibt und ebenso viele Programme existieren, die diese anzeigen und abspielen können. Da aber die Internetbrowser nur einen geringen Teil dieser Formate standardmäßig anzeigen können, werden entsprechende Plug-Ins benötigt, die herunterzuladen und zu installieren sind. Deshalb ist es wichtig, dass ein entsprechender Hinweis gegeben ist, wo man die entsprechende Software bekommt und wie man sie einsetzt. (Vgl. COOKE 1999 : 67; SCHROCK 1998)

Leitfragen:

- ✓ *Sind die Seiten mit jedem Browser problemlos darstellbar ?*
- ✓ *Werden Plug-Ins zur Darstellung bestimmter Inhalte benötigt?*
- ✓ *Werden Standard Plug-Ins (Flash, Quicktime o.ä.) oder eher „Exoten“ genutzt?*

- **Kosten**

Evaluatoren müssen feststellen, ob die Informationen frei zugänglich sind oder ob Kosten für die Benutzung der Quelle entstehen (vgl. SMITH 1997; COOKE 1999 : 69). Viele Zeitschriften, wie z.B. „Bild der Wissenschaft“ (www.wissenschaft.de), „The Lancet“ (www.lancet.com) oder „Science“ (www.sciencemag.org), erstellen kurze Zusammenfassungen ihrer Artikel und bringen nur wenige im Volltext. „Nature“ dagegen bietet verschiedene Möglichkeiten an, die Zeitschrift über das Internet im Volltext zu lesen. Erstens ist die Website für alle Abonnenten der Printausgabe

freigeschaltet, zweitens gibt es die Möglichkeit, einzelne Artikel zu kaufen, wobei hier die Kosten zwischen 15.- und 25.- US-\$ pro Artikel liegen.³⁵ Universitäten und Bibliotheken können Lizenzen für den freien Zugang kaufen (s. Abb. 19).

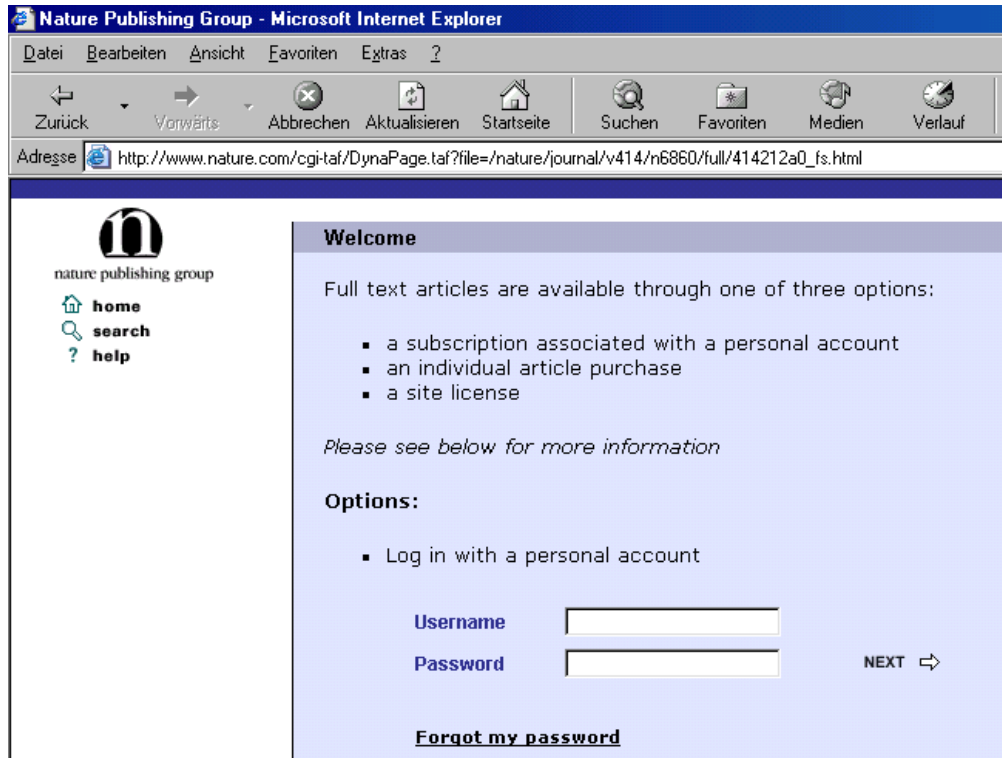


Abb. 19: Ausschnitt der Registrierungsseite der Zeitschrift „Nature“ (www.nature.com) [Stand: 10.11.2001]

Leitfragen:

- ✓ *Sind die Informationen kostenfrei ?*
- ✓ *Stimmt das Preis-Leistungsverhältnis?*
- ✓ *Welche Bedingungen müssen erfüllt werden, um an die kostenpflichtigen Informationen zu gelangen?*

³⁵ Übersicht der Kosten von „Nature“-Artikeln unter http://www.nature.com/help/purchasing_online/pricing_policy.html. [Stand: 03.11.2001]

4.3.5.3 Ausnutzung interaktiver und multimedialer Möglichkeiten

Wie eingangs erwähnt, ist der Inhalt das entscheidende Kriterium bei der Evaluation. Aber insbesondere interaktive und multimediale Features können dem User beim Verstehen und Anwenden von Informationen unterstützen. Diese vielfältigen Möglichkeiten bietet außer dem Web kein anderes Medium. Weiterhin spielen Bilder eine immer größere Rolle in der Bildung und Wissenschaft. William J. T. MITCHELL spricht sogar von einem *“Pictorial Turn”*, der einen Paradigmenwechsel von der schrift- zur bildorientierten Wissensvermittlung einläutet (vgl. MAAR 2000 : 11 f., MITCHELL 2000 : 206 f.).

- **Interaktive Möglichkeiten**

Das Internet ist eine Kommunikationsplattform, auf der viele Leute miteinander kommunizieren und Meinungen und Gedanken austauschen können. Diese Möglichkeit sollte von Webseiten genutzt und bei der Evaluation berücksichtigt werden, da die Kommentare zu Themen oder der Website allgemein bei der Bewertung von Glaubwürdigkeit oder Genauigkeit helfen können. Die Mittel hierzu sind Messageboards, wie sie z.B. die Zeitschrift „Telepolis“ (www.telepolis.de) anbietet, die es dem User erlauben, zu jedem Artikel seinen Kommentar abzugeben, der dann direkt unter dem Artikel erscheint oder Diskussionsforen, in denen aktuelle Themen diskutiert werden, so z.B. bei „National Geographic“ (www.nationalgeographic.com/-community/forums.html) oder „GEO“ (www.geo.de/interaktiv/index.html) oder Chatrooms, wo ein direktes Gespräch in Echtzeit mit einem Experten oder zwischen Usern untereinander geführt werden kann. (vgl. AMBRE 1997 : 2-14 f.)

- **Multimediale Möglichkeiten**

Einer der großen Vorteile von Internetseiten gegenüber Printmedien ist der Einsatz von Tönen (Abb. 20 a), Videos (Abb. 20 b), räumlichen, dreidimensionalen Darstellungen (Abb. 20 c) und Animationen (Abb. 20 d). Durch diese audio-visuellen Möglichkeiten

können Informationen aufgewertet und somit Themen besser und oft auch einfacher erläutert werden.

Audio



Abb. 20 a: Historische Reden von Martin Luther King, Jr. (www.archerveralerie.com/mlk.html)

Video



Abb. 20 b: Video Archiv der NASA (www.nasa.gov/gallery/video/index.html)

VRML



Abb. 20 c: VRML-Darstellung einer Ameise (www.ento.vt.edu/~sharov/3d/ant.wrl)

Animation

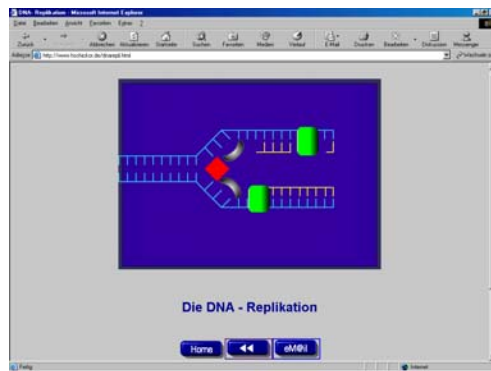


Abb. 20 d: Flash-Animation einer DNA - Replikation (www.hschockor.de/dnarepli.html)

Leitfragen:

- ✓ *Gibt es Möglichkeiten, eigene Kommentare zu Themen zu veröffentlichen?*
- ✓ *Werden die Informationen durch Bilder, Animationen, Audio- oder Videoaufnahmen unterstützt?*

4.3.5.4 Indikatoren für mangelnde Benutzerfreundlichkeit

Ein Mangel an Benutzerfreundlichkeit zeigt sich, wenn die gestalterischen und technischen Möglichkeiten einer Website gar nicht genutzt werden, und die Seite zu einer grauen „Textwüste“ verkommt. Im Gegensatz dazu führt aber auch eine übertriebene Verwendung dieser Mittel schnell zu diesem Resultat, denn dann wird die Seite oft unübersichtlich und langsam im Seitenaufbau. Weitere Indikatoren mangelnder Benutzerfreundlichkeit sind u.a. eine Zwangsregistrierung für den Zugang, keine Auswahlmöglichkeit der Sprache, schlechte Seitendarstellung durch bestimmte Browsertypen und keine Möglichkeit mit dem Autor zu interagieren.

4.3.6 Einschätzung der Gesamtqualität

Der letzte Schritt der Evaluation beinhaltet die abschließende Bewertung der Quelle. Hierzu muss vorher ein Vergleich mit anderen Quellen erfolgen, um so die Qualität in Relation zu setzen. Der Vergleich sollte anhand der aufgeführten Evaluationskriterien durchgeführt werden (vgl. BRANDT 1996; COOKE 1999 : 80).

Wichtig bei diesen Vergleichen sind auch die Fragen nach den Kosten, dem Wert in Bezug auf andere Medien und der Einzigartigkeit. Evaluatoren sollten, da nicht alle Informationen im Internet kostenfrei sind (s. Kapitel 4.3.5.2), immer den Kosten-Nutzen-Faktor berücksichtigen.

Insbesondere bei Zeitschriften im Internet sollte zudem ein Vergleich mit dem Print-Pendant durchgeführt werden. Die elektronische Variante hat u.a. die Vorteile der direkten Kommunikation via E-Mail mit der Redaktion oder auch der einfachen Suche nach Artikeln in Archiven. Für die Papierversion spricht u.a. die einfachere Lesbarkeit, verglichen mit dem Lesen am Monitor (vgl. COOKE 1999 : 82).

Ein weiterer wichtiger Faktor bei dem Vergleich ist die Einzigartigkeit einer Information oder Quelle. Entweder ist die Quelle so ausführlich, dass sie alle anderen bei weitem übertrifft, oder aber sie bietet ein einzigartiges Feature an, so z.B. die Website des „Visible Human Project“ (www.nlm.nih.gov/research/visible/visible_human.html), die Bilder und Videos eines Querschnitts durch den gesamten menschlichen Körper anbietet (vgl. SMITH 1997; COOKE 1999 : 82).

Nachdem auch diese letzten Schritte vollzogen worden sind, kann sich der Evaluator nun endgültig ein Gesamtbild der Quelle machen und den Wert und die Nützlichkeit ermitteln. Durch seine eigene Erfahrung und die Anwendung der Kriterien ist es ihm möglich, Websites verschiedener Kategorien entsprechenden Wertigkeiten zuzuordnen. Diese Abstufung kann z.B. von „sehr gut“ oder „sehr informativ“ bis hin zu „schlecht“ oder „nutzlos“ gehen.

Leitfragen:

- ✓ *Welche Qualität besitzt die Quelle im Vergleich zu anderen Quellen?*
- ✓ *Bei Zeitschriften: Besitzt die Webseite Vorteile zur Printausgabe?*
- ✓ *Beinhaltet die Quelle einzigartige Informationen?*

5. Resümee

Digitale Weltbibliothek, Datenautobahn, Cyberspace, Weltwissen online, Hyperspace, globales Gehirn und Docuverse sind nur einige der Metaphern, die zur Zeit für das Internet benutzt werden. Sie zeugen von den angeblich unbegrenzten Möglichkeiten im Netz, von der riesigen globalen Bibliothek, die das Wissen der Menschheit enthält. Dieser Datenpool von Informationen wird inzwischen von 27,3 Millionen Deutschen genutzt, von 11,3 Millionen sogar täglich (vgl. SCHMITT-WALTER 2001). Die Probleme, die diese Informationsflut mit sich bringt, werden dabei häufig übersehen. Zwei eigentlich gegensätzliche Bedrohungen stehen im Vordergrund: Erstens gibt es aufgrund der dezentralen Struktur des Internet keine Kontrollinstanzen, die die Inhalte auf den Wahrheitsgehalt überprüfen. Somit sind Propaganda, Fehl- und Desinformationen Tür und Tor geöffnet. Zweitens wird das Internet durch die wachsende Kommerzialisierung immer stärker von Industrie- und Medienkonzernen kontrolliert, dadurch gelangen nur noch von ihnen gefilterte Informationen zum Websurfer. (Vgl. GOLDMANN 1999 : 22)

Diese Problematik ist aber nur den wenigsten Usern wirklich bewusst. In unserem Alltag benutzen wir eine Fülle von Medien. Das Spektrum beinhaltet Fernsehen, Zeitungen, Zeitschriften, Radio, Comics, Flugblätter usw.. Durch diesen täglichen Umgang haben wir zwischen Werbung und Nachrichten zu unterscheiden gelernt. Die Kompetenz, Quellen zu selektieren und zu bewerten, haben wir zum großen Teil unbewusst erworben, sie ist ein Aspekt unseres Alltagswissens. Wir haben gelernt, bestimmten Quellen mehr als anderen zu vertrauen, da wir wissen, dass es kontrollierende und korrigierende Instanzen in der „offline“ Medienwelt gibt. In der digitalen Online-Welt ist die Situation aber ungleich komplizierter, so dass die Bewertungsmechanismen zum Teil nicht mehr greifen. Da das Internet beginnt, einen immer höheren Stellenwert in der Medienwelt einzunehmen, ist es umso wichtiger, sich mit Evaluationskriterien von Online-Quellen zu beschäftigen.

Der bisherige Schulungsansatz durch Kurse an Schulen und Universitäten oder mit Hilfe von Internet-Büchern und -Zeitschriften beschränkte sich meist auf technische Aspekte des Internet, wie die Bedienung von Internet-Browsern, den Umgang mit Suchmaschinen oder die Installation von Modems oder ISDN-Karten. Auch beim Webdesign geht es meist vorrangig um die optische und technische Umsetzung einer

Website. Inhaltliche Aspekte und der Umgang mit Online-Quellen werden dabei vernachlässigt. Aber nur durch die Auseinandersetzung mit diesen Themen kann der Websurfer zum „*mündigen Netzbürger*“ (GOLDMANN 1999 : 22) werden. Deshalb fordert Paul GILSTER:

„We need to set up content evaluation as part of the intellectual superstructure here and explain it to kids ... so we end up with students who can use the Web intelligently and know when to cast grave doubt on a particular Website. People have to be their own editors and take that upon themselves. Once you begin doing that, the habits become second nature.“ (zitiert nach KELLEY 1999)

Virtuelle Bibliotheken und Review-Dienste können dem Websurfer aufgrund der Informationsflut nur bedingt bei der Selektion und Bewertung von Webseiten weiterhelfen. Aus diesem Grund ist der User auf die Erlangung von Medienkompetenz angewiesen, wobei die Evaluation von Webseiten nur einen Aspekt darstellt, um den sicheren Umgang mit glaubwürdigen und unglaubwürdigen Dokumenten zu erlernen. Dabei sollen die in dieser Arbeit genannten Aspekte der Evaluation in der Praxis helfen:

An erster Stelle steht hierbei die Glaubwürdigkeit, da sie den wichtigsten Faktor für die Informationsqualität darstellt. Hier wird die Plausibilität der Quelle, die Kompetenz des Autors, die Zugehörigkeit zu Institutionen und Organisationen und das Vorhandensein von Review-Verfahren überprüft. Hinzu kommt noch die Untersuchung des webspezifischen Merkmals der Internet-Domain.

Zweitens wird die Genauigkeit und die Abdeckung der Online-Quelle getestet. Dies hat zum Ziel zu sehen, ob das Thema aktuell, genau, ausführlich und umfassend behandelt wird. Außerdem wird noch nach der Absicht und der Zielgruppe der Website gefragt.

Hierauf folgt drittens die Bewertung der Objektivität und Folgerichtigkeit, um festzustellen, ob die Informationen sachgemäß und unverfälscht präsentiert werden.

Punkt vier der Evaluation beinhaltet die Quellennachweise, denn nur dadurch kann der Text den Wahrheitsgehalt der dargebotenen Informationen beweisbar und nachvollziehbar machen. Dieses Verzeichnis sollte sowohl Printpublikationen als auch Internet-Links umfassen. Eine Bestätigung durch Dritte, etwa eines Review-Dienstes oder einer virtuellen Bibliothek, kann zusätzlich den Wahrheitsgehalt einer Online-Quelle stützen.

Der letzte Punkt der Bewertung umfasst schließlich die Benutzerfreundlichkeit der Website. Dieser Punkt beinhaltet nur rein webspezifische Elemente. Dabei handelt es

sich um die Struktur und Navigation innerhalb einer Seite, den Zugang zu der Quelle und die Ausnutzung der interaktiven und multimedialen Möglichkeiten.

Am Ende der Evaluation steht die Gesamtbeurteilung der Online-Quelle. Hierzu muss aber noch ein Vergleich mit anderen Webseiten erfolgen, so dass die dargebotene Informationsqualität in Relation gesetzt werden kann.

Solange im Internet keine Standards der Informationsaufbereitung und Qualitätssicherung herrschen, und dies wird aufgrund der dezentralen nicht-hierarchischen Struktur wohl sobald nicht geschehen, ist der User auf solche Evaluationskriterienkataloge angewiesen, wie ich sie in dieser Arbeit diskutiert habe.

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Soziologie

Aspekte der Evaluation wissenschaftlicher Webseiten

Hausarbeit

zur Erlangung des
Magistergrades

der

Philosophischen
Fakultät

zu Münster,
Westfalen

vorgelegt
von

Thies
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aus
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2001

Page 2

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I. Abkürzungsverzeichnis

BMBF	Bundesministerium für Bildung und Forschung
CERN	Conseil Européen pour la Recherche Nucléaire (Europäische Organisation für Kernforschung)
E-Journal	Electronic Journal
FAQ	Frequently Asked Questions
FTP	File Transfer Protocol
HTML	Hypertext Markup Language
http	Hypertext Transport Protocol
ICANN	Internet Corporation for Assigned Names and Numbers
IP	Internet Protocol
MIT	Massachusetts Institute of Technology
TCP	Transmission Control Protocol
TLD	Top Level Domain
URL	Uniform Resource Locator
VRML	Virtual Reality Modeling Language
W3C	World Wide Web Consortium
WAIS	Wide Area Information Service
WWW	World Wide Web

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*„Das 20. Jahrhundert stand im Zeichen der
Technik. Das 21. Jahrhundert wird im Zeichen der Menschen
stehen, die mit Technologie umgehen
müssen.“* Klaus C. Hofer
(HOFER / ZIMMERMANN ²2000 : 5)

1. Einleitung

Durch die Entwicklung des Internet und spätestens seit Entstehung des World Wide Web (WWW) in den 90er Jahren des 20. Jahrhunderts ist die digitale Revolution nicht mehr aufzuhalten. Millionen von Usern kommunizieren heute täglich über das weltweite Datennetz, und noch in diesem Jahrzehnt wird die Milliardengrenze überschritten werden (vgl. TAPSCOTT 1999 : 13). Das Internet hat damit bereits jetzt schon eine Größenordnung erreicht, die zu weitreichenden Veränderungen und Auswirkungen in Wirtschaft, Politik, Unterhaltung und Gesellschaft führen. Die

Industriegesellschaft, deren ökonomisches Fundament materieller Natur ist und
einst
die Agrargesellschaft ersetzt, wird nun selbst von der Wissensgesellschaft,
deren
Fundament auf Bits und Bytes beruht und deren maßgeblicher
Produktionsfaktor
Wissen ist, abgelöst (vgl. BÜHL 1997 : 49). Wissen bekommt damit eine
zentrale
Bedeutung, weil es der Auslöser dieser gesellschaftlichen Veränderungen ist. Dass
wir
uns in dieser gesellschaftlichen Übergangsphase befinden, wird dadurch deutlich,
dass
sowohl geistes- als auch naturwissenschaftliches Wissen immer mehr an
Bedeutung
und Einfluss auf das tägliche Leben gewinnt. Der Soziologe Nico Stehr spricht
sogar
davon, dass die Abhängigkeit von Wissensberufen immer stärker wird, denn
schon
heute kämen die wichtigsten politischen, sozialen und
ökonomischen
Handlungskomplexe nicht mehr ohne eine wissenschaftliche Legitimation aus
(vgl.
BÜHL 1997 : 48). Die Zahl der zur Zeit auf der Welt arbeitenden Wissenschaftler ist
so
groß wie die Anzahl der Wissenschaftler der letzten 2000 Jahre
zusammengenommen.
Daraus resultiert, dass täglich 20.000 wissenschaftliche Publikationen erscheinen
und
sich das weltweit verfügbare Wissen alle fünf bis sieben Jahre verdoppelt
(vgl.
SCHIPANSKI
2001).
Diese Informationsflut ruft die Illusion eines Wissensparadieses hervor, kann aber
auch
schnell zur Wissensdürre werden (vgl. SCHIPANSKI 2001), da es sich
bei
Informationen noch lange nicht um Wissen handelt. Informationen stellen
eine

Teilmenge von Wissen dar, die aktuell in Handlungssituationen benötigt wird
und
demnach von Kontext und Nutzen abhängig ist (vgl.
KUHLEN
1999 : 410; KÜBLER 2001 : 159). Wissen bezeichnet damit etwas Übergeordnetes
und
Handlungsorientiertes und entsteht erst durch die Verarbeitung von Information
und
gewinnt somit an eigentlichem Wert. So heißt es auch im Anhang des
Schlussberichtes
der ENQUETE-KOMMISSION DES DEUTSCHEN
BUNDESTAGES:

„Information erhält ihre menschliche Dimension und damit

*„Die gesellschaftliche Bedeutung erst dann, wenn sie von Menschen aufgenom-
men die Information zu Wissen wird. Wissen macht handlungsfähig.
Zuverlässige Informationen sind die Voraussetzung dafür. Aber erst
Bedeutungsgerechte Beurteilung erweckt sie zum Leben“ (1998 :
114).*

Hier wird die Forderung deutlich, dass Informationen bewertet werden müssen, um sie in nutzbares Wissen, den Produktionsfaktor der Wissensgesellschaft, zu verwandeln.

Deshalb verlangt diese Gesellschaftsform Bildung, die eine Förderung der

Medienkompetenz beinhaltet, d.h. es muss ein verantwortungsbewusster und kritischer

Umgang mit den elektronischen Medien erlernt werden, da wir unser Wissen

„über

unsere Gesellschaft, ja über die Welt, in der wir leben, ... durch die

Massenmedien“

(LUHMANN ²1996 : 9) vermittelt bekommen. Aber was bedeutet dies nun

bezogen auf das ^{genau,} Massenmedium Internet

^{1?}

Mit der oben erwähnten Zunahme der Anschlüsse an das Internet wächst natürlich

auch die für den einzelnen Nutzer potentiell verfügbare Datenmenge.

Schätzungen

gehen heutzutage von über 2,5 Milliarden Webseiten weltweit aus. Die Internet Firma

Bright Planet schätzt in ihrem White Paper „The Deep Web: Surfacing Hidden Value“

die Zahl der Webseiten noch wesentlich höher ein. Unter Hinzunahme der Seiten

aus

Intranets, Internet gestützten Datenbanken und dynamisch generierten Seiten wird

die

Zahl auf über 550 Milliarden vermutet. Täglich kommen ungefähr 7,3 Millionen neue

Seiten im Internet hinzu. (Vgl. MURRAY / MOORE 2000 : 2; BERGMAN 2001 :

1)

Die Bandbreite der angebotenen Informationen im Internet ist entsprechend

weit

gestreut. Kaum eine Universität, Organisation, Institution, Behörde oder

ein

Unternehmen kann es sich heute leisten, keine Sach- oder Selbstdarstellung auf

einer

¹ Im September 2001 nutzten 42,9% (27,3 Mio.) der Deutschen das Internet (vgl. SCHMITT-WALTER 2001) und überschritten damit inzwischen die im Konzept der kritischen Masse genannte 10% Marke. Da der Anteil der Gesellschaft diesen Punkt überstiegen hat, kann demzufolge das Internet als Massenmedium in der BRD angesehen werden (vgl. SCHWEIGER 1999 : 89).

eigenen Homepage anzubieten. Aber auch unzählige Privatpersonen bieten Websites zu den verschiedensten Themen an. Hinzu kommen noch etliche Datenbanken und Tausende von Newsgroups und Foren. Dieses Bild schlägt sich auch in der Wissenschaft nieder. Über eine Million wissenschaftliche Artikel aus allen Fachbereichen sind zur Zeit online abrufbar (vgl. LAWRENCE 2001 : 521). Fachzeitschriften, die exklusiv im Internet erscheinen, spielen eine immer wichtigere Rolle, da die Informationen über das Netz schneller gefunden werden und zudem oft auch preiswerter sind. Hieraus folgt, dass online erhältliche Artikel inzwischen öfter zitiert werden als Artikel aus Printzeitschriften.

(Vgl. DÖRING 1999 : 28; LAWRENCE 2001 : 521). Das Netz ermöglicht einen schnellen Zugriff auf riesige Datenmengen, aber die dadurch gewonnenen Informationen müssen mit Vorsicht betrachtet werden und scheinen ohne zusätzliche Recherche mit herkömmlichen Hilfsmitteln nicht verwendbar zu sein (vgl. SONNLEITNER / STADTHAUS / WEICHERT 1999 : 252).

Gründe hierfür sind die Fülle an Fehl- und Desinformationen und Seiten mit propagandistischen, satirischen oder parodistischen Inhalten, die neben den vielen seriösen Quellen angeboten werden. Es bedarf also ganz offensichtlich eines Vor- und Erfahrungswissens für den Umgang mit Online-Informationen, da im Internet die Informationsbeschaffung unmittelbar mit der Bewertung aufgrund der Vielfalt,

Heterogenität und Glaubwürdigkeit der Quellen verbunden ist.

Damit wird die oben schon erwähnte Forderung nach Medienkompetenz für Internetquellen nochmals verdeutlicht. Es geht also nicht nur darum, technische Fähigkeiten und Fertigkeiten bei der Bedienung eines Computers zu erlangen, sondern vielmehr mit den angebotenen Informationen und der Informationsflut umgehen zu können. Paul GILSTER definiert Medienkompetenz ² auch als „... *the ability to*

understand information – more important – to evaluate and integrate information in multiple formats that the computer deliver“ (zitiert nach POOL 1997).

Vier zentrale Punkte sind bei der Online-Recherche und dem Umgang mit Internetquellen besonders wichtig, um das Informationspotential wirklich anzunutzen:

² Paul Gilster spricht hier wörtlich von „*digital literacy*“, dies ist aber in seiner Bedeutung durchaus mit

dem deutschen Wort „Medienkompetenz“ in Bezug auf das Internet gleichzusetzen.

1. Das Erkennen der chaotischen und dezentralen Struktur des Internet, da sie nicht auf inhaltlichen, sondern auf technischen Ordnungsprinzipien beruht. ³ Es ist ein
„Spielplatz der Entropie“ (DYSON 1999 : 172). Das Netz ist nicht für eine benutzerfreundliche Informationssuche entwickelt worden (vgl. MEIER 1999b : 165 f.).

2. Die Wahl der Suchhilfe (Suchmaschine, Katalog, Portal, virtuelle Bibliothek etc.), der genaue Umgang mit dieser und die Entwicklung entsprechender Suchstrategien, um Daten effektiv und schnell zu finden und nicht in den Weiten des Netzes verlorenzugehen: *„Lost in Cyberspace“* (BRAKE 1997 : 12).

3. Die Selektion der Informationen aus der Fülle der oft unzähligen Treffer und das Erkennen der Heterogenität der Informationen und Informationsanbieter:
„Im ‚Medium‘ World Wide Web präsentieren die unterschiedlichsten Anbieter aus unterschiedlichsten Motiven unterschiedlichsten Kriterien unterschiedlichste Inhalte für unterschiedlichste Zielgruppen.“ (RÖSSLER / OGNIANOVA 1999 : 110)

4. Die abschließende Einschätzung und Bewertung der gefundenen Quellen anhand von Evaluationskriterien. Die Evaluation stellt den zentralen Punkt beim Umgang mit Online-Quellen dar, denn erst danach kann der User die Quelle für seine Zwecke verwenden.

Der letzte Punkt, die Evaluation von Internetquellen, steht im Mittelpunkt dieser Arbeit. Der Begriff der Evaluation wird hierbei im wörtlichen Sinne verwendet: Bewertung und Beurteilung eines Sachverhaltes aufgrund festgelegter Kriterien und Wertmaßstäbe. (Vgl. REINHOLD ³ 1997 : 161; ⁸ 1998 : KROMREY 97)

Es wird erläutert, welche Aspekte bei der Bewertung von Internetquellen eine wichtige Rolle spielen und ebenso als Richtlinien bei der praktischen Umsetzung dienen. Das Ziel hierbei ist es, durch die Evaluation die Datenflut zu differenzieren und zu bewerten, so dass das Risiko von Fehl- oder Desinformationen minimiert und der zu ziehende Nutzen aus einer Quelle maximiert wird.

³ Die Visualisierung dieser dezentralen Struktur zeigt Martin Dodge sehr anschaulich auf seiner Seite „The Geography of Cyberspace Directory“ (www.geog.ucl.ac.uk/casa/martin/topology_maps. [Stand: 20.11.2001].

Da es viele verschiedene Arten der Informationsquellen und Themen im Netz gibt, werden hier aufgrund des Umfangs nur wissenschaftliche Webseiten berücksichtigt. Dies bedeutet, dass die hier diskutierten Aspekte der Evaluation sich auf Webseiten mit einem geistes- oder naturwissenschaftlichen Hintergrund beziehen, denn bei der Vermittlung von Wissen ist die Glaubwürdigkeit, Exaktheit und Objektivität der Quelle von elementarer Bedeutung. Somit werden kommerzielle Web-Angebote ohne wissenschaftlichen Bezug, Portale, Suchmaschinen, Datenbanken, FAQs, Newsgroups, Mailinglisten und FTP-Archive nicht berücksichtigt, da sich hier die Evaluationskriterien bzw. die Schwerpunkte der Evaluation wiederum ändern würden. (Vgl. COOKE 1999 : 85; ALEXANDER / TATE 1999 : 3)

Nachdem in der Einleitung auf die Bedeutung von Medienkompetenz im Umgang mit dem Internet hingewiesen wird, werden im zweiten Kapitel dieser Arbeit die Grundlagen des Mediums World Wide Web erklärt. Darin wird zuerst eine kurze historische Einführung über die Entstehung und Entwicklung des Internet und des WWW gegeben. Es folgt eine Übersicht über die sechs hauptsächlichen Informationsanbieter im Netz: Universitäten, Organisationen, Datenbanken, Unternehmen und Privatpersonen. Abschließend werden kurz die grundsätzlichen Unterschiede zwischen Webseiten und Printmedien

Medienarchive,

vorgestellt.

Das dritte Kapitel weist auf die Probleme mit Informationsquellen im Internet hin. Allein aufgrund des schnellen Wachstums des Netzes ergeben sich schon eine Reihe von Problemen. So stellt die Größe an sich und die dadurch bestehende Komplexität eine Schwierigkeit dar. Hierdurch entsteht wiederum das Problem der Selektion von Informationsquellen, das bisher auch nicht durch Suchmaschinen und Kataloge behoben werden konnte, da diese selbst für diese Lage mitverantwortlich sind. Ein weiteres Problem stellt die laufende Veränderung im Netz dar. Online-Quellen sind einer ständigen Modifikation ausgesetzt, so dass Informationen im WWW instabil und flüchtig sind. Das größte Problem insbesondere in Bezug auf die Wissensvermittlung via Internet ist die mangelnde Glaubwürdigkeit von Online-Quellen, da es neben seriösen Anbietern auch ebenso viele unsinnige und falsche Informationsangebote im Netz gibt. Hiermit wird verdeutlicht, warum eine Evaluation von Quellen im Internet vonnöten ist.

9

Das vierte Kapitel gibt zunächst einem Überblick über bereits bestehende Evaluationsdienste im Netz und ihre Vorgehensweise. Zu diesen Diensten gehören die privaten und redaktionellen Awards, Review-Dienste und die themen-basierten Portale, auch virtuelle Bibliotheken genannt. Danach werden die individuellen Kriterien der Evaluation näher erläutert. Die Hauptaspekte sind Glaubwürdigkeit, Genauigkeit, Abdeckung, Ausgewogenheit, Quellennachweise, Benutzerfreundlichkeit und eine abschließende Bewertung der Quelle.

Das Resümee fasst schließlich die wichtigsten Ergebnisse der Arbeit noch einmal zusammen.

2. Das Medium World Wide Web

In den sechziger Jahren wurde von einer Abteilung des US-Verteidigungsministeriums das ARPA-Net (Advanced Research Project Agency) entwickelt. Zwei Ideen standen

dabei im Vordergrund. Erstens sollten Forschungseinrichtungen, die über eine große räumliche Distanz voneinander getrennt waren, miteinander verbunden werden, da zu dieser Zeit Computer und damit Rechenleistung extrem teuer waren und eine Aufteilung der Kapazitäten auf verschiedene Institute eine kostengünstige und praktikable Lösung darstellte. Zweitens sollte gleichzeitig eine dezentrale Kommunikationsplattform entstehen, die auch bei Ausfall einzelner Teile, wie z.B. im Falle eines Krieges, weiterhin funktionsfähig bleiben sollte. Diese Idee wurde erstmals 1969 erfolgreich getestet, als die Rechner der kalifornischen Universitäten Berkeley, Santa Barbara und dem Stanford Research Institute miteinander vernetzt wurden. In den siebziger Jahren wurden die weiteren technischen Grundlagen durch die Entwicklung des TCP/IP Protokolls ⁴, der E-Mail und des BBS (Bulletin Board System) ⁵ gelegt. Das Netz weitete sich immer mehr auf staatliche, wissenschaftliche und universitäre Bereiche aus. In den achtziger Jahren entwickelte sich dann eine Struktur von eigenen Netzen und Unternetzen, die die heutige Grundlage des Internet bilden. Hierdurch entstand auch der Name, der den Namen „ARPA-Net“ ablösen sollte: „Internet“, eine Abkürzung für „interconnected networks“.

⁶ (Vgl.

LEINER et al.
2000)

Der endgültige Durchbruch des Internet hin zum Massenmedium erfolgte Anfang der 90er Jahre mit der Geburtsstunde des „multimedialen Zweig[s, T.A.] des Internet“ (HAFNER/² 2000 : 305), dem World Wide Web, auch WWW oder W3 genannt. ⁷ Das umständlich zu bedienende und rein textbasierte Internet erschloss sich plötzlich für den User ganz einfach durch ein paar Mausklicks und eine grafische Benutzeroberfläche, die neben einfachen Texten nun auch Bilder, Töne und

⁴ TCP/IP steht für „Transmission Control Protocol/Internet Protocol“ und ist der Oberbegriff für eine Reihe von Übertragungsprotokollen auf denen die Datenübermittlung im Internet beruht. Das Bulletin Board System ist eine Art elektronisches schwarzes Brett. Hier können User Nachrichten und von anderen abgelegte Nachrichten lesen.

⁶ Die Entstehungs- und Entwicklungsgeschichte des ARPA-Net, beginnend in den 60er bis in die 90er Jahre hinein, wird sehr detailliert bei HAFNER/² 2000 beschrieben. Entwickelt wurde das WWW von dem englischen Informatiker Timothy Berners-Lee am Kernforschungszentrum CERN (www.cern.ch) [Stand: 20.11.2001]. Daraufhin schuf Marc Andreessen mit „Mosaic“, dem späteren „Netscape Navigator“, den ersten Browser für die Öffentlichkeit.

Animationen darstellen konnte. Hinzu kam, dass sich alle bisherigen Internetdienste, wie E-Mail, FTP (File Transfer Protocol), Usenet, Telnet oder WAIS (Wide Area Information Service), zu einem einzigen Dienst verbanden. Diese Entwicklung führte zu einem wahren Internet-Boom, der bis heute anhält. (Vgl. WILKE 1999b : 753;

HAFNER/ LYON² 2000 : 305 f. ; ZIMMER 2000 : 189 f.)

2.1 Quellen im Internet

Bei dieser Masse an angebotenen Informationen muss man sich darüber klar werden, wer Informationen bereitstellt und welche Arten von Daten man im Internet überhaupt findet. MEIER (²1999b : 177) unterteilt die Informationsanbieter in sechs Bereiche:

- **Universitäten und Forschungseinrichtungen** waren die ersten, die das Internet zum Austausch von Informationen und Wissen nutzten. Wissenschaftler aller Fachbereiche, insbesondere der Naturwissenschaften, gebrauchen das WWW als Plattform, um Forschungsergebnisse zu publizieren und darüber zu diskutieren. (Vgl. ebd. : 178 f.)
- **Unternehmen** nutzen das Internet als Marketing- und Vertriebsinstrument. Es dient dem Vertrieb von Waren, aber auch der Selbstdarstellung. Das Informationsmaterial wird in Form einfacher Werbung bis hin zu Pressemitteilungen angeboten. (Vgl. ebd. : 179 f.)
- **Organisationen und staatliche Stellen**, zu denen u.a. politische Parteien und Non-Profit-Organisationen gehören, bieten häufig sehr umfassende Informationen über das Internet an, da die Verbreitung auf diesem Wege kostengünstiger ist als das Versenden von Broschüren und Faltblättern. Die Art der Information reicht von Gesetzestexten über Statistiken bis hin zu Reden und Stellungnahmen. (Vgl.

ebd. :
180
f.)

• **Medienarchive** umfassen sämtliche im Internet publizierte Zeitungen und Zeitschriften. Bei diesen Online-Archiven handelt es sich zumeist um Ableger von Printmedien, die teils kostenfrei, teils kostenpflichtig sind und zumeist bis Anfang/Mitte der 90er Jahre zurückgehen. Das Magazin „Focus“ (www.focus.de) ist beispielsweise seit dem 18.1.1993 und die Wochenzeitung „Die Zeit“ (www.zeit.de) seit dem 8.3.1995 online. Zudem erscheint inzwischen eine große Anzahl von reinen Online-Zeitschriften, die ausschließlich im WWW zu finden sind, so z.B. „First Monday“ (www.firstmonday.org) oder „Telepolis“ (www.telepolis.de). Für alle diese Archive gilt, dass es keine thematischen Beschränkungen gibt. (Vgl. ebd. : 182 f.)

• Nicht nur die Medien geben ihre **Archive und Datenbanken** frei, sondern auch Firmen und Organisationen stellen ihre Datenbestände in das Internet. Die Bandbreite reicht hier vom Verzeichnis lieferbarer Bücher (www.buchhandel.de) über das „CIA World Factbook“ (www.odci.gov/cia/publications/factbook/) bis hin zu kommerziellen wirtschaftlichen, juristischen und wissenschaftlichen Datenbanken, wie z.B. die Wirtschaftsdatenbank „Genios“ (www.genios.de) der Verlagsgruppe „Handelsblatt GmbH“, die allerdings oft nur gegen eine hohe Gebühr benutzt werden können. (Vgl. ebd. : 184 f.)

• **Privatpersonen** mit ihren Homepages bieten inzwischen einen nicht überschaubaren Pool von Informationen, Erfahrungen und Meinungen zu den verschiedensten Themen an. Nicht nur die thematische Bandbreite ist sehr

sondern auch die qualitative, da man im WWW alles, von privaten Urlaubsfotos bis hin zu wissenschaftlichen Aufsätzen, finden kann. (Vgl. ebd. : 186 f.)

2.2 Unterschiede zwischen Webseiten und Printmedien

Da sich diese Arbeit mit dem Medium World Wide Web beschäftigt, sollen hier kurz die wesentlichen Unterschiede zu den Printmedien, dem herkömmlichen Träger wissenschaftlicher Informationen, erläutert werden. Diese Unterschiede liegen in der

13

Hypertext-Technik, in multimedialen und interaktiven Elementen und der erhöhten Aktualität und der Verfügbarkeit
Das Wesen von Webseiten unterscheidet sich damit grundsätzlich in ihrem Nutzungs- und Wirkungspotential von herkömmlichen Medien, wobei die Gründe hierfür hauptsächlich in den technischen Möglichkeiten liegen (vgl. ZIPFEL 1998 : 26 f.; NIELSEN 1999a). Dieses Potential wird mit der fortschreitenden technischen Entwicklung noch weiter zunehmen, aber zur Zeit werden in der Praxis diese Möglichkeiten nur in einem geringen Maße ausgenutzt (vgl. NEUBERGER 2000 : 314 und 318; ZÜRN 2000 : 324).

2.2.1 Hypertext

Printdesign ist zweidimensional und folgt somit einer strengen Logik. Es wird, dies gilt zumindest für unseren westlichen Kulturkreis, von links nach rechts und von vorne

nach hinten gelesen. Die einzige Art der Navigation besteht im Umblättern der Seite.

Im Gegensatz dazu sind Webseiten durch die Hypertext-Technologie n-dimensional

(vgl. NIELSEN 1999a).

⁸ Die Leserichtung bleibt erhalten, aber die Erzählstruktur und

die Navigation ändert sich grundsätzlich (s. Abb.

1).

Durch diese nicht lineare Struktur und die Verknüpfungsmöglichkeiten ändert sich

die

Erzählweise, da Themenkomplexe unterteilt, zerlegt und neu angeordnet

werden

können. Hinzu kommt die Möglichkeit, zusätzlich andere Medienformen, wie

Video

und Audio, in diese Struktur einzufügen. Hierdurch lassen sich Sachverhalte

sehr

komplex und detailreich erläutern, so dass eine hohe Informationsdichte

erzeugt

werden kann, da Websites keinen Platzbeschränkungen wie gedruckte Zeitungen

und

Zeitschriften

unterliegen.

⁸ Die Idee des „Hypertextes“ stammt von Vannevar Bush aus dem Jahre 1945, der in der Theorie „Memex“ (Memory Extender) Maschine entwarf, die verschiedenste Text- und Bildquellen miteinander verknüpfen sollte (vgl. BUSH 1945). Der eigentliche Begriff „Hypertext“ wurde von Ted Nelson in den 60er Jahren geprägt. Er entwickelte die Idee, Texte durch Links zu verbinden, und arbeitete in den 70er Jahren an der konzeptionellen Umsetzung der Idee. (Vgl. ZIMMER 2000 : 306 f.)

Abb. 1 : Hypertext-Prinzip
(MEIER

² 1999 :
29)

2.2.2 Multimedia und Interaktivität

Webseiten sind im Gegensatz zu Printseiten nicht statisch, es können multimediale und interaktive Elemente mit in das Design einfließen. Die multimedialen Möglichkeiten reichen von Audio und Videoaufnahmen bis hin zur Darstellung von räumlichen-

virtuellen Welten, die man als künstlicher Avatar durchstreifen kann. Diese Mittel erlauben dem Autor der Website eine synästhetische Präsentation seiner Informationen.

(Vgl. NICKL 1996 : 391 ff.; ZIPFEL 1998 : 27; PÖPPEL 2000 : 39)

Durch interaktive Inhalte ist es möglich, dass Informationen in beide Kommunikationsrichtungen fließen können (vgl. McKELVEY 1999 : 6) und somit

kann der User Inhalte direkt und aktiv mit beeinflussen.

„The Internets communication forms can be understood as a continuum. Each point in the traditional model of communication process can, in fact, vary from a few to many on the Internet.” (MORRIS/ORGAN zitiert nach ZIPFEL 1998 : 27)

Webseiten, ergänzt durch E-Mail Adressen, Chatrooms, Messageboards, Newsgroups etc., werden somit zu vollständigen Kommunikationsplattformen. Die Grenzen

zwischen Massen-, Gruppen- und Individualkommunikation lösen sich im Internet auf

(vgl. DÖRING 1999 :
88).

2.2.3 Aktualität und Verfügbarkeit

Das World Wide Web stellt ein völlig neues Veröffentlichungs- und Vertriebsystem

dar, weil es ermöglicht, Informationen in Echtzeit zu publizieren und abzurufen.

Insbesondere Online-Zeitungen treten durch diese hohe Aktualität

und

Aktualisierbarkeit eher in Konkurrenz zu elektronischen Medien, wie Fernsehen

und

Radio, als zu Zeitungen und Zeitschriften. (Vgl. NEUBERGER 1997 :

657;

McKELVEY 1999 :

6)

Die allgemeine Verfügbarkeit ist bei beiden Medientypen sehr hoch. Allerdings ist

das

Verbreitungsgebiet von Tageszeitungen lokal begrenzt. Webseiten hingegen

sind

grenzenlos und ermöglichen somit einem globalen Publikum den Zugriff auf

ihre

Informationen. Die Nutzung wird allerdings stärker als bei Printmedien durch

die

eigenen Kapazitätsgrenzen determiniert, die sich im Know-how oder in

den

technischen Mitteln widerspiegeln. (Vgl. ZIPFEL 1998 : 27; McKELVEY 1999 :

6)

3. Probleme mit Informationsquellen im Internet

Das Internet ist, wie schon in den vorhergegangenen Kapiteln erwähnt, das jüngste und am schnellsten wachsende Massenmedium unserer Zeit. Allein in Deutschland hat sich die Anzahl der Nutzer seit 1997 vervierfacht (vgl. BMBF 2001 : 99). Der Direktor des Media Labs am Massachusetts Institute of Technology (MIT), Nicholas Negroponte, lobt diese Entwicklung mit den Worten:

„Das Internet ist nicht nur im Sinne eines überall vorhandenen, globalen Netzwerkes interessant, sondern auch als etwas, das sich ohne einen eindeutigen ~~Das~~ ~~sign~~ ~~orient~~ ~~lich~~ ~~h~~ ~~ok~~ ~~e~~ ~~l~~ ~~t~~ ~~hat~~ und dabei (wie der Vogelschwarm) seine Form beibehält. ~~Es~~ ~~g~~ ~~ibt~~ ~~ke~~ ~~inen~~ ~~Big~~ ~~Bro~~ ~~ther~~, und alle Teile fügen sich bislang auf bewundernswerte ~~W~~ ~~is~~ ~~en~~ ~~men~~.“ (NEGROPONTE 1997 : 221 f.)

Aber die Entwicklung des Netzes wird auch kritischer gesehen, so z.B. auch vom Bibliothekar Michael Gorman:

„The net is like a huge vandalized library. Someone has destroyed the catalog and removed the front matter, indexes, etc., from hundreds of thousands of books and ~~and~~ scattered remains ... ‘Surfing’ is the process of sifting through this disorganized mess in the hope of coming across some useful fragments of text and images that ~~be~~ ~~r~~ ~~e~~ ~~l~~ ~~a~~ ~~t~~ ~~e~~ ~~d~~ ~~to~~ ~~o~~ ~~t~~ ~~h~~ ~~e~~ ~~r~~ ~~fr~~ ~~a~~ ~~g~~ ~~m~~ ~~e~~ ~~n~~ ~~t~~ ~~s~~. The net is even worse than a vandalized library because thousands of additional unorganized fragments are added daily by the myriad ~~s~~ ~~a~~ ~~n~~ ~~g~~ ~~e~~ ~~r~~s, and persons with time on their hands who launch their unfiltered messages into cyberspace.“ (zitiert nach RETTIG 1995)

Diese beiden Zitate verdeutlichen, dass das Netz mit seiner riesigen Informationsmenge

sowohl positive als auch negative Aspekte in Bezug auf herkömmliche Medien beinhaltet. Die Vorteile sind u.a. ein von Ort und Zeit unabhängiger schneller und einfacher Zugriff speziell auf aktuelle Informationen, wie z.B. politische und wirtschaftliche Nachrichten des Tages (vgl. ZIPFEL 1998 : 26; HARRIS

INTERACTIVE 2001). Die Nachteile liegen insbesondere in der Komplexität des Netzes und der Glaubwürdigkeit der Informationen. Diese Problematik soll in

diesem
Kapitel näher erläutert
werden.

3.1 Komplexität und Größe des Internet

Mit der Erfindung des World Wide Web zu Beginn der 90er Jahre nahm das Wachstum

des Internet stetig zu, es war durch ein exponentielles Wachstum geprägt.

Besonders

die zahlenmäßig starke Zunahme von Internet-basierten Datenbanken und

des

wachsenden Bereiches des E-Commerces Mitte der 90er Jahre förderte

diese

Entwicklung, die dann bis Ende des letzten Jahrhunderts anhielt (s. Abb. 2).

Heute

verdoppelt sich die Anzahl der weltweiten Internet-Hosts

⁹ ungefähr alle 18
Monate

(vgl. BMBF 2001 :

96).

Abb. 2: Entwicklung der Internet Hosts : Dezember 1969 bis März 2001 (ZAKON 2001)

Die Struktur des WWW lässt sich nach neuesten Untersuchungen grob in zwei Bereiche unterteilen (vgl. BERGMAN 2001 : 1 f.): Zum einen in das oberflächliche Web (engl. „*Surface Web*“), das heute ca. 2,5 Milliarden Webseiten beinhaltet und der Teil ist, der von den bekannten Suchmaschinen bzw. Katalogen, wie z.B. „Lycos“ (www.lycos.de), „AltaVista“ (www.altavista.de), „HotBot“ (www.hotbot.com) oder „Yahoo“ (www.yahoo.de), erschlossen wird. Die Datenmenge dieses Teils des Web

⁹ „Host“ bezeichnet Großrechner und Server, die es Arbeitsstationen (Workstations) ermöglichen auf das Internet zu zugreifen.

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umfasst 25 bis 50 Terabyte ¹⁰ Daten (Texte, Bilder, Videos etc.) bzw. 10 bis 20 Terabyte an reinem Text (vgl. BERGMAN 2001 : 1). Der andere Bereich ist das tiefe

Web (engl. „*Deep Web*“), das z.T. auch als unsichtbares Web (engl. „*Invisible Web*“) bezeichnet wird, da dieses für konventionelle Suchmaschinen und damit für die meisten User nicht sichtbar ist. Es besitzt ein viel größeres Informationspotential als das

Surface Web, da hier auch Webseiten aus Datenbanken, Intranets und dynamisch generierten Systemen auftauchen. Im tiefen Web ca. 550 Milliarden Webseiten gesammelt, was

einer Datenmenge von 7500 Terabytes entspricht. Nicht nur die Quantität ist wesentlich größer, sondern auch die Qualität ist höher, da zu diesem Teil des Internet insbesondere viele wissenschaftliche und staatliche Datenbanken gehören, so z.B. das

„National Climatic Data Center“ (NOAA) ¹¹ , die „National Aeronautics and Administration“ (NASA) ¹² und das Angebot der US-amerikanischen Finanzbehörde ¹³ .

Eine genaue Aufstellung der zur Zeit größten öffentlichen und nicht-

„Deep Websites“ ist bei BERGMAN (2001 : 6 f.) zu finden.

Die beiden einzigen kostenlosen Suchmaschinen zur Zeit, die Teile dieses Deep Web durchsuchen können, sind „Google“ (www.google.de) und „Direct Hit“ (www.directhit.com). Die Spezi­alsuchmaschinen „Bulls Eye Pro“ (www.intelliseek.com/prod/bullseye/pro.htm) und „Lexibot“ (www.lexibot.com) durchsuchen das tiefe Netz gegen eine monatliche Gebühr. (Vgl. SMITH 2001 : 17)

¹⁰ 1024 Bytes = 1 Kilobyte (KB); 1000 KB = 1 Megabyte (MB); 1000 MB = 1 Gigabyte (GB); 1000 GB = 1 Terabyte (TB)

¹¹ Ein öffentlicher Teil dieser Datenbank für Satellitenbilder ist unter <http://www.ncdc.noaa.gov/ol/satellite/satelliteresources.html> [Stand: 17.07.2001] zu finden. Geschätzte Größe 366.000 Gigabyte (vgl. BERGMAN 2001 : 6). Der Zugang zum EOS Data Gateway der NASA befindet sich unter <http://redhook.gsfc.nasa.gov/imswww/hidden/imswelcome/> [Stand: 17.07.2001]. Geschätzte Größe: 219.000 Gigabyte

¹³ Die oberste staatliche US Finanzbehörde ist unter <http://factfinder.census.gov> [Stand: 17.01.2001] zu finden. Sie vertritt die Interessen der US-Bürger. Geschätzte Größe 610 Gigabyte (ebd.).

3.2 Problem der Selektion

Die oben genannten Zahlen verdeutlichen das Problem der Größe und Komplexität des Internet. Eine daraus resultierende Schwierigkeit ist das der Selektion von Informationen. Deshalb sind Suchmaschinen „die wichtigsten Türen im Cyberspace“ (RÖTZER 1998), da sie Orientierung im Netz bieten. Die Wichtigkeit von

Suchdiensten für die Online-Gemeinde beweisen auch die Zugriffszahlen auf diese Webseiten. Allein vier Suchdienste werden im Oktober 2000 unter den Top 10 der weltweit meistbesuchtesten Seiten im Netz verzeichnet (vgl. MEDIA METRIX 2000):

Platz 2 „Yahoo“ (87,5 Mio. Unique Visitors ¹⁴)
Platz 4 „Lycos“ (50,1 Mio. Unique Visitors)
Platz 5 „Excite“ (38,1 Mio. Unique Visitors)
Platz 10 „AltaVista“ (19,7 Mio. Unique Visitors)

Aber auch Suchmaschinen bieten keine hundertprozentige Orientierung, im Gegenteil, es tauchen wiederum neue Fragen auf. Bei dieser maschinellen Selektion bleibt der Prozess, den die Suchmaschine bei einer Anfrage durchläuft, nicht transparent, so dass

man weder weiß, welche Teile des Netzes durchforstet worden sind noch wie es zu diesem Ergebnis bzw. zu dieser Rangliste gekommen ist. Florian RÖTZER (1998) spricht deshalb auch von der Suchmaschine als „*Black Box*“, da die genauen Funktionsmechanismen im dunkeln bleiben. Um diese Problemfelder zu verdeutlichen, muss man sich als erstes über die Technik und Funktionsweise von Suchdiensten klar werden.

3.2.1 Funktion von Suchdiensten

Hartmut WINKLER (1997) unterscheidet drei Typen von Suchmaschinen.

¹⁵ Da der

technische Fortschritt auch vor Suchmaschinen nicht haltgemacht hat, muss man diese Klassifizierung um einen Typus erweitern, so dass man heute von vier verschiedenen

¹⁴ Unique Visitors = Anzahl Besucher : Die hochgerechnete Anzahl der Besucher (basierend auf der IP-Adresse), die ein Angebot in einem bestimmten Zeitraum (meistens 30 Tage) mindestens einmal besucht haben. Wichtig dabei ist, dass mehrmalige Besuche einer Person nur einfach gezählt werden.
¹⁵ Die Überlegungen von Hartmut WINKLER basieren auf dem Text von STEINBERG (1996).

Arten von Suchmaschinen im WWW sprechen kann. Meta-Suchmaschinen, wie z.
B. „MetaGer“ (www.metager.de), werden hier nicht berücksichtigt, da sie nur auf bestehende Suchmaschinen zurückgreifen und keine eigenen Datenbanken oder Suchalgorithmen besitzen.

3.2.2 Typ 1 (Der Katalog)

Der erste Typ von Suchdiensten ist der Katalog, dessen erfolgreichster Vertreter der von Jerry Yang und David Filo im Jahr 1994 entwickelte Web-Katalog „Yahoo“ ist. Hier werden Schlagworte in ein vordefiniertes, hierarchisches System eingeordnet.

Dieser Prozess wird von menschlichen Redakteuren durchgeführt. Sie bewerten und katalogisieren die Webseiten per Hand, was zum Teil auch für die Suche nach neuen Webseiten gilt. Hier werden die Redakteure allerdings zusätzlich von einer Suchsoftware unterstützt. Der Faktor Mensch stellt das größte Problem bei diesem Suchdienst dar, da der Prozeß des Katalogisierens nur sehr langsam vonstatten geht und damit schnell auf quantitative

Grenzen stößt. „Yahoo“ hat weniger als 1% des gesamten Netzes katalogisiert (vgl. WINKLER 1997).

STEINBERG (1996) vergleicht deshalb Jerry Yang auch mit Charlie Chaplin in dem Filmklassiker „Moderne Zeiten“, der einem endlosen und immer schneller werdenden Strom neuer Arbeit entgegensieht, der nicht zu bewältigen ist.

Die Stärke dieses Typus liegt in der Kategorisierung, da der grobe Bezug zu bestimmten Inhalten schnell hergestellt werden kann. Als Beispiel sei hier die „Blue Ribbon Kampagne“ ¹⁶ genannt. Diese fällt bei „Yahoo.de“ unter die Kategorie

„Gesellschaft und Soziales“ Grundrechte Zensur Internet“. Die Einordnung macht sofort deutlich, dass die Website „Zensur im Internet“ zum Thema hat, und hilft somit dem User bei der Auswahl der Online-Quellen.

¹⁶ Zu finden unter http://members.aol.com/iqmm/blue_ribbon/index.html [Stand: 11.08.2001].

3.2.3 Typ 2 (Suchmaschine der 1. Generation)

Zum zweiten Typ gehören die Suchmaschinen der ersten Stunde des World Wide Web.

Diese führen eine Volltextsuche des gesamten Internet durch und erstellen einen sogenannten "inverted index", d.h. sie erstellen eine Tabelle mit allen auf der Webseite gefundenen Wörtern, auf die die einzelne Suchanfrage dann zugreift.

Die Suchmaschinen „AltaVista“ und „Lycos“ arbeiten nach diesem System. Der Vorteil dieser Methode ist, dass die Suchsoftware, sogenannte Web-Crawler, z.T. auch als Spinnen, Spiders oder Index-Roboter bezeichnet, selbständig das Netz durchforstet und es katalogisiert und damit kein menschlicher Redakteur vonnöten ist. „AltaVista“ indiziert auf diese Weise täglich 2,5 Millionen Dokumente und ist damit deutlich

schneller als der Katalog „Yahoo“ (vgl. WINKLER 1997).

Der Nachteil liegt bei dieser Methode besonders in der Quantität der Suchergebnisse, bei denen es nicht ungewöhnlich ist, wenn man Tausende von Hits für ein Suchwort bekommt. Hinzu kommt, dass die Ordnung der Ergebnislisten unklar bleibt.

3.2.4 Typ 3 (Suchmaschine der 1. Generation mit Clusteranalyse)

Der dritte Typus führt zwar auch eine Volltextsuche des WWW durch, arbeitet

aber zusätzlich mit einem semantischen Modell, das die gefundenen Wörter in Clustern zusammenfasst, so dass Stichworte automatisch zu Kategorien zusammengeführt werden. Dies geschieht durch die Auswertung von Synonymen und der Analyse des Kontextes, mit der Annahme, dass Wörter, die gemeinsam auf einer Webseite auftreten,

auch eine inhaltliche Beziehung zueinander haben (vgl. REIMANN 1999 : 24). Somit braucht das gesuchte Wort nicht zwangsläufig auf der Seite zu erscheinen, um in der Ergebnisliste aufzutauchen. Dieses System hat eine qualitative Steigerung der Rankinglisten zur Folge. „Excite“ und „Northern Light“ seien hier als Beispiele für diesen Typ genannt. Nichtsdestotrotz sind die Vor- und Nachteile ähnliche wie die des zweiten Typs.

3.2.5 Typ 4 (Suchmaschine der 2. Generation)

Der vierte Typ stellt die zweite (aktuelle) Generation von Suchmaschinen dar (vgl. LEMM 1999 : 106). Diese versuchen insbesondere das Problem der qualitativ schlechten Ergebnislisten zu lösen, indem sie auf die Erfahrungen der menschlichen Surfer zurückgreifen. „Direct Hit“ bezieht Informationen von herkömmlichen Suchmaschinen und wertet automatisch aus, welche Seiten wie oft und wie lange von Usern besucht worden sind. Daraus wird dann eine Ergebnisliste mit Webseiten generiert. Die Frage von Gary Cullis, dem Erfinder von „Direct Hit“, fasst den Sinn dieser Funktionsweise zusammen: *„Wer könnte besser beurteilen, ob ein Link etwas taugt, als die Nutzer selbst, die genau wissen, was sie suchen?“* (zitiert nach LEMM 1999 : 106). Jeder User wird damit zum Redakteur und die Schlussfolgerung dieses fragwürdigen Konzeptes lautet also, dass die beliebtesten Seiten auch automatisch die besten sind. ¹⁷

Die Suchmaschine „Google“ arbeitet mit der sogenannten PageRank-Technologie die Link-Struktur des WWW als Organisations- und Bewertungskriterium nutzt. Die

Leitfrage des Suchdienstes, ob eine Seite sinnvoll ist, wird durch die Anzahl der Links einer Seite führen, und deren Ursprung beantwortet. D.h. eine Seite ist wichtig, wenn zum einen viele Links zu ihr führen und zum anderen bekannte Institutionen auf sie verlinken. „Google“ unterscheidet dabei, ob der Link z.B. auf einer privaten Homepage oder auf der Seite einer Universität steht. MEDIA METRIX (2001) führt „Google“ mit 15.2 Millionen Unique Visits im Monat auf Platz 15 der in den USA beliebtesten Seiten im Netz. Dieser Erfolg zeigt, dass diese Methodik ein Schritt in die richtige Richtung ist, was die Suche nach einfachen, populären Stichworten angeht, da hier die große Stärke der Popularitätsbewertung liegt

(LEWANDOWSKI 2001 : 384). Das Auftauchen von Nachahmern in diesem Jahr, wie „WiseNut“ (www.wisenut.com) oder „Teoma“ (www.teoma.com), bestätigt den Erfolg dieses Systems ebenfalls.

¹⁷ Näheres zur Technik im White Paper von „Direct Hit“ unter http://www.directhit.com/about/products/technology_whitepaper.html [Stand: 15.08.2001].

¹⁸ Die Dissertation „The Anatomy of a Large-Scale Hypertextual Web Search Engine“ der „Google“-Erfinder Sergey Brin und Lawrence Page schildert Entstehung und Funktionsweise der Suchmaschine. Eine kürzte Fassung dieser Dissertation ist unter <http://www7.scu.edu.au/programme/fullpapers/1921/com1921.htm> [Stand: 17.07.2001] abgelegt. Die Seite http://www.google.de/intl/de/why_use.html [Stand: 17.07.2001] gibt einen kurzen deutschsprachigen Abriss über die Methodik

PageRank-Technologie.

3.3 Probleme durch Suchmaschinen

Wie oben schon angedeutet, bleiben bei der Arbeit mit Suchmaschinen einige Fragen offen. Die für die Selektion besonders kritischen Punkte sind zum einen die Abdeckung des WWW durch Suchmaschinen und zum anderen sowohl die Generierung als auch die Darstellung der Ergebnisse.

3.3.1 Abdeckung des WWW durch Suchmaschinen

Trotz automatischer Indexierung durch Web-Crawler ist es unmöglich, die gesamte

Datenmenge des Internet zu erfassen, da das Wachstum des Netzes zu schnell voranschreitet. Auch wenn von Seiten verschiedener Firmen und Institutionen versucht wird, „dem Problem der Quantität mit brutaler Rechenleistung zu begegnen“ (LEPSKY 1998 : 336), indem beispielweise rund 7000 Linux - PCs an fünf Standorten, an West- und Ostküste der USA verteilt, für „Google“ arbeiten, so scheint die komplette Katalogisierung des Internet ein Ding der Unmöglichkeit zu sein. Louis Monier, Chief Technical Officer bei „Alta Vista Software“, meint dazu: „*Nobody can afford enough hardware to index the whole Web and serve it back to the entire planet*“ (zitiert nach BRAKE 1997 : 12).

Die sechs bekanntesten, öffentlichen Suchmaschinen („AltaVista“, „Excite“, „HotBot“, „Infoseek“, „Lycos“ und „Northern Light“) erfassen zusammen nur etwa 60% des Web (vgl. LAWRENCE / GILES 1999 : 107). Die Suchmaschine mit dem größten Index ist zur Zeit „Google“ mit knapp 1,4 Mrd. Seiten, gefolgt mit großem Abstand von „FAST“ und „AltaVista“ (s. Abb. 3). Geht man von einer Größe des oberflächlichen Netzes von ca. 2,5 Mrd. Webseiten aus, erfasst selbst „Google“ nur knapp mehr als die Hälfte aller Seiten.

GG = „Google“ | FAST = „FAST“ | AV = „AltaVista“ | INK = „Inktomi“ | EX = „Excite“ | NL = „Northern Light“

Abb. 3: Anzahl der von Suchmaschinen erfassten Webseiten in Millionen. Stand: August 2001
(SULLIVAN 2001)

Aber nicht nur das immense Wachstum des Netzes ist Schuld an der geringen Erfassung der Datenmenge, die Gründe liegen auch bei der Software der Suchmaschinen. Wie folgende Beispiele zeigen, können Webcrawler längst nicht alle Arten von Informationen im WWW in die Datenbanken aufnehmen.

• **Kostenpflichtige Datenbanken oder Datenbankgateways** mit dynamisch-

generierten Seiten können von Crawlern nicht eingelesen werden, obwohl gerade diese von großem Interesse sind, da es sich hierbei oft um wissenschaftliche

Datenbanken handelt, die hochqualifiziertes Wissen beinhalten.

Die Ausnahme bildet momentan die Suchmaschine „Northern Light“. Sie bietet zusätzlich als Funktion die erweiterte Suche in den sogenannten „special collection documents“ an. Hierbei handelt es sich um eine Sammlung von kostenpflichtigen Dokumenten, die momentan gut 700 wissenschaftliche Zeitschriften

¹⁹ umfasst.

• **Nicht öffentliche und geschützte Dokumente**, die viele Server beinhalten sind für unerlaubte Zugriffe durch Passwörter, Registrierung oder Firewalls gesichert. Eine

¹⁹ Eine genaue Auflistung aller 700 Zeitschriften ist unter http://www.northernlight.com/docs/-specoll_help_overview.html [Stand: 20.11.2001] zu finden.

Suchanfrage durch einen Crawler wäre so ein Zugriff und wird deshalb von den jeweiligen Servern abgewiesen. (Vgl. LEWANDOWSKI 2001 : 381)

- **Video-, Bild- oder Toninformationen** können bisher nur anhand des Dateinamens oder des „ALT“-Tags ²⁰ im HTML-Code erkannt werden, da nur reine Textinformationen durchsucht werden. Doch es gibt intensive Bemühungen, dieses zu ändern. Das Programm „WebSEEK“ (www.ctr.columbia.edu/webseek/) der New Yorker Columbia-Universität verbindet Schlüsselwort- und Bildanalyse und ist somit imstande, Formen und Farben zu erkennen und zu unterscheiden. (Vgl. LYNCH 1998 : 27)
- Auch die meisten **nicht HTML-kompatiblen Textformate** bleiben bei einer Volltextsuche durch einen Webcrawler außen vor. Allein die Suchmaschine „Google“ durchsucht auch Dateien des von der Firma Adobe (www.adobe.com) entwickelten „Portable Document Formats“ (PDF), welches im Internet sehr weit verbreitet ist.
- Bei **neu erstellten und geänderten HTML-Dateien** dauert es zum Teil sehr lange, bis diese von einem Webcrawler indiziert werden. Neue Seiten, auf die keine Links verweisen, weil der Server z.B. noch neu ist, oder Webseiten die bei Suchmaschinen nicht direkt angemeldet worden sind, können von Suchmaschinen auch nicht gefunden werden. Geänderte Dokumente werden erst im nächsten Aktualisierungszyklus der jeweiligen Suchmaschine erkannt. Dieser Zyklus kann bis zu mehreren Wochen dauern. (Vgl. BABIAK 1999 : 107, FRIES et al. 2001 : 49)
- Seiten mit **Framesets, Java oder Javascript** können Crawlern Probleme bereiten. Das Problem bei Frames liegt darin, dass mehrere Inhalte unter einer URL verfügbar sind, was eine Zuordnung zwischen Suchbegriff und Treffer-URL

fast unmöglich macht. Java und Javascripts erschweren das Erfassen dadurch, dass sie für Menüs und Verweise verwendet werden, die aber von Suchmaschinen nicht

²⁰ Der „ALT“-Tag gibt dem Bild einen alternativen Text, falls das Bild im Internet-Browser angezeigt werden sollte. Beispiel: ``

erkannt werden, da es sich um eine Programmiersprache und nicht um reinen Text handelt. (Vgl. BABIAK 1999 : 108 f.)

3.3.2 Ergebnisse und Ergebnislisten

Das andere große Problem stellt das eigentlich Suchergebnis dar.

Suchmaschinen

produzieren bei einer einfachen Suche mit einem Schlagwort oft eine sehr große

Anzahl an Treffern. Sie werden auch oft „Hits“ oder „Matches“ genannt.

Diese

Suchergebnisse bestehen also häufig mehr durch Quantität als durch Qualität, Tabelle

1 veranschaulicht dies. Die einfache Suche mit den Wörtern „Evaluation“ und

„Website“ ergibt bei fast allen Suchmaschinen Treffer, deren Zahl in die Millionenhöhe

steigt. Selbst bei einer eingeschränkten Suche mit zwei Wörtern („Evaluation

UND

Website“) geht das Ergebnis in die Tausende. Doch User überprüfen selten mehr als die

ersten zehn bis 20 Treffer einer Ergebnisliste, der Rest der Links muss somit als

verloren angesehen werden. (Vgl. RÖTZER 1998; LEWANDOWSKI 2001 : 381)

Hierbei wird auch der Unterschied zum Katalog deutlich, den Jerry Yang mit den

treffenden Worten beschreibt: „*The difference between a catalog and an index is that a*

catalog provides context“ (zitiert nach STEINBERG 1996).

Schlagwort	Hits / Suchmaschine			
	Altavista (www.altavista.de)	Lycos (www.lycos.de)	Excite (www.excite.com)	Google (www.google.de)
Evaluation	3.402.820	5.962.116	493.400	9.580.000
Website	21.643.970	22.693.752	7.389.131	30.600.000
Evaluation	34.148	443.148	4.820	791.000
UND Website				

Tab. 1 : Beispiel für die Anzahl der Hits bei verschiedenen Suchmaschinen

[21](#)

²¹ Die Suche wurde am 14.08.2001 durchgeführt. Da es sich bei „Yahoo“ um einen Katalog handelt, ist dieser nicht in die Suche mit einbezogen worden.

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Gleichzeitig zeigt dieses Beispiel, wie unterschiedlich die Ergebnisse der einzelnen Suchmaschinen sind und beweist den oben genannten heterogenen Abdeckungsgrad des Netzes durch die einzelnen Dienste. Die Funktionsweise der Suchmaschinen hilft zwar beim Verständnis von Suchergebnissen, weil aber technische Details und insbesondere die Methode des Rankingverfahrens der Ergebnisliste nicht bekanntgegeben werden, bleibt sie doch eine „Black Box“. Die Gründe dafür liegen im wirtschaftlichen Bereich, da die Suchalgorithmen letztendlich das Kapital der Firmen, die die Suchmaschinen betreiben, darstellen.

Wie schon erwähnt, ist die Reihenfolge der Auflistung der Suchergebnisse nicht unproblematisch. RÖTZER (1999b) weist eine direkte Manipulation der Ergebnisse zurück, deutet aber auf die Probleme der sehr unterschiedlichen Selektionskriterien der einzelnen Suchmaschinen hin. SCHULZKI-HADDOUTI (2001) geht weiter und sagt: „*Werbetreibende missbrauchen diesen Suchmechanismus und verfälschen die*

Ergebnisse der Suchmaschinen.“ Probleme bereitet somit die Vermarktung und der Verkauf von Ergebnissen. Die Suchmaschine „GoTo“ (www.goto.com) war der Vorreiter mit der 1997 entwickelten „Pay-for-Performance“ - Technologie, mit der Ergebnisse direkt vermarktet werden. Hierbei werden die Suchergebnisse nach der Höhe des gezahlten Geldbetrages angezeigt. Heute vermarkten alle größeren Suchmaschinen ihre Ergebnisse, zuletzt führte „Yahoo“ die „Sponsored Sites“ ein. Nur „Excite“ verwaltet zur Zeit noch keine bezahlten Listen (vgl. SCHULZKI-HADDOUTI 2001).

Aber auch die Popularitätsbewertung, wie sie „Google“ und „Direct Hit“ durchführen, beinhaltet Gefahren. Beide Suchmaschinen arbeiten mit der Idee, dass die Popularität einer Seite gleichbedeutend ist mit der inhaltlichen Güte. Ob dies wirklich so ist, sei hier in Frage gestellt, da diese Methode einen „Trendverstärker“ (RÖTZER 1999b) darstellt, der die Konzentrationsprozesse um bekannte Seiten im Netz nur noch verstärkt und kleine, unbekannte Sites benachteiligt. Verlierer hierbei sind Anbieter, Institutionen oder Firmen, die nur wenig Geld fürs Ranking bzw. für Werbung zur Förderung der Popularität aufbringen können und somit in eine Abwärtsspirale geraten.

3.4 Instabilität von Online-Quellen

McKELVEY schreibt in seinem Buch „Hypergraphics“, dass „Websites ... *evolutionäre Dokumente*“ (1999 : 65) sind. Mit dieser Aussage wird ein weiteres Problem deutlich, nämlich die Instabilität von Online-Quellen. Das Internet ist einer ständigen Modifikation unterworfen. Neue Sites entstehen oder verschwinden, neue Dokumente werden ins Netz gestellt, alte werden aktualisiert oder gelöscht. Webseiten besitzen ein durchschnittliches Alter zwischen 44 und 70 Tagen (vgl. ZIMMER 2000 :

184;
GROTE 2000 : 116; RÖTZER 2000), und 89 % aller Seiten im Web sind jünger als ein Jahr (s. Tab. 2).

Alter der Webseiten	< 1 Jahr	1 – 2 Jahre	2 – 3 Jahre	3 – 4 Jahre	4 - 5 Jahre	5 - 6 Jahre	> 6 Jahre
Prozent der Webseiten	89 %	6,5 %	2,5 %	1,1 %	0,4 %	0,1 %	0,1 %

Tab. 2 : Das Alter von Internet-Seiten (N.N. 2001 : 166)

Diese hohe Fluktuation im Netz lässt sich durch Veränderungen der Technik (Hard- und Software) und dem Wandel des Zeitgeistes erklären:

Heutzutage ist es sehr einfach, eine Webseite in kürzester Zeit zu verändern.

Dank

moderner HTML-Editoren, wie z.B. Microsofts „Frontpage“ oder

Macromedias

„Dreamweaver“, ist es möglich, ohne jede HTML- oder Programmierkenntnisse

eine

Seite zu erstellen oder in jeglicher Weise zu verändern, egal ob es sich um

das

Aussehen, die Form oder die Schriftarten handelt. Grafiken können

gelöscht,

hinzugefügt oder ausgetauscht werden, dasselbe gilt für Links. Der Charakter

einer

Seite ist in einem ständigen Fluss (vgl. ROBERTS

1999).

Hinzu kommt, dass Websites, genau wie z.B. auch die Mode, schnelllebigen

Trends

unterworfen sind. Webdesigner David SIEGEL (1997 : 26 f.) spricht von

drei

Generationen von Websites seit deren Entstehung Anfang der 90er Jahre. Aber auch die

dritte Generation ist laut Klaus HOFER und Hansjörg ZIMMERMANN (

²2000 :
16)

schon wieder passé. Was heute im Netz „in“ ist, kann morgen schon wieder „out“ sein.

Ständig werden Awards für das Design von Webseiten vergeben, aber „beständig

ist

allein der Wandel“ (HOFER /

ZIMMERMANN

²2000 :
16).

Websites der ersten Generation waren einfache Textseiten mit sehr wenigen Grafiken.

Die Seiten waren gut lesbar auf monochromen Bildschirmen und bauten sich auch bei einem langsamen Modem schnell auf. Die zweite Generation, ab ca. 1995, war dank der Weiterentwicklung des HTML-Standards als auch neuer Versionen der Browsersoftware wesentlich bunter und verspielter. Es wurden mehr Grafiken und vielfarbige Hintergründe eingefügt. Oft blieb bei soviel Design die Lesbarkeit auf der Strecke. Die Sites der dritten Generation sollten für den User „eine

ganzheitliche

Erfahrung, vom Eintritt bis zum Ausgang“ (SIEGEL 1997 : 29) werden. Das Design

wurde durch Metaphern und Modelle der Konsumentenpsychologie erweitert.

Die

aktuelle Generation von Websites ist auf bestimmte Nutzergruppen zugeschnitten. Es

werden spezielle technische Features, wie z.B. Macromedias Flash, eingesetzt und auch

keine Rücksicht mehr auf Browserkompatibilität genommen, da es zu viele Plattformen

neben dem PC gibt, wie z.B. Palmtops oder WAP-Handys. Seiten sollen

heute

unterhalten und gleichzeitig Themen multimedial transportieren (vgl. HOFER /

ZIMMERMANN ²2000 :

120).

Dieser Wandel wurde durch die Einführung neuer Techniken möglich, die den HTML

Standard ständig erweitern, wie z.B. XML (Extensible Markup Language)

zur

Erstellung dynamischer Webseiten, SMIL (Synchronized Multimedia

Integration

Language), um Audio- und Videosequenzen in Webseiten einzufügen oder

VRML

(Virtual Reality Modeling Language), mit der es möglich ist, dreidimensionale

Räume

und Landschaften in einem Browser darzustellen. Aber auch Programmiersprachen

wie

Java, Javascript, ActiveX oder Flash erweitern die Möglichkeiten der Darstellung

von

Inhalten

ständig.

Hinzu kommt die schnelle technische Weiterentwicklung der Hardware. Durch

die

Entwicklung immer schnellerer Computer, von Netzwerken und

umfangreicheren

Speichermedien erweitern sich automatisch die Möglichkeiten im Netz:

Webseiten

werden durch Chatrooms interaktiv, User treffen sich als Avatare in virtuellen

Welten,

Audio- und Videostreaming bringen Konzerte und Filme in digitaler Qualität in jedes

Wohnzimmer. Es kommt zu einer Konvergenz der

Medien.

Durch all diese Faktoren ist die Schnellebigkeit des Netzes zu erklären.

Firmen,

Organisationen und auch Privatleute wollen bzw. müssen immer up-to-date bleiben,

da

der wirtschaftliche Erfolg ausbleibt, wenn die Webseite nicht interessant für den Surfer

gestaltet ist.

Aufgrund dieser ständigen Veränderung gibt es Bestrebungen, das World Wide Web zu archivieren, wobei dies ein hoffnungsloser Wettlauf mit dem Wachstum des WWW und dem Verschwinden von Sites ist (vgl. RIEDER 1997 : 112 f.). Als „Deja.com“, Betreiber der umfassendsten Sammlung von alten Usenet-Diskussionen, seine Server aus Kostengründen vom Netz nahm, schrieb das Online-Magazin „Salon“ (www.salon.com) : „Wir verbrennen keine Bücher mehr, wir stöpseln nur die Server aus“ (zitiert nach DRÖSSER 2000). Mit einem Knopfdruck verschwanden Tausende

von Beiträgen zu verschiedensten Themen, die sich über fünf Jahre lang im Netz gesammelt hatten. Um diesen „drohenden Gedächtnisverlust“ (DRÖSSER 2000) des Netzes aufzuhalten, legt das „Internet Archive“ (www.archive.org) mit Hilfe der Software „Alexa“

(www.alexa.com) ständig Images des Netzes an, so dass Momentaufnahmen des WWW entstehen. Zur Zeit (Stand: März 2001) sind über 100 Terabyte an Daten bzw. elf Milliarden Webseiten gespeichert, und jede Woche kommen ca. 150 Millionen Seiten neu hinzu. Aber auch dieses Verfahren birgt einige Probleme, weil viele Fragen

unbeantwortet bleiben. Da nur Teile des Netzes archiviert werden, sowohl aus technischen als auch aus Kostengründen, stellt sich die Frage, welche Seiten wichtig oder unwichtig sind. Wer bestimmt über die Auswahl der zu archivierenden Seiten? Welche Seiten sind so interessant, dass sie der Nachwelt erhalten bleiben sollten?

Welche sollen dem Vergessen preisgegeben werden? Auch die Copyright-Frage bleibt offen, nämlich ob man ohne Wissen des Autors überhaupt private Websites archivieren darf. So bleibt dies zweifellos ein interessanter Versuch, das Netz der Nachwelt zu erhalten, aber mehr eben auch nicht. [22](#)

Das Problem der Archivierung bzw. der mangelnden Dokumentationsform spielt insbesondere bei wissenschaftlichen Inhalten im Netz eine Rolle. Im Gegensatz

Büchern, die materiell gebunden sind, gibt es im Netz keine Auflagen, sondern immer nur das aktuelle Update einer Webseite, das jederzeit überschrieben und erneuert werden kann. Diese immer weiter fortschreitende Digitalisierung führt dazu, dass das Buch als Leitmedium der Gegenwart durch den Computer abgelöst wird. BOLZ (1995)

²² Seit Oktober 2001 kann das „Internet Archive“ über eine kostenlose und freizugängliche Schnittstelle, die „Way Back Machine“ (web.archive.org/), durchsucht werden.

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bezeichnet diesen Prozess, in Anlehnung an Marshall McLuhan, als Ende der Gutenberg-Galaxis. Das WWW ist immer aktuell, es existiert somit nur die Gegenwart. DEBATIN vertritt die Ansicht, dass Printmedien eine „zeitlich kodierte Selbstreferentialität im Hinblick auf den Wissens- und Erkenntnisstand“ (1998) erzeugen. Im Gegensatz dazu haben Dokumente im Internet eine „ahistorische und palimpsestische Struktur“ (ebd.). Es ist nie sicher, welche Version man vor sich hat, ob sie kopiert worden ist, und wer der tatsächliche Autor ist. Auch RIEDER vertritt diesen Standpunkt, wenn er sagt, dass „Webseiten ... kein Gedächtnis [haben, T.A.]: Durch ihre permanente, spurlose Erneuerung verlieren sie ihre eigene Geschichte“ (1997 : 112). Informationen sind auf Knopfdruck erhältlich, aber genauso schnell verflüchtigt sich diese Information auch wieder im Netz. Der Wissensspeicher des WWW ist vergänglich.

3.5 Glaubwürdigkeit von Onlinequellen

Das Informationsangebot im Internet ist unüberschaubar. Tausende von Fachzeitschriften sind inzwischen als Volltext abrufbar, Universitäten publizieren neueste Forschungsergebnisse auf ihren Seiten. Das MIT stellt neuerdings

Samtliche Vorlesungen und Seminare unter dem Titel „MIT Open Courseware“ (web.mit.edu/ocw/) online, gibt damit dem „Open Source“-Gedanken eine völlig neue Dimension und stellt sich gleichzeitig gegen die ständig wachsende Kommerzialisierung des Netzes. ²³

Aber es gibt ebenso viele unsinnige und falsche Informationsangebote im Netz.

Eine Untersuchung medizinischer Webseiten ergab, dass über die Hälfte aller untersuchten Seiten von Institutionen oder Privatpersonen dubiose und voreingenommene Inhalte verbreiten (vgl. OBST 1997). Daran sieht man, dass Authentizität und Glaubwürdigkeit von Online-Informationen das größte Problem darstellen. Dieser Umstand liegt vor allem an einem der größten Vorteile im Netz, der hier aber auch gleichzeitig zum Problem wird, nämlich dass jeder Nutzer die Freiheit hat, zu jedem Thema etwas zu publizieren, egal ob er

²³ Über 80% der Inhalte im Internet sind kommerziell ausgerichtet, die Tendenz ist steigend. Nicht 10% aller Webseiten haben natur- oder geisteswissenschaftliche Themen zum Inhalt. (LAWRENCE / GILES 1999 : 107)

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dementsprechend qualifiziert ist oder nicht. Oder wie es der Münsteraner Bibliothekar Dr. Oliver OBST ausdrückt: „*Jeder Idiot kann etwas auf dem Internet veröffentlichen und jeder Idiot tut es auch.*“ (OBST 1997) Daher ist es oft schwer zu erkennen, wie glaubwürdig Daten oder Informationen wirklich sind. Artikel in Zeitschriften, Magazinen, Lexika oder Bücher durchlaufen einen für den Leser unsichtbaren Prozess der Kontrolle. Editoren als Experten lesen und bewerten Artikel oder Bücher und geben diese erst nach genauer Prüfung zur Veröffentlichung frei. Große wissenschaftliche Journale, wie z.B. „The Lancet“ oder das „The New England Journal of Medicine“, haben Ablehnungsquoten von bis zu 90% (vgl. OBST 2000; ROBERTS 1999). Das Peer-Review Verfahren und andere Methoden sorgen als Qualitätsfilter dafür, dass

nur nach dem gegenwärtigen Stand der Wissenschaft korrekte Informationen publiziert werden. Dieser entscheidende Filtermechanismus fehlt so gut wie im Internet, somit liegt es beim Nutzer, die Gefahren eigenständig zu erkennen.

Die Qualität von Online-Information wird zumeist negativ eingeschätzt, insbesondere wird dem Medium ein Glaubwürdigkeitsdefizit zugesprochen, da die Information nicht mehr an das geschriebene bzw. gedruckte Wort gekoppelt ist, wie es bei Büchern oder Zeitschriften der Fall ist. Hinzu kommt, dass dem Internet eine Tendenz der Vermischung von Realität und Virtualität zugeschrieben wird, was insbesondere an den

zahlreichen Verschwörungstheorien, die im Netz kursieren, deutlich wird (vgl. DEBATIN

1998).

Der Journalist David SHENK betitelte sein Buch „Datenmüll und

Infosmog“ (1998),

MEIER spricht von

² 1999b : 163), die

„Informationsmüllhalde“ (MEIER

Tageszeitung

„Frankfurter Rundschau“ nennt das Netz ein „Gerüchtemedium, die Gerüchteküche

par

excellence“ (zitiert nach SCHWEIGER 1999 : 97) und die „New York Times“

schrrieb,

einer Website zu trauen „is like following a helpful stranger in Morocco who offers

to

take you to the best drug store“ (zitiert nach NIELSEN 1999b).

Empirische

Untersuchungen weisen sehr unterschiedliche

Ergebnisse

bezüglich der

Glaubwürdigkeit des Internet auf. Neueren Umfragen zufolge bezeichnen immerhin

50% der Befragten das Medium „Internet“ als glaubwürdig. Hiermit rangiert es in

der

Rangliste vor „Zeitschriften“ (46%), aber weit hinter „Zeitungen“ (74%),

„Fernsehen“

(82%) und „Radio“ (87%). In einer anderen Umfrage, in der allerdings nach

dem

Medium mit der höchsten Glaubwürdigkeit gefragt wurde, sprachen nur 1%

der

Personen dem „Internet“ diese zu (vgl. RÖSSLER / WIRTH 1999b : 8).

Martin

GOLDMANN weist allerdings zu recht darauf hin, dass man kein Internet braucht,

um

sich von den Medien belügen zu lassen: „Fernsehen, Zeitschriften sowie Radio

bieten

genauso kanalisierte, vorgekaute Nachrichten und Halbwahrheiten“ (1999 :

22).

Allerdings sind Informationen im Internet anders geartet als in herkömmlichen

Medien,

da es im Internet zu einer Verschmelzung verschiedener Medientypen (Video, Audio etc.) kommt. Es gibt zwar auch bei Printmedien eine große Bandbreite von Formaten, von der Regenbogenpresse bis hin zum streng wissenschaftlichen Magazin, aber im

Internet ist sie erheblich größer, da sie stärker von Promotion und Werbung durchsetzt ist, was das Differenzieren wesentlich erschwert. Diese Bandbreite entsteht durch die schon erwähnte Möglichkeit, dass jeder Mensch mit einem Zugang zum Internet ein Massenpublikum mit seiner Botschaft erreichen kann. (Vgl. ROBERTS 1999; RÖSSLER / OGNIANOVA 1999 : 111; SCHWEIGER 1999 : 96; TILLMAN 2000)

Die Gefahr liegt nicht nur in Fehlinformationen, d.h. dass eine Angabe wirklich falsch ist, sondern die viel größere Gefahr birgt die Grauzone, die im Netz existiert. Dieser Bereich enthält Seiten, die einen radikalen Standpunkt vertreten, stark übertreiben, polemisieren oder parodieren, letztere werden meist als „Hoax“

²⁴ bezeichnet.

Diese Seiten können durchaus auch einen positiven Effekt haben. Zum einen können sie einen alternativen Standpunkt im Gegensatz zur gängigen öffentlichen Meinung vertreten, zum anderen schulen solche Seiten den kritischen Blick und das Hinterfragen von Informationen. Sie zeigen, dass jede Art von Information eine subjektive Tendenz hat, die es nötig macht, sie zu evaluieren. (Vgl. PIPER 2000; MINKEL 2000 : 33)
Diese Grauzone von Webseiten lässt sich in verschiedene Kategorien unterteilen, wobei viele Webseiten durchaus in mehrere dieser Kategorien fallen können:

- Parodien und Satire
- Fiktive Inhalte
- Gezielte Desinformation
- Fälschungen

- Propaganda

- Gehackte Seiten

²⁴ „Hoax“ bedeutet übersetzt Schwindel, Falschmeldung oder Ente. Dieser Begriff hat sich im Netz als allgemeine Bezeichnung für falsche Warnungen per E-Mail und gefälschte Webseiten etabliert. Hinzugefügt auch TU Berlin (www.tu-berlin.de/www/software/hoax.html) oder Universität Hamburg (minerva.sozialwiss.uni-hamburg.de/majordomo/hoax.html) [beide Stand 31.07.2001].

GREER et al. (1999b) und PIPER (2000) führen auch „Werbung“ in dieser Kategorisierung, aber aufgrund der rein kommerziellen Inhalte von Werbung werde ich in dieser Arbeit nicht näher darauf eingehen.

3.5.1 Parodien und Satire

Sehr häufig im Netz anzutreffen ist die Kategorie der Parodie (engl. „*parody*“ oder „*spoof*“), wobei insbesondere die politische Satire oder Parodien auf Computerfirmen, speziell Microsoft, sehr beliebt sind. Parodien sind nie ernstgemeint und meist als solche schnell zu erkennen. Wobei PIPER (2000) und MINKEL (2000 : 33) zu Recht darauf hinweisen, dass bei gut gemachten Parodien leichtgläubige Menschen und Kinder trotzdem darauf hereinfallen können. Problematisch ist es oft auch, wenn Suchmaschinen Unterseiten einer Website finden und als Suchergebnis präsentieren, so dass man nicht den direkten Bezug zur Hauptseite erkennt, die deutlich macht, dass es sich hierbei um Satire handelt. So ist es

schon des öfteren vorgekommen, dass Meldungen des Satire-Internetmagazins „The Onion“ (www.onion.com) in seriösen Arbeiten und Nachrichten zitiert wurden (vgl. PIPER 2000). Bei Parodien wird zumeist der Domain-Name mit einer anderen Top-Level-Domain (z.B. .org oder .net) übernommen oder der Name wird leicht verfälscht, z.B. aus der Adresse der Weltbank „worldbank.org“ wird „whirledbank.org“, aus „microsoft.com“ wird „microshaft.com“ oder aus „altavista.com“ wird „hastalavista.com“.

- **Whitehouse.gov / .com / .org / .net**

Das Weiße Haus stellt im Netz ein beliebtes Objekt für Parodien dar. Hier wird auch die oben angesprochene Übernahme von Namen mit anderer Top-Level-Domain (TLD) deutlich. Die Originalseite besitzt die US-staatliche Top-Level-Domain .gov

(whitehouse.gov) (s. Abb. 4

a).

Parodien dieser Seite sind u.a. zu finden

unter:

- Whitehouse.org ²⁵, die die Originalseite am rechten Rand mit
 Werbung
 verschiedener Energiekonzerne verziert, die den Wahlkampf des jetzigen US-
 Präsidenten George W. Bush unterstützten (s. Abb. 4
 b).
- Whitehouse.net, die mit der Parodie auf politische Geschehnisse in den
 USA
 anspielt. ²⁶ Die Abbildung zeigt einen fingierten Hackerangriff durch
 Chinesen
 nach dem Absturz eines amerikanischen Spionageflugzeuges in China (s.
 Abb.
 4
 c).
- Whitehouse.com, die hier nur der Vollständigkeit halber genannt wird, da es
 sich hier um keine Parodie handelt, sondern um die Seite eines Pornographie-
 Anbieters (s. Abb. 4 d). Dies aber zeigt, wie wichtig es ist, auf die TLD
 der
 jeweiligen Internet-Adresse zu
 achten.

a.

b.

c.

d.

Abb. 4: Die Index-Seite von a.) www.whitehouse.gov, b.) www.whitehouse.org [beide Stand: 29.08.2001], c.) www.whitehouse.net und d.) www.whitehouse.com [beide Stand: 10.11.2001]

²⁵ Die Seite ist seit dem 11.09.2001 aufgrund des terroristischen Anschlages auf das World Trade Center und des Pentagons aus dem Netz genommen und durch eine Kondolenz-Seite ersetzt

²⁶ Die Entstehung und Historie der Seite ist unter <http://www.whitehouse.net/protest.html> [Stand: 28.09.2001] nachzulesen.

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• Clones-R-Us

Auch naturwissenschaftliche Parodien sind im Netz vertreten. Das Angebot reicht von einfachen Artikeln über absichtlich falsche Studien, wie z.B. „Feline Reactions to

Bearded Men“ (www.improb.com/airchives/classical/cat/cat.html), bis hin

zur kompletten, vielschichtigen Site, wie z.B. die von „Dream Technologies International“

(www.d-b.net/dti/) mit Clones-R-Us (s. Abb.

5).

Auf dieser Seite bietet die Firma „Dreamtech“ das Klonen von Menschen an. Die Seite

erläutert das Klonen anschaulich, gestützt auf Kommentaren

imaginärer

Wissenschaftler, bietet diverse Statistiken an und lässt begeisterte Kunden zu

Wort

kommen. Die Linksammlung beinhaltet Verweise zu bekannten, real existierenden

Universitäten und anderen ernstgemeinten wissenschaftlichen Seiten zum Thema

Klonen im Netz. Dass es sich um eine Parodie handelt, erkennt man u.a. an den

Punkten „Price List“ und „Order Form“ in der Navigationsleiste. Hier kann man

erfahren, was ein Klon von sich selbst oder einer bekannten Persönlichkeit kostet.

Ein

Klon des Models Cindy Crawford gibt es für 79.999.- US-\$, im Gegensatz dazu

kostet
 ein Klon des ehemaligen US-Präsidenten John F. Kennedy nur 499.- US-\$. Über
 ein
 Bestellformular auf der Webseite kann man gleich seinen gewünschten Klon
 anfordern.
 Unter „About Us“ wird klargestellt, dass es sich um eine Parodie handelt und die
 Seite
 nur zum Nachdenken über das Klonen von Menschen anregen will. Dieser Diskurs
 lässt
 sich im „Guestbook“
 nachlesen.

Abb. 5: Index-Seite von „Dream Technologies International“ (www.d-b.net/dti/) [Stand: 10.11.2001]

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3.5.2 Fiktive Inhalte

Parodien beinhalten immer einen Bezug zur Realität. Es existieren aber auch Seiten mit rein fiktivem Inhalt, der jedoch als Realität dargestellt wird. Hier lassen sich zwei Arten

unterscheiden. Zum einen die Seiten, die nur der reinen Unterhaltung dienen, wie z.

B.

die Seite des Mikrostaates „Molossia“ (www.molossia.org). Ebenso die Seiten über

die beiden im US-Bundestaat Minnesota gelegenen Städte „Mankato“

(www.lme.mankato.msus.edu/mankato/mankato.html) und „New Hartford“

(lme.mnsu.edu/newhartford/newhtfd.html), die nur im Internet und auf

keiner Landkarte existieren. Beliebte sind auch Seiten über fiktive Tiere, wie z.B. das „Mountain Walrus“ (www.end.com/jynx/walrus/) oder den „Pacific Northwest Tree Octopus“ (zapatopi.net/treeoctopus.html). Aber es gibt auch durchaus fiktive Seiten mit einem ernstgemeinten wissenschaftlichen Hintergrund, allerdings ist dies eher selten der Fall. Die Webseite des fiktiven Landes „Ruritania“ (homepages.udayton.edu/ahern/rurindx.htm) informiert über die geographische Lage des Landes und über historische und demographische Daten. Das Land „Ruritania“ hat über 4 Millionen Bewohner und liegt in Skandinavien zwischen Norwegen und Schweden. Das Ganze ist ein Projekt des Fachbereiches Politik der Universität Dayton / USA und dient als Anschauungsobjekt und Simulation eines Staates im universitären Lehrbetrieb.

3.5.3 Gezielte Desinformation

Die bisher genannten Kategorien (Parodien und fiktive Inhalte) sind zwar auch eine Art von Desinformation, aber diese Inhalte sind zumeist offensichtlich nicht ernstgemeint, so dass daraus keine schwerwiegenden Konsequenzen erfolgen. Die gezielte Verbreitung von Falschmeldungen im Internet dagegen, die dann Einzug in die übrige Medienwelt erhalten, wird inzwischen als „Media-Hack“ bezeichnet. Diese neue Generation von Hackern will nach eigenem Bekunden durch die Lügen im Netz eine gesellschaftliche Diskussion anstoßen. Um Erfolg zu haben, müssen die Geschichte also glauben und weitererzählen, muss „*die Geschichte ... wahr sein können*“ sagt die Netzkünstlerin und Hackerin Lizlvx (MIKA 2000). So geschehen z.B. mit der Webseite

„**Voteauction**.com“, die während des letzten Präsidentschaftswahlkampfes in den USA

anbot, Wählerstimmen gegen Geld zu kaufen. Obwohl es nie zu einem Handel mit Stimmen kam, wurde die Seite verklagt und auf richterlichen Beschluss hin abgeschaltet. Die Macher wollten mit ihrer Aktion den Leuten verdeutlichen, wieviel ihre Stimme in einem Wahlkampf, der über 3 Milliarden US-\$ kostete, eigentlich wert ist. (Vgl. MIKA 2000; KREMPLE 2000; MEDOSCH 2001)
Schwerwiegender wird der Fall meist bei falschen medizinischen oder finanziellen Informationsangeboten, die im Extremfall zum Tode oder Ruin führen können.

Medizinische Desinformation

Informationen über Krankheiten und deren Heilung gehören im Internet zu den gefragtesten Themen (vgl. OBST 1997; AMBRE et al. 1997 : 1-1). Neben seriösen medizinischen Datenbanken, wie z.B. die „MedLine“²⁷, existieren auch unzählige unseriöse und ethisch bedenkliche Quellen im Netz. Da verspricht William Donald

Kelley, der sich selbst als „Medical Missionary“ bezeichnet, auf seiner Webseite:
„There is no cure for the common cold. But there is a very simple CURE for cancer.“
(www.ioa.com/dragonfly/news/kelley.html). Gestützt wird diese These von dubiosen medizinischen Erkenntnissen und Verschwörungstheorien.

Betty Martini erklärte in einer Mail, die an über 450 Newsgroups ging, dass Süßstoff der Auslöser für Multiple Sklerose und Hauttuberkulose ist (www.nancymarkle.com/betty/betty.html) und schaffte damit den Sprung auf diverse Titelblätter. Die Behauptung wurde inzwischen von Experten widerlegt, aber nichtsdestotrotz glauben viele Betroffene heute noch immer daran. (Vgl. PIPER 2000; KELLEY 1999)

Das „Institute for Investigative Medicine“, dem u.a. die Nobelpreisträgerin für Chemie Kary Mullis angehört, schreibt auf der „AIDS Myth Site“ (www.virusmyth.com/aids/index.htm), dass AIDS weder durch den HIV-Virus ausgelöst noch sexuell übertragen wird, sondern dass die Infizierten an den

Nebenwirkungen der Medikamente sterben. Diese Aussagen werden sehr umfangreich

²⁷ Der Zugang zum öffentlichen Teil der „Medline“, der „PubMed“, ist <http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?db=PubMed> [Stand:30.09.2001] zu erreichen.

und mit Hilfe international anerkannter Wissenschaftler näher erläutert, so dass man sich fragen muss, ob dies wirklich nur dubiose und falsche Erkenntnisse sind, oder ob es sich vielleicht doch um eine unpopuläre, aber innerhalb des wissenschaftlichen Diskurses vertretbare Sichtweise handelt. Die Macher selbst beklagen sich darüber, dass ihr Standpunkt durch Zensur unterdrückt wird (vgl. PIPER 2000).

Organisationen wie „Quackwatch“ (www.quackwatch.com) und das „Center for Disease Control and Prevention (CDC)“ (www.cdc.gov/hoax_rumors.htm) geben einen Überblick über Quacksalber und warnen vor deren dubiosen Methoden im Internet.

Wirtschaftliche Desinformation

Das Interesse an Aktien von Kleinanlegern ist durch das Internet und den dadurch entstandenen Boom des neuen Marktes stark gefördert worden. Jederzeit kann man ohne Probleme die aktuellen weltweiten Börsenkurse abrufen und sich mit den neuesten Wirtschaftsinformationen versorgen. Aber genau hier liegt das Problem. Am 3. November 2000 kursierte im Internet die Meldung, dass der Chef des Softwareunternehmens „Oracle“, Larry Ellison, gestorben und der gesamte Vorstand der Firma zurückgetreten sei. Diese Meldung führte zu massiven Kurseinbrüchen, die die Aktie verlor um 29% ihres Wertes. Diese Falschmeldung war der Mitauslöser dafür, dass die Anleger innerhalb eines halben Tages 50 Milliarden US-Dollar verloren (vgl.

MÜLLER 2000). Ende August 2000 verschickte ein amerikanischer Student eine Mail an den Presse-Distributor „Internet Wire“ (www.internetwire.com). Die Mail hatte den Anschein, als sei sie von der Firma „Emulex“ (www.emulex.com) versandt worden, die darin mitteilte, dass die Geschäftsberichte neu geschrieben werden müssten und von der

amerikanischen Börsenaufsicht zur Zeit überprüft würden. Die katastrophale Fehlinformation wurde umgehend von Börsendiensten aufgenommen und verbreitet, mit der Folge, dass der Aktienkurs der Firma „Emulex“ binnen Minuten um 60% fiel.

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Während ein Großteil der Aktionäre bei diesem Kurseinbruch viel Geld verlor, profitierte der Student durch diese Talfahrt, da er sogenannte Leerverkäufe

28 („short

sales“) getätigt hatte und somit in kurzer Zeit 240.000 US-\$ Gewinn machte (vgl. REDAKTION INTERN.DE 2000; KREMPL 2000).

3.5.4 Fälschungen

Gefälschte Webseiten (engl. „*counterfeit*“) bergen mit die größte Gefahr im Netz, denn diese versuchen, andere Seiten durch geschickte Adaptierung von journalistisch relevanten Regeln und Formaten nachzuahmen, so dass sie mit den ernstgemeinten Originalseiten verwechselt werden können. Inhaltlich wird das Thema seriös dargestellt, dass im Gegensatz zur Originalseite nicht objektiv, sondern subjektiv und voreingenommen berichtet. Sie dienen meist der gezielten Verbreitung von Fehlinformationen und Propaganda. PIPER (2000) vergleicht diesen Typus von Website auch mit dem Trojanischen Pferd, da sie nicht das darstellt, was sie in Wirklichkeit ist. Bei einem solchem Hoax wird zumeist eine thematisch eindeutige WWW-Adresse genommen, so dass der User diese schneller findet und für eine offizielle Seite hält, so bei dem unten aufgeführten Beispiel der Website über Martin Luther King, Jr.,

deren
Adresse www.martinlutherking.org
ist.

Ein anderes Beispiel ist die Fälschung der Seite der Welthandelsorganisation (WTO), die nach dem Allgemeinen Zoll- und Handelsabkommen (GATT) benannt ist:

www.gatt.org. Die offizielle Seite ist unter www.wto.org zu finden. (Vgl.

PIPER
2000)

Zudem wird oft das Grunddesign der Site übernommen, wie z.B. Seitenaufteilung, Farbgebung, Form der Buttons oder der Navigationszeile, so dass es schon optisch leicht zu Verwechslungen kommen kann und der User damit nicht erkennt, dass es sich um eine Fälschung handelt.

²⁸ *Definition:* „Leerverkauf (Blankoverkauf): Bei Termingeschäften der Verkauf von Wertpapieren, Devisen oder Waren, die der Verkäufer noch nicht besitzt, sondern erst später erwirbt, in der Erwartung, sich bis zum Erfüllungstermin zu niedrigeren Kursen bzw. Preisen eindecken zu können, als es nach Abschluß des Termingeschäfts möglich ist.“ (SCHREIBER 2000 : 290)

- www.martinlutherking.org

Als Beispiel für eine solche Fälschung sei hier die Seite „Martin Luther King, Jr. – An Historical Examination“ (www.martinlutherking.org) genannt (s. Abb. 6).

Abb. 6: Fälschung: Index-Seite „Martin Luther King, Jr. – An Historical Examination“

www.martinlutherking.org [Stand:
10.11.2001]

Diese Site berichtet über das Leben und Werk des amerikanischen Bürgerrechtlers und scheint oberflächlich somit eine „offizielle“ Martin Luther King Webseite zu sein. Dieser Eindruck wird durch die WWW-Adresse verstärkt. Auch die eindeutige Navigationsstruktur u.a. mit Hinweisen zu seinen Schriften („Historical Writings“) und anderen Bürgerrechtsbewegungen („Jews & Civil Rights“) sowie das klare und übersichtliche Design weisen auf eine professionell erstellte Seite hin. Hinweise für einen Hoax erkennt man erst bei näherer Betrachtung der Inhalte. Schon auf der Titelseite steht ein zweifelhaftes Zitat aus der amerikanischen Zeitschrift „Newsweek“:
„... - including Kings cries of ,*Im f...ing for God*’ and ,*Im not a Negro tonight!*“
Gewissheit für den zweifelhaften Inhalt dieser Seite bekommt man beim Anklicken des Links „Contact the Webmaster“, der eine E-Mail Adresse der rechtsradikalen Organisation „Stormfront“ öffnet. Auch die darunterliegenden Seiten verbreiten rechtsradikales Gedankengut.

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Eine objektive Seite über den Bürgerrechtler ist unter <http://www.thekingcenter.com/> zu finden. Das Design gleicht sich nicht nur bei der Farbgebung mit den verschiedenen Grautönen und der gelben Schrift, auch die Anordnung der verschiedenen Elemente ist sehr ähnlich: das zentrale Porträt in schwarzweiß, das Martin Luther King Zitat auf der linken Seite und die seitliche Navigationsleiste rechts, die eine ähnliche Unterteilung aufweist (s. Abb.

7).

Abb. 7: Original: Index-Seite „The King Center“ (www.thekingcenter.com) [Stand: 10.11.2001]

3.5.5 Propaganda

Ein weiteres Problem im Netz ist das der Propaganda. Diese gilt als systematischer

Manipulationsversuch, d.h. es wird versucht, durch die Verbreitung von Informationen, Fakten, Gerüchten, Halbwahrheiten und Lügen die öffentliche Meinung zielgerichtet zu

manipulieren. Dieses Mittel wird im Netz oft von verfassungsfeindlichen Parteien und

Organisationen benutzt. Sie kommunizieren über das Internet, um somit rechtlichen

Problemen leicht ausweichen zu können.

Dieses sehr umfassende Problem soll es hier nur kurz exemplarisch dargestellt werden.

Weiterführende Informationen zu diesem Thema sind auf den Seiten der „Gesellschaft

Sozialwissenschaftlicher Infrastruktureinrichtungen“ (GESIS) (www.social-science-geis.de/Information/Themen/Fokus/) oder auf der Seite „Wissenschaft plus Politik“ (staff-www.uni-marburg.de/rillingr/root1.html) zu finden.

Ein Beispiel für gezielte politische Propaganda im WWW stellt die Seite des „Institute for Historical Review“ (www.ihr.org) dar. Auf deren Anfangsseite steht, dass die Site wissenschaftliche Informationen und nachdenkliche Kommentare zu neuzeitlichen politischen Ereignissen bietet, so z.B. zum 2. Weltkrieg, dem Holocaust und dem Konzentrationslager Auschwitz, und dabei weder ideologisch noch politisch noch

konfessionell in der Berichterstattung ist. Das Gegenteil ist jedoch der Fall. Genau wie es für eine solche Seite typisch ist (vgl. GREER et al. 1999b), werden der Holocaust verneint und die Auschwitz-Lüge propagiert. Die weiterführenden Links führen zu Seiten, die auch diesen Standpunkt vertreten, so z.B. zur rechtsradikalen „Zündelsite“ (www.zundelsite.org) oder zur Stiftung „Vrij Historisch Onderzoek“ (vho.org), die Personen juristisch unterstützt, die nicht an die Existenz von Gaskammern glauben und aufgrund dessen angeklagt sind.

3.5.6 Gehackte Webseiten

Der typische Hack einer Website ist eindeutig zu erkennen. Hacker hinterlassen auf der entsprechenden Seite meist einen Hinweis, dass sie die Seite gehackt haben, zumeist gefolgt von politischen Statements und einer grafischen Entstellung der Seite, was dann als „defacement“ (Entstellung) bezeichnet wird. Dieser Typus ist nur sehr kurzlebig und deshalb auch nur selten anzutreffen, da er schnell entdeckt wird und sofort durch die reguläre Seite wieder ersetzt wird (vgl. PIPER 2000). Aufgrund dieser Kurzlebigkeit archivieren einige Hackergruppen diese Seiten. Solche

Archive sind z.B. bei „Attrition“ (www.attrition.org/mirror/attrition/) oder „Onething“ (www.onething.com/archive/) zu finden.

Viel schwieriger zu erkennen sind sogenannte News-Hacks. Dabei manipulieren

Hacker Nachrichten in News-Angeboten im Web. Diese Art des Hacks taucht zur
Zeit
immer häufiger auf, weil er sehr einfach durchzuführen ist. Zum Eindringen in solche

Web Content Management Systeme ist neben dem Wissen nicht mehr als ein
üblicher
Internet-Browser nötig. (vgl. POULSEN 2001; REDAKTION INTERN.DE
2001)
Im August 2001 drang der 20-jährige Adrian Lamo bei „Yahoo.com“ ein,
änderte
bestehende Nachrichten und veröffentlichte selbst neue. Diese Änderungen waren
so
minimal, dass sie tagelang nicht auffielen. Erst als der Hacker selbst die
Firma
„Security Focus“ darüber informierte, fielen die Änderungen auf und „Yahoo.
com“
schloss die Sicherheitslücke. Lamo war selbst erstaunt und schockiert, wie einfach
das
Eindringen in das System war und welche Macht man durch die Manipulation
von
Nachrichten haben kann. Er
sagte:

*„At that point I had more potential readership than the Washington Post. ... It could
have caused a lot of people who were interested in the days events a lot of
unwarranted grief if false and misleading information had been put
nach (POULSEN
2001)*

Diese Gefahr ist nicht zu unterschätzen, da Nachrichtenseiten zu den beliebtesten
Angeboten im Netz zählen. Nach den Terroranschlägen auf New York und
Washington
am 11. September 2001 zählten Nachrichtenagenturen über 15 Millionen Zugriffe,
und
bei „Yahoo.com“ verdoppelten sich die Zugriffszahlen des gesamten Monats
innerhalb
von Stunden (vgl. POULSEN 2001; SIEGLE 2001 : 101). Knapp drei Wochen
später
ergab eine Umfrage in den USA, dass das Internet inzwischen hinter dem
Fernsehen
zur zweitwichtigsten Informationsquelle für Berichte über die
Terroranschläge
geworden war (vgl. HARRIS INTERACTIVE
2001).
Dass dieses Thema ein sehr wichtiges im Internet war, belegt die Statistik
der
Suchmaschine „Google.com“. Die neun der zehn häufigsten Suchbegriffe im
September 2001 standen alle im Zusammenhang mit den Terroranschlägen, nur

Computerwurm „Nimda“ schaffte es auch in die Liste: 1. „Nostradamus“, 2. „CNN“, 3. „World Trade Center“, 4. „Osama Bin Laden“, 5. „Taliban“, 6. „Afghanistan“, 7. „Nimda“, 8. „American Flag“, 9. „BBC“ und 10. „FBI“ (www.google.com/press/-zeitgeist/zeitgeist-sept.html).²⁹

Die Frage, die sich hier stellt: Was hätten in diesem Falle Falschmeldungen im WWW über Attentäter und Opfer für einen Schaden anrichten können? Allein schon harmlose

²⁹ Mehr über die Rolle von „Google“ während der Ereignisse in New York bei Richard W. Wiggins „The Effects of September 11 on the Leading Search Engine“ (www.firstmonday.dk/issues/issue6_10/wiggins/index.html) [Stand: 16.10.2001]. Unter <http://www.google.com/press/zeitgeist/9-11-search.html> [Stand 16.10.2001] bietet „Google“ exakte Statistiken zu Zugriffszahlen am 11. September 2001.

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Urban Legends, wie eine falsche Nostradamus Prophezeiung oder die unzähligen gefälschten Fotos, sorgten weltweit für Diskussionen (vgl. SIEGLE 2001 : 102).

³⁰

³⁰ Urbane Legenden, Falschmeldungen und manipulierte Fotos zu dem Terroranschlag auf das Trade Center in New York sind auf der Site „Rumors of War“ (www.snopes2.com/rumors/rumors.html), Terrorist Attack Hoax Watch“ (www.csicop.org/hoaxwatch/) [beide Stand: 04.10.2001] zu finden.

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4. Aspekte der Evaluation von Webseiten

Das vorhergehende Kapitel hat deutlich gemacht, dass die Informationsfülle des Internet ihren Preis hat, da die Quellen einer hohen inhaltlichen wie gestalterischen Fluktuation unterliegen, schwer auffindbar, leicht zu manipulieren und zu fälschen sind und meist die Quantität der Qualität überwiegt. Daraus ergibt sich ein sehr zweigeteiltes Bild des Rechercheinstruments „Internet“. Diese Aussage wird durch eine Umfrage, die von Martin SONNLEITNER, Marcus STADTHAUS und Stephan WEICHERT durchgeführt wurde, deutlicher. Sie befragten Redakteure verschiedener deutscher Tages- und Wochenzeitungen nach Vor-

und
Nachteilen der Online-Recherche. Positiv wurde besonders die „Zeitersparnis“ und
die
„Ergiebigkeit“ bewertet, da über das Netz ein schneller Zugriff auf ein breites

Spektrum von Informationen möglich ist. Im Gegensatz dazu wurde insbesondere
die
„Oberflächlichkeit“ und die „Unglaubwürdigkeit“ von Online-Quellen moniert.

(Vgl.
SONNLEITNER/STADTHAUS/WEICHERT 1999 : 252

f.)
Eine Studie von Wolfgang SCHWEIGER ergab ähnliche Ergebnisse. Hier werden
dem
WWW gegenüber dem Fernsehen und der Tageszeitung Attribute wie
„unseriös“,
„schlecht recherchiert“, „unkritisch“ und „unglaubwürdig“ zugesprochen (1999 :
102).

Dem Netz wird als einziger Pluspunkt ein dynamischeres, „frecheres“ Image
verglichen
mit anderen Medien zugestanden, was dadurch erklärt wird, dass jeder seine
Meinung
in Form einer Website publizieren kann, und darin liegt „*offensichtlich auch in
der
Wahrnehmung des Publikums eine Stärke des Mediums*“ (ebd. :
103).

Das wachsende Interesse an Online-Quellen, ausgelöst durch das starke Wachstum des

World Wide Web, führte dazu, dass ab Mitte der 90er Jahre Angehörige
von
Universitäten und Bibliotheken sich verstärkt mit der Entwicklung von
theoretischen
und praktischen Methoden der Evaluation von Webseiten beschäftigten. Da Online-

Informationen in vielfältiger Form vorliegen (Webseiten, Newsgroup-Artikel etc.),
und
es keine generellen Bestimmungen zur Formatierung von Webseiten gibt, konnte
und
kann auch heute noch keine Software den Evaluationsprozess übernehmen und
muss
somit manuell vom Menschen vorgenommen werden (vgl. ANAGNOSTELIS /
COX
1996).

Es bildeten sich zwei Arten von Evaluationsansätzen für Onlinequellen heraus
(vgl.
CIÖLEK
1996):

1. Die Bewertung von Online-Quellen durch Editoren und Redaktionen, die diese zu Linksammlungen und kommentierten Katalogen zusammenführten, um somit die qualitativ hochwertigen Angebote vom Rest des Netzes zu trennen.

2. Die individuelle Bewertung anhand der von Universitäten und Bibliotheken entwickelten Kriterienkataloge oder Checklisten, deren Hauptaugenmerk auf Wahrnehmung, Analyse und Vergleich von gefundenen Webseiten liegt.

4.1 Evaluationsdienste im Netz: Awards, Review-Dienste und Portale

Suchmaschinen und Kataloge sollen dem Surfer helfen, Informationen zu finden,

aber diese Suche führt zu diversen Problemen. Hierzu gehören, wie schon in Kapitel 3 erläutert, das Auffinden von qualitativ hochwertigen Quellen und die Glaubwürdigkeit von Webseiten. Deshalb existieren im Internet unzählige Dienste, die Webseiten bewerten, wobei man hier zwei grundsätzliche Systeme unterscheiden muss: Zum einen gibt es Awards und Zertifikate, d.h. Organisationen, Zeitschriften oder

Privatpersonen rezensieren Webangebote und zeichnen diese dann aus. Diese Art des Qualitätssiegels ist aber mit Skepsis zu betrachten, da nur selten Evaluationskriterien offengelegt werden und es nur wenige wirklich seriöse Anbieter gibt. (Vgl. BRAUN 2001 : 117) Zum anderen existieren seit Mitte der 90er Jahre im WWW Review-Dienste und themen-basierte Portale (engl. „*subject-based gateways*“), die von Universitäten, Bibliotheken, aber auch von kommerziellen Anbietern verwaltet werden. Ihr Ziel ist es, dem User mit Hilfe von Experten zusammengestellte Linksammlungen gezielt und effektiv qualitativ hochwertige Informationen zu präsentieren. Im Gegensatz zu

Katalogen, wie z.B. „Yahoo.com“ oder „Web.de“, unterliegen diese Dienste genauen Evaluationskriterien, die sie auch öffentlich bekanntmachen. (Vgl. COOKE / McNAB / ANAGNOSTELIS 1996; COOKE 1999 : 27 f.)

Aufgrund des enormen Aufwandes einer Evaluation lässt sich ableiten: Je genauer die Evaluation vom jeweiligen Anbieter durchgeführt wird, desto kleiner wird die Anzahl der angebotenen Quellen, aber auch desto qualitativ besser die Auswahl der Links (s. Abb. 8).

Abb. 8: Vor- und Nachteile verschiedener Suchdienste & Kataloge (COOKE 1999 : 49)

4.1.1 Awards & Zertifikate

Die Datenbank „Awards.de“ führte im Oktober dieses Jahres über 3000 bekannte Awards auf, wobei die eigentliche Ziffer der im Netz kursierenden Auszeichnungen bei über 10.000 liegen mag (vgl. BRAUN 2001 : 116). Das Problem ist, dass diese Awards (s. Abb. 9) zumeist von Privatpersonen vergeben werden, die einfach für sie interessante Webseiten auszeichnen, ohne hierbei auf einen ernsthaften Kriterienkatalog zurückzugreifen und somit in den meisten Fällen kein Qualitätssiegel darstellen. Verliehen werden diese Awards aufgrund ihrer mangelnden Reputation nur an private Homepages.

Abb. 9: Auswahl typischer Awards privater
Homepages

Bei Awards von Zeitschriften sieht die Situation schon anders aus. Der „Weka Computerzeitschriften Verlag“ rezensiert Webangebote und zeichnet die besten deutschsprachigen Websites mit dem „Webtip“ (www.webtip.de) aus (s. Abb. 10). Die Rezensenten hierbei sind Experten. Allerdings werden nur zwei Kriterien bewertet, nämlich Inhalt und Design, wobei die Gewichtung der Kriterien bei einzelnen Kategorien unterschiedlich angewandt wird. Durch die Bewertung der Seiten durch Experten hebt sich ein solches Online-Angebot zwar deutlich von den anderen Awards ab, aber durch den sehr kleinen Kriterienkatalog bietet auch eine solche Seite nur einen geringen Qualitätsstandard.

Abb. 10: Webtip- Logo

Ein wirklicher Qualitätsstandard kann nur durch eine strenge Evaluierung von Experten gesichert werden. Dies ist z.B. bei dem Zertifikat „HON - Code of Conduct“ der Fall. Dieser Code wurde 1996 von der „Health on the Net Foundation (HON)“ (www.hon.ch) entwickelt, zu deren Mitgliedern u.a. die Weltgesundheitsorganisation (WHO), das Kernforschungszentrum CERN (Conseil Européen pour la Recherche Nucléaire) und die Europäische Union gehören. Das Ziel dieser Stiftung war und ist es,

neue Technologien in der Medizin zu fördern. Mit dem „HON - Code of Conduct“ werden medizinische Quellen ausgezeichnet, die sehr strenge Richtlinien erfüllen. So dürfen u.a. *„alle medizinischen und gesundheitsbezogenen Ratschläge, die auf dieser Website erteilt werden, nur von medizinisch/gesundheitswissenschaftlich geschulten und qualifizierten Fachleuten gegeben“* (HEALTH ON THE NET FOUNDATION 1997) werden. Die Erfüllung der Richtlinien wird von der HON streng überwacht. Somit kann der User sicher sein, dass Webseiten mit dem HON-Logo (s. Abb. 11) glaubhafte und wissenschaftliche Informationen beinhalten.

Abb. 11: Logo des „HON – Code of Conduct“ (2-fach vergrößert)

4.1.2 Review-Dienste

Die meisten Suchmaschinen und Kataloge bieten inzwischen eine Art Review-Dienst an, in dem bestimmte Quellen hervorgehoben werden. So gibt es z.B. bei „Web.de“ die Kategorie „Cool Spot“, in die laut „Web.de“ (surftipps.web.de/cool/) besonders gute Webseiten aufgenommen werden. Aber der Name macht schon ein Problem deutlich, denn hier werden „coole“ Seiten aufgeführt. Doch was bedeutet „cool“? Damit

weder etwas über die Qualität des Inhalts der einzelnen Seite ausgesagt, noch werden Auswahlkriterien, geschweige denn Evaluationskriterien aufgeführt, so dass man bei solchen Kategorisierungen kaum von einem wirklichen Review-Dienst sprechen kann. (Vgl. RETTIG 1996; ANAGNOSTELIS / COOKE / McNAB 1997; SMITH 1997) Anders ist es bei dem wohl bekanntesten Review-Dienst im Internet, „Argus Clearinghouse (ACH)“ (www.clearinghouse.net). Dieses Projekt der Universität Michigan / USA entstand im Jahre 1993 mit dem Ziel, jedem Internet User einen Zugang zu nützlichen und wertvollen Internetquellen zu ermöglichen. Dazu werden die Quellen von Universitätsangehörigen gesichtet, beschrieben und evaluiert und anschließend bewertet in den thematisch sortierten Katalog aufgenommen. Beurteilt werden fünf Kategorien: Inhalt, Qualität, Design, Struktur und Meta-Informationen, wie z.B. Autor und Aktualität der Seite (vgl. ARGUS ASSOCIATES 2000; TILLMAN 2000). Positiv bewertete Seiten dürfen das „Seal of Approval“ (s. Abb. 4.5) auf ihrer Eingangsseite einblenden.

Abb. 12: Auszeichnung von Argus Clearinghouse (www.clearinghouse.net)

4.1.3 Themen-basierte Portale

Themen-basierte Portale werden zumeist von Bibliothekaren oder Experten erstellt, die zum Ziel haben, Benutzer mit qualitativ sehr hochwertigen Internet-Quellen zu versorgen. Diese Portale werden oft auch als „virtuelle Bibliotheken“ bezeichnet. (Vgl. ANAGNOSTELIS / COOKE / McNAB 1997; SMITH 1997; COOKE 1999 : 34) Im Jahre 1993 wurde in England das Projekt „Electronic Library Programme (eLib)“

gestartet und stellt heute das größte seiner Art dar. Zu diesem Projekt gehören inzwischen eine Vielzahl von Informationsportalen, die verschiedene natur- und geisteswissenschaftliche Bereiche abdecken:

ADAM : The Art, Design, Architecture and Media Information Gateway

(www.adam.ac.uk)

uk)

Biz/ed : The Business and Economics Gateway (www.bized.ac.uk)

uk)

EEVL : The Edinburgh Engineering Virtual Library (www.eevl.ac.uk)

uk)

OMNI : Organizing Medical Networked Information (omni.ac.uk)

uk)

RUDI : Resources for Urban Design Information (rudi.herts.ac.uk)

uk)

SOSIG : The Social Science Information Gateway (sosig.ac.uk)

uk)

Jedes dieser Portale bietet Zugriff auf Ressourcen im Internet, die von Bibliothekaren nach strengen Richtlinien ausgewählt und evaluiert worden sind. Zu jedem Eintrag werden entsprechende Informationen und Zusammenfassungen der Quelle angeboten.

(Vgl. COOKE 1999 :

35)

Der Vorteil solcher virtueller Bibliotheken liegt eindeutig in der sehr guten Auswahl

der Quellen, die eine hohe Informationsqualität sicherstellt. Auch werden hier die

Evaluationskriterien genau definiert und dokumentiert, so dass der

Evaluationsvorgang

nachvollziehbar ist.

³¹

Im Gegensatz zu Suchmaschinen und Katalogen bieten virtuelle

Bibliotheken nicht nur einen Überblick über Quellen im World Wide Web, sondern

auch Newsgroups, Mailinglisten und FTP-Server werden mit ins

Angebot

aufgenommen. Aber aus der strengen Auswahl an Informationen ergibt sich auch ein

Nachteil, der in der Limitierung der Quellen liegt. (Vgl. COOKE 1999 : 40

f.)

³¹ Die genauen Evaluationskriterien von „SOSIG“ z.B. sind unter <http://www.sosig.ac.uk/desire/-ecrit.html> [Stand:22.10.2001] zu finden.

4.2 Individuelle Evaluationsmethoden

Da Review-Dienste und Portale jedoch nur wenige Seiten im WWW abdecken und zudem dem schnellen Wachstum des Netzes nicht folgen können, sind individuelle Evaluationsmethoden gefragt. In ersten theoretischen Überlegungen versuchten CIOLEK (1997, ursprünglich 1994), CAYWOOD (1995), TILLMAN (2000, ursprünglich 1995), GRASSIAN (1996) und SMITH (1997) essentielle Merkmale von Webseiten und deren Inhalte zu erfassen und somit Indikatoren für Qualitätsmerkmale zu erstellen. Diese sollen als Orientierungs- und Faustregeln für die Evaluation gelten. Die folgende Auflistung stellt nur die Hauptmerkmale der Methoden vor. Jeder dieser Punkte ist meist noch in verschiedene Unterpunkte unterteilt.

CIOLEK bewertet die Einzigartigkeit der Quelle, dazu Inhalt, Auffindbarkeit im Netz, Zugang, Struktur, Formatierung und Pflege der Seite (1997).

CAYWOOD bewertet in sehr knapper Form hauptsächlich drei Punkte: Zugang, Design und Inhalt (1995).

TILLMAN bewertet die Bandbreite der angebotenen Informationen, die Leichtigkeit der Identifizierung von Meta-Daten (Autor, Aktualität etc.), die Stabilität von Online-Quellen und die Benutzerfreundlichkeit (2000).

GRASSIAN bewertet Inhalt, Quelle, Aktualität und Struktur (1996).

SMITH bewertet vier Aspekte sehr ausführlich: inhaltliche, rhetorisch-kommunikative, multimedial-interaktive Aspekte und die Kostendimension (1997).

Seitdem wurden die Evaluationsmethoden ständig weiterentwickelt. Stellvertretend seien hier AMBRE et al. (1997), SCHROCK (1998), COOKE (1999), ALEXANDER / TATE (1999), HARRIS (2000), KIRK (2001) und das EU-Projekt „DESIRE“ (www.desire.org), aus dem der „Internet Detective“ (PLACE / HIOM /

1999) entstanden ist, genannt. Bei diesen Methoden wurden zumeist die Basismerkmale der vorhergegangenen Methoden übernommen und lediglich weiter verfeinert oder neu zusammengefasst, so dass auch hierbei kein allgemeingültiger Kanon von Kriterien entstanden ist. Aber alle diese Methoden haben einen gemeinsamen Kern, wobei sich die Kriterien der Evaluation von netzexternen Dokumenten (z.B. Zeitschriften, Bücher, Datenbanken, CD-ROMs etc.) in der Regel nicht sonderlich von denen der Webseiten unterscheiden. Folgende Kernkriterien sind allgemein gültig (vgl. RETTIG 1996; DEBATIN 1998):

- Glaubwürdigkeit
- Zuverlässigkeit
- Objektivität
- Richtigkeit
- Genauigkeit
- Aktualität
- Nachweisbarkeit
- Benutzerfreundlichkeit
- Zugänglichkeit

Der größte Unterschied bei der Evaluation von netzexternen Dateien und Webseiten besteht in der Zeitdimension und der Multimedialität. Die Zeit spielt aufgrund der Aktualität und einfachen Veränderbarkeit von Webseiten eine große Rolle. Hinzu kommen die Elemente des Hypertextes, die durch die Verlinkung zu anderen Seiten oder Textteilen den Text aus einer chronologischen Reihenfolge herausheben, wie es beispielsweise bei einem Buch der Fall wäre. Die Multimedialität zeigt sich durch die Möglichkeit, interaktive und audio-visuelle

Elemente, wie z.B. Videos oder Audiodateien, einzufügen (vgl. DEBATIN 1998; TILLMAN 2000).

4.3 Evaluationskriterien

Zur Evaluation von Information ist, wie schon erwähnt, ein genau definierter Kriterienkatalog vonnöten. Hierzu gehören aber nicht nur die unten aufgeführten

Aspekte Glaubwürdigkeit, Genauigkeit, Abdeckung, Ausgewogenheit,

Nachweisbarkeit und die Benutzerfreundlichkeit, sondern auch einige allgemeine grundsätzliche Aspekte. Diese müssen vor Beginn der eigentlichen Evaluation kontrolliert werden. Zuerst muss festgestellt werden, um welchen Typus von Online-

Quelle es sich handelt: um die Homepage einer Organisation oder einer Privatperson oder ist es eine thematisch-orientierte Seite? Andere Quellen, wie FTP Archive, Newsgroup-Artikel, FAQs oder Datenbanken werden in dieser Arbeit nicht berücksichtigt. [32](#)

Die Identifizierung der Art der Quelle ist deshalb wichtig, weil der Typus einen Einfluss auf den Schwerpunkt der verschiedenen Evaluationskriterien besitzt. Die Frage z.B. nach der Glaubwürdigkeit ist bei einer privaten Homepage viel höher einzuschätzen als bei der Website einer Universität, die schon aufgrund der Institution eine hohe Glaubwürdigkeit und Reputation besitzt. Ein anderes Beispiel ist die Aktualität, die bei Seiten aus dem IT- oder Nachrichtensektor eine größere Rolle spielt als bei historischen Webseiten. (Vgl. COOKE 1999 : 85; HARRIS 2000 : 60;

GREER
et al.
1999c)

Der hier aufgestellte Kriterienkatalog zur Evaluation von Webseiten orientiert sich hauptsächlich an den Überlegungen von Robert HARRIS (2000), Alison COOKE

(1999), Janet ALEXANDER & Marsha Ann TATE (1999) und John AMBRE et al. (1997).

Die wichtigsten Aspekte der Evaluation mit ihren jeweiligen Unterpunkten sind:

1. Glaubwürdigkeit
 - a. Allgemeine Plausibilität der Quelle
 - b. Kompetenz des Autors
 - c. Hinweis auf Institution / Organisation

³² Mehr zur Evaluation dieser Typen der Online-Quellen bei COOKE (1999 : 85).

- d. Hinweis auf Review-Verfahren
 - e. Internet - Domain
2. Genauigkeit und Abdeckung
 - a. Aktualität
 - b. Genauigkeit der Quelle
 - c. Abdeckung des Themas
 - d. Absicht und Zielgruppe
3. Ausgewogenheit
 - a. Objektivität

- b. Folgerichtigkeit
4. Quellennachweise
- a. Kontaktmöglichkeit
 - b. Quellenverzeichnis
 - c. Bestätigung durch Dritte
5. Benutzerfreundlichkeit
- a. Struktur und Navigation
 - b. Zugang
 - c. Ausnutzung interaktiver und multimedialer Möglichkeiten

Am Schluss steht dann die Einschätzung der Gesamtqualität, die aber erst nach einem Vergleich mit anderen Quellen geschehen kann, um diese in Relation zu setzen (vgl. COOKE 1999 : 80 f.; MEIER 1999b : 188). Wichtig dabei zu beachten ist, dass es zum Teil keine deutliche Abgrenzung gibt und manche Faktoren bei mehreren Kriterien eine Rolle spielen. So sind z.B. Review-

Verfahren nicht nur für die Glaubwürdigkeit bedeutsam, sondern auch für die Genauigkeit der Quelle. Bei der Evaluation ist zu bedenken, dass die vom Evaluator gemachte Einschätzung immer subjektiv ist (DEBATIN 1998). HARRIS (2000 : 60) bezeichnet die Evaluation auch als Kunst und macht deutlich, dass es keinen perfekten einzelnen Indikator zur

Evaluation von Informationen gibt, sondern dass nur eine Schlussfolgerung aus einer Anzahl von verschiedenen Anhaltspunkten und Indikatoren gezogen werden kann.

Jedem Kapitel folgt eine Reihe von Leitfragen, die dem Evaluator helfen sollen,

Anhaltspunkte innerhalb der Quelle zu finden, um die einzelnen Aspekte der Evaluation in die Praxis umzusetzen.

4.3.1 Glaubwürdigkeit

Der wichtigste Punkt der Evaluation ist die Glaubwürdigkeit der Quelle, denn hiermit steht oder fällt die Informationsqualität (vgl. HARRIS 2000 : 99; AMBRE et al. 1997 :

2-

3).

Das Ziel einer jeden Quelle muss es sein, gute und vor allem nachweisbare Gründe zu liefern, damit man dieser trauen kann, denn Vertrauen ist der Schlüssel zur Glaubwürdigkeit (vgl. HARRIS 2000 : 61). Wie ist dies erreichbar?

Die Merkmale einer glaubwürdigen Seite sind oft logisch und leicht zu erschließen.

Zum einen ist dies die allgemeine Plausibilität der Quelle, die Kompetenz des Autors,

Hinweise auf seriöse Institutionen oder Organisationen und der Hinweis auf Editoren

oder Review-Verfahren. Diese Merkmale lassen sich auch bei anderen netzexternen

Quellen anwenden. Eine Ausnahme macht hier nur das letzte

Glaubwürdigkeitsmerkmal, die Internet-Domain.

4.3.1.1 Allgemeine Plausibilität der Quelle

HARRIS (2000 : 60) und MEIER (1999b : 188 f.) empfehlen, sich erst einmal an der

allgemeinen Plausibilität der Information zu orientieren. Anhand einfacher

Leitfragen

kann man auf diese Weise auf eine gewisse innere „Stimmigkeit“ der Quelle schließen,

die zeigt, dass ein Autor sich ernsthaft mit dem jeweiligen Thema

auseinandergesetzt

hat.

Leitfragen:

- Existieren hinreichende Beweise für eine überzeugende Argumentation?
- Sind überzeugende Argumente und Gründe gegeben?
- Werden genügend Details für eine vernünftige Schlussfolgerung angegeben?
- Wird Fachvokabular richtig angewendet?
- Werden allgemein bekannte Sachverhalte, Probleme etc. richtig dargestellt?

4.3.1.2 Kompetenz des Autors

Die Frage nach dem Autor ist die zentrale Fragestellung bei einer Evaluation, da dieser für die Glaubwürdigkeit und Genauigkeit der Inhalte der Seite verantwortlich ist.

Erfahrung, Kompetenz und Verlässlichkeit des Autors lassen sich aus verschiedenen

Angaben schließen, die auf der Webseite zu finden sein sollten: Zum einen biografische

Informationen, wie beruflicher Werdegang, Titel, jetzige berufliche Position und

Arbeitgeber, zum anderen Kontaktmöglichkeiten via E-Mail, Telefon oder Post, die im

Zweifel auch genutzt werden sollten, um so auf einfache Art und Weise mehr Details

zu erfahren oder Unklarheiten beseitigen zu können (vgl. ALEXANDER/TATE 1999 :

11; COOKE 1999 : 60 f.; HARRIS 2000 : 61; KIRK 2001).

Wenn der Autor Mitglied einer allgemein bekannten und respektierten Organisation ist,

sollte dies auf der Webseite deutlich erkennbar sein, da dies automatisch zur

Qualitätssicherung beiträgt (s.a. folgendes Kapitel).

Als exemplarisches Beispiel sei hier die Eingangsseite der Homepage von Dr. Oliver

Obst genannt, der hier in kurzer Form alle wichtigen Angaben zu seiner Person zeigt (s.

Abb. 13).

Abb. 13: Ausschnitt der Eingangsseite von Dr. Oliver Obst (medweb.uni-muenster.de/obsto)
[Stand: 10.11.2001]

Sehr hilfreich kann auch das Wissen über die Reputation eines Autors unter Kollegen sein. Diese Angaben sind allerdings oft schwer zu erfahren. Gute Dienste können hierbei die schon erwähnten Organisationen wie „Quackwatch“ (www.quackwatch.com) und das „Center for Disease Control and Prevention (CDC)“ (www.cdc.gov) leisten. Sie führen Listen mit unseriösen Medizinern und Wissenschaftlern. Leider existieren solche Aufstellungen bisher nur im Bereich der Medizin.

Leitfragen:

*Erfährt man etwas über die Kompetenz des Autors?
Möglichkeiten der Kontaktaufnahme via E-Mail, Telefon etc. mit dem Autor?
Ist der Autor Mitglied in einer anerkannten Organisation/ Institution?
Wie ist die Reputation des Autors?
Veröffentlichungen des Autors auch in anerkannten Fachzeitschriften des Printbereiches?*

4.3.1.3 Hinweis auf Institution / Organisation

Viele Seiten im Internet haben ein Gegenstück im Bereich der Print- oder Fernsehmedien, wie z.B. die Zeitschrift „Der SPIEGEL“ und seine Online-Ausgabe „SPIEGEL Online“ (www.spiegel.de). Wenn die netzexterne Quelle als zuverlässig und vertrauenswürdig gilt, dann betrifft dies auch die entsprechende Website. Aus zwei Gründen ist dies der Fall: Zum einen muss die Website die Reputation der netzexternen Quelle aufrechterhalten, zum anderen wird das Online-Angebot aus denselben Ressourcen gespeist, d.h., dass Online-Redaktionen zumeist ihre Informationen aus den traditionellen Redaktionen bzw. denselben glaubwürdigen Quellen beziehen (vgl. NEUBERGER 2000 : 313 f.). Dasselbe gilt für Informationen, die auf Seiten von Universitäten oder von allgemein anerkannten und vertrauenswürdigen Organisationen liegen. (Vgl. COOKE 1999 : 60; HARRIS 2000 : 65, KIRK 2001)

Leitfragen:

*Ist die Webseite Ableger einer
Printausgabe?
Gehören die Seiten zu einer Universität oder anerkannten
Organisation?*

4.3.1.4 Hinweis auf Review- Verfahren

Wie schon erwähnt, müssen sich wissenschaftliche Artikel einem Review-Verfahren unterziehen, in dem Experten den Artikel untersuchen und überprüfen, um ihn dann erst zur Veröffentlichung freizugeben. Dieses Verfahren ist bei Texten im Internet bisher nur sehr selten anzutreffen (vgl. AMBRE et al. 1997 : 2-6; ALEXANDER/TATE 1999 : 12). Eine Ausnahme bildet das E-Journal „First Monday“ (www.firstmonday.org). Hier ist unter jedem veröffentlichten Artikel ein Hinweis des

Editors gegeben, wann der Text eingereicht, akzeptiert und überarbeitet wurde (s. Abb. 14).³³

Abb. 14: Ausschnitt eines Artikels aus dem E-Journal „First Monday“ (www.firstmonday.org)
[Stand:
10.11.2001]

Leitfragen:

*Werden die Texte von einem Editor oder einer Redaktion kontrolliert?
Unterliegt der Text einem anerkannten Review-Verfahren?*

4.3.1.5 Internet – Domain

Die Internetadresse einer Seite, auch „*Uniform Resource Locator (URL)*“ genannt, kann als Anhaltspunkt für Glaubwürdigkeit dienen. Eine URL wird durch drei Grundelemente gebildet (s. Abb. 15):

1. Protokollname :
„http://“
2. Hostname : „www.uni-muenster.de“
3. Verzeichnis- und Dateiname : „.../Soziologie/veranstaltungen/kvv_ws01.htm“

³³ Näheres zum Prozess des Review-Verfahrens von „First Monday“ unter <http://www.firstmonday.org/idea.html> [Stand: 28.10.2001].

Abb. 15: Beispiel zum Aufbau einer Internetadresse (URL) [Stand: 10.11.2001]

Entscheidend für die Glaubwürdigkeit sind der Hostname samt der Top-Level-Domain (TLD). Aus dem Hostnamen lässt sich oftmals direkt die Institution oder Organisation

ablesen, die den Web-Server betreibt, in diesem Falle die Universität Münster (s. Abb. 4.8). Und, wie oben bereits erwähnt, gilt: Wenn die Quelle auf einem Server einer glaubwürdigen Institution liegt, dann wird auch die Information als authentisch angesehen.

Auch die Top-Level-Domain kann Auskunft über die Glaubwürdigkeit von Quellen geben, denn neben den Länderkürzeln, wie z.B. „.de“ für Deutschland oder „.uk“ für Großbritannien, die bei der Evaluation nicht helfen, da sie keine Aussagekraft haben, existieren noch weitere TLDs, wie „.edu“ für Bildungseinrichtungen, „.gov“ für Regierungsstellen, „.mil“ für militärische Einrichtungen, „.net“ für Netzanbieter, „.org“ für nichtkommerzielle Organisationen und „.com“ für kommerzielle Anbieter.

³⁴ Diese

Domain-Bezeichnungen waren ursprünglich nur für den US-amerikanischen Raum bestimmt, werden aber mittlerweile weltweit genutzt. Die drei erstgenannten Top-Level Domains („.edu“, „.gov“ und „.mil“) werden nur an staatliche Organisationen vergeben und sind deshalb als autoritative Quellen für Wissenschaft und Forschung anzusehen, während „.net“ und „.com“ auf rein kommerzielle Anbieter hinweisen und deshalb mit Skepsis in Bezug auf die dargebotenen Informationen zu sehen sind. Schwierig ist es bei der Domain „.org“, da diese Endung sowohl von seriösen als auch unseriösen Institutionen getragen wird, so besitzen z.B. die „Vereinten Nationen“ die Adresse www.un.org, während das rechtsradikale „Institute for Historical Review“ ist unter www.ihr.org im Netz vertreten ist. (Vgl. GREER et al. 1999c; HENDERSON 2001)

³⁴ In diesem Kapitel werden die sieben neuen Top-Level-Domains (.aero / .biz / .coop / .info / .museum / .name / .pro) nicht berücksichtigt, da sie bisher so gut wie noch nicht im Internet in Erscheinung getreten sind und man deshalb zur Zeit noch keine näheren Aussagen über sie treffen kann. Informationen zu den neuen TLDs bei ICANN unter <http://www.icann.org/tlds/>. Ein Überblick über alle Top-Level-Domains bietet „Netplanet“ unter <http://www.netplanet.org/adressierung/-Domains1?sub=tld.html> [beide Stand: 02.11.2001] an.

Leitfragen:

*Welche Top-Level-Domain beinhaltet die Adresse?
Weist die Adresse auf eine Institution oder Organisation hin?*

4.3.1.6 Indikatoren für Glaubwürdigkeitsdefizite

Ein deutlicher Indikator für mangelnde Glaubwürdigkeit ist die Anonymität, das Fehlen jeglicher Angaben über den Autor oder die Herkunft der Quelle. Weitere Anzeichen sind die mangelnde Sicherung der Informationsqualität durch Reviews oder Editoren und negative Metainformationen, d.h. kritische Besprechungen der Quelle auf Seiten, wie „Argus Clearinghouse“ oder „SOSIG“. Auch auffallend viele Rechtschreib- und Grammatikfehler weisen auf eine ungläubwürdige Quelle hin, da wissenschaftliche Texte vor der Veröffentlichung, wie jeder andere Text eigentlich auch, nach formalen Aspekten untersucht werden. (Vgl. HARRIS 2000 : 62)

4.3.2 Genauigkeit und Abdeckung

Das Ziel von Genauigkeit und Abdeckung in einer Quelle ist, dass die Informationen tatsächlich heute aktuell, sachlich, ausführlich, genau und umfassend sind, so dass sich eine wahrheitsgemäße und unverzerrte Darstellung der Fakten ergibt.

4.3.2.1

Aktualität

Die Aktualität einer Webseite beinhaltet zwei verschiedene Faktoren: die Aktualität der eigentlichen Quelle und die Pflege und Instandhaltung der Seite. Aktualität stellt bei Webseiten oft ein Problem dar, weil man ihnen das Alter, im Gegensatz zu Büchern, die das Erscheinungsjahr im Impressum oder Vorwort führen, nicht auf Anhieb ansehen kann. Eine veraltete Information kann genauso nutzlos wie

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eine ungenaue oder irreführende sein. Man sollte sich aber auch im klaren sein, welche Art von Information man sucht. „Alt“ bedeutet nicht gleich „schlecht“, da die Aktualität einer Quelle natürlich nicht immer eine Rolle spielt und somit nicht in jedem Fall wichtig sein muss. Manche Texte sind zeitlos, wie philosophische Schriften von Aristoteles oder auch die Werke von William Shakespeare, andere verlieren ihren Wert nur langsam, während Texte sehr schnell veralten, wenn es sich etwa um technologische oder medizinische Fakten handelt. So ist z.B. die sehr ausführliche

Bibliographie zum Thema „Computers in K-12 Education“

(pixel.cs.vt.edu/%7Ermohn/k12/edbib.html) nutzlos, da der neueste Eintrag aus dem Jahre 1994 stammt und somit völlig veraltet ist.

Bei der Aktualität kommt es sehr auf den thematischen Bezug an.

Nichtsdestotrotz sollte die Quelle das Alter der Information angeben und grundsätzlich nur zeitgemäße Angaben liefern. (Vgl. AMBRE et al. 1997 : 2-5 f.; COOKE 1999 : 63 f.;

ALEXANDER/TATE 1999 : 13 f.; HARRIS 2000 : 63)

Wenn es keine Angaben über die Häufigkeit und Regelmäßigkeit von Updates gibt, weist oft die Funktionstüchtigkeit sämtlicher auf der Seite befindlichen Links auf den

aktuellen Zustand hin (vgl. NIELSEN 1998a).

Leitfragen:

*Wie alt ist die Information und von wann stammt das letzte Update der Seite?
Wie häufig wird die Quelle einem Update unterzogen?
Funktionieren die Links?*

4.3.2.2 Genauigkeit der Quelle

Mit der Genauigkeit ist die faktische Exaktheit bzw. die Korrektheit einer Informationsquelle gemeint, wobei diese Einschätzung von zwei Faktoren abhängig ist, nämlich von der Natur der Information und vom Wissensstand des Evaluators. Während es in der Mathematik als Antwort in der Regel nur richtig oder falsch gibt, die Genauigkeit also eindeutig ist, existiert so eine Exaktheit bei Theorien insbesondere im geisteswissenschaftlichen Bereich nicht, da hier oft eine absolut richtige oder falsche

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Antwort nicht möglich ist. Die Einschätzung der Genauigkeit kann der Evaluator

entweder anhand des eigenen Wissens oder aber mit Hilfe einer zusätzlichen Informationsquelle erreichen. (Vgl. COOKE 1999 : 61)

Wichtig für den Leser ist die Wahrnehmung der Genauigkeit der Quelle. Diese kann sich darin widerspiegeln, dass der Text durch Editoren geprüft oder durch Hinweise auf die Voreingenommenheit von Autor, Verleger oder Sponsor deutlich gemacht wurden.

Auch die formalen Aspekte, wie Rechtschreibung, Grammatik und Zeichensetzung sollten beachtet werden. (Vgl. ebd. : 61 f.)

Leitfragen:

*Um welche Art von Information handelt es sich?
Wurde die Quelle von Editoren, Redakteuren o.ä.*

*überprüft?
Existieren überdurchschnittlich viele formale
Fehler?*

4.3.2.3 Abdeckung des Themas

Die Abdeckung des Themas stellt einen der wesentlichen Faktoren bei der Bewertung nach der Nützlichkeit einer Quelle dar. Die wichtigsten Aspekte sind die Bandbreite, die sich aus der Anzahl der angesprochenen Themen ergibt, der Umfang der Abdeckung innerhalb einer Quelle und der Detailgrad einer Information, der die Tiefe der angesprochenen Themen in der Quelle wiedergibt. Zusätzlich kann auch die zeitlich rückwirkende Abdeckung eines Themas die Nützlichkeit beeinflussen, also ein Thema

nur den jetzt aktuellen Forschungsstand präsentiert oder aber die gesamte Entwicklung eines Forschungsgegenstandes. Durch all diese Faktoren entsteht ein Bild über die Vollständigkeit der Quelle. (Vgl. ALEXANDER / TATE 1999 : 14; COOKE 1999 : 54 f.)

Doch kein Thema kann wirklich komplett abgedeckt werden, dafür erscheinen zu viele Bücher, Fachzeitschriften etc.. Um jedoch kein falsches Bild aufkommenzulassen, dürfen nicht absichtlich Fakten oder Daten ausgelassen werden. Deshalb ist es auch

hier wichtig, auf eine möglichst große und „vollständige“ Sammlung von Quellenangabe zu achten. (Vgl. HARRIS 2000 : 63 f.)
Wie unterschiedlich die Abdeckung eines Themas sein kann, soll am Beispiel „Holocaust“ kurz erläutert werden. Die Website „Shoa.de“ (www.shoa.de/) bearbeitet dieses Thema sehr umfassend. Die Informationspalette reicht von allgemeinen Informationen zum Thema „Antisemitismus“ bis hin zu Artikeln über

einzelne
Personen, wie z.B. Anne Frank. Hinzu kommt eine umfangreiche Bibliographie
und
Linksammlung, die durch eine Quellensammlung, welche sowohl Video- als
auch
Audioquellen umfasst, abgerundet wird. Das genaue Gegenteil dieser Site stellt
die
private Homepage von Arthur R. Butz (pubweb.acns.nwu.edu/abutz/) dar. Diese Seite

beinhaltet kaum Informationen zum Thema und die wenigen Angaben sind auch
noch
falsch, da er als Revisionist den Holocaust
verneint.

Leitfragen:

*Wie groß ist die Bandbreite des
Themas?
Wie weit wird ins Detail
gegangen?
Wird das Thema umfassend
behandelt?
Existieren Hinweise zu anderen Quellen (Literatur, Links etc.)?*

4.3.2.4 Absicht und Zielgruppe

Da die Genauigkeit einer Quelle auch die unverzerrte Darstellung von
Informationen
umfasst, sind Fragen nach der Absicht und der Zielgruppe
wichtig.
Die Quelle kann in ihrer Absicht sehr unterschiedlichen Beweggründen folgen.
Sie
kann z.B. politisch oder kommerziell motiviert sein und somit ein nicht objektives
Bild
vermitteln. Formulierungen über Absichten und Ziele einer Quelle befinden
sich
zumeist auf einer Website unter Punkten wie „About Us“ oder FAQ (Frequently
Asked
Questions).

Wie wichtig es ist, die Beweggründe zu kennen, verdeutlicht die „Zündelsite“ (www.zundelsite.org) als Beispiel für eine politisch motivierte Seite. Hier wird die rechtsradikale Einstellung der Autoren in der Einleitung zur Webseite sehr deutlich:

“The Zündelsite documents will chip away at a World War II propaganda monstrosity - the so-called "Holocaust". The Zündelsite web pages will prove in many different ways - statistically, forensically, and logically - that it is historically inaccurate, ~~emotionally~~ and cruelly unfair to claim the "Holocaust" took place in the form portrayed by conventional media.” (www.zundelsite.org/english/misc/mission.html)

Durch die Absicht wird auch die Zielgruppe definiert. Die Identifizierung der in der Quelle angesprochenen Zielgruppe ist wichtig, da der User feststellen muss, ob die Informationen auf einem für ihn passenden Wissensstand präsentiert werden oder nicht.

(Vgl. AMBRE et al. 2-9 f. ; COOKE 1999 : 53; HARRIS 2000 : 64)

Ein weiteres Beispiel ist die Website „OncoLink“ der Universität Pennsylvania, die in ihrer Rubrik „About Oncolink“ (www.oncolink.com/templates/about/index.cfm) sowohl die Ziele als auch die Zielgruppe genau definiert (s. Abb. 16).

Abb. 16: Ausschnitt aus der Webseite „OncoLink“ (www.oncolink.com/templates/about/index.cfm).

[Stand:
10.11.2001]

Leitfragen:

*Welches sind die Ziele und Absichten der
Quelle?
Werden diese vom Autor in einem FAQ o.ä. deutlich
gemacht?
Für wen ist diese Seite gemacht? (Schüler/Studenten/Experten/etc.)*

4.3.2.5 Indikatoren für mangelnde Genauigkeit und Abdeckung

Indikatoren für mangelnde Genauigkeit und Abdeckung einer Quelle sind das Fehlen des Datums auf einem Dokument oder ein überholtes Datum eines Themas, von dem allgemein bekannt ist, dass sich die Erkenntnisse ständig ändern. Weitere Indizien für Mängel sind Behauptungen, die vage sind oder denen es an Details fehlt, unqualifizierte Ausdrücke, eine einseitige und voreingenommene Betrachtung des Themas und das Fehlen neuer Erkenntnisse. Des Weiteren eine mangelnde Pflege der Webseite, die sich in „toten“ Links oder „Under Construction“-Seiten ausdrückt. (Vgl. HARRIS 2000 : 64)

4.3.3 Ausgewogenheit

Das Ziel von Ausgewogenheit ist es, dass die Quelle ihr Thema überlegt und sachgemäß präsentiert. Außerdem sollte ein ausgewogener Text um die Wahrheit bemüht sein. (Vgl. DEBATIN 1998; HARRIS 2000 : 70)

4.3.3.1 Objektivität

Eine absolute Objektivität gibt es nicht, aber ein Autor sollte seine Voreingenommenheit kontrollieren können, die Argumente sollten ausgeglichen und begründet sein. Das größte Problem hierbei ist der Konflikt mit dem eigenen Interesse.

Viele Quellen haben ein finanzielles, politisches, emotionales oder psychologisches Interesse, einen glauben zu machen, dass sie allein die Wahrheit vertreten. Die

Objektivität lässt sich meistens schon an der Art und Weise des Tonfalls erkennen. Der

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Stil muss sachlich und darf nicht manipulativ oder emotional sein. (Vgl. AMBRE et al.

1997 : 2-5 ; ALEXANDER/TATE 1999 : 13; HARRIS 2000 : 64 f., KIRK 2001)

Ein Beispiel für finanzielles Eigeninteresse zeigt Dr. Allen Buresz in seinem Artikel

„Attention Deficit Disorder & Hyperactivity Success“ (www.all-natural.com/add.html).

Hier weist er mit Hilfe wissenschaftlicher Studien auf die erfolgreiche Behandlung von

ADHS (Aufmerksamkeitsdefizit-/Hyperaktivitäts-Syndrom) durch natürliche

Nahrungsergänzungsmittel anstelle von Medikamenten hin. Die Objektivität ist deshalb

anzuzweifeln, da diese Nahrungsergänzungen gleichzeitig auf der Website bestellt

werden können und so ein eindeutiges finanzielles Interesse besteht. Ein objektiver

Artikel zu diesem Thema wäre z.B. „ADHS: Das Zappel-Philipp-Syndrom“ von Astrid

Deilmann aus dem Magazin „GEO“ (www.geo.de/themen/medizin_psychologie/-

adhs/index.

html).

Leitfragen:

Hat der Autor ein politisches, religiöser, kommerzielles o.ä.

Interesse?

Ist der Tonfall im Text eher sachlich oder

emotional?

Werden rhetorische Stil- und Manipulationsmittel eingesetzt?

**4.3.3.2
Folgerichtigkeit**

Eine Information sollte nicht nur objektiv, sondern auch folgerichtig sein, denn nur dann kann man diese als ausgewogen bezeichnen. Diese Folgerichtigkeit ergibt sich aus einer geradlinigen Argumentation, in der keine Widersprüche auftauchen, so dass sich ein klarer thematischer Zusammenhang ergibt. Es darf innerhalb des Textes auch nicht zu einer Verdrehung von Tatsachen oder falschen Schlussfolgerungen kommen, so dass Unwahrheiten entstehen (vgl. HARRIS 2000 : 66).

Leitfragen:

*Ist die Argumentation widersprüchlich?
Kommt es zur Verdrehung von Tatsachen?
Werden Fakten falsch bewertet oder interpretiert?*

4.3.3.3 Indikatoren für mangelnde Ausgewogenheit

Der Tonfall in einer Quelle ist beim Erkennen der Ausgewogenheit ein wichtiger

Indikator. Ein Mangel ist zu erkennen, wenn der Autor aus eigenem Interesse sehr emotional schreibt und stark über- oder untertreibt und somit nicht mehr objektiv bleibt. Desweiteren müssen die Zusammenhänge in der Information einer klaren

Argumentation folgen und in sich logisch und schlüssig sein. (Vgl. HARRIS 2000 : 66 f.)

4.3.4

Quellennachweise

Der Aspekt „Quellennachweis“ beinhaltet die direkten Kontaktmöglichkeiten mit dem Autor, ein Quellenverzeichnis und die Bestätigung der Quelle durch andere Ressourcen. Das Ziel der Nachweise ist, dass die Quelle belegbare Informationen enthält, die glaubwürdig und nachvollziehbar sind, denn nur dann kann sie Geltungsansprüche für den Wahrheitsgehalt einfordern.

4.3.4.1

Kontaktmöglichkeiten

Wie auch schon bei der Glaubwürdigkeit (s. Kapitel 4.3.1.2) spielt auch hier die Möglichkeit der direkten Kontaktaufnahme mit dem Autor eine wichtige Rolle. E-Mail Adresse, Postanschrift, Telefonnummer oder Anschrift der Institution sollten angegeben sein, da anonyme Quellen unseriös sind und unglaubhaft wirken.

Kann man den Autor per E-Mail, Telefon oder Post erreichen?

4.3.4.2

Quellenverzeichnis

Egal, ob es sich um eine Internet- oder Printquelle handelt, ein Quellenverzeichnis ist immer elementarer Bestandteil des Textes. Nur hierdurch wird ein Text beleg- und nachweisbar, so dass er zuverlässig, glaub- und vertrauenswürdig wird. Das Verzeichnis sollte gleichermaßen aus Print- und Online-Quellen bestehen. Links haben den Vorteil, dass der User schnellstmöglich zusätzliche Informationen findet. Hierbei muss allerdings verhindert werden, dass er sich im Netz verliert, da ein User nach etwa drei Hyperlinks vergisst, wo er davor gewesen ist (HOFER / ZIMMERMANN² 2000 : 29). Deshalb sollten externe Links als kenntlichgemacht werden. Zudem ist eine Kommentierung der Links sinnvoll, damit der User weiß, welche Informationen er über diese noch zusätzlich erreichen kann (vgl. AMBRE et al. 1997 : 2-11 f.).

Leitfragen:

Existieren Hinweise zu anderen Quellen (Literatur, Links etc.)?

Sind diese kommentiert?

Nach welchen Kriterien sind diese ausgewählt?

Sind die zitierten Quellen populär- oder fachwissenschaftlich orientiert?

4.3.4.3 Bestätigung durch Dritte

Eine Bestätigung durch Dritte kann insbesondere dann wichtig sein, wenn die Quelle wichtige Informationen enthält, die aber nicht allen Evaluationskriterien standhält. Dann muss die Information mit Hilfe anderer Quellen auf ihren Wahrheitsgehalt geprüft werden. Erst wenn mindestens zwei weitere Quellen mit den gefundenen Informationen übereinstimmen, kann die Information als glaubwürdig betrachtet werden. Wichtig hierbei zu beachten ist, dass die Kontrollquellen entweder von neutralen Dritten stammen, d.h. die Quellen nicht genauso beeinflusst sind, wie die zu untersuchende, oder aber positiv bei Review-Diensten wie „Argus Clearinghouse“ oder Portalen wie „SOSIG“ bewertet werden. (Vgl. ² 1999b : 188; HARRIS MEIER 2000 : 68)

Auch eine Besprechung in anderen Medien, z.B. einer renommierten Zeitschrift, kann eine Bestätigung darstellen.

Leitfragen:

*Wird die Quelle auf anderen Seiten verlinkt ?
Gibt es Kommentare zu der Quelle (im WWW, in Zeitschriften etc.)?*

4.3.4.4 Indikatoren für mangelnde Quellennachweise

Quellen sind nur dann für den User nützlich, wenn sie belegbare Informationen enthalten, die durch Nachweise aus dem Internet oder den Printmedien gestützt werden. Deshalb sind Informationen ohne jegliche Quellennachweise für den wissenschaftlichen Gebrauch nicht von Nutzen. Dieser Mangel drückt sich in fehlenden Literaturverzeichnissen, Linksammlungen oder Kontaktmöglichkeiten aus. Die

Quelle ist ebenso mit Skepsis zu betrachten, wenn überhaupt keine Bestätigung durch Dritte, in Form von Zeitschriften- oder Online-Reviews, vorliegt.

4.3.5 Benutzerfreundlichkeit

Jakob NIELSEN schreibt in seiner Kolumne „Alertbox“ (www.useit.com/alertbox/):

„*The Web is all about content.*“ (1998b), dieser Leitspruch gilt auch für die Evaluation von Online-Quellen. Der Inhalt ist der primäre Faktor. Webspezifische Eigenschaften, wie Benutzerfreundlichkeit, Struktur, Zugang und multimediale Darbietung sind sekundär, da die User an den Informationen interessiert sind, egal auf welche Art und Weise diese präsentiert werden. Hinzu kommt, dass die optische und funktionelle Gestaltung subjektiv ist und vom persönlichen Empfinden („*Look and Feel*“) des einzelnen bestimmt wird. Eine Bewertung dieser Faktoren hängt deshalb vom individuellen Gesamteindruck der Seite ab. Dieser Punkt ist aber insofern wichtig, da

eine gute Präsentation und klare Struktur dem User bei Suche, Auffinden, Anwenden und Verstehen der Informationen hilfreich sein kann. Hierbei gilt der Leitspruch der Bauhausarchitekten: „*Form follows Function*“, d.h. es wird erst der Zweck und die Funktion der Website definiert und daran die gestalterische Umsetzung angelehnt. Der Spruch wird im Bereich des Webdesign oft sogar noch, um die Bedürfnisse und Ansprüche des Websurfers, erweitert: „*Form follows Function follows User Demands.*“ (Vgl. McKELVEY 1999 : 11 ff.)

4.3.5.1 Struktur und Navigation

Für die Navigation auf einer Webseite existieren verschiedene Möglichkeiten:
 Site
 Maps, Inhaltsverzeichnisse, Menüs oder seiteninterne Suchmaschinen. Diese Features
 helfen einem dem User, die gewünschte Information zu finden, und zum
 anderen
 verschaffen sie einen Überblick über die Bandbreite der Informationen auf
 einer
 Website. Der Evaluator sollte alle Möglichkeiten des Auffindens von
 Informationen
 testen, um so die Effektivität der Seite zu bewerten, indem die Anzahl der Schritte
 bzw.
 „clicks“ bis zur benötigten Information gezählt werden. Geachtet werden sollte
 auch
 auf Kategorisierungen, also ob Themenbereiche sinnvoll zusammengefasst worden
 sind
 und ob es Shortcuts gibt (vgl. AMBRE et al. 1997 : 2-14; McKELVEY 1999 : 11 f.;

HOFER / ²2000 : 98
 ZIMMERMANN f.).

Aber allein schon die Präsentation und Anordnung der Information kann dem
 User
 helfen, die gewünschte Information zu finden, wie z.B. ein klares, ästhetisches
 und
 übersichtliches Screendesign, nicht zu viele verschiedene Informationen auf einer
 Seite
 und leicht verständliche Überschriften. Exemplarisch seien hier die Startseiten
 der
 Zeitschriften „GEO“ (Abb. 17) und „Scientific American“ (Abb. 18) verglichen.
 Die
 „GEO“-Seite lässt sich grob in drei Sektionen unterteilen: die Navigationszeile auf der
 linken Seite, aktuelle Nachrichten in der zentralen Spalte und Eigenwerbung
 und
 Hinweise auf der rechten Seite. Unterstützt wird das Layout durch die
 einfache
 Farbgebung (schwarz/weiß/grün), so dass ein sehr klares und übersichtliches
 Design
 entsteht. Anders ist dies bei der Seite von „Scientific American“, die sich in
 fünf
 Bereiche (von links nach rechts) untergliedern lässt: die Navigationszeile, aktuelle
 Nachrichten, Fragen und Antworten mit einer Umfrage, wieder eine
 Navigationszeile
 und Hinweise, Eigenwerbung. Aufgrund dieser Aufteilung und der vielen
 Überschriften
 wirkt die Seite unübersichtlich, was durch die bunte Farbgebung noch gesteigert
 wird.

Abb. 17: Ausschnitt der Startseite der Zeitschrift „GEO“ (www.geo.de) [Stand: 10.11.2001]

Abb. 18: Ausschnitt der Startseite der Zeitschrift „Scientific American“ (www.sciam.com)
[Stand: 10.11.2001]

Aber auch die Navigation innerhalb einer Seite sollte bewertet werden. Extrem

lange
Seiten, bei denen der User viel scrollen muss, werden meist negativ bewertet, da
lange
Texte am Bildschirm schlecht zu lesen sind. Untersuchungen haben ergeben, dass
nur
10% der User Seiten scrollen (vgl. HOFER /
ZIMMERMANN
Umfangreiche Texte, die in kurze Sektionen unterteilt werden, so dass
kurze,
überschaubare Seiten entstehen, die sich per Mausklick „umblättern“ lassen,
werden
eher bevorzugt (vgl. COOKE 1999 : 72; HOFER /
ZIMMERMANN
f.).

²2000 :
98).

²2000 : 35 und
65

Leitfragen:

*Wie schnell lassen sich gesuchte Informationen
finden?
Gibt es Site Maps, Navigationshilfen oder
Suchmöglichkeiten?
Werden die Informationen klar und deutlich
präsentiert?
Wie überschaubar sind die
Seiten?*

4.3.5.2 Zugang

Der Zugang beeinflusst die Wahl einer Informationsquelle nicht unerheblich. Das Internet wird oft zur Informationssuche benutzt, da es dank vernetzter Computer mit Bedieneroberflächen sehr bequem ist. Dieser Weg ist schneller und leichter als der Gang zur Bibliothek. Zudem sind die meisten Informationen im Internet, im Gegensatz zu professionellen Datenbanken beispielsweise, kostenlos. Die User wollen also grundsätzlich einen einfachen, kostengünstigen und schnellen Zugang zu Informationen. Aber auch dies ist im Internet nicht immer gewährleistet, da verschiedene Faktoren die Bequemlichkeit des Zugriffs erschweren.

- **Allgemeine
Zugangsschwierigkeiten**

Der Zugang zu Informationen kann durch Sprache, Registrierung, Passwort oder Mitgliedschaft erschwert werden. Die erste Hürde stellt häufig die Sprache dar, denn ca. 78% aller Webseiten und sogar ca. 96% der E-Commerce-Seiten sind englischsprachig, aber nur 50% der User haben Englisch als Muttersprache (vgl. LYMANN/VARIAN 2001a). Eine weitere Hürde stellt die Registrierung dar. Viele Webseiten, insbesondere

Zeitschriften, geben nur einen Teil der Seiten frei. Erst nachdem der User sich registriert hat, wird der komplette Inhalt preisgegeben. Das Problem bei der Registrierung ist, dass dafür persönliche Daten (Name, Adresse, Geburtsdatum etc.) angegeben werden müssen, die zum Teil dann an Dritte weitergegeben werden, oder dass durch die Registrierung Kosten entstehen (s.u. Kapitel „Kosten“). Gleiches gilt für die Zugangsbeschränkung durch Passwörter oder Mitgliedschaften. (Vgl. COOKE 1999 : 67 f.)

Leitfragen:

*In welcher Sprache ist die Website verfasst?
Muttersprache?
Gibt es eine Übersetzung der Seite? Zwei- oder
mehrsprachig?
Muss man sich registrieren, um an die Informationen zu
gelangen?*

- **Zugriffsgeschwindigkeit**

Die Geschwindigkeit des Zugriffs auf Informationen kann durch viele Gründe gebremst werden. Das kann zum einen an der Technik liegen. Es kommt auf die eigene technische Ausstattung an, wie Modem, analoger oder digitaler Anschluss etc., oder aber auf die der Gegenseite, wo die entsprechende Information liegt. Durch langsame

Server und geringe Bandbreite kann es zu Verzögerungen unterschiedlicher Stärke

kommen. Um das Problem in den Griff zu bekommen, haben inzwischen viele Suchmaschinen und Portale Mirror-Sites angelegt, so dass der Zugriff auf lokale, länderspezifische Server erfolgen kann.

Es kann aber auch an der schlechten Gestaltung der Webseiten liegen, die zu viele und große Bilder enthalten und dadurch eine lange Ladezeit benötigen.

Studienergebnisse belegen, dass ein User im Durchschnitt nicht länger als acht Sekunden auf den Aufbau

einer Seiten wartet (vgl. HOFER / ZIMMERMANN² 2000 : 99). Um dieses Problem zu

umgehen, benutzen viele Seiten inzwischen Thumbnails, dies sind kleine

Vorschaubilder, die sich erst beim Anklicken vergrößern, oder aber auch alternative

„Text-Only“ Seiten, die komplett ohne Grafiken auskommen. So bietet z.B. die

deutsche Suchmaschine „Fireball.de“ (www.fireball.de) unter der Internet-Adresse

<http://www.fireball.de/express.t.html> ein Interface ohne Grafiken und

Werbeeinblendungen an. (Vgl. ALEXANDER / TATE 1999 : 16; COOKE 1999 :

66
f.)

Leitfragen:

*Wie schnell ist der Zugriff auf den
Server ?
Bauen sich die Seiten schnell*

auf?
Gibt es eine rein textbasierte
Alternative?
Wird die Website gespiegelt (Mirror-Server)?

- **Einschränkungen durch Software**

Aber nicht nur die Hardware kann eine Problemquelle für den schnellen und einfachen Zugriff auf Informationen sein, sondern auch die Software. Dies beginnt schon bei der Wahl der Browser-Software, da der „Netscape Communicator“, der „Microsoft Internet

Explorer“ und andere Browser nicht alle den gleichen Standards folgen, so dass immer Probleme bei der Darstellung bestimmter Seiten auftreten können.

Bei Ausnutzung aller multimedialer Möglichkeiten im Netz kommt das Problem der Plug-Ins zum Tragen, da es unzählige Formate zur Übertragung von Layout-, Audio- und Videodaten gibt und ebenso viele Programme existieren, die diese anzeigen und

abspielen können. Da aber die Internetbrowser nur einen geringen Teil dieser Formate standardmäßig anzeigen können, werden entsprechende Plug-Ins benötigt, die herunterzuladen und zu installieren sind. Deshalb ist es wichtig, dass ein entsprechender Hinweis gegeben ist, wo man die entsprechende Software bekommt und wie man sie einsetzt. (Vgl. COOKE 1999 : 67; SCHROCK 1998)

Leitfragen:

*Sind die Seiten mit jedem Browser problemlos
Wird ein Plug-In zur Darstellung bestimmter Inhalte
benötigt?
Werden Standard Plug-Ins (Flash, Quicktime o.ä.) oder eher „Exoten“
genutzt?*

- **Kosten**

Evaluatoren müssen feststellen, ob die Informationen frei zugänglich sind oder ob Kosten für die Benutzung der Quelle entstehen (vgl. SMITH 1997; COOKE 1999 : 69). Viele Zeitschriften, wie z.B. „Bild der Wissenschaft“ (www.wissenschaft.de), „The Lancet“ (www.lancet.com) oder „Science“ (www.sciencemag.org), erstellen kurze Zusammenfassungen ihrer Artikel und bringen nur wenige im Volltext. „Nature“ dagegen bietet verschiedene Möglichkeiten an, die Zeitschrift über das Internet im Volltext zu lesen. Erstens ist die Website für alle Abonnenten der Printausgabe

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freigeschaltet, zweitens gibt es die Möglichkeit, einzelne Artikel zu kaufen, wobei hier die Kosten zwischen 15.- und 25.- US-\$ pro Artikel liegen.

³⁵ Universitäten
und

Bibliotheken können Lizenzen für den freien Zugang kaufen (s. Abb. 19).

Abb. 19: Ausschnitt der Registrierungsseite der Zeitschrift „Nature“ (www.nature.com)
[Stand: 10.11.2001]

Leitfragen:

*Sind die Informationen
kostenfrei ?
Stimmt das Preis-
Leistungsverhältnis?
Welche Bedingungen müssen erfüllt werden, um an die
kostenpflichtigen
Informationen zu
gelangen?*

³⁵ Übersicht der Kosten von „Nature“-Artikeln unter http://www.nature.com/help/purchasing_online/pricing_policy.html. [Stand: 03.11.2001]

4.3.5.3 Ausnutzung interaktiver und multimedialer Möglichkeiten

Wie eingangs erwähnt, ist der Inhalt das entscheidende Kriterium bei der Evaluation.
Aber insbesondere interaktive und multimediale Features können dem User beim

Verstehen und Anwenden von Informationen unterstützen. Diese vielfältigen Möglichkeiten bietet außer dem Web kein anderes Medium. Weiterhin spielen Bilder eine immer größere Rolle in der Bildung und Wissenschaft. William J. T. MITCHELL spricht sogar von einem *“Pictorial Turn”*, der einen Paradigmenwechsel von der schrift- zur bildorientierten Wissensvermittlung einläutet (vgl. MAAR 2000 : 11 f., MITCHELL 2000 : 206 f.).

- **Interaktive Möglichkeiten**

Das Internet ist eine Kommunikationsplattform, auf der viele Leute miteinander kommunizieren und Meinungen und Gedanken austauschen können. Diese Möglichkeit sollte von Webseiten genutzt und bei der Evaluation berücksichtigt werden, da die Kommentare zu Themen oder der Website allgemein bei der Bewertung von Glaubwürdigkeit oder Genauigkeit helfen können. Die Mittel hierzu sind Messageboards, wie sie z.B. die Zeitschrift „Telepolis“ (www.telepolis.de) anbietet, die es dem User erlauben, zu jedem Artikel seinen Kommentar abzugeben, der dann direkt unter dem Artikel erscheint oder Diskussionsforen, in denen aktuelle Themen diskutiert werden, so z.B. bei „National Geographic“ (www.nationalgeographic.com/community/forums.html) oder „GEO“ (www.geo.de/interaktiv/index.html) oder Chatrooms, wo ein direktes Gespräch in Echtzeit mit einem Experten oder zwischen Usern untereinander geführt werden kann. (vgl. AMBRE 1997 : 2-14 f.)

- **Multimediale Möglichkeiten**

Einer der großen Vorteile von Internetseiten gegenüber Printmedien ist der Einsatz von Tönen (Abb. 20 a), Videos (Abb. 20 b), räumlichen, dreidimensionalen Darstellungen (Abb. 20 c) und Animationen (Abb. 20 d). Durch diese audio-visuellen Möglichkeiten

können Informationen aufgewertet und somit Themen besser und oft auch einfacher erläutert werden.

Audio

Video

Abb. 20 a: Historische Reden von Martin Luther King, Jr. (www.archervalerie.com/mlk.html)

Abb. 20 b: Video Archiv der NASA (www.nasa.gov/gallery/video/index.html)

VRML

Animation

Abb. 20 c: VRML-Darstellung einer Ameise (www.ento.vt.edu/sharov/3d/ant.wrl)

Abb. 20 d: Flash-Animation einer DNA - Replikation (www.hschockor.de/dnarepli.html)

Leitfragen:

*Gibt es Möglichkeiten, eigene Kommentare zu Themen zu veröffentlichen?
Werden die Informationen durch Bilder, Animationen, Audio- oder Videoaufnahmen*

unterstützt?

4.3.5.4 Indikatoren für mangelnde Benutzerfreundlichkeit

Ein Mangel an Benutzerfreundlichkeit zeigt sich, wenn die gestalterischen und technischen Möglichkeiten einer Website gar nicht genutzt werden, und die Seite zu einer grauen „Textwüste“ verkommt. Im Gegensatz dazu führt aber auch eine übertriebene Verwendung dieser Mittel schnell zu diesem Resultat, denn dann wird die Seite oft unübersichtlich und langsam im Seitenaufbau. Weitere Indikatoren mangelnder Benutzerfreundlichkeit sind u.a. eine Zwangsregistrierung für den Zugang, keine Auswahlmöglichkeit der Sprache, schlechte Seitendarstellung durch bestimmte Browsertypen und keine Möglichkeit mit dem Autor zu interagieren.

4.3.6 Einschätzung der Gesamtqualität

Der letzte Schritt der Evaluation beinhaltet die abschließende Bewertung der Quelle. Hierzu muss vorher ein Vergleich mit anderen Quellen erfolgen, um so die Qualität in Relation zu setzen. Der Vergleich sollte anhand der aufgeführten Evaluationskriterien durchgeführt werden (vgl. BRANDT 1996; COOKE 1999 : 80). Wichtig bei diesen Vergleichen sind auch die Fragen nach den Kosten, dem Wert in Bezug auf andere Medien und der Einzigartigkeit. Evaluatoren sollten, da nicht alle Informationen im Internet kostenfrei sind (s. Kapitel 4.3.5.2), immer den Kosten-Nutzen-Faktor berücksichtigen.

Insbesondere bei Zeitschriften im Internet sollte zudem ein Vergleich mit dem Print durchgeföhrt werden. Die elektronische Variante hat u.a. die Vorteile der direkten Kommunikation via E-Mail mit der Redaktion oder auch der einfachen Suche nach Artikeln in Archiven. Für die Papierversion spricht u.a. die einfachere Lesbarkeit, verglichen mit dem Lesen am Monitor (vgl. COOKE 1999 : 82).

Ein weiterer wichtiger Faktor bei dem Vergleich ist die Einzigartigkeit einer

Information oder Quelle. Entweder ist die Quelle so ausführlich, dass sie alle anderen bei weitem übertrifft, oder aber sie bietet ein einzigartiges Feature an, so z.B. die Website des „Visible Human Project“ (www.nlm.nih.gov/research/visible/-

visible_human.html), die Bilder und Videos eines Querschnitts durch den gesamten

menschlichen Körper anbietet (vgl. SMITH 1997; COOKE 1999 : 82).

Nachdem auch diese letzten Schritte vollzogen worden sind, kann sich der Evaluator nun endgültig ein Gesamtbild der Quelle machen und den Wert und die Nützlichkeit ermitteln. Durch seine eigene Erfahrung und die Anwendung der Kriterien ist es ihm möglich, Websites verschiedener Kategorien entsprechenden Wertigkeiten zuzuordnen. Diese Abstufung kann z.B. von sehr gut“ oder „sehr informativ“ bis hin zu „schlecht“ oder „nutzlos“ gehen.

Leitfragen:

*Welche Qualität besitzt die Quelle im Vergleich zu anderen Quellen?
Bei Zeitschriften: Besitzt die Webseite Vorteile zur Printausgabe?
Beinhaltet die Quelle einzigartige Informationen?*

5. Resümee

Digitale Weltbibliothek, Datenautobahn, Cyberspace, Weltwissen online, Hyperspace, globales Gehirn und Docuverse sind nur einige der Metaphern, die zur Zeit für das Internet benutzt werden. Sie zeugen von den angeblich unbegrenzten Möglichkeiten im Netz, von der riesigen globalen Bibliothek, die das Wissen der Menschheit enthält. Dieser Datenpool von Informationen wird inzwischen von 27,3 Millionen Deutschen genutzt, von 11,3 Millionen sogar täglich (vgl. SCHMITT-WALTER 2001).

Die Probleme, die diese Informationsflut mit sich bringt, werden dabei häufig übersehen. Zwei eigentlich gegensätzliche Bedrohungen stehen im Vordergrund: Erstens gibt es aufgrund der dezentralen Struktur des Internet keine Kontrollinstanzen, die die Inhalte auf den Wahrheitsgehalt überprüfen. Somit sind Propaganda, Fehlinformationen Tür und Tor geöffnet. Zweitens wird das Internet durch die wachsende Kommerzialisierung immer stärker von Industrie- und Medienkonzernen kontrolliert, dadurch gelangen nur noch von ihnen gefilterte Informationen zum

Websurfer. (Vgl. GOLDMANN 1999 : 22)

Diese Problematik ist aber nur den wenigsten Usern wirklich bewusst. In unserem Alltag benutzen wir eine Fülle von Medien. Das Spektrum beinhaltet Fernsehen, Zeitungen, Zeitschriften, Radio, Comics, Flugblätter usw.. Durch diesen täglichen Umgang haben wir zwischen Werbung und Nachrichten zu unterscheiden gelernt. Die Kompetenz, Quellen zu selektieren und zu bewerten, haben wir zum großen Teil unbewusst erworben, sie ist ein Aspekt unseres Alltagswissens. Wir haben gelernt, bestimmten Quellen mehr als anderen zu vertrauen, da wir wissen, dass es

kontrollierende und korrigierende Instanzen in der „offline“ Medienwelt gibt. In der digitalen Online-Welt ist die Situation aber ungleich komplizierter, so dass die

Bewertungsmechanismen zum Teil nicht mehr greifen. Da das Internet beginnt, einen immer höheren Stellenwert in der Medienwelt einzunehmen, ist es umso wichtiger, sich mit Evaluationskriterien von Online-Quellen zu beschäftigen.

Der bisherige Schulungsansatz durch Kurse an Schulen und Universitäten oder mit

Hilfe von Internet-Büchern und -Zeitschriften beschränkte sich meist auf technische

Aspekte des Internet, wie die Bedienung von Internet-Browsern, den Umgang mit

Suchmaschinen oder die Installation von Modems oder ISDN-Karten. Auch

beim Webdesign geht es meist vorrangig um die optische und technische Umsetzung einer

denachlässigt. Aber nur durch die Auseinandersetzung mit diesen Themen kann der Websurfer zum „*mündigen Netzbürger*“ (GOLDMANN 1999 : 22) werden. Deshalb fordert Paul GILSTER:

„*We need to set up content evaluation as part of the intellectual superstructure here and explain it to kids ... so we end up with students who can use the Web intelligently when to cast grave doubt on a particular Website. People have to be their editors and take that upon themselves. Once you begin doing that, the habits become second nature.*“ (zitiert nach KELLEY 1999)

Virtuelle Bibliotheken und Review-Dienste können dem Websurfer aufgrund der Informationsflut nur bedingt bei der Selektion und Bewertung von Webseiten weiterhelfen. Aus diesem Grund ist der User auf die Erlangung von Medienkompetenz

angewiesen, wobei die Evaluation von Webseiten nur einen Aspekt darstellt, um den sicheren Umgang mit glaubwürdigen und unglaubwürdigen Dokumenten zu erlernen. Dabei sollen die in dieser Arbeit genannten Aspekte der Evaluation in der Praxis helfen:

An erster Stelle steht hierbei die Glaubwürdigkeit, da sie den wichtigsten Faktor für die Informationsqualität darstellt. Hier wird die Plausibilität der Quelle, die Kompetenz des Autors, die Zugehörigkeit zu Institutionen und Organisationen und das Vorhandensein von Review-Verfahren überprüft. Hinzu kommt noch die Untersuchung des webspezifischen Merkmals der Internet-Domain. Zweitens wird die Genauigkeit und die Abdeckung der Online-Quelle getestet. Dies hat zum Ziel zu sehen, ob das Thema aktuell, genau, ausführlich und umfassend behandelt wird. Außerdem wird noch nach der Absicht und der Zielgruppe der Website gefragt. Hierauf folgt drittens die Bewertung der Objektivität und Folgerichtigkeit, um festzustellen, ob die Informationen sachgemäß und unverfälscht präsentiert werden. Punkt vier der Evaluation beinhaltet die Quellennachweise, denn nur dadurch kann der Text den Wahrheitsgehalt der dargebotenen Informationen beweisbar und nachvollziehbar machen. Dieses Verzeichnis sollte sowohl Printpublikationen als auch Internet-Links umfassen. Eine Bestätigung durch Dritte, etwa eines Review-Dienstes oder einer virtuellen Bibliothek, kann zusätzlich den Wahrheitsgehalt einer Online-

Quelle stützen. Der letzte Punkt der Bewertung umfasst schließlich die Benutzerfreundlichkeit der Website. Dieser Punkt beinhaltet nur rein webspezifische Elemente. Dabei handelt es

sich um die Struktur und Navigation innerhalb einer Seite, den Zugang zu der Quelle und die Ausnutzung der interaktiven und multimedialen Möglichkeiten.
Am Ende der Evaluation steht die Gesamtbeurteilung der Online-Quelle. Hierzu muss aber noch ein Vergleich mit anderen Webseiten erfolgen, so dass die dargebotene Informationsqualität in Relation gesetzt werden kann.

Solange im Internet keine Standards der Informationsaufbereitung und Qualitätssicherung herrschen, und dies wird aufgrund der dezentralen nicht-hierarchischen Struktur wohl sobald nicht geschehen, ist der User auf solche Evaluationskriterienkataloge angewiesen, wie ich sie in dieser Arbeit diskutiert habe.

6. Literatur

Die Internet-Quellenangabe werden bei einem Zeilenumbruch mit einem Bindestrich getrennt. Um Verwechslungen mit Adressbestandteilen zu vermeiden, erfolgt die Trennung immer direkt nach einem Schrägstrich „/“.

ALEXANDER, Janet E. / TATE, Marsha Ann (1999) : Web Wisdom. How to Evaluate and Create Information Quality on the Web. Mahwah/New Jersey.

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- **USA Today: Votes up for auction draw official inquiries**

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<http://www.usatoday.com/life/cyber/tech/jk082300.htm>

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News : Août 2000



Abréviations utilisées : NPLN -> Note Pour Les Novices, CONTQM -> Cette Opinion Ne Tient Qu'à Moi

Jeudi 31 Août 2000

- **Ca n'a rien de surprenant...**

Le logiciel Promis, qui avait beaucoup fait parler de lui dans les années 80 est un logiciel destiné aux juristes qui classe les documents et d'établir des corrélations entre eux. Il a depuis été retouché par l'administration américaine qui l'a revendu, sous un autre nom, à l'étranger, à des services secrets (en Jordanie et Israël, notamment) mais aussi à des sociétés, dont quelques grandes banques françaises.

Cependant, les modifications auraient consisté en la pose de dispositifs d'écoute et d'intrusion sur les ordinateurs où il serait installé, donnant ainsi aux États-Unis la possibilité d'espionner un grand nombre d'entreprises et d'agences gouvernementales. Juste là, tout va bien pour les américains sauf que le gouvernement canadien qui utilise le logiciel PIRS pour coordonner les enquêtes des ses services secrets et de la Police montée, soupçonne que ce soit une de ces version de Promis. Une enquête a donc été ouverte pour déterminer si des mouchards existent bien.

- **France Telecom ne possède pas les Pages Jaunes.**

France Telecom, qui possède www.pagesjaunes.fr, avait demandé à l'Office Mondial de la Propriété Industrielle (OMPI) de statuer en sa faveur sur la question de savoir à qui appartiennent les domaines pagesjaunes.com, pagesjaunes.net et lespagesjaunes.com. Mais l'OMPI n'a pas suivi en expliquant notamment que autres annuaires nommés Pages Jaunes existent dans des pays francophones avec le nom pagesjaunes.ch, pagesjaunes.ca, pagesjaunes.be, pagesjaunes.lu.

- **Tout le monde a droit à un e-mail... 2ème édition**

La Poste a annoncé qu'elle allait offrir un e-mail gratuit à chaque français, qui est consultable directement de chez vous (sur le site ou sur votre gestionnaire de mails) ou sur des bornes payantes dans les postes. Seulement voilà, le service existe depuis un an....

- **Sony sort son Palm**

Sony et Palm ont dévoilé le Clie, premier PDA issu de leur alliance qui marque l'entrée du Japonais sur ce marché grandissant.

- **Les rumeurs se précisent**

La société Mainsoft, développeur Unix/Linux, est soupçonnée d'être l'un des piliers de la conversion d'Office sous Linux. Elle a déjà porté I.E. et Windows Media Player sur cette plate-forme. (CONTQM : Si on trouve même les logiciels MS sous Linux, quel sera l'intérêt de conserver Windows ?)

- **AGP x8 pour Intel**

Milieu 2001, Intel devrait sortir ce nouveau bus graphique qui permettra d'accélérer encore la 3D.

- **Nouveau système de promotion**

Au Etats-Unis (ailleurs je ne sais pas), Windows Me (NPLN : Windows Millenium, qui sort le 14/09 partout dans le monde) sera distribué sous forme de démos dans les grands magasins.

Mercredi 30 Août 2000

- **Les nouveau amis de Napster**

De nombreuses organisations se sont constituées soutiens de Napster devant la Cour d'appel, comme par exemple la Consumer Electronics Association (CEA) et la Digital Media Association (DiMA).

La CEA estime que le juge a mal interprété le cas du Betamax de Sony de 1984 car Napster a, à ses yeux, créé un nouveau standard qui peut avoir des applications légales bien qu'il soit souvent utilisé pour enfreindre la loi. La DiMA qui représente plus de 960 ntreprises dont AOL et Yahoo rejoint les positions de la CEA.

- **Barbie fait confiance aux petites filles**

Les directeurs de Barbie.com a engagé 26 petites filles entre 6 et 12 ans pour les aider à repenser le site qui avait été ouvert cet été. Toutes les semaines ces filles recevaient par mail des photos d'écran du site en construction et étaient questionnées par e-mail ou téléphone. Bien sûr elles ont reçu une rémunération (non communiquée) pour leurs services.

Il semble que cette façon de procéder soit payante puisque le trafic a doublé à la réouverture du site puis a quadruplé après les publicités à la T.V.. De plus, les visiteurs se fidélisent. Le visiteur reste à chaque fois 26 mn en moyenne.

- **Freesurf sanctionne des abonnés**

Suivant la route tracée par OneTel, Freesurf a inscrit sur une liste noire et déconnecté des abonnés du forfait illimité soir et week-end pour avoir brisé les règles. Selon les conditions du forfait à 100 F/mois, l'abonné est restreint à la consultation du web et de ses mails et aux groupes de discussions. Mais 531 abonnés ont été déconnectés en une semaine, sans préavis et en n'ayant pas

forcément enfreint les règles. Ils sont accusés d'avoir utilisé des passerelles pour télécharger des logiciels.

Sur le fait qu'il y ait eu des erreurs et pas de préavis, le directeur de Freesurf explique "qu'il s'agissait d'une mesure d'urgence. Mais nous nous sommes rendus compte que certaines pratiques étaient considérées à tort comme des fraudes." Ils sont donc en train d'examiner les cas un par un pour reconnecter ceux qui ont été déconnectés par erreur. Parmi les erreurs techniques relevées, un abonné qui introduirait tout simplement un CD dans son PC et lancerait le logiciel de lecture WinAmp tout en étant connecté serait considéré comme un fraudeur car WinAmp utilise un protocole interdit par le forfait illimité. Freesurf soutient cependant vouloir poursuivre son offre d'accès illimité.

- **Les antennes-relais seraient dangereuses**

Selon une étude commandée par la revue Science et Avenir, les vibrations qui transmettent les signaux radio de téléphonie mobile seraient nettement plus nocives que les opérateurs ne le déclarent.

L'étude, réalisée dans quinze appartements d'Ile-de-France situés derrière une antenne-relais ou au dernier étage d'un immeuble en accueillant une, révèle que dans près de deux cas sur trois, l'intensité des radiations émises est dix fois supérieure aux valeurs annoncées par les laboratoires de France Telecom.

Déjà, en avril 1999 déjà, la direction générale de la santé et le secrétariat d'Etat au logement avaient publié un rapport préconisant une « restriction d'usage totale ou partielle » des balcons de HLM sur lesquels sont installées ces antennes, voire même une « condamnation de certaines pièces d'habitation ».

- **Intel largué**

Le PIII 1,13 GHz a été retiré de la vente 1 mois après sa sortie à cause d'une anomalie sur un circuit entraînant des problèmes de fonctionnement avec certains logiciels. De plus certains assembleurs comme Dell avaient déjà suspendu leurs commandes en raison de l'incapacité d'Intel à fournir ce modèle en nombre suffisant. Pendant ce temps, AMD a lancé son Athlon 1,1 GHz et il a déjà plus de 10 constructeurs comme clients, notamment Compaq, Fujitsu Siemens Computers, Gateway, Hewlett-Packard et IBM.

AMD est donc seul sur le créneau haut de gamme et son produit est moins cher. Intel prévoit que les modifications à apporter au design de son PIII vont prendre quelques mois..... autant dire une éternité vu que les processeurs cadencés à 1,5 GHz sont attendus d'ici peu.

- **Amazon.com crée Amazon.fr**

L'ouverture a eu lieu dans la nuit du 30 au 31 août. Le site proposera 4 boutiques (livres, musique, DVD et vidéo) qui proposeraient l'ensemble des références disponibles en France. Cependant, contrairement à ses concurrents, aucun chiffre n'a été donné pour les produits français alors que l'on connaît ceux des produits étrangers (240.000 références de CD en import, 700.000 livres en anglais). Pour les prix, le site se conformera à la réglementation française en vigueur sur le prix unique du livre.

N'ayant pu racheter Alapage (France Telecom a été plus rapide), Amazon a du

construire un site de toute pièce mais a su s'entourer d'une équipe composé d'anciens de chez Vivendi, Havas ou la FNAC. Mais les concurrents, la FNAC, Alapage et BOL ne s'inquiètent pas et pensent même que la campagne de publicité que va lancer Amazon va leur être bénéfique.

- **Entre Netscape et I.E., choisissez K-Meleon**

Il s'agit d'un navigateur gratuit et sous licence G.P.L. (NPLN : le code source du logiciel est disponible et modifiable à volonté par tout un chacun) qui ressemble à I.E. mais qui intègre le moteur d'interprétation Gecko, qui sera au coeur de Netscape 6. On a donc là un clone plus léger (4 Mo) de Netscape Navigator, il intéressera donc : tous ceux qui veulent disposer des navigateurs de Microsoft et de Netscape, les développeurs de sites web souhaitant s'assurer de l'apparence d'un site dans les deux versions ou les internautes voulant se rendre sur des sites inaccessibles avec I.E..

Pour les familiers du monde Unix/Linux, c'est le pendant Windows de Galeon (qui intègre déjà Gecko).

- **La dernière version de MS Office est en test**

Office 10 inclura une nouvelle technologie de reconnaissance vocale, un support XML additionnel, une application de collaboration par Internet et des outils de gestion du contenu.

- **Du nouveau sur les Palms**

Un programmeur a créé le premier Cheval de Troie connu pour Palm...

Mardi 29 Août 2000

- **Virus pour les enfants**

Ça vient de sortir ! Si vous recevez un e-mail avec Pikachu (le Pokemon !) en fichier attaché, ne cliquez pas dessus. C'est un nouveau virus qui traîne sur le net.

- **Motorola jette l'éponge sur Iridium**

Ça faisait quelques temps que ça couvait... Faute de repeneur, Motorola a décidé de saborder les 66 satellites de son réseau de téléphonie mobile. Voilà comment jeter facilement 7 milliards de \$!

- **Pentium IV a grossi**

Il faut s'attendre à ce qu'Intel ait du mal à fournir le Pentium IV et qu'il soit cher. En effet, le petit nouveau contient 42 millions de transistors (contre 28 pour le PIII), soit une surface de 217 mm² (contre une centaine sur le PIII). Ils seront produits avec les mêmes technologies que le PIII mais du fait de sa taille, Intel ne pourra en monter qu'un par galette de silicium là où il montait deux PIII en même temps. Le calcul est donc très simple : vitesse de production réduite de moitié et coût de matière première doublé... que devient le prix final ?

A moyen terme, le problème de surface devrait être réduit avec le passage à la

technologie 0,13 micron et l'utilisation de galettes de 300 mm contre 200 actuellement.

Un processeur nommé Foster devrait suivre. Il s'agit d'un PIV pour serveurs et stations de travail

- **Riposte d'Intel**

Intel a aussi dévoilé la technologie XScale qui vise à contrôler consommation et dégagement thermique et qui présente de nombreuses similitudes avec le processeur de Transmeta.

- **PGP buggé**

PGP (Pretty Good Privacy), la référence en matière de cryptage souffrirait d'un bug qui, dans certaines conditions permet accéder, dans les versions Windows, aux données décodées.

- **Micro\$oft bouche les trous**

Une faille dans FrontPage Server Extensions rendait possibles les attaques du type Denial of Service. Microsoft aurait corrigé le problème.

- **Rumeurs**

Il semblerait que Micro\$oft fasse développer par une firme israélienne une version de sa suite Office pour Linux. MS a bien sûr démenti la rumeur.

- **Oracle gratuit**

La firme a lancé OracleSalesOnline.com, un service qui offrira, le logiciel de base d'automatisation de la force de vente gratuitement. Seuls les modules additionnels seront payants, comme le logiciel de "sales-compensation", selon un système de pay-per-use (paiement à l'utilisation).

- **TrustE perd en crédibilité**

Le sceau TrustE est en temps normal une marque de garantie de la confidentialité sur des sites marchands. Mais l'organisation aurait fait profiter une société des données de ses visiteurs.

- **Yahoo veut crypter**

Yahoo prévoit de permettre aux utilisateurs de ses services mail de crypter leurs messages en utilisant le site SecureDelivery.com. Il serait le premier à proposer cette option.

- **Microsoft a des problèmes avec Hotmail**

Des utilisateurs Hotmail ont expliqué que suite à la fermeture de leur compte pour cause d'inactivité (ce qui est normal) ils ont créé un nouveau compte avec le même nom d'utilisateur et ont découvert avec étonnement que leur liste de contacts AIM était maintenue sur leur nouveau compte. Conclusion, si quelqu'un crée un compte avec votre ancien pseudo, il récupère votre liste de contact. Micro\$oft enquêterait de manière approfondie sur la question.

- **Nintendo se donne du temps**

Le Gameboy Advance ne sortira qu'en Mars au Japon et en Juillet en Europe à cause de ruptures de stocks en composants qui sont dus en grande partie à la forte demande actuelle en Gameboys Color

- **Du nouveau chez les cellulaires**

Suite à la polémique sur les dangers des cellulaires en matière de radiation, les principaux constructeurs ont décidé d'indiquer sur les emballages la quantité de radiations émises par leurs appareils

Mercredi 23 Août 2000

- **Dure concurrence pour Intel**

AMD (le grand rival) et Transmeta (l'étoile montante) devraient annoncer un coopération technologique. Transmeta est très intéressé par la technologie LDT (Lightning Data Transfer) créée par AMD qui accélère les échanges de données entre le processeur et les différents composants du PC et qui sera intégré aux jeux de composants des Athlon en 2001. Cette technologie permettrait à Transmeta d'atteindre le GHz. De son côté, AMD aurait accès à la technologie de Transmeta, dont les processeurs consomment 50 % d'énergie en moins que ses concurrents à fréquence égale.

Cette alliance ne va pas faire le bonheur d'Intel qui perd des parts de marché et patauge entre ses problèmes avec les composants i820 et les retards sur le Pentium IV, d'autant plus qu'AMD sera bientôt sur tous les fronts : portables (Athlon mobile fin 2000), ordinateurs de bureau (Athlon Thunderbird 1,2 GHz), serveurs (Sledgehammer).

- **Premier cyber hold-up**

Egg, la banque britannique uniquement on-line a été électroniquement "braquée". Selon la banque, aucune perte (quelques dizaines de milliers de £) n'a été subie. Le 3 malfaiteur présumés ont été arrêté après une enquête de 6 mois suite à une alerte de Egg qui dispose de logiciels permettant de repérer tout ordinateur à partir duquel sont effectuées des opérations multiples.

- **Faites vos courses**

Uranium Online est un site qui vous permet d'acheter des barres de combustible nucléaire en ligne...

- Selon une étude de NetValue, 575000 heures auraient été consacrées aux jeux d'argent en ligne au mois de juillet.

- **Radio France est web-actif**

Mi septembre, Radio France va sortir la première de ses Webradios thématiques. Ce sera "la radio du livre".

Mardi 22 Août 2000

- **Le philippin s'en sort bien**

Le gouvernement Philippin, faute de loi adaptée, a décidé abandonner les charges retenues contre l'auteur présumé du virus 'I Love You', ce qui ne fait pas la joie des américains.

- **Gadget inutiles**

Sous prétexte de l'explosion des nouvelles technologies ont veut nous faire acheter n'importe quoi...

Philips, en collaboration avec Levi's va sortir en France en Septembre des blousons avec écouteurs intégrés et prises pour connecter téléphones mobiles et lecteur MP3.

- **Le Xeon suit le mouvement**

Le Xeon, processeur haute performance d'Intel va lui aussi être très bientôt porté à 1 GHz

- **On ne s'arrête plus d'accélérer**

Cette semaine, Intel a dévoilé cette semaine sont pentium IV. Les analystes estiment qu'il devrait atteindre les 10 GHz d'ici 4 ans.

Le fondeur a aussi annoncé la sortie de nouveaux processeurs pour serveurs et pour ordinateurs de poche.

- **Un de moins**

MP3.com avait 4 procès pour violation de copyrights sur le dos, il n'y en a plus que 3. Le site vient de conclure un accord avec Sony qui lui permettra de distribuer la musique du producteur.

- **Reality Run : fin de la course**

La semaine dernière je vous parlais de la chasse à l'homme organisée en Allemagne, Roger, le fugitif, a été rattrapé au bout de 7 jours par la chasseuse de prime qui empoche 10000 \$ au passage. Si vous êtes intéressés vous pouvez faire acte de candidature. Les prochains sites, pour lesquels votent les internautes, pourraient être Vienne ou Amsterdam.

Lundi 21 Août 2000

- **Altavista U.K. renonce**

C'est tombé lundi, le patron d'Altavista U.K. a annoncé que le forfait illimité ne se ferait pas (au passage je corrige ce que j'ai dit la semaine dernière, le forfait était de 60 £ / an). Il a prétexté que c'était de la faute de British Telecom qui ne lui avait pas proposé de forfait comme prévu mais des tarifications à la minute. Et British Telecom de dire que ce n'est pas de sa faute, blah, blah, blah.... Bref fin d'une aventure qui n'avait pas commencé.

- **Forfait illimité de OneTel**

L'Association des Internaute Médiateurs (ADIM) a demandé l'assignation en référé de OneTel pour tout le flou et les nombreux revirements ayant entouré le forfait illimité de l'opérateur (hésitations de la hotline, accusations de fraude, les connexions impossibles,...)

- **Les prochains processeurs d'Intel**

On en sait un peu plus sur la prochaine série d'Intel : Les vitesses débiteront à 1,4 GHz et ils seront basés sur une nouvelle architecture pour accélérer la vitesse de streaming et faciliter le travail peer-to-peer (égal à égal) en réseau.

- **AMD marque un point**

C'est n'est pas sur le plan de la vitesse des processeurs ou AMD est toujours à 1,1 GHz et Intel à 1,13 mais sur celui des prix. AMD a décidé de casser les prix des Athlon et Duron a titre d'exemple aux ÉtatsUnis :

Intel Pentium III 850 MHz (256K L2 Cache, 100 MHz FSB, Slot 1): 454 \$

AMD Athlon 850 MHz (512K L2 Cache, 200 MHz FSB, Slot A) : 239 \$

A ce prix là, y'a pas photo pour le choix... Mais pour les inconditionnels d'Intel, pas de panique, on peut raisonnablement penser qu'il suivra.

- **Nokia fonctionnera en Open-Source**

Nokia a sorti son nouveau navigateur internet pour téléphone cellulaire. La firme a décidé de laisser le code en Open-Source en espérant ainsi marquer des points le marché des logiciels "sans fils".

- **Compaq remporte un gros contrat ?**

Compaq devrait normalement emporter un contrat avec le Ministère de l'énergie américain pour un super-ordinateur de simulation des armes nucléaires.

Dimanche 20 Août 2000

- **Premier agrément pour mobile monétique**

C'est Sagem qui a été le premier à obtenir, pour un terminal GSM monétique, l'agrément EMV délivré par Europay International. C'est un téléphone de la gamme Sagem 900 qui vient de recevoir cet agrément. Il pourra donc être utilisé pour payer avec sa carte bancaire (Mastercard ou Visa) à distance, y compris pour des paiements internationaux, en toute sécurité. Ce téléphone est associé à une batterie monétique disposant du coupleur carte à puce, associé à une application située dans la carte SIM de l'opérateur. Sagem a déjà enregistré plus de 500000 commandes.

- **Protégez-vous des ondes mobiles**

Alors que la polémique fait rage pour savoir si oui ou non et dans quelle mesure les téléphones mobiles sont dangereux pour la santé, la société japonais Gunze vient de mettre au point un T-shirt, le "Pace protector", qui protège des ondes

électromagnétiques en en supprimant jusqu'à 92%. En fait, il a été conçu pour les porteurs de stimulateur cardiaque. Il est tissé en fil de nylon argenté et est efficace même à 2 cm du pacemaker. Son prix, 1640 F.

- **Les grosses dépenses de France Telecom**

C'est maintenant les dans les licences UMTS belges et suédoises que FT a décidé d'investir.

Pour la Suède c'est par le biais de sa filiale Orange et en collaboration avec Skanska (groupe du bâtiment) et la Swedish Broadband Company.

En Belgique, c'est la filiale Mobistar qui va au charbon. L'acquisition, si elle se fait, sera payée par l'endettement et une augmentation du capital. De plus FT envisage que la filiale de Mobistar, Mobistar Corporate Solutions fusionne avec Global One, le groupe de services de communication pour grandes entreprises acquis en début d'année..... par France Telecom.

- **Saut quantique pour les ordinateurs**

(Attention, je vais parler un peu technique, pour ceux qui n'auront pas tous compris -essayez quand même-, dites vous que c'est plus d'une dizaine d'années de théories et d'expériences qui commence à montrer des signes de "réalisabilité")

Bienvenue dans le monde du spin nucléaire et des enchevêtrements subatomiques. Les chercheurs d'IBM ont montré que l'ordinateur quantique, dont on parle depuis de nombreuses années, est réalisable et devrait largement distancer les meilleurs super-ordinateurs. Ils ont annoncé qu'il avaient utilisé "l'ordinateur quantique le plus moderne au monde" pour résoudre en une étape un problème mathématique alors qu'il en faudrait 4 avec un ordinateur conventionnel. On espère pouvoir ainsi surpasser l'architecture silicium en utilisant notamment le fait qu'une particule subatomique peut exister dans deux états quantiques apparemment opposés. Bien sûr, l'ordinateur d'IBM, ne tient pas dans la poche. Il occupe une demi pièce pleine d'électro-aimants et de spectromètres.

Le coeur du système est constitué de 5 atome de fluor, chacun représentant un unique "bit quantique" ou "qubit" de capacité de stockage en suspension dans une molécule spécialement conçue pour. Lorsqu'on lui applique un champ magnétique, le noyau au centre des atomes peut être mis en rotation rapide de façon mesurable et contrôlable, en utilisant l'Imagerie de Résonance Magnétique (IRM, comme en médecine). Chaque noyau en rotation interagit avec les autres, créant un "enchevêtrement" qui défie logiquement les lois quantiques et que les chercheurs peuvent dompter pour effectuer des calculs à une vitesse phénoménale. Isaac Chuang, leader du projet ordinateur quantique chez IBM souligne que "c'est la première fois qu'une équipe réussit un calcul en utilisant une molécule de 5 qubit". Cependant il ne faut pas s'attendre à voir les premières applications commerciales d'ordinateurs quantiques avant au moins 20 ans.

Chez H.P., on salue les avancées d'IBM qui sont considérées comme "impressionnantes et encourageantes". Mais la firme, elle, travaille sur un type

plus conventionnel d'ordinateur super-rapide et à faible consommation pour lequel ils s'attendent à pouvoir produire des résultats d'ici 5 ans. D'autres voies explorées sont celles de l'ordinateur biologique construit à partir d'ADN ou d'ordinateurs pour lesquels on utiliserait des réactions chimiques pour assembler des composants encore plus petits.

- **Linuxiens, choisissez votre camp**

De grandes compagnies se sont associées dans la Gnome Foundation pour soutenir Gnome l'une des deux interfaces graphiques les plus utilisées sous Linux. Ce groupe dirigera le projet et décidera quels packages doivent être inclus dans Gnome. Les sociétés impliquées sont, entre autres, Sun Microsystems, VA Linux Systems, Collab.Net, Compaq Computer and IBM plus celles qui sont directement impliquées dans le projet : Red Hat, Gunitais, Henzai, Eazel et Hélix Code. Ajoutez à cela des participation de la Free Software Foundation (pionnière dans le logiciel open-source) et l'Object Management Group (qui s'attache à créer des programme qui communiquent ensemble de façon standard).

Ceci ne va pas aller dans le sens de l'unification avec le compétiteur principal, KDE, qui est utilisé dans les distributions de SuSE, Corel, Caldera, Red Hat, sur les ordinateurs Linux d'IBM. Cette séparation entre les deux grands est dangereuse parce que les programmeurs auront à choisir entre les deux pour assurer la compatibilité de leurs logiciels.

Sun Microsystems va adopter l'interface Gnome pour ses système d'exploitation Solaris et fournira plus de 50 programmeurs au projet Gnome. De plus, StarOffice (le pendant de Micro\$oft Office sous Linux), appartient à Sun est sera donc plus étroitement lié à Gnome. La suite adoptera Bonobo, une technologie Gnome similaire au logiciel Microsoft COM qui permet à un programme d'utiliser les composants d'un autre (par exemple, un gestionnaire de mail peut utiliser le moteur Gecko de Netscape ou un Messenger Instantané utiliser le correcteur d'orthographe de StarOffice).

- **La démocratie en danger**

Les américains nous auront tout fait ! La commission électorale fédérale américaine a découvert que des votes avaient été mis aux enchères sur eBay. Et les enchères (sérieuses ou non) variaient de 5 à 10000 \$. Averti, eBay a supprimé les offres.

D'autres, comme le site Vote Auction vont plus loin, tentant d'ériger l'idée en système. Derrière le site, James Baumgartner, un étudiant qui a fait de Voteauction son sujet de thèse. « De toute façon, explique-t-il, c'est le candidat le mieux pourvu financièrement qui gagne quasiment à tous les coups. » S'il ne s'adresse pas directement aux candidats, le site ouvre ses enchères aux entreprises qui financent d'ordinaire les campagnes. L'analyse rejoint celle d'un internaute qui tente de vendre son vote aux enchères sur Yahoo. « Les sénateurs vendent régulièrement leur vote au plus offrant, avance-t-il, Pourquoi le citoyen américain serait-il exclu du système ? »

Samedi 19 Août 2000

- **Marijuana Express**

iToke, un site hollandais compte lancer à Amsterdam un service de livraison de marijuana à domicile.

- **Netscape Communicator 4.75**

Je sais, il y a eu la version 4.74 le mois dernier, mais si cette nouvelle mise-à-jour sort si vite après c'est qu'elle contient le correctif permettant de réparer le trou de sécurité, dont je vous parlais la semaine dernière, Brown Orifice.

- **AMD n'oublie pas Linux**

AMD recrute actuellement des développeurs Linux pour écrire des logiciels pour le Sledgehammer, son processeur 64 bits qui devrait sortir courant 2001. La firme a créé un site web pour les développeurs Linux et enverra aux participant un "simulateur de technologie" du processeur pour que les entreprises puissent commencer à faire migrer leurs systèmes d'exploitation et logiciels. Et il parait que ce n'est qu'un début...

- **IBM fait la promotion de SuSE**

Big Blue fournira une version CD de la distribution Linux de Suse avec chacun des serveurs Intel qu'il vend en Europe. SuSE estime que cette collaboration devrait lui permettre de faire essayer sa technologie à 20000 clients potentiels.

- **AOL sur Linux ?**

Un site web (<http://www.techpages.com>) propose une pré-version non-officielle d'AOL pour Linux. son nom de code : Gamera. Certaines sources proches d'AOL auraient confirmé que le logiciel est authentique...

- **Corel Linux Second edition**

La première version a fait un pas important dans la simplification de l'installation de Linux mais il semble que cette nouvelle version fassent encore mieux.

- **I Love You Again**

Quelques firmes Américaines et Européenne ont été touchées par une nouvelle version du ver "I Love You" (VBS/Loveletter.bd), il s'agit notamment de banques. Cette nouvelle mouture télécharge et lance un programme nommé "hcheck.exe" qui qui récupère les mots de passe stockés sur l'ordinateur infecté.

- **Sony sur de nouveaux créneaux**

Le Walkman a fait son succès, Sony a donc décidé d'ici la fin de l'année, de sortir une nouvelle ligne de walkmans MP3. Mais ce ne sera pas tout, la firme sortira aussi d'autres appareils internet et des téléphones cellulaires.

- **Un PDA change le cours d'un procès**

Aux Etats-Unis, un procès pour meurtre va devoir être recommencé parce qu'un

des jurés a lu des commentaires sur le procès sur son PalmPilot.

- **Transmeta accroche un nouveau gros contrat**

Vaio, c'est la gamme d'ultraportables de Sony. Ils étaient jusqu'à présent équipé d'un Celeron 366. Mais la nouvelle gamme C1 sera, elle, équipée d'un Crusoë de chez Transmeta. C'est la faible consommation électrique et la dissipation thermique réduite qui fait basculer le choix de Sony vers le nouveau venu. En effet, le Crusoë consommerait 1 Watt (0,02 en mode veille) contre 15 à 20 pour les Celeron.

Après le contrat signé avec IBM, il ne manque plus que Toshiba au tableau de chasse de Transmeta pour avoir toutes les grosses pointures du monde de l'ordinateur portable.

- **Hallucinant !**

Pour faire sa promotion, un site internet offre 5000 \$ au 10 premiers bébés qui porteront légalement son nom.

- **Webmasters, attention !**

Un éditeur de site a été condamné par la justice américaine pour un lien qui renvoyait vers le code source du DeCSS, logiciel illégal permettant de pirater les DVD. Ce cas pourrait faire jurisprudence.

- **Tuez à distance**

Columbo va avoir du fil a retordre... L'Institut de technologie thaïlandais King Mongkut a présenté un robot armé qui détecte les intrus grâce à une caméra et des capteurs. Vous passez un ordre par Internet et il tire.

Jeudi 17 Août 2000

- **Chasse à l'homme**

Les allemands ont lancé un nouveau jeu le 14/08 : un chasse à l'homme dans Berlin en direct sur le WebLe fugitif, Roger, enseignant en Hollande. Sur ses traces Jack Black, chasseur de primes qui gagnera 10000 \$ s'il rattrape Roger. Roger porte sur lui une webcam et un micro pour que les internautes puissent tout suivre sur le Net et n'a le droit qu'à 2 h de répit par jour dans une cache secrète. Pour être sûr que le fugitif n'attend pas patiemment la fin dans une chambre d'hôtel, il doit suivre un parcours quotidien qui passe par des lieux connus de Berlin qu'il doit prendre en photo. Ensuite, il doit laisser les photos (en format numérique) sur un banc ou collé à une poubelle pour que les organisateurs les récupèrent.

Les internautes ne doivent pas participer physiquement à la chasse mais peuvent aider Roger ou Jack sur le Net. Soit dit en passant Roger n'est pas discret puisqu'il porte un tee-shirt aux couleurs du site.

Le jeu, qui enregistre 600000 pages vues par jour doit durer 24 jours et recommencer ensuite avec un nouveau candidat. S'il en réchappe, Roger gagnera 100000 \$!

<http://www.realityrun.com> (le site est aussi en anglais)

- **Nouveau problème de sécurité**

Un nouvel utilitaire internet permet de scanner l'IIS (Internet Information Server) de Microsoft, découvrir ses points de vulnérabilité et lancer une attaque qui peut révéler les nom et mots de passe des utilisateurs. Et c'est sur ce système serveur que Microsoft veut faire migrer MSN Messenger !!!!

- **Va-t-il se casser les dents ?**

Malgré les déboires de ses prédécesseurs, un nouveau FAI se lance dans l'internet illimité. AOL vous proposera, dès lundi, ce service 24h/24 pour 99 F par mois. La contrepartie, vous vous engagez pour 24 mois. (CONTQM : ceux qui il y a un an se sont engagé avec un abonnement d'un an chez AOL pour avoir des prix plus bas se sont mordus les doigts avec l'arrivée des FAI gratuits, est-ce le moment de recommencer ? 2 ans, en matière d'informatique, c'est très long. Tout peut arriver...)

- **L'escroc Altavista**

Le portail a annoncé un forfait illimité en Grande-Bretagne pour 60 £/mois. Il a ensuite affirmé que les inscription se ferait par lots de 25000 par semaine pour ne pas engorger le service. Le Mirror a donc mené l'enquête pour trouver des internautes qui profitent de ce service (ils devraient être 100000 à l'heure actuelle) et pas moyen d'en trouver un seul. Et bizarrement, seul le PDG d'Altavista U.K. peut s'exprimer sur la question, lequel passe des vacances qui n'en finissent plus de s'allonger. Pourquoi un portail de cette envergure aurait-il tenté une telle escroquerie ? Nous en saurons plus après les vacances du PDG...

- **Contenus payants**

Realnetworks, la firme propriétaire du célèbre RealPlayer a annoncé le lancement aux États-Unis d'un forfait payant qui permettra d'accéder à des programmes exclusifs chaque mois.

Mercredi 16 août 2000

- **Stinger le nouvel OS de Micro\$oft**

Non, ce n'est pas le successeur de Windows ME c'est tout simplement l'OS que Micro\$oft a conçu pour les téléphones cellulaires. Il s'agit d'une version réduite de Windows CE. Il propose, en plus des fonctions de téléphonies, un agenda intelligent qui peut forcer le téléphone à vibrer plutôt qu'à sonner aux heures de réunion et fonctionner en relation avec Outlook, et peut gérer l'affichage couleur. Samsung, s'est déjà montré intéressé par le système. Micro\$oft travaille par ailleurs sur un OS supplémentaire destiné, celui-là, à équiper les téléphones permettant d'accéder à Internet.

Tout cela ne sera pas de trop pour faire face à la montée en puissance programmée de Java et Linux sur toutes ces petites machines

- **Zapstation**

On pensait avoir tout vu ? Voici la Zapstation. C'est une sorte de console qui se branche sur votre T.V.. Elle offre un accès Web, lit les fichiers MP3, les CD et les DVD, télécharge des vidéos, reçoit les radios mondiales... Elle embarque une disque dur de 30 Go, utilise un Celeron 566 Mhz et peut-être reliée à une imprimante, un baladeur, tout type de périphérique informatique classique, à un ampli. Vous l'utilisez grâce à une télécommande et un clavier sans fil. Elle sera disponible vers Novembre.

<http://www.zapmedia.com>

- **SVG version finale**

SVG signifie Scalable Vector Graphics et s'appuie sur le langage XML. Ceci garantit donc une indépendance vis-à-vis des plates-formes. Il est indépendant de la résolution de l'écran et peut intégrer des textes descriptifs. De plus il permet de créer des liens vers des zones de l'images sans avoir à la mapper. Le gros problème est qu'aucun navigateur ne supporte évidemment ce format pour l'instant. Seul Adobe propose de télécharger un plug-in.

- **m100, le nouveau Palm**

Il devait être moins cher, c'est le cas aux États-Unis (150\$) mais en France il sera à 1500 F (comme le Palm III). Le nouveautés ? Son capot devient amovible (les nouveaux, disponibles en 4 couleurs, coûtent tout de même 200 F pièce !) et il possède un petit hublot qui permet de voir l'heure même capot fermé. Il est plus petit que la série III, faisant perdre à l'écran 1/4 de sa surface et une nouvelle touche permet d'accéder directement au bloc-note. La synchronisation avec l'ordinateur se fait maintenant directement par câble plutôt qu'avec une station d'accueil. Il fonctionne sous Palm OS 3.5 et emporte 2 petits Mo de mémoire.

- **Nouvelle folie japonaise**

Après le Tamagoshi dans la poche voici les nouveaux venus. Ce sont de petites créatures virtuelles qui s'occupent de vous livrer vos mails. Vous devez donc vous en occuper comme leurs prédécesseurs mais la lecture de votre courrier dépendra leur bonne volonté. Il paraît que les japonais en sont fous.

[La version Sony de la chose](#)

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Un rapport de Forrester Research conclue que les standards open-source (NPLN : logiciel dont le code est accessible à tout un chacun, comme c'est le cas de Linux par exemple) domineront l'industrie du logiciel d'ici 4 ans. Il ajoute aussi qu'IBM et Dell devraient tirer leur épingle du jeu tandis que Oracle et Microsoft auront à batailler ferme pour s'en sortir.

-

Ce sont les enfants de moins de 11 ans qui cliquent le plus sur les bannières de pubs et les adolescents qui cliquent le moins (soit dit en passant, et moi jamais).

- **Vite !**

Le ministère de la Justice américain veut "expédier" le passage de l'appel de Micro\$oft devant la Cour Suprême parce que ce procès "a une importance extrême pour [leur] économie nationale" (sic).

- **La Banque de France soutient Napster....**

... malgré elle. En effet, un pirate a squatté la page d'accueil d'une trentaine de sites dont celui de la BNF

Mardi 15 Août 2000

- **Bonne blague**

Les clients Londoniens de Safeway, une chaîne britannique de supermarchés ont eut une jolie surprise. Ceux-ci ont reçu un message leur annonçant une hausse des prix et leur conseillant de faire leurs courses ailleurs. La firme n'a toujours pas pu déterminer où était la faille.

Lundi 14 Août 2000

- **Musique mobile protégée**

Intel et Matsushita ont lancé conjointement un système de protection des contenus numériques pour protéger par exemple la musique. Il n'est sûrement pas compatible avec Napster

- **e-commerce Visa ou rien**

Les vendeurs on-line vont devoir les respecter les règles établies par Visa concernant l'e-commerce ou aller voir ailleurs...

- **Un de plus chez Linux**

C'est au tour de Linux, après Dell et IBM de faire de Linux un de ses 3 systèmes d'exploitation stratégiques.

- **e-book par Micro\$oft**

Barnes and Nobles, une chaîne de librairies américaines (deuxième librairie en ligne, loin derrière Amazon.com) et MS lancent le plus gros service de vente de livres électroniques.

Micro\$oft en profite pour glisser Reader 1.5, son logiciel gratuit qui optimise l'affichage des e-Books sur un écran d'ordinateur de bureau ou un PDA, offre des options de recherche de mots, de surlignage ou encore de marque-page. 2000 eBook sont déjà disponibles dans ce format sur le site de Barnes and Noble et 150 titres supplémentaires devraient s'ajouter chaque mois. De plus MS propose d'autres applications dont un programme interagissant dans Word qui permet de convertir un document au format livre électronique et une autre

firme, Overdrive propose un logiciel permettant de faire la même chose à partir d'un document HTML ou d'un fichier texte.

A suivre, les plaintes des éditeurs en réponse à la création de moteurs d'échange d'e-books qui ne sauraient tarder à apparaître.

- **PSX 2 fin novembre**

La Playstation 2 ne sera disponible en France que le 24 novembre pour un prix d'environ 3000 F

- **Un standard de messagerie instantanées**

L'Internet Engineering Task Force va examiner 3 propositions de technologies pour définir un standard de messagerie instantanée. La proposition d'AOL, jugée peu innovante a déjà été rejetée (CONTQM : c'est bien mais pourvu que la technologie retenue n'appartienne pas à Microsoft non plus mais plutôt à une firme encore indépendante)

- **Apache 2.0 arrive**

D'ici la fin de l'année, la version 2 d'Apache, l'application serveur web la plus utilisée dans le monde, devrait être terminée pour la fin de l'année.

- **Hotmail sous Win2000**

Microsoft a décidé de ne plus faire appel au monde du logiciel libre, soit ; mais Hotmail, son service de messagerie instantanée fonctionne sous Apache et FreeBSD ! MS va donc être obligé de le faire migrer sous Windows 2000. (CONTQM : quelque chose me dit que le service sera moins performant !)

- **Le web parlera**

Le W3C (World Wide Web Consortium) travaille sur le SSML (Speech Synthesis Markup Language), une extension du XML (eXtended Markup Language) qui devrait permettre d'intégrer des instructions de synthèse vocale aux contenus textuels du Web permettant de faire des sites interrogeables par téléphone.

- **La chine sous Linux**

L'administration chinoise tournera sous Linux. elle affirme vouloir ainsi "briser le monopole de Windows et des technologies étrangères".

- **Windows is back**

La marine américaine avait renoncé à conserver Windows NT sur ses navires parce qu'il avait tendance à planter. Mais cela ne l'empêche pas d'avoir décidé d'installer une version spécifique de Windows 2000 sur ses nouveaux porte-avions.

- **Carnivore suite**

Le ministère de la Justice américain emploiera une université pour conduire une analyse indépendante du système d'espionnage des mails du FBI : Carnivore.

- **Le 64 bits d'AMD**

Le manuel technique du Sledgehammer, le processeur 64 bits d'AMD a été publié cette semaine. Ce processeur devrait être à la fois capable de gérer les programmes prévus pour les processeurs 32 bits (comme le PIII ou l'Athlon) et les programmes pour les processeurs 64 bits (comme l'UltraSparc de Sun, l'Alpha de Compaq ou le futur Itanium d'Intel).

Vendredi 11 Août 2000

- **Record du monde ?**

La femme la plus "téléchargée" du monde serait Danni Ashe. C'est du moins ce qu'essaye d'établir en ce moment le Livre Guinness des Records. Elle revendique 800 millions de téléchargements. Si vous voulez voir de qui il s'agit : <http://www.dannisharddrive.com/> (pour ceux qui ne s'en seraient pas doutés, il est recommandé d'être âgé de plus de 18 ans !)

- **Un soutien pour Napster...**

...et pas des moindres. Celui qui se faisait dernièrement appeler Prince dit sur son site que Napster est "un développement passionnant dans l'histoire de la musique" et en profite pour critiquer violemment le patron de Time Warner.

- **Poussez-les d'un côté, ils reviennent de l'autre.**

AOL cherche à faire figure propre concernant les MP3 en déconnectant un site de recherche de MP3. Cependant, la firme doit encaisser la sortie d'un nouveau logiciel d'échange de fichiers qui permet aux utilisateurs d'AOL messenger d'accéder à un réseau type Napster.

Pour ceux que ça intéresse, il se nomme AIMSTER et vous pouvez le trouver à : <http://www.aimster.com/>

Jeudi 10 Août 2000

- **Please stop...**

Le Pentagone a lancé un appel aux hackers, les suppliant d'arrêter de s'en prendre à ses réseaux... pour des raisons de sécurité.

- **Un Net-piège...**

Chapeau pour les douanes américaines ! 400 internautes qui espéraient pouvoir accéder à une chaîne satellite américaine à des prix défiant toute concurrence sont en fait tombés dans un piège tendu par les douanes.

- **Le trou de Netscape**

Le trou de sécurité des versions de Netscape antérieures à la version 6 a été dénommé BrownOrifice (petite allusion à son cousin dévastateur BackOrifice). Vous pouvez tester son mode de fonctionnement sur ce site qui lui est dédié : <http://www.brumleve.com/BrownOrifice/>. Ne vous inquiétez pas, je vous

rappelle que c'est sans risque pour votre système si ce n'est qu'on peut parcourir votre disque, sans pour autant pouvoir modifier quoi que ce soit.

La meilleure façon de se prémunir contre cette défaillance du système : désactiver les applet Java, en attendant le patch sur lequel travaille Netscape.

Mercredi 9 Août 2000

- **Après les MP3 et les fichiers multimédia, les jeux**

Swapoo, www.swapoo.com, est un site qui suit le chemin tracé par Napster mais il concerne les échanges de jeux pour consoles.

- **La chasse aux pirates est ouverte**

C'est la nouvelle occupation de Micro\$oft. La firme fait appel à la délation par le biais d'une hot-line et d'un service e-mail mais elle s'est aussi équipée d'outils de recherche automatique pour localiser sur le web les logiciels piratés ou vendus à prix suspect sur les sites web, ftp et de chat.

Un moteur de recherche scrute 24h sur 24 le web a cet effet. Micro\$oft compte ainsi recueillir des milliers d'adresses par jour. Afin de contacter immédiatement les sites ou FAI hébergeurs.

MS est soutenu par la Business Software Alliance, association d'éditeurs dont Microsoft est le principal promoteur.

Parallèlement, MS a aussi nommé un responsable aux affaires gouvernementales pour pousser l'administration américaine à mettre la pression sur les États pirates (la Russie et la Chine notamment).

Les éditeurs américains estiment perdre 150 milliards de francs par an du fait du piratage.

- **Netscape fait fort !**

Les navigateurs Netscape permettraient de voir le contenu de votre disque dur et ceci grâce à un applet Java présent sur certains sites.

Mardi 8 Août 2000

- **Un pingouin au poignet**

Les chercheurs d'IBM ont installé le Système d'exploitation Linux dans une montre-bracelet pour démontrer que le système pouvait être utilisé même dans les plus petits appareils.

- **Transmeta première version**

Transmeta a lancé la production de ses processeurs Crusoe chez Taiwan Semiconductor Manufacturing et d'autres fondeurs ce qui pourrait être le début d'une longue série...

- **Onetel raccroche**

Après la suspension des accès illimités, Onetel a décidé de limiter la consommation des abonnés qui y ont souscrit. (CONTQM : Mais que croyaient-ils chez Onetel, qu'avec une connexion illimitée les abonnés ne feraient que 20h ?)

- **Multimania se diversifie**

A partir d'Octobre, les membres de Multimania pourront diffuser gratuitement du contenu audio et vidéo sur leur site perso avec les technologie RealNetworks.

- **Cyber-police chinoise**

Début Août, la Chine a lancé sa police internet.

- **CD audio et MP3**

Ça y est, ils arrive en France ! Une société chinoise, A-Max va lancer mi-août le Napa DA V309 distribué par Bataca. Il s'agit d'un discman qui peut lire aussi bien les CD audio que les MP3. Son prix sera de 1300 F environ. (CONTQM : avant de vous ruer dessus, méfiez-vous, j'ai eu l'occasion de tester un modèle concurrent et le résultat n'était pas fameux.)

Dimanche 6 Août 2000

- **Les secrets d'Apple révélés par l'Abeille ouvrière**

Apple a demandé une enquête judiciaire suite aux révélations faites concernant son prochain portable iBook. Un inconnu a en effet publié sur le web des informations concernant sa nouvelle souris optique et un PowerMac biprocesseur avant leur présentation le mois dernier. Worker Bee, c'est son nom, aurait aussi dévoilé un troisième produit que la firme à la pomme n'a toujours pas présenté, qui serait une version de l'iBook équipée d'un processeur plus rapide. Apple a donc sommé le portail Yahoo! de révéler les informations les informations qu'il possède sur worker bee puisque celui-ci a fait ses révélations sur GeoCities (qui appartient à Yahoo!).

- **Publicité pour l'échange de fichiers**

La décision de fermer Napster a doublé les connexions au site. Le soir de la fermeture du site, le nombre de connexions a été porté à 849196, contre 443070 la veille. Il a ainsi dépassé la fréquentation de sites comme Amazon.com. De plus les sites de téléchargement enregistre une hausse importante des demandes de logiciels d'échange de fichier.

- **Le Limousin n'est pas rentable**

Le Conseil régional dénonce la disparition de la notion de service public. En effet, le Limousin fait partie zones que Completel a jugé non rentables pour l'utilisation la boucle radio locale pour l'Internet.

- **Le mobile tue ?**

Un procès va s'ouvrir aux États-Unis suite à la plainte d'un médecin estimant

que sa tumeur cérébrale est due à son téléphone cellulaire. Au Royaume-Uni, le gouvernement s'est lancé dans une campagne pour inciter les enfants à ne pas utiliser les cellulaires. Pendant ce temps des études sont toujours en cours pour déterminer si oui ou non il y a danger.

- **IBM et Micro\$oft pour un standard**

Les deux compagnies ont décidé de collaborer pour définir des standards internet, concernant notamment le XML pour simplifier le développement de leurs applications futures.

- **Dessins animés sur PDA**

Cela pourrait arriver bientôt... Warner Brothers et Sony Pictures sont en train de tester la possibilité de distribuer, par le biais d'Internet, des dessins animés sur ce support.

- **Le Conseil constitutionnel censure**

Le Conseil constitutionnel a apporté des modifications à la loi sur la liberté de communication, notamment en censurant d'office l'article concernant la responsabilité pénale des hébergeurs, déclarant anticonstitutionnelle la saisie par un tiers.

- **La Dram Rambus double sa vitesse**

Une RDRAM 1066 MHz, avec une bande passante de 2,1 Go/s, voilà la dernière avancée du constructeur de mémoire. La technique ? La même que celle de la DDR SDRAM : le doublement de la fréquence (2*533 MHz).

- **Vous jouerez plus tard**

La sortie en Europe de la Playstation 2 a été retardée, vraisemblablement pour pouvoir répondre à la demande en Amérique du Nord.

- **Alerte aux virus**

McAfee a créé un service qui vous envoie les formations sur les nouveaux virus directement sur votre téléphone WAP.

- **Téléchargement de musique autorisés**

Cette semaine Universal lance son service de téléchargement de musique imitant ainsi Sony et EMI. BMG et Time Warner s'y mettront d'ici la fin de l'année

Vendredi 4 Août 2000

- **Opérateurs téléphone : US vs UE**

Près de 50 compagnies de téléphone européennes se sont jointes à la campagne de l'Union Européenne pour stopper la proposition de loi américaine visant à empêcher, entre autres, Deutsche Telekom de s'offrir Voicestream.

- **Micro\$oft a chaud**

L'Union Européenne a officiellement lancé à son tour une procédure antitrust contre Micro\$oft. Du coup, MS incite un juge à renvoyer plus de 60 actions en cours aux États-Unis pour avoir les mains un peu plus libres

Jeudi 3 Août 2000

- **Le GMT ne sera pas la référence**

Tony Blair s'était engagé dans une campagne pour que Greenwich soit le point de référence de l'horloge internet avec le GeT (Greenwich Electronic Time). Mais le système basé sur Java est incompatible avec Internet Explorer, donc avec près de 80% d'internautes, les tests montrant des écarts allant jusqu'à 9s. (Si quelqu'un peut m'expliquer l'intérêt de créer une heure Internet alors qu'il existe déjà une heure de référence, qu'il m'envoie un mail, merci).

- **Offres d'emploi**

Comme tous les ans, le week-end dernier s'est tenu à Las Vegas le DefCon, le congrès de hackers (NPLN : ceux qui forcent les systèmes informatiques protégés). Depuis quelques années, les hackers invitent même officiellement des agents fédéraux aux conférences. En effet, auparavant, ils cherchaient à s'infiltrer incognito et un jeu avait été lancé, "Spot the Fed" qui consistait pour les hacker à démasquer ces agents. Cette année, les fédéraux (un officier du ministère de la Défense, un membre d'une cellule discrète proche de la C.I.A.) ont même été invités à s'exprimer sous forme de conférences et de tables rondes (nommées "Meet the Fed"). Le dernier jour, "Spot the Fed" a sorti aussi un gros poisson, un agent de la NSA. Leurs interventions ont eu un point commun, la tentative à peine voilée de recruter des hackers pour les services de renseignement américains.

Par contre, interrogés à ce sujet, ils ont démenti l'existence du réseau d'espionnage Echelon.

- **Ils ne liront pas grand chose**

Selon les analyses d'un chercheur universitaire, le dispositif de surveillance des mails, qui sera mis en place au Royaume-Uni serait techniquement obsolète. Il ne prendrait pas en charge les serveurs de mail étrangers, ni certains petits FAI britanniques, oubliés par le dispositif, les accès internet à haut débit, ni avec le nouveau protocole internet IPv6 (futur standard du web). Un gaspillage de 200 millions de francs.

- **IBM gonfle ses disques**

D'ici deux ans, les disques durs devraient dépasser les 200 Go. Alors que la technologie holographique, lorsqu'elle sera au point, devrait pouvoir permettre d'atteindre 1 Go par cm², IBM propose une technologie intermédiaire basée sur un système de stockage nano-mécanique composé de milliers de micropointes. Il permet de stocker 1,25 Go sur une surface de 3 millimètres carrés comprenant

32 x 32, soit 1024 micropointes qui réagissent à l'électricité et adoptent un état levé (1) ou baissé (0). On devrait donc pouvoir atteindre 500 milliards de bits par pouce carré, soit 5 fois la densité maximale pouvant être atteinte sur support magnétique, celle-ci étant estimée à 100 (les disques les plus récents ont une densité de 12 milliards de bits au pouce carré).

- **Etudes / Sondages**

Sondage Sofres : Seuls 7 % des internautes de l'Hexagone ont acheté en ligne au cours des derniers mois, contre 27 % des Américains ayant accès au net.

- **WebTV Basque**

Ce mois-ci va s'ouvrir TVPI.fr une web T.V. locale privée du Pays proposant 20% de programmes en langue basque.

Mercredi 2 Aout 2000

- **Du nouveau dans l'échange de fichiers**

La startup Autonomous Zone ose ce qu'aucune n'avait fait auparavant, vous payer pour échanger des fichiers ! Le concept est simple : on reprend le système de Napster étendu à tous types de fichiers, avec son moteur de recherche et tout et tout, sauf que quand quelqu'un télécharge un fichier depuis votre ordinateur, vous recevez des Mojos, une monnaie inventée par la startup mais convertible en dollars (1 mojo = 1/1000 cent).

On pourrait donc s'attendre à revoir le même genre de manoeuvre judiciaire que contre Napster, d'autant plus que certains sites pornographiques majeurs comme Penthouse seraient de la partie. Mais les créateurs de la société sont confiants, assurant qu'on ne peut leur demander de supprimer des références illégales puisque leur système, contrairement à Napster, ne mémorise pas l'index des fichiers. De plus, ils affirment vouloir travailler avec Hollywood sur un système de paiement volontaire nommé PayLars (en référence à Lars Ulrich, batteur de Metallica à l'origine de poursuites contre Napster).

MojoNation, c'est le nom du logiciel, sera déjà disponible en version beta au salon des Hackers, le DefCon. Le logiciel pourrait de plus reprendre le système de Freenet qui sauvegarde les fichiers sur son serveur, les rendant téléchargeables même après la déconnexion du fournisseur. De plus vous aurez un formulaire à remplir, pour pouvoir établir une liste des fournisseurs de fichiers de confiance (le même système de notation que sur les sites de ventes aux enchères). Pour gagner des Mojos, vous pourrez aussi vendre une partie de votre bande passante, de l'espace disque pour servir de serveur ou créer d'autres services payants.

- **Le futur de Napster**

Napster a entamé une série de rencontre avec EMusic qui pourrait aboutir à un partenariat, lequel pourrait affecter la décision de la cour sur l'action en justice en cours.

- **Red Hat a convaincu Ericsson**

Les efforts soutenus de Red Hat pour faire entrer Linux dans les petits appareils non-PC portent enfin leurs fruits puisque la firme vient de signer un accord de partenariat avec Ericsson.

- **Le Net "s'installe" en Iran et Irak**

En Iran, c'est le premier centre rural connecté au web et en Irak, le premier premier cyber-café

Mardi 1^{er} Août 2000

- **URL plus simple**

Suite à une étude montrant que les utilisateurs de téléphone Wap devaient taper 70 touches en moyenne pour entre une adresse, la société Bango a mis au point un système d'URL par chiffres pour simplifier la tâche. Il se nomme le Bango Number et vous permet de taper un numéro (3 chiffres min) en lieu et place de l'adresse. Maintenant, la course est lancée pour acheter les numéros, les plus chers étant bien sur ceux de 3 chiffres.

- **Quand on a de l'argent...**

Micro\$oft compte dépenser 500 millions de \$ pour le marketing et la vente de sa future console de Xbox, le plus gros budget jamais atteint par la firme pour lancer un nouveau produit.

- **Vous êtes espionnés...**

L'info n'est pas nouvelle, mais cette fois, un cabinet d'étude a utilisé un renifleur de paquet pour savoir quelles informations étaient recueillies à notre insu et le résultat est sidérant.

Ce cabinet a téléchargé des données depuis son propre site. En résumé, les serveurs de Real, AOL ou Netzip récupèrent le nom du fichier (exécutable) téléchargé, l'adresse exacte du serveur de provenance, l'adresse IP de l'ordinateur de l'internaute. Le logiciel crée une clé d'identification à partir du nom de la machine lors de l'installation de Windows . Couplé à un cookie, il permet par exemple de créer un historique des fichiers téléchargés. Lisible en hexadécimal et en équivalent ASCII, le fichier ne laisse guère de doute sur les risques de son exploitation.

- **On joue dans le comique**

Le premier patch correctif pour Windows 2000 US est sorti : 83 Mo (version française pour le 10 Août). Après le patch pour office de plus de 100 Mo, les logiciels de MS coûtent plus cher en téléphone qu'à l'achat si on les veut à jour !

- **Du cinéma avec la Playstation**

Sony a lancé le GScube. C'est un outil de développement pour l'industrie cinématographique et la création multimédia.... basé sur la technologie PlayStation 2.

Si vous avez appris une nouvelle importante à diffuser :



News: August 2000

Abbreviations used: NPLN - > Note For The Beginners, CONTQM - > This Opinion Is due Only To Me

Thursday 31 Août 2000

- **Ca does not have anything of surprising...**

The Promis software, which had made much speak about him in the Eighties is a software intended for the lawyers who classifies the documents and to establish correlations between them. It has had for summer improved by the American administration which resold it, under another name, abroad, with secret service (in Jordan and Israel, in particular) but also at companies, of which some large French banks.

However, the modifications would have consisted of the installation of devices of listening and intrusion on the computers where it would be installed, thus giving to the United States the possibility of espionner a great number of companies and government agencies. Just there, all goes well for American except that the Canadian government which uses software PIRS to coordinate the investigations as of the its secret service and assembled Police force, suspects that it is one of these version of Promised. An investigation was thus open to determine if informers exist well.

- **France Telecom does not have the Yellow Pages.**

France Telecom, which has www.pagesjaunes.fr, had required of the World Office of the Patent rights (OMPI) to rule in its favour on the question of knowing to which belong the pagesjaunes.com fields, pagesjaunes.net and lespagesjaunes.com. But the OPMI did not follow while explaining in particular that other named directories Yellow Pages exist in French-speaking countries with the name pagesjaunes.ch, ca, be, lu.

- **Everyone is entitled to an e-mail... 2nd edition**

The Post office announced that it was going to offer a free e-mail to each French, who is consultable directly of on your premise (on the site or your manager of malls) or on paying terminals in the stations. Only here is, the service has existed for one year....

- **Sony leaves its Palm**

Sony and Palm revealed Clie, first PDA resulting from their alliance which marks the entry of the Japanese on this growing market.

- **The rumours are specified**

The Mainsoft company, Unix/Linux developer, are suspected of being one of the pillars of the conversion of Office under Linux. It already carried I.E. and Windows Media Player on this platform. (CONTQM: If one finds even software ms under Linux, which will be the interest to preserve Windows?)

- **AGP x8 for INTEL**

Medium 2001, INTEL should leave this new graphic bus which will make it possible to still accelerate the 3d.

- **New system of promotion**

In the United States (elsewhere I do not know), Windows Me (NPLN: Windows Millenium, which leaves the 14/09 everywhere in the world) will be distributed in the form of demonstrations in the department stores.

Wednesday August 30, 2000

- **New friends of Napster**

Many organizations provided supports of Napster before the Court of Appeal, such as for example Consuming it Electronics Association (ECA) and the DIGITAL Media Association (DiMA).

The ECA estimates that the judge badly interpreted the case of Betamax of Sony of 1984 bus Napster has, in its eyes, created a new standard which can have legal applications although it is often used for enfreindre the law. DiMA which represents more than 960 ntreprises whose AOL and Yahoo joined the positions of the ECA.

- **Barbie makes confidence with the small girls**

The directors of Barbie.com engaged 26 small girls between 6 and 12 years to help them to reconsider the site which had been open this summer. Every week these girls received by mail of the photographs of screen of the site in construction and were questioned by e-mail or telephone. Of course they received a remuneration (not communicated) for their services.

It seems that this way of proceeding is paying since the traffic doubled with the reopening of the site then quadrupled after publicities with the T.V.. Moreover, the visitors are fidélisent. The visitor remains each time 26 mn on average.

- **Freesurf sanctions subscribers**

According to the road traced by OneTel, Freesurf registered on a black list and disconnected from the subscribers of the unlimited fixed price evening and weekend to have broken the rules. According to conditions' of the fixed price with 100 F/mois, the subscriber is restricts with the consultation of the Web and its malls and with the newsgroups. But 531 subscribers were disconnected in

one week, without notice and by not having inevitably enfreint the rules. They are shown to have used footbridges to download software.

On the fact that there were errors and not notice, the director of Freesurf explains "that it was about an emergency measure. But we realized that some practise were regarded wrongly as frauds." They are thus in the train examining the cases one by one for reconnecter those which were disconnected by error.

Among the raised technical errors, an subscriber who would quite simply introduce CD into his PC and would launch the software of WinAmp reading while being connected would be regarded as a defrauder bus WinAmp uses a protocol prohibited by the unlimited fixed price.

Freesurf however supports to want to continue its offer of unlimited access.

- **The antenna-relays would be dangerous**

According to a study ordered by the review Science and Future, the vibrations which transmit the radio operator signals of mobile telephony would be definitely more harmful than the operators declare it.

The study, carried out in fifteen apartments of Island-of-France located behind a antenna-relay or on the last floor of a building by accomodating one, reveals that in nearly two cases out of three, the intensity of emitted radiations is ten times higher than the values announced by the laboratories of France Telecom.

Already, in April 1999 already, the general direction of health and the secretariat of State to housing had published a report recommending a "restriction of use total or partial" of the balconies of HLM on which these antennas are installed, and even a "judgment of certain rooms".

- **Released INTEL**

The PIII 1,13 GHz was withdrawn from sale 1 month after its exit because of an anomaly on an involving circuit of the problems of operation with certain software. Moreover certain assemblers as Dell had already suspended their orders because of the incapacity of INTEL required this model in a sufficient number. During this time, AMD launched its Athlon 1,1 GHz and it has already more than 10 manufacturers like customers, in particular Compaq, Fujitsu Siemens Computers, Gateway, Hewlett-Packard and IBM.

AMD is thus alone on the top-of-the-range crenel and its product is less expensive. INTEL provides that the modifications to be made to the design of its PIII will take a few months..... as much to say an eternity considering the given rhythm processors with 1,5 GHz are awaited before long.

- **Amazon.com Creates Amazon.fr**

The opening took place in the night from the 30 to August 31. The site will propose 4 shops (books, music, DVD and video) which would propose the whole of the references available in France. However, contrary to its competitors, no figure was given for the French products whereas one knows those of the foreign products (240.000 CD references in importation, 700.000 English books). For the prices, the site will conform to the French regulation into force on the flat price of the book.

Not having been able to repurchase Alapage (France Telecom was faster),

Amazon has to build a site of any part but knew to be surrounded by a team made up of old from Vivendi, Havas or the FNAC. But competitors, the FNAC, Alapage and BOWL do not worry and even think that the publicity campaign which Amazon will launch will be beneficial for them.

- **Between Netscape and I.E., choose K-Meleon**

It acts as a free navigator and under licence G.P.L. (NPLN: the source code of the software is available and modifiable at will by all one each one) which resembles I.E. but which integrates the engine of Gecko interpretation, which will be in the heart of Netscape 6. There is thus there a lighter clone (4 Mo) of Netscape Navigator, it will thus interest: all those which want to have the navigators of Microsoft and Netscape, the developers of Web sites wishing to ensure itself of the appearance of a site in the two versions or the Net surfers wanting to go on inaccessible sites with I.E..

For the familiar ones of the Unix/Linux world, it is during Windows de Galeon (which integrates already Gecko).

- **The last version of ms Office is in test**

Office 10 will include a new technology of voice recognition, an additional support XML, an application of collaboration by Internet and the management tools of the contents.

- **The new one on Palms**

A programmer created the first Trojan horse known for Palm...

Tuesday 29 Août 2000

- **Virus for the children**

That has just left! If you receive an e-mail with Pikachu (Pokemon!) in attached file, do not click above. These is a new virus which trails on the Net.

- **Motorola throws sponge on Iridium**

That made a few times that that brooded... For lack of repreneur, Motorola decided to scuttle the 66 satellites of its network of mobile telephony. Here how to throw 7 billion \$ easily!

- **Pentium IV grew bigger**

One has to expect that INTEL has evil required Pentium IV and that he is expensive. Indeed, the small new one contains 42 million transistors (against 28 for the PIII), that is to say a surface of 217 mm² (against a hundred on the PIII). They will be produced with same technologies as the PIII but because of its size, INTEL will be able to assemble only one by silicon wafer of them where it assembled two PIII at the same time. Calculation is thus very simple: speed of production reduced by half and raw material cost doubled... which becomes the final price?

With medium term, the problem of surface should be tiny room with the

passage to technology 0,13 micron and the use of wafers of 300 mm against 200 currently.

A processor named Foster should follow. It is about a PIV for waiters and workstations

- **Counteract of INTEL**

INTEL also revealed the XScale technology which aims at controlling consumption and thermal release and which presents many similarities with the processor of Transmeta.

- **Bugé PGP**

PGP (Pretty Good Privacy), the reference as regards encoding would suffer from a bug which, under certain conditions makes it possible to reach, in the Windows versions, with the decoded data.

- **Micro\$oft bouche les trous**

Une faille dans FrontPage Server Extensions rendait possibles les attaques du type Denial of Service. Microsoft aurait corrigé le problème.

- **Rumeurs**

Il semblerait que Micro\$oft fasse développer par une firme israélienne une version de sa suite Office pour Linux. MS a bien sûr démenti la rumeur.

- **Oracle gratuit**

La firme a lancé OracleSalesOnline.com, un service qui offrira, le logiciel de base d'automatisation de la force de vente gratuitement. Seuls les modules additionnels seront payants, comme le logiciel de "sales-compensation", selon un système de pay-per-use (paiement à l'utilisation).

- **TrustE perd en crédibilité**

Le sceau TrustE est en temps normal une marque de garantie de la confidentialité sur des sites marchands. Mais l'organisation aurait fait profiter une société des données de ses visiteurs.

- **Yahoo veut crypter**

Yahoo prévoit de permettre aux utilisateurs de ses services mail de crypter leurs messages en utilisant le site SecureDelivery.com. Il serait le premier à proposer cette option.

- **Microsoft a des problèmes avec Hotmail**

Des utilisateurs Hotmail ont expliqué que suite à la fermeture de leur compte pour cause d'inactivité (ce qui est normal) ils ont créé un nouveau compte avec le même nom d'utilisateur et ont découvert avec étonnement que leur liste de contacts AIM était maintenue sur leur nouveau compte. Conclusion, si quelqu'un crée un compte avec votre ancien pseudo, il récupère votre liste de contact. Micro\$oft enquêterait de manière approfondie sur la question.

- **Nintendo se donne du temps**

Le Gameboy Advance ne sortira qu'en Mars au Japon et en Juillet en Europe à cause de ruptures de stocks en composants qui sont dus en grande partie à la forte demande actuelle en Gameboys Color

- **Du nouveau chez les cellulaires**

Suite à la polémique sur les dangers des cellulaires en matière de radiation, les principaux constructeurs ont décidé d'indiquer sur les emballages la quantité de radiations émises par leurs appareils

Mercredi 23 Août 2000

- **Dure concurrence pour Intel**

AMD (le grand rival) et Transmeta (l'étoile montante) devraient annoncer un coopération technologique. Transmeta est très intéressé par la technologie LDT (Lightning Data Transfer) créée par AMD qui accélère les échanges de données entre le processeur et les différents composants du PC et qui sera intégré aux jeux de composants des Athlon en 2001. Cette technologie permettrait à Transmeta d'atteindre le GHz. De son côté, AMD aurait accès à la technologie de Transmeta, dont les processeurs consomment 50 % d'énergie en moins que ses concurrents à fréquence égale.

Cette alliance ne va pas faire le bonheur d'Intel qui perd des parts de marché et patauge entre ses problèmes avec les composants i820 et les retards sur le Pentium IV, d'autant plus qu'AMD sera bientôt sur tous les fronts : portables (Athlon mobile fin 2000), ordinateurs de bureau (Athlon Thunderbird 1,2 GHz), serveurs (Sledgehammer).

- **Premier cyber hold-up**

Egg, la banque britannique uniquement on-line a été électroniquement "braquée". Selon la banque, aucune perte (quelques dizaines de milliers de £) n'a été subie. Le 3 malfaiteur présumés ont été arrêté après une enquête de 6 mois suite à une alerte de Egg qui dispose de logiciels permettant de repérer tout ordinateur à partir duquel sont effectuées des opérations multiples.

- **Faites vos courses**

Uranium Online est un site qui vous permet d'acheter des barres de combustible nucléaire en ligne...

- Selon une étude de NetValue, 575000 heures auraient été consacrées aux jeux d'argent en ligne au mois de juillet.

- **Radio France est web-actif**

Mi septembre, Radio France va sortir la première de ses Webradios thématiques. Ce sera "la radio du livre".

Mardi 22 Août 2000

- **Le philippin s'en sort bien**

Le gouvernement Philippin, faute de loi adaptée, a décidé abandonner les charges retenues contre l'auteur présumé du virus 'I Love You', ce qui ne fait pas la joie des américains.

- **Gadget inutiles**

Sous prétexte de l'explosion des nouvelles technologies ont veut nous faire acheter n'importe quoi...

Philips, en collaboration avec Levi's va sortir en France en Septembre des blousons avec écouteurs intégrés et prises pour connecter téléphones mobiles et lecteur MP3.

- **Le Xeon suit le mouvement**

Le Xeon, processeur haute performance d'Intel va lui aussi être très bientôt porté à 1 GHz

- **On ne s'arrête plus d'accélérer**

Cette semaine, Intel a dévoilé cette semaine sont pentium IV. Les analystes estiment qu'il devrait atteindre les 10 GHz d'ici 4 ans.

Le fondeur a aussi annoncé la sortie de nouveaux processeurs pour serveurs et pour ordinateurs de poche.

- **Un de moins**

MP3.com avait 4 procès pour violation de copyrights sur le dos, il n'y en a plus que 3. Le site vient de conclure un accord avec Sony qui lui permettra de distribuer la musique du producteur.

- **Reality Run : fin de la course**

La semaine dernière je vous parlais de la chasse à l'homme organisée en Allemagne, Roger, le fugitif, a été rattrapé au bout de 7 jours par la chasseuse de prime qui empoche 10000 \$ au passage. Si vous êtes intéressés vous pouvez faire acte de candidature. Les prochains sites, pour lesquels votent les internautes, pourraient être Vienne ou Amsterdam.

Lundi 21 Août 2000

- **Altavista U.K. renonce**

C'est tombé lundi, le patron d'Altavista U.K. a annoncé que le forfait illimité ne se ferait pas (au passage je corrige ce que j'ai dit la semaine dernière, le forfait était de 60 £ / an). Il a prétexté que c'était de la faute de British Telecom qui ne lui avait pas proposé de forfait comme prévu mais des tarifications à la minute. Et British Telecom de dire que ce n'est pas de sa faute, blah, blah, blah.... Bref fin d'une aventure qui n'avait pas commencé.

- **Forfait illimité de OneTel**

L'Association des Internautes Médiateurs (ADIM) a demandé l'assignation en référé de OneTel pour tout le flou et les nombreux revirements ayant entouré le forfait illimité de l'opérateur (hésitations de la hotline, accusations de fraude, les connexions impossibles,...)

- **Les prochains processeurs d'Intel**

On en sait un peu plus sur la prochaine série d'Intel : Les vitesses débiteront à 1,4 GHz et ils seront basés sur une nouvelle architecture pour accélérer la vitesse de streaming et faciliter le travail peer-to-peer (égal à égal) en réseau.

- **AMD marque un point**

C'est n'est pas sur le plan de la vitesse des processeurs ou AMD est toujours à 1,1 GHz et Intel à 1,13 mais sur celui des prix. AMD a décidé de casser les prix des Athlon et Duron a titre d'exemple aux ÉtatsUnis :

Intel Pentium III 850 MHz (256K L2 Cache, 100 MHz FSB, Slot 1): 454 \$

AMD Athlon 850 MHz (512K L2 Cache, 200 MHz FSB, Slot A) : 239 \$

A ce prix là, y'a pas photo pour le choix... Mais pour les inconditionnels d'Intel, pas de panique, on peut raisonnablement penser qu'il suivra.

- **Nokia fonctionnera en Open-Source**

Nokia a sorti son nouveau navigateur internet pour téléphone cellulaire. La firme a décidé de laisser le code en Open-Source en espérant ainsi marquer des points le marché des logiciels "sans fils".

- **Compaq remporte un gros contrat ?**

Compaq devrait normalement emporter un contrat avec le Ministère de l'énergie américain pour un super-ordinateur de simulation des armes nucléaires.

Dimanche 20 Août 2000

- **Premier agrément pour mobile monétique**

C'est Sagem qui a été le premier à obtenir, pour un terminal GSM monétique, l'agrément EMV délivré par Europay International. C'est un téléphone de la gamme Sagem 900 qui vient de recevoir cet agrément. Il pourra donc être utilisé pour payer avec sa carte bancaire (Mastercard ou Visa) à distance, y compris pour des paiements internationaux, en toute sécurité. Ce téléphone est associé à une batterie monétique disposant du coupleur carte à puce, associé à une application située dans la carte SIM de l'opérateur. Sagem a déjà enregistré plus de 500000 commandes.

- **Protégez-vous des ondes mobiles**

Alors que la polémique fait rage pour savoir si oui ou non et dans quelle mesure les téléphones mobiles sont dangereux pour la santé, la société japonais Gunze vient de mettre au point un T-shirt, le "Pace protector", qui protège des ondes

électromagnétiques en en supprimant jusqu'à 92%. En fait, il a été conçu pour les porteurs de stimulateur cardiaque. Il est tissé en fil de nylon argenté et est efficace même à 2 cm du pacemaker. Son prix, 1640 F.

- **Les grosses dépenses de France Telecom**

C'est maintenant les dans les licences UMTS belges et suédoises que FT a décidé d'investir.

Pour la Suède c'est par le biais de sa filiale Orange et en collaboration avec Skanska (groupe du bâtiment) et la Swedish Broadband Company.

En Belgique, c'est la filiale Mobistar qui va au charbon. L'acquisition, si elle se fait, sera payée par l'endettement et une augmentation du capital. De plus FT envisage que la filiale de Mobistar, Mobistar Corporate Solutions fusionne avec Global One, le groupe de services de communication pour grandes entreprises acquis en début d'année..... par France Telecom.

- **Saut quantique pour les ordinateurs**

(Attention, je vais parler un peu technique, pour ceux qui n'auront pas tous compris -essayez quand même-, dites vous que c'est plus d'une dizaine d'années de théories et d'expériences qui commence à montrer des signes de "réalisabilité")

Bienvenue dans le monde du spin nucléaire et des enchevêtrements subatomiques. Les chercheurs d'IBM ont montré que l'ordinateur quantique, dont on parle depuis de nombreuses années, est réalisable et devrait largement distancer les meilleurs super-ordinateurs. Ils ont annoncé qu'il avaient utilisé "l'ordinateur quantique le plus moderne au monde" pour résoudre en une étape un problème mathématique alors qu'il en faudrait 4 avec un ordinateur conventionnel. On espère pouvoir ainsi surpasser l'architecture silicium en utilisant notamment le fait qu'une particule subatomique peut exister dans deux états quantiques apparemment opposés. Bien sûr, l'ordinateur d'IBM, ne tient pas dans la poche. Il occupe une demi pièce pleine d'électro-aimants et de spectromètres.

Le cœur du système est constitué de 5 atomes de fluor, chacun représentant un unique "bit quantique" ou "qubit" de capacité de stockage en suspension dans une molécule spécialement conçue pour. Lorsqu'on lui applique un champ magnétique, le noyau au centre des atomes peut être mis en rotation rapide de façon mesurable et contrôlable, en utilisant l'Imagerie de Résonance Magnétique (IRM, comme en médecine). Chaque noyau en rotation interagit avec les autres, créant un "enchevêtrement" qui défie logiquement les lois quantiques et que les chercheurs peuvent dompter pour effectuer des calculs à une vitesse phénoménale. Isaac Chuang, leader du projet ordinateur quantique chez IBM souligne que "c'est la première fois qu'une équipe réussit un calcul en utilisant une molécule de 5 qubit". Cependant il ne faut pas s'attendre à voir les premières applications commerciales d'ordinateurs quantiques avant au moins 20 ans.

Chez H.P., on salue les avancées d'IBM qui sont considérées comme "impressionnantes et encourageantes". Mais la firme, elle, travaille sur un type

plus conventionnel d'ordinateur super-rapide et à faible consommation pour lequel ils s'attendent à pouvoir produire des résultats d'ici 5 ans. D'autres voies explorées sont celles de l'ordinateur biologique construit à partir d'ADN ou d'ordinateurs pour lesquels on utiliserait des réactions chimiques pour assembler des composants encore plus petits.

- **Linuxiens, choisissez votre camp**

De grandes compagnies se sont associées dans la Gnome Foundation pour soutenir Gnome l'une des deux interfaces graphiques les plus utilisées sous Linux. Ce groupe dirigera le projet et décidera quels packages doivent être inclus dans Gnome. Les sociétés impliquées sont, entre autres, Sun Microsystems, VA Linux Systems, Collab.Net, Compaq Computer and IBM plus celles qui sont directement impliquées dans le projet : Red Hat, Gunitais, Henzai, Eazel et Hélix Code. Ajoutez à cela des participation de la Free Software Foundation (pionnière dans le logiciel open-source) et l'Object Management Group (qui s'attache à créer des programme qui communiquent ensemble de façon standard).

Ceci ne va pas aller dans le sens de l'unification avec le compétiteur principal, KDE, qui est utilisé dans les distributions de SuSE, Corel, Caldera, Red Hat, sur les ordinateurs Linux d'IBM. Cette séparation entre les deux grands est dangereuse parce que les programmeurs auront à choisir entre les deux pour assurer la compatibilité de leurs logiciels.

Sun Microsystems va adopter l'interface Gnome pour ses système d'exploitation Solaris et fournira plus de 50 programmeurs au projet Gnome. De plus, StarOffice (le pendant de Micro\$oft Office sous Linux), appartient à Sun est sera donc plus étroitement lié à Gnome. La suite adoptera Bonobo, une technologie Gnome similaire au logiciel Microsoft COM qui permet à un programme d'utiliser les composants d'un autre (par exemple, un gestionnaire de mail peut utiliser le moteur Gecko de Netscape ou un Messenger Instantané utiliser le correcteur d'orthographe de StarOffice).

- **La démocratie en danger**

Les américains nous auront tout fait ! La commission électorale fédérale américaine a découvert que des votes avaient été mis aux enchères sur eBay. Et les enchères (sérieuses ou non) variaient de 5 à 10000 \$. Averti, eBay a supprimé les offres.

D'autres, comme le site Vote Auction vont plus loin, tentant d'ériger l'idée en système. Derrière le site, James Baumgartner, un étudiant qui a fait de Voteauction son sujet de thèse. « De toute façon, explique-t-il , c'est le candidat le mieux pourvu financièrement qui gagne quasiment à tous les coups. » S'il ne s'adresse pas directement aux candidats, le site ouvre ses enchères aux entreprises qui financent d'ordinaire les campagnes. L'analyse rejoint celle d'un internaute qui tente de vendre son vote aux enchères sur Yahoo. « Les sénateurs vendent régulièrement leur vote au plus offrant, avance-t-il, Pourquoi le citoyen américain serait-il exclu du système ? »

Samedi 19 Août 2000

- **Marijuana Express**

iToke, un site hollandais compte lancer à Amsterdam un service de livraison de marijuana à domicile.

- **Netscape Communicator 4.75**

Je sais, il y a eu la version 4.74 le mois dernier, mais si cette nouvelle mise-à-jour sort si vite après c'est qu'elle contient le correctif permettant de réparer le trou de sécurité, dont je vous parlais la semaine dernière, Brown Orifice.

- **AMD n'oublie pas Linux**

AMD recrute actuellement des développeurs Linux pour écrire des logiciels pour le Sledgehammer, son processeur 64 bits qui devrait sortir courant 2001. La firme a créé un site web pour les développeurs Linux et enverra aux participant un "simulateur de technologie" du processeur pour que les entreprises puissent commencer à faire migrer leurs systèmes d'exploitation et logiciels. Et il parait que ce n'est qu'un début...

- **IBM fait la promotion de SuSE**

Big Blue fournira une version CD de la distribution Linux de Suse avec chacun des serveurs Intel qu'il vend en Europe. SuSE estime que cette collaboration devrait lui permettre de faire essayer sa technologie à 20000 clients potentiels.

- **AOL sur Linux ?**

Un site web (<http://www.techpages.com>) propose une pré-version non-officielle d'AOL pour Linux. son nom de code : Gamera. Certaines sources proches d'AOL auraient confirmé que le logiciel est authentique...

- **Corel Linux Second edition**

La première version a fait un pas important dans la simplification de l'installation de Linux mais il semble que cette nouvelle version fassent encore mieux.

- **I Love You Again**

Quelques firmes Américaines et Européenne ont été touchées par une nouvelle version du ver "I Love You" (VBS/Loveletter.bd), il s'agit notamment de banques. Cette nouvelle mouture télécharge et lance un programme nommé "hcheck.exe" qui qui récupère les mots de passe stockés sur l'ordinateur infecté.

- **Sony sur de nouveaux créneaux**

Le Walkman a fait son succès, Sony a donc décidé d'ici la fin de l'année, de sortir une nouvelle ligne de walkmans MP3. Mais ce ne sera pas tout, la firme sortira aussi d'autres appareils internet et des téléphones cellulaires.

- **Un PDA change le cours d'un procès**

Aux Etats-Unis, un procès pour meurtre va devoir être recommencé parce qu'un

des jurés a lu des commentaires sur le procès sur son PalmPilot.

- **Transmeta accroche un nouveau gros contrat**

Vaio, c'est la gamme d'ultraportables de Sony. Ils étaient jusqu'à présent équipé d'un Celeron 366. Mais la nouvelle gamme C1 sera, elle, équipée d'un Crusoë de chez Transmeta. C'est la faible consommation électrique et la dissipation thermique réduite qui fait basculer le choix de Sony vers le nouveau venu. En effet, le Crusoë consommerait 1 Watt (0,02 en mode veille) contre 15 à 20 pour les Celeron.

Après le contrat signé avec IBM, il ne manque plus que Toshiba au tableau de chasse de Transmeta pour avoir toutes les grosses pointures du monde de l'ordinateur portable.

- **Hallucinant !**

Pour faire sa promotion, un site internet offre 5000 \$ au 10 premiers bébés qui porteront légalement son nom.

- **Webmasters, attention !**

Un éditeur de site a été condamné par la justice américaine pour un lien qui renvoyait vers le code source du DeCSS, logiciel illégal permettant de pirater les DVD. Ce cas pourrait faire jurisprudence.

- **Tuez à distance**

Columbo va avoir du fil a retordre... L'Institut de technologie thaïlandais King Mongkut a présenté un robot armé qui détecte les intrus grâce à une caméra et des capteurs. Vous passez un ordre par Internet et il tire.

Jeudi 17 Août 2000

- **Chasse à l'homme**

Les allemands ont lancé un nouveau jeu le 14/08 : un chasse à l'homme dans Berlin en direct sur le WebLe fugitif, Roger, enseignant en Hollande. Sur ses traces Jack Black, chasseur de primes qui gagnera 10000 \$ s'il rattrape Roger. Roger porte sur lui une webcam et un micro pour que les internautes puissent tout suivre sur le Net et n'a le droit qu'à 2 h de répit par jour dans une cache secrète. Pour être sûr que le fugitif n'attend pas patiemment la fin dans une chambre d'hôtel, il doit suivre un parcours quotidien qui passe par des lieux connus de Berlin qu'il doit prendre en photo. Ensuite, il doit laisser les photos (en format numérique) sur un banc ou collé à une poubelle pour que les organisateurs les récupèrent.

Les internautes ne doivent pas participer physiquement à la chasse mais peuvent aider Roger ou Jack sur le Net. Soit dit en passant Roger n'est pas discret puisqu'il porte un tee-shirt aux couleurs du site.

Le jeu, qui enregistre 600000 pages vues par jour doit durer 24 jours et recommencer ensuite avec un nouveau candidat. S'il en réchappe, Roger gagnera 100000 \$!

<http://www.realityrun.com> (le site est aussi en anglais)

- **Nouveau problème de sécurité**

Un nouvel utilitaire internet permet de scanner l'IIS (Internet Information Server) de Microsoft, découvrir ses points de vulnérabilité et lancer une attaque qui peut révéler les nom et mots de passe des utilisateurs. Et c'est sur ce système serveur que Microsoft veut faire migrer MSN Messenger !!!!

- **Va-t-il se casser les dents ?**

Malgré les déboires de ses prédécesseurs, un nouveau FAI se lance dans l'internet illimité. AOL vous proposera, dès lundi, ce service 24h/24 pour 99 F par mois. La contrepartie, vous vous engagez pour 24 mois. (CONTQM : ceux qui il y a un an se sont engagé avec un abonnement d'un an chez AOL pour avoir des prix plus bas se sont mordus les doigts avec l'arrivée des FAI gratuits, est-ce le moment de recommencer ? 2 ans, en matière d'informatique, c'est très long. Tout peut arriver...)

- **L'escroc Altavista**

Le portail a annoncé un forfait illimité en Grande-Bretagne pour 60 £/mois. Il a ensuite affirmé que les inscription se ferait par lots de 25000 par semaine pour ne pas engorger le service. Le Mirror a donc mené l'enquête pour trouver des internautes qui profitent de ce service (ils devraient être 100000 à l'heure actuelle) et pas moyen d'en trouver un seul. Et bizarrement, seul le PDG d'Altavista U.K. peut s'exprimer sur la question, lequel passe des vacances qui n'en finissent plus de s'allonger. Pourquoi un portail de cette envergure aurait-il tenté une telle escroquerie ? Nous en saurons plus après les vacances du PDG...

- **Contenus payants**

Realnetworks, la firme propriétaire du célèbre RealPlayer a annoncé le lancement aux États-Unis d'un forfait payant qui permettra d'accéder à des programmes exclusifs chaque mois.

Mercredi 16 août 2000

- **Stinger le nouvel OS de Micro\$oft**

Non, ce n'est pas le successeur de Windows ME c'est tout simplement l'OS que Micro\$oft a conçu pour les téléphones cellulaires. Il s'agit d'une version réduite de Windows CE. Il propose, en plus des fonctions de téléphonies, un agenda intelligent qui peut forcer le téléphone à vibrer plutôt qu'à sonner aux heures de réunion et fonctionner en relation avec Outlook, et peut gérer l'affichage couleur. Samsung, s'est déjà montré intéressé par le système. Micro\$oft travaille par ailleurs sur un OS supplémentaire destiné, celui-là, à équiper les téléphones permettant d'accéder à Internet.

Tout cela ne sera pas de trop pour faire face à la montée en puissance programmée de Java et Linux sur toutes ces petites machines

- **Zapstation**

On pensait avoir tout vu ? Voici la Zapstation. C'est une sorte de console qui se branche sur votre T.V.. Elle offre un accès Web, lit les fichiers MP3, les CD et les DVD, télécharge des vidéos, reçoit les radios mondiales... Elle embarque une disque dur de 30 Go, utilise un Celeron 566 Mhz et peut-être reliée à une imprimante, un baladeur, tout type de périphérique informatique classique, à un ampli. Vous l'utilisez grâce à une télécommande et un clavier sans fil. Elle sera disponible vers Novembre.

<http://www.zapmedia.com>

- **SVG version finale**

SVG signifie Scalable Vector Graphics et s'appuie sur le langage XML. Ceci garantit donc une indépendance vis-à-vis des plates-formes. Il est indépendant de la résolution de l'écran et peut intégrer des textes descriptifs. De plus il permet de créer des liens vers des zones de l'images sans avoir à la mapper. Le gros problème est qu'aucun navigateur ne supporte évidemment ce format pour l'instant. Seul Adobe propose de télécharger un plug-in.

- **m100, le nouveau Palm**

Il devait être moins cher, c'est le cas aux États-Unis (150\$) mais en France il sera à 1500 F (comme le Palm III). Le nouveautés ? Son capot devient amovible (les nouveaux, disponibles en 4 couleurs, coûtent tout de même 200 F pièce !) et il possède un petit hublot qui permet de voir l'heure même capot fermé. Il est plus petit que la série III, faisant perdre à l'écran 1/4 de sa surface et une nouvelle touche permet d'accéder directement au bloc-note. La synchronisation avec l'ordinateur se fait maintenant directement par câble plutôt qu'avec une station d'accueil. Il fonctionne sous Palm OS 3.5 et emporte 2 petits Mo de mémoire.

- **Nouvelle folie japonaise**

Après le Tamagoshi dans la poche voici les nouveaux venus. Ce sont de petites créatures virtuelles qui s'occupent de vous livrer vos mails. Vous devez donc vous en occuper comme leurs prédécesseurs mais la lecture de votre courrier dépendra leur bonne volonté. Il paraît que les japonais en sont fous.

[La version Sony de la chose](#)

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Un rapport de Forrester Research conclue que les standards open-source (NPLN : logiciel dont le code est accessible à tout un chacun, comme c'est le cas de Linux par exemple) domineront l'industrie du logiciel d'ici 4 ans. Il ajoute aussi qu'IBM et Dell devraient tirer leur épingle du jeu tandis que Oracle et Microsoft auront à batailler ferme pour s'en sortir.

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Ce sont les enfants de moins de 11 ans qui cliquent le plus sur les bannières de pubs et les adolescents qui cliquent le moins (soit dit en passant, et moi jamais).

- **Vite !**

Le ministère de la Justice américain veut "expédier" le passage de l'appel de Micro\$oft devant la Cour Suprême parce que ce procès "a une importance extrême pour [leur] économie nationale" (sic).

- **La Banque de France soutient Napster....**

... malgré elle. En effet, un pirate a squatté la page d'accueil d'une trentaine de sites dont celui de la BNF

Mardi 15 Août 2000

- **Bonne blague**

Les clients Londoniens de Safeway, une chaîne britannique de supermarchés ont eut une jolie surprise. Ceux-ci ont reçu un message leur annonçant une hausse des prix et leur conseillant de faire leurs courses ailleurs. La firme n'a toujours pas pu déterminer où était la faille.

Lundi 14 Août 2000

- **Musique mobile protégée**

Intel et Matsushita ont lancé conjointement un système de protection des contenus numériques pour protéger par exemple la musique. Il n'est sûrement pas compatible avec Napster

- **e-commerce Visa ou rien**

Les vendeurs on-line vont devoir les respecter les règles établies par Visa concernant l'e-commerce ou aller voir ailleurs...

- **Un de plus chez Linux**

C'est au tour de Linux, après Dell et IBM de faire de Linux un de ses 3 systèmes d'exploitation stratégiques.

- **e-book par Micro\$oft**

Barnes and Nobles, une chaîne de librairies américaines (deuxième librairie en ligne, loin derrière Amazon.com) et MS lancent le plus gros service de vente de livres électroniques.

Micro\$oft en profite pour glisser Reader 1.5, son logiciel gratuit qui optimise l'affichage des e-Books sur un écran d'ordinateur de bureau ou un PDA, offre des options de recherche de mots, de surlignage ou encore de marque-page. 2000 eBook sont déjà disponibles dans ce format sur le site de Barnes and Noble et 150 titres supplémentaires devraient s'ajouter chaque mois. De plus MS propose d'autres applications dont un programme interagissant dans Word qui permet de convertir un document au format livre électronique et une autre

firme, Overdrive propose un logiciel permettant de faire la même chose à partir d'un document HTML ou d'un fichier texte.

A suivre, les plaintes des éditeurs en réponse à la création de moteurs d'échange d'e-books qui ne sauraient tarder à apparaître.

- **PSX 2 fin novembre**

La Playstation 2 ne sera disponible en France que le 24 novembre pour un prix d'environ 3000 F

- **Un standard de messagerie instantanées**

L'Internet Engineering Task Force va examiner 3 propositions de technologies pour définir un standard de messagerie instantanée. La proposition d'AOL, jugée peu innovante a déjà été rejetée (CONTQM : c'est bien mais pourvu que la technologie retenue n'appartienne pas à Microsoft non plus mais plutôt à une firme encore indépendante)

- **Apache 2.0 arrive**

D'ici la fin de l'année, la version 2 d'Apache, l'application serveur web la plus utilisée dans le monde, devrait être terminée pour la fin de l'année.

- **Hotmail sous Win2000**

Microsoft a décidé de ne plus faire appel au monde du logiciel libre, soit ; mais Hotmail, son service de messagerie instantanée fonctionne sous Apache et FreeBSD ! MS va donc être obligé de le faire migrer sous Windows 2000. (CONTQM : quelque chose me dit que le service sera moins performant !)

- **Le web parlera**

Le W3C (World Wide Web Consortium) travaille sur le SSML (Speech Synthesis Markup Language), une extension du XML (eXtended Markup Language) qui devrait permettre d'intégrer des instructions de synthèse vocale aux contenus textuels du Web permettant de faire des sites interrogeables par téléphone.

- **La chine sous Linux**

L'administration chinoise tournera sous Linux. elle affirme vouloir ainsi "briser le monopole de Windows et des technologies étrangères".

- **Windows is back**

La marine américaine avait renoncé à conserver Windows NT sur ses navires parce qu'il avait tendance à planter. Mais cela ne l'empêche pas d'avoir décidé d'installer une version spécifique de Windows 2000 sur ses nouveaux porte-avions.

- **Carnivore suite**

Le ministère de la Justice américain emploiera une université pour conduire une analyse indépendante du système d'espionnage des mails du FBI : Carnivore.

- **Le 64 bits d'AMD**

Le manuel technique du Sledgehammer, le processeur 64 bits d'AMD a été publié cette semaine. Ce processeur devrait être à la fois capable de gérer les programmes prévus pour les processeurs 32 bits (comme le PIII ou l'Athlon) et les programmes pour les processeurs 64 bits (comme l'UltraSparc de Sun, l'Alpha de Compaq ou le futur Itanium d'Intel).

Vendredi 11 Août 2000

- **Record du monde ?**

La femme la plus "téléchargée" du monde serait Danni Ashe. C'est du moins ce qu'essaye d'établir en ce moment le Livre Guinness des Records. Elle revendique 800 millions de téléchargements. Si vous voulez voir de qui il s'agit : <http://www.dannisharddrive.com/> (pour ceux qui ne s'en seraient pas doutés, il est recommandé d'être âgé de plus de 18 ans !)

- **Un soutien pour Napster...**

...et pas des moindres. Celui qui se faisait dernièrement appeler Prince dit sur son site que Napster est "un développement passionnant dans l'histoire de la musique" et en profite pour critiquer violemment le patron de Time Warner.

- **Poussez-les d'un côté, ils reviennent de l'autre.**

AOL cherche à faire figure propre concernant les MP3 en déconnectant un site de recherche de MP3. Cependant, la firme doit encaisser la sortie d'un nouveau logiciel d'échange de fichiers qui permet aux utilisateurs d'AOL messenger d'accéder à un réseau type Napster.

Pour ceux que ça intéresse, il se nomme AIMSTER et vous pouvez le trouver à : <http://www.aimster.com/>

Jeudi 10 Août 2000

- **Please stop...**

Le Pentagone a lancé un appel aux hackers, les suppliant d'arrêter de s'en prendre à ses réseaux... pour des raisons de sécurité.

- **Un Net-piège...**

Chapeau pour les douanes américaines ! 400 internautes qui espéraient pouvoir accéder à une chaîne satellite américaine à des prix défiant toute concurrence sont en fait tombés dans un piège tendu par les douanes.

- **Le trou de Netscape**

Le trou de sécurité des versions de Netscape antérieures à la version 6 a été dénommé BrownOrifice (petite allusion à son cousin dévastateur BackOrifice). Vous pouvez tester son mode de fonctionnement sur ce site qui lui est dédié : <http://www.brumleve.com/BrownOrifice/>. Ne vous inquiétez pas, je vous

rappelle que c'est sans risque pour votre système si ce n'est qu'on peut parcourir votre disque, sans pour autant pouvoir modifier quoi que ce soit.

La meilleure façon de se prémunir contre cette défaillance du système : désactiver les applet Java, en attendant le patch sur lequel travaille Netscape.

Mercredi 9 Août 2000

- **Après les MP3 et les fichiers multimédia, les jeux**

Swapoo, www.swapoo.com, est un site qui suit le chemin tracé par Napster mais il concerne les échanges de jeux pour consoles.

- **La chasse aux pirates est ouverte**

C'est la nouvelle occupation de Micro\$oft. La firme fait appel à la délation par le biais d'une hot-line et d'un service e-mail mais elle s'est aussi équipée d'outils de recherche automatique pour localiser sur le web les logiciels piratés ou vendus à prix suspect sur les sites web, ftp et de chat.

Un moteur de recherche scrute 24h sur 24 le web a cet effet. Micro\$oft compte ainsi recueillir des milliers d'adresses par jour. Afin de contacter immédiatement les sites ou FAI hébergeurs.

MS est soutenu par la Business Software Alliance, association d'éditeurs dont Microsoft est le principal promoteur.

Parallèlement, MS a aussi nommé un responsable aux affaires gouvernementales pour pousser l'administration américaine à mettre la pression sur les États pirates (la Russie et la Chine notamment).

Les éditeurs américains estiment perdre 150 milliards de francs par an du fait du piratage.

- **Netscape fait fort !**

Les navigateurs Netscape permettraient de voir le contenu de votre disque dur et ceci grâce à un applet Java présent sur certains sites.

Mardi 8 Août 2000

- **Un pingouin au poignet**

Les chercheurs d'IBM ont installé le Système d'exploitation Linux dans une montre-bracelet pour démontrer que le système pouvait être utilisé même dans les plus petits appareils.

- **Transmeta première version**

Transmeta a lancé la production de ses processeurs Crusoe chez Taiwan Semiconductor Manufacturing et d'autres fondeurs ce qui pourrait être le début d'une longue série...

- **Onetel raccroche**

Après la suspension des accès illimités, Onetel a décidé de limiter la consommation des abonnés qui y ont souscrit. (CONTQM : Mais que croyaient-ils chez Onetel, qu'avec une connexion illimitée les abonnés ne feraient que 20h ?)

- **Multimania se diversifie**

A partir d'Octobre, les membres de Multimania pourront diffuser gratuitement du contenu audio et vidéo sur leur site perso avec les technologie RealNetworks.

- **Cyber-police chinoise**

Début Août, la Chine a lancé sa police internet.

- **CD audio et MP3**

Ça y est, ils arrive en France ! Une société chinoise, A-Max va lancer mi-août le Napa DA V309 distribué par Bataca. Il s'agit d'un discman qui peut lire aussi bien les CD audio que les MP3. Son prix sera de 1300 F environ. (CONTQM : avant de vous ruer dessus, méfiez-vous, j'ai eu l'occasion de tester un modèle concurrent et le résultat n'était pas fameux.)

Dimanche 6 Août 2000

- **Les secrets d'Apple révélés par l'Abeille ouvrière**

Apple a demandé une enquête judiciaire suite aux révélations faites concernant son prochain portable iBook. Un inconnu a en effet publié sur le web des informations concernant sa nouvelle souris optique et un PowerMac biprocesseur avant leur présentation le mois dernier. Worker Bee, c'est son nom, aurait aussi dévoilé un troisième produit que la firme à la pomme n'a toujours pas présenté, qui serait une version de l'iBook équipée d'un processeur plus rapide. Apple a donc sommé le portail Yahoo! de révéler les informations les informations qu'il possède sur worker bee puisque celui-ci a fait ses révélations sur GeoCities (qui appartient à Yahoo!).

- **Publicité pour l'échange de fichiers**

La décision de fermer Napster a doublé les connexions au site. Le soir de la fermeture du site, le nombre de connexions a été porté à 849196, contre 443070 la veille. Il a ainsi dépassé la fréquentation de sites comme Amazon.com. De plus les sites de téléchargement enregistre une hausse importante des demandes de logiciels d'échange de fichier.

- **Le Limousin n'est pas rentable**

Le Conseil régional dénonce la disparition de la notion de service public. En effet, le Limousin fait partie zones que Completel a jugé non rentables pour l'utilisation la boucle radio locale pour l'Internet.

- **Le mobile tue ?**

Un procès va s'ouvrir aux États-Unis suite à la plainte d'un médecin estimant

que sa tumeur cérébrale est due à son téléphone cellulaire. Au Royaume-Uni, le gouvernement s'est lancé dans une campagne pour inciter les enfants à ne pas utiliser les cellulaires. Pendant ce temps des études sont toujours en cours pour déterminer si oui ou non il y a danger.

- **IBM et Micro\$oft pour un standard**

Les deux compagnies ont décidé de collaborer pour définir des standards internet, concernant notamment le XML pour simplifier le développement de leurs applications futures.

- **Dessins animés sur PDA**

Cela pourrait arriver bientôt... Warner Brothers et Sony Pictures sont en train de tester la possibilité de distribuer, par le biais d'Internet, des dessins animés sur ce support.

- **Le Conseil constitutionnel censure**

Le Conseil constitutionnel a apporté des modifications à la loi sur la liberté de communication, notamment en censurant d'office l'article concernant la responsabilité pénale des hébergeurs, déclarant anticonstitutionnelle la saisie par un tiers.

- **La Dram Rambus double sa vitesse**

Une RDRAM 1066 MHz, avec une bande passante de 2,1 Go/s, voilà la dernière avancée du constructeur de mémoire. La technique ? La même que celle de la DDR SDRAM : le doublement de la fréquence (2*533 MHz).

- **Vous jouerez plus tard**

La sortie en Europe de la Playstation 2 a été retardée, vraisemblablement pour pouvoir répondre à la demande en Amérique du Nord.

- **Alerte aux virus**

McAfee a créé un service qui vous envoie les formations sur les nouveaux virus directement sur votre téléphone WAP.

- **Téléchargement de musique autorisés**

Cette semaine Universal lance son service de téléchargement de musique imitant ainsi Sony et EMI. BMG et Time Warner s'y mettront d'ici la fin de l'année

Vendredi 4 Août 2000

- **Opérateurs téléphone : US vs UE**

Près de 50 compagnies de téléphone européennes se sont jointes à la campagne de l'Union Européenne pour stopper la proposition de loi américaine visant à empêcher, entre autres, Deutsche Telekom de s'offrir Voicestream.

- **Micro\$oft a chaud**

L'Union Européenne a officiellement lancé à son tour une procédure antitrust contre Micro\$oft. Du coup, MS incite un juge à renvoyer plus de 60 actions en cours aux États-Unis pour avoir les mains un peu plus libres

Jeudi 3 Août 2000

- **Le GMT ne sera pas la référence**

Tony Blair s'était engagé dans une campagne pour que Greenwich soit le point de référence de l'horloge internet avec le GeT (Greenwich Electronic Time). Mais le système basé sur Java est incompatible avec Internet Explorer, donc avec près de 80% d'internautes, les tests montrant des écarts allant jusqu'à 9s. (Si quelqu'un peut m'expliquer l'intérêt de créer une heure Internet alors qu'il existe déjà une heure de référence, qu'il m'envoie un mail, merci).

- **Offres d'emploi**

Comme tous les ans, le week-end dernier s'est tenu à Las Vegas le DefCon, le congrès de hackers (NPLN : ceux qui forcent les systèmes informatiques protégés). Depuis quelques années, les hackers invitent même officiellement des agents fédéraux aux conférences. En effet, auparavant, ils cherchaient à s'infiltrer incognito et un jeu avait été lancé, "Spot the Fed" qui consistait pour les hacker à démasquer ces agents. Cette année, les fédéraux (un officier du ministère de la Défense, un membre d'une cellule discrète proche de la C.I.A.) ont même été invités à s'exprimer sous forme de conférences et de tables rondes (nommées "Meet the Fed"). Le dernier jour, "Spot the Fed" a sorti aussi un gros poisson, un agent de la NSA. Leurs interventions ont eu un point commun, la tentative à peine voilée de recruter des hackers pour les services de renseignement américains.

Par contre, interrogés à ce sujet, ils ont démenti l'existence du réseau d'espionnage Echelon.

- **Ils ne liront pas grand chose**

Selon les analyses d'un chercheur universitaire, le dispositif de surveillance des mails, qui sera mis en place au Royaume-Uni serait techniquement obsolète. Il ne prendrait pas en charge les serveurs de mail étrangers, ni certains petits FAI britanniques, oubliés par le dispositif, les accès internet à haut débit, ni avec le nouveau protocole internet IPv6 (futur standard du web). Un gaspillage de 200 millions de francs.

- **IBM gonfle ses disques**

D'ici deux ans, les disques durs devraient dépasser les 200 Go. Alors que la technologie holographique, lorsqu'elle sera au point, devrait pouvoir permettre d'atteindre 1 Go par cm², IBM propose une technologie intermédiaire basée sur un système de stockage nano-mécanique composé de milliers de micropointes. Il permet de stocker 1,25 Go sur une surface de 3 millimètres carrés comprenant

32 x 32, soit 1024 micropointes qui réagissent à l'électricité et adoptent un état levé (1) ou baissé (0). On devrait donc pouvoir atteindre 500 milliards de bits par pouce carré, soit 5 fois la densité maximale pouvant être atteinte sur support magnétique, celle-ci étant estimée à 100 (les disques les plus récents ont une densité de 12 milliards de bits au pouce carré).

- **Etudes / Sondages**

Sondage Sofres : Seuls 7 % des internautes de l'Hexagone ont acheté en ligne au cours des derniers mois, contre 27 % des Américains ayant accès au net.

- **WebTV Basque**

Ce mois-ci va s'ouvrir TVPI.fr une web T.V. locale privée du Pays proposant 20% de programmes en langue basque.

Mercredi 2 Aout 2000

- **Du nouveau dans l'échange de fichiers**

La startup Autonomous Zone ose ce qu'aucune n'avait fait auparavant, vous payer pour échanger des fichiers ! Le concept est simple : on reprend le système de Napster étendu à tous types de fichiers, avec son moteur de recherche et tout et tout, sauf que quand quelqu'un télécharge un fichier depuis votre ordinateur, vous recevez des Mojos, une monnaie inventée par la startup mais convertible en dollars (1 mojo = 1/1000 cent).

On pourrait donc s'attendre à revoir le même genre de manoeuvre judiciaire que contre Napster, d'autant plus que certains sites pornographiques majeurs comme Penthouse seraient de la partie. Mais les créateurs de la société sont confiants, assurant qu'on ne peut leur demander de supprimer des références illégales puisque leur système, contrairement à Napster, ne mémorise pas l'index des fichiers. De plus, ils affirment vouloir travailler avec Hollywood sur un système de paiement volontaire nommé PayLars (en référence à Lars Ulrich, batteur de Metallica à l'origine de poursuites contre Napster).

MojoNation, c'est le nom du logiciel, sera déjà disponible en version beta au salon des Hackers, le DefCon. Le logiciel pourrait de plus reprendre le système de Freenet qui sauvegarde les fichiers sur son serveur, les rendant téléchargeables même après la déconnexion du fournisseur. De plus vous aurez un formulaire à remplir, pour pouvoir établir une liste des fournisseurs de fichiers de confiance (le même système de notation que sur les sites de ventes aux enchères). Pour gagner des Mojos, vous pourrez aussi vendre une partie de votre bande passante, de l'espace disque pour servir de serveur ou créer d'autres services payants.

- **Le futur de Napster**

Napster a entamé une série de rencontre avec EMusic qui pourrait aboutir à un partenariat, lequel pourrait affecter la décision de la cour sur l'action en justice en cours.

- **Red Hat a convaincu Ericsson**

Les efforts soutenus de Red Hat pour faire entrer Linux dans les petits appareils non-PC portent enfin leurs fruits puisque la firme vient de signer un accord de partenariat avec Ericsson.

- **Le Net "s'installe" en Iran et Irak**

En Iran, c'est le premier centre rural connecté au web et en Irak, le premier premier cyber-café

Mardi 1^{er} Août 2000

- **URL plus simple**

Suite à une étude montrant que les utilisateurs de téléphone Wap devaient taper 70 touches en moyenne pour entre une adresse, la société Bango a mis au point un système d'URL par chiffres pour simplifier la tâche. Il se nomme le Bango Number et vous permet de taper un numéro (3 chiffres min) en lieu et place de l'adresse. Maintenant, la course est lancée pour acheter les numéros, les plus chers étant bien sur ceux de 3 chiffres.

- **Quand on a de l'argent...**

Micro\$oft compte dépenser 500 millions de \$ pour le marketing et la vente de sa future console de Xbox, le plus gros budget jamais atteint par la firme pour lancer un nouveau produit.

- **Vous êtes espionnés...**

L'info n'est pas nouvelle, mais cette fois, un cabinet d'étude a utilisé un renifleur de paquet pour savoir quelles informations étaient recueillies à notre insu et le résultat est sidérant.

Ce cabinet a téléchargé des données depuis son propre site. En résumé, les serveurs de Real, AOL ou Netzip récupèrent le nom du fichier (exécutable) téléchargé, l'adresse exacte du serveur de provenance, l'adresse IP de l'ordinateur de l'internaute. Le logiciel crée une clé d'identification à partir du nom de la machine lors de l'installation de Windows . Couplé à un cookie, il permet par exemple de créer un historique des fichiers téléchargés. Lisible en hexadécimal et en équivalent ASCII, le fichier ne laisse guère de doute sur les risques de son exploitation.

- **On joue dans le comique**

Le premier patch correctif pour Windows 2000 US est sorti : 83 Mo (version française pour le 10 Août). Après le patch pour office de plus de 100 Mo, les logiciels de MS coûtent plus cher en téléphone qu'à l'achat si on les veut à jour !

- **Du cinéma avec la Playstation**

Sony a lancé le GScube. C'est un outil de développement pour l'industrie cinématographique et la création multimédia.... basé sur la technologie PlayStation 2.

Si vous avez appris une nouvelle importante à diffuser :



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News : Août 2000



Abréviations utilisées : NPLN -> Note Pour Les Novices, CONTQM -> Cette Opinion Ne Tient Qu'à Moi

Jeudi 31 Août 2000

- **Ca n'a rien de surprenant...**

Le logiciel Promis, qui avait beaucoup fait parler de lui dans les années 80 est un logiciel destiné aux juristes qui classe les documents et d'établir des corrélations entre eux. Il a depuis été retouché par l'administration américaine qui l'a revendu, sous un autre nom, à l'étranger, à des services secrets (en Jordanie et Israël, notamment) mais aussi à des sociétés, dont quelques grandes banques françaises.

Cependant, les modifications auraient consisté en la pose de dispositifs d'écoute et d'intrusion sur les ordinateurs où il serait installé, donnant ainsi aux États-Unis la possibilité d'espionner un grand nombre d'entreprises et d'agences gouvernementales. Juste là, tout va bien pour les américains sauf que le gouvernement canadien qui utilise le logiciel PIRS pour coordonner les enquêtes des ses services secrets et de la Police montée, soupçonne que ce soit une de ces version de Promis. Une enquête a donc été ouverte pour déterminer

si des mouchards existent bien.

- **France Telecom ne possède pas les Pages Jaunes.**

France Telecom, qui possède www.pagesjaunes.fr, avait demandé à l'Office Mondial de la Propriété Industrielle (OMPI) de statuer en sa faveur sur la question de savoir à qui appartiennent les domaines pagesjaunes.com, pagesjaunes.net et lespagesjaunes.com. Mais l'OMPI n'a pas suivi en expliquant notamment que autres annuaires nommés Pages Jaunes existent dans des pays francophones avec le nom pagesjaunes.ch, pagesjaunes.ca, pagesjaunes.be, pagesjaunes.lu.

- **Tout le monde a droit à un e-mail... 2ème édition**

La Poste a annoncé qu'elle allait offrir un e-mail gratuit à chaque français, qui est consultable directement de chez vous (sur le site ou sur votre gestionnaire de mails) ou sur des bornes payantes dans les postes. Seulement voilà, le service existe depuis un an....

- **Sony sort son Palm**

Sony et Palm ont dévoilé le Clie, premier PDA issu de leur alliance qui marque l'entrée du Japonais sur ce marché grandissant.

- **Les rumeurs se précisent**

La société Mainsoft, développeur Unix/Linux, est soupçonnée d'être l'un des piliers de la conversion d'Office sous Linux. Elle a déjà porté I.E. et Windows Media Player sur cette plate-forme. (CONTQM : Si on trouve même les logiciels MS sous Linux, quel sera l'intérêt de conserver Windows ?)

- **AGP x8 pour Intel**

Milieu 2001, Intel devrait sortir ce nouveau bus graphique qui permettra d'accélérer encore la 3D.

- **Nouveau système de promotion**

Au Etats-Unis (ailleurs je ne sais pas), Windows Me (NPLN : Windows Millenium, qui sort le 14/09 partout dans le monde) sera distribué sous forme de démos dans les grands magasins.

Mercredi 30 Août 2000

- **Les nouveau amis de Napster**

De nombreuses organisations se sont constituées soutiens de Napster devant la Cour d'appel, comme par exemple la Consumer Electronics Association (CEA) et la Digital Media Association (DiMA).

La CEA estime que le juge a mal interprété le cas du Betamax de Sony de 1984 car Napster a, à ses yeux, créé un nouveau standard qui peut avoir des applications légales bien qu'il soit souvent utilisé pour enfreindre la loi. La DiMA qui représente plus de 960 ntreprises dont AOL et Yahoo rejoint les positions de la CEA.

- **Barbie fait confiance aux petites filles**

Les directeurs de Barbie.com a engagé 26 petites filles entre 6 et 12 ans pour les aider à repenser le site qui avait été ouvert cet été. Toutes les semaines ces filles recevaient par mail des photos d'écran du site en construction et étaient questionnées par e-mail ou téléphone. Bien sûr elles ont reçu une rémunération (non communiquée) pour leurs services.

Il semble que cette façon de procéder soit payante puisque le trafic a doublé à la réouverture du site puis a quadruplé après les publicités à la T.V.. De plus, les visiteurs se fidélisent. Le visiteur reste à chaque fois 26 mn en moyenne.

- **Freesurf sanctionne des abonnés**

Suivant la route tracée par OneTel, Freesurf a inscrit sur une liste noire et déconnecté des abonnés du forfait illimité soir et week-end pour avoir brisé les règles. Selon les conditions du forfait à 100 F/mois, l'abonné est restreint à la consultation du web et de ses mails et aux groupes de discussions. Mais 531 abonnés ont été déconnectés en une semaine, sans préavis et en n'ayant pas forcément enfreint les règles. Ils sont accusés d'avoir utilisé des passerelles pour télécharger des logiciels.

Sur le fait qu'il y ait eu des erreurs et pas de préavis, le directeur de Freesurf explique "qu'il s'agissait d'une mesure d'urgence. Mais nous nous sommes rendus compte que certaines pratiques étaient considérées à tort comme des fraudes." Ils sont donc en train examiner les cas un par un pour reconnecter ceux qui ont été déconnectés par erreur. Parmi les erreurs techniques relevées, un abonné qui introduirait tout simplement un CD dans son PC et lancerait le logiciel de lecture WinAmp tout en étant connecté serait considéré comme un fraudeur car WinAmp utilise un protocole interdit par le forfait illimité. Freesurf soutient cependant vouloir poursuivre son offre d'accès illimité.

- **Les antennes-relais seraient dangereuses**

Selon une étude commandée par la revue Science et Avenir, les vibrations qui transmettent les signaux radio de téléphonie mobile seraient nettement plus nocives que les opérateurs ne le déclarent.

L'étude, réalisée dans quinze appartements d'Ile-de-France situés derrière une antenne-relais ou au dernier étage d'un immeuble en accueillant une, révèle que dans près de deux cas sur trois, l'intensité des radiations émises est dix fois supérieure aux valeurs annoncées par les laboratoires de France Telecom.

Déjà, en avril 1999 déjà, la direction générale de la santé et le secrétariat d'Etat au logement avaient publié un rapport préconisant une « restriction d'usage totale ou partielle » des balcons de HLM sur lesquels sont installées ces antennes, voire même une « condamnation de certaines pièces d'habitation ».

- **Intel largué**

Le PIII 1,13 GHz a été retiré de la vente 1 mois après sa sortie à cause d'une anomalie sur un circuit entraînant des problèmes de fonctionnement avec certains logiciels. De plus certains assembleurs comme Dell avaient déjà suspendu leurs commandes en raison de l'incapacité d'Intel à fournir ce modèle

en nombre suffisant. Pendant ce temps, AMD a lancé son Athlon 1,1 GHz et il a déjà plus de 10 constructeurs comme clients, notamment Compaq, Fujitsu Siemens Computers, Gateway, Hewlett-Packard et IBM.

AMD est donc seul sur le créneau haut de gamme et son produit est moins cher. Intel prévoit que les modifications à apporter au design de son PIII vont prendre quelques mois..... autant dire une éternité vu que les processeurs cadencés à 1,5 GHz sont attendus d'ici peu.

- **Amazon.com crée Amazon.fr**

L'ouverture a eu lieu dans la nuit du 30 au 31 août. Le site proposera 4 boutiques (livres, musique, DVD et vidéo) qui proposeraient l'ensemble des références disponibles en France. Cependant, contrairement à ses concurrents, aucun chiffre n'a été donné pour les produits français alors que l'on connaît ceux des produits étrangers (240.000 références de CD en import, 700.000 livres en anglais). Pour les prix, le site se conformera à la réglementation française en vigueur sur le prix unique du livre.

N'ayant pu racheter Alapage (France Telecom a été plus rapide), Amazon a du construire un site de toute pièce mais a su s'entourer d'une équipe composé d'anciens de chez Vivendi, Havas ou la FNAC. Mais les concurrents, la FNAC, Alapage et BOL ne s'inquiètent pas et pensent même que la campagne de publicité que va lancer Amazon va leur être bénéfique.

- **Entre Netscape et I.E., choisissez K-Meleon**

Il s'agit d'un navigateur gratuit et sous licence G.P.L. (NPLN : le code source du logiciel est disponible et modifiable à volonté par tout un chacun) qui ressemble à I.E. mais qui intègre le moteur d'interprétation Gecko, qui sera au coeur de Netscape 6. On a donc là un clone plus léger (4 Mo) de Netscape Navigator, il intéressera donc : tous ceux qui veulent disposer des navigateurs de Microsoft et de Netscape, les développeurs de sites web souhaitant s'assurer de l'apparence d'un site dans les deux versions ou les internautes voulant se rendre sur des sites inaccessibles avec I.E..

Pour les familiers du monde Unix/Linux, c'est le pendant Windows de Galeon (qui intègre déjà Gecko).

- **La dernière version de MS Office est en test**

Office 10 inclura une nouvelle technologie de reconnaissance vocale, un support XML additionnel, une application de collaboration par Internet et des outils de gestion du contenu.

- **Du nouveau sur les Palms**

Un programmeur a créé le premier Cheval de Troie connu pour Palm...

Mardi 29 Août 2000

- **Virus pour les enfants**

Ça vient de sortir ! Si vous recevez un e-mail avec Pikachu (le Pokemon !) en

fichier attaché, ne cliquez pas dessus. C'est un nouveau virus qui traîne sur le net.

- **Motorola jette l'éponge sur Iridium**

Ça faisait quelques temps que ça couvait... Faute de repeneur, Motorola a décidé de saborder les 66 satellites de son réseau de téléphonie mobile. Voilà comment jeter facilement 7 milliards de \$!

- **Pentium IV a grossi**

Il faut s'attendre à ce qu'Intel ait du mal à fournir le Pentium IV et qu'il soit cher. En effet, le petit nouveau contient 42 millions de transistors (contre 28 pour le PIII), soit une surface de 217 mm² (contre une centaine sur le PIII). Ils seront produits avec les mêmes technologies que le PIII mais du fait de sa taille, Intel ne pourra en monter qu'un par galette de silicium là où il montait deux PIII en même temps. Le calcul est donc très simple : vitesse de production réduite de moitié et coût de matière première doublé... que devient le prix final ?

A moyen terme, le problème de surface devrait être réduit avec le passage à la technologie 0,13 micron et l'utilisation de galettes de 300 mm contre 200 actuellement.

Un processeur nommé Foster devrait suivre. Il s'agit d'un PIV pour serveurs et stations de travail

- **Riposte d'Intel**

Intel a aussi dévoilé la technologie XScale qui vise à contrôler consommation et dégagement thermique et qui présente de nombreuses similitudes avec le processeur de Transmeta.

- **PGP buggé**

PGP (Pretty Good Privacy), la référence en matière de cryptage souffrirait d'un bug qui, dans certaines conditions permet accéder, dans les versions Windows, aux données décodées.

- **Micro\$oft bouche les trous**

Une faille dans FrontPage Server Extensions rendait possibles les attaques du type Denial of Service. Microsoft aurait corrigé le problème.

- **Rumeurs**

Il semblerait que Micro\$oft fasse développer par une firme israélienne une version de sa suite Office pour Linux. MS a bien sûr démenti la rumeur.

- **Oracle gratuit**

La firme a lancé OracleSalesOnline.com, un service qui offrira, le logiciel de base d'automatisation de la force de vente gratuitement. Seuls les modules additionnels seront payants, comme le logiciel de "sales-compensation", selon un système de pay-per-use (paiement à l'utilisation).

- **TrustE perd en crédibilité**

Le sceau TrustE est en temps normal une marque de garantie de la confidentialité sur des sites marchands. Mais l'organisation aurait fait profiter une société des données de ses visiteurs.

- **Yahoo veut crypter**

Yahoo prévoit de permettre aux utilisateurs de ses services mail de crypter leurs messages en utilisant le site SecureDelivery.com. Il serait le premier à proposer cette option.

- **Microsoft a des problèmes avec Hotmail**

Des utilisateurs Hotmail ont expliqué que suite à la fermeture de leur compte pour cause d'inactivité (ce qui est normal) ils ont créé un nouveau compte avec le même nom d'utilisateur et ont découvert avec étonnement que leur liste de contacts AIM était maintenue sur leur nouveau compte. Conclusion, si quelqu'un crée un compte avec votre ancien pseudo, il récupère votre liste de contact. Micro\$oft enquêterait de manière approfondie sur la question.

- **Nintendo se donne du temps**

Le Gameboy Advance ne sortira qu'en Mars au Japon et en Juillet en Europe à cause de ruptures de stocks en composants qui sont dus en grande partie à la forte demande actuelle en Gameboys Color

- **Du nouveau chez les cellulaires**

Suite à la polémique sur les dangers des cellulaires en matière de radiation, les principaux constructeurs ont décidé d'indiquer sur les emballages la quantité de radiations émises par leurs appareils

Mercredi 23 Août 2000

- **Dure concurrence pour Intel**

AMD (le grand rival) et Transmeta (l'étoile montante) devraient annoncer un coopération technologique. Transmeta est très intéressé par la technologie LDT (Lightning Data Transfer) créée par AMD qui accélère les échanges de données entre le processeur et les différents composants du PC et qui sera intégré aux jeux de composants des Athlon en 2001. Cette technologie permettrait à Transmeta d'atteindre le GHz. De son côté, AMD aurait accès à la technologie de Transmeta, dont les processeurs consomment 50 % d'énergie en moins que ses concurrents à fréquence égale.

Cette alliance ne va pas faire le bonheur d'Intel qui perd des parts de marché et patauge entre ses problèmes avec les composants i820 et les retards sur le Pentium IV, d'autant plus qu'AMD sera bientôt sur tous les fronts : portables (Athlon mobile fin 2000), ordinateurs de bureau (Athlon Thunderbird 1,2 GHz), serveurs (Sledgehammer).

- **Premier cyber hold-up**

Egg, la banque britannique uniquement on-line a été électroniquement

"braquée". Selon la banque, aucune perte (quelques dizaines de milliers de £) n'a été subie. Le 3 malfaiteur présumés ont été arrêté après une enquête de 6 mois suite à une alerte de Egg qui dispose de logiciels permettant de repérer tout ordinateur à partir duquel sont effectuées des opérations multiples.

- **Faites vos courses**

Uranium Online est un site qui vous permet d'acheter des barres de combustible nucléaire en ligne...

- Selon une étude de NetValue, 575000 heures auraient été consacrées aux jeux d'argent en ligne au mois de juillet.

- **Radio France est web-actif**

Mi septembre, Radio France va sortir la première de ses Webradios thématiques. Ce sera "la radio du livre".

Mardi 22 Août 2000

- **Le philippin s'en sort bien**

Le gouvernement Philippin, faute de loi adaptée, a décidé abandonner les charges retenues contre l'auteur présumé du virus 'I Love You', ce qui ne fait pas la joie des américains.

- **Gadget inutiles**

Sous prétexte de l'explosion des nouvelles technologies ont veut nous faire acheter n'importe quoi...

Philips, en collaboration avec Levi's va sortir en France en Septembre des blousons avec écouteurs intégrés et prises pour connecter téléphones mobiles et lecteur MP3.

- **Le Xeon suit le mouvement**

Le Xeon, processeur haute performance d'Intel va lui aussi être très bientôt porté à 1 GHz

- **On ne s'arrête plus d'accélérer**

Cette semaine, Intel a dévoilé cette semaine sont pentium IV. Les analystes estiment qu'il devrait atteindre les 10 GHz d'ici 4 ans.

Le fondeur a aussi annoncé la sortie de nouveaux processeurs pour serveurs et pour ordinateurs de poche.

- **Un de moins**

MP3.com avait 4 procès pour violation de copyrights sur le dos, il n'y en a plus que 3. Le site vient de conclure un accord avec Sony qui lui permettra de distribuer la musique du producteur.

- **Reality Run : fin de la course**

La semaine dernière je vous parlais de la chasse à l'homme organisée en Allemagne, Roger, le fugitif, a été rattrapé au bout de 7 jours par la chasseuse de prime qui empoche 10000 \$ au passage. Si vous êtes intéressés vous pouvez faire acte de candidature. Les prochains sites, pour lesquels votent les internautes, pourraient être Vienne ou Amsterdam.

Lundi 21 Août 2000

- **Altavista U.K. renonce**

C'est tombé lundi, le patron d'Altavista U.K. a annoncé que le forfait illimité ne se ferait pas (au passage je corrige ce que j'ai dit la semaine dernière, le forfait était de 60 £ / an). Il a prétexté que c'était de la faute de British Telecom qui ne lui avait pas proposé de forfait comme prévu mais des tarifications à la minute. Et British Telecom de dire que ce n'est pas de sa faute, blah, blah, blah.... Bref fin d'une aventure qui n'avait pas commencé.

- **Forfait illimité de OneTel**

L'Association des Internaute Médiateurs (ADIM) a demandé l'assignation en référé de OneTel pour tout le flou et les nombreux revirements ayant entouré le forfait illimité de l'opérateur (hésitations de la hotline, accusations de fraude, les connexions impossibles,...)

- **Les prochains processeurs d'Intel**

On en sait un peu plus sur la prochaine série d'Intel : Les vitesses débiteront à 1,4 GHz et ils seront basés sur une nouvelle architecture pour accélérer la vitesse de streaming et faciliter le travail peer-to-peer (égal à égal) en réseau.

- **AMD marque un point**

C'est n'est pas sur le plan de la vitesse des processeurs ou AMD est toujours à 1,1 GHz et Intel à 1,13 mais sur celui des prix. AMD a décidé de casser les prix des Athlon et Duron a titre d'exemple aux ÉtatsUnis :

Intel Pentium III 850 MHz (256K L2 Cache, 100 MHz FSB, Slot 1): 454 \$

AMD Athlon 850 MHz (512K L2 Cache, 200 MHz FSB, Slot A) : 239 \$

A ce prix là, y'a pas photo pour le choix... Mais pour les inconditionnels d'Intel, pas de panique, on peut raisonnablement penser qu'il suivra.

- **Nokia fonctionnera en Open-Source**

Nokia a sorti son nouveau navigateur internet pour téléphone cellulaire. La firme a décidé de laisser le code en Open-Source en espérant ainsi marquer des points le marché des logiciels "sans fils".

- **Compaq remporte un gros contrat ?**

Compaq devrait normalement emporter un contrat avec le Ministère de l'énergie américain pour un super-ordinateur de simulation des armes nucléaires.

Dimanche 20 Août 2000

- **Premier agrément pour mobile monétique**

C'est Sagem qui a été le premier à obtenir, pour un terminal GSM monétique, l'agrément EMV délivré par Europay International. C'est un téléphone de la gamme Sagem 900 qui vient de recevoir cet agrément. Il pourra donc être utilisé pour payer avec sa carte bancaire (Mastercard ou Visa) à distance, y compris pour des paiements internationaux, en toute sécurité. Ce téléphone est associé à une batterie monétique disposant du coupleur carte à puce, associé à une application située dans la carte SIM de l'opérateur. Sagem a déjà enregistré plus de 500000 commandes.

- **Protégez-vous des ondes mobiles**

Alors que la polémique fait rage pour savoir si oui ou non et dans quelle mesure les téléphones mobiles sont dangereux pour la santé, la société japonaise Gunze vient de mettre au point un T-shirt, le "Pace protector", qui protège des ondes électromagnétiques en en supprimant jusqu'à 92%. En fait, il a été conçu pour les porteurs de stimulateur cardiaque. Il est tissé en fil de nylon argenté et est efficace même à 2 cm du pacemaker. Son prix, 1640 F.

- **Les grosses dépenses de France Telecom**

C'est maintenant les dans les licences UMTS belges et suédoises que FT a décidé d'investir.

Pour la Suède c'est par le biais de sa filiale Orange et en collaboration avec Skanska (groupe du bâtiment) et la Swedish Broadband Company.

En Belgique, c'est la filiale Mobistar qui va au charbon. L'acquisition, si elle se fait, sera payée par l'endettement et une augmentation du capital. De plus FT envisage que la filiale de Mobistar, Mobistar Corporate Solutions fusionne avec Global One, le groupe de services de communication pour grandes entreprises acquis en début d'année..... par France Telecom.

- **Saut quantique pour les ordinateurs**

(Attention, je vais parler un peu technique, pour ceux qui n'auront pas tous compris -essayez quand même-, dites vous que c'est plus d'une dizaine d'années de théories et d'expériences qui commencent à montrer des signes de "réalisabilité")

Bienvenue dans le monde du spin nucléaire et des enchevêtrements subatomiques. Les chercheurs d'IBM ont montré que l'ordinateur quantique, dont on parle depuis de nombreuses années, est réalisable et devrait largement distancer les meilleurs super-ordinateurs. Ils ont annoncé qu'ils avaient utilisé "l'ordinateur quantique le plus moderne au monde" pour résoudre en une étape un problème mathématique alors qu'il en faudrait 4 avec un ordinateur conventionnel. On espère pouvoir ainsi surpasser l'architecture silicium en utilisant notamment le fait qu'une particule subatomique peut exister dans deux états quantiques apparemment opposés. Bien sûr, l'ordinateur d'IBM, ne tient pas

dans la poche. Il occupe une demi pièce pleine d'électro-aimants et de spectromètres.

Le coeur du système est constitué de 5 atome de fluor, chacun représentant un unique "bit quantique" ou "qubit" de capacité de stockage en suspension dans une molécule spécialement conçue pour. Lorsqu'on lui applique un champ magnétique, le noyau au centre des atomes peut être mis en rotation rapide de façon mesurable et contrôlable, en utilisant l'Imagerie de Résonance Magnétique (IRM, comme en médecine). Chaque noyau en rotation interagit avec les autres, créant un "enchevêtrement" qui défie logiquement les lois quantiques et que les chercheurs peuvent dompter pour effectuer des calculs à une vitesse phénoménale. Isaac Chuang, leader du projet ordinateur quantique chez IBM souligne que "c'est la premier fois qu'une équipe réussit un calcul en utilisant une molécule de 5 qubit". Cependant il ne faut pas s'attendre à voir les premières applications commerciales d'ordinateurs quantiques avant au moins 20 ans.

Chez H.P., on salue les avancées d'IBM qui sont considérées comme "impressionnantes et encourageantes". Mais la firme, elle, travaille sur un type plus conventionnel d'ordinateur super-rapide et à faible consommation pour lequel ils s'attendent à pouvoir produire des résultats d'ici 5 ans. D'autres voies explorées sont celles de l'ordinateur biologique construit à partir d'ADN ou d'ordinateurs pour lesquels on utiliserait des réactions chimiques pour assembler des composants encore plus petits.

- **Linuxiens, choisissez votre camp**

De grandes compagnies se sont associées dans la Gnome Foundation pour soutenir Gnome l'une des deux interfaces graphiques les plus utilisées sous Linux. Ce groupe dirigera le projet et décidera quels packages doivent être inclus dans Gnome. Les sociétés impliquées sont, entre autres, Sun Microsystems, VA Linux Systems, Collab.Net, Compaq Computer and IBM plus celles qui sont directement impliquées dans le projet : Red Hat, Gunitais, Henzai, Eazel et Hélix Code. Ajoutez à cela des participation de la Free Software Foundation (pionnière dans le logiciel open-source) et l'Object Management Group (qui s'attache à créer des programme qui communiquent ensemble de façon standard).

Ceci ne va pas aller dans le sens de l'unification avec le compétiteur principal, KDE, qui est utilisé dans les distributions de SuSE, Corel, Caldera, Red Hat, sur les ordinateurs Linux d'IBM. Cette séparation entre les deux grands est dangereuse parce que les programmeurs auront à choisir entre les deux pour assurer la compatibilité de leurs logiciels.

Sun Microsystems va adopter l'interface Gnome pour ses système d'exploitation Solaris et fournira plus de 50 programmeurs au projet Gnome. De plus, StarOffice (le pendant de Micro\$oft Office sous Linux), appartient à Sun est sera donc plus étroitement lié à Gnome. La suite adoptera Bonobo, une technologie Gnome similaire au logiciel Microsoft COM qui permet à un programme d'utiliser les composants d'un autre (par exemple, un gestionnaire de mail peut utiliser le moteur Gecko de Netscape ou un Messenger Instantané

utiliser le correcteur d'orthographe de StarOffice).

- **La démocratie en danger**

Les américains nous auront tout fait ! La commission électorale fédérale américaine a découvert que des votes avaient été mis aux enchères sur eBay. Et les enchères (sérieuses ou non) variaient de 5 à 10000 \$. Averti, eBay a supprimé les offres.

D'autres, comme le site Vote Auction vont plus loin, tentant d'ériger l'idée en système. Derrière le site, James Baumgartner, un étudiant qui a fait de **Voteauction** son sujet de thèse. « De toute façon, explique-t-il, c'est le candidat le mieux pourvu financièrement qui gagne quasiment à tous les coups. » S'il ne s'adresse pas directement aux candidats, le site ouvre ses enchères aux entreprises qui financent d'ordinaire les campagnes. L'analyse rejoint celle d'un internaute qui tente de vendre son vote aux enchères sur Yahoo. « Les sénateurs vendent régulièrement leur vote au plus offrant, avance-t-il, Pourquoi le citoyen américain serait-il exclu du système ? »

Samedi 19 Août 2000

- **Marijuana Express**

iToke, un site hollandais compte lancer à Amsterdam un service de livraison de marijuana à domicile.

- **Netscape Communicator 4.75**

Je sais, il y a eu la version 4.74 le mois dernier, mais si cette nouvelle mise-à-jour sort si vite après c'est qu'elle contient le correctif permettant de réparer le trou de sécurité, dont je vous parlais la semaine dernière, Brown Orifice.

- **AMD n'oublie pas Linux**

AMD recrute actuellement des développeurs Linux pour écrire des logiciels pour le Sledgehammer, son processeur 64 bits qui devrait sortir courant 2001. La firme a créé un site web pour les développeurs Linux et enverra aux participant un "simulateur de technologie" du processeur pour que les entreprises puissent commencer à faire migrer leurs systèmes d'exploitation et logiciels. Et il parait que ce n'est qu'un début...

- **IBM fait la promotion de SuSE**

Big Blue fournira une version CD de la distribution Linux de Suse avec chacun des serveurs Intel qu'il vend en Europe. SuSE estime que cette collaboration devrait lui permettre de faire essayer sa technologie à 20000 clients potentiels.

- **AOL sur Linux ?**

Un site web (<http://www.techpages.com>) propose une pré-version non-officielle d'AOL pour Linux. son nom de code : Gamera. Certaines sources proches d'AOL auraient confirmé que le logiciel est authentique...

- **Corel Linux Second edition**

La première version a fait un pas important dans la simplification de l'installation de Linux mais il semble que cette nouvelle version fassent encore mieux.

- **I Love You Again**

Quelques firmes Américaines et Européenne ont été touchées par une nouvelle version du ver "I Love You" (VBS/Loveletter.bd), il s'agit notamment de banques. Cette nouvelle mouture télécharge et lance un programme nommé "hcheck.exe" qui qui récupère les mots de passe stockés sur l'ordinateur infecté.

- **Sony sur de nouveaux créneaux**

Le Walkman a fait son succès, Sony a donc décidé d'ici la fin de l'année, de sortir une nouvelle ligne de walkmans MP3. Mais ce ne sera pas tout, la firme sortira aussi d'autres appareils internet et des téléphones cellulaires.

- **Un PDA change le cours d'un procès**

Aux Etats-Unis, un procès pour meurtre va devoir être recommencé parce qu'un des jurés a lu des commentaires sur le procès sur son PalmPilot.

- **Transmeta accroche un nouveau gros contrat**

Vaio, c'est la gamme d'ultraportables de Sony. Ils étaient jusqu'à présent équipé d'un Celeron 366. Mais la nouvelle gamme C1 sera, elle, équipée d'un Crusoë de chez Transmeta. C'est la faible consommation électrique et la dissipation thermique réduite qui fait basculer le choix de Sony vers le nouveau venu. En effet, le Crusoë consommerait 1 Watt (0,02 en mode veille) contre 15 à 20 pour les Celeron.

Après le contrat signé avec IBM, il ne manque plus que Toshiba au tableau de chasse de Transmeta pour avoir toutes les grosses pointures du monde de l'ordinateur portable.

- **Hallucinant !**

Pour faire sa promotion, un site internet offre 5000 \$ au 10 premiers bébés qui porteront légalement son nom.

- **Webmasters, attention !**

Un éditeur de site a été condamné par la justice américaine pour un lien qui renvoyait vers le code source du DeCSS, logiciel illégal permettant de pirater les DVD. Ce cas pourrait faire jurisprudence.

- **Tuez à distance**

Columbo va avoir du fil a retordre... L'Institut de technologie thaïlandais King Mongkut a présenté un robot armé qui détecte les intrus grâce à une caméra et des capteurs. Vous passez un ordre par Internet et il tire.

Jeudi 17 Août 2000

- **Chasse à l'homme**

Les allemands ont lancé un nouveau jeu le 14/08 : un chasse à l'homme dans Berlin en direct sur le WebLe fugitif, Roger, enseignant en Hollande. Sur ses traces Jack Black, chasseur de primes qui gagnera 10000 \$ s'il rattrape Roger. Roger porte sur lui une webcam et un micro pour que les internautes puissent tout suivre sur le Net et n'a le droit qu'à 2 h de répit par jour dans une cache secrète. Pour être sûr que le fugitif n'attend pas patiemment la fin dans une chambre d'hôtel, il doit suivre un parcours quotidien qui passe par des lieux connus de Berlin qu'il doit prendre en photo. Ensuite, il doit laisser les photos (en format numérique) sur un banc ou collé à une poubelle pour que les organisateurs les récupèrent.

Les internautes ne doivent pas participer physiquement à la chasse mais peuvent aider Roger ou Jack sur le Net. Soit dit en passant Roger n'est pas discret puisqu'il porte un tee-shirt aux couleurs du site.

Le jeu, qui enregistre 600000 pages vues par jour doit durer 24 jours et recommencer ensuite avec un nouveau candidat. S'il en réchappe, Roger gagnera 100000 \$!

<http://www.realityrun.com> (le site est aussi en anglais)

- **Nouveau problème de sécurité**

Un nouvel utilitaire internet permet de scanner l'IIS (Internet Information Server) de Microsoft, découvrir ses points de vulnérabilité et lancer une attaque qui peut révéler les nom et mots de passe des utilisateurs. Et c'est sur ce système serveur que Microsoft veut faire migrer MSN Messenger !!!!

- **Va-t-il se casser les dents ?**

Malgré les déboires de ses prédécesseurs, un nouveau FAI se lance dans l'internet illimité. AOL vous proposera, dès lundi, ce service 24h/24 pour 99 F par mois. La contrepartie, vous vous engagez pour 24 mois. (CONTQM : ceux qui il y a un an se sont engagé avec un abonnement d'un an chez AOL pour avoir des prix plus bas se sont mordus les doigts avec l'arrivée des FAI gratuits, est-ce le moment de recommencer ? 2 ans, en matière d'informatique, c'est très long. Tout peut arriver...)

- **L'escroc Altavista**

Le portail a annoncé un forfait illimité en Grande-Bretagne pour 60 £/mois. Il a ensuite affirmé que les inscription se ferait par lots de 25000 par semaine pour ne pas engorger le service. Le Mirror a donc mené l'enquête pour trouver des internautes qui profitent de ce service (ils devraient être 100000 à l'heure actuelle) et pas moyen d'en trouver un seul. Et bizarrement, seul le PDG d'Altavista U.K. peut s'exprimer sur la question, lequel passe des vacances qui n'en finissent plus de s'allonger. Pourquoi un portail de cette envergure aurait-il tenté une telle escroquerie ? Nous en saurons plus après les vacances du PDG...

- **Contenus payants**

Realnetworks, la firme propriétaire du célèbre RealPlayer a annoncé le lancement aux États-Unis d'un forfait payant qui permettra d'accéder à des

programmes exclusifs chaque mois.

Mercredi 16 août 2000

- **Stinger le nouvel OS de Micro\$oft**

Non, ce n'est pas le successeur de Windows ME c'est tout simplement l'OS que Micro\$oft a conçu pour les téléphones cellulaires. Il s'agit d'une version réduite de Windows CE. Il propose, en plus des fonctions de téléphonies, un agenda intelligent qui peut forcer le téléphone à vibrer plutôt qu'à sonner aux heures de réunion et fonctionner en relation avec Outlook, et peut gérer l'affichage couleur. Samsung, s'est déjà montré intéressé par le système. Micro\$oft travaille par ailleurs sur un OS supplémentaire destiné, celui-là, à équiper les téléphones permettant d'accéder à Internet.

Tout cela ne sera pas de trop pour faire face à la montée en puissance programmée de Java et Linux sur toutes ces petites machines

- **Zapstation**

On pensait avoir tout vu ? Voici la Zapstation. C'est une sorte de console qui se branche sur votre T.V.. Elle offre un accès Web, lit les fichiers MP3, les CD et les DVD, télécharge des vidéos, reçoit les radios mondiales... Elle embarque une disque dur de 30 Go, utilise un Celeron 566 Mhz et peut-être reliée à une imprimante, un baladeur, tout type de périphérique informatique classique, à un ampli. Vous l'utilisez grâce à une télécommande et un clavier sans fil. Elle sera disponible vers Novembre.

<http://www.zapmedia.com>

- **SVG version finale**

SVG signifie Scalable Vector Graphics et s'appuie sur le langage XML. Ceci garantit donc une indépendance vis-à-vis des plates-formes. Il est indépendant de la résolution de l'écran et peut intégrer des textes descriptifs. De plus il permet de créer des liens vers des zones de l'images sans avoir à la mapper.

Le gros problème est qu'aucun navigateur ne supporte évidemment ce format pour l'instant. Seul Adobe propose de télécharger un plug-in.

- **m100, le nouveau Palm**

Il devait être moins cher, c'est le cas aux États-Unis (150\$) mais en France il sera à 1500 F (comme le Palm III). Le nouveautés ? Son capot devient amovible (les nouveaux, disponibles en 4 couleurs, coûtent tout de même 200 F pièce !) et il possède un petit hublot qui permet de voir l'heure même capot fermé. Il est plus petit que la série III, faisant perdre à l'écran 1/4 de sa surface et une nouvelle touche permet d'accéder directement au bloc-note. La synchronisation avec l'ordinateur se fait maintenant directement par câble plutôt qu'avec une station d'accueil. Il fonctionne sous Palm OS 3.5 et emporte 2 petits Mo de mémoire.

- **Nouvelle folie japonaise**

Après le Tamagoshi dans la poche voici les nouveaux venus. Ce sont de petites créatures virtuelles qui s'occupent de vous livrer vos mails. Vous devez donc vous en occuper comme leurs prédécesseurs mais la lecture de votre courrier dépendra leur bonne volonté. Il paraît que les japonais en sont fous.

[La version Sony de la chose](#)

-

Un rapport de Forrester Research conclue que les standards open-source (NPLN : logiciel dont le code est accessible à tout un chacun, comme c'est le cas de Linux par exemple) domineront l'industrie du logiciel d'ici 4 ans. Il ajoute aussi qu'IBM et Dell devraient tirer leur épingle du jeu tandis que Oracle et Microsoft auront à batailler ferme pour s'en sortir.

-

Ce sont les enfants de moins de 11 ans qui cliquent le plus sur les bannières de pubs et les adolescents qui cliquent le moins (soit dit en passant, et moi jamais).

- **Vite !**

Le ministère de la Justice américain veut "expédier" le passage de l'appel de Micro\$oft devant la Cour Suprême parce que ce procès "a une importance extrême pour [leur] économie nationale" (sic).

- **La Banque de France soutient Napster....**

... malgré elle. En effet, un pirate a squatté la page d'accueil d'une trentaine de sites dont celui de la BNF

Mardi 15 Août 2000

- **Bonne blague**

Les clients Londoniens de Safeway, une chaîne britannique de supermarchés ont eut une jolie surprise. Ceux-ci ont reçu un message leur annonçant une hausse des prix et leur conseillant de faire leurs courses ailleurs. La firme n'a toujours pas pu déterminer où était la faille.

Lundi 14 Août 2000

- **Musique mobile protégée**

Intel et Matsushita ont lancé conjointement un système de protection des contenus numériques pour protéger par exemple la musique. Il n'est sûrement pas compatible avec Napster

- **e-commerce Visa ou rien**

Les vendeurs on-line vont devoir les respecter les règles établies par Visa

concernant l'e-commerce ou aller voir ailleurs...

- **Un de plus chez Linux**

C'est au tour de Linux, après Dell et IBM de faire de Linux un de ses 3 systèmes d'exploitation stratégiques.

- **e-book par Micro\$oft**

Barnes and Nobles, une chaîne de librairies américaines (deuxième librairie en ligne, loin derrière Amazon.com) et MS lancent le plus gros service de vente de livres électroniques.

Micro\$oft en profite pour glisser Reader 1.5, son logiciel gratuit qui optimise l'affichage des e-Books sur un écran d'ordinateur de bureau ou un PDA, offre des options de recherche de mots, de surlignage ou encore de marque-page.

2000 eBook sont déjà disponibles dans ce format sur le site de Barnes and Noble et 150 titres supplémentaires devraient s'ajouter chaque mois. De plus MS propose d'autres applications dont un programme interagissant dans Word qui permet de convertir un document au format livre électronique et une autre firme, Overdrive propose un logiciel permettant de faire la même chose à partir d'un document HTML ou d'un fichier texte.

A suivre, les plaintes des éditeurs en réponse à la création de moteurs d'échange d'e-books qui ne sauraient tarder à apparaître.

- **PSX 2 fin novembre**

La Playstation 2 ne sera disponible en France que le 24 novembre pour un prix d'environ 3000 F

- **Un standard de messagerie instantanées**

L'Internet Engineering Task Force va examiner 3 propositions de technologies pour définir un standard de messagerie instantanée. La proposition d'AOL, jugée peu innovante a déjà été rejetée (CONTQM : c'est bien mais pourvu que la technologie retenue n'appartienne pas à Microsoft non plus mais plutôt à une firme encore indépendante)

- **Apache 2.0 arrive**

D'ici la fin de l'année, la version 2 d'Apache, l'application serveur web la plus utilisée dans le monde, devrait être terminée pour la fin de l'année.

- **Hotmail sous Win2000**

Microsoft a décidé de ne plus faire appel au monde du logiciel libre, soit ; mais Hotmail, son service de messagerie instantanée fonctionne sous Apache et FreeBSD ! MS va donc être obligé de le faire migrer sous Windows 2000. (CONTQM : quelque chose me dit que le service sera moins performant !)

- **Le web parlera**

Le W3C (World Wide Web Consortium) travaille sur le SSML (Speech Synthesis Markup Language), une extension du XML (eXtended Markup Language) qui devrait permettre d'intégrer des instructions de synthèse vocale

aux contenus textuels du Web permettant de faire des sites interrogeables par téléphone.

- **La chine sous Linux**

L'administration chinoise tournera sous Linux. elle affirme vouloir ainsi "briser le monopole de Windows et des technologies étrangères".

- **Windows is back**

La marine américaine avait renoncé à conserver Windows NT sur ses navires parce qu'il avait tendance à planter. Mais cela ne l'empêche pas d'avoir décidé d'installer une version spécifique de Windows 2000 sur ses nouveaux porte-avions.

- **Carnivore suite**

Le ministère de la Justice américain emploiera une université pour conduire une analyse indépendante du système d'espionnage des mails du FBI : Carnivore.

- **Le 64 bits d'AMD**

Le manuel technique du Sledgehammer, le processeur 64 bits d'AMD a été publié cette semaine. Ce processeur devrait être à la fois capable de gérer les programmes prévus pour les processeurs 32 bits (comme le PIII ou l'Athlon) et les programmes pour les processeurs 64 bits (comme l'UltraSparc de Sun, l'Alpha de Compaq ou le futur Itanium d'Intel).

Vendredi 11 Août 2000

- **Record du monde ?**

La femme la plus "téléchargée" du monde serait Danni Ashe. C'est du moins ce qu'essaye d'établir en ce moment le Livre Guinness des Records. Elle revendique 800 millions de téléchargements. Si vous voulez voir de qui il s'agit : <http://www.dannisharddrive.com/> (pour ceux qui ne s'en seraient pas doutés, il est recommandé d'être âgé de plus de 18 ans !)

- **Un soutien pour Napster...**

...et pas des moindres. Celui qui se faisait dernièrement appeler Prince dit sur son site que Napster est "un développement passionnant dans l'histoire de la musique" et en profite pour critiquer violemment le patron de Time Warner.

- **Poussez-les d'un côté, ils reviennent de l'autre.**

AOL cherche à faire figure propre concernant les MP3 en déconnectant un site de recherche de MP3. Cependant, la firme doit encaisser la sortie d'un nouveau logiciel d'échange de fichiers qui permet aux utilisateurs d'AOL messenger d'accéder à un réseau type Napster.

Pour ceux que ça intéresse, il se nomme AIMSTER et vous pouvez le trouver à : <http://www.aimster.com/>

Jeudi 10 Août 2000

- **Please stop...**

Le Pentagone a lancé un appel aux hackers, les suppliant d'arrêter de s'en prendre à ses réseaux... pour des raisons de sécurité.

- **Un Net-piège...**

Chapeau pour les douanes américaines ! 400 internautes qui espéraient pouvoir accéder à une chaîne satellite américaine à des prix défiant toute concurrence sont en fait tombés dans un piège tendu par les douanes.

- **Le trou de Netscape**

Le trou de sécurité des versions de Netscape antérieures à la version 6 a été dénommé BrownOrifice (petite allusion à son cousin dévastateur BackOrifice). Vous pouvez tester son mode de fonctionnement sur ce site qui lui est dédié : <http://www.brumleve.com/BrownOrifice/>. Ne vous inquiétez pas, je vous rappelle que c'est sans risque pour votre système si ce n'est qu'on peut parcourir votre disque, sans pour autant pouvoir modifier quoi que ce soit.

La meilleure façon de se prémunir contre cette défaillance du système : désactiver les applets Java, en attendant le patch sur lequel travaille Netscape.

Mercredi 9 Août 2000

- **Après les MP3 et les fichiers multimédia, les jeux**

Swapoo, www.swapoo.com, est un site qui suit le chemin tracé par Napster mais il concerne les échanges de jeux pour consoles.

- **La chasse aux pirates est ouverte**

C'est la nouvelle occupation de Micro\$oft. La firme fait appel à la délation par le biais d'une hot-line et d'un service e-mail mais elle s'est aussi équipée d'outils de recherche automatique pour localiser sur le web les logiciels piratés ou vendus à prix suspect sur les sites web, ftp et de chat.

Un moteur de recherche scrute 24h sur 24 le web à cet effet. Micro\$oft compte ainsi recueillir des milliers d'adresses par jour. Afin de contacter immédiatement les sites ou FAI hébergeurs.

MS est soutenu par la Business Software Alliance, association d'éditeurs dont Microsoft est le principal promoteur.

Parallèlement, MS a aussi nommé un responsable aux affaires gouvernementales pour pousser l'administration américaine à mettre la pression sur les États pirates (la Russie et la Chine notamment).

Les éditeurs américains estiment perdre 150 milliards de francs par an du fait du piratage.

- **Netscape fait fort !**

Les navigateurs Netscape permettraient de voir le contenu de votre disque dur et ceci grâce à un applet Java présent sur certains sites.

Mardi 8 Août 2000

- **Un pingouin au poignet**

Les chercheurs d'IBM ont installé le Système d'exploitation Linux dans une montre-bracelet pour démontrer que le système pouvait être utilisé même dans les plus petits appareils.

- **Transmeta première version**

Transmeta a lancé la production de ses processeurs Crusoe chez Taiwan Semiconductor Manufacturing et d'autres fondeurs ce qui pourrait être le début d'une longue série...

- **Onetel raccroche**

Après la suspension des accès illimités, Onetel a décidé de limiter la consommation des abonnés qui y ont souscrit. (CONTQM : Mais que croyaient-ils chez Onetel, qu'avec une connexion illimitée les abonnés ne feraient que 20h ?)

- **Multimania se diversifie**

A partir d'Octobre, les membres de Multimania pourront diffuser gratuitement du contenu audio et vidéo sur leur site perso avec les technologie RealNetworks.

- **Cyber-police chinoise**

Début Août, la Chine a lancé sa police internet.

- **CD audio et MP3**

Ça y est, ils arrive en France ! Une société chinoise, A-Max va lancer mi-août le Napa DA V309 distribué par Bataca. Il s'agit d'un discman qui peut lire aussi bien les CD audio que les MP3. Son prix sera de 1300 F environ. (CONTQM : avant de vous ruer dessus, méfiez-vous, j'ai eu l'occasion de tester un modèle concurrent et le résultat n'était pas fameux.)

Dimanche 6 Août 2000

- **Les secrets d'Apple révélés par l'Abeille ouvrière**

Apple a demandé une enquête judiciaire suite aux révélations faites concernant son prochain portable iBook. Un inconnu a en effet publié sur le web des informations concernant sa nouvelle souris optique et un PowerMac biprocesseur avant leur présentation le mois dernier. Worker Bee, c'est son nom, aurait aussi dévoilé un troisième produit que la firme à la pomme n'a toujours pas présenté, qui serait une version de l'iBook équipée d'un processeur plus

rapide. Apple a donc sommé le portail Yahoo! de révéler les informations les informations qu'il possède sur worker bee puisque celui-ci a fait ses révélations sur GeoCities (qui appartient à Yahoo!).

- **Publicité pour l'échange de fichiers**

La décision de fermer Napster a doublé les connexions au site. Le soir de la fermeture du site, le nombre de connexions a été porté à 849196, contre 443070 la veille. Il a ainsi dépassé la fréquentation de sites comme Amazon.com. De plus les sites de téléchargement enregistre une hausse importante des demandes de logiciels d'échange de fichier.

- **Le Limousin n'est pas rentable**

Le Conseil régional dénonce la disparition de la notion de service public. En effet, le Limousin fait partie zones que Completel a jugé non rentables pour l'utilisation la boucle radio locale pour l'Internet.

- **Le mobile tue ?**

Un procès va s'ouvrir aux États-Unis suite à la plainte d'un médecin estimant que sa tumeur cérébrale est due à son téléphone cellulaire. Au Royaume-Uni, le gouvernement s'est lancé dans une campagne pour inciter les enfants à ne pas utiliser les cellulaires. Pendant ce temps des études sont toujours en cours pour déterminer si oui ou non il y a danger.

- **IBM et Micro\$oft pour un standard**

Les deux compagnies ont décidé de collaborer pour définir des standards internet, concernant notamment le XML pour simplifier le développement de leurs applications futures.

- **Dessins animés sur PDA**

Cela pourrait arriver bientôt... Warner Brothers et Sony Pictures sont en train de tester la possibilité de distribuer, par le biais d'Internet, des dessins animés sur ce support.

- **Le Conseil constitutionnel censure**

Le Conseil constitutionnel a apporté des modifications à la loi sur la liberté de communication, notamment en censurant d'office l'article concernant la responsabilité pénale des hébergeurs, déclarant anticonstitutionnelle la saisie par un tiers.

- **La Dram Rambus double sa vitesse**

Une RDRAM 1066 MHz, avec une bande passante de 2,1 Go/s, voilà la dernière avancée du constructeur de mémoire. La technique ? La même que celle de la DDR SDRAM : le doublement de la fréquence (2*533 MHz).

- **Vous jouerez plus tard**

La sortie en Europe de la Playstation 2 a été retardée, vraisemblablement pour pouvoir répondre à la demande en Amérique du Nord.

- **Alerte aux virus**

McAfee a créé un service qui vous envoie les formations sur les nouveaux virus directement sur votre téléphone WAP.

- **Téléchargement de musique autorisés**

Cette semaine Universal lance son service de téléchargement de musique imitant ainsi Sony et EMI. BMG et Time Warner s'y mettront d'ici la fin de l'année

Vendredi 4 Août 2000

- **Opérateurs téléphone : US vs UE**

Près de 50 compagnies de téléphone européennes se sont jointes à la campagne de l'Union Européenne pour stopper la proposition de loi américaine visant à empêcher, entre autres, Deutsche Telekom de s'offrir Voicestream.

- **Micro\$oft a chaud**

L'Union Européenne a officiellement lancé à son tour une procédure antitrust contre Micro\$oft. Du coup, MS incite un juge à renvoyer plus de 60 actions en cours aux États-Unis pour avoir les mains un peu plus libres

Jeudi 3 Août 2000

- **Le GMT ne sera pas la référence**

Tony Blair s'était engagé dans une campagne pour que Greenwich soit le point de référence de l'horloge internet avec le GeT (Greenwich Electronic Time). Mais le système basé sur Java est incompatible avec Internet Explorer, donc avec près de 80% d'internautes, les tests montrant des écarts allant jusqu'à 9s. (Si quelqu'un peut m'expliquer l'intérêt de créer une heure Internet alors qu'il existe déjà une heure de référence, qu'il m'envoie un mail, merci).

- **Offres d'emploi**

Comme tous les ans, le week-end dernier s'est tenu à Las Vegas le DefCon, le congrès de hackers (NPLN : ceux qui forcent les systèmes informatiques protégés). Depuis quelques années, les hackers invitent même officiellement des agents fédéraux aux conférences. En effet, auparavant, ils cherchaient à s'infiltrer incognito et un jeu avait été lancé, "Spot the Fed" qui consistait pour les hacker à démasquer ces agents. Cette année, les fédéraux (un officiel du ministère de la Défense, un membre d'une cellule discrète proche de la C.I.A.) ont même été invités à s'exprimer sous forme de conférences et de tables rondes (nommées "Meet the Fed"). Le dernier jour, "Spot the Fed" a sorti aussi un gros poisson, un agent de la NSA. Leurs interventions ont eu un point commun, la tentative à peine voilée de recruter des hackers pour les services de

renseignement américains.

Par contre, interrogés à ce sujet, ils ont démenti l'existence du réseau d'espionnage Echelon.

- **Ils ne liront pas grand chose**

Selon les analyses d'un chercheur universitaire, le dispositif de surveillance des mails, qui sera mis en place au Royaume-Uni serait techniquement obsolète. Il ne prendrait pas en charge les serveurs de mail étrangers, ni certains petits FAI britanniques, oubliés par le dispositif, les accès internet à haut débit, ni avec le nouveau protocole internet IPv6 (futur standard du web). Un gaspillage de 200 millions de francs.

- **IBM gonfle ses disques**

D'ici deux ans, les disques durs devraient dépasser les 200 Go. Alors que la technologie holographique, lorsqu'elle sera au point, devrait pouvoir permettre d'atteindre 1 Go par cm², IBM propose une technologie intermédiaire basé sur un système de stockage nano-mécanique composé de milliers de micropointes. Il permet de stocker 1,25 Go sur une surface de 3 millimètres carrés comprenant 32 x 32, soit 1024 micropointes qui réagissent à l'électricité et adoptent un état levé (1) ou baissé (0). On devrait donc pouvoir atteindre 500 milliards de bits par pouce carré, soit 5 fois la densité maximale pouvant être atteinte sur support magnétique, celle-ci étant estimée à 100 (les disques les plus récents ont une densité de 12 milliards de bits au pouce carré).

- **Etudes / Sondages**

Sondage Sofres : Seuls 7 % des internautes de l'Hexagone ont acheté en ligne au cours des derniers mois, contre 27 % des Américains ayant accès au net.

- **WebTV Basque**

Ce mois-ci va s'ouvrir TVPI.fr une web T.V. locale privée du Pays proposant 20% de programmes en langue basque.

Mercredi 2 Aout 2000

- **Du nouveau dans l'échange de fichiers**

La startup Autonomous Zone ose ce qu'aucune n'avait fait auparavant, vous payer pour échanger des fichiers ! Le concept est simple : on reprend le système de Napster étendu à tous types de fichiers, avec son moteur de recherche et tout et tout, sauf que quand quelqu'un télécharge un fichier depuis votre ordinateur, vous recevez des Mojos, une monnaie inventée par la startup mais convertible en dollars (1 mojo = 1/1000 cent).

On pourrait donc s'attendre à revoir le même genre de manoeuvre judiciaire que contre Napster, d'autant plus que certains sites pornographiques majeurs comme Penthouse seraient de la partie. Mais les créateurs de la société sont confiants, assurant qu'on ne peut leur demander de supprimer des références illégales puisque leur système, contrairement à Napster, ne mémorise pas l'index des

fichiers. De plus, ils affirment vouloir travailler avec Hollywood sur un système de paiement volontaire nommé PayLars (en référence à Lars Ulrich, batteur de Metallica à l'origine de poursuites contre Napster).

MojoNation, c'est le nom du logiciel, sera déjà disponible en version beta au salon des Hackers, le DefCon. Le logiciel pourrait de plus reprendre le système de Freenet qui sauvegarde les fichiers sur son serveur, les rendant téléchargeables même après la déconnexion du fournisseur. De plus vous aurez un formulaire à remplir, pour pouvoir établir une liste des fournisseurs de fichiers de confiance (le même système de notation que sur les sites de ventes aux enchères). Pour gagner des Mojos, vous pourrez aussi vendre une partie de votre bande passante, de l'espace disque pour servir de serveur ou créer d'autres services payants.

- **Le futur de Napster**

Napster a entamé une série de rencontre avec EMusic qui pourrait aboutir à un partenariat, lequel pourrait affecter la décision de la cour sur l'action en justice en cours.

- **Red Hat a convaincu Ericsson**

Les efforts soutenus de Red Hat pour faire entrer Linux dans les petits appareils non-PC portent enfin leurs fruits puisque la firme vient de signer un accord de partenariat avec Ericsson.

- **Le Net "s'installe" en Iran et Irak**

En Iran, c'est le premier centre rural connecté au web et en Irak, le premier premier cyber-café

Mardi 1^{er} Août 2000

- **URL plus simple**

Suite à une étude montrant que les utilisateurs de téléphone Wap devaient taper 70 touches en moyenne pour entre une adresse, la société Bango a mis au point un système d'URL par chiffres pour simplifier la tâche. Il se nomme le Bango Number et vous permet de taper un numéro (3 chiffres min) en lieu et place de l'adresse. Maintenant, la course est lancée pour acheter les numéros, les plus chers étant bien sur ceux de 3 chiffres.

- **Quand on a de l'argent...**

Micro\$oft compte dépenser 500 millions de \$ pour le marketing et la vente de sa future console de Xbox, le plus gros budget jamais atteint par la firme pour lancer un nouveau produit.

- **Vous êtes espionnés...**

L'info n'est pas nouvelle, mais cette fois, un cabinet d'étude a utilisé un renifleur de paquet pour savoir quelles informations étaient recueillies à notre insu et le résultat est sidérant.

Ce cabinet a téléchargé des données depuis son propre site. En résumé, les serveurs de Real, AOL ou Netzip récupèrent le nom du fichier (exécutable) téléchargé, l'adresse exacte du serveur de provenance, l'adresse IP de l'ordinateur de l'internaute. Le logiciel crée une clé d'identification à partir du nom de la machine lors de l'installation de Windows . Couplé à un cookie, il permet par exemple de créer un historique des fichiers téléchargés. Lisible en hexadécimal et en équivalent ASCII, le fichier ne laisse guère de doute sur les risques de son exploitation.

- **On joue dans le comique**

Le premier patch correctif pour Windows 2000 US est sorti : 83 Mo (version française pour le 10 Août). Après le patch pour office de plus de 100 Mo, les logiciels de MS coûtent plus cher en téléphone qu'à l'achat si on les veut à jour !

- **Du cinéma avec la Playstation**

Sony a lancé le GScube. C'est un outil de développement pour l'industrie cinématographique et la création multimédia.... basé sur la technologie PlayStation 2.

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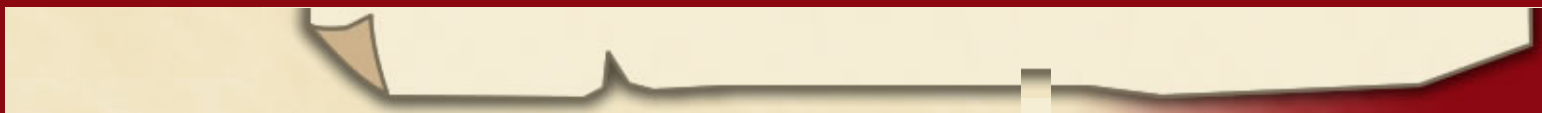
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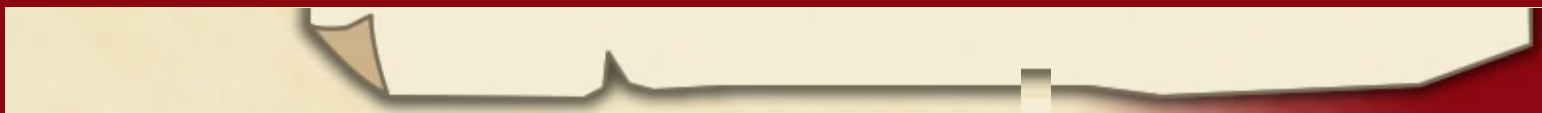
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ICANN ET LA GOUVERNANCE D'INTERNET

HANS KLEIN

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ICANN ET LA GOUVERNANCE D'INTERNET

HANS KLEIN

LA GOUVERNANCE D'INTERNET

Internet est souvent salué comme un royaume d'anarchie bienveillante, où la communication libre est solidement établie. C'est une « hydre moderne » capable de contourner la réglementation (Froomkin, 1999, p. 129) et un « espace hors contrôle » (Lessig 1999, p. 24). Comme le dit John Perry Barlow, chantre de l'Internet, « Ô gouvernements du monde industriel ... vous n'avez point de souveraineté là où nous nous rassemblons. » (cité in Lessig, 1999, p. 218).

Pour le dire de façon moins pittoresque, Internet met à l'épreuve la *gouvernance*. J'entends par « gouvernance » l'existence d'une quelconque autorité capable de créer pour l'usage d'Internet des règles globalement applicables et renforcées par des sanctions. La gouvernance d'Internet existe sous des formes diverses et partielles (salons de *chat* sur AOL, ou réglementation gouvernementale des ordinateurs à l'intérieur du territoire national), mais, dans l'ensemble, Internet ne possède pas de système cohérent et efficace pour établir et imposer autoritairement des règles. Cela s'explique tant par les caractéristiques de la technologie (qui rendent difficile tout contrôle) que par l'expansion mondiale des communications *via* Internet (qui crée un conflit de juridiction entre les régulateurs gouvernementaux).

Cette dimension « ingouvernable » d'Internet, pourtant, est en train de changer. Dans son livre *Code (1999)*, Lawrence Lessig analyse diverses stratégies visant à éliminer l'anonymat des internautes et à faciliter l'application de lois contraignantes. Exemple récent : à la suite d'un procès concernant la vente aux enchères sur Internet de souvenirs nazis, interdite en France, la société *Yahoo!* fut condamnée à détecter l'origine géographique des utilisateurs pour leur appliquer la législation sur les contenus en vigueur dans leur pays (AFP, 2000). Comme avec d'autres technologies antérieures, plus Internet se répand dans la société, plus on tâche de l'intégrer dans les structures réglementaires existantes.

Le développement le plus significatif de cette tendance à « gouverner Internet est la création d'ICANN (Internet Corporation for Assigned Names and Numbers). Créée en 1998, ICANN est une association privée à but non lucratif, ayant reçu le mandat officiel d'effectuer la coordination technique des ressources fondamentales d'Internet, tout particulièrement les noms de domaine (par exemple monordinateur.org). Bien qu'elle soit implantée en Californie, son autorité s'étend, directement ou indirectement, à tous les utilisateurs d'Internet.

ICANN a le potentiel de changer radicalement la nature d'Internet. En mettant en place tous les mécanismes nécessaires à la création, à la promulgation et au renforcement de la régulation,

ICANN rend possible, pour la première fois, une vraie gouvernance d'Internet. Internet ne sera plus désormais cette Hydre incontrôlable. Or, les mécanismes de gouvernance d'ICANN rendent possibles toutes sortes de régulations. A de nombreuses reprises, ces dernières années, des tentatives de réglementation d'Internet sont apparues, signe d'un intérêt grandissant pour de tels mécanismes (Froomkin, 1997). Selon les points de vue, la création d'une capacité de gouvernance implique la promesse ou la menace d'une maîtrise de la frontière électronique.

Je vais présenter une analyse détaillée d'ICANN, pour rendre compréhensible le rapport mutuel entre technologie, administration et gouvernance, en expliquant comment le système d'adressage d'un réseau d'ordinateurs facilite un système de gouvernance. Pour ce faire, je commencerai par expliquer ce qu'est la gouvernance, le fonctionnement du système des noms de domaines sur Internet (DNS) et la manière dont le DNS permet la gouvernance.

Cette mise au point pourra éclairer la politique des décideurs comme celle des utilisateurs d'Internet. Le fait qu'Internet a un point de contrôle central et qu'ICANN exerce une politique publique globale est loin d'être communément admis. La reconnaissance de ces capacités de gouvernance justifie l'application des critères normatifs de légitimité, de responsabilité et d'équité à l'institution et à son fonctionnement. Notre étude participe d'ailleurs d'un ensemble croissant de travaux qui analysent politiquement ICANN dans la perspective de ses origines historiques (Mueller, 1999; Klein, 2001a), de son statut légal (Froomkin, 2000 ; Klein, 2001c) et de sa conception institutionnelle (Post, 1998).

Elle prend aussi en compte les débats théoriques portant sur le rapport entre systèmes technologiques et contexte social. Des études récentes sur la construction sociale de la technologie ont souligné l'influence des facteurs sociaux sur les modalités du changement technologique (Bijker, 1995 ; Bijker, Hughes, Pinch, 1987; Klein et Kleinman, 2002). De même, des spécialistes de la politique des techniques ont insisté sur le fait que concevoir un système informatique s'apparente à légiférer, dans la mesure où les deux activités engendrent des structures sociales qui contraignent le comportement humain (Lessig, 1999; Kapor, 1990; Klein, 2000). ICANN présente à l'évidence les caractéristiques d'une telle structuration sociale, dans la mesure où le système de noms de domaine (DNS) définit des paramètres importants de gouvernance.

Je considérerai tout d'abord les facteurs technologiques et institutionnels qui ont, jusqu'ici, empêché la régulation d'Internet, puis je discuterai plus largement la notion de gouvernance. Ensuite j'examinerai le système des noms de domaine en tant que hiérarchie technologique et administrative, en identifiant les caractéristiques qui permettent la gouvernance. Suivra une analyse des mécanismes de gouvernance d'Internet, tels que concrétisés par ICANN. Puis, pour illustrer la manière dont les mécanismes de gouvernance fonctionnent en pratique, j'étudierai la politique publique mondiale d'ICANN à travers la façon dont elle a défini les droits de propriété pour les noms de domaine. Enfin je considérerai le problème de légitimité posé par ICANN et je m'interrogerai sur les aires de régulation envisageables pour l'avenir.

LE PROBLÈME DE LA GOUVERNANCE D'INTERNET

Que l'on soit pour ou contre des régulations spécifiques, on reconnaît généralement que la régulation d'Internet s'est toujours avérée difficile. Copier une musique, des logiciels et d'autres formes de propriété intellectuelle devient de plus en plus aisé, et la multiplication des actions en justice à l'encontre de ceux qui violent la propriété ne représente sans doute

qu'une part infime des cas de copies non autorisées (Fryer, 1995). Des tentatives de contrôle des contenus [d'Internet] par des gouvernements nationaux ont buté sur la nature mondiale d'Internet et des conflits interjuridictionnels (Andrews, 1999).

Les barrières à la régulation proviennent en partie des caractéristiques de la technologie. Les communications d'Internet ne passent pas par un canal central mais, au contraire, par plusieurs réseaux indépendants, et les messages eux-mêmes se séparent en espèces de paquets numériques qui suivent divers itinéraires de leur source à leur destination (Cerf et Kahn, 1974). De multiples émetteurs indépendants envoient de multiples paquets indépendants à travers de multiples canaux indépendants : il n'existe donc pas de canal central de communication qui pourrait servir de point de contrôle pour la promulgation et l'application des règles.

La régulation bute également sur des facteurs institutionnels. Internet met à l'épreuve les juridictions établies (Johnson et Post, 1997 ; Perrit, 1997). L'autorité publique relève de l'État, dont la caractéristique de base est d'exercer son contrôle sur un domaine géographiquement défini (Schroeder, 1998). Or la nature « aspatiale » d'Internet met en cause ces fondements géographiques de l'autorité publique (Holitscher, 1999). La discordance entre un réseau mondial et des règles nationales sape bien des tentatives réglementaires (Froomkin, 1997).

Pour comprendre l'essence de cette situation, il est utile de prendre du recul par rapport aux détails et de considérer la gouvernance d'un point de vue théorique. Qu'est-ce que la gouvernance ? Qu'est-ce qui est nécessaire pour gouverner ? Que requiert la gouvernance d'Internet ?

Dans son ouvrage *La démocratie et ses critiques* (1989), Robert Dahl explique ce qu'est la gouvernance et comment l'atteindre. Il identifie une série d'« hypothèses politiques » (p. 106-107) qui précisent les conditions minimales pour un système de gouvernance. Ces conditions, je les appelle les « mécanismes de la gouvernance ». En paraphrasant la définition de Dahl, on peut identifier quatre de ces mécanismes, dont le premier sera *l'autorité*. La gouvernance demande un gouverneur ou un souverain. Une entité - individu ou groupe - doit prendre les décisions politiques qui s'appliquent aux membres de la communauté. Un deuxième mécanisme de gouvernance est *la loi*. Les lois mettent en œuvre des décisions politiques, sous la forme soit d'une taxe, soit d'une autorisation, ou simplement d'une règle qui engage. Troisièmement, il faut un mécanisme pour imposer des *sanctions* qui permettent de punir ceux qui violent les lois. Enfin, la gouvernance exige une définition de la *juridiction*. Celle-ci définit l'espace au sein duquel l'autorité peut appliquer ses décisions et où les lois sont applicables sous peine de sanctions. Ces quatre mécanismes rendent possible la gouvernance : *l'autorité* gouvernante peut prendre une décision politique qui s'appliquera à l'intérieur de sa juridiction, en incorporant cette décision dans des *lois* et en imposant des *sanctions* à tous ceux qui ne s'y conforment pas (cette analyse se retrouve dans l'appendice de *Code* [Lessig, 1999]).

Le caractère ingouvernable et tant vanté d'Internet résulte de l'absence de ces quatre mécanismes. La régulation est difficile parce que l'autorité, la loi, les sanctions et la juridiction ne sont pas assurées.

Or ICANN réalise ces quatre mécanismes à travers son contrôle du système de noms de domaine Internet (DNS). Contrairement aux autres aspects d'Internet, le DNS est centralisé : bien que la communication par Internet soit décentralisée, l'adressage sur Internet est centralisé. Le DNS fournit le point de contrôle à partir duquel il est possible de réguler les utilisateurs. Le DNS est aussi une ressource essentielle, et comme tel fournit un moyen d'appliquer des sanctions aux utilisateurs : le refus d'accès aux noms de domaine est l'équivalent du bannissement d'Internet. En outre, le DNS définit en grande partie les juridictions d'Internet.

L'organisation logique du DNS répartit l'autorité sur des zones distinctes. Les fondements contractuels du DNS permettent de promulguer des règles. Associées les unes aux autres, ces caractéristiques rendent ICANN capable de gouvernance.

Mais pour comprendre ICANN, il faut d'abord comprendre le système des noms de domaines.

LE DNS ET LA GOUVERNANCE : ÉTAT DES LIEUX

Je vais analyser le DNS en deux étapes, le présentant d'abord sous sa forme simplifiée : un système unique et non distribué. Dans cette perspective, les caractéristiques de la gouvernance du DNS sont plus visibles. J'étudierai par la suite la structure interne et distribuée du DNS et présenterai les divers mécanismes utilisés pour assurer la cohérence de l'administration et de la décision politique

Le DNS, point de contrôle d'Internet

Commençons par une réalité méconnue : Internet consiste dans la réunion de deux « systèmes », dont l'un vise la *communication* (les protocoles TCP/IP) et l'autre *l'adressage* (le DNS). Le système de communication est l'aspect le plus connu d'Internet. Il est extrêmement décentralisé - on pourrait même dire qu'il n'est pas un « système » mais plutôt une série de protocoles grâce auxquels des réseaux d'ordinateurs indépendants peuvent s'envoyer des données. C'est lui qui nourrit l'image d'Internet dans le grand public et les prétentions à l'« ingouvernabilité » (Fromkin, 1997).

Le système d'adressage - le DNS - est au contraire centralisé. Presque toutes les communications sur Internet en dépendent. On peut concevoir le DNS comme l'annuaire et les renseignements téléphoniques d'Internet. Avant qu'un ordinateur puisse communiquer avec un autre, il doit composer l'équivalent du « 12 », donner le nom de celui qu'il appelle, puis attendre la composition du numéro. C'est un préalable indispensable à la communication.

Chaque fois qu'un utilisateur clique sur un lien de page web ou envoie un e-mail qui comporte un nom de domaine, le DNS doit *résoudre* ce nom de domaine. Du point de vue de sa structure interne, le DNS consiste en une base de données et un service de recherche dynamique. Les entrées dans la base de données comprennent un identifiant alphanumérique convivial (le *nom de domaine*) et un identifiant numérique pour la machine (le numéro ou adresse *IP*, Internet Protocol). Ainsi, le nom de domaine d'un ordinateur serait *monordinateur.org*, et son numéro IP correspondant *12.34.56.78*. Le DNS reconnaît le nom de domaine et forme le numéro correspondant. Les ordinateurs qui effectuent cette opération s'appellent des *narre servers* (serveurs de noms). Une fois celle-ci effectuée, la correspondance par courrier électronique ou la communication sur le web peuvent s'engager¹.

Ce processus à deux étapes est immédiatement perceptible avec la plupart des navigateurs (comme Netscape). Une fois que l'utilisateur a tapé le nom du domaine, le navigateur indique qu'il est en correspondance avec le DNS avec un message du genre : « Recherche de l'hôte... » Plusieurs secondes peuvent s'écouler avant que la résolution soit effectuée et que la communication entre ordinateurs puisse commencer. Parfois la résolution du nom échoue,

¹ Cette explication simplifie un peu les choses. De fait, si l'on utilise les numéros IP directement, on n'a plus besoin d'interagir avec le DNS pour communiquer *via* Internet. Note au lecteur : selon mon expérience, à toute affirmation concernant le DNS on peut trouver une exception. Merci d'en tenir compte en lisant cette partie de l'article, simplificatrice à l'extrême par souci de clarté.

comme par exemple quand une faute de frappe ou d'orthographe donne un message du genre « Impossible de trouver l'hôte... », et aucun numéro ne répond. En regardant les messages sur l'écran du navigateur, un utilisateur peut observer le processus de résolution du nom.

Au coeur du DNS se situe *l'espace de nommage* d'Internet. Celui-ci fournit une liste de (presque) tous les ordinateurs connectés à Internet². A ce jour, l'espace de nommage contient des dizaines de millions d'entrées. Dans les statistiques sur la croissance d'Internet, les chiffres se réfèrent en général à l'étendue de l'espace de nommage, qui fournit une approximation du nombre d'utilisateurs individuels : puisque la plupart des ordinateurs qui figurent sur la liste du DNS sont des portails d'accès aux réseaux privés connectant un grand nombre d'utilisateurs individuels, le nombre d'utilisateurs est bien plus élevé que celui des entrées dans l'espace de nommage.

En d'autres termes, l'espace de nommage *est* Internet. Pour exister sur Internet, un ordinateur doit figurer sur la liste de l'espace de nommage. A défaut (donc sans nom de domaine et sans numéro IP), un ordinateur ne pourra pas être trouvé par d'autres. Enlever un ordinateur du listing de l'espace de nommage, c'est comme le bannir d'Internet, car l'ordinateur disparaît de la liste des ordinateurs adressables. Quelle que soit l'entité qui contrôle l'espace de nommage, elle contrôle aussi effectivement Internet. On reverra cela en détail plus loin.

Dans sa conception actuelle, l'espace de nommage doit se conformer à certains principes (IAB, 2000; ICANN, 2001). Les concepteurs du système prétendent que l'espace de nommage doit être *unique* et géré par une seule entité. Il ne peut exister qu'une seule base de données qui constitue le listing définitif des ordinateurs sur Internet. Il peut y avoir des copies, mais non pas des espaces de nommage indépendants : si c'était le cas, tout nom de domaine pourrait correspondre à des adresses IP différentes selon l'espace de nommage utilisé, ce qui ôterait toute fiabilité à la communication. Cet impératif technologique du caractère unique sous-tend la centralité du DNS, car toute communication utilise un espace de nommage unique et obligatoire. Le recours, sur Internet, à un espace de nommage unique (avec un administrateur unique) « ... est une nécessité technique, et non un choix politique » (IAB, 2000). (Si cette caractéristique n'était pas impérative, l'éventail des choix politiques serait largement ouvert.)

L'administration

Le DNS est plus qu'un système technique : c'est aussi un système administratif et politique. Poursuivant notre présentation simplifiée du DNS comme base de données unique et non distribuée, on peut l'examiner sous l'angle de l'administrateur unique et de l'autorité politique exclusive. L'entité *d'autorité politique* formule des règles générales pour tout changement apporté à l'espace de nommage, décidant, par exemple, des noms de domaine admissibles, du coût d'enregistrement dans l'espace de nommage et des restrictions sur l'ajout ou la suppression de noms. *L'administrateur* met en oeuvre ces décisions, en ajoutant, supprimant, ou modifiant les entrées dans la base de données pour refléter l'entrée, la sortie ou le changement de statut de divers ordinateurs. L'administrateur garantit également la fiabilité du serveur de noms.

² C'est peut-être trop dire. Certains ordinateurs figurent sur la liste plusieurs fois. D'autres n'y figurent peut-être pas du tout et ne peuvent être contactés qu'en tapant l'adresse IP directement. Dans la majorité des cas, pourtant, un ordinateur sur Internet = une entrée dans *l'espace de nommage* du DNS. Or, comme on le verra plus loin, la plupart des ordinateurs présents dans le DNS ne sont pas des ordinateurs individuels mais des portails d'accès aux réseaux privés au sein desquels existent des comptes d'utilisateurs individuels.

L'obligation du caractère unique du DNS implique que l'autorité politique et l'administrateur exercent un pouvoir de type monopolistique. Il y a impérativement un espace de nommage unique, géré par un administrateur unique qui, à son tour, est sujet à l'autorité politique unique.

« La conception comme le fonctionnement du protocole du DNS sont puissamment conditionnés par l'existence d'un propriétaire ou administrateur unique... » (IAB,

2000). La fiabilité du fonctionnement de l'espace de nommage est à ce prix. Directement ou indirectement, cet administrateur unique du DNS passe un contrat avec tout réseau connecté à Internet. Ainsi, la centralisation administrative et politique va de pair avec la centralisation technique du DNS.

L'administrateur du DNS s'appelle aussi un *registry*. Pour qu'un ordinateur soit disponible sur Internet, l'utilisateur doit demander à l'administrateur d'être *enregistré*. Le registry enregistre l'ordinateur en ajoutant le couple nom-numéro de l'utilisateur à l'espace de nommage.

Le mécanisme légal qui relie l'autorité politique centrale aux utilisateurs est *un contrat*. Internet est un réseau de réseaux : la plupart des ordinateurs enregistrés dans l'espace de nommage sont en fait des portails d'accès à des réseaux privés, gérés à leur tour par des administrateurs de réseau. Chaque entrée dans le DNS s'accompagne d'un contrat entre l'administrateur central du DNS et un *administrateur de réseau*. Ce contrat précise les règles et conditions pour l'inclusion dans l'espace de nommage, c'est-à-dire la fourniture des coordonnées de contact, le règlement d'une cotisation annuelle, la reconnaissance du rôle de l'administrateur du DNS, etc.. Ainsi, tout réseau d'Internet passe un contrat avec l'entité unique qui supervise le DNS.

Le DNS et la gouvernance d'Internet

A partir de cette vision simplifiée du DNS, on voit comment la gouvernance est envisageable. Il suffirait de quelques modifications mineures pour mettre en oeuvre les quatre mécanismes de l'autorité, de la loi, des sanctions et de la juridiction.

Le DNS instaure une autorité centrale pour Internet. L'obligation du caractère unique de l'espace de nommage exige une autorité centrale unique dont les décisions s'appliquent à tous les serveurs dans l'espace de nommage. Pour faire de l'autorité politique du DNS une vraie entité régulatrice, il faudrait simplement que son champ de décision s'étende aux enjeux de politique publique, tels que la réglementation de la propriété intellectuelle ou le contrôle du contenu. Puisqu'il y a très peu de barrières techniques à une telle expansion, il s'agirait bien alors d'un choix politique. L'exercice de la gouvernance sur Internet exigerait donc simplement d'élargir la gamme des sujets régulés par l'autorité politique du DNS.

Le DNS définit également le deuxième mécanisme de gouvernance : la loi. La loi d'Internet s'exprime dans les contrats pour l'enregistrement des noms de domaine. Les contrats avec les administrateurs de réseaux détaillent les règles à respecter. Pour réguler de plus vastes questions, il suffirait d'élargir la formulation des contrats.

Troisièmement, le DNS intègre un puissant mécanisme de sanctions : le refus d'un nom de domaine (par exemple, suppression du couple nom-numéro d'un utilisateur du listing de l'espace de nommage). C'est le pouvoir de bannir : les administrateurs de réseaux refusant de se conformer aux règles précisées dans leurs contrats pourraient être éliminés de l'espace de nommage et contraints à la disparition informatique. L'enregistrement des noms est donc conçu comme un privilège, révoquant en cas de transgression.

Le DNS résout tout aussi nettement le problème de la juridiction. La juridiction de l'autorité politique du DNS s'étend à tout ordinateur relié à Internet, mais ne va pas plus loin. C'est le contrat d'enregistrement qui manifeste la juridiction. Tout administrateur de réseau est lié contractuellement à l'autorité politique du DNS.

C'est ainsi que le système de noms de domaines fournit les moyens de la gouvernance. Il suffirait de quelques changements mineurs pour conforter chaque mécanisme. L'autorité politique du DNS n'aurait qu'à élargir son champ de régulation pour inclure des réglementations plus larges dans les contrats signés avec les administrateurs de réseau. Le refus d'un nom de domaine fournit un mécanisme suffisant pour sanctionner ceux qui ne se conforment pas aux règles. Et la juridiction de l'autorité politique s'appliquerait exactement à Internet, ni plus ni moins.

Mais pour assurer plus complètement la gouvernance d'Internet il faut considérer deux problèmes supplémentaires. Le premier est pratique : il faudrait trouver le moyen d'étendre l'autorité politique jusqu'à l'utilisateur individuel. Le contrat d'enregistrement du nom de domaine étant convenu entre l'autorité centrale et un administrateur de réseau, les utilisateurs individuels ne sont pas directement soumis à ces régulations. La régulation des utilisateurs individuels impliquerait un *contrat aval*. Les administrateurs de réseau demandent en général aux utilisateurs de signer un accord lorsqu'ils prennent un compte, et cet accord avec l'utilisateur pourrait reprendre les termes du contrat des administrateurs. Ainsi une seule série de règles irriguerait tous les niveaux, de l'administrateur central du DNS aux administrateurs de réseaux locaux et, dès lors, à tout utilisateur. De façon indirecte, tous les utilisateurs d'Internet se verraient alors régulés par l'administrateur central du DNS. Toute violation du contrat par l'utilisateur pourrait faire interdire d'accès son compte. Et les administrateurs de réseau qui ne réussiraient pas à imposer des contrats « aval » avec leurs utilisateurs se verraient soumis au refus du nom de domaine, c'est-à-dire au bannissement d'Internet. Bien qu'un tel contrat reste aujourd'hui théorique, il est néanmoins tout à fait envisageable. Dans un paragraphe ultérieur, je résumerai les types de régulation qui ont été ou qui pourraient être instaurés au moyen d'un tel système.

Une deuxième considération à propos de la gouvernance est de nature plus normative. Si l'autorité politique du DNS devenait un régulateur à visée générale, il faudrait alors repenser fortement sa *légitimité*. Avec l'extension de sa capacité décisionnelle, son autorité devrait se fonder sur un principe de compétence. Ce serait le cas si l'on plaçait l'autorité politique ultime entre les mains des gouvernements ou d'une institution représentative constituée à cet effet. Comme on le verra plus loin, quand l'autorité politique fut confiée à ICANN, celle-ci adopta un processus représentatif pour assurer sa légitimité.

Jusqu'ici, j'ai développé une hypothèse simplificatrice : l'espace de nommage d'Internet se compose d'une seule base de données centralisée. Au tout début du développement d'Internet, c'était le cas. Dans les années 1970, l'espace de nommage tout entier se trouvait dans un seul fichier appelé « *hosts.txt* » (Froomkin, 2000). A partir de 1983, pourtant, la croissance continue du réseau conduisit les chercheurs à reconceptualiser l'espace de nommage et à le fragmenter en pièces multiples et interconnectées. L'espace de nommage est moins centralisé que je ne l'ai représenté jusqu'ici, et cette décentralisation rend bien plus complexe la gouvernance d'Internet. Je vais maintenant procéder à l'analyse de cette architecture complexe.

LE DNS COMME SYSTÈME DISTRIBUÉ

L'espace de nommage est une base de données *distribuée*. Théoriquement toutes les paires nom-numéro pourraient être incluses dans une seule base de données centrale, comme décrit plus haut. Mais, puisqu'à chaque seconde ont lieu des milliers de requêtes de noms, un ordinateur centralisé en charge du DNS serait facilement débordé. L'espace de nommage est donc distribué entre de multiples ordinateurs pour partager la tâche.

L'espace de nommage consiste en une collection de bases de données partielles, séparées les unes des autres, tournant sur des ordinateurs distincts. Chaque base de données partielle s'appelle un *fichier-zone* (ou

zone »). Une zone comprend un sous-ensemble de la liste générale de paires nom-numéro. A chaque zone est associé un *serveur de noms* (ou « serveur » - un logiciel pour la résolution des noms) et un *ordinateur hôte* (ou « hôte » - le matériel où se logent le dossier de zone et le serveur de noms). Ainsi l'espace de nommage tout entier est un système distribué de bases de données et de résolution de noms dont la pierre angulaire est la triade fichier-zone /logiciel du serveur de noms/ordinateur-hôte.

Comme pour toute base de données distribuée, le rapport entre les membres est soigneusement structuré. Les diverses zones sont *liées* entre elles pour former une hiérarchie pyramidale inversée ou un arbre à l'envers (avec les racines en haut). Au sommet de la hiérarchie se trouve une zone unique, la *racine*. Cette zone-racine est reliée à de multiples zones situées juste en-dessous, reliées à leur tour à de nombreuses autres zones inférieures, etc.. (C'est la même structure qu'on retrouve pour les dossiers d'un ordinateur personnel.) Les strates de la hiérarchie sont faciles à identifier : la zone-racine est liée aux zones « haut niveau », qui sont reliées à leur tour à des zones de « deuxième niveau », viennent ensuite les zones de « troisième niveau », etc..

Bien qu'une zone donnée puisse être reliée vers le bas à de multiples zones, elle ne peut l'être vers le haut qu'à une seule. De façon directe ou indirecte, toutes les zones sont reliées vers le haut à la zone-racine unique. L'existence d'une racine unique dans l'espace de nommage satisfait à l'obligation d'unicité.

Les sous-arbres dans ce système s'appellent des *domaines*. Un domaine est constitué d'une zone et de toutes les zones inférieures. On parle souvent des noms de domaine selon leur niveau dans l'arbre. Ceux qui relèvent des zones de haut niveau s'appellent « domaines de haut niveau » (*top-level domains*, ou TLDs) ; ceux qui relèvent du niveau suivant sont des « domaines de deuxième niveau », etc.. Le domaine de la racine est l'espace de nommage global. L'ensemble du système constitue le « système des noms de domaines » ou DNS. Les termes « zone » et « domaine » sont souvent employés de façon interchangeable, mais la « zone » se réfère à un seul fichier et le « domaine » à ce même fichier et tout autre fichier inférieur à lui dans son sous-arbre.

Un domaine possède un nom - qui, sans surprise, s'appelle un *nom de domaine*. Les noms de domaine de haut niveau les plus connus sont *com*, *.org*, et *net*. Le domaine le plus vaste dans l'espace de nommage, *com*, est relié à des millions de domaines d'échelon inférieur. Une adresse Internet comme *monordinateur.com* associe un domaine de deuxième niveau (*monordinateur*) à un domaine du premier échelon (*.com*). Une série de noms de domaine, où les niveaux sont séparés par des points, identifie de manière précise et unique tout ordinateur dans l'espace de nommage.

Cette hiérarchie distribuée définit les rapports de contrôle de haut en bas. N'importe quel fichier-zone

peut être modifié pour lier (inclure) ou délier (exclure) les zones situées plus bas que lui dans l'espace de nommage. Comme un pouvoir de vie ou de mort virtuelle... Quand un serveur de noms se connecte à la racine à travers une série de liens, il existe dans l'espace de nommage. Si l'on modifie un fichier-zone pour éliminer un lien, le ou les ordinateurs inférieurs à lui dans la hiérarchie seront exclus de l'espace de nommage. Chaque serveur situé dans la hiérarchie contrôle la route jusqu'à la racine pour les serveurs de niveau inférieur.

On peut illustrer ce processus par un exemple. Disons que je voudrais connecter ma société au courrier électronique par Internet. Je possède déjà un réseau interne, et maintenant je cherche à relier mon réseau à Internet. Pour ce faire, il faut d'abord que je connecte un ordinateur-hôte de mon réseau à l'espace de nommage, *i.e.* que j'enregistre le nom de domaine et l'adresse IP de l'hôte dans un fichier-zone du DNS. L'espace de nommage étant une base de données distribuée, il existe plusieurs fichiers-zones auxquels je pourrais me lier : un registry en Virginie gère un fichier-zone qui s'appelle *.com*, un autre en Angleterre en gère un qui s'appelle *.uk*, ma maison-mère en gère un qui s'appelle *.holdingcompany* (qui, à son tour, est relié au fichier-zone *.com*). Quand j'enregistre mon hôte dans un fichier-zone disponible, il est intégré à l'espace de nommage et commence à exister sur Internet. Parallèlement, si mon entrée dans le fichier-zone se trouvait déliée (si le nom de domaine était annulé), mon hôte disparaîtrait d'Internet. La modification du fichier-zone qui une permet d'entrer ou de sortir d'Internet ne dépend pas de moi mais de l'administrateur du fichier-zone immédiatement supérieur au mien, dont je dépends toujours pour être présent sur Internet.

L'administration

Dans une approche simplifiée, j'ai écrit que l'administration et l'autorité politique du DNS reposent sur un couple unique d'organisations. Dans le DNS distribué, *tout* domaine doit avoir une telle paire administrationpolitique (j'en parlerai simplement comme « administrateur » ; dans certains cas, les deux peuvent relever de la même organisation). Ces organisations fonctionnent selon la structure distribuée de l'espace de nommage : l'administration globale du DNS est une hiérarchie multi-organisations, dans laquelle chaque administrateur exerce son contrôle sur les administrateurs des échelons inférieurs. Au sommet se trouve l'administrateur de la racine.

Chaque administrateur exerce un contrôle monopolistique sur son fichier-zone immédiat (qui lui assure l'exclusivité de sa portion de l'espace de nommage). D'ailleurs, tout administrateur exerce son autorité sur l'intégralité du niveau inférieur. Quand il enregistre un hôte de deuxième ou de troisième niveau, il *délègue* de l'autorité à un administrateur de niveau inférieur, qui à son tour exerce le contrôle monopolistique sur ce fichier-zone inférieur. L'autorité tombe en cascade depuis l'administrateur de la zoneracine, responsable pour tout l'espace de nommage, jusqu'aux ordinateurshôtes individuels des zones inférieures. Chaque administrateur est soumis aux politiques des entités supérieures. C'est ainsi que des politiques décidées à la racine peuvent être transmises à toute la hiérarchie pour s'appliquer, directement ou indirectement, à tous les administrateurs du DNS. En tant que groupe, les administrateurs sont les gardiens de l'espace de nommage et donc d'Internet.

Tout comme les fichiers-zone sont entrelacés, les administrateurs sont liés par des contrats. L'administrateur-racine formalise sa délégation d'autorité aux administrateurs inférieurs par un contrat, dont plusieurs articles peuvent devenir obligatoires dans les contrats subséquents. De cette manière, les règles peuvent circuler dans toute la hiérarchie jusqu'à l'administrateur de réseau individuel, ou même à l'utilisateur individuel, comme on l'a déjà vu.

On ne s'étonnera pas de ce que l'administration de la zone-racine soit d'une importance toute

particulière. Tous les autres hôtes sur Internet n'accèdent à l'espace de nommage que par une délégation d'autorité qui provient directement ou indirectement de la racine. L'autorité politique sur la racine - le pouvoir d'ajouter ou de supprimer les domaines de haut niveau - confère un contrôle direct sur tout domaine de haut niveau et un pouvoir indirect sur tout domaine de niveau inférieur. L'exercice de l'autorité sur la zone-racine s'étend à Internet tout entier.

Pour résumer, cette approche plus précise du DNS révèle une complexité technique et administrative de grande ampleur. Considéré dans son ensemble, le DNS est bien un point de contrôle centralisé d'Internet. Et pourtant, puisqu'il est un système décentralisé, le DNS possède une structure -interne qui compte sur le contrôle hiérarchique et les contrats pour rendre effectif son potentiel d'action politique unificatrice.

Les facteurs historiques dit DNS

On peut maintenant passer de l'analyse technique à une analyse historique. Notre propos a jusqu'à présent dessiné le fonctionnement du DNS et de sa structure en tant que base de données distribuée. L'analyse historique mettra en lumière l'évolution de l'espace de nommage du DNS et de sa hiérarchie administrative.

Internet a vu le jour comme projet de recherche dans les années 1970, et les scientifiques du monde de l'informatique qui l'ont développé ont formaté l'évolution de ses institutions administratives et politiques (Hafner et Lyon, 1998). Cette communauté de chercheurs a trouvé son assise dans des institutions comme l'Internet Engineering Task Force (IETF), l'Internet Architecture Board (IAB), l'Institut des sciences informatiques de l'Université de la Californie du Sud (ISI) et l'Internet Society (ISOC) (Leiner *et al.*, 2000).

Une personne en particulier a joué un rôle-clé dans le développement du DNS : le Dr. Jon Postel, informaticien à l'Université de Californie du Sud. Bénéficiant d'une bourse de recherche gouvernementale, Postel a exercé l'autorité politique sur la racine, dans le cadre de l'Internet Assigned Number Authority (IANA). A la tête d'IANA, Postel gérait le fichier-zone de la racine, autorisait l'ajout de nouveaux TLD (domaines de haut niveau), sélectionnait les administrateurs auxquels déléguer l'autorité et il accomplit d'innombrables autres tâches. Postel avait d'abord assumé ce rôle dans les années 1970 en tant qu'étudiant. A proportion de la croissance d'Internet, l'importance des décisions de Postel crût jusqu'aux années 1990, où elles eurent des implications mondiales. Cependant l'autorité politique sur la racine reposait toujours sur sa personne. Et, puisqu'il travaillait sous contrat avec le gouvernement, l'autorité finale demeurait officiellement entre les mains du gouvernement des États-Unis - mais, la plupart du temps dans les années 1980 et 1990 c'est Postel qui a exercé son autorité personnelle sur le DNS.

En 1984, dans un document connu sous le sigle RFC920, Postel, avec son collègue Joyce Reynolds, définit la trajectoire d'évolution de l'espace de nommage (Postel et Reynolds, 1984). RFC920 établit le nombre de zones de haut niveau et leurs noms. Bien que l'espace de nommage se limite à un seul fichier-zone de racine, Postel et Reynolds annoncent en 1984 que l'échelon supérieur consistera en quelque 250 fichiers-zone. RFC920 sert de canevas pour structurer l'espace de nommage et sa croissance future. Le nombre de fichiers-zones ne se fonde sur aucune nécessité technique, il aurait pu être plus grand ou plus petit.

RFC920 précise également les chaînes numériques d'identification des fichiers-zone. Les 250 TLD se divisent en deux classes de nommage : six TLD « génériques » (des « gTLD » : *.gov*, *.edu*, *.com*, *.org*, *.mil*, et *.net*), et 244 TLD codes-pays (des « ccTLD », ayant pour base la liste de référence ISO 3166-1 des codes-pays à deux chiffres, tels *uk* pour le Royaume Uni, *.fr* pour la France, *.jp* pour le Japon, etc.). Encore une fois, les chaînes numériques particulières utilisées dans les noms

de domaine n'ont aucune signification technique ; il suffit qu'elles soient uniques. Elles ont néanmoins une grande incidence politique, car elles donnent forme à des décisions concernant l'utilisation d'Internet. Les 250 TLD définissent un espace de nommage fondé en partie sur des fonctions (.com pour *commercial*, *mil* pour *militaire*, etc.) et en partie sur des identifiants géopolitiques (noms de pays). Décidés bien avant qu'Internet n'acquière une importance mondiale, le nombre de TLD et la signification y attachée vont avoir des conséquences à long terme.

RFC920 définit la structure et les conventions de nommage du DNS et sa mise en Oeuvre s'étale sur plusieurs années. L'instauration des TLD exige la sélection d'un administrateur pour gérer le fichier-zone et le serveur des noms. L'instauration des TLD génériques procède de façon très différente de celle des TLD de codes-pays : les premiers sont sélectionnés par le gouvernement des États-Unis, les seconds choisis par IANA.

Postel et IANA possèdent l'autorité politique sur la racine, mais l'administrateur est une entreprise privée : Network Solutions, Inc. (NSI), qui administre et exerce l'autorité politique sur *com*, *net*, et *org*. NSI prend ses ordres d'IANA, mais travaille en réalité sous contrat avec le gouvernement des États-Unis.

La croissance du domaine *com* procure à NSI richesse et puissance. Lorsque le gouvernement des États-Unis ouvre Internet aux usages commerciaux, en 1994, l'enregistrement en.com explose. A la fin des années 1990, *com* atteint plus de dix millions d'enregistrements - plus de la moitié de tout l'espace de nommage. Cette concentration ne relève pas d'un caractère inné du DNS, mais provient d'un développement inattendu - la combinaison du bon marketing de NSI et de la large acceptation de la convention de nommage du DNS, qui identifie *com* comme LE domaine commercial. Au bout du compte, le domaine *com* représente une telle proportion de l'espace de nommage total qu'il rivalise d'importance avec la racine pour l'ensemble du réseau (Mueller, 1999). Des frais annuels de \$35 USD par nom de domaine enregistré permettent à NSI d'amasser des centaines de millions de dollars de revenus du fait de son monopole sur le seul domaine commercial d'Internet.

En revanche, les administrateurs de TLD de codes-pays sont majoritairement, tout comme IANA, des sociétés sans but lucratif, souvent affiliées aux centres de recherches universitaires. Parce qu'IANA a défini les fichiers-zone en termes de codes-pays et créé un seul fichier-zone par pays, il n'y a qu'un seul administrateur par pays. Chacun d'eux constitue un monopole national implicite : le registre *.fr* est le seul pour la France, de même *uk* pour le Royaume-Uni, etc. Même s'il n'y a aucune base technique pour les monopoles nationaux, la convention de nommage de RFC920 génère un tel système. En termes d'organisation, le système des monopoles nationaux ccTLD rappelle celui des sociétés nationales de téléphone (les PTT), qui opéraient en tant que monopoles nationaux dans la plupart des pays.

En octobre 2000, l'espace de nommage global compte plus de 30 millions de paires nom-numéro (NetNames, 2000). Vu qu'IANA n'a pas étendu le nombre de domaines de haut niveau depuis la sortie de RFC920, ce sont les domaines de deuxième niveau qui ont connu la plus forte croissance. La majorité relève du TLD, *.com*, où NSI a enregistré plus de 18 millions d'hôtes. Les TLD en *.org* et de *.net*, également gérés par NSI, abritent 5 millions d'hôtes supplémentaires. Le reste de l'espace de nommage se distribue pour l'essentiel en divers TLD de codes-pays. A la tête d'IANA, Jon Postel supervise la délégation d'autorité aux nouveaux administrateurs.

Le DNS de la fin des années 1990 est encore bien plus complexe que le système décrit ici. D'abord, il est décentralisé. En 1983 le DNS a été créé comme une base de données distribuée (Mockapetris, 1983). Puis, au fil des ans, de nombreux développements non techniques ont formaté le système. La majorité des TLD portent des identificateurs de codes-pays, qui les

associent aux gouvernements nationaux. Un fichier-zone dans la hiérarchie *.com*, contient presque tout l'espace de nommage (battant ainsi en brèche la décentralisation). Dans une communauté de petits administrateurs à but non lucratif, Network Solutions commence à émerger comme un géant du commerce. Et surtout, l'autorité politique sur l'ensemble du DNS est concentrée sur une seule personne, Jon Postel. La complexité du DNS est lourde de conflits potentiels.

DNS et gouvernance

Cependant le DNS peut toujours permettre d'exercer les mécanismes de la gouvernance. Bien que des accords plus complexes que ceux qu'on a mentionnés soient nécessaires, un DNS décentralisé rend possibles l'autorité, la loi, les sanctions, et les juridictions. Dans cette section, je discuterai de quelle manière la technologie du DNS rend théoriquement possible la gouvernance.

La décentralisation n'a pas d'effet majeur sur la mise en oeuvre de deux mécanismes : la loi et les sanctions. Même si elle engendre de multiples niveaux hiérarchiques, les contrats-aval acheminent néanmoins les règles jusqu'aux utilisateurs. La décentralisation exige une succession de contrats en cascade, mais elle ne remet pas en cause ce mécanisme. De même, le refus (d'accès) à un nom de domaine est une sanction efficace. Si tout administrateur dans l'espace de nommage, de la racine à l'étage le plus bas, exerce un contrôle monopolistique sur son fichier-zone, chacun peut déconnecter des hôtes de niveau inférieur. Ainsi l'enregistrement d'un nom reste un privilège, révocable si l'enregistreur viole les règles.

Au contraire, la décentralisation entrave l'exercice des deux autres mécanismes de gouvernance. Elle fragmente l'autorité politique et la juridiction, surtout dans les domaines de codes-pays. Celles-ci restent unifiées à la racine : IANA peut réglementer tout l'espace de nommage et promulguer les règles à travers toute la hiérarchie. Mais dans les domaines de haut niveau (TLD), le risque existe d'une contradiction avec un autre échelon d'autorité. La distinction entre les TLD génériques (gTLD) et ceux des codes-pays (ccTLD) peut affaiblir l'unité d'autorité et de juridiction.

Les ccTLD sont associés aux pays, et par conséquent à l'autorité politique des gouvernements nationaux. Ceux-ci peuvent prétendre à exercer leur juridiction sur les ccTLD correspondants. Même si les domaines des gouvernements nationaux représentent un niveau inférieur à IANA dans la hiérarchie du DNS, IANA n'est pas en situation de revendiquer sur eux une quelconque autorité. L'institution de gouvernance d'Internet serait bien en peine de remettre en question le droit d'un gouvernement national à décider de sa politique publique. Même si les gouvernements ignorent le DNS (dans la majorité des cas), l'exercice proactif de l'autorité politique par IANA peut provoquer une réaction de leur part. Aussi est-il difficile pour l'autorité politique sur la racine d'affirmer son pouvoir sur les ccTLD.

Autre source de complexité : la pléthore d'autorités au sein des ccTLD. Les TLD de codes-pays sont indépendants les uns des autres, et chacun peut décider de ses propres politiques dans son domaine, source de possibles divergences, voire de contradictions. La décentralisation du DNS a créé des centaines d'autorités, dont chacune peut implicitement prétendre à la juridiction sur son ccTLD. La gouvernance intégrée d'Internet apparaît donc impossible. La décision des ingénieurs informatiques d'organiser l'espace de nommage d'après les grandes lignes politiques dont témoigne RFC920 a fragmenté l'autorité et la juridiction.

Une gouvernance intégrée paraît possible, au contraire, dans les gTLD. IANA peut réguler les domaines tels que *.com*, *.org*, et *.net*, car ceux-ci ne sont pas redevables vis-à-vis d'autorités

extérieures au DNS. Quelle que soit l'autorité dont ils disposent, ils ne la détiennent que par délégation d'IANA. Or, les gTLD ont beau n'être qu'un sous-ensemble du total des domaines, ils se taillent néanmoins la part du lion en nombre d'utilisateurs. L'autorité effective dans ces domaines s'étend de fait à la majorité des internautes.

Le DNS ne permet pas une gouvernance pleine et entière, mais autorise un certain degré de gouvernance. L'exercice d'une autorité et d'une juridiction uniques dans les domaines en *.com*, *.org* et *.net* est aisé. D'ailleurs, vue la grande concentration d'enregistrements dans les gTLD, cette juridiction concerne également la plus grande part des utilisateurs. L'autorité politique de la racine peut les réguler *via* les contrats-aval assortis de la menace du refus d'accès au nom de domaine. La fragmentation de l'autorité demeure, mais elle est limitée.

Pour la limiter davantage, IANA, tout comme les gouvernements nationaux cherchent à coordonner les diverses politiques. Bien qu'il y ait des centaines de ccTLD, les enregistrements ne sont pas également répartis. Des domaines tels que *.jp* ou *.uk* comptent beaucoup plus d'enregistrements que d'autres, par exemple *.bg* (la Bulgarie). La coordination des ccTLD les plus importants avec IANA suffit à unifier les politiques, pour s'approcher d'une gouvernance intégrée.

Enfin, l'on peut revendiquer d'autant plus de cohésion politique que l'on a la possibilité de mettre la pression sur des ccTLD récalcitrants. Si un petit ccTLD hésite à appliquer quelque politique soutenue par IANA et par les grands gouvernements, son autorité peut être remise en cause. IANA peut exercer sa capacité de déconnecter un domaine de haut niveau ou de le réaffecter vers un administrateur plus conciliant. Ainsi les plus petits ccTLD peuvent se laisser persuader (ou intimider) d'adopter les politiques agréées par les plus grands. La cohésion politique générale ne peut qu'y gagner.

Avant de clore ce chapitre, il faut encore considérer le rôle du gouvernement des États-Unis. Ce dernier, grâce à Jon Postel et Network Solutions, revendique l'autorité finale sur le fichier-zone racine. IANA, autorité politique supérieure aux États-Unis, fonctionne sous l'autorité politique des États-Unis. Instaurer les quatre mécanismes de gouvernance, en l'absence d'un changement de statut des États-Unis, serait en quelque sorte permettre à ce pays d'exercer l'autorité ultime sur Internet. Nouvelle cause de tensions avec les autres gouvernements nationaux qui se trouveraient subordonnés aux États-Unis.

Pour résumer, un DNS décentralisé ne peut permettre la réalisation pleine et entière des mécanismes de gouvernance. La loi et les sanctions peuvent s'appliquer, mais l'autorité et la juridiction sont fragmentées. La majorité des utilisateurs se situant dans des domaines génériques (les gTLD) peuvent être régulés par IANA. Mais soumettre l'espace de nommage tout entier à l'autorité d'IANA exigerait des négociations avec un nombre considérable d'autorités nationales autonomes.

D'IANA à ICANN

Ayant passé le DNS en revue, on peut se tourner désormais vers l'Internet Corporation for Assigned Names and Numbers (ICANN). Créée en 1998, et quoique non stabilisée à ce jour, ICANN met en oeuvre le potentiel de gouvernance du DNS, en se servant de l'adressage sur Internet comme d'un levier pour accomplir la gouvernance globale. ICANN n'a pas seulement créé des capacités de régulation, elle les a aussi utilisées : en 1999, elle a promulgué une décision de politique publique mondiale qui définit les droits de propriété intellectuelle sur les noms

de domaine. Je vais ici identifier les caractéristiques spécifiques d'ICANN aux moyens desquelles elle met en pratique l'autorité, la juridiction, la loi et les sanctions.

Commençons par planter le décor historique. A la fin des années 1990, le DNS est contesté de diverses parts. Internet a rapidement débordé ses institutions d'origine, notamment la « personnalisation » d'IANA, dont la légitimité se fondait sur la réputation d'un seul homme. Si quelque malheur arrivait à Jon Postel, IANA serait complètement déstabilisée. Une autre source de tension provient des entreprises qui, au nom de la concurrence, veulent ébranler le monopole de NSI : elles commencent à proposer d'autres espaces de nommage, d'autres TLD (par exemple *zoeb*), et des « registries » indépendants (Mueller, 1998). Ce qui fait peser de nouvelles menaces de fragmentation sur l'espace de nommage. La nature globale d'IANA pose un autre problème. L'Union internationale des télécommunications (ITU) de l'Organisation des Nations unies s'en mêle et cherche à revendiquer l'autorité sur l'espace de nommage. Des gouvernements nationaux et la Commission européenne s'y intéressent eux aussi, estimant que le contrôle exercé par les Etats-Unis sur cette nouvelle infrastructure informatique mondiale menace leur souveraineté. Des controverses naissent sur les questions de souveraineté et de juridiction. Des conflits sérieux émergent autour des noms de domaines correspondant aux marques déposées (par exemple, *coca-cola. conr*). L'organisation mondiale de la propriété intellectuelle (WIPO) de l'ONU, ainsi que des lobbies nord-américains font pression pour faire respecter le droit des marques déposées dans l'univers des noms de domaine (Shaw, 1997). Ce mélange politique est d'autant plus détonnant que les conflits se développent au rythme d'Internet ; chaque mois qui passe témoigne de la croissance exponentielle du réseau et de ses enjeux politiques.

Le processus par lequel la communauté des chercheurs, les titulaires de marques déposées, les entreprises de communication et les gouvernements nationaux se sont concertés pour créer une nouvelle institution à la place d'IANA a été décrit ailleurs (Mueller, 1999 ; Klein, 2001a). Je concentrerai mon attention sur le fruit de ce processus long et litigieux, c'est-à-dire ICANN, en l'analysant sous sa configuration de l'an 2000.

On comprend mieux ICANN si on la perçoit comme un ensemble d'institutions semi-autonomes. Cet ensemble comprend non seulement ICANN en tant que société mais aussi certaines entités externes, telles que le comité des gouvernements nationaux (GAC) et les administrateurs des TLD. Pour bien distinguer entre ICANN vue comme un ensemble d'institutions et ICANN vue comme entité institutionnelle, j'appellerai celle-là « le système ICANN » et celle-ci simplement « ICANN ».

Les quatre mécanismes de gouvernance sont si profondément enracinés dans le système administratif d'ICANN qu'il est difficile de les identifier. Le paragraphe qui suit va analyser les caractéristiques d'ICANN dans leurs fonctionnalités relatives à la gouvernance. Je m'intéresserai tout d'abord à la façon dont ICANN a mis en oeuvre les mécanismes d'autorité et de juridiction, puis je me concentrerai sur les mécanismes de la politique et des sanctions.

L'autorité et la juridiction

L'autorité politique sur la racine est transférée de Jon Postel à la nouvelle instance. ICANN résout le problème de la stabilité : une personne est remplacée par une institution, ICANN peut fonctionner indépendamment d'un seul individu. ICANN résout aussi, au moins en partie, le problème du conflit intergouvernemental : en tant que société privée, elle stipule dans son règlement intérieur qu'aucun fonctionnaire ne peut être membre de son conseil d'administration. Ainsi, même si son autorité s'étend au monde entier, la nature de celle-ci est délibérément non gouvernementale et respecte ainsi la souveraineté des gouvernements

nationaux. En outre, son rôle étant simplement d'assurer la coordination technique de l'Internet, ICANN ne revendique aucune mission de politique publique.

La composition du comité directeur soulève un problème de légitimité. Certes une personne, Postel, est remplacée par un conseil représentatif ; mais la légitimité issue de l'expertise et de la réputation personnelles est remplacée par la légitimité et la responsabilité reconnues aux représentants. Le comité directeur d'ICANN représente divers collèges sur une base fonctionnelle et géographique. Sur les dix-neuf directeurs, neuf représentent des groupements d'experts techniques, neuf autres les utilisateurs, le dernier n'est autre que le « patron » de l'organisation.

Le conseil d'ICANN est cependant soumis à une autorité supérieure : le gouvernement des États-Unis, dont le Département du Commerce (DoC) garde le contrôle de la racine, conservant ainsi un droit de veto sur les décisions politiques d'ICANN. En dépit de la privatisation d'Internet (qui fit grand bruit), les États-Unis n'ont jamais entièrement lâché prise. Comme l'expliquait un document officiel du DoC, « *le département du commerce n'a pas l'intention de transférer à quelqu'entité que ce soit son autorité politique sur le serveur-racine* » (DOC, 1999). Ainsi Internet n'est internationalisé et privatisé que sous la houlette du gouvernement des États-Unis.

En-dessous de la racine, les contrats étendent l'autorité d'ICANN et des États-Unis jusqu'aux administrateurs des gTLD et des ccTLD. Les TLD génériques s'intègrent plus aisément à l'organisation, puisqu'ils sont presque tous administrés par NSI et que cette entreprise subit la pression des États-Unis pour participer à ICANN. Après quelques négociations sur les modalités, NSI et ICANN se mettent d'accord en 1999. ICANN assure ainsi son autorité politique sur les domaines les plus peuplés. Les ccTLD sont plus circonspects, et jusqu'en 2001 ICANN a peu progressé dans ce domaine (ICANN, 2001). L'autorité politique hiérarchique ne s'y est pas établie, ce qui perpétue l'instabilité pour l'ensemble du système.

Le conflit d'autorité implicite entre ICANN et les gouvernements nationaux se manifeste dans le Governmental Advisory Committee (GAC). Le GAC est un comité officiel consultatif; des gouvernements nationaux peuvent s'y rencontrer, débattre et coordonner leurs actions. Individuellement, chaque gouvernement national peut affirmer son autorité politique sur les fichiers-zone qui portent son code-pays. Les gouvernements nationaux peuvent aussi coordonner une politique décidée collectivement au sein du GAC.

Le GAC entend légitimer les prétentions de ses membres à exercer l'autorité politique. D'emblée il affirme que « *le système de nommage d'Internet est une ressource publique en ce sens que ses fonctions doivent être administrées en vue de l'intérêt général ou partagé* » (GAC, 2000). En précisant que le DNS doit être un bien public, tout comme le spectre électromagnétique, le GAC ouvre la voie au contrôle gouvernemental. Ensuite le GAC associe cet intérêt commun à l'autorité des gouvernements nationaux : « *l'autorité politique publique ultime sur le [domaine code-pays] demeure du ressort du gouvernement...* » (GAC, 2000). Ceci justifie la prétention des autorités nationales à exercer la juridiction sur les ccTLD.

ICANN prétendait que l'autorité des ccTLD dérivait de son autorité supérieure sur la racine. Si les administrateurs ne suivent pas les décisions politiques d'ICANN, celle-ci peut redéléguer l'autorité à une autre partie. Les gouvernements nationaux, affirmant que leur fichier-zone est une ressource publique, cherchèrent à placer les ccTLD sous leur propre autorité. Les administrateurs des ccTLD se trouvaient donc soumis à deux autorités - et ils en proposèrent une troisième, de leur cru, citant des documents officiels qui situent l'autorité dans « la communauté Internet locale » plutôt que dans ICANN ou les gouvernements (Postel, 1994). Cette perspective les rendait responsables vis-à-vis des utilisateurs d'Internet dans leurs pays

respectifs, et non vis-à-vis de leurs gouvernements ou d'ICANN.

Les membres du GAC cherchèrent à résoudre cette ambiguïté à leur profit en demandant à ICANN un pouvoir de veto sur les ccTLD identique à celui du gouvernement des États-Unis sur la racine. Le GAC proposa de transférer le pouvoir de redélégation d'ICANN aux gouvernements nationaux : « *quand ICANN sera avertie par le gouvernement ou l'autorité publique concernée qu'un [administrateur] a enfreint les termes du contrat... elle devra réagir en urgence pour réaffecter la délégation...* » (GAC, 2000). Les gestionnaires des codes-pays n'auraient donc eu accès à la racine qu'autant que leurs gouvernements le leur permettaient. ICANN refusa cette proposition, qui la subordonnait aux gouvernements nationaux. Au moment où cet article est rédigé, la fragmentation de l'autorité sur les ccTLD reste un problème non résolu.

Les débats du GAC eurent pour effet que la coordination des gouvernements nationaux s'applique à une large gamme de décisions politiques. Le GAC a entamé la rédaction d'un document de « bonnes pratiques » pour les gestionnaires de codes-pays, afin que les autorités nationales puissent standardiser leurs opérations (GAC, 2000). Une fois définies les politiques communes, tout gouvernement national peut promulguer et imposer ces pratiques dans sa propre juridiction.

Au sein d'ICANN, les mécanismes de l'autorité et de la juridiction reposent donc sur la conception même d'ICANN, sur le GAC et sur la pérennisation du rôle des États-Unis. La gouvernance effective d'Internet est envisageable dans les domaines où les membres d'ICANN et du GAC peuvent se mettre d'accord. En dépit de la fragmentation de l'autorité, la majorité des utilisateurs d'Internet, situés dans les gTLD, sont soumis à celle d'ICANN dans une juridiction unifiée.

La politique et les sanctions

Ayant examiné l'autorité et la juridiction, j'aborderai maintenant la question de la loi et des sanctions. Les premières régulations d'ICANN s'appliquèrent aux domaines en *com*, *org* et *net* de l'espace de nommage, ces derniers étant combinés dans un seul système partagé (*Shared Registry System*, *SRS*). Au moment où j'écris cet article, l'extension des régulations d'ICANN sur les domaines des codes-pays n'est pas encore effective.

ICANN régule les utilisateurs, mais n'est pas directement en contact avec eux. Le SRS définit plutôt un système à quatre étages : ICANN au sommet, les utilisateurs à la base et deux sortes d'organisations intermédiaires : les « registries » et les « registrars ». Au sommet, ICANN utilise son autorité pour créer des régulations. En dessous, les registries gèrent les fichiers-zones et font fonctionner les serveurs (comme décrit plus haut). Encore en-dessous, les registrars font l'interface avec les utilisateurs clients. Ce sont des détaillants en noms de domaines, chargés aussi du service après-vente et souvent de services annexes, comme la fourniture d'accès à Internet. Enfin, à l'étage inférieur se trouvent les administrateurs de réseaux. (Bien entendu, la plupart des utilisateurs d'Internet ne possèdent pas leur propre nom de domaine, mais utilisent celui d'une tierce partie, comme *aol.com*, et constituent ainsi un cinquième niveau de la hiérarchie.)

Une cascade de contrats dévale tous les étages. Les régulations d'ICANN sont contenues dans les contrats avec les registries, puis transmises dans leurs contrats avec les registrars, qui à leur tour les insèrent dans leurs contrats avec les administrateurs de réseaux. Les décisions politiques circulent ainsi de haut en bas, d'ICANN aux registries jusqu'aux réseaux privés. Les termes du contrat définissent les lois d'Internet.

A chaque niveau, le contrat avec ICANN est garanti par la menace d'un refus d'accès au nom de domaine. Tout registry qui ne s'y conforme pas peut voir son domaine redélégué. De même pour les registrars, qui peuvent être privés d'accès aux registries et donc de leur capacité d'offrir les noms de domaine aux utilisateurs. Quant aux utilisateurs récalcitrants, ils risquent de voir leurs noms de domaine supprimés à l'intérieur de l'espace de nommage, ou même affectés à quelqu'un d'autre.

Le contrat ICANN d'accréditation de registrar (ICANN, 1999a) est le mécanisme primaire de promulgation de la loi. Toute organisation qui veut devenir registrar doit se conformer aux termes de ce contrat, y compris à la clause suivante, pourtant très vague : « *le registrar se conformera... à toute politique adoptée par ICANN...* » (Section II.D.1.b.i)³. Comme les politiques d'ICANN changent et que l'accord d'accréditation évolue (comme prévu dans la Section 11.0, « Le droit de remplacer un accord après sa mise à jour »), ainsi en est-il des conditions imposées à l'utilisation de tout nom de domaine. C'est ce « chèque en blanc » contractuel qui, d'évidence, accorde à ICANN le droit d'exercer la gouvernance sur un champ très large. Les termes du contrat sont répétés aux niveaux inférieurs entre les registrars et les utilisateurs ; la circulation fluide des régulations est ainsi assurée, d'ICANN aux registrars, et éventuellement aux utilisateurs. Au besoin, des sanctions sont explicitement prévues : « *Le locataire [du nom de domaine] reconnaît que son enregistrement du nom [de domaine] est susceptible de suspension, d'annulation, ou de transfert conformément à toute politique adoptée par ICANN... pour la résolution des conflits...* » (Section II.J.7.i).

Les mécanismes fondamentaux de gouvernance sont ici assurés par la circulation des contrats, assortie de la menace de refus du nom de domaine. Le contrat d'accréditation stipule les règles en vigueur sur Internet, que renforce le pouvoir de révocation d'un nom de domaine. Les utilisateurs d'Internet ne peuvent jouir de l'accès à l'espace de nommage que s'ils se conforment aux règles établies par ICANN; sinon, leur nom de domaine peut être suspendu, annulé, ou transféré.

UNE POLITIQUE PUBLIQUE MONDIALE

Mon exposé sur le DNS, la gouvernance et la conception institutionnelle d'ICANN a cherché à décrire et analyser des données objectives. Si l'on accepte la quadruple définition de la gouvernance, et si l'on admet que ces mécanismes sont bien à oeuvre dans ICANN, il n'est pas douteux qu'ICANN est capable d'assumer la gouvernance d'Internet. Jusqu'ici, on a très peu traité d'une double question : est-ce qu'ICANN exerce cette capacité ? ce système de gouvernance est-il légitime ? Le dernier chapitre va aborder ces éléments, beaucoup plus sujets à controverses.

La politique d'ICANN

ICANN possède la capacité de gouverner et l'a déjà exercée. ICANN a institué une politique publique mondiale. Je vais expliquer maintenant ce que signifie « instituer une

³ Ce passage de l'accord (Registrar Accreditation Agreement) est important mais pas particulièrement succinct. Le texte entier de la section D.1.b.i dit : « *D. Les obligations générales du registrar. 1. Pendant la durée de l'accord : b. le registrar se conformera à toute politique adoptée par ICANN et ce qu'elle : i. est relative à l'une ou à plusieurs des questions suivantes: (A) toute question dont la résolution uniforme ou coordonnée s'avère raisonnablement nécessaire pour faciliter l'interopérabilité, la fiabilité technique et/ou le fonctionnement stable de l'Internet ou du DNS, (B) toute politique de registrar nécessaire dans les limites de la raison pour l'implémentation des politiques de consensus relatives aux registries, ou (C) la résolution de toute controverse à propos de l'enregistrement des noms de domaine (en tant qu'il contrevient à l'utilisation des noms de domaine en question) ;..*

politique publique », ainsi que la manière dont ICANN s'y est prise.

Aussitôt instaurées dans ICANN, les capacités de gouvernance furent mises en pratique. En août 1999, ICANN promulgua sa première décision politique importante : la Uniform Dispute Resolution Policy (UDRP), procédure visant à déterminer qui possède le droit de propriété sur un nom de domaine (ICANN, 1999b). L'UDRP constitue la première décision de politique publique d'ICANN à visée mondiale.

A la fin des années 1990, les noms de domaine ont pris de la valeur, des noms comme yahoo.com et amazon.com sont devenus des actifs commerciaux d'envergure. De sorte que surgissent des conflits autour du droit des noms quand des individus déposent une marque sur laquelle ils n'ont aucun droit (pour un nom de domaine quelconque), avec l'intention de la revendre à son propriétaire ; quand des titulaires de marques déposées tâchent d'interdire à d'autres utilisateurs l'utilisation d'une chaîne de caractères valorisée. Parfois les droits de propriété entrent en conflit avec les droits d'usage équitable ou la liberté d'expression (Kleiman, 1999). Source du problème : la législation existante ne permet pas de résoudre les conflits puisque la loi des marques est nationale et l'origine du conflit internationale. L'application des législations nationales en vigueur pour résoudre des conflits internationaux sur les noms de domaine coûte très cher et s'avère peu maniable (Littman, 2000).

L'UDRP d'ICANN a défini les procédures de résolution de tels conflits, établissant ainsi des règles de propriété. Selon une procédure alternative, des arbitres certifiés et privés décideront de la question des droits, en utilisant un critère défini par ICANN. Les décisions d'arbitrage seront exécutées par la révocation ou le transfert du nom disputé. C'est un système « amiable » en ce sens que les parties non satisfaites par la décision de l'arbitre peuvent encore recourir aux enceintes juridiques existantes. Mais ces recours étant hors de prix, dans la majorité des cas c'est l'UDRP qui détermine les droits de propriété. Elle prend *de facto* force de loi.

La mise en oeuvre de l'UDRP illustre la manière dont ICANN se sert des quatre mécanismes de gouvernance à la fois. D'abord, l'UDRP a pris forme à travers les suggestions des permanents d'ICANN et l'expression de points de vue divers, et finalement elle a été adoptée par le conseil d'administration d'ICANN dans un exercice d'autorité. Ensuite, la décision politique a pris force de loi dans l'Accord d'accréditation des registrars : ICANN a fait de l'UDRP une condition de leur accès à l'espace de nommage, et ils se trouvent dans l'obligation de l'inclure dans leurs contrats de détaillants (il faut qu'elle circule de haut en bas »). Troisièmement, l'UDRP est assortie de sanctions tout utilisateur refusant d'y souscrire peut se voir refuser l'accès à l'espace de nommage et toute violation peut entraîner la suppression ou la réaffectation du nom de domaine de l'utilisateur. Enfin, l'UDRP s'applique à la juridiction d'ICANN. Elle régule les noms de domaine pour les *com*, *.net*, et *org*. Pour les domaines de codes-pays, où l'autorité d'ICANN ne s'applique pas directement, c'est aux administrateurs des codes-pays de décider d'adopter ou non l'UDRP. A ce jour c'est le cas dans certains domaines, mais non partout.

En instituant l'UDRP, ICANN a institué une politique publique mondiale. L'UDRP régleme un sujet d'intérêt général: les droits de propriété. Les règles concernant les marques déposées, le copyright, la propriété intellectuelle, sont traditionnellement établies par les gouvernements. La Constitution des Etats-Unis, par exemple, précise les règles de protection de la propriété intellectuelle sur les brevets. Au niveau mondial, le manque de régulation s'explique non pas parce que les règles de la propriété sont d'un moindre intérêt public, mais parce qu'aucune institution publique reconnue n'a établi de telles règles. ICANN a souhaité pallier ce manque. En instituant des règles mondiales sur la propriété, ICANN a pris une décision qui concerne aussi les valeurs publiques. L'UDRP n'aura peut-être pas une énorme incidence politique, parce que les droits de propriété sur les noms de domaine concernent un champ de régulation assez

limité, mais elle représente un premier pas vers la prise de décision proprement politiques⁴.

La légitimité

Si ICANN instaure une politique publique mondiale, il faut lui appliquer des critères politiques comme la légitimité, la responsabilité et l'équité. Et c'est autour de telles questions que sont apparues la plupart des controverses (Weinberg, 2000 ; Froomkin, Post, Farber, 1996b ; Klein, 2001c). Je résumerai brièvement certaines des interrogations qui ont surgi autour de la légitimité du Conseil d'ICANN.

La politique suivie par les Etats-Unis pour la création d'ICANN a été explicitée dans le « White Paper » du Département du Commerce. Il définit des principes, dont deux concernent particulièrement la légitimité : ICANN doit s'engager à mettre en place une « coordination privée ascendante » et une « représentation... (qui prenne en compte) la communauté vaste et croissante des utilisateurs d'Internet » (DOC, 1998b). Certains de ces principes ont inspiré le règlement intérieur d'ICANN, surtout en ce qui concerne les mécanismes de la représentation au sein du conseil d'administration (Klein, 2001a).

Dans de nombreuses instances ces principes furent malmenés. J'en mentionnerai trois. Le premier comité directeur d'ICANN était composé de neuf membres, à titre transitoire. Ce premier groupe fut nommé sans la participation ni même la consultation du public - ce qui suscita maintes protestations publiques et auditions devant le congrès des Etats-Unis. La sélection eut lieu à huis clos, processus décrit par Jon Postel lui-même comme « non démocratique et fermé » (Daley, 1998). Ce fut pourtant ce Bureau qui promulgua l'UDRP.

La constitution du conseil d'administration d'ICANN fut tout aussi inégalitaire. Les directeurs représentant les neuf collèges d'experts furent installés en l'espace d'à peu près un an après la création d'ICANN, et ils cherchèrent aussitôt à réduire la représentation des utilisateurs d'Internet. Lors d'une série de réunions en 1999 et 2000, les directeurs nommés, tous des experts, cherchèrent à éliminer, réduire, ou différer l'installation de directeurs élus (ICANN, 2000). A cette fin, ils révisèrent sans arrêt le règlement intérieur qui contraignait les actions du conseil. Comme le déclara un haut fonctionnaire lors d'une réunion tenue en juillet 2000, « *le conseil donne de plus en plus l'impression d'être extrêmement cavalier en ce qui concerne les modifications du règlement intérieur* » (Wilkinson, 2000). Peu après, le conseil décida de modifier une nouvelle fois le règlement pour retarder le dernier tour des élections de directeurs jusqu'en 2002 - soit quatre ans après la création d'ICANN.

Enfin, ce premier conseil afficha sa nette préférence pour que la représentation des utilisateurs d'Internet soit assurée par les professionnels de l'industrie. Lors du premier tour, partiel, de l'élection des directeurs, presque tous les sièges furent pourvus par des candidats nommés par lui, dont beaucoup de personnalités issues des géants des télécommunications comme France Telecom, Fujitsu, Deutsche Telekom et Verizon (ICANN, 2000). Lors de la réunion d'ICANN de juillet 2000, cette tendance à favoriser l'industrie des télécommunications plutôt que les utilisateurs d'Internet sauta aux yeux d'un officiel australien, qui déclara : « [ICANN] *court le risque de se transformer de facto en association d'industriels* » (Twomey, 2000). La légitimité du Conseil fut encore affaiblie par la tendance de certains groupes d'intérêt à rechercher (et, probablement, à obtenir) une influence disproportionnée sur ses décisions.

⁴ Je ne me demande pas si l'UDRP est de « bonne » ou de « mauvaise » politique publique. La substantialité de la régulation n'est pas en question. L'UDRP a suscité autant de louanges (Cohen, 2000) que de condamnations (Flynn, 2000; Mueller, 2001).

Dans la mesure où ICANN exerce une mission de politique publique, son manque de légitimité est frappant. Bien que les élections de l'an 2000 aient instillé une certaine dose de représentation des utilisateurs dans ICANN, elles ont échoué à instaurer le niveau de représentativité exigé par son règlement initial (Klein, 2001b ; Klein, 2001c).

La politique future

Les institutions ne sont pas des entités statiques : elle grandissent avec le temps et souvent modifient et élargissent leurs domaines d'activité. Tel semble être le cas pour ICANN. En tant qu'entité de gouvernance d'Internet, quelles pourraient être les politiques promulguées par ICANN à l'avenir ? Je me livrerai rapidement à quelques spéculations.

Le domaine d'expansion politique le plus probable est celui de la protection de la propriété intellectuelle. Un accroissement des pouvoirs dans ce domaine, revendiqué dès les débuts d'ICANN, serait cohérent avec ses objectifs initiaux (Fromkin, 1999a). L'UDRP pourrait être élargie jusqu'à donner des droits d'enregistrement spéciaux aux propriétaires de noms célèbres, de marques déposées, de noms géographiques, etc. ICANN deviendrait alors une instance régulatrice mondiale au service de la propriété et du commerce électronique.

Le contrôle de l'espace de nommage pourrait aussi servir de levier pour promouvoir la justice sociale. ICANN et les monopoles ccTLD pourraient collecter des fonds pour financer un service universel permettant de surmonter la division numérique du monde, les pays pauvres payant leur accès à Internet moins cher que les pays riches. Au cours de conversations privées, certains des directeurs d'ICANN issus des pays en voie de développement ont défendu devant moi de telles orientations politiques.

Le potentiel politique d'ICANN pourrait également concerner la régulation des contenus. Des sites contrevenants pourraient être censurés par la révocation ou la réaffectation de leurs noms de domaine. Le premier à être ainsi sanctionné fut le site *voteauction.com*, qui proposait un contenu illégal (un système de vente et d'achat de votes aux enchères en ligne). Le registrar du domaine a annulé l'enregistrement pour supprimer son contenu (Perritt, 2001). En théorie, ICANN pourrait renforcer ses impératifs de régulation en utilisant plus largement de tels mécanismes.

ICANN pourrait aussi devenir un instrument de taxation, permettant à un gouvernement de collecter l'impôt sur le e-commerce, ou dégageant les moyens de financer son propre personnel. Si les noms de domaine étaient accordés via une source unique, les utilisateurs devraient payer les frais correspondants, ou à défaut se verraient refuser l'accès. De fait, des législateurs nord-américains et des ccTLD mécontents ont déjà accusé ICANN de lever des taxes (McCullagh, 1999; Ward, 2000).

Enfin, ICANN pourrait devenir un instrument de la politique nationale des Etats-Unis. En temps de guerre ou de terrorisme, un pays qui s'opposerait aux Etats-Unis pourrait voir disparaître d'Internet ses domaines. Des enregistrements individuels pourraient être annulés ou transférés pour affaiblir des entités hostiles. Le rapport entre la politique d'ICANN et la politique nationale des Etats-Unis s'est déjà manifesté quand le Département du Commerce a approuvé l'ajout du domaine .ps - pour la Palestine - à la zone-racine. Bien que les Etats-Unis n'aient pas été guidés par un intérêt national étroit, l'affaire a fait grand bruit en raison de son potentiel conflictuel (Cisneros, 2001).

Les mécanismes de gouvernance étant mis en place, une « campagne d'infiltration » - l'expansion continue du champ réglementaire d'ICANN - semble possible. La combinaison de mécanismes efficaces de gouvernance et de mécanismes faibles de légitimité pourrait même

conduire à créer des règles en fonction des opportunités.

Conclusion

Admettre tout simplement qu'ICANN est chargée de la gouvernance d'Internet est lourd de significations. C'est contrecarrer des croyances bien établies et susciter des inquiétudes quant au type de gouvernance qui est en train de s'instaurer. Cela nous oblige à nous demander ce qu'il faudrait faire.

ICANN contredit la vulgate de l'anarchie bienveillante d'Internet. En fait, on découvre qu'Internet *peut* être contrôlé. Le DNS fournit la base d'un contrôle descendant, et ICANN l'utilise pour mener une véritable politique. Les implications de cet état de fait sont de plus en plus vastes et ne seront vraiment perçues qu'avec le temps. Pour cette raison, tout utilisateur d'Internet est tenu de s'intéresser à l'avenir d'ICANN.

Je terminerai par quelques observations sur le rapport entre technologie et société. ICANN révèle sous trois facettes la manière dont la technologie modèle la société.

Les traits objectifs de la technologie ont dessiné le système administratif et régulateur. En particulier, les caractéristiques techniques d'une base de données distribuée ont effectivement paramétré la politique. Le besoin d'un espace de nommage unique avec une racine unique a créé un point de contrôle central. De même, le besoin d'identifiants uniques (afin qu'un nom corresponde à un seul ordinateur-hôte) a créé des problèmes de contrôle et de monopole. La définition d'une zone *coin* unique, à l'intérieur de laquelle ne peut être enregistré qu'un seul *.ibm*, a engendré un système de registries monopolistiques et suscité des conflits autour du droit des marques. Peut-être toutes ces caractéristiques n'étaient-elles pas absolument nécessaires (bien qu'aucune alternative crédible n'ait été avancée, même par les plus critiques envers ICANN). On doit pourtant reconnaître que l'histoire les a si bien ancrées dans la conception et le fonctionnement du système qu'elles ont acquis un caractère de quasi-nécessité. Toute tentative de changer le statut régulateur d'ICANN impliquera sans doute de concevoir une nouvelle technologie de base (ceci concerne en particulier l'exigence d'une racine unique sous le contrôle d'un administrateur unique).

La technologie a formaté la société d'une autre manière, qui concerne le rôle des ingénieurs dans l'établissement d'une politique. La sélection des noms de domaine des codes-pays fut une décision historique aux conséquences politiques majeures. Cette décision fut prise si tôt dans le processus du développement d'Internet que les seuls protagonistes furent les ingénieurs de recherche. Ceux-ci ont décidé qu'Internet devait être gouverné par les gouvernements nationaux. S'ils avaient choisi d'autres identifiants alphanumériques - couleurs, séquence de chiffres, table d'éléments -, la répartition « un domaine par pays » des registries ne serait guère fondée, non plus que l'affirmation subséquente de l'autorité nationale sur les registries. Les ingénieurs ont choisi d'organiser Internet sur le modèle des PTT nationales. Ils n'ont pu prendre de telles décisions que parce que celles-ci sont intervenues très tôt dans l'histoire du développement de la technologie, à un moment où eux seuls étaient concernés.

Troisièmement, la technologie influence la société dans la mesure où elle peut légitimer des décisions prises sous le sceau du secret. Quand des décisions politiques sont classifiées « techniques », il ne paraît pas illégitime qu'elles soient prises par des élites, derrière des portes fermées. La politique disparaît alors de la vue publique (Lessig, 1999). Les groupes qui ont gagné le contrôle d'ICANN ont invoqué ce voile de légitimité technique pour minimiser la

critique. Même les avocats d'ICANN, pourtant dépourvus de compétence technique, ont justifié leurs prises de position par une prétendue neutralité de l'expertise technique (McLaughlin, 2000).

ICANN utilise le contrôle de l'adressage sur Internet comme levier d'une politique publique mondiale. A travers ICANN, la technologie a modelé la société, des technologues ont pris des décisions politiques majeures et des groupes d'intérêts ont exploité la légitimité technologique. On a peut-être ici le schéma régulateur de l'infrastructure informatique mondiale du siècle prochain, et c'est ce qui nous importe.

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ICANN
et la gouvernance d'Internet

Hans Klein

Document de réflexion

ICANN et la gouvernance d'Internet

Hans Klein

La gouvernance d'Internet

Internet est souvent salué comme un royaume d'anarchie bienveillante, où la fibre est solidement établie. C'est une « hydre moderne » capable de contourner la réglementation (Fromkin, 1999, p. 129) et un « espace hors contrôle » (Lessig 1999, p. 218). Comme le dit John Perry Barlow, chantre de l'Internet, « *Ô gouvernements du monde industriel ... vous n'avez point de souveraineté là où nous nous rassemblons.* » (cité in Lessig, 1999, p. 218).

Pour le dire de façon moins pittoresque, Internet met à l'épreuve la *gouvernance*. J'entends par « gouvernance » l'existence d'une quelconque autorité capable de créer pour l'usage d'Internet des règles globalement applicables et renforcées par des sanctions. La gouvernance d'Internet existe sous des formes diverses et partielles (salons de *chat* sur AOL, ou réglementation des ordinateurs à l'intérieur du territoire national), mais, dans l'ensemble, Internet ne possède pas de système cohérent et efficace pour établir et imposer autoritairement des règles. Cela s'explique tant par les caractéristiques de la technologie (qui

rendent difficile tout contrôle) que par l'expansion mondiale des communications *via* Internet (qui crée un conflit de juridiction entre les régulateurs gouvernementaux).

Cette dimension « ingouvernable » d'Internet, pourtant, est en train de changer. Dans son livre *Code* (1999), Lawrence Lessig analyse diverses stratégies visant à éliminer l'anonymat des internautes et à faciliter l'application de lois contraignantes. Exemple récent : à la suite d'un procès concernant la vente aux enchères sur Internet de souvenirs nazis, interdite en France, la société *Yahoo!* fut condamnée à détecter l'origine géographique des utilisateurs pour leur appliquer la législation sur les contenus en vigueur dans leur pays (AFP, 2000). Comme avec d'autres technologies antérieures, plus Internet se répand dans la société, plus on tâche de l'intégrer dans les structures réglementaires existantes.

Le développement le plus significatif de cette tendance à « gouverner Internet est la création d'ICANN (Internet Corporation for Assigned Names and Numbers). Créée en 1998, ICANN est une association privée à but non lucratif, ayant reçu le mandat officiel d'effectuer la coordination technique des ressources fondamentales d'Internet, tout particulièrement les noms de domaine (par exemple monordinateur.org). Bien qu'elle soit implantée en Californie, son autorité s'étend, directement ou indirectement, à tous les utilisateurs d'Internet.

ICANN a le potentiel de changer radicalement la nature d'Internet. En mettant en place tous les mécanismes nécessaires à la création, à la promulgation et au renforcement de la régulation,

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ICANN rend possible, pour la première fois, une vraie gouvernance d'Internet. Internet ne sera plus désormais cette Hyde incontrôlable. Or, les mécanismes de gouvernance d'ICANN rendent possibles toutes sortes de régulations. A de nombreuses reprises, ces dernières ont été des tentatives de réglementation d'Internet sont apparues, signe d'un intérêt grandissant pour de tels mécanismes (Froomkin, 1997). Selon les points de vue, la création d'une capacité de gouvernance implique la promesse ou la menace d'une maîtrise de la frontière électronique.

Je vais présenter une analyse détaillée d'ICANN, pour rendre compréhensible le rapport mutuel entre technologie, administration et gouvernance, en expliquant comment le système d'adressage d'un réseau d'ordinateurs facilite un système de gouvernance. Pour ce faire, je commencerai par expliquer ce qu'est la gouvernance, le fonctionnement du système des noms de domaines sur Internet (DNS) et la manière dont le DNS permet la gouvernance.

Cette mise au point pourra éclairer la politique des décideurs comme celle des utilisateurs d'Internet. Le fait qu'Internet a un point de contrôle central et qu'ICANN exerce une politique publique globale est loin d'être communément admis. La reconnaissance de ces capacités de gouvernance justifie l'application des critères normatifs de légitimité, de responsabilité et d'équité à l'institution et à son fonctionnement. Notre étude participe d'ailleurs d'un ensemble croissant de travaux qui analysent politiquement ICANN dans la perspective de ses origines historiques (Mueller, 1999; Klein, 2001a), de son statut légal (Froomkin, 2000 ; Klein, 2001c) et de sa conception institutionnelle (Post, 1998).

Elle prend aussi en compte les débats théoriques portant sur le rapport entre systèmes technologiques et contexte social. Des études récentes sur la construction sociale de la technologie ont souligné l'influence des facteurs sociaux sur les modalités du changement technologique (Bijker, 1995 ; Bijker, Hughes, Pinch, 1987; Klein et Kleinman, 2002). De même, des spécialistes de la politique des techniques ont insisté sur le fait que concevoir un système informatique s'apparente à légiférer, dans la mesure où les deux activités engendrent des structures sociales qui contraignent le comportement humain (Lessig, 1999; Kapur, Klein, 2000). ICANN présente à l'évidence les caractéristiques d'une telle structuration sociale, dans la mesure où le système de noms de domaine (DNS) définit des paramètres importants de gouvernance.

Je considérerai tout d'abord les facteurs technologiques et institutionnels qui ont empêché la régulation d'Internet, puis je discuterai plus largement la notion de gouvernance. Ensuite j'examinerai le système des noms de domaine en tant que hiérarchie technologique et administrative, en identifiant les caractéristiques qui permettent la gouvernance. Suivra une analyse des mécanismes de gouvernance d'Internet, tels que copier-cliquer par ICANN. Puis, pour illustrer la manière dont les mécanismes de gouvernance fonctionnent en pratique, j'étudierai la politique publique mondiale d'ICANN à travers la façon dont elle a défini les droits de propriété pour les noms de domaine. Enfin je considérerai le problème de légitimité posé par ICANN et je m'interrogerai sur les aires de régulation envisageables pour l'avenir.

Le problème de la gouvernance d'Internet

Que l'on soit pour ou contre des régulations spécifiques, on reconnaît généralement que la régulation d'Internet s'est toujours avérée difficile. Copier une musique, des logiciels et d'autres formes de propriété intellectuelle devient de plus en plus aisé, et la multiplication des actions en justice à l'encontre de ceux qui violent la propriété ne représente sans doute

qu'une part infime des cas de copies non autorisées (Fryer, 1995). Des tentatives de contrôle des contenus [d'Internet] par des gouvernements nationaux ont buté sur la nature mondiale d'Internet et des conflits interjuridictionnels (Andrews, 1999).

Les barrières à la régulation proviennent en partie des caractéristiques de la technologie. Les communications d'Internet ne passent pas par un canal central mais, au contraire, par plusieurs réseaux indépendants, et les messages eux-mêmes se séparent en espèces de paquets qui suivent divers itinéraires de leur source à leur destination (Cerf et Kahn, 1974). De multiples émetteurs indépendants envoient de multiples paquets indépendants à travers de multiples canaux indépendants : il n'existe donc pas de canal central de communication qui pourrait servir de point de contrôle pour la promulgation et l'application des règles.

La régulation bute également sur des facteurs institutionnels. Internet met à l'épreuve les juridictions établies (Johnson et Post, 1997 ; Perrit, 1997). L'autorité publique relève de l'État,

La caractéristique de base est d'exercer son contrôle sur un domaine géographiquement défini (Schroeder, 1998). Or la nature « a-spatiale » d'Internet met en cause ces fondements géographiques de l'autorité publique (Holitscher, 1999). La discordance entre un réseau mondial et des règles nationales sape bien des tentatives réglementaires (Froomkin, 1997).

Pour comprendre l'essence de cette situation, il est utile de prendre du recul par rapport aux détails et de considérer la gouvernance d'un point de vue théorique. Qu'est-ce que la gouvernance ? Qu'est-ce qui est nécessaire pour gouverner ? Que requiert la gouvernance d'Internet ?

Dans son ouvrage *La démocratie et ses critiques* (1989), Robert Dahl explique ce qu'est la gouvernance et comment l'atteindre. Il identifie une série d'« hypothèses politiques » (p. 106-107) qui précisent les conditions minimales pour un système de gouvernance. Ces conditions, je les appelle les « mécanismes de la gouvernance ». En paraphrasant la définition de Dahl, on peut identifier quatre de ces mécanismes, dont le premier sera *l'autorité*. La gouvernance demande un gouverneur ou un souverain. Une entité - individu ou groupe - doit prendre les décisions politiques qui s'appliquent aux membres de la communauté. Un deuxième mécanisme de gouvernance est *la loi*. Les lois mettent en œuvre des décisions politiques, sous la forme soit d'une taxe, soit d'une autorisation, ou simplement d'une règle qui engage. Troisièmement, il faut un mécanisme pour imposer des *sanctions* qui permettent de punir ceux qui violent les lois. Enfin la gouvernance exige une définition de la *juridiction*. Celle-ci définit l'espace au sein duquel l'autorité peut appliquer ses décisions et où les lois sont applicables sous peine de sanctions. Ces quatre mécanismes rendent possible la gouvernance : *l'autorité* gouvernante peut prendre une décision politique qui s'appliquera à l'intérieur de sa juridiction, en incorporant cette décision dans des *lois* et en imposant des *sanctions* à tous ceux qui ne s'y conforment pas (cette analyse se retrouve dans l'appendice de *Code* [Lessig, 1999]).

Le caractère ingouvernable et tant vanté d'Internet résulte de l'absence de ces quatre mécanismes. La régulation est difficile parce que l'autorité, la loi, les sanctions et la juridiction ne sont pas assurées.

Or ICANN réalise ces quatre mécanismes à travers son contrôle du système de noms de domaine Internet (DNS). Contrairement aux autres aspects d'Internet, le DNS est centralisé : la communication par Internet soit décentralisée, l'adressage sur Internet est centralisé. Le DNS fournit le point de contrôle à partir duquel il est possible de réguler les utilisateurs. Le DNS est aussi une ressource essentielle, et comme tel fournit un moyen d'appliquer des sanctions aux utilisateurs : le refus d'accès aux noms de domaine est l'équivalent du bannissement d'Internet. En outre, le DNS définit en grande partie les juridictions d'Internet.

L'organisation logique du DNS répartit l'autorité sur des zones distinctes. Les fondements contractuels du DNS permettent de promulguer des règles. Associées les unes aux autres, ces caractéristiques rendent ICANN capable de gouvernance.

Mais pour comprendre ICANN, il faut d'abord comprendre le système des noms de domaines.

Le DNS et la gouvernance : état des lieux

Je vais analyser le DNS en deux étapes, le présentant d'abord sous sa forme simplifiée : un système unique et non distribué. Dans cette perspective, les caractéristiques de la ~~du DNS sont~~ plus visibles. J'étudierai par la suite la structure interne et distribuée du DNS et présenterai les divers mécanismes utilisés pour assurer la cohérence de l'administration et de la décision politique

Le DNS, point de contrôle d'Internet

Commençons par une réalité méconnue : Internet consiste dans la réunion de deux « systèmes », dont l'un vise la *communication* (les protocoles TCP/IP) et l'autre *l'adressage* (le DNS). Le système de communication est l'aspect le plus connu d'Internet. Il est extrêmement on pourrait même dire qu'il n'est pas un « système » mais plutôt une série de protocoles grâce auxquels des réseaux d'ordinateurs indépendants peuvent s'envoyer des données. C'est lui qui nourrit l'image d'Internet dans le grand public et les prétentions à l'« ingouvernabilité » (Froomkin, 1997).

Le système d'adressage - le DNS - est au contraire centralisé. Presque toutes les communications sur Internet en dépendent. On peut concevoir le DNS comme l'annuaire et les enseignements téléphoniques d'Internet. Avant qu'un ordinateur puisse communiquer avec un autre, il doit composer l'équivalent du « 12 », donner le nom de celui qu'il appelle, puis attendre la composition du numéro. C'est un préalable indispensable à la communication.

Chaque fois qu'un utilisateur clique sur un lien de page web ou envoie un e-mail qui comporte un nom de domaine, le DNS doit *résoudre* ce nom de domaine. Du point de vue de sa structure interne, le DNS consiste en une base de données et un service de recherche dynamique. Les entrées dans la base de données comprennent un identifiant alphanumérique convivial (le *nom de domaine*) et un identifiant numérique pour la machine (le numéro ou adresse *IP*, Internet Protocol). Ainsi, le nom de domaine d'un ordinateur serait *monordinateur.org*, et son numéro IP correspondant *12.34.56.78*. Le DNS reconnaît le nom de domaine et forme le numéro correspondant. Les ordinateurs qui effectuent cette opération s'appellent des *narre servers* (serveurs de noms). Une fois celle-ci effectuée, la correspondance par courrier électronique ou la communication sur le web peuvent s'engager

Ce processus à deux étapes est immédiatement perceptible avec la plupart des navigateurs (comme Netscape). Une fois que l'utilisateur a tapé le nom du domaine, le navigateur indique qu'il est en correspondance avec le DNS avec un message du genre : « Recherche de l'hôte... » Plusieurs secondes peuvent s'écouler avant que la résolution soit effectuée et que la communication entre ordinateurs puisse commencer. Parfois la résolution du nom échoue,

¹ Cette explication simplifie un peu les choses. De fait, si l'on utilise les numéros IP directement, on n'a plus besoin d'interagir avec le DNS pour communiquer *via* Internet. Note au lecteur : selon mon expérience, à toute affirmation concernant le DNS on peut trouver une exception. Merci d'en tenir compte en lisant cette partie de l'article, simplificatrice à l'extrême par ~~sturdé~~ de

comme par exemple quand une faute de frappe ou d'orthographe donne un message du genre « Impossible de trouver l'hôte... », et aucun numéro ne répond. En regardant les messages sur l'écran du navigateur, un utilisateur peut observer le processus de résolution du nom.

Au coeur du DNS se situe *l'espace de nommage* d'Internet. Celui-ci fournit une liste de (presque) tous les ordinateurs connectés à Internet ². A ce jour, l'espace de nommage contient des dizaines de millions d'entrées. Dans les statistiques sur la croissance d'Internet, les chiffres se réfèrent en général à l'étendue de l'espace de nommage, qui fournit une approximation du nombre d'utilisateurs individuels : puisque la plupart des ordinateurs qui figurent sur la liste du DNS sont des portails d'accès aux réseaux privés connectant un grand nombre d'utilisateurs individuels, le nombre d'utilisateurs est bien plus élevé que celui des entrées dans l'espace de nommage.

En d'autres termes, l'espace de nommage *est* Internet. Pour exister sur Internet, un ordinateur doit figurer sur la liste de l'espace de nommage. A défaut (donc sans nom de domaine et sans numéro IP), un ordinateur ne pourra pas être trouvé par d'autres. Enlever un ordinateur du listing de l'espace de nommage, c'est comme le bannir d'Internet, car l'ordinateur disparaît de la liste des ordinateurs adressables. Quelle que soit l'entité qui contrôle l'espace de nommage, elle contrôle aussi effectivement Internet. On reverra cela en détail plus loin.

Dans sa conception actuelle, l'espace de nommage doit se conformer à certains principes (IAB, 2000; ICANN, 2001). Les concepteurs du système prétendent que l'espace de nommage doit être *unique* et géré par une seule entité. Il ne peut exister qu'une seule base de données qui constitue le listing définitif des ordinateurs sur Internet. Il peut y avoir des milliers mais non pas des espaces de nommage indépendants : si c'était le cas, tout nom de domaine pourrait correspondre à des adresses IP différentes selon l'espace de nommage utilisé, ce qui ôterait toute fiabilité à la communication. Cet impératif technologique du caractère unique sous-tend la centralité du DNS, car toute communication utilise un espace de nommage unique et obligatoire. Le recours, sur Internet, à un espace de nommage unique (avec un administrateur unique) « ... est une nécessité technique, et non un choix politique » (IAB, 2000). (Si cette caractéristique n'était pas impérative, l'éventail des choix politiques serait largement ouvert.)

L'administration

Le DNS est plus qu'un système technique : c'est aussi un système administratif et politique. Poursuivant notre présentation simplifiée du DNS comme base de données unique et non distribuée, on peut l'examiner sous l'angle de l'administrateur unique et de l'autorité politique exclusive. L'entité *d'autorité politique* formule des règles générales pour tout changement apporté à l'espace de nommage, décidant, par exemple, des noms de domaine admissibles, du coût d'enregistrement dans l'espace de nommage et des restrictions sur l'ajout ou la suppression de noms. L'administrateur met en oeuvre ces décisions, en ajoutant, supprimant, ou modifiant les entrées dans la base de données pour refléter l'entrée, la sortie ou le changement de statut de divers ordinateurs. L'administrateur garantit également la fiabilité du serveur de noms.

² C'est peut-être trop dire. Certains ordinateurs figurent sur la liste plusieurs fois. D'autres n'y figurent peut-être pas du tout et ne peuvent être contactés qu'en tapant l'adresse IP directement. Dans la majorité des cas, pourtant, un ordinateur sur Internet = une entrée dans l'espace de nommage du DNS. Or, comme on le verra plus loin, la plupart des ordinateurs présents dans le DNS sont pas des ordinateurs individuels mais des portails d'accès aux réseaux privés au sein desquels existent des ordinateurs individuels.

L'obligation du caractère unique du DNS implique que l'autorité politique et l'administrateur exercent un pouvoir de type monopolistique. Il y a impérativement un espace de nommage unique, géré par un administrateur unique qui, à son tour, est sujet à l'autorité politique unique.

« La conception commune le fonctionnement du protocole du DNS sont puissamment conditionnés par l'existence d'un propriétaire ou administrateur unique... » (IAB,

2000). La fiabilité du fonctionnement de l'espace de nommage est à ce prix. Directement ou indirectement, cet administrateur unique du DNS passe un contrat avec tout réseau connecté à Internet. Ainsi, la centralisation administrative et politique va de pair avec la centralisation technique du DNS.

L'administrateur du DNS s'appelle aussi un *registry*. Pour qu'un ordinateur soit disponible sur Internet, l'utilisateur doit demander à l'administrateur d'être *enregistré*. Le registry enregistre l'ordinateur en ajoutant le couple nom-numéro de l'utilisateur à l'espace de nommage.

Le mécanisme légal qui relie l'autorité politique centrale aux utilisateurs est *un contrat*. Internet est un réseau de réseaux : la plupart des ordinateurs enregistrés dans l'espace de nommage sont en fait des portails d'accès à des réseaux privés, gérés à leur tour par des administrateurs de réseau. Chaque entrée dans le DNS s'accompagne d'un contrat entre l'administrateur central du DNS et un *administrateur de réseau*. Ce contrat précise les règles et conditions pour l'inclusion dans l'espace de nommage, c'est-à-dire la fourniture des coordonnées de contact, le règlement d'une cotisation annuelle, la reconnaissance du rôle de l'administrateur du DNS, etc.. Ainsi, tout réseau d'Internet passe un contrat avec l'entité unique qui supervise le DNS.

Le DNS et la gouvernance d'Internet

A partir de cette vision simplifiée du DNS, on voit comment la gouvernance est envisageable. Il suffirait de quelques modifications mineures pour mettre en oeuvre les quatre mécanismes de l'autorité, de la loi, des sanctions et de la juridiction.

Le DNS instaure une autorité centrale pour Internet. L'obligation du caractère unique de l'espace de nommage exige une autorité centrale unique dont les décisions s'appliquent à tous les serveurs dans l'espace de nommage. Pour faire de l'autorité politique du DNS une vraie entité régulatrice, il faudrait simplement que son champ de décision s'étende aux enjeux de politique publique, tels que la réglementation de la propriété intellectuelle ou le contrôle du contenu. Puisqu'il y a très peu de barrières techniques à une telle expansion, il s'agirait bien alors d'un choix politique. L'exercice de la gouvernance sur Internet exigerait donc simplement

d'élargir la gamme des sujets régulés par l'autorité politique du DNS.

Le DNS définit également le deuxième mécanisme de gouvernance : la loi. La loi d'Internet s'exprime dans les contrats pour l'enregistrement des noms de domaine. Les contrats avec les administrateurs de réseaux détaillent les règles à respecter. Pour réguler de plus vastes questions, il suffirait d'élargir la formulation des contrats.

Troisièmement, le DNS intègre un puissant mécanisme de sanctions : le refus d'un nom de domaine (par exemple, suppression du couple nomnuméro d'un utilisateur du listing de l'espace de nommage). C'est le pouvoir de bannir : les administrateurs de réseaux refusant de s'enformer aux règles précisées dans leurs contrats pourraient être éliminés de l'espace de nommage et contraints à la disparition informatique. L'enregistrement des noms est donc conçu comme un privilège, révoquant en cas de transgression.

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Le DNS résout tout aussi nettement le problème de la juridiction. La juridiction de l'autorité politique du DNS s'étend à tout ordinateur relié à Internet, mais ne va pas plus loin. C'est le contrat d'enregistrement qui manifeste la juridiction. Tout administrateur de réseau est lié contractuellement à l'autorité politique du DNS.

C'est ainsi que le système de noms de domaines fournit les moyens de la gouvernance. Il suffirait de quelques changements mineurs pour conforter chaque mécanisme. L'autorité politique du DNS n'aurait qu'à élargir son champ de régulation pour inclure des réglementations plus larges dans les contrats signés avec les administrateurs de réseau. Le refus d'un nom de domaine fournit un mécanisme suffisant pour sanctionner ceux qui ne se conforment pas aux règles. Et la juridiction de l'autorité politique s'appliquerait exactement à Internet, ni plus ni moins.

Mais pour assurer plus complètement la gouvernance d'Internet il faut considérer deux problèmes supplémentaires. Le premier est pratique : il faudrait trouver le moyen d'étendre l'autorité politique jusqu'à l'utilisateur individuel. Le contrat d'enregistrement du nom de domaine étant convenu entre l'autorité centrale et un administrateur de réseau, les utilisateurs individuels ne sont pas directement soumis à ces réglementations. La régulation des utilisateurs individuels impliquerait un *contrat aval*. Les administrateurs de réseau demandent en général aux utilisateurs de signer un accord lorsqu'ils prennent un compte, et cet accord avec l'utilisateur pourrait reprendre les termes du contrat des administrateurs. Ainsi une seule série de règles irriguerait tous les niveaux, de l'administrateur central du DNS aux administrateurs de réseaux locaux et, dès lors, à tout utilisateur. De façon indirecte, tous les utilisateurs d'Internet se verraient alors régulés par l'administrateur central du DNS. Toute violation du contrat par l'utilisateur pourrait faire interdire d'accès son compte. Et les administrateurs de réseau ne réussiraient pas à imposer des contrats « aval » avec leurs utilisateurs se soumettant au refus du nom de domaine, c'est-à-dire au bannissement d'Internet. Bien qu'un tel contrat reste aujourd'hui théorique, il est néanmoins tout à fait envisageable. Dans un paragraphe ultérieur, je résumerai les types de régulation qui ont été ou qui pourraient être instaurés au moyen

d'un tel système.

Une deuxième considération à propos de la gouvernance est de nature plus normative. Si l'autorité politique du DNS devenait un régulateur à visée générale, il faudrait alors repenser fortement sa *légitimité*. Avec l'extension de sa capacité décisionnelle, son autorité devrait se fonder sur un principe de compétence. Ce serait le cas si l'on plaçait l'autorité politique ultime entre les mains des gouvernements ou d'une institution représentative constituée à cet effet. Comme on le verra plus loin, quand l'autorité politique fut confiée à ICANN, celle-ci adopta un processus représentatif pour assurer sa légitimité.

Jusqu'ici, j'ai développé une hypothèse simplificatrice : l'espace de nommage d'Internet se compose d'une seule base de données centralisée. Au tout début du développement d'Internet, c'était le cas. Dans les années 1970, l'espace de nommage tout entier se trouvait dans un seul fichier appelé « hosts.txt » (Froomkin, 2000). A partir de 1983, pourtant, la croissance continue du réseau conduisit les chercheurs à reconceptualiser l'espace de nommage et à le fragmenter en pièces multiples et interconnectées. L'espace de nommage est moins centralisé que je ne l'ai représenté jusqu'ici, et cette décentralisation rend bien plus complexe la gouvernance d'Internet. Je vais maintenant procéder à l'analyse de cette architecture complexe.

7

Le DNS comme système distribué

L'espace de nommage est une base de données *distribuée*. Théoriquement toutes les données pourraient être incluses dans une seule base de données centrale, comme décrit plus haut. Mais, puisqu'à chaque seconde ont lieu des milliers de requêtes de noms, un ordinateur central en charge du DNS serait facilement débordé. L'espace de nommage est donc distribué entre de multiples ordinateurs pour partager la tâche.

L'espace de nommage consiste en une collection de bases de données partielles, séparées les unes des autres, tournant sur des ordinateurs distincts. Chaque base de données partielle s'appelle un *fichier-zone* (ou

zone »). Une zone comprend un sous-ensemble de la liste générale de paires nom-numéro. À chaque zone est associé un *serveur de noms* (ou « serveur » - un logiciel pour la résolution des noms) et un *ordinateur hôte* (ou « hôte » - le matériel où se logent le dossier de zone et le serveur de noms). Ainsi l'espace de nommage tout entier est un système distribué de bases de données et de résolution de noms dont la pierre angulaire est la triade fichier-zone / logiciel du serveur de noms/ordinateur-hôte.

Comme pour toute base de données distribuée, le rapport entre les membres est soigneusement structuré. Les diverses zones sont *liées* entre elles pour former une hiérarchie

pyramidale inversée ou un arbre à l'envers (avec les racines en haut). Au sommet de la hiérarchie se trouve une zone unique, la *racine*. Cette zone-racine est reliée à de multiples zones situées juste en-dessous, reliées à leur tour à de nombreuses autres zones inférieures, etc.. (C'est la même structure qu'on retrouve pour les dossiers d'un ordinateur personnel.) Les strates de la hiérarchie sont faciles à identifier : la zone-racine est liée aux zones « haut niveau », qui sont reliées à leur tour à des zones de « deuxième niveau », viennent ensuite les zones de « troisième niveau », etc..

Bien qu'une zone donnée puisse être reliée vers le bas à de multiples zones, elle ne peut être reliée vers le haut qu'à une seule. De façon directe ou indirecte, toutes les zones sont reliées vers le haut à la zone-racine unique. L'existence d'une racine unique dans l'espace de nommage satisfait à l'obligation d'unicité.

Les sous-arbres dans ce système s'appellent des *domaines*. Un domaine est constitué d'une zone et toutes les zones inférieures. On parle souvent des noms de domaine selon leur niveau dans l'arbre. Ceux qui relèvent des zones de haut niveau s'appellent « domaines de haut niveau » (*top-level domains*, ou TLDs) ; ceux qui relèvent du niveau suivant sont des « domaines de deuxième niveau », etc.. Le domaine de la racine est l'espace de nommage global. L'ensemble du système constitue le « système des noms de domaines » ou DNS. Les termes « zone » et « domaine » sont souvent employés de façon interchangeable, mais la « zone » se réfère à un seul fichier et « domaine » à ce même fichier et tout autre fichier inférieur à lui dans son sous-arbre.

Un domaine possède un nom - qui, sans surprise, s'appelle un *nom de domaine*. Les noms de domaine de haut niveau les plus connus sont *com*, *.org*, et *net*. Le domaine le plus vaste dans l'espace de nommage, *com*, est relié à des millions de domaines d'échelon inférieur. Une adresse Internet comme *monordinateur.com* associe un domaine de deuxième niveau (*monordinateur*) à un domaine du premier échelon (*.com*). Une série de noms de domaine, où les niveaux sont séparés par des points, identifie de manière précise et unique tout ordinateur dans l'espace de nommage.

Cette hiérarchie distribuée définit les rapports de contrôle de haut en bas. N'importe quel fichier-zone

peut être modifié pour lier (inclure) ou délier (exclure) les zones situées plus bas que lui dans l'espace de nommage. Comme un pouvoir de vie ou de mort virtuelle... Quand un serveur de noms se connecte à la racine à travers une série de liens, il existe dans l'espace de nommage. Si l'on modifie un fichier-zone pour éliminer un lien, le ou les ordinateurs inférieurs à lui dans la hiérarchie seront exclus de l'espace de nommage. Chaque serveur situé dans la hiérarchie contrôle la route jusqu'à la racine pour les serveurs de niveau inférieur.

On peut illustrer ce processus par un exemple. Disons que je voudrais connecter ma société au courrier électronique par Internet. Je possède déjà un réseau interne, et maintenant je cherche à relier mon réseau à Internet. Pour ce faire, il faut d'abord que je connecte un ordinateur-hôte de mon réseau à l'espace de nommage, *i.e.* que j'enregistre le nom de domaine et l'adresse IP de l'hôte dans un fichier-zone du DNS. L'espace de nommage étant une base de données distribuée, il existe plusieurs fichiers-zones auxquels je pourrais me lier : un registry en Virginie gère un fichier-zone qui

s'appelle *.com*, un autre en Angleterre en gère un qui s'appelle *.uk*, ma maison-mère en un qui s'appelle *.holdingcompany* (qui, à son tour, est relié au fichier-zone *.com*).
 Quand j'enregistre mon hôte dans un fichier-zone disponible, il est intégré à l'espace de nommage et commence à exister sur Internet. Parallèlement, si mon entrée dans le fichier-zone se trouvait (si le nom de domaine était annulé), mon hôte disparaîtrait d'Internet. La modification du fichier-zone qui une permet d'entrer ou de sortir d'Internet ne dépend pas de moi mais de l'administrateur du fichier-zone immédiatement supérieur au mien, dont je dépends toujours pour être présent sur Internet.

L'administration

Dans une approche simplifiée, j'ai écrit que l'administration et l'autorité politique du DNS reposent sur un couple unique d'organisations. Dans le DNS distribué, *tout* domaine doit avoir une telle paire administration politique (j'en parlerai simplement comme « administrateur » ; dans certains cas, les deux peuvent relever de la même organisation). Ces organisations fonctionnent selon la structure distribuée de l'espace de nommage : l'administration globale du DNS est une hiérarchie multi-organisations, dans laquelle chaque administrateur exerce son contrôle sur les administrateurs des échelons inférieurs. Au sommet se trouve l'administrateur de la racine.

Chaque administrateur exerce un contrôle monopolistique sur son fichier-zone immédiat (qui assure l'exclusivité de sa portion de l'espace de nommage). D'ailleurs, tout administrateur exerce son autorité sur l'intégralité du niveau inférieur. Quand il enregistre un hôte de deuxième ou de troisième niveau, il *délègue* de l'autorité à un administrateur de niveau inférieur qui à son tour exerce le contrôle monopolistique sur ce fichier-zone inférieur. L'autorité tombe en cascade depuis l'administrateur de la zone-racine, responsable pour tout l'espace de nommage, jusqu'aux ordinateurs hôtes individuels des zones inférieures. Chaque administrateur est soumis aux politiques des entités supérieures. C'est ainsi que des politiques décidées à la racine peuvent être transmises à toute la hiérarchie pour s'appliquer, directement ou indirectement, à tous les administrateurs du DNS. En tant que groupe, les administrateurs sont les gardiens de l'espace de nommage et donc d'Internet.

Tout comme les fichiers-zone sont entrelacés, les administrateurs sont liés par des contrats. L'administrateur-racine formalise sa délégation d'autorité aux administrateurs inférieurs par un contrat, dont plusieurs articles peuvent devenir obligatoires dans les contrats subséquents. De cette manière, les règles peuvent circuler dans toute la hiérarchie jusqu'à l'administrateur de réseau individuel, ou même à l'utilisateur individuel, comme on l'a déjà vu.

On ne s'étonnera pas de ce que l'administration de la zone-racine soit d'une importance toute

particulière. Tous les autres hôtes sur Internet n'accèdent à l'espace de nommage que par une délégation d'autorité qui provient directement ou indirectement de la racine. L'autorité politique sur la racine - le pouvoir d'ajouter ou de supprimer les domaines de haut niveau - confère un contrôle direct sur tout domaine de haut niveau et un pouvoir indirect sur tout domaine de niveau inférieur. L'exercice de l'autorité sur la zone-racine s'étend à Internet tout entier.

Pour résumer, cette approche plus précise du DNS révèle une complexité technique et administrative de grande ampleur. Considéré dans son ensemble, le DNS est bien un point de contrôle centralisé d'Internet. Et pourtant, puisqu'il est un système décentralisé, le DNS possède une structure -interne qui compte sur le contrôle hiérarchique et les contrats pour rendre effectif son potentiel d'action politique unificatrice.

Les facteurs historiques dit DNS

On peut maintenant passer de l'analyse technique à une analyse historique. Notre propos jusqu'à présent dessinait le fonctionnement du DNS et de sa structure en tant que base de données distribuée. L'analyse historique mettra en lumière l'évolution de l'espace de nommage du DNS et de sa hiérarchie administrative.

Internet a vu le jour comme projet de recherche dans les années 1970, et les scientifiques de l'informatique qui l'ont développé ont formaté l'évolution de ses institutions administratives et politiques (Hafner et Lyon, 1998). Cette communauté de chercheurs a trouvé son assise dans des institutions comme l'Internet Engineering Task Force (IETF), l'Internet Architecture Board (IAB), l'Institut des sciences informatiques de l'Université de la Californie du Sud (ISI) et l'Internet Society (ISOC) (Leiner *et al.*, 2000).

Une personne en particulier a joué un rôle-clé dans le développement du DNS : le Dr. Jon Postel, informaticien à l'Université de Californie du Sud. Bénéficiant d'une bourse de recherche gouvernementale, Postel a exercé l'autorité politique sur la racine, dans le cadre de l'Internet Assigned Number Authority (IANA). A la tête d'IANA, Postel gère le fichier-zone de la racine, autorisait l'ajout de nouveaux TLD (domaines de haut niveau), sélectionnait les administrateurs auxquels il déléguait l'autorité et il accomplit d'innombrables autres tâches. Postel avait d'abord assumé ce rôle dans les années 1970 en tant qu'étudiant. A proportion de la croissance d'Internet, l'importance des décisions de Postel crût jusqu'aux années 1990, où elles eurent des implications mondiales. Cependant l'autorité politique sur la racine reposait toujours sur sa personne. Et, puisqu'il travaillait sous contrat avec le gouvernement, l'autorité finale demeurait officiellement entre les mains du gouvernement des États-Unis - mais, la plupart du temps dans les années 1980 et 1990 c'est Postel qui a exercé son autorité personnelle sur le DNS.

En 1984, dans un document connu sous le sigle RFC920, Postel, avec son collègue Joyce Reynolds, décrit la trajectoire d'évolution de l'espace de nommage (Postel et Reynolds, 1984). RFC920 établit le nombre de zones de haut niveau et leurs noms. Bien que l'espace de nommage se limite à un seul fichier-zone de racine, Postel et Reynolds annoncent en 1984 que l'échelon supérieur en comptera en quelque 250 fichiers-zone. RFC920 sert de canevas pour structurer l'espace de nommage et sa croissance future. Le nombre de fichiers-zones ne se fonde sur aucune nécessité technique, il aurait pu être plus grand ou plus petit.

RFC920 précise également les chaînes numériques d'identification des fichiers-zone. Les 250 TLD se divisent en deux classes de nommage : six TLD « génériques » (des « gTLD » : *.gov*, *.edu*, *.com*, *.mil*, *.net*), et 244 TLD codes-pays (des « ccTLD », ayant pour base la liste de référence ISO 3166-1 des codes-pays à deux chiffres, tels *uk* pour le Royaume Uni, *.fr* pour la France, *.jp* pour le Japon, etc.). Encore une fois, les chaînes numériques particulières utilisées dans les noms

de domaine n'ont aucune signification technique ; il suffit qu'elles soient uniques. Elles ont néanmoins une grande incidence politique, car elles donnent forme à des décisions concernant l'administration d'Internet. Les 250 TLD définissent un espace de nommage fondé en partie sur des fonctions (.com pour *commercial*, *mil* pour *militaire*, etc.) et en partie sur des identifiants géopolitiques (noms de pays). Décidés bien avant qu'Internet n'acquière une importance mondiale, le nombre de TLD et la signification y attachée vont avoir des conséquences à long terme.

RFC920 définit la structure et les conventions de nommage du DNS et sa mise en Oeuvre s'étale sur plusieurs années. L'instauration des TLD exige la sélection d'un administrateur pour gérer le fichier-zone et le serveur des noms. L'instauration des TLD génériques procède de façon très différente de celle des TLD de codes-pays : les premiers sont sélectionnés par le gouvernement des États-Unis, les seconds choisis par IANA.

Postel et IANA possèdent l'autorité politique sur la racine, mais l'administrateur est une entreprise privée : Network Solutions, Inc. (NSI), qui administre et exerce l'autorité politique sur *com*, *net*, et *org*. NSI prend ses ordres d'IANA, mais travaille en réalité sous contrat avec le gouvernement des États-Unis.

La croissance du domaine *com* procure à NSI richesse et puissance. Lorsque le gouvernement des États-Unis ouvre Internet aux usages commerciaux, en 1994, l'enregistrement *en.com* explose. A la fin des années 1990, *com* atteint plus de dix millions d'enregistrements - plus de la moitié de tout l'espace de nommage. Cette concentration ne relève pas d'un caractère inné du DNS, mais provient d'un développement inattendu - la combinaison du bon marketing de NSI et de la large acceptation de la convention de nommage du DNS, qui identifie *com* comme LE domaine commercial. Au bout du compte, le domaine *com* représente une telle proportion de l'espace de nommage total qu'il rivalise d'importance avec la racine pour l'ensemble du réseau (Mittler, 1999). Des frais annuels de \$35 USD par nom de domaine enregistré permettent à NSI d'amasser des centaines de millions de dollars de revenus du fait de son monopole sur le seul domaine commercial d'Internet.

En revanche, les administrateurs de TLD de codes-pays sont majoritairement, tout comme IANA, des sociétés sans but lucratif, souvent affiliées aux centres de recherches universitaires. Parce qu'IANA a défini les fichiers-zone en termes de codes-pays et créé un seul fichier-zone par pays, il n'y a qu'un seul administrateur par pays. Chacun d'eux constitue un monopole national implicite : le registre *.fr* est le seul pour la France, de même *uk* pour le Royaume-Uni, etc. Même s'il n'y a aucune base technique pour les monopoles nationaux, la convention de nommage de RFC920 génère un tel système. En termes d'organisation, le système des monopoles nationaux rappelle celui des sociétés nationales de téléphone (les PTT), qui opéraient en tant que monopoles nationaux dans la plupart des pays.

En octobre 2000, l'espace de nommage global compte plus de 30 millions de paires numéros (NetNames, 2000). Vu qu'IANA n'a pas étendu le nombre de domaines de haut niveau depuis la sortie de RFC920, ce sont les domaines de deuxième niveau qui ont connu la plus forte croissance. La majorité relève du TLD, *.com*, où NSI a enregistré plus de 18 millions d'hôtes. Les TLD en *.org* et de *.net*, également gérés par NSI, abritent 5 millions d'hôtes supplémentaires. Le reste de l'espace de nommage se distribue pour l'essentiel en divers TLD de codes-pays. À la tête d'IANA, Jon Postel supervise la délégation d'autorité aux nouveaux administrateurs.

Le DNS de la fin des années 1990 est encore bien plus complexe que le système décrit ici. D'abord, il est décentralisé. En 1983 le DNS a été créé comme une base de données distribuée (Mockapetris, 1983). Puis, au fil des ans, de nombreux développements non techniques ont formaté le système. La majorité des TLD portent des identificateurs de codes-pays, qui les

associent aux gouvernements nationaux. Un fichier-zone dans la hiérarchie *.com*, contient tout l'espace de nommage (battant ainsi en brèche la décentralisation). Dans une communauté de petits administrateurs à but non lucratif, Network Solutions commence à émerger comme un acteur du commerce. Et surtout, l'autorité politique sur l'ensemble du DNS est concentrée sur une seule personne, Jon Postel. La complexité du DNS est lourde de conflits potentiels.

DNS et gouvernance

Cependant le DNS peut toujours permettre d'exercer les mécanismes de la gouvernance. Bien que des accords plus complexes que ceux qu'on a mentionnés soient nécessaires, un DNS décentralisé rend possibles l'autorité, la loi, les sanctions, et les juridictions. Dans cette section je discuterai de quelle manière la technologie du DNS rend théoriquement possible la gouvernance.

La décentralisation n'a pas d'effet majeur sur la mise en oeuvre de deux mécanismes : la loi et les sanctions. Même si elle engendre de multiples niveaux hiérarchiques, les contrats-aval continuent néanmoins les règles jusqu'aux utilisateurs. La décentralisation exige une succession de contrats en cascade, mais elle ne remet pas en cause ce mécanisme. De même, le refus (d'accès) à un nom de domaine est une sanction efficace. Si tout administrateur dans l'espace de nommage, de la racine à l'étage le plus bas, exerce un contrôle monopolistique sur son fichier-zone, chacun peut déconnecter des hôtes de niveau inférieur. Ainsi l'enregistrement d'un nom reste un privilège, révoquant si l'enregistreur viole les règles.

Au contraire, la décentralisation entrave l'exercice des deux autres mécanismes de gouvernance. Elle fragmente l'autorité politique et la juridiction, surtout dans les domaines de codes-pays. Celles-ci restent unifiées à la racine : IANA peut réglementer tout l'espace de nommage et promulguer les règles à travers toute la hiérarchie. Mais dans les domaines de haut niveau (TLD), le risque existe d'une contradiction avec un autre échelon d'autorité. La distinction entre les TLD génériques (gTLD) et ceux des codes-pays (ccTLD) peut affaiblir l'unité d'autorité et de juridiction.

Les ccTLD sont associés aux pays, et par conséquent à l'autorité politique des gouvernements nationaux. Ceux-ci peuvent prétendre à exercer leur juridiction sur les ccTLD correspondants. Même si les domaines des gouvernements nationaux représentent un niveau inférieur à IANA dans la hiérarchie du DNS, IANA n'est pas en situation de revendiquer sur eux une quelconque autorité. L'institution de gouvernance d'Internet serait bien en peine de remettre en question le droit d'un gouvernement national à décider de sa politique publique. Même si les gouvernements ignorent le DNS (dans la majorité des cas), l'exercice proactif de l'autorité politique par IANA peut provoquer une réaction de leur part. Aussi est-il

difficile l'autorité politique sur la racine d'affirmer son pouvoir sur les ccTLD.

Autre source de complexité : la pléthore d'autorités au sein des ccTLD. Les TLD de codes-pays sont indépendants les uns des autres, et chacun peut décider de ses propres politiques dans son domaine, source de possibles divergences, voire de contradictions. La décentralisation du DNS a créé des centaines d'autorités, dont chacune peut implicitement prétendre à la juridiction sur son ccTLD. La gouvernance intégrée d'Internet apparaît donc impossible. La décision des ingénieurs informatiques d'organiser l'espace de nommage d'après les grandes lignes politiques dont témoigne RFC920 a fragmenté l'autorité et la juridiction.

Une gouvernance intégrée paraît possible, au contraire, dans les gTLD. IANA peut réguler les domaines tels que *.com*, *.org*, et *.net*, car ceux-ci ne sont pas redevables vis-à-vis d'autorités

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extérieures au DNS. Quelle que soit l'autorité dont ils disposent, ils ne la détiennent que par délégation d'IANA. Or, les gTLD ont beau n'être qu'un sous-ensemble du total des domaines, ils se taillent néanmoins la part du lion en nombre d'utilisateurs. L'autorité effective dans ces domaines s'étend de fait à la majorité des internautes.

Le DNS ne permet pas une gouvernance pleine et entière, mais autorise un certain degré de gouvernance. L'exercice d'une autorité et d'une juridiction uniques dans les domaines *.com*, *.org* et *.net* est aisé. D'ailleurs, vue la grande concentration d'enregistrements dans les gTLD, cette juridiction concerne également la plus grande part des utilisateurs. L'autorité politique de la racine peut les réguler *via* les contrats-aval assortis de la menace du refus d'accès au nom de domaine. La fragmentation de l'autorité demeure, mais elle est limitée.

Pour la limiter davantage, IANA, tout comme les gouvernements nationaux cherchent à coordonner les diverses politiques. Bien qu'il y ait des centaines de ccTLD, les enregistrements ne sont pas également répartis. Des domaines tels que *.jp* ou *.uk* comptent beaucoup plus d'enregistrements que d'autres, par exemple *.bg* (la Bulgarie). La coordination des ccTLD les plus importants avec IANA suffit à unifier les politiques, pour s'approcher d'une gouvernance intégrée.

Enfin, l'on peut revendiquer d'autant plus de cohésion politique que l'on a la possibilité de mettre la pression sur des ccTLD récalcitrants. Si un petit ccTLD hésite à appliquer quelque politique soutenue par IANA et par les grands gouvernements, son autorité peut être remise en cause. IANA peut exercer sa capacité de déconnecter un domaine de haut niveau ou de le affecter vers un administrateur plus conciliant. Ainsi les plus petits ccTLD peuvent se laisser persuader (ou intimider) d'adopter les politiques agréées par les plus grands. La cohésion politique générale ne peut qu'y gagner.

Avant de clore ce chapitre, il faut encore considérer le rôle du gouvernement des États-Unis. Ce dernier, grâce à Jon Postel et Network Solutions, revendique l'autorité finale sur le fichier-zone racine. IANA, autorité politique supérieure aux États-Unis, fonctionne sous l'autorité

politique des États-Unis. Instaurer les quatre mécanismes de gouvernance, en l'absence d'un changement de statut des États-Unis, serait en quelque sorte permettre à ce pays d'exercer l'autorité ultime sur Internet. Nouvelle cause de tensions avec les autres gouvernements nationaux qui se trouveraient subordonnés aux États-Unis.

Pour résumer, un DNS décentralisé ne peut permettre la réalisation pleine et entière des mécanismes de gouvernance. La loi et les sanctions peuvent s'appliquer, mais l'autorité et la juridiction sont fragmentées. La majorité des utilisateurs se situant dans des domaines génériques (les gTLD) peuvent être régulés par IANA. Mais soumettre l'espace de nommage à l'autorité d'IANA exigerait des négociations avec un nombre considérable d'autorités nationales autonomes.

D'IANA à ICANN

Ayant passé le DNS en revue, on peut se tourner désormais vers l'Internet Corporation for Assigned Names and Numbers (ICANN). Créée en 1998, et quoique non stabilisée à ce jour, ICANN met en oeuvre le potentiel de gouvernance du DNS, en se servant de l'adressage sur Internet comme d'un levier pour accomplir la gouvernance globale. ICANN n'a pas seulement créé des capacités de régulation, elle les a aussi utilisées : en 1999, elle a promulgué une décision de politique publique mondiale qui définit les droits de propriété intellectuelle sur les noms

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de domaine. Je vais ici identifier les caractéristiques spécifiques d'ICANN aux moyens desquelles elle met en pratique l'autorité, la juridiction, la loi et les sanctions.

Commençons par planter le décor historique. A la fin des années 1990, le DNS est contesté de diverses parts. Internet a rapidement débordé ses institutions d'origine, notamment la « personnalisation » d'IANA, dont la légitimité se fondait sur la réputation d'un seul homme. Si quelque malheur arrivait à Jon Postel, IANA serait complètement déstabilisée. Une autre source de tension provient des entreprises qui, au nom de la concurrence, veulent ébranler le monopole de NSI : elles commencent à proposer d'autres espaces de nommage, d'autres TLD (par exemple *zoeb*), et des « registries » indépendants (Mueller, 1998). Ce qui fait peser de nouvelles menaces de fragmentation sur l'espace de nommage. La nature globale d'IANA pose un autre problème. L'Union internationale des télécommunications (ITU) de l'Organisation des Nations unies s'en mêle et cherche à revendiquer l'autorité sur l'espace de nommage. Des gouvernements nationaux et la Commission européenne s'y intéressent eux aussi, estimant que le contrôle exercé par les États-Unis sur cette nouvelle infrastructure informatique mondiale menace leur souveraineté. Des controverses naissent sur les questions de souveraineté et de juridiction. Des conflits sérieux émergent autour des noms de domaines correspondant aux marques déposées (par exemple, *coca-cola. conr*). L'organisation mondiale de la propriété intellectuelle (WIPO) de l'ONU, ainsi que des lobbies nord-américains font pression pour faire respecter le droit des marques déposées dans l'univers des noms de domaine (Shaw, 1997). Ce mélange politique est autant plus détonnant que les conflits se développent au rythme d'Internet ; chaque mois qui passe témoigne de la croissance exponentielle du réseau et de ses enjeux politiques.

Le processus par lequel la communauté des chercheurs, les titulaires de marques déposées, les entreprises de communication et les gouvernements nationaux se sont concertés pour créer une nouvelle institution à la place d'IANA a été décrit ailleurs (Mueller, 1999 ; Klein, 2001a). Je concentrerai mon attention sur le fruit de ce processus long et litigieux, c'est-à-dire ICANN, en analysant sous sa configuration de l'an 2000.

On comprend mieux ICANN si on la perçoit comme un ensemble d'institutions semi-autonomes. Cet ensemble comprend non seulement ICANN en tant que société mais aussi certaines entités externes, telles que le comité des gouvernements nationaux (GAC) et les administrateurs de la DNS. Pour bien distinguer entre ICANN vue comme un ensemble d'institutions et ICANN comme entité institutionnelle, j'appellerai celle-là « le système ICANN » et celle-ci simplement « ICANN ».

Les quatre mécanismes de gouvernance sont si profondément enracinés dans le système administratif d'ICANN qu'il est difficile de les identifier. Le paragraphe qui suit va analyser les caractéristiques d'ICANN dans leurs fonctionnalités relatives à la gouvernance. Je m'intéresserai tout d'abord à la façon dont ICANN a mis en oeuvre les mécanismes d'autorité et de juridiction, puis je me concentrerai sur les mécanismes de la politique et des sanctions.

L'autorité et la juridiction

L'autorité politique sur la racine est transférée de Jon Postel à la nouvelle instance. ICANN résout le problème de la stabilité : une personne est remplacée par une institution, ICANN peut fonctionner indépendamment d'un seul individu. ICANN résout aussi, au moins en partie, le problème du conflit intergouvernemental : en tant que société privée, elle stipule dans son règlement intérieur qu'aucun fonctionnaire ne peut être membre de son conseil d'administration. Ainsi, même si son autorité s'étend au monde entier, la nature de celle-ci est délibérément non gouvernementale et respecte ainsi la souveraineté des gouvernements

nationaux. En outre, son rôle étant simplement d'assurer la coordination technique de l'Internet, ICANN ne revendique aucune mission de politique publique.

La composition du comité directeur soulève un problème de légitimité. Certes une personne, Jon Postel, est remplacée par un conseil représentatif ; mais la légitimité issue de l'expertise et de la réputation personnelles est remplacée par la légitimité et la responsabilité reconnues aux représentants. Le comité directeur d'ICANN représente divers collèges sur une base fonctionnelle et géographique. Sur les dix-neuf directeurs, neuf représentent des groupements d'experts techniques, neuf autres les utilisateurs, le dernier n'est autre que le « patron » de l'organisation.

Le conseil d'ICANN est cependant soumis à une autorité supérieure : le gouvernement des États-Unis, dont le Département du Commerce (DoC) garde le contrôle de la racine, conservant

ainsi droit de veto sur les décisions politiques d'ICANN. En dépit de la privatisation d'Internet (qui fit grand bruit), les États-Unis n'ont jamais entièrement lâché prise. Comme l'expliquait un document officiel du DoC, « *le département du commerce n'a pas l'intention de transférer à quelque entité que ce soit son autorité politique sur le serveur-racine* » (DOC, 1999). Ainsi Internet n'est internationalisé et privatisé que sous la houlette du gouvernement des États-Unis.

En-dessous de la racine, les contrats étendent l'autorité d'ICANN et des États-Unis jusqu'aux administrateurs des gTLD et des ccTLD. Les TLD génériques s'intègrent plus aisément à l'organisation, puisqu'ils sont presque tous administrés par NSI et que cette entreprise subit la pression des États-Unis pour participer à ICANN. Après quelques négociations sur les modalités, ICANN se mettent d'accord en 1999. ICANN assure ainsi son autorité politique sur les domaines les plus peuplés. Les ccTLD sont plus circonspects, et jusqu'en 2001 ICANN a peu progressé dans ce domaine (ICANN, 2001). L'autorité politique hiérarchique ne s'y est pas établie et a perpétué l'instabilité pour l'ensemble du système.

Le conflit d'autorité implicite entre ICANN et les gouvernements nationaux se manifeste dans le Governmental Advisory Committee (GAC). Le GAC est un comité officiel consultatif; des gouvernements nationaux peuvent s'y rencontrer, débattre et coordonner leurs actions individuellement, chaque gouvernement national peut affirmer son autorité politique sur les fichiers-zone qui portent son code-pays. Les gouvernements nationaux peuvent aussi coordonner une politique décidée collectivement au sein du GAC.

Le GAC entend légitimer les prétentions de ses membres à exercer l'autorité politique. D'emblée il affirme que « *le système de nommage d'Internet est une ressource publique et en ce sens que ses fonctions doivent être administrées en vue de l'intérêt général ou partagé* » (GAC, 2000). En précisant que le DNS doit être un bien public, tout comme le spectre électromagnétique, le GAC ouvre la voie au contrôle gouvernemental. Ensuite le GAC associe cet intérêt commun à l'autorité des gouvernements nationaux : « *l'autorité politique publique ultime [domaine code-pays] demeure du ressort du gouvernement...* » (GAC, 2000). Ceci est la justification de la prétention des autorités nationales à exercer la juridiction sur les ccTLD.

ICANN prétendait que l'autorité des ccTLD dérivait de son autorité supérieure sur la racine. Si les administrateurs ne suivent pas les décisions politiques d'ICANN, celle-ci peut redéléguer l'autorité à une autre partie. Les gouvernements nationaux, affirmant que leur fichier-zone est une ressource publique, cherchèrent à placer les ccTLD sous leur propre autorité. Les administrateurs des ccTLD se trouvaient donc soumis à deux autorités - et ils en proposèrent une troisième, de leur cru, citant des documents officiels qui situent l'autorité dans « la communauté Internet locale » plutôt que dans ICANN ou les gouvernements (Postel, 1994). Cette perspective les rendait responsables vis-à-vis des utilisateurs d'Internet dans leurs pays

respectifs, et non vis-à-vis de leurs gouvernements ou d'ICANN.

Les membres du GAC cherchèrent à résoudre cette ambiguïté à leur profit en demandant à ICANN un pouvoir de veto sur les ccTLD identique à celui du gouvernement des États-Unis sur la racine. Le GAC proposa de transférer le pouvoir de redélégation d'ICANN aux

gouvernements nationaux : « *quand ICANN sera avertie par le gouvernement ou l'autorité publique concernée qu'un [administrateur] a enfreint les termes du contrat... elle devra agir en urgence pour réaffecter la délégation...* » (GAC, 2000). Les gestionnaires des codes-pays auraient donc eu accès à la racine qu'autant que leurs gouvernements le leur permettaient. ICANN refusa cette proposition, qui la subordonnait aux gouvernements nationaux. Au moment où cet article est rédigé, la fragmentation de l'autorité sur les ccTLD reste un problème non résolu.

Les débats du GAC eurent pour effet que la coordination des gouvernements nationaux s'applique à une large gamme de décisions politiques. Le GAC a entamé la rédaction d'un document de « bonnes pratiques » pour les gestionnaires de codes-pays, afin que les autorités nationales puissent standardiser leurs opérations (GAC, 2000). Une fois définies les politiques communes, tout gouvernement national peut promulguer et imposer ces pratiques dans sa propre juridiction.

Au sein d'ICANN, les mécanismes de l'autorité et de la juridiction reposent donc sur la conception même d'ICANN, sur le GAC et sur la pérennisation du rôle des Etats-Unis. La gouvernance effective d'Internet est envisageable dans les domaines où les membres d'ICANN et le GAC peuvent se mettre d'accord. En dépit de la fragmentation de l'autorité, la majorité des utilisateurs d'Internet, situés dans les gTLD, sont soumis à celle d'ICANN dans une juridiction unifiée.

La politique et les sanctions

Ayant examiné l'autorité et la juridiction, j'aborderai maintenant la question de la loi et des sanctions. Les premières réglementations d'ICANN s'appliquèrent aux domaines en *com*, *org* et à l'espace de nommage, ces derniers étant combinés dans un seul système partagé (*Shared Registry System, SRS*). Au moment où j'écris cet article, l'extension des réglementations d'ICANN sur les domaines des codes-pays n'est pas encore effective.

ICANN régule les utilisateurs, mais n'est pas directement en contact avec eux. Le SRS définit plutôt un système à quatre étages : ICANN au sommet, les utilisateurs à la base et deux sortes d'organisations intermédiaires : les « registries » et les « registrars ». Au sommet, ICANN utilise son autorité pour créer des réglementations. En dessous, les registries gèrent les fichiers-zones et font fonctionner les serveurs (comme décrit plus haut). Encore en-dessous, les registrars font l'interface avec les utilisateurs clients. Ce sont des détaillants en noms de domaines, chargés aussi du service après-vente et souvent de services annexes, comme la fourniture d'accès à Internet. Enfin, à l'étage inférieur se trouvent les administrateurs de réseaux. (Bien entendu, la plupart des utilisateurs d'Internet ne possèdent pas leur propre nom de domaine, mais utilisent celui d'une tierce partie comme *aol.com*, et constituent ainsi un cinquième niveau de la hiérarchie.)

Une cascade de contrats dévale tous les étages. Les réglementations d'ICANN sont contenues dans les contrats avec les registries, puis transmises dans leurs contrats avec les registrars, qui à leur tour insèrent dans leurs contrats avec les administrateurs de réseaux. Les décisions politiques circulent ainsi de haut en bas, d'ICANN aux registries jusqu'aux réseaux privés. Les termes du contrat définissent les lois d'Internet.

A chaque niveau, le contrat avec ICANN est garanti par la menace d'un refus d'accès au nom de domaine. Tout registry qui ne s'y conforme pas peut voir son domaine redélégué. De plus, les registrars, qui peuvent être privés d'accès aux registries et donc de leur capacité d'offrir les noms de domaine aux utilisateurs. Quant aux utilisateurs récalcitrants, ils risquent de voir leurs noms de domaine supprimés à l'intérieur de l'espace de nommage, ou même affectés à quelqu'un d'autre.

Le contrat ICANN d'accréditation de registrar (ICANN, 1999a) est le mécanisme primaire de promulgation de la loi. Toute organisation qui veut devenir registrar doit se conformer aux termes de ce contrat, y compris à la clause suivante, pourtant très vague : « *le registrar se conformera... à toute politique adoptée par ICANN...* » (Section II.D.1.b.i)³. Comme les politiques d'ICANN changent et que l'accord d'accréditation évolue (comme prévu dans la Section 11.0, « Le droit de remplacer un accord après sa mise à jour »), ainsi en est-il des conditions imposées à l'utilisation de tout nom de domaine. C'est ce « chèque en blanc » contractuel qui, d'évidence, accorde à ICANN le droit d'exercer la gouvernance sur un champ très large. Les termes du contrat sont répétés aux niveaux inférieurs entre les registrars et les utilisateurs ; la circulation fluide des régulations est ainsi assurée, d'ICANN aux registrars, et éventuellement aux utilisateurs. Au besoin, des sanctions sont explicitement prévues : « *Le locataire [du nom de domaine] reconnaît que son enregistrement du nom [de domaine] est susceptible de suspension, d'annulation, ou de transfert conformément à toute politique adoptée par ICANN... pour la résolution des conflits...* » (Section II.J.7.i).

Les mécanismes fondamentaux de gouvernance sont ici assurés par la circulation des contrats, assortie de la menace de refus du nom de domaine. Le contrat d'accréditation stipule les règles en vigueur sur Internet, que renforce le pouvoir de révocation d'un nom de domaine. Les utilisateurs d'Internet ne peuvent jouir de l'accès à l'espace de nommage que s'ils se conforment aux règles établies par ICANN; sinon, leur nom de domaine peut être suspendu, annulé, ou transféré.

Une politique publique mondiale

Mon exposé sur le DNS, la gouvernance et la conception institutionnelle d'ICANN a cherché à décrire et analyser des données objectives. Si l'on accepte la quadruple définition de la gouvernance, et si l'on admet que ces mécanismes sont bien à oeuvre dans ICANN, il n'est pas douteux qu'ICANN est capable d'assumer la gouvernance d'Internet. Jusqu'ici, on a très peu traité d'une double question : est-ce qu'ICANN exerce cette capacité ? ce système de gouvernance est-il légitime ? Le dernier chapitre va aborder ces éléments, beaucoup plus sujets à controverses.

La politique d'ICANN

ICANN possède la capacité de gouverner et l'a déjà exercée. ICANN a institué une politique publique mondiale. Je vais expliquer maintenant ce que signifie « instituer une

³ Ce passage de l'accord (Registrar Accreditation Agreement) est important mais pas particulièrement succinct. Le ^{texte} entier de la section D.1.b.i dit : « *D. Les obligations générales du registrar. 1. Pendant la durée de l'accord : b. le registrar se conformera à toute politique adoptée par ICANN cri ce qu'elle : i. est relative à l'une ou à plusieurs des*

questions: (A) toute question dont la résolution uniforme ou coordonnée s'avère raisonnablement nécessaire pour faciliter l'interopérabilité, la fiabilité technique et/ou le fonctionnement stable de l'Internet ou du DNS, (B) toute politique de registrar nécessaire dans les limites de la raison pour l'implémentation des politiques de consensus relatives aux registres, (C) la résolution de toute controverse à propos de l'enregistrement des noms de domaine (en tant qu'il revient à l'utilisation des noms de domaine en question) ;..

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politique publique », ainsi que la manière dont ICANN s'y est prise.

Aussitôt instaurées dans ICANN, les capacités de gouvernance furent mises en pratique. En août 1999, ICANN promulgua sa première décision politique importante : la Uniform Dispute Resolution Policy (UDRP), procédure visant à déterminer qui possède le droit de propriété sur un nom de domaine (ICANN, 1999b). L'UDRP constitue la première décision de politique publique d'ICANN à visée mondiale.

A la fin des années 1990, les noms de domaine ont pris de la valeur, des noms comme yahoo.com et amazon.com sont devenus des actifs commerciaux d'envergure. De sorte que surgissent des conflits autour du droit des noms quand des individus déposent une marque sur laquelle ils n'ont aucun droit (pour un nom de domaine quelconque), avec l'intention de la revendre à son propriétaire ; quand des titulaires de marques déposées tâchent d'interdire à d'autres utilisateurs l'utilisation d'une chaîne de caractères valorisée. Parfois les droits de propriété entrent en conflit avec les droits d'usage équitable ou la liberté d'expression (Kleiman, 1999). Source du problème : la législation existante ne permet pas de résoudre les conflits puisque la loi des marques est nationale et l'origine du conflit internationale. L'application des législations nationales en vigueur pour résoudre des conflits internationaux sur les noms de domaine est très cher et s'avère peu maniable (Littman, 2000).

L'UDRP d'ICANN a défini les procédures de résolution de tels conflits, établissant ainsi des règles de propriété. Selon une procédure alternative, des arbitres certifiés et privés décideront de la question des droits, en utilisant un critère défini par ICANN. Les décisions d'arbitrage seront exécutées par révocation ou le transfert du nom disputé. C'est un système « amiable » en ce sens que les parties non satisfaites par la décision de l'arbitre peuvent encore recourir aux enceintes juridiques existantes. Mais ces recours étant hors de prix, dans la majorité des cas c'est l'UDRP qui détermine les droits de propriété. Elle prend *de facto* force de loi.

La mise en oeuvre de l'UDRP illustre la manière dont ICANN se sert des quatre mécanismes de gouvernance à la fois. D'abord, l'UDRP a pris forme à travers les suggestions des permanents d'ICANN et l'expression de points de vue divers, et finalement elle a été adoptée par le conseil d'administration d'ICANN dans un exercice d'autorité. Ensuite, la décision politique a pris force de loi dans l'Accord d'accréditation des registrars : ICANN a fait de l'UDRP une condition de leur accès à l'espace de nommage, et ils se trouvent dans l'obligation de l'inclure dans leurs contrats détaillants (il faut qu'elle circule de haut en bas »). Troisièmement, l'UDRP est assortie de sanctions : tout utilisateur refusant d'y souscrire peut se voir refuser l'accès à l'espace de nommage et toute violation peut entraîner la suppression ou la réaffectation du nom de domaine de l'utilisateur. Enfin, l'UDRP s'applique à la juridiction d'ICANN. Elle régle les noms de domaine pour les *.com*, *.net*, et *.org*. Pour les domaines de codes-pays, où l'autorité d'ICANN ne s'applique

Directement, c'est aux administrateurs des codes-pays de décider d'adopter ou non l'UDRP. A
 jour c'est le cas dans certains domaines, mais non partout.

En instituant l'UDRP, ICANN a institué une politique publique mondiale. L'UDRP régleme un
 sujet d'intérêt général: les droits de propriété. Les règles concernant les marques déposées,
 le copyright, la propriété intellectuelle, sont traditionnellement établies par les gouvernements. La
 Constitution des Etats-Unis, par exemple, précise les règles de protection de la propriété
 intellectuelle sur les brevets. Au niveau mondial, le manque de régulation s'explique non
 parce que les règles de la propriété sont d'un moindre intérêt public, mais parce
 qu'aucune institution publique reconnue n'a établi de telles règles. ICANN a souhaité pallier ce manque.
 En instituant des règles mondiales sur la propriété, ICANN a pris une décision qui concerne
 aussi les valeurs publiques. L'UDRP n'aura peut-être pas une énorme incidence politique,
 mais les droits de propriété sur les noms de domaine concernent un champ de régulation
 assez

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limité, mais elle représente un premier pas vers la prise de décision proprement politiques

4.

La légitimité

Si ICANN instaure une politique publique mondiale, il faut lui appliquer des critères
 politiques comme la légitimité, la responsabilité et l'équité. Et c'est autour de telles questions
 que sont apparues la plupart des controverses (Weinberg, 2000 ; Fromkin, Post, Farber, 1996b ;
 Klein, 2001b). Je résumerai brièvement certaines des interrogations qui ont surgi autour de la
 légitimité
 du Conseil d'ICANN.

La politique suivie par les Etats-Unis pour la création d'ICANN a été explicitée dans le «
 White
 Paper» du Département du Commerce. Il définit des principes, dont deux concernent
 particulièrement la légitimité : ICANN doit s'engager à mettre en place une « coordination
 ascendante » et une « représentation... (qui prenne en compte) la communauté vaste et
 croissante des utilisateurs d'Internet » (DOC, 1998b). Certains de ces L'important, ici, est le
 fait
 qu'ICANN assure une régulation globale.principes ont inspiré le règlement intérieur
 d'ICANN
 surtout en ce qui concerne les mécanismes de la représentation au sein du conseil
 d'administration (Klein, 2001a).

Dans de nombreuses instances ces principes furent malmenés. J'en mentionnerai trois. Le
 premier
 directeur d'ICANN était composé de neuf membres, à titre transitoire. Ce premier
 groupe fut nommé sans la participation ni même la consultation du public - ce qui suscita
 maintes
 protestations publiques et auditions devant le congrès des Etats-Unis. La sélection eut lieu à huis
 clos, processus décrit par Jon Postel lui-même comme «non démocratique et fermé» (Daley,
 1998). Ce fut pourtant ce Bureau qui promulgua l'UDRP.

La constitution du conseil d'administration d'ICANN fut tout aussi inégalitaire. Les directeurs
 représentant les neuf collègues d'experts furent installés en l'espace d'à peu près un an après la
 création d'ICANN, et ils cherchèrent aussitôt à réduire la représentation des utilisateurs
 d'Internet. Lors d'une série de réunions en 1999 et 2000, les directeurs nommés, tous

des experts, cherchèrent à éliminer, réduire, ou différer l'installation de directeurs élus (ICANN, 2000). A cette fin, ils révisèrent sans arrêt le règlement intérieur qui contraignait les actions du conseil. Comme le déclara un haut fonctionnaire lors d'une réunion tenue en juillet 2000, « *le conseil donne de plus en plus l'impression d'être extrêmement cavalier en ce qui concerne les modifications du règlement intérieur* » (Wilkinson, 2000). Peu après, le conseil décida de modifier une nouvelle fois le règlement pour retarder le dernier tour des élections de directeurs jusqu'en 2002 - soit quatre ans après la création d'ICANN.

Enfin, ce premier conseil afficha sa nette préférence pour que la représentation des utilisateurs d'Internet soit assurée par les professionnels de l'industrie. Lors du premier tour de l'élection des directeurs, presque tous les sièges furent pourvus par des candidats nommés par lui, dont beaucoup de personnalités issues des géants des télécommunications comme France Telecom, Fujitsu, Deutsche Telekom et Verizon (ICANN, 2000). Lors de la réunion d'ICANN de juillet 2000, cette tendance à favoriser l'industrie des télécommunications plutôt que les utilisateurs d'Internet sauta aux yeux d'un officiel australien, qui déclara : « [ICANN] *court le risque de se transformer de facto en association d'industriels* » (Twomey, 2000). La légitimité du conseil fut encore affaiblie par la tendance de certains groupes d'intérêt à rechercher (et, probablement, à obtenir) une influence disproportionnée sur ses décisions.

⁴ Je ne me demande pas si l'UDRP est de « bonne » ou de « mauvaise » politique publique. La substantialité de la régulation n'est en question. L'UDRP a suscité autant de louanges (Cohen, 2000) que de condamnations (Flynn, 2000 ; Mueller, 2001).

Dans la mesure où ICANN exerce une mission de politique publique, son manque de légitimité est frappant. Bien que les élections de l'an 2000 aient instillé une certaine dose de représentation des utilisateurs dans ICANN, elles ont échoué à instaurer le niveau de représentativité exigé par le règlement initial (Klein, 2001b ; Klein, 2001c).

La politique future

Les institutions ne sont pas des entités statiques : elles grandissent avec le temps et souvent modifient et élargissent leurs domaines d'activité. Tel semble être le cas pour ICANN. En tant qu'entité de gouvernance d'Internet, quelles pourraient être les politiques promulguées par ICANN à l'avenir ? Je me livrerai rapidement à quelques spéculations.

Le domaine d'expansion politique le plus probable est celui de la protection de la propriété intellectuelle. Un accroissement des pouvoirs dans ce domaine, revendiqué dès les débuts d'ICANN, serait cohérent avec ses objectifs initiaux (Froomkin, 1999a). L'UDRP pourrait être élargie jusqu'à donner des droits d'enregistrement spéciaux aux propriétaires de noms célèbres, de marques déposées, de noms géographiques, etc. ICANN deviendrait alors une instance régulatrice mondiale au service de la propriété et du commerce électronique.

Le contrôle de l'espace de nommage pourrait aussi servir de levier pour promouvoir la justice sociale. ICANN et les monopoles ccTLD pourraient collecter des fonds pour financer un service universel permettant de surmonter la division numérique du monde, les pays pauvres payant

leurs accès à Internet moins cher que les pays riches. Au cours de conversations privées, certains directeurs d'ICANN issus des pays en voie de développement ont défendu devant moi de telles orientations politiques.

Le potentiel politique d'ICANN pourrait également concerner la régulation des contenus. Des sites contrevenants pourraient être censurés par la révocation ou la réaffectation de leurs noms de domaine. Le premier à être ainsi sanctionné fut le site voteauction.com, qui proposait un contenu (un système de vente et d'achat de votes aux enchères en ligne). Le registrar du domaine annula l'enregistrement pour supprimer son contenu (Perritt, 2001). En théorie, ICANN pourrait renforcer ses impératifs de régulation en utilisant plus largement de tels mécanismes.

ICANN pourrait aussi devenir un instrument de taxation, permettant à un gouvernement de collecter l'impôt sur le e-commerce, ou dégageant les moyens de financer son propre personnel. Si les noms de domaine étaient accordés *via* une source unique, les utilisateurs devraient payer les frais correspondants, ou à défaut se verraient refuser l'accès. De fait, des législateurs nord-américains et des ccTLD mécontents ont déjà accusé ICANN de lever des taxes (McCullagh, Ward, 2000).

Enfin, ICANN pourrait devenir un instrument de la politique nationale des Etats-Unis. En temps de guerre ou de terrorisme, un pays qui s'opposerait aux Etats-Unis pourrait voir disparaître d'Internet ses domaines. Des enregistrements individuels pourraient être annulés ou transférés pour affaiblir des entités hostiles. Le rapport entre la politique d'ICANN et la politique nationale des Etats-Unis s'est déjà manifesté quand le Département du Commerce a approuvé l'ajout du domaine .ps - pour la Palestine - à la zone-racine. Bien que les Etats-Unis n'aient pas été guidés par un intérêt national étroit, l'affaire a fait grand bruit en raison de son potentiel conflictuel (Cisneros, 2001).

Les mécanismes de gouvernance étant mis en place, une « campagne d'infiltration » - l'expansion continue du champ réglementaire d'ICANN - semble possible. La combinaison de mécanismes efficaces de gouvernance et de mécanismes faibles de légitimité pourrait même

conduire à créer des règles en fonction des opportunités.

Conclusion

Admettre tout simplement qu'ICANN est chargée de la gouvernance d'Internet est lourd de significations. C'est contrecarrer des croyances bien établies et susciter des inquiétudes quant au type de gouvernance qui est en train de s'instaurer. Cela nous oblige à nous demander ce qu'il faudrait faire.

ICANN contredit la vulgate de l'anarchie bienveillante d'Internet. En fait, on découvre qu'Internet *peut* être contrôlé. Le DNS fournit la base d'un contrôle descendant, et ICANN utilise pour mener une véritable politique. Les implications de cet état de fait sont de plus

plus vastes et ne seront vraiment perçues qu'avec le temps. Pour cette raison, tout utilisateur d'Internet est tenu de s'intéresser à l'avenir d'ICANN.

Je terminerai par quelques observations sur le rapport entre technologie et société. ICANN révèle sous trois facettes la manière dont la technologie modèle la société.

Les traits objectifs de la technologie ont dessiné le système administratif et régulateur. En particulier, les caractéristiques techniques d'une base de données distribuée ont effectivement paramétré la politique. Le besoin d'un espace de nommage unique avec une racine unique a créé un point de contrôle central. De même, le besoin d'identifiants uniques (ainsi qu'un nom corresponde à un seul ordinateur-hôte) a créé des problèmes de contrôle et de monopole. La définition d'une zone *coin* unique, à l'intérieur de laquelle ne peut être enregistré qu'un seul *.ibm*, a engendré un système de registries monopolistiques et suscité des conflits autour du droit des marques. Peut-être toutes ces caractéristiques n'étaient-elles pas absolument nécessaires (bien qu'aucune alternative crédible n'ait été avancée, même par les plus critiques envers ICANN). On doit pourtant reconnaître que l'histoire les a si bien ancrées dans la conception et le fonctionnement du système qu'elles ont acquis un caractère quasi-nécessité. Toute tentative de changer le statut régulateur d'ICANN impliquera sans doute de concevoir une nouvelle technologie de base (ceci concerne en particulier l'exigence d'une racine unique sous le contrôle d'un administrateur unique).

La technologie a formaté la société d'une autre manière, qui concerne le rôle des ingénieurs dans l'établissement d'une politique. La sélection des noms de domaine des codes-pays fut une décision historique aux conséquences politiques majeures. Cette décision fut prise si tôt dans le processus du développement d'Internet que les seuls protagonistes furent les ingénieurs de recherche. Ceux-ci ont décidé qu'Internet devait être gouverné par les gouvernements nationaux. S'ils avaient choisi d'autres identifiants alphanumériques - couleurs, séquence de chiffres, table d'éléments -, la répartition « un domaine par pays » des registries ne serait guère fondée, non plus que l'affirmation subséquente de l'autorité nationale sur les registries. Les ingénieurs ont choisi d'organiser Internet sur le modèle des PTT nationales. Ils n'ont pu prendre de telles décisions que parce que celles-ci sont intervenues très tôt dans l'histoire du développement de la technologie, à un moment où eux seuls étaient concernés.

Troisièmement, la technologie influence la société dans la mesure où elle peut légitimer des décisions prises sous le sceau du secret. Quand des décisions politiques sont classifiées « techniques », il ne paraît pas illégitime qu'elles soient prises par des élites, derrière des portes fermées. La politique disparaît alors de la vue publique (Lessig, 1999). Les groupes qui ont gagné le contrôle d'ICANN ont invoqué ce voile de légitimité technique pour minimiser la

critique. Même les avocats d'ICANN, pourtant dépourvus de compétence technique, ont justifié leurs prises de position par une prétendue neutralité de l'expertise technique (McLaughlin, 2000).

ICANN utilise le contrôle de l'adressage sur Internet comme levier d'une politique publique

mondiale. A travers ICANN, la technologie a modelé la société, des technologues ont pris des décisions politiques majeures et des groupes d'intérêts ont exploité la légitimité technologique. On a peut-être ici le schéma régulateur de l'infrastructure informatique mondiale du siècle prochain, et c'est ce qui nous importe.

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>I'm a retired Special Forces Master Sergeant. That doesn't cut much for
>those who will only accept the opinions of former officers on military
>matters, since we enlisted swine are assumed to be incapable of grasping
>the nuances of doctrine.
>But I wasn't just in the army. I studied and taught military science and
>doctrine. I was a tactics instructor at the Jungle Operations Training
>Center in Panama, and I taught Military Science at West Point. And
>contrary to the popular image of what Special Forces does, SF's mission is
>to teach. We offer advice and assistance to foreign forces. That's

>everything from teaching marksmanship to a private to instructing a
>Battalion staff on how to coordinate effective air operations with a
>sister service.
>Based on that experience, and operations in eight designated conflict
>areas from Vietnam to Haiti, I have to say that the story we hear on the
>news and read in the newspapers is simply not believable. The most cursory
>glance at the verifiable facts, before, during, and after September 11th,
>does not support the official line or conform to the current actions of
>the United States government.
>But the official line only works if they can get everyone to accept its
>underlying premises. I'm not at all surprised about the Republican and
>Democratic Parties repeating these premises. They are simply two factions
>within a single dominant political class, and both are financed by the
>same economic powerhouses. My biggest disappointment, as someone who
>identifies himself with the left, has been the tacit acceptance of those
>premises by others on the left, sometimes naively, and sometimes to score
>some morality points. Those premises are twofold. One, there is the
>premise that what this de facto administration is doing now is a
>"response" to September 11th. Two, there is the premise that this attack
>on the World Trade Center and the Pentagon was done by people based in
>Afghanistan. In my opinion, neither of these is sound.
>To put this in perspective we have to go back not to September 11th, but
>to last year or further.
>A man of limited intelligence, George W. Bush, with nothing more than his
>name and the behind-the-scenes pressure of his powerful father-a former
>President, ex-director of Central Intelligence, and an oil man-is
>systematically constructed as a candidate, at tremendous cost. Across the
>country, subtle and not-so-subtle mechanisms are put into place to
>disfranchise a significant fraction of the Democrat's African-American
>voter base. This doesn't come out until Florida becomes a battleground for
>Electoral College votes, and the magnitude of the story has been
>suppressed by the corporate media to this day. In a decision so lacking in
>legitimacy, the Supreme Court will neither by-line the author of the
>decision nor allow the decision to ever be used as a precedent, Bush v.
>Gore awards the presidency of the United States to a man who loses the
>popular vote in Florida and loses the national popular vote by over
600,000.
>This de facto regime then organizes a very interesting cabinet. The Vice
>President is an oil executive and the former Secretary of Defense. The
>National Security Advisor is a director on the board of a transnational
>oil corporation and a Russia scholar. The Secretary of State is a man with
>no diplomatic experience whatsoever, and the former Chair of the Joint
>Chiefs of Staff. The other interesting appointment is Donald Rumsfeld as
>Secretary of Defense. Rumsfeld is the former CEO of Searle
>Pharmaceuticals. He and Cheney were featured as speakers at the May, 2000,
>Russian-American Business Leaders Forum. So the consistent currents in
>this cabinet are petroleum, the former Soviet Union, and the military.
>Based on the record of Daddy Bush, in all his guises, and the general
>trajectory of US foreign policy as far back as the Carter Administration,
>I feel I can reasonably conclude that Middle Eastern and South Asian
>fossil fuels are one of their major preoccupations. Not just because this
>klavern has some very direct financial interests in fossil fuel, but
>because they surely know that worldwide oil production is peaking as we
>speak, and will soon begin a permanent and precipitous decline that will
>completely change the character of civilization as we know it within 20
>years. Even the left seems to be in deep denial about this, but the math
>is available. And, no, alternative energies and energy technologies will
>not save us. All the alternatives in the world can not begin to provide
>more than a tiny fraction of the energy base now provided by oil. This
>makes it more than a resource, and the drive to control what's left more
>than an economic competition.
>I further conclude that the economic colonization of the former Soviet
>Union is probably high on that agenda, and in fact has a powerful synergy
>with the issue of petroleum. Russia not only holds vast untapped resources
>that beckon to imperialism in crisis, it remains a credible military and
>nuclear challenger in the region.
>We have not one, but three members of the Bush de facto cabinet with

>military credentials, which makes the cabinet look quite a lot like a
>military General Staff. All this way before September 11th.
>Then there's the subject of the North Atlantic Treaty Organization. NATO
>might have expected consignment to the dustbin of the Cold War after the
>Eastern Bloc shattered in 1991. Peace dividend and all that. But it
>didn't. It expanded directly into the former states of the Eastern Bloc
>toward the former Soviet Union, and contributed significant forces to the
>devastation of Iraq-a key country in the world oil market, over which
>control translates into the ability to manipulate oil prices.
>NATO is a military formation, and the United States exerts the controlling
>interest in it. It seemed like a form without a function, but it remedied
>that pretty quickly.
>Then when Yugoslavia refused to play ball with the International Monetary
>Fund, the US and Germany began a systematic campaign of destabilization
>there, even using some of the veterans of Afghanistan in that campaign.
>NATO became the military arm of that agenda-the break-up of Yugoslavia
>into compliant statelets, the further containment of the former Soviet
>Union, and the future pipeline easement for Caspian Sea oil to Western
>European markets through Kosovo.
>You see, this is important to understand, and people-even those against
>the war talk-are tending to overlook the significance of it. NATO is not a
>guarantor of international law, and it is not a humanitarian organization.
>It is a military alliance with one very dominant partner. And it can no
>longer claim to be a defensive alliance against European socialists. It is
>an instrument of military aggression.
>NATO is the organization that is now going to thrust further along the
>40th parallel from the Balkans through the Southern Asian Republics of the
>former Soviet Union. The US military has already taken control of a base
>in Uzbekistan. No one is talking about how what we are doing seems to be a
>very logical extension of a strategy that was already in motion, and has
>been in motion for two decades. Once we recognize the pattern of activity
>designed to simultaneously consolidate control over Middle Eastern and
>South Asian oil, and contain and colonize the former Soviet Union,
>Afghanistan is exactly where they need to go to pursue that agenda.
>Afghanistan borders Iran, India, and even China but, more importantly, the
>Central Asian Republics of the former Soviet Union, Uzbekistan,
>Turkmenistan and Tajikistan. These border Kazakhstan. Kazakhstan borders
>Russia. Turkmenistan sits on the Southeastern quadrant of the Caspian Sea,
>whose oil the Bush Administration dearly covets.
>Afghanistan is necessary for two things: as a base of operations to begin
>the process of destabilizing, breaking off, and establishing control over
>the South Asian Republics, which will begin within the next 18-24 months
>in my opinion, and constructing a pipeline through Turkmenistan,
>Afghanistan, and Pakistan to deliver petroleum to the Asian market.
>The BBC was recently told by Niaz Naik, a Pakistani Foreign Secretary,
>that senior American officials were warning them as early as mid-July that
>military action for mid-October was being planned for Afghanistan. In
>1996, the Department of Energy was issuing reports on the desirability of
>a pipeline through Afghanistan, and in 1998, Unocal testified before the
>House Subcommittee on Asia and the Pacific that this pipeline was crucial
>to transport Caspian Basin oil to the Indian Ocean.
>Given this evidence that a military operation to secure at least a portion
>of Afghanistan has been on the table, possibly as early as five years ago,
>I can't help but conclude that the actions we are seeing put into motion
>now are part of a pre-September 11th agenda. I'm absolutely sure of that,
>in fact. The planning alone for operations, of this scale, that are now
>taking shape, would take many months. And we are seeing them take shape in
>mere weeks.
>It defies common sense. This administration is lying about this whole
>thing being a "reaction" to September 11th. That leads me, in short order,
>to be very suspicious of their yet-to-be-provided evidence that someone in
>Afghanistan is responsible. It's just too damn convenient. Which also
>leads me to wonder-just for the sake of knowing-what actually did happen
>on September 11th, and who actually is responsible.
>The so-called evidence is a farce. The US presented Tony Blair's puppet
>government with the evidence, and of the 70 so-called points of evidence,
>only nine even referred to the attacks on the World Trade Center, and

>those points were conjectural. This is a bullshit story from beginning to
>end. Presented with the available facts, any 16-year old with a liking for
>courtroom dramas could tear this story apart like a two-dollar shirt. But
>our corporate press regurgitates it uncritically. But then, as we should
>know by now, their role is to legitimize.
>This cartoon heavy they've turned bin Laden into makes no sense, when you
>begin to appreciate the complexity and synchronicity of the attacks. As a
>former military person who's been involved in the development of countless
>operations orders over the years, I can tell you that this was a very
>sophisticated and costly enterprise that would have left what we call a
>huge "signature".
>In other words, it would be very hard to effectively conceal.
>So there's a real question about why there was no warning of this. That
>can be a question about the efficacy of the government's intelligence
>apparatus. That can be a question about various policies in the various
>agencies that had to be duped to orchestrate this action. And it can also
>be a question about whether or not there was foreknowledge of the event,
>and that foreknowledge is being covered up. To dismiss this concern out of
>hand as the rantings of conspiracy nuts is premature. And there is a
>history of this kind of thing being done by national political bosses,
>including the darling of liberals, Franklin Roosevelt. The evidence is
>very compelling that the Roosevelt Administration deliberately failed to
>act to stop Pearl Harbor in order to mobilize enough national anger to
>enter the World War II.
>I have no idea why people aren't asking some very specific questions about
>the actions of Bush and company on the day of the attacks.
>Follow along:
>Four planes get hijacked and deviate from their flight plans, all the
>while on FAA radar. The planes are all hijacked between 7:45 and 8:10 AM
>Eastern Daylight Time.
>Who is notified?
>This is an event already that is unprecedented. But the President is not
>notified and going to a Florida elementary school to hear children read.
>By around 8:15 AM, it should be very apparent that something is terribly
>wrong. The President is glad-handing teachers.
>By 8:45, when American Airlines Flight 11 crashes into the World Trade
>Center, Bush is settling in with children for his photo ops at Booker
>Elementary. Four planes have obviously been hijacked simultaneously, an
>event never before seen in history, and one has just dived into the worlds
>best know twin towers, and still no one notifies the nominal Commander in
>Chief.
>No one has apparently scrambled any Air Force interceptors either.
>At 9:03, United Flight 175 crashes into the remaining World Trade Center
>building. At 9:05, Andrew Card, the Presidential Chief of Staff whispers
>to George W. Bush. Bush "briefly turns somber" according to reporters.
>Does he cancel the school visit and convene an emergency meeting? No.
>He resumes listening to second graders read about a little girl's pet
>fucking goat, and continues this banality even as American Airlines Flight
>77 conducts an unscheduled point turn over Ohio and heads in the direction
>of Washington DC.
>Has he instructed Chief of Staff Card to scramble the Air Force? No.
>An excruciating 25 minutes later, he finally deigns to give a public
>statement telling the United States what they already have figured out;
>that there's been an attack by hijacked planes on the World Trade Center.
>There's a hijacked plane bee-lining to Washington, but has the Air Force
>been scrambled to defend anything yet? No.
>At 9:30, when he makes his announcement, American Flight 77 is still ten
>minutes from its target, the Pentagon.
>The Administration will later claim they had no way of knowing that the
>Pentagon might be a target, and that they thought Flight 77 was headed to
>the White House, but the fact is that the plane has already flown South
>and past the White House no-fly zone, and is in fact tearing through the
>sky at over 400 nauts.
>At 9:35, this plane conducts another turn, 360 degrees over the Pentagon,
>all the while being tracked by radar, and the Pentagon is not evacuated,
>and there are still no fast-movers from the Air Force in the sky over
>Alexandria and DC.

>Now, the real kicker: A pilot they want us to believe was trained at a
>Florida puddle-jumper school for Piper Cubs and Cessnas, conducts a
>well-controlled downward spiral, descending the last 7,000 feet in
>two-and-a-half minutes, brings the plane in so low and flat that it clips
>the electrical wires across the street from the Pentagon, and flies it
>with pinpoint accuracy into the side of this building at 460 nauts.
>When the theory about learning to fly this well at the puddle-jumper
>school began to lose ground, it was added that they received further
>training on a flight simulator.
>This is like saying you prepared your teenager for her first drive on I-40
>at rush hour by buying her a video driving game. It's horse shit!
>There is a story being constructed about these events. My crystal ball is
>not working today, so I can't say why.
>But at the least, this so-called Commander-in-Chief and his staff that we
>are all supposed to follow blindly into some ill-defined war on terrorism
>is criminally negligent or unspeakably stupid. And at the worst, if more
>is known or was known, and there is an effort to conceal the facts, there
>is a criminal conspiracy going on.
>Certainly, the Bush de facto administration was facing a confluence of
>crises from which they were temporarily rescued by this event. Whether
>they played a sinister role or not, there is little doubt that they have
>at the very least opportunistically pounced on this attack to overcome
>their lack of legitimacy, to shift the blame for the encroaching recession
>from capitalism to the September 11th terror attack, to legitimize their
>pre-existing foreign policy agenda, and to establish and consolidate
>repressive measures domestically and silence dissent. In many ways,
>September 11th pulled the Bush cookies out of the fire.
>And given them the green light to begin constructing a long-term scenario
>within which to establish fascist control measures at home and abroad as
>a citadel for the ruling class in the catastrophic conjuncture that we are
>entering based on the end of oil.
>This elephant in the living room is being studiously ignored. In fact, the
>domestic repression has already begun, officially and unofficially. It's
>kind of a latter day McCarthyism. I participated in a teach-in at Chapel
>Hill, North Carolina, on the 17th of September, and though not a single
>person on the panel excused or justified the attacks, and every person
>there offered either condolences and prayers for the victims, we were
>excoriated within two days as "enemies of America." Yesterday an op-ed
>called for my deportation (to where, one can only guess). Now Herr
>Ashcroft is fast tracking the biggest abrogation of US civil liberties
>since the so-called anti-terrorism legislation after the Oklahoma City
>bombing - which by the way hasn't resulted in anti-terrorism but in the
>acceleration of the application of the racist death penalty. The FBI has
>defined terrorist groups not by whether any given group has ever acted as
>terrorists, but by their beliefs. Some socialists and anti-globalization
>groups have already been identified by name as terrorist groups, even
>though there is not a single shred of evidence that they have ever
>participated in any criminal activity. It reminds me of the Smith Act that
>was finally declared unconstitutional, but only after a hell of a lot of
>people served a hell of a long time in jail for the crime of thinking.
>I think this also points to yet another huge problems that the Bush regime
>was facing. Worldwide resistance to the whole so-called neoliberal agenda,
>which is a prettied up term for debt-leverage imperialism. While debt and
>the threat of sanctions has been used to coerce nations in the periphery,
>we have to understand that the final guarantor of compliance remains
>military action. For a global economic agenda, there is always a
>corresponding political and military agenda.
>The focal point of these actions in the short term is Southern Asia, but
>they have already scripted this as a worldwide and protracted fight
>against terrorism.
>It's far better than drug wars as a rationalization, and the drug war
>thing was being discredited in any case. Leftists are regaining power and
>popularity in Venezuela, El Salvador, Nicaragua, Ecuador, Colombia, the
>Dominican Republic, Haiti, Brazil, and Argentina. Cuba has gained immense
>prestige over the last few years. The empire is beginning to unravel. We
>can hardly justify intervention in these places by saying they are not
>towing the economic line by allowing the absolute domination of their

>societies by transnational corporations. That exposes the agenda. So we
>simply claim they are supporting terrorism.
>It's for all these reasons I say the left has missed the boat on this one,
>by allowing them to get away with rushing past the question of who did
>what on September 11th. If the official story is a lie, and I think the
>circumstantial case is strong enough to stay with this question, then we
>really do need to know what happened. And we need to understand concretely
>what the motives of this administration are.
>And we need to understand more than just their immediate motives, but
>where the larger social forces that underwrite our situation right now are
>headed. I do not think this administration is engaged in the deliberative
>process of a political grouping that is on top of their game. They are
>putting together some very deliberative technical solutions in response to
>a larger situation that it slipping rapidly out of their control. Like
>clear cutting. There's a very smart technology being employed to do a very
>dumb thing.
>What they are responding to is not September 11th, but the beginning of a
>permanent and precipitous decline in worldwide oil production, the
>beginning of a deep and protracted worldwide recession, and the unraveling
>of the empire.
>This brings me to a point about what all this means for Americans'
>security, which they are perfectly justified to worry about. The actions
>being prepared by this administration will not only not enhance our
>security, it will significantly degrade it. Military action against many
>groups across the globe, which is what the administration is telling us
>quite openly they are planning to do, will put a lot of backs against the
>wall. That can't be very secure.
>The concept of war being touted here is a violation of the principles of
>war on several counts, and will inevitably lead to military catastrophes,
>if you're inclined to view this from a position of moral and political
>neutrality.
>And the people who are now in possession of half the world's remaining oil
>reserves are subject to destabilization for which we can't even pretend to
>predict the consequences-but loss of access to critical energy supplies is
>certainly within the realm of possibility. Worst of all, we will be
>destabilizing Pakistan, a nuclear power in an active conflict with its
>neighbor, and we will be provoking Russia, another nuclear power. The
>security stakes don't get any higher, and Americans can ill afford to
>ignore nukes.
>And I think that this domestic agenda is a tremendous threat to the
>security of anyone who is critical of the government or their corporate
>financiers, and we already know that the real threats are against
>populations that can easily be scapegoated as the domestic crisis deepens.
>There is a very real threat right now of creeping fascism in this country,
>and that phenomenon requires its domestic enemies. Historically those
>enemies have included leftists, trade unionists, and racially and
>nationally oppressed sectors. This whole "state of emergency" mentality is
>already being used to quiet the public discourses of anti-racism, of
>feminism, of environmentalism, and of both socialism and anarchism. And
>while there is token resistance by officials to anti-Muslim xenophobia,
>the stereotypical images have saturated the media, and the government is
>already beginning to openly re-instate racial profiling. It is only a
>short step from there to go after other groups. We have long been prepared
>by the ideologies of overt and covert racism, and racism as both
>institution and corresponding psychology in the United States is nearly
>intractable.
>It's for all these reasons that I say emphatically that we can not accept
>anything from this administration; not their policies nor their bullshit
>stories. What they are doing is very, very dangerous, and the time to
>fight back against them, openly, is right now, before they can consolidate
>their power and their agenda. Once they have done that, our job becomes
>much more difficult.
>The left, if it has the capacity to self-organize out of its oblivion,
>needs to understand its critical roles here. We have to play the role of
>credible, hard-working, and non-sectarian partners in a broader
>peace-movement. We have to study, synthesize, and describe our current
>historical conjuncture. And we have to prepare leadership for the decisive

>conflict that will emerge to first defeat fascism then take political power.

>Rosa Luxemburg's words are truer than ever right now. We are not faced

>with a choice between socialism and capitalism, but socialism or barbarism.

>And what we can least afford are denial and timidity.

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02 4 Gefallene Im Großen Widerstand

von: Revolutionäre Volksbefreiungsfront <press@dhkc.org>

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4 Gefallene Im Großen Widerstand

Unsere, Mit 72 Gefallenen Größer werdende Rechnung

Der Widerstand Jener, Die sich für eine unabhängige Türkei anstelle von der Amerikanischen Regierung aussprechen

Der Marsch der Patrioten gegen die Landesverräter

DIE PATRIOTEN DIE SICH IM WIDERSTAND FÜR BROT UND GERECHTIGKEIT BEFINDEN
WERDEN SIEGEN

Zeynep Arikant Gülbag, die genau 343 Tage lang die Worte "Für unser Volk, das bisher kein Glück erfahren konnte..." auf ihrem Stirnband trug, hat sich am 27. September in Armutlu zu den Helden unseres unbesiegbaren Volkes begeben. Ali Rıza Demir ist auf seinem Marsch, den er am 20. Oktober 2000 mit den Worten "Wir werden die Volksfeinde, Imperialisten und ihre Kollaborateure daran hindern, unser Volk auszubeuten und unser Land Stück für Stück zu verkaufen" angetreten hat, am 27. September, den 343. Tag des Widerstands in Armutlu unsterblich geworden.

Ayşe Bastımur krönte ihren Kampf, den sie opferbereit mit den Worten "Wir werden auf den Böden unseres Landes Welle für Welle zur Freiheitshoffnung werden" aufnahm, am 28. September, den 342. Tag ihres Widerstands in Ankara mit ihrem Martyrertum.

Özlem Durakcan ist in ihrem Widerstand, den sie vor 74 Tagen mit den Worten "Ich bin gegen Ungleichheit, Ausbeutung, Ungerechtigkeit, ich will ein Land in dem man menschlich leben kann" begonnen hat, am 28. September in Ankara gefallen.

Die Karawane zieht mit 4 Gefallenen in zwei Tagen weiter. Der Kampf gegen die Tyrannei der Pro-Amerikaner setzt sich gnadenlos fort.

Zeynep, Ali Rıza und Ayşe... Sie sind KämpferInnen der 1. Todesfastengruppe, unsere drei Helden und Herzen, die Massaker, Unterdrückung, Folter, Bestechung und Zeit nicht von ihrem Weg abbringen konnten.

Özlem... das junge Herz der Verantwortung, eine junge Anhängerin des TAYAD, die ihr Leben denen gewidmet hat, die sich der Unterdrückung widersetzen.

Zeynep, Ali Rıza und Ayşe waren WiderstandskämpferInnen der 1.

Todesfastengruppe. Sie wurden freigelassen. Sie haben nicht einmal für einen Moment an Verrat gedacht. Sie haben nicht gezögert. Sie haben auf das Gesicht des Verrats gespuckt, der über unsere Leichen gehend zum Vorschein trat, und ihren Weg fortgesetzt. Drei Fäuste prallten eine nach dem anderen auf das Gesicht des Verrats aus dem alles Leben gewichen ist.

Mit 4 Rosen haben wir die Brust der Unterdrückung mitsamt ihrer Kugel geschlagen. Während unser in einem Atemzug fortgesetzter Widerstand bald 1 Jahr vollendet hat, ist aus unseren Gefallenen mittlerweile ein Berg entstanden. Wir haben genau 72 Leben gegeben in diesem Kampf. Wir sind 72 Mal gestorben, seitdem die Oligarchie gegen das Volk der Türkei einen Krieg eröffnet hat.

In diesen 344 Tagen sind wir genau 72 Mal gestorben, aber die Hand des Widerstands hat nicht ein einziges Mal gezittert. Nicht ein einziges Mal konnten sie in die Knie gezwungen werden.

Die Geschichte ist nicht müde geworden, weiterhin unsere Heldenepen niederzuschreiben. Anatolien wurde durch unseren Schrei der Rebellion, der sich gegen die Tyrannei von seinen Böden erhebt, geehrt. Es hat die Namen unserer Helden mit rotem Stirnband an der Seite der würdevollsten Kinder einer tausende Jahre existierenden Menschheitsgeschichte verewigt.

DIE REGIERUNG MUSS VON IHRER ILLUSION UND IHREN LÜGEN ABWEICHEN

Den Krieg, den Amerika zur Stabilisierung seines Imperiums mit der Lüge "gegen den Terror" begonnen hat als Gelegenheit nutzend, hat sich die Oligarchie noch intensiver an Lügen wie "Das Todesfasten wird vom Ausland gelenkt" geklammert, um ihren mörderhaften Charakter legitim zu zeigen.. Wie bedauernswert.

Was gestern die lügnereischen Minister und Regierungen gesagt haben, wird heute schamlos und ungeniert vom heuchlerischen General Yasar Büyükanit nachgeplaudert.

Wir verkünden der ganzen Welt ein weiteres Mal; ihr sucht die Führungszentrale des Widerstands?

Das Zentrum des Widerstands, sein Stützpunkt, die ihn Leitenden und Ausführenden sind unsere Menschen, die den Tod in Kauf genommen haben.

Ihr könnt mit Euren Lügen nicht den Widerstand brechen, sondern Euch damit lediglich vor der ganzen Welt lächerlich machen.

Die Gefangenen haben dies mit den Worten "Selbst wenn ein Einziger von uns zurückbleibt, wird der Widerstand andauern" erklärt.

Es ist eine Illusion, auf das Ende des Widerstands zu warten, ohne daß die Forderungen erfüllt wurden.

Es ist eine Illusion zu erwarten, daß uns Zeit, Unterdrückung und Tod einschüchtern.

Gebt diese Illusion auf. Akzeptiert die Forderungen der Gefangenen ehe ihr eure Schuld und die Wut vergrößert.

Stoppt die Isolation.

Die 7. Todesfastengruppen, die am 26. September den Widerstand begonnen haben, sind der Beweis für die Entschlossenheit und dafür, wie brennend und unverzichtbar die Forderungen sind.

Allein die 4 Helden, die innerhalb von zwei Tagen gefallen sind, geben den besten Beweis dafür ab, daß der Widerstand einen großen Preis in Kauf nimmt.

Jene, die immer noch darauf warten, daß der Widerstand von selbst endet, sind entweder schwer von Begriff oder leben nicht in diesem Land.

WIR LEISTEN WIDERSTAND GEGEN DIE TYRANNEI DER PRO-AMERIKANISCHEN REGIERUNG

Diese Regierung hat weder mit dem Volk noch mit dem Land irgendetwas zu tun.

Das Volk ist hungig, arm, arbeitslos, mit Ausnahme einer Handvoll

Kollaborateure will niemand die Böden unseres Landes an das Amerikanische Imperium verschenken. Das Land ist zur Hölle geworden, aber das kümmert die Regierung überhaupt nicht.

Sie sagen "Volle Unterstützung an Amerika" und nichts weiter.

DIESE REGIERUNG EXISTIERT LEDIGLICH FÜR DIE INTERESSEN DES AMERIKANISCHEN IMPERIUMS.

Sie haben die Führung des Landes den Konsulen der USA und dem IMF ausgehändigt.

Der amerikanische Außenminister klatscht in die Hände und sie begeben sich Hals über Kopf in die USA. Sie sagen "Wir stehen bedingungslos in Eurem Befehl".

Das arme Volk des in einen Feuerherd verwandelten Anatoliens ruft "WIR SIND HUNGRIG", doch sie drehen sich nicht einmal nach ihm um.

Die Knechtschaft hat eine derartige Dimension angenommen, Bush spricht von "Kreuzzügen" und diese Regierung korrigiert ihn "es handelt sich um ein Mißverständnis". Die ganze Welt kritisiert Bush, aber diese Regierung gibt kein Wort von sich.

Diese Regierung sagt nur: "Völlige Unterstützung an Amerika". Diese Regierung will unser Land zu einem Bundesland Amerika's machen!

WIR WERDEN DIES NIEMALS ZULASSEN!

Kann das Amerikanische Imperium ein Volk, aus dem 4 Helden im gleichen Zeitraum wie ein Messer auf die Brust der Unterdrückung einstechen, zu seinem Untertanen machen?

Solange dieses Volk Helden wie diese hervorbringt, sich Hunderte von Freiheitskämpfern für Brot und Gerechtigkeit mit Aufopferungsgeist schmücken; können jene, die eine Operation zur Eroberung der Welt beginnen und sagen, daß Systeme, die auf Egoismus, Profit, Lügen, Plünderung, Raub, Ausbeutung und Massaker aufgebaut sind "die überlegenste Zivilisation sind", sowie deren Kollaborateure in unserem Land das Volk nicht zur Ergebung zwingen.

Unser Widerstand ist der Widerstand des nicht kapitulierenden Volkes.

Unser Widerstand ist der Widerstand der Patrioten gegen den Landesverrat.

Unser Widerstand ist das unzerbrechliche Monument der Losung "Unabhängige

Türkei" gegen die pro-amerikanische Regierung. Unser Widerstand ist gegen das Unterdrückungs- und Ungerechtigkeitsystem des US-Imperiums und seiner Kollaborateure, die einen Krieg ansagen, um auf der Welt keine einzige oppositionelle Kraft übrigzulassen. Als die Oligarchie zusammen mit dem IMF dem Volk den Krieg erklärt und als wichtigen Teil dessen die F Typ Gefängnisse an die Tagesordnung gebracht hat, stellten wir ihr unseren Widerstand entgegen; heute, wo Amerika allen unterdrückten Völkern der Welt den Krieg erklärt, geben wir unsere Antwort im Widerstand.

Wir verkünden der ganzen Welt, daß der Pro-Amerikanismus auf diesem Boden keine Ruhe finden wird. Unser Todesfastenwiderstand ist ein prunkvolles Manifest aller dem Volk angehörenden Werte gegenüber der pro-amerikanischen Kultur. Genau dann, wenn die Pro-Amerikaner denken, daß sie alle Gehirne mit der amerikanischen Kultur beschmutzen konnten; explodieren wir wie ein Vulkan, aus dessen Lava Geschwisterlichkeit, Solidarität, gegenseitige Unterstützung, Genossenschaftlichkeit, Opferbereitschaft, Liebe zum Volke und zur Heimat sprüht. Wir zerschmettern und verwischen den Schmutz des Egoismus, der Fäulnis und der Unmoral in ihren Köpfen.

DER KAMPF IST EIN KAMPF UM BROT

DIE FORDERUNG UNSERES VOLKES IST BROT UND GERECHTIGKEIT

Das amerikanische Imperium läßt die Weltvölker ohne Brot und Gerechtigkeit. Die Oligarchie der Türkei läßt ihr Volk ohne Brot und Gerechtigkeit. Diese Regierung bringt lediglich Unterdrückung und Hunger. Unser Volk wurde so weit gebracht, daß es heute nicht mehr imstande ist das trockene Brot, welches es gestern gegessen hat, zu kaufen.

Wie lange kann dieser Hunger, diese Ungerechtigkeit noch mit Tyrannei unterdrückt werden? Wie lange noch können sie die Rebellion der Hungernden und Verarmten mit Polizei und Armee aufhalten? Unser Volk muß sich sättigen. Es gibt keine einzige Kraft in der Welt, die eine solche Forderung unterdrücken kann.

GESCHWISTER! UNSER HUNGRIGES UND ARMES VOLK!

Wir müssen uns gegen das Unterdrückungssystem, welches von der Hilfsregierung des IMF aufgebaut wurde, organisieren. Wir müssen uns für Brot organisieren. Wir müssen uns für Gerechtigkeit organisieren. Wir können nicht ohne Brot und Gerechtigkeit leben.

Die 4 Gefallenen sind ein Aufruf zur Rebellion gegen den IMF, das US-Imperium und die pro-amerikanische Regierung.

Sie sind der Aufruf für ein Land, das nicht vom IMF regiert wird. Wenn wir Brot wollen, dann müssen wir uns vom IMF und seinen Kollaborateuren befreien.

Unser Widerstand ist der Aufruf für ein freies und unabhängiges System, in dem unser Volk in Satttheit lebt.

Wir werden dieses von unseren Gefallenen ersehnte System aufbauen.

UNSERE GEFALLENEN:

Zeynep ARIKAN GÜLBAG:

"Dieses Leben soll ihnen gewidmet sein!"

Im Jahre 1986 lernte sie Anhänger der Dev-Genc kennen. Sie machte einen Schritt vor in den Kampf. Unsere Genossin Zeynep befindet sich heute wie gestern im Kampf. Heute, sowie gestern hat sie auf vielen Gebieten des Kampfes Aufgaben übernommen. Sie war Führerin, Kommandantin. Am Vorabend des letzten großen Gefechts erklärte sie "Ich möchte nicht am Kampf teilnehmen sondern im Kampf ganz vorne stehen", und das ist ihr gelungen. Mit einer Bescheidenheit, die sagt "Ich versuche am 280. Tage des Todesfastens lediglich ein einfacher Soldat des Kampfes zu sein", ist sie als Kommandantin und Symbol der Herausforderung von Zeit und Unterdrückung, der Willensstärke und Entschlossenheit unsterblich geworden. Unsere Genossin Zeynep wurde 1968 in Malatya Hekimhan geboren. Im Kindesalter ist sie mit ihrer Familie nach Istanbul verzogen. Zwischen 1986-87 lernte sie in der Universität zu Istanbul die Anhänger der Dev-Genc kennen. Und sie hat ihren Kampf von 1987 bis 1992 innerhalb von Dev-!

Genc geführt. Während dieser Zeitspanne ist sie mehrmals festgenommen worden. Sie wurde aufgrund eines Protests gegen das Massaker in Maras festgenommen und befand sich für eine Weile im Gefängnis von Bayrampasa. Sie übernahm Aufgaben innerhalb des Dev-Genc- Komitees. Sie arbeitete bei der

Zeitung Mucadele. Mit Kazim Gülbag heiratete sie im März 1992. Die Bedingungen des Kampfes und die organisatorischen Bedürfnisse haben sie nach kurzer Zeit voneinander getrennt. Während sich Zeynep im Gefängnis von Ümraniye im Todesfasten befand, war Kazim Gülbag im Ausland. Er beteiligte sich am Widerstand, indem er seinen Körper in Brand steckte; Er hat seine Verbundenheit und Liebe zu seinen Genossen, seinem Volk und seiner Ehefrau gezeigt, indem er seinen Körper gegen die Unterdrückung einsetzte. Im Jahre 1993 wurde Zeynep seitens der Putschisten angeschossen. Zwischen 1995-96 befand sie sich zwecks Ausbildung auf verschiedenen Gebieten. Von 1996-1997 übernahm sie die Aufgabe als Kommando

ndantin innerhalb der Bewaffneten Propagandaeinheiten in Istanbul. Sie setzte ihre Unterschrift unter Aktionen, bei denen die Volksjustiz gegen Folterer und Mörder umgesetzt wurde. Am 4. August 1997 wurde sie festgenommen und ins Gefängnis gesteckt. Als die Gefängnisse des Typ F an die Tagesordnung kamen, befand sie sich im Gefängnis von Ümraniye. Sie trat ins Todesfasten. Der 19. Dezember, die Folter Zwangsernährung, Bestechung der Freilassung folgten eine nach dem anderen. Sie liebte ihr Volk, war ihren Genossen verbunden und ihren Gefallenen treu. Sie hat nicht gezögert. Sie wurde unsterblich mit dem Glauben an den Sieg.

ALI RIZA DEMIR:

"Ich bin in einer Gemeinschaft, selbstlos und ohne Rücksicht auf den Tod"

Er wurde am 9. November 1973 als Kind einer armen Kurdischen Familie in dem Dorf Adiyaman-Gökçay (Karikan) geboren. Er kannte die Repression und die Unterdrückung aus seinem Dorf. Er war das Kind eines Volkes, dessen Sprache und Kultur verboten war. Nach Abschluß des Gymnasiums in Malatya trat er im Jahre 1991 das Fach Textilingenieurwesen an der Technischen Universität zu Istanbul an. Hier lernte er die Anhänger von Dev-Genc kennen. Er hat ohne zu zögern im organisierten Kampf teilgenommen. Denn er "wollte sein Wissen nicht in den Dienst des Systems stellen". Er war sich darüber bewußt, daß der Kampf gegen den Faschismus organisiertes Revolutionärtum bedeutete. Bis zu seiner Gefangenschaft im Jahre 1994 hat er innerhalb von Dev-Genc unterschiedliche Aufgaben übernommen. Als Kämpfer der 1. Todesfastengruppe im Gefängnis von Ümraniye ist er in seinem langen Rennen, das er mit den Worten "Wir rufen die Stimme unserer Genossen, die aus den Gefängnissen den Aufrufen des Feindes!

'sich zu ergeben' mit 'Wir werden eher sterben, als uns ergeben' antworteten, noch lauter hinaus. Mit unserer Todesfastenoffensive werden wir diese Fahne ein weiteres Mal auf der Festung des Feindes aufpflanzen" begonnen hat, 343 Tage ohne Atempause gelaufen. Er setzte den Widerstand nach seiner Freilassung fort. Seine Gefühle in diesen Tagen hat er folgenderweise zum Ausdruck gebracht: "Heute befinde ich mich innerhalb der großen Familie der Partei-Front, meiner Familie. Ich bin glücklich und stolz. Ich bin gefüllt mit Begeisterung und Freude. Ich befinde mich unter Genossen. Ich bin in einer Gemeinschaft, selbstlos und ohne Rücksicht auf den Tod, ich liebe diese Familie." Diese Familie liebt auch Ihn.

AYSE BASTIMUR:

"Was kann schöner sein als sich der Gewalt zu widersetzen?"

Sie wurde am 24. Januar 1967 in Balikesir-Bigadic als Tochter einer Familie türkischer Herkunft und sunnitischen Glaubens geboren. Sie hat die Volks- und Mittelschule in Bigadic, das Gymnasium für den Medizinberuf in Balikesir abgeschlossen und als Krankenschwester zu arbeiten begonnen. Sie war in verschiedenen Krankenhäusern in Istanbul tätig.

Sie arbeitete in der Türkischen Krankenschwesternvereinigung. Ihre erste Bekanntschaft und Sympathie zu unserer Bewegung begann etwa im Jahre 1985. Ab 1987 nahm sie innerhalb unserer organisierten Zusammenhänge teil. Nach eigenen Worten hat sie das organisierte revolutionäre Leben gewählt "weil sie daran glaubte, die Wahrheit gefunden zu haben". Sie übernahm Aufgaben innerhalb der Organisation der Revolutionären Beamtenbewegung. Im Jahre 1988 wurde sie nach den 1. Mai Demonstrationen inhaftiert und verbrachte zweieinhalb Monate im Gefängnis von Bayrampasa. Nach ihrer Freilassung gab es schließlich eine Ayse die in ihrer Wahl für das Revolutionärtum noch klarer war. Bis zu ihrer Gefangennahme bei der Operation vom 16-17 April 1992 hat sie verschiedene spezielle Aufgaben in unserer Bewegung übernommen. Nach ihrer zweieinhalbjährigen Gefangenschaft in Bayrampasa wurde sie ins

Gefängnis von Canakkale verlegt. Als der Isolationszellen-Angriff an die Tagesordnung kam, nahm sie in der 1. Todesfastengruppe im Gefängnis von Canakkale teil. Während sie sich freiwillig meldete erklärte sie: "Was kann es schöneres geben als sich der Gewalt zu widersetzen?" Am 19. Dezember gehörte sie zu denen, die sich der Folter durch Zwangseingriff entgegenstellten. Sie hat die Bestechung durch Freilassung zurückgewiesen und das "rote Band", welches sie auch draußen um ihre Stirn band, nicht abgeworfen. Denn sie hat an den Sieg geglaubt und gewußt, daß das einzige Mittel gegen Unterdrückung der Widerstand war. Dies hat sie in ihren letzten Worten folgendermaßen zum Ausdruck gebracht:

"Wir haben den Weg beschritten um zu siegen. Die Entwicklungen haben einen noch viel stärkeren Willenskampf erfordert als wir erwartet hatten. Ob nun vorbereitet oder unvorbereitet, es war unsere Ehrenpflicht dies in Kauf zu nehmen. Niemand soll daran zweifeln, die Tage unseres Sieges sind ganz nah." Wenn sie auch den Sieg nicht erleben konnte, so sah sie ihn vorher und sagte: "Schon jetzt feiere ich den Sieg unseres Volkes und der Weltvölker".

DEVRYMCY HALK KURTULUP CEPHESY
REVOLUTIONÄRE VOLKSBEFREIUNGSFRONT

Datum: 10. Oktober 2001 Erklärung: 215

Schluß mit der Lüge und Demagogie!
Jede auf Afghanistan abgeworfene Bombe ist der Beweis der Realität!
DIES IST EIN EROBERUNGSKRIEG!

Nach tagelanger Propaganda, Manövern, und Demagogien hat sich die amerikanische Kriegsmaschinerie in Bewegung gesetzt und begonnen, das Volk von Afghanistan zu bombardieren.

Dabei war die Rede von Gerechtigkeit, unendlicher Freiheit und vom Anpassungskrieg; Alles gelogen. Mit diesen Diskussionen soll das Wesen des Angriffs verschleiert werden. Die USA bringen Tod und Hunger nach Asien. Die US-Operation ist ein offener, gegen die Weltvölker gerichteter Terrorangriff.

Dieser Krieg, ist der Krieg der USA um die Weltmacht. Es ist der Krieg um das Imperium.

Deshalb wird Afghanistan bombardiert. Deshalb werden Länder, Völker, Organisationen bedroht.

Schluß mit der Lüge und Demagogie!
Die USA Können Nicht Bestimmen, Wie Die Weltvölker Zu Leben Haben!
Die USA erklären 'Taliban wird dafür bezahlen, daß er nicht mit uns kollaboriert', und sagen damit ganz offen, wir werden dein Land in Schutt und Asche legen. Sie sagen 'Mir gefällt dein Regime nicht, ich werde es ändern'. Wo bleiben hier Demokratie, internationales Recht und Gerechtigkeit? Nichts davon ist zu sehen. Es ist absoluter Terror. Sie wechseln die Führungen: Um sie auszutauschen morden sie; die Überlebenden werden Armut und Hunger ausgesetzt, ohne ein Glas sauberes Wasser zu haben in Flüchtlingslager gesperrt. Wodurch wollen sie denn die Führung ersetzen, während sie mit Bomben und Raketen alles niederbrennen und massakrieren. Sie sagen "Hier habt ihr einen König!".

Die Realität: Jede Abgeworfene Bombe Dient Den Interessen Der Monopole. Das ist die imperialistische Demokratie. In der imperialistischen Demokratie gibt es keine Prinzipien; ihr einziges Prinzip sind die Interessen der Monopole. Hierfür verteidigt sie auch die Monarchie und führt Militärputsche durch. War es nicht sie selbst, die Taliban an die Regierung gebracht hat? Damals stellten die Lebensweise von Taliban und sein Regime kein Problem für Amerika dar. Denn die damaligen Interessen der Monopole lagen darin, die UdSSR-nahe Regierung in Afghanistan umzustürzen. Es war für die USA zu keiner Zeit bedeutend, ob der Charakter des Regimes in Afghanistan oder das eines anderen Landes demokratisch ist oder nicht; das entscheidende ist für die USA, ob es sich dem Amerikanischen Imperium beugt oder nicht. Wenn es sich beugt, ist es ein gutes, wenn nicht dann ist es ein schlechtes Regime, das ausgetauscht werden muß. Das Amerikanische Imperium

will den letzten Bissen des Volkes, die letzten Überreste der nationalen Willenskraft vernichten. Dies ist das Ziel des Eroberungskrieges. Sein Ziel ist; sich die ganze Welt untertänig zu machen.

Afghanistan Ist Die Tür Zur Eroberung Asiens

Die Hauptverantwortung für alle Gewalt auf der Welt trägt der US-Imperialismus, welcher der Welt sein Imperium aufzwingt. Er macht sich mit dem Vorwand Bin Ladin zu schnappen über die ganze Welt und die Völker lustig. Dies ist eine Operation zur Eroberung, mit der die Märkte Asiens und die Welt erbeutet werden sollen.

Das Imperium führt daran vorbei, den Mittleren Osten, den Balkan und Asien zu erobern. Der Angriff der mit Irak begann und mit Jugoslawien fortgesetzt wurde, richtet sich nun gegen Afghanistan. Weil dem so ist, haben die USA von Beginn an von einer langen Dauer dieses Krieges gesprochen; es ist wahrhaft nicht leicht, Asien und die Welt zu erobern. Der Asiatische Markt, der große Chinesische Markt, die ehemaligen Sowjetländer blenden die imperialistischen Monopole. Die Kriegsmaschinerie Amerikas hat sich in Bewegung gesetzt, um die Erdöllager in diesen Regionen zu beschlagnahmen. Dies ist der ganzen Welt bekannt. Schluß mit der Lüge und Demagogie. Der Angriff auf Afghanistan ist der größte und sichtbarste Zustand der imperialistischen Gewalt.

NATO, EU, UN Haben Sich An Amerika Festgeklammert!

Die USA haben damit begonnen, ihren Plan, Afghanistan zu bombardieren und sich von dort aus in ganz Asien auszubreiten in die Praxis umzusetzen. Die USA erklärten den anderen Imperialisten gegenüber, daß sie dies mit oder ohne ihre Beteiligung tun werden. Die EU hat sich beteiligt, um nicht ein Außensteher dieser Ausbeutung und Plünderung zu sein. So war dies schon beim Angriff auf Irak und Jugoslawien.

Die anderen Imperialisten besitzen weder die Kraft, dies zu verhindern noch die Vorreiterrolle zu übernehmen. Innerhalb dieses Kräftegleichgewichts, haben die USA NATO, EU und UN benutzt, um ihren Angriff zu legitimieren und die NATO den Beschluß fassen lassen, Artikel 5 in Anwendung zu bringen. Den Angriff führen sie im Grunde mit ihren eigenen Kräften durch.

Die Quelle Der Gewalt Ist Amerika Und Sein System.

Die gesamte Geschichte der USA ist gefüllt mit Massakern, Besetzungen, dunklen Geschäften, Attentaten, Komplotten. Sind nicht auch Taliban und Bin Laden, gegen die heute der Krieg geführt wird, jene Kräfte, die mit Unterstützung der USA ins Leben gerufen wurden?

Es sind die USA, die Militärputschs durchführen und Konterguerillaorganisationen aufbauen. Speziell für die Massaker und Militärjuntas, die vom 2. imperialistischen Verteilungskrieg bis in die Gegenwart verwirklicht wurden tragen die USA die Hauptverantwortung. Dieses System wurde für die Ausbeutung und Plünderung der Monopole aufgebaut. Die Bomben sind dessen offenste Erscheinung. Neben jenen, die durch Hunger und Armut getötet werden, stellen die durch Bomben Ermordeten nur einen geringen Anteil dar. Kapitalismus tötet durch Hunger. Dutzende von Institutionen veröffentlichen Statistiken. Die Weltvölker HUNGERN! Und wer läßt sie hungern?

Brot und Gerechtigkeit ist das Recht aller Völker. Wer dieses Recht raubt, ist auch verantwortlich für jede Form von Gewalt. Auf diese Weise wird Gewalt produziert. Den Kindern, die im Kugelhagel aufwachsen und den Völkern die inmitten von Bomben, Raketen und Hungersnot leben müssen, bleibt keine andere Wahl als für Brot und Gerechtigkeit Widerstand zu leisten und zu kämpfen.

Die Völker Besitzen Widerstandskraft Gegenüber Den Besetzern!

Auch die Völker, deren Brot und Gerechtigkeit geraubt werden sagen gegenüber diesem Zwang; 'wir entscheiden selbst, wie wir zu leben haben; auch wir haben das Recht zu regieren. Um dieses Recht in Anspruch zu nehmen, ist es auch unser legitimes Recht Widerstand zu leisten'.

Der Zorn der Weltvölker auf die USA ist nun noch größer geworden. Diese Wut wird sich in ganz unterschiedlichen Formen gegen die USA wenden.

Auch die Behauptung, die ganze Welt stünde auf der Seite der USA ist ein Teil der Demagogie. Es hat nicht allzugroße Bedeutung, ob so und so viele

>From: "Steve Palmer" <spalmer@oberon.ark.com>
>Subject: World's People Say "No" To War
>List-Post: <mailto:peacenowar@lists.riseup.net>
>List-Owner: <mailto:peacenowar-request@lists.riseup.net>
>List-Archive: <http://lists.riseup.net/www/arc/peacenowar>

> > -----

> > World's People Say "No" To War

> >
> > A simultaneous international poll conducted by Gallup International
> > <www.gallup-international.com/terrorismpoll_figures.htm>
> > provides a surprising picture of the world's people in substantial
> > agreement with one another, while world leaders are distinctly
> > out-of-step with a more militaristic attitude. Concerns about the
> > economic future and the impact of US foreign policy were also
> > investigated.

> >
> > In the US corporate media, virtually all discussion of responding to
> > the terrorist attacks of September 11 is phrased in military terms.
> > However, there's another alternative: responding to it as what it
> > actually is, a crime against humanity. Taking the approach of
> > international law has barely been mentioned in the corporate media,
> > yet 30% of Americans support this option, compared to 54% who support
> > a military response (with 16% undecided), according to a Gallup poll
> > conducted last week.

> >
> > It seems quite likely that a majority of Americans would support the
> > international law approach, if only they heard it talked about
> > seriously, had it explained, and heard its pro's and con's contrasted
> > with those of a military response. As it is, the US is one of only 3
> > countries out of 35 surveyed by Gallup International in which more
> > people favor a military approach. The other two, Israel and India,
> > both have experienced decades of conflict with Islamic neighbors and
> > are far more militaristic in their response.

> >
> > Elsewhere, landslide majorities favor a non-military approach.
> > Support for a non-military approach ranges from 67% to 88% among
> > NATO/Western European nations, from 64% to 83% among Eastern European
> > nations, and from 83% to 94% in Latin America.

> >
> > This held true even in countries with the highest levels of support
> > for military action. In Western Europe, France and the Netherlands
> > show the strongest support for a military approach, but this position
> > is outnumbered by 2-to-1. In Eastern Europe, the 22%-64% breakdown in
> > the Czech Republic is nearly 3-1 against a military response. In
> > Latin America, Ecuador's 19%-83% breakdown is over 4-1 against
> > military action.

> >
> > In short, aside from the US, Israel and India, the overwhelming
> > majority of people around the world favor treating this terrorist act
> > as the crime it is, rather than the act of war the terrorists want it
> > to be.

> > -----

> > Anti-war resources:

> >
> > <http://www.actionla.org/S11/>
> > <http://www.warisnottheanswer.org/>
> > <http://www.9-11peace.org/>
> > <http://pax.protest.net/>
> > <http://www.s29.org/>
> > <http://www.alternet.org/issues/index.html?IssueAreaID=26>
> > <http://www.sfbg.com/News/altvoices.html>
> > <http://www.peacefuljustice.cjb.net/>
> > <http://www.warresisters.org/attack9-11-01.htm#things>
> > <http://www.legitgov.org/peaceprotests.html>
> > <http://www.igc.org/inkworks/www/downloads.html>

- > > <http://groups.yahoo.com/group/studentsnowar/files>
- > > <http://www.honoringourhumangoodness.homestead.com/>
- > > <http://www.peaceflags.org>
- > > <http://www.mwaw.org>
- > > <http://www.stopworldwar3.com/>

>
> -----

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04 Wochentliche ATTAC-Info (41. Woche)
von: ATTAC Österreich, infos@attac-austria.org
=====

1. Erfolg der Aktionen zum Thema Steueroasen am 5. und 6. Oktober
2. 15.10. Attac Treffen Salzburg
3. 19.10. Terminerinnerung Reichtumskonferenz
4. 5.11. Gründung Attac Kärnten
5. 6.11. Start unseres monatlichen ForumAttac in Wien
6. 10.11. WTO Konferenz in Linz
7. 10.11. Ein Jahr ATTAC - Geburtstagsparty ebenfalls in Linz

1. STEUEROASE AKTION im Graben

War ein Erfolg! Nicht nur österreichische Medien waren interessiert, sondern auch internationale (z.B. Reuters). Fotos von unserer Steueroase könnt ihr nicht nur auf unserer Homepage <http://www.attac-austria.org/fotos/oase/oase.php> bewundern, sondern auch in verschiedenen Medien (z. B: Standard und Kurier vom 6.10, Profil 8. Oktober). Weiters gab es eine internationale Aktion in Luxemburg, viele AktivistInnen waren dort, die Infostände wurden gut besucht, Fotos unter www.attac.org/luxembourg.

Der Terror-Anschlag vom 11. September hat die Diskussion über Steueroasen und Geldwäsche ins Licht der Öffentlichkeit gerückt. So ist in der heutigen Ausgabe der Süddeutschen Zeitung ist das Thema des Tages "Konten sperren statt Krieg führen" und in der Einleitung ist zu lesen: ... "Terroristen nutzen offenbar oft dieselben Strukturen im internationalen Finanzsystem wie Geldwäscher. Sie eröffnen zum Beispiel Bankkonten von Scheinfirmen in Geldwäsche-Paradiesen, um Spuren zu verwischen. Die Arbeit der Ermittler wird in beiden Fällen durch die Existenz anonymer Konten erschwert.... Der ganze Text ist zu lesen auf: http://szonnet.diz-muenchen.de/REGIS_A13152257

2. Attac Treffen in Salzburg

Am 15. 10. um 18.30 ist im Salzburger Brunauerzentrum das erste Herbsttreffen. Dabei sollen die inhaltlichen Schwerpunkte festgelegt werden und über bereits konkret geplantes diskutiert werden. InteressentInnen kontaktieren Robert Müllner: auge.sbg@demut.at

Die Salzburger ATTAC-Gruppe ist Mitorganisatorin der Veranstaltungsreihe (9.11., 19.11., 7.12.) zum Thema: Seattle-Salzburg-Genua. Globalisierungsprotest und die Gewaltfrage des Salzburger Friedensbüros. Die erste prominent besetzte Veranstaltung findet am 9.11. um 18.00 h statt. Weitere Informationen folgen und sind in Kürze auf der Seite von ATTAC-Salzburg zu lesen.

3. Terminerinnerung: Reichtumskonferenz

Am 19./20. Oktober 2001 findet die Reichtumskonferenz mit einem spannenden Programm statt, ATTAC ist Mitorganisator. Das Programm findet ihr auf <http://www.attac-austria.org/termine/reichtumskonferenz.php>, Anmeldung und Infos bei: armutskonferenz@akis.at

4. Gründung von ATTAC - Kärnten

Am 5. November ist es auch in Kärnten soweit! ATTAC Kärnten wird gegründet. Und zwar im Rahmen einer Veranstaltung (u.a. mit Bischof Herwig Sturm "Die Welt- ein Casino? Ethische Problem unter dem Einfluss der Finanzmärkte") um 19.00 im Gemeindezentrum St.Ruprecht, in der St. Ruprechterstraße in Klagenfurt. Genauere Details werden nächste Woche bekanntgegeben.

InteressentInnen melden sich bei Walther Schütz: buendnis.oeie@aon.at

5. ForumAttac startet am 6. November

ForumAttac ist unser neuer, monatlicher Treffpunkt für ATTAC-Mitglieder und Interessierte und solche, die es noch werden wollen. Wirkliche statt virtuelle Kommunikation, Gemütlichkeit statt Aktionsstress, zum Kennenlernen für Interessierte; Informationen zu aktuellen Themen, Aktionen,...in Verbindung mit musikalischen Events (DJ, Jazz, Blues. Wer hat Ideen?) oder einfacher Beisl-Athmosphäre

6. November, 19.00 im Depot (Breite Gasse 3, 1070 Wien, hinter Museumsquartier);

Thema: Informationen zum Thema Welthandelsorganisation (WTO) anlaesslich der Ministerkonferenz in Qatar und der ATTAC-Konferenz in Linz.

Einleitungsstatement: Christian Felber, ATTAC Österreich

6. WTO KONFERENZ, 10. November Linz

In einem Monat ist es wieder soweit! Nach dem Scheitern der letzten WTO Konferenz in Seattle, findet diese Konferenz an einem Ort statt, wo es kein Demonstrationsrecht gibt! (Doha in Qatar vom 9-13. November). Zudem stehen auf der Agenda nicht nur die Bereiche Gesundheit, Bildung oder Wasserversorgung: Auf Initiative der EU-Kommission gelangt das Thema Investitionen auf die Tagesordnung, was voraussichtlich das berüchtigte Investitionsschutzabkommen MAI wiederbelebt. Nicht zuletzt deshalb finden in ganz Europa Kongresse, alternative Gipfel, Demonstrationen, Aktionen... statt, die eine andere Globalisierung fordern. Zudem werden diese Aktionen gegenüber den Medien von SOS-WTO-EU europaweit koordiniert.

Wir sind natürlich auch dabei: Mit dem Kongress zum Thema "Die Welt ist keine Ware - Qatar/Linz 2001" am 10. November in Linz (Volkshaus Dornach) den ganzen Tag ab 10.00 gemeinsam mit Greenpeace, Dreikönigsaktion, ÖGB Oberösterreich und anderen Organisationen.

Das Gesamtprogramm mit allen Infos wird am Montag getrennt ausgesandt und ist ab dann auch auf unserer Homepage. Wir freuen uns auf zahlreiche Teilnahme!

Im Anschluss an diese Veranstaltung findet am Abend

7. UNSERE GEBURTSTAGSFEIER

statt: ATTAC Österreich ist 1 Jahr alt geworden und beginnt dieses Fest mit einem Kabarett mit LEO LUKAS: "Herzlichen Glückwunsch"
Ab 22.00 geht's dann weiter mit einer Party mit der Hip-Hop Gruppe Die Schwerversprecher und Mc Semmel
Genaueres ebenfalls am Montag

Liebe Grüße
Euer ATTAC-Team

=====
05 Ende von ABC Luxembourg

Wirtschaft den vorgeformten Produktionsfaktor Mensch in die Hand zu spielen! Bildung ist Menschenrecht und keine Ware zum Verkauf!", so der AKS-Bundesvorsitzende.

Der 11. Oktober ist gleichzeitig der Startschuss der neuen AKS-Kampagne, die unter demselben Motto auf die Missstände in österreichs Schulen und den neo-konservativen Tenor von österreichs Bildungspolitik aufmerksam machen will. "Die gestrige Präsenz der SchülerInnen stellt einen großen Motivationsschub für unsere Arbeit dar. Wir werden weiterhin unserem Unmut Ausdruck verleihen - die Bildungsministerin kann die Anliegen der SchülerInnen nicht ewig ignorieren.", schließt Kowall.

Rückfragehinweis: Niki Kowall 0699/11408142

=====
07 Depot Programm in der Woche 15. bis 19.10.01
von: depot <koestring@depot.or.at>
=====

Sehr geehrte Damen und Herren, liebe FreundInnen und PartnerInnen des Depot,

in der Anlage finden Sie das Programm des Depot für die kommende Woche.

Wir freuen uns auf Ihr Kommen.

Ein wichtiger Hinweis: Die für Donnerstag, den 18. Oktober geplante Veranstaltung "Luxus - Ökonomie. Feministische Wirtschaftsmodelle" der feministischen Medien wurde leider abgesagt.

Depot-Team

Montag, 15. Oktober, 19.00
Bewegte Männer
Rosa Logar im Gespräch mit Erich Lehner und Stephan Schulmeister

Ist eine politische Umsetzung der Ziele des Feminismus nur möglich, wenn sie von Frauen vorangetrieben werden? Zum Auftakt einer Depot-Reihe über die Zukunft des Feminismus sitzen unter der Moderation von Rosa Logar zwei Männer auf dem Podium: Erich Lehner und Stephan Schulmeister sprechen über den Stellenwert des Feminismus aus dem Blickwinkel ihrer Disziplinen, über Formationen der Abschottung, über Innen- und Außensicht. Ist die Frauenbewegung mittlerweile eine gesellschaftliche Schutzzone geworden und wie funktionieren im Vergleich dazu Männervereinigungen?

Erich Lehner, Theologe, Männer- und Geschlechterforscher, Ludwig Boltzmann-Institut für Werteforschung, Wien.
Stephan Schulmeister, Österreichisches Institut für Wirtschaftsforschung (WIFO), Wien.
Rosa Logar, Geschäftsführerin der Interventionsstelle gegen Gewalt, Wien.

Dienstag, 16. Oktober, 19.00
Podiumsdiskussion
Elektronische Demokratie?

Unter welchen Bedingungen könnte Online Voting sinnvoll sein und zwar nicht nur, um die technische Durchführung demokratischer Wahlen zu vereinfachen, sondern auch, um die Demokratie zu stärken? Durch die Einbindung der User in Communities und Wahlbörsen könnte sich die Möglichkeit einer höheren Wahlbeteiligung ergeben, wenn der technological gap zwischen Usern und Non-Usern überwunden werden kann.

Die Aktion Vote-Auction (www.voteauction.at) der Gruppe übermorgen,

hat vor einem Jahr für die Wahlprozeduren in den USA eine "Vereinfachung" vorgeschlagen; eine Verbindung von Demokratie und Kapitalismus sollte direkt den WählerInnen zukommen.

Katharina Gsöllpointner, Kunst-, Kultur- und Medientheoretikerin, Wien.
lizvix und hans_extrem, KünstlerInnen der Gruppe übermorgen, Wien.
Gregor Matjan, Politikwissenschaftler, Institut für Politikwissenschaft der Universität Wien.

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Depot
Kunst und Diskussion
1070 Wien, Breitegasse 3

01/522 76 13
depot@depot.or.at
www.depot.or.at

=====
08 INTERFACE EXPLORER 18./19. Oktober 2001 -> 2nd Announcement
von: Martin Wassermair <wassermair@t0.or.at>
=====

|---
VERANSTALTUNGSANKÜNDIGUNG pt.2
Public Netbase Media~Space!
Institut für Neue Kulturtechnologien/t0

|---
| INTERFACE EXPLORER
| Shared Boundaries
|
<http://interface.t0.or.at/>
Ein Public Netbase Event im "Zwischenquartier" mit:
Markus Bader/DE, Jonah Brucker-Cohen/US, Matthew Fuller/UK,
Patricia Futterer/AT, Mieke Gerritzen/NL, Johannes Grenzfurthner/AT,
Graham Harwood/UK, Margarete Jahrmann/AT, Joes Koppers/NL , Christoph
Kummerer/AT, Pär Lannerö/SE, Lev Manovich/US/RU, Max Moswitzer/AT,
Peter Purgathofer/AT, Gebhard Sengmüller/AT, Stijn Slabbinck/BE

|---
18./19. Oktober 2001, jeweils ab 19 Uhr

Die Veranstaltung thematisiert den Umgang mit Interfaces (Deutsch: Verbindung, Schnittstelle, Zwischenstück) und versucht, ihre Vielseitigkeit im Zusammenhang mit neuen Informationstechnologien zu erklären. Dabei beschränkt sich der Blick nicht auf einen theoretischen Diskurs, sondern er sucht auch ganz bewusst einen spielerischen Zugang. Neben der Präsentation einer Reihe von PC- und Web-Interfaces werden auch Arbeiten von KünstlerInnen vorgestellt, die sich diesem Thema auf allgemeinere Art annähern und eigene sowie auch eigenwillige Umsetzungen erarbeiten.

Lev Manovich, ein bedeutender Theoretiker der Neuen Medien, beschreibt

in seinem aktuellen Buch "The Language of New Media" die kulturelle Dimension der digitalen Technologien und die Entwicklung der neuer Mensch/Maschine-Interfaces. Er wird im Rahmen seines Vortrags am 18. Oktober einige Grundlagen des kulturellen elektronischen Interfaces vorstellen und nicht nur Software-Kultur, sondern auch Kultur als Software begreifbar machen.

Am 19. Oktober folgt ein Panelgespräch zum Stand der Entwicklung kultureller Interfaces. ExpertInnen und EntwicklerInnen diskutieren dabei die gegenwärtig vorhandenen Ansätze im Interface Design. Mieke Gerritzen von NL.Design war eine der BegründerInnen des Internationalen Browserday, der vor 4 Jahren erstmals in Amsterdam und zuletzt in New York veranstaltet wurde, um Alternativen zu den bestehenden Web-Browsern aufzuzeigen. Zwei Gewinner der Browserday Awards - Joes Koppers (NL) und Jonah Brucker-Cohen (US) - werden ihre Projekte selbst vorstellen.

Die Künstler Harwood/Fuller beschäftigen sich seit langem mit den sozialen und sozio-kognitiven Aspekten der digitalen Informationsinteraktion. Sie präsentieren mit "TEXT-FM" ein text-to-speech-to-radio Projekt, bei dem über SMS anonyme Mitteilungen von einem Mobiltelefon gesendet werden und ein Computer einen über Sprache vermittelten Informationsaustausch ermöglicht.

Die Präsentationen und Installationen zeigen die Einbeziehung von Audio- und Videosystemen in das elektronische Interface - von Scratchrobot, TimeCodeVinyl, VinylVideo und Climax-Action Bot Concert bis hin zu webgesteuerter Discokugel-Musik und Musical Web-Pads.

| Ausstellung der INTERFACE EXPLORER Installationen bis Freitag,
| 9. November 2001 im Public Netbase Zwischenquartier
Geöffnet: Montag bis Freitag, von 14.00 bis 19.00 Uhr.

| Ort:
| Public Netbase t0 Media~Space!
| Zwischenquartier
| Burggasse 21
A-1070 Wien

| Programminformation:
| Sonja Eismann
| Public Netbase Media~Space!
| Institut für neue Kulturtechnologien/t0
| Museumsplatz 1, Museumsquartier
| A-1070 Wien
|
| Tel. +43 (1) 522 18 34
| Fax. +43 (1) 522 50 58
|
| <mailto:eismann@t0.or.at>
| <http://www.t0.or.at/>

=====
09 In den Fängen des Dr. Gross
von: [augustin <augustin@nexta.at>](mailto:augustin@nexta.at)
=====

In den Fängen des Dr. Gross

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11 Hungerstreik für wirksame Aktionen gegen den Krieg
von: Wolfgang Fischer <global@uumail.de>
=====

Günter Melle hat am 11.10. 2001 mit einem Hungerstreik für den Frieden begonnen. Seine Motive hat er in dem "Aufruf eines Gracchen gegen Krieg, Hunger und Armut für wirksame Aktionen gegen den Krieg" zusammengefasst, für Interessierte zu finden unter:
<http://uuhome.de/global/deutsch/dissidenz03.html>

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Dr.med. Wolfgang Fischer, München

Initiative EMANZIPATION HUMANUM: [<http://humanism-up-to-date.org>]
Entwicklung der Menschheit zur globalen Solidargemeinschaft / The
Development of Humankind into a Jointly Responsible Society / Desarrollo
de la humanidad hacia una solidaridad global

=====
12 Auszüge aus der eben erschienen Ausgabe des "Klassenkampf" Nr. 79
von: Revolutionäre Kommunistische Liga <rkl@leninist-current.org>
=====

Eine neue Runde im Kosovo-Mythos

Slobodan Milosevic: Auf ewig im kollektiven Bewusstsein der Menschen
verankert
Ein Kommentar von Peter Jasow

Die bisherigen deutschen Kommentatoren der Auslieferung von Slobodan
Milosevic haben, soweit mir bekannt, nicht annähernd die Tragweite dessen
erfasst, was es für Serbien heißt, Milosevic ausgerechnet am
Vidovdan/Veitstag nach Den Haag auszuliefern. Damit hat Zoran Djindjic
bewiesen, dass er zu Recht den Beinamen "der Deutsche" trägt, denn wenn wir
den serbischen Maßstab heranziehen, heißt das: Slobodan Milosevic ist damit
ein Heiliger, dessen Name noch in tausend Jahren in einem Atemzug mit Milos
Obilic, Gavrilo Princip und Karadjordje Petrovic genannt werden wird. Zoran
Djindjics Name aber wird neben dem eines Vuk Brankovic für alle Zeit als mit
schwerster Schande bedeckt als Synonym für Verrat stehen.

Ganzer Kommentar von Peter Jasow, Jena
www.leninist-current.org/cgi-bin/ilc/news/view.cgi?category=all&id=999881038

Proteste bei Zastava als Auftakt für soziale Mobilisierung in Serbien?
Interview mit Zivorad Jevtic, Vorsitzender der Gewerkschaft
"Arbeitersolidarität" bei Zastava
www.leninist-current.org/cgi-bin/ilc/news/view.cgi?category=all&id=999881211

Demonstration gegen Auslieferung Milosevic' nach Haag in Wien
www.leninist-current.org/cgi-bin/ilc/news/view.cgi?category=all&id=999883178

Probeexemplare der Zeitschrift "Klassenkampf" können über die Redaktion
bezogen werden:
[www.leninist-current.org/cgi-bin/ilc/news/search.cgi?category=9&keyword= +](http://www.leninist-current.org/cgi-bin/ilc/news/search.cgi?category=9&keyword=)

Revolutionär Kommunistische Liga
Sektion der
Internationalen Leninistischen Strömung
PF 23, A-1040 Wien, Austria
Tel & Fax +43 1 504 00 10
rkl@leninist-current.org
<http://www.leninist-current.org>

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[-top-](#)

Redaktionsschluss: 13. Oktober 2001, 23:00 Uhr
Diese Ausgabe hat [Petra Steiner](#)
zusammengestellt

Fehler moege frau/man mir nachsehen!

[12 excerpts from that evenly appeared expenditure of the "class warfare" No. 79](#)

of: Revolutionary communist league < rkl@leninist-current.org >

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EDITORIAL:

For this expenditure not taken up:
1 contribution (reset)

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Der letzte Widerschrei	
popo.at	3:00
Betazine	2:00
Raketa	22:00
Widerst@nd-	vorgestern
MUND	

Source: www.popo.at

And for next Thursday:
[The legal aid manual](#)

... and which I make
actually approximately
rassisten?
on-line discussion

Editorial
Responsible for contents:
You.
The contributions are
arranged by different
editorship teams.

Further-say please:
For persons without
InterNet entrance there are
current announcements of
date
under the call number 589
30 22 12 (demo forum)

=====

01 The so Called Evidence is A farce
of: Working group the women & the war < arge.frauen@lion.cc >

=====

> tons: peacenowar@lists.riseup.net, [mobilize globally@yahoo.com](mailto:mobilize_globally@yahoo.com),
> mainlinenews@yahoo.com, antinato@topica.com
> From: Enric of < eduran@vvirtual.es >
> Subject: The so Called Evidence is A farce
> cunning Owner: < [mailto:peacenowar request@lists.riseup.net](mailto:mailto:peacenowar_request@lists.riseup.net) >
>
> Excellent article please distribute widely. This is posted RK
> <http://www.narconews.com>
> The so Called Evidence is A farce
> I'm A retired Special Forces master Sergeant. That doesn't CUT much for
> those who wants only accept the opinions OF molders officers on military
> matters, since incoming goods enlisted swine acres assumed tons incapable OF grasping
> the nuances OF doctrine.
> But I wasn't just into the army. I studied and taught military science and
> doctrine. I which A tactics instructor RK the Jungle operation training
> center in Panama, and I taught Military Science RK west POINT. And
> contrary ton the popular image OF what Special Forces of does, SF's mission is
> tons teach. Incoming goods more offer advice and assistance ton foreign forces. That's

- > everything from teaching marksmanship tons of A private tons instructing A
- > Battalion staff on how ton coordinate effective air operation with A
- > sister service.
- > Based on that experience, and operation in eight designated conflict
- > AREAS from Viet Nam ton Haiti, I have ton say the story incoming goods hear on the that
- > news and READ into the new PAPERS is simply emergency believable. The most cursory
- > glance RK the verifiable facts, before, during, and after September 11th,
- > does emergency support the official LINE or conform ton the current act ion OF
- > the United States government.
- > But the official LINE only works if they CAN GET everyone ton accept its
- > underlying premises. I'm emergency RK all surprised about the Republican and
- > Democratic Parties repeating thesis of premises. They of acres simply two factions
- > within A single dominant political class, and both acres financed by the
- > same economic powerhouses. My biggest disappointment, as someone who
- > identifies himself with the left, has been the tacit acceptance OF those
- > premises by others on the left, sometimes naively, and of sometimes ton score
- > some morality POINTS. Those of premises of acres twofold. One, there is the
- > premise that what this in fact administration is doing now is A
- > "response" ton of Septembers 11th. Two, there is the premise that this attack
- > on the World trade center and the pentagon which done by people based in
- > Afghanistan. In my opinion, neither OF thesis is sound.
- > tons of PUT this into perspective incoming goods have tons go bake emergency ton of Septembers 11th, but
- > tons read year or.
- > A one OF limited intelligence, George W. Bush, with emergency-hung more than his
- > name and the behind the scenes pressure OF his powerful father A molder
- > President, ex-director OF cent ral Intelligence, and at oil one is
- > systematically constructed as A candidate, RK tremendous cost. Across the
- > country, subtle and emergency so subtle mechanisms acres PUT into place tons
- > disfranchise A significant fraction OF the Democrat's African American
- > voter cousin. This doesn't come out until Florida of becomes A battleground for
- > Electoral college of votes, and the magnitude OF the story has been
- > suppressed by the corporate media tons this day. In A decision so lacking in
- > legitimacy, the supreme Court wants neither by-LINE the author OF the
- > decision nor allow the decision ton more ever used as A precedent, Bush v.
- > Gore awards the presidency OF the United States ton of A one who loose the
- > popular and loose the vote national popular vote by more over in Florida
- 600,000.
- > This in fact regime then organizes A very interesting cabinet. The Vice
- > President is at oil executive and the molders Secretary OF Defense. The
- > national Security Advisor is A director on the board OF A transnational
- > oil corporation and A Russia scholar. The Secretary OF State is A one with
- > NO diplomatic experience more whatsoever, and the molders Chair OF the joint
- > Chiefs OF Staff. The OTHER interesting appointment is Donald Rumsfeld as
- > Secretary OF Defense. Rumsfeld is the molders CEO OF Searle
- > Pharmaceuticals. He and Cheney were featured as speakers RK the May, 2000,
- > Russian American Business Leaders forum. So the consistent currents in
- > this acres petroleum, the molders Soviet union, and the cabinet military.
- > Based on the records OF Daddy Bush, into all his guises, and the general
- > trajectory OF US foreign policy as far bake as the Carter administration,
- > I feel I CAN reasonably conclude that Middle Eastern and South Asian
- > fossil fuels acres one OF their major preoccupations. Emergency just because this
- > klavern has some very direct financial interests in fossil fuel, but
- > because they surely know that worldwide oil production is peaking as incoming goods
- > speak, and wants soon begin A permanently and precipitous decline that wants
- > completely CHANGE the characters OF civilization as incoming goods know it within 20
- > years. Even the left seems ton in deep denial about this, but the math
- > is available. And, NO, alternative energies and energy technologies wants
- > emergency save US. All the alternative into the world CAN emergency begin ton provide
- > more than A tiny fraction OF the energy cousin now provided by oil. This
- > makes it more than A resource, and the drive ton control what's left more
- > than on economic competition.
- > I conclude that the economic colonization OF the molders Soviet
- > union is probably high on that agenda, and in fact has A powerful synergy
- > with the issue OF petroleum. Russia emergency only holds vast untapped resources
- > that beckon ton imperialism in crisis, it remains A credible military and
- > nuclear more challenger into the region.
- > incoming goods have emergency one, but three members OF the Bush in fact cabinet with

> military credentials, which makes the cabinet look quite A plumb bob like A
> military general Staff. All this way before Septembers 11th.
> Then there's the subject OF the North Atlantic Treaty Organization. NATO
> have expected consignment ton the dustbin OF the Cold might was after the
> Eastern Bloc shattered in 1991. Peace dividend and all that. But it
> didn't. It expanded directly into the molders of states OF the Eastern Bloc
> toward the molders Soviet union, and contributed forces ton the significant
> devastation OF Iraq A key country into the world oil market, more over which
> control of translates into the ability ton manipulate oil of prices.
> NATO is A military formation, and the United States exerts the controlling
> interest in it. It seemed like A form without A function, but it remedied
> that pretty quickly.
> Then when Yugoslavia refused tons play ball with the internationally Monetary
> find, the US and Germany began A systematic campaign OF destabilization
> there, even using some OF the of veteran OF Afghanistan in that campaign.
> NATO became the military OF that poor agenda the BREAK UP OF Yugoslavia
> into compliant statelets, the containment OF the molders Soviet
> union, and the future pipeline easement for Caspian Sea oil ton of Western
> European markets through Kosovo.
> You lake, this is important tons and-purchased, and people even those against
> the was it talc acres tending tons overlook the significance OF. NATO is emergency A
> guarantor OF internationally law, and it is emergency A humanitarian organization.
> It is A military alliance with one very dominant partners. And it CAN NO
> more longer claim ton A defensive alliance against European socialists. It is
> at instrument OF military aggression.
> NATO is the organization that is now going tons thrust along the
> 40th parallel from the of the Balkans through the Southern Asian Republics OF the
> molder Soviet union. The US military has already taken control OF A cousin
> in Uzbekistan. NO one is talking about how what incoming goods of acres doing seems tons A
> very logical extension OF A strategy that which already in motion, and has
> been into motion for two decades. Once incoming goods recognize the pattern OF activity
> designed tons simultaneously consolidate control of over Middle Eastern and
> South Asian oil, and contain and colonize the molders Soviet union,
> Afghanistan is exactly where they need tons go ton pursue that agenda.
> Afghanistan borders Iran, India, and even China but, more importantly, the
> Central Asian Republics of the former Soviet Union, Uzbekistan,
> Turkmenistan and Tajikistan. These border Kazakhstan. Kazakhstan borders
> Russia. Turkmenistan sits on the Southeastern quadrant of the Caspian Sea,
> whose oil the Bush Administration dearly covets.
> Afghanistan is necessary for two things: as a base of operations to begin
> the process of destabilizing, breaking off, and establishing control over
> the South Asian Republics, which will begin within the next 18-24 months
> in my opinion, and constructing a pipeline through Turkmenistan,
> Afghanistan, and Pakistan to deliver petroleum to the Asian market.
> The BBC was recently told by Niaz Naik, a Pakistani Foreign Secretary,
> that senior American officials were warning them as early as mid-July that
> military action for mid-October was being planned for Afghanistan. In
> 1996, the Department of Energy was issuing reports on the desirability of
> a pipeline through Afghanistan, and in 1998, Unocal testified before the
> House Subcommittee on Asia and the Pacific that this pipeline was crucial
> to transport Caspian Basin oil to the Indian Ocean.
> Given this evidence that a military operation to secure at least a portion
> of Afghanistan has been on the table, possibly as early as five years ago,
> I can't help but conclude that the actions we are seeing put into motion
> now are part of a pre-September 11th agenda. I'm absolutely sure of that,
> in fact. The planning alone for operations, of this scale, that are now
> taking shape, would take many months. And we are seeing them take shape in
> mere weeks.
> It defies common sense. This administration is lying about this whole
> thing being a "reaction" to September 11th. That leads me, in short order,
> to be very suspicious of their yet-to-be-provided evidence that someone in
> Afghanistan is responsible. It's just too damn convenient. Which also
> leads me to wonder-just for the sake of knowing-what actually did happen
> on September 11th, and who actually is responsible.
> The so-called evidence is a farce. The US presented Tony Blair's puppet
> government with the evidence, and of the 70 so-called points of evidence,
> only nine even referred to the attacks on the World Trade Center, and

>those points were conjectural. This is a bullshit story from beginning to
>end. Presented with the available facts, any 16-year old with a liking for
>courtroom dramas could tear this story apart like a two-dollar shirt. But
>our corporate press regurgitates it uncritically. But then, as we should
>know by now, their role is to legitimize.

>This cartoon heavy they've turned bin Laden into makes no sense, when you
>begin to appreciate the complexity and synchronicity of the attacks. As a
>former military person who's been involved in the development of countless
>operations orders over the years, I can tell you that this was a very
>sophisticated and costly enterprise that would have left what we call a
>huge "signature".

>In other words, it would be very hard to effectively conceal.

>So there's a real question about why there was no warning of this. That
>can be a question about the efficacy of the government's intelligence
>apparatus. That can be a question about various policies in the various
>agencies that had to be duped to orchestrate this action. And it can also
>be a question about whether or not there was foreknowledge of the event,
>and that foreknowledge is being covered up. To dismiss this concern out of
>hand as the rantings of conspiracy nuts is premature. And there is a
>history of this kind of thing being done by national political bosses,
>including the darling of liberals, Franklin Roosevelt. The evidence is
>very compelling that the Roosevelt Administration deliberately failed to
>act to stop Pearl Harbor in order to mobilize enough national anger to
>enter the World War II.

>I have no idea why people aren't asking some very specific questions about
>the actions of Bush and company on the day of the attacks.

>Follow along:

>Four planes get hijacked and deviate from their flight plans, all the
>while on FAA radar. The planes are all hijacked between 7:45 and 8:10 AM
>Eastern Daylight Time.

>Who is notified?

>This is an event already that is unprecedented. But the President is not
>notified and going to a Florida elementary school to hear children read.

>By around 8:15 AM, it should be very apparent that something is terribly
>wrong. The President is glad-handing teachers.

>By 8:45, when American Airlines Flight 11 crashes into the World Trade
>Center, Bush is settling in with children for his photo ops at Booker
>Elementary. Four planes have obviously been hijacked simultaneously, an
>event never before seen in history, and one has just dived into the worlds
>best know twin towers, and still no one notifies the nominal Commander in
>Chief.

>No one has apparently scrambled any Air Force interceptors either.

>At 9:03, United Flight 175 crashes into the remaining World Trade Center
>building. At 9:05, Andrew Card, the Presidential Chief of Staff whispers
>to George W. Bush. Bush "briefly turns somber" according to reporters.

>Does he cancel the school visit and convene an emergency meeting? No.

>He resumes listening to second graders read about a little girl's pet
>fucking goat, and continues this banality even as American Airlines Flight
>77 conducts an unscheduled point turn over Ohio and heads in the direction
>of Washington DC.

>Has he instructed Chief of Staff Card to scramble the Air Force? No.

>An excruciating 25 minutes later, he finally deigns to give a public
>statement telling the United States what they already have figured out;
>that there's been an attack by hijacked planes on the World Trade Center.

>There's a hijacked plane bee-lining to Washington, but has the Air Force
>been scrambled to defend anything yet? No.

>At 9:30, when he makes his announcement, American Flight 77 is still ten
>minutes from its target, the Pentagon.

>The Administration will later claim they had no way of knowing that the
>Pentagon might be a target, and that they thought Flight 77 was headed to
>the White House, but the fact is that the plane has already flown South
>and past the White House no-fly zone, and is in fact tearing through the
>sky at over 400 nauts.

>At 9:35, this plane conducts another turn, 360 degrees over the Pentagon,
>all the while being tracked by radar, and the Pentagon is not evacuated,
>and there are still no fast-movers from the Air Force in the sky over
>Alexandria and DC.

>Now, the real kicker: A pilot they want us to believe was trained at a
>Florida puddle-jumper school for Piper Cubs and Cessnas, conducts a
>well-controlled downward spiral, descending the last 7,000 feet in
>two-and-a-half minutes, brings the plane in so low and flat that it clips
>the electrical wires across the street from the Pentagon, and flies it
>with pinpoint accuracy into the side of this building at 460 nauts.
>When the theory about learning to fly this well at the puddle-jumper
>school began to lose ground, it was added that they received further
>training on a flight simulator.
>This is like saying you prepared your teenager for her first drive on I-40
>at rush hour by buying her a video driving game. It's horse shit!
>There is a story being constructed about these events. My crystal ball is
>not working today, so I can't say why.
>But at the least, this so-called Commander-in-Chief and his staff that we
>are all supposed to follow blindly into some ill-defined war on terrorism
>is criminally negligent or unspeakably stupid. And at the worst, if more
>is known or was known, and there is an effort to conceal the facts, there
>is a criminal conspiracy going on.
>Certainly, the Bush de facto administration was facing a confluence of
>crises from which they were temporarily rescued by this event. Whether
>they played a sinister role or not, there is little doubt that they have
>at the very least opportunistically pounced on this attack to overcome
>their lack of legitimacy, to shift the blame for the encroaching recession
>from capitalism to the September 11th terror attack, to legitimize their
>pre-existing foreign policy agenda, and to establish and consolidate
>repressive measures domestically and silence dissent. In many ways,
>September 11th pulled the Bush cookies out of the fire.
>And given them the green light to begin constructing a long-term scenario
>within which to establish fascistic control measures at home and abroad as
>a citadel for the ruling class in the catastrophic conjuncture that we are
>entering based on the end of oil.
>This elephant in the living room is being studiously ignored. In fact, the
>domestic repression has already begun, officially and unofficially. It's
>kind of a latter day McCarthyism. I participated in a teach-in at Chapel
>Hill, North Carolina, on the 17th of September, and though not a single
>person on the panel excused or justified the attacks, and every person
>there offered either condolences and prayers for the victims, we were
>excoriated within two days as "enemies of America." Yesterday an op-ed
>called for my deportation (to where, one can only guess). Now Herr
>Ashcroft is fast tracking the biggest abrogation of US civil liberties
>since the so-called anti-terrorism legislation after the Oklahoma City
>bombing - which by the way hasn't resulted in anti-terrorism but in the
>acceleration of the application of the racist death penalty. The FBI has
>defined terrorist groups not by whether any given group has ever acted as
>terrorists, but by their beliefs. Some socialists and anti-globalization
>groups have already been identified by name as terrorist groups, even
>though there is not a single shred of evidence that they have ever
>participated in any criminal activity. It reminds me of the Smith Act that
>was finally declared unconstitutional, but only after a hell of a lot of
>people served a hell of a long time in jail for the crime of thinking.
>I think this also points to yet another huge problems that the Bush regime
>was facing. Worldwide resistance to the whole so-called neoliberal agenda,
>which is a prettied up term for debt-leverage imperialism. While debt and
>the threat of sanctions has been used to coerce nations in the periphery,
>we have to understand that the final guarantor of compliance remains
>military action. For a global economic agenda, there is always a
>corresponding political and military agenda.
>The focal point of these actions in the short term is Southern Asia, but
>they have already scripted this as a worldwide and protracted fight
>against terrorism.
>It's far better than drug wars as a rationalization, and the drug war
>thing was being discredited in any case. Leftists are regaining power and
>popularity in Venezuela, El Salvador, Nicaragua, Ecuador, Colombia, the
>Dominican Republic, Haiti, Brazil, and Argentina. Cuba has gained immense
>prestige over the last few years. The empire is beginning to unravel. We
>can hardly justify intervention in these places by saying they are not
>towing the economic line by allowing the absolute domination of their

>societies by transnational corporations. That exposes the agenda. So we
>simply claim they are supporting terrorism.
>It's for all these reasons I say the left has missed the boat on this one,
>by allowing them to get away with rushing past the question of who did
>what on September 11th. If the official story is a lie, and I think the
>circumstantial case is strong enough to stay with this question, then we
>really do need to know what happened. And we need to understand concretely
>what the motives of this administration are.
>And we need to understand more than just their immediate motives, but
>where the larger social forces that underwrite our situation right now are
>headed. I do not think this administration is engaged in the deliberative
>process of a political grouping that is on top of their game. They are
>putting together some very deliberative technical solutions in response to
>a larger situation that it slipping rapidly out of their control. Like
>clear cutting. There's a very smart technology being employed to do a very
>dumb thing.
>What they are responding to is not September 11th, but the beginning of a
>permanent and precipitous decline in worldwide oil production, the
>beginning of a deep and protracted worldwide recession, and the unraveling
>of the empire.
>This brings me to a point about what all this means for Americans'
>security, which they are perfectly justified to worry about. The actions
>being prepared by this administration will not only not enhance our
>security, it will significantly degrade it. Military action against many
>groups across the globe, which is what the administration is telling us
>quite openly they are planning to do, will put a lot of backs against the
>wall. That can't be very secure.
>The concept of war being touted here is a violation of the principles of
>war on several counts, and will inevitably lead to military catastrophes,
>if you're inclined to view this from a position of moral and political
>neutrality.
>And the people who are now in possession of half the world's remaining oil
>reserves are subject to destabilization for which we can't even pretend to
>predict the consequences-but loss of access to critical energy supplies is
>certainly within the realm of possibility. Worst of all, we will be
>destabilizing Pakistan, a nuclear power in an active conflict with its
>neighbor, and we will be provoking Russia, another nuclear power. The
>security stakes don't get any higher, and Americans can ill afford to
>ignore nukes.
>And I think that this domestic agenda is a tremendous threat to the
>security of anyone who is critical of the government or their corporate
>financiers, and we already know that the real threats are against
>populations that can easily be scapegoated as the domestic crisis deepens.
>There is a very real threat right now of creeping fascism in this country,
>and that phenomenon requires its domestic enemies. Historically those
>enemies have included leftists, trade unionists, and racially and
>nationally oppressed sectors. This whole "state of emergency" mentality is
>already being used to quiet the public discourses of anti-racism, of
>feminism, of environmentalism, and of both socialism and anarchism. And
>while there is token resistance by officials to anti-Muslim xenophobia,
>the stereotypical images have saturated the media, and the government is
>already beginning to openly re-instate racial profiling. It is only a
>short step from there to go after other groups. We have long been prepared
>by the ideologies of overt and covert racism, and racism as both
>institution and corresponding psychology in the United States is nearly
>intractable.
>It's for all these reasons that I say emphatically that we can not accept
>anything from this administration; not their policies nor their bullshit
>stories. What they are doing is very, very dangerous, and the time to
>fight back against them, openly, is right now, before they can consolidate
>their power and their agenda. Once they have done that, our job becomes
>much more difficult.
>The left, if it has the capacity to self-organize out of its oblivion,
>needs to understand its critical roles here. We have to play the role of
>credible, hard-working, and non-sectarian partners in a broader
>peace-movement. We have to study, synthesize, and describe our current
>historical conjuncture. And we have to prepare leadership for the decisive

>conflict that will emerge to first defeat fascism then take political power.

>Rosa Luxemburg's words are truer than ever right now. We are not faced
>with a choice between socialism and capitalism, but socialism or barbarism.
>And what we can least afford are denial and timidity.

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02 4 Gefallene Im Großen Widerstand
von: Revolutionäre Volksbefreiungsfront <press@dhkc.org>
=====

4 Gefallene Im Großen Widerstand
Unsere, Mit 72 Gefallenen Größer werdende Rechnung
Der Widerstand Jener, Die Sich Für Eine Unabhängige Türkei Anstelle Von Der
Amerikanischen Regierung Aussprechen
Der Marsch Der Patrioten Gegen Die Landesverräter

DIE PATRIOTEN DIE SICH IM WIDERSTAND FÜR BROT UND GERECHTIGKEIT BEFINDEN
WERDEN SIEGEN

Zeynep Arıkan Gülbag, die genau 343 Tage lang die Worte "Für unser Volk, das bisher kein Glück erfahren konnte..." auf ihrem Stirnband trug, hat sich am 27. September in Armutlu zu den Helden unseres unbesiegbaren Volkes begeben. Ali Rıza Demir ist auf seinem Marsch, den er am 20. Oktober 2000 mit den Worten "Wir werden die Volksfeinde, Imperialisten und ihre Kollaborateure daran hindern, unser Volk auszubeuten und unser Land Stück für Stück zu verkaufen" angetreten hat, am 27. September, den 343. Tag des Widerstands in Armutlu unsterblich geworden.

Ayşe Bastımur krönte ihren Kampf, den sie opferbereit mit den Worten "Wir werden auf den Böden unseres Landes Welle für Welle zur Freiheitshoffnung werden" aufnahm, am 28. September, den 342. Tag ihres Widerstands in Ankara mit ihrem Martyrertum.

Özlem Durakcan ist in ihrem Widerstand, den sie vor 74 Tagen mit den Worten "Ich bin gegen Ungleichheit, Ausbeutung, Ungerechtigkeit, ich will ein Land in dem man menschlich leben kann" begonnen hat, am 28. September in Ankara gefallen.

Die Karawane zieht mit 4 Gefallenen in zwei Tagen weiter. Der Kampf gegen die Tyrannei der Pro-Amerikaner setzt sich gnadenlos fort.

Zeynep, Ali Rıza und Ayşe... Sie sind KämpferInnen der 1. Todesfastengruppe, unsere drei Helden und Herzen, die Massaker, Unterdrückung, Folter, Bestechung und Zeit nicht von ihrem Weg abbringen konnten.

Özlem... das junge Herz der Verantwortung, eine junge Anhängerin des TAYAD, die ihr Leben denen gewidmet hat, die sich der Unterdrückung widersetzen.

Zeynep, Ali Rıza und Ayşe waren WiderstandskämpferInnen der 1. Todesfastengruppe. Sie wurden freigelassen. Sie haben nicht einmal für einen Moment an Verrat gedacht. Sie haben nicht gezögert. Sie haben auf das Gesicht des Verrats gespuckt, der über unsere Leichen gehend zum Vorschein trat, und ihren Weg fortgesetzt. Drei Fäuste prallten eine nach dem anderen auf das Gesicht des Verrats aus dem alles Leben gewichen ist.

Mit 4 Rosen haben wir die Brust der Unterdrückung mitsamt ihrer Kugel geschlagen. Während unser in einem Atemzug fortgesetzter Widerstand bald 1 Jahr vollendet hat, ist aus unseren Gefallenen mittlerweile ein Berg entstanden. Wir haben genau 72 Leben gegeben in diesem Kampf. Wir sind 72 Mal gestorben, seitdem die Oligarchie gegen das Volk der Türkei einen Krieg eröffnet hat.

In diesen 344 Tagen sind wir genau 72 Mal gestorben, aber die Hand des Widerstands hat nicht ein einziges Mal gezittert. Nicht ein einziges Mal konnten sie in die Knie gezwungen werden.

Die Geschichte ist nicht müde geworden, weiterhin unsere Heldenepen niederzuschreiben. Anatolien wurde durch unseren Schrei der Rebellion, der sich gegen die Tyrannei von seinen Böden erhebt, geehrt. Es hat die Namen unserer Helden mit rotem Stirnband an der Seite der würdevollsten Kinder einer tausende Jahre existierenden Menschheitsgeschichte verewigt.

DIE REGIERUNG MUSS VON IHRER ILLUSION UND IHREN LÜGEN ABWEICHEN

Den Krieg, den Amerika zur Stabilisierung seines Imperiums mit der Lüge "gegen den Terror" begonnen hat als Gelegenheit nutzend, hat sich die Oligarchie noch intensiver an Lügen wie "Das Todesfasten wird vom Ausland gelenkt" geklammert, um ihren mörderhaften Charakter legitim zu zeigen.. Wie bedauernswert.

Was gestern die lügnerischen Minister und Regierungen gesagt haben, wird heute schamlos und ungeniert vom heuchlerischen General Yasar Büyükanit nachgeplaudert.

Wir verkünden der ganzen Welt ein weiteres Mal; ihr sucht die Führungszentrale des Widerstands?

Das Zentrum des Widerstands, sein Stützpunkt, die ihn Leitenden und Ausführenden sind unsere Menschen, die den Tod in Kauf genommen haben. Ihr könnt mit Euren Lügen nicht den Widerstand brechen, sondern Euch damit lediglich vor der ganzen Welt lächerlich machen.

Die Gefangenen haben dies mit den Worten "Selbst wenn ein Einziger von uns zurückbleibt, wird der Widerstand andauern" erklärt.

Es ist eine Illusion, auf das Ende des Widerstands zu warten, ohne daß die Forderungen erfüllt wurden.

Es ist eine Illusion zu erwarten, daß uns Zeit, Unterdrückung und Tod einschüchtern.

Gebt diese Illusion auf. Akzeptiert die Forderungen der Gefangenen ehe ihr eure Schuld und die Wut vergrößert.

Stoppt die Isolation.

Die 7. Todesfastengruppen, die am 26. September den Widerstand begonnen haben, sind der Beweis für die Entschlossenheit und dafür, wie brennend und unverzichtbar die Forderungen sind.

Allein die 4 Helden, die innerhalb von zwei Tagen gefallen sind, geben den besten Beweis dafür ab, daß der Widerstand einen großen Preis in Kauf nimmt.

Jene, die immer noch darauf warten, daß der Widerstand von selbst endet, sind entweder schwer von Begriff oder leben nicht in diesem Land.

WIR LEISTEN WIDERSTAND GEGEN DIE TYRANNEI DER PRO-AMERIKANISCHEN REGIERUNG

Diese Regierung hat weder mit dem Volk noch mit dem Land irgendetwas zu tun.

Das Volk ist hungig, arm, arbeitslos, mit Ausnahme einer Handvoll

Kollaborateure will niemand die Böden unseres Landes an das Amerikanische Imperium verschenken. Das Land ist zur Hölle geworden, aber das kümmert die Regierung überhaupt nicht.

Sie sagen "Volle Unterstützung an Amerika" und nichts weiter.

DIESE REGIERUNG EXISTIERT LEDIGLICH FÜR DIE INTERESSEN DES AMERIKANISCHEN IMPERIUMS.

Sie haben die Führung des Landes den Konsulen der USA und dem IMF ausgehändigt.

Der amerikanische Außenminister klatscht in die Hände und sie begeben sich Hals über Kopf in die USA. Sie sagen "Wir stehen bedingungslos in Eurem Befehl".

Das arme Volk des in einen Feuerherd verwandelten Anatoliens ruft "WIR SIND HUNGRIG", doch sie drehen sich nicht einmal nach ihm um.

Die Knechtschaft hat eine derartige Dimension angenommen, Bush spricht von "Kreuzzügen" und diese Regierung korrigiert ihn "es handelt sich um ein Mißverständnis". Die ganze Welt kritisiert Bush, aber diese Regierung gibt kein Wort von sich.

Diese Regierung sagt nur: "Völlige Unterstützung an Amerika". Diese Regierung will unser Land zu einem Bundesland Amerika's machen!

WIR WERDEN DIES NIEMALS ZULASSEN!

Kann das Amerikanische Imperium ein Volk, aus dem 4 Helden im gleichen Zeitraum wie ein Messer auf die Brust der Unterdrückung einstechen, zu seinem Untertanen machen?

Solange dieses Volk Helden wie diese hervorbringt, sich Hunderte von Freiheitskämpfern für Brot und Gerechtigkeit mit Aufopferungsgeist schmücken; können jene, die eine Operation zur Eroberung der Welt beginnen und sagen, daß Systeme, die auf Egoismus, Profit, Lügen, Plünderung, Raub, Ausbeutung und Massaker aufgebaut sind "die überlegenste Zivilisation sind", sowie deren Kollaborateure in unserem Land das Volk nicht zur Ergebung zwingen.

Unser Widerstand ist der Widerstand des nicht kapitulierenden Volkes.

Unser Widerstand ist der Widerstand der Patrioten gegen den Landesverrat.

Unser Widerstand ist das unzerbrechliche Monument der Losung "Unabhängige

Türkei" gegen die pro-amerikanische Regierung. Unser Widerstand ist gegen das Unterdrückungs- und Ungerechtigkeitssystem des US-Imperiums und seiner Kollaborateure, die einen Krieg ansagen, um auf der Welt keine einzige oppositionelle Kraft übrigzulassen. Als die Oligarchie zusammen mit dem IMF dem Volk den Krieg erklärt und als wichtigen Teil dessen die F Typ Gefängnisse an die Tagesordnung gebracht hat, stellten wir ihr unseren Widerstand entgegen; heute, wo Amerika allen unterdrückten Völkern der Welt den Krieg erklärt, geben wir unsere Antwort im Widerstand.

Wir verkünden der ganzen Welt, daß der Pro-Amerikanismus auf diesem Boden keine Ruhe finden wird. Unser Todesfastenwiderstand ist ein prunkvolles Manifest aller dem Volk angehörenden Werte gegenüber der pro-amerikanischen Kultur. Genau dann, wenn die Pro-Amerikaner denken, daß sie alle Gehirne mit der amerikanischen Kultur beschmutzen konnten; explodieren wir wie ein Vulkan, aus dessen Lava Geschwisterlichkeit, Solidarität, gegenseitige Unterstützung, Genossenschaftlichkeit, Opferbereitschaft, Liebe zum Volke und zur Heimat sprüht. Wir zerschmettern und verwischen den Schmutz des Egoismus, der Fäulnis und der Unmoral in ihren Köpfen.

DER KAMPF IST EIN KAMPF UM BROT

DIE FORDERUNG UNSERES VOLKES IST BROT UND GERECHTIGKEIT

Das amerikanische Imperium läßt die Weltvölker ohne Brot und Gerechtigkeit. Die Oligarchie der Türkei läßt ihr Volk ohne Brot und Gerechtigkeit. Diese Regierung bringt lediglich Unterdrückung und Hunger. Unser Volk wurde so weit gebracht, daß es heute nicht mehr imstande ist das trockene Brot, welches es gestern gegessen hat, zu kaufen.

Wie lange kann dieser Hunger, diese Ungerechtigkeit noch mit Tyrannei unterdrückt werden? Wie lange noch können sie die Rebellion der Hungernden und Verarmten mit Polizei und Armee aufhalten? Unser Volk muß sich sättigen. Es gibt keine einzige Kraft in der Welt, die eine solche Forderung unterdrücken kann.

GESCHWISTER! UNSER HUNGRIGES UND ARMES VOLK!

Wir müssen uns gegen das Unterdrückungssystem, welches von der Hilfsregierung des IMF aufgebaut wurde, organisieren. Wir müssen uns für Brot organisieren. Wir müssen uns für Gerechtigkeit organisieren. Wir können nicht ohne Brot und Gerechtigkeit leben.

Die 4 Gefallenen sind ein Aufruf zur Rebellion gegen den IMF, das US-Imperium und die pro-amerikanische Regierung.

Sie sind der Aufruf für ein Land, das nicht vom IMF regiert wird. Wenn wir Brot wollen, dann müssen wir uns vom IMF und seinen Kollaborateuren befreien.

Unser Widerstand ist der Aufruf für ein freies und unabhängiges System, in dem unser Volk in Satttheit lebt.

Wir werden dieses von unseren Gefallenen ersehnte System aufbauen.

UNSERE GEFALLENEN:

Zeynep ARIKAN GÜLBAG:

"Dieses Leben soll ihnen gewidmet sein!"

Im Jahre 1986 lernte sie Anhänger der Dev-Genc kennen. Sie machte einen Schritt vor in den Kampf. Unsere Genossin Zeynep befindet sich heute wie gestern im Kampf. Heute, sowie gestern hat sie auf vielen Gebieten des Kampfes Aufgaben übernommen. Sie war Führerin, Kommandantin. Am Vorabend des letzten großen Gefechts erklärte sie "Ich möchte nicht am Kampf teilnehmen sondern im Kampf ganz vorne stehen", und das ist ihr gelungen. Mit einer Bescheidenheit, die sagt "Ich versuche am 280. Tage des Todesfastens lediglich ein einfacher Soldat des Kampfes zu sein", ist sie als

Kommandantin und Symbol der Herausforderung von Zeit und Unterdrückung, der Willensstärke und Entschlossenheit unsterblich geworden. Unsere Genossin Zeynep wurde 1968 in Malatya Hekimhan geboren. Im Kindesalter ist sie mit ihrer Familie nach Istanbul verzogen. Zwischen 1986-87 lernte sie in der Universität zu Istanbul die Anhänger der Dev-Genc kennen. Und sie hat ihren Kampf von 1987 bis 1992 innerhalb von Dev-!

Genc geführt. Während dieser Zeitspanne ist sie mehrmals festgenommen worden. Sie wurde aufgrund eines Protests gegen das Massaker in Maras festgenommen und befand sich für eine Weile im Gefängnis von Bayrampasa. Sie übernahm Aufgaben innerhalb des Dev-Genc- Komitees. Sie arbeitete bei der

Zeitung Mucadele. Mit Kazim Gülbag heiratete sie im März 1992. Die Bedingungen des Kampfes und die organisatorischen Bedürfnisse haben sie nach kurzer Zeit voneinander getrennt. Während sich Zeynep im Gefängnis von Ümraniye im Todesfasten befand, war Kazim Gülbag im Ausland. Er beteiligte sich am Widerstand, indem er seinen Körper in Brand steckte; Er hat seine Verbundenheit und Liebe zu seinen Genossen, seinem Volk und seiner Ehefrau gezeigt, indem er seinen Körper gegen die Unterdrückung einsetzte. Im Jahre 1993 wurde Zeynep seitens der Putschisten angeschossen. Zwischen 1995-96 befand sie sich zwecks Ausbildung auf verschiedenen Gebieten. Von 1996-1997 übernahm sie die Aufgabe als Kommando!

ndantin innerhalb der Bewaffneten Propagandaeinheiten in Istanbul. Sie setzte ihre Unterschrift unter Aktionen, bei denen die Volksjustiz gegen Folterer und Mörder umgesetzt wurde. Am 4. August 1997 wurde sie festgenommen und ins Gefängnis gesteckt. Als die Gefängnisse des Typ F an die Tagesordnung kamen, befand sie sich im Gefängnis von Ümraniye. Sie trat ins Todesfasten. Der 19. Dezember, die Folter Zwangsernährung, Bestechung der Freilassung folgten eine nach dem anderen. Sie liebte ihr Volk, war ihren Genossen verbunden und ihren Gefallenen treu. Sie hat nicht gezögert. Sie wurde unsterblich mit dem Glauben an den Sieg.

ALI RIZA DEMIR:

"Ich bin in einer Gemeinschaft, selbstlos und ohne Rücksicht auf den Tod"
Er wurde am 9. November 1973 als Kind einer armen Kurdischen Familie in dem Dorf Adiyaman-Gökçay (Karikan) geboren. Er kannte die Repression und die Unterdrückung aus seinem Dorf. Er war das Kind eines Volkes, dessen Sprache und Kultur verboten war. Nach Abschluß des Gymnasiums in Malatya trat er im Jahre 1991 das Fach Textilingenieurwesen an der Technischen Universität zu Istanbul an. Hier lernte er die Anhänger von Dev-Genc kennen. Er hat ohne zu zögern im organisierten Kampf teilgenommen. Denn er "wollte sein Wissen nicht in den Dienst des Systems stellen". Er war sich darüber bewußt, daß der Kampf gegen den Faschismus organisiertes Revolutionärtum bedeutete. Bis zu seiner Gefangenschaft im Jahre 1994 hat er innerhalb von Dev-Genc unterschiedliche Aufgaben übernommen. Als Kämpfer der 1. Todesfastengruppe im Gefängnis von Ümraniye ist er in seinem langen Rennen, das er mit den Worten "Wir rufen die Stimme unserer Genossen, die aus den Gefängnissen den Aufrufen des Feindes!

'sich zu ergeben' mit 'Wir werden eher sterben, als uns ergeben' antworteten, noch lauter hinaus. Mit unserer Todesfastenoffensive werden wir diese Fahne ein weiteres Mal auf der Festung des Feindes aufpflanzen" begonnen hat, 343 Tage ohne Atempause gelaufen. Er setzte den Widerstand nach seiner Freilassung fort. Seine Gefühle in diesen Tagen hat er folgenderweise zum Ausdruck gebracht: "Heute befinde ich mich innerhalb der großen Familie der Partei-Front, meiner Familie. Ich bin glücklich und stolz. Ich bin gefüllt mit Begeisterung und Freude. Ich befinde mich unter Genossen. Ich bin in einer Gemeinschaft, selbstlos und ohne Rücksicht auf den Tod, ich liebe diese Familie." Diese Familie liebt auch Ihn.

AYSE BASTIMUR:

"Was kann schöner sein als sich der Gewalt zu widersetzen?"
Sie wurde am 24. Januar 1967 in Balikesir-Bigadic als Tochter einer Familie türkischer Herkunft und sunnitischen Glaubens geboren. Sie hat die Volks- und Mittelschule in Bigadic, das Gymnasium für den Medizinberuf in Balikesir abgeschlossen und als Krankenschwester zu arbeiten begonnen. Sie war in verschiedenen Krankenhäusern in Istanbul tätig. Sie arbeitete in der Türkischen Krankenschwesternvereinigung. Ihre erste Bekanntschaft und Sympathie zu unserer Bewegung begann etwa im Jahre 1985. Ab 1987 nahm sie innerhalb unserer organisierten Zusammenhänge teil. Nach eigenen Worten hat sie das organisierte revolutionäre Leben gewählt "weil sie daran glaubte, die Wahrheit gefunden zu haben". Sie übernahm Aufgaben innerhalb der Organisierung der Revolutionären Beamtenbewegung. Im Jahre 1988 wurde sie nach den 1. Mai Demonstrationen inhaftiert und verbrachte zweieinhalb Monate im Gefängnis von Bayrampasa. Nach ihrer Freilassung gab es schließlich eine Ayse die in ihrer Wahl für das Revolutionärtum noch klarer war. Bis zu ihrer Gefangennahme bei der Operation vom 16-17 April 1992 hat sie verschiedene spezielle Aufgaben in unserer Bewegung übernommen.

Nach ihrer zweieinhalbjährigen Gefangenschaft in Bayrampasa wurde sie ins Gefängnis von Canakkale verlegt. Als der Isolationszellen-Angriff an die Tagesordnung kam, nahm sie in der 1. Todesfastengruppe im Gefängnis von Canakkale teil. Während sie sich freiwillig meldete erklärte sie: "Was kann es schöneres geben als sich der Gewalt zu widersetzen?" Am 19. Dezember gehörte sie zu denen, die sich der Folter durch Zwangseingriff entgegenstellten. Sie hat die Bestechung durch Freilassung zurückgewiesen und das "rote Band", welches sie auch draußen um ihre Stirn band, nicht abgeworfen. Denn sie hat an den Sieg geglaubt und gewußt, daß das einzige Mittel gegen Unterdrückung der Widerstand war. Dies hat sie in ihren letzten Worten folgendermaßen zum Ausdruck gebracht:
"Wir haben den Weg beschritten um zu siegen. Die Entwicklungen haben einen noch viel stärkeren Willenskampf erfordert als wir erwartet hatten. Ob nun vorbereitet oder unvorbereitet, es war unsere Ehrenpflicht dies in Kauf zu nehmen. Niemand soll daran zweifeln, die Tage unseres Sieges sind ganz nah."
Wenn sie auch den Sieg nicht erleben konnte, so sah sie ihn vorher und sagte: "Schon jetzt feiere ich den Sieg unseres Volkes und der Weltvölker".

DEVRYMCY HALK KURTULUP CEPHESY
REVOLUTIONÄRE VOLKSBEFREIUNGSFRONT

Datum: 10. Oktober 2001 Erklärung: 215

Schluß mit der Lüge und Demagogie!
Jede auf Afghanistan abgeworfene Bombe ist der Beweis der Realität!
DIES IST EIN EROBERUNGSKRIEG!

Nach tagelanger Propaganda, Manövern, und Demagogien hat sich die amerikanische Kriegsmaschinerie in Bewegung gesetzt und begonnen, das Volk von Afghanistan zu bombardieren.
Dabei war die Rede von Gerechtigkeit, unendlicher Freiheit und vom Anpassungskrieg; Alles gelogen. Mit diesen Diskussionen soll das Wesen des Angriffs verschleiert werden. Die USA bringen Tod und Hunger nach Asien. Die US-Operation ist ein offener, gegen die Weltvölker gerichteter Terrorangriff.
Dieser Krieg, ist der Krieg der USA um die Weltmacht. Es ist der Krieg um das Imperium.
Deshalb wird Afghanistan bombardiert. Deshalb werden Länder, Völker, Organisationen bedroht.

Schluß mit der Lüge und Demagogie!
Die USA Können Nicht Bestimmen, Wie Die Weltvölker Zu Leben Haben!
Die USA erklären 'Taliban wird dafür bezahlen, daß er nicht mit uns kollaboriert', und sagen damit ganz offen, wir werden dein Land in Schutt und Asche legen. Sie sagen 'Mir gefällt dein Regime nicht, ich werde es ändern'. Wo bleiben hier Demokratie, internationales Recht und Gerechtigkeit? Nichts davon ist zu sehen. Es ist absoluter Terror. Sie wechseln die Führungen: Um sie auszutauschen morden sie; die Überlebenden werden Armut und Hunger ausgesetzt, ohne ein Glas sauberes Wasser zu haben in Flüchtlingslager gesperrt.
Wodurch wollen sie denn die Führung ersetzen, während sie mit Bomben und Raketen alles niederbrennen und massakrieren. Sie sagen "Hier habt ihr einen König!".

Die Realität: Jede Abgeworfene Bombe Dient Den Interessen Der Monopole. Das ist die imperialistische Demokratie. In der imperialistischen Demokratie gibt es keine Prinzipien; ihr einziges Prinzip sind die Interessen der Monopole. Hierfür verteidigt sie auch die Monarchie und führt Militärputsche durch. War es nicht sie selbst, die Taliban an die Regierung gebracht hat? Damals stellten die Lebensweise von Taliban und sein Regime kein Problem für Amerika dar. Denn die damaligen Interessen der Monopole lagen darin, die UdSSR-nahe Regierung in Afghanistan umzustürzen.
Es war für die USA zu keiner Zeit bedeutend, ob der Charakter des Regimes in Afghanistan oder das eines anderen Landes demokratisch ist oder nicht; das entscheidende ist für die USA, ob es sich dem Amerikanischen Imperium beugt

oder nicht. Wenn es sich beugt, ist es ein gutes, wenn nicht dann ist es ein schlechtes Regime, das ausgetauscht werden muß. Das Amerikanische Imperium will den letzten Bissen des Volkes, die letzten Überreste der nationalen Willenskraft vernichten. Dies ist das Ziel des Eroberungskrieges. Sein Ziel ist; sich die ganze Welt untertänig zu machen.

Afghanistan Ist Die Tür Zur Eroberung Asiens

Die Hauptverantwortung für alle Gewalt auf der Welt trägt der US-Imperialismus, welcher der Welt sein Imperium aufzwingt. Er macht sich mit dem Vorwand Bin Ladin zu schnappen über die ganze Welt und die Völker lustig. Dies ist eine Operation zur Eroberung, mit der die Märkte Asiens und die Welt erbeutet werden sollen.

Das Imperium führt daran vorbei, den Mittleren Osten, den Balkan und Asien zu erobern. Der Angriff der mit Irak begann und mit Jugoslawien fortgesetzt wurde, richtet sich nun gegen Afghanistan. Weil dem so ist, haben die USA von Beginn an von einer langen Dauer dieses Krieges gesprochen; es ist wahrhaft nicht leicht, Asien und die Welt zu erobern. Der Asiatische Markt, der große Chinesische Markt, die ehemaligen Sowjetländer blenden die imperialistischen Monopole. Die Kriegsmaschinerie Amerikas hat sich in Bewegung gesetzt, um die Erdöllager in diesen Regionen zu beschlagnahmen. Dies ist der ganzen Welt bekannt. Schluß mit der Lüge und Demagogie. Der Angriff auf Afghanistan ist der größte und sichtbarste Zustand der imperialistischen Gewalt.

NATO, EU, UN Haben Sich An Amerika Festgeklammert!

Die USA haben damit begonnen, ihren Plan, Afghanistan zu bombardieren und sich von dort aus in ganz Asien auszubreiten in die Praxis umzusetzen. Die USA erklärten den anderen Imperialisten gegenüber, daß sie dies mit oder ohne ihre Beteiligung tun werden. Die EU hat sich beteiligt, um nicht ein Außensteher dieser Ausbeutung und Plünderung zu sein. So war dies schon beim Angriff auf Irak und Jugoslawien.

Die anderen Imperialisten besitzen weder die Kraft, dies zu verhindern noch die Vorreiterrolle zu übernehmen. Innerhalb dieses Kräftegleichgewichts, haben die USA NATO, EU und UN benutzt, um ihren Angriff zu legitimieren und die NATO den Beschluß fassen lassen, Artikel 5 in Anwendung zu bringen. Den Angriff führen sie im Grunde mit ihren eigenen Kräften durch.

Die Quelle Der Gewalt Ist Amerika Und Sein System.

Die gesamte Geschichte der USA ist gefüllt mit Massakern, Besetzungen, dunklen Geschäften, Attentaten, Komplotten. Sind nicht auch Taliban und Bin Laden, gegen die heute der Krieg geführt wird, jene Kräfte, die mit Unterstützung der USA ins Leben gerufen wurden?

Es sind die USA, die Militärputschs durchführen und Konterguerillaorganisationen aufbauen. Speziell für die Massaker und Militärjuntas, die vom 2. imperialistischen Verteilungskrieg bis in die Gegenwart verwirklicht wurden tragen die USA die Hauptverantwortung. Dieses System wurde für die Ausbeutung und Plünderung der Monopole aufgebaut. Die Bomben sind dessen offenste Erscheinung. Neben jenen, die durch Hunger und Armut getötet werden, stellen die durch Bomben Ermordeten nur einen geringen Anteil dar. Kapitalismus tötet durch Hunger. Dutzende von Institutionen veröffentlichen Statistiken. Die Weltvölker HUNGERN! Und wer läßt sie hungern?

Brot und Gerechtigkeit ist das Recht aller Völker. Wer dieses Recht raubt, ist auch verantwortlich für jede Form von Gewalt. Auf diese Weise wird Gewalt produziert. Den Kindern, die im Kugelhagel aufwachsen und den Völkern die inmitten von Bomben, Raketen und Hungersnot leben müssen, bleibt keine andere Wahl als für Brot und Gerechtigkeit Widerstand zu leisten und zu kämpfen.

Die Völker Besitzen Widerstandskraft Gegenüber Den Besetzern!

Auch die Völker, deren Brot und Gerechtigkeit geraubt werden sagen gegenüber diesem Zwang; 'wir entscheiden selbst, wie wir zu leben haben; auch wir haben das Recht zu regieren. Um dieses Recht in Anspruch zu nehmen, ist es auch unser legitimes Recht Widerstand zu leisten'.

Der Zorn der Weltvölker auf die USA ist nun noch größer geworden. Diese Wut wird sich in ganz unterschiedlichen Formen gegen die USA wenden.

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>From: "Steve Palmer" <spalmer@oberon.ark.com>
>Subject: World's People Say "No" To War
>List-Post: <mailto:peacenowar@lists.riseup.net>
>List-Owner: <mailto:peacenowar-request@lists.riseup.net>
>List-Archive: <http://lists.riseup.net/www/arc/peacenowar>

>
> > -----
> > World's People Say "No" To War
> >
> > A simultaneous international poll conducted by Gallup International
> > <www.gallup-international.com/terrorismpoll_figures.htm>
> > provides a surprising picture of the world's people in substantial
> > agreement with one another, while world leaders are distinctly
> > out-of-step with a more militaristic attitude. Concerns about the
> > economic future and the impact of US foreign policy were also
> > investigated.
> >
> > In the US corporate media, virtually all discussion of responding to
> > the terrorist attacks of September 11 is phrased in military terms.
> > However, there's another alternative: responding to it as what it
> > actually is, a crime against humanity. Taking the approach of
> > international law has barely been mentioned in the corporate media,
> > yet 30% of Americans support this option, compared to 54% who support
> > a military response (with 16% undecided), according to a Gallup poll
> > conducted last week.
> >
> > It seems quite likely that a majority of Americans would support the
> > international law approach, if only they heard it talked about
> > seriously, had it explained, and heard its pro's and con's contrasted
> > with those of a military response. As it is, the US is one of only 3
> > countries out of 35 surveyed by Gallup International in which more
> > people favor a military approach. The other two, Israel and India,
> > both have experienced decades of conflict with Islamic neighbors and
> > are far more militaristic in their response.
> >
> > Elsewhere, landslide majorities favor a non-military approach.
> > Support for a non-military approach ranges from 67% to 88% among
> > NATO/Western European nations, from 64% to 83% among Eastern European
> > nations, and from 83% to 94% in Latin America.
> >
> > This held true even in countries with the highest levels of support
> > for military action. In Western Europe, France and the Netherlands
> > show the strongest support for a military approach, but this position
> > is outnumbered by 2-to-1. In Eastern Europe, the 22%-64% breakdown in
> > the Czech Republic is nearly 3-1 against a military response. In
> > Latin America, Ecuador's 19%-83% breakdown is over 4-1 against
> > military action.
> >
> > In short, aside from the US, Israel and India, the overwhelming
> > majority of people around the world favor treating this terrorist act
> > as the crime it is, rather than the act of war the terrorists want it
> > to be.

> > -----
> > Anti-war resources:
> >
> > <http://www.actionla.org/S11/>
> > <http://www.warisnottheanswer.org/>
> > <http://www.9-11peace.org/>
> > <http://pax.protest.net/>
> > <http://www.s29.org/>
> > <http://www.alternet.org/issues/index.html?IssueAreaID=26>
> > <http://www.sfbg.com/News/altvoices.html>
> > <http://www.peacefuljustice.cjb.net/>

- > > <http://www.warresisters.org/attack9-11-01.htm#things>
- > > <http://www.legitgov.org/peaceprotests.html>
- > > <http://www.igc.org/inkworks/www/downloads.html>
- > > <http://groups.yahoo.com/group/studentsnowar/files>
- > > <http://www.honoringourhumangoodness.homestead.com/>
- > > <http://www.peaceflags.org>
- > > <http://www.mwaw.org>
- > > <http://www.stopworldwar3.com/>

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04 Wochentliche ATTAC-Info (41. Woche)
von: ATTAC Österreich, infos@attac-austria.org
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1. Erfolg der Aktionen zum Thema Steueroasen am 5. und 6. Oktober
2. 15.10. Attac Treffen Salzburg
3. 19.10. Terminerinnerung Reichtumskonferenz
4. 5.11. Gründung Attac Kärnten
5. 6.11. Start unseres monatlichen ForumAttac in Wien
6. 10.11. WTO Konferenz in Linz
7. 10.11. Ein Jahr ATTAC - Geburtstagsparty ebenfalls in Linz

1. STEUEROASE AKTION im Graben

War ein Erfolg! Nicht nur österreichische Medien waren interessiert, sondern auch internationale (z.B. Reuters). Fotos von unserer Steueroase könnt ihr nicht nur auf unserer Homepage <http://www.attac-austria.org/fotos/oase/oase.php> bewundern, sondern auch in verschiedenen Medien (z. B: Standard und Kurier vom 6.10, Profil 8. Oktober). Weiters gab es eine internationale Aktion in Luxemburg, viele AktivistInnen waren dort, die Infostände wurden gut besucht, Fotos unter www.attac.org/luxembourg.

Der Terror-Anschlag vom 11. September hat die Diskussion über Steueroasen und Geldwäsche ins Licht der Öffentlichkeit gerückt. So ist in der heutigen Ausgabe der Süddeutschen Zeitung ist das Thema des Tages "Konten sperren statt Krieg führen" und in der Einleitung ist zu lesen:..."Terroristen nutzen offenbar oft dieselben Strukturen im internationalen Finanzsystem wie Geldwäscher. Sie eröffnen zum Beispiel Bankkonten von Scheinfirmen in Geldwäsche-Paradiesen, um Spuren zu verwischen. Die Arbeit der Ermittler wird in beiden Fällen durch die Existenz anonymer Konten erschwert.... Der ganze Text ist zu lesen auf: http://szonnet.diz-muenchen.de/REGIS_A13152257

2. Attac Treffen in Salzburg

Am 15. 10. um 18.30 ist im Salzburger Brunauerzentrum das erste Herbsttreffen. Dabei sollen die inhaltlichen Schwerpunkte festgelegt werden und über bereits konkret geplantes diskutiert werden. InteressentInnen kontaktieren Robert Müllner: auge.sbg@demut.at

Die Salzburger ATTAC-Gruppe ist Mitorganisatorin der Veranstaltungsreihe (9.11., 19.11., 7.12.) zum Thema: Seattle-Salzburg-Genua. Globalisierungsprotest und die Gewaltfrage des Salzburger Friedensbüros. Die erste prominent besetzte Veranstaltung findet am 9.11. um 18.00 h statt. Weitere Informationen folgen und sind in Kürze auf der Seite von ATTAC-Salzburg zu lesen.

3. Terminerinnerung: Reichtumskonferenz

Am 19./20. Oktober 2001 findet die Reichtumskonferenz mit einem spannenden

Programm statt, ATTAC ist Mitorganisator. Das Programm findet ihr auf <http://www.attac-austria.org/termine/reichtumskonferenz.php>, Anmeldung und Infos bei: armutskonferenz@akis.at

4. Gründung von ATTAC - Kärnten

Am 5. November ist es auch in Kärnten soweit! ATTAC Kärnten wird gegründet. Und zwar im Rahmen einer Veranstaltung (u.a. mit Bischof Herwig Sturm "Die Welt- ein Casino? Ethische Problem unter dem Einfluss der Finanzmärkte") um 19.00 im Gemeindezentrum St.Ruprecht, in der St. Ruprechterstraße in Klagenfurt. Genauere Details werden nächste Woche bekanntgegeben.

InteressentInnen melden sich bei Walther Schütz: buendnis.oeie@aon.at

5. ForumAttac startet am 6. November

ForumAttac ist unser neuer, monatlicher Treffpunkt für ATTAC-Mitglieder und Interessierte und solche, die es noch werden wollen. Wirkliche statt virtuelle Kommunikation, Gemütlichkeit statt Aktionsstress, zum Kennenlernen für Interessierte; Informationen zu aktuellen Themen, Aktionen,...in Verbindung mit musikalischen Events (DJ, Jazz, Blues. Wer hat Ideen?) oder einfacher Beisl-Athmosphäre

6. November, 19.00 im Depot (Breite Gasse 3, 1070 Wien, hinter Museumsquartier);

Thema: Informationen zum Thema Welthandelsorganisation (WTO) anlässlich der Ministerkonferenz in Qatar und der ATTAC-Konferenz in Linz.
Einleitungsstatement: Christian Felber, ATTAC Österreich

6. WTO KONFERENZ, 10. November Linz

In einem Monat ist es wieder soweit! Nach dem Scheitern der letzten WTO Konferenz in Seattle, findet diese Konferenz an einem Ort statt, wo es kein Demonstrationsrecht gibt! (Doha in Qatar vom 9-13. November). Zudem stehen auf der Agenda nicht nur die Bereiche Gesundheit, Bildung oder Wasserversorgung: Auf Initiative der EU-Kommission gelangt das Thema Investitionen auf die Tagesordnung, was voraussichtlich das berüchtigte Investitionsschutzabkommen MAI wiederbelebt. Nicht zuletzt deshalb finden in ganz Europa Kongresse, alternative Gipfel, Demonstrationen, Aktionen... statt, die eine andere Globalisierung fordern. Zudem werden diese Aktionen gegenüber den Medien von SOS-WTO-EU europaweit koordiniert.

Wir sind natürlich auch dabei: Mit dem Kongress zum Thema "Die Welt ist keine Ware - Qatar/Linz 2001" am 10. November in Linz (Volkshaus Dornach) den ganzen Tag ab 10.00 gemeinsam mit Greenpeace, Dreikönigsaktion, ÖGB Oberösterreich und anderen Organisationen.

Das Gesamtprogramm mit allen Infos wird am Montag getrennt ausgesandt und ist ab dann auch auf unserer Homepage. Wir freuen uns auf zahlreiche Teilnahme!

Im Anschluss an diese Veranstaltung findet am Abend

7. UNSERE GEBURTSTAGSFEIER

statt: ATTAC Österreich ist 1 Jahr alt geworden und beginnt dieses Fest mit einem Kabarett mit LEO LUKAS: "Herzlichen Glückwunsch"
Ab 22.00 geht's dann weiter mit einer Party mit der Hip-Hop Gruppe Die Schwerversprecher und Mc Semmel
Genaueres ebenfalls am Montag

Liebe Grüße

"Der Staat zieht sich immer weiter aus der Verantwortung zurück und gewährt marktwirtschaftlichen Prinzipien von Konkurrenzdenken und Leistungsdruck mehr und mehr Einzug in das Schulwesen. Die Schule sollte selbstdenkende, kritische Persönlichkeiten heranbilden, anstatt der Wirtschaft den vorgeformten Produktionsfaktor Mensch in die Hand zu spielen! Bildung ist Menschenrecht und keine Ware zum Verkauf!", so der AKS-Bundesvorsitzende.

Der 11. Oktober ist gleichzeitig der Startschuss der neuen AKS-Kampagne, die unter demselben Motto auf die Missstände in österreichs Schulen und den neo-konservativen Tenor von österreichs Bildungspolitik aufmerksam machen will. "Die gestrige Präsenz der SchülerInnen stellt einen großen Motivationsschub für unsere Arbeit dar. Wir werden weiterhin unserem Unmut Ausdruck verleihen - die Bildungsministerin kann die Anliegen der SchülerInnen nicht ewig ignorieren.", schließt Kowall.

Rückfragehinweis: Niki Kowall 0699/11408142

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07 Depot Programm in der Woche 15. bis 19.10.01
von: depot <koestring@depot.or.at>
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Sehr geehrte Damen und Herren, liebe FreundInnen und PartnerInnen des Depot,

in der Anlage finden Sie das Programm des Depot für die kommende Woche.

Wir freuen uns auf Ihr Kommen.

Ein wichtiger Hinweis: Die für Donnerstag, den 18. Oktober geplante Veranstaltung "Luxus - Ökonomie. Feministische Wirtschaftsmodelle" der feministischen Medien wurde leider abgesagt.

Depot-Team

Montag, 15. Oktober, 19.00
Bewegte Männer
Rosa Logar im Gespräch mit Erich Lehner und Stephan Schulmeister

Ist eine politische Umsetzung der Ziele des Feminismus nur möglich, wenn sie von Frauen vorangetrieben werden? Zum Auftakt einer Depot-Reihe über die Zukunft des Feminismus sitzen unter der Moderation von Rosa Logar zwei Männer auf dem Podium: Erich Lehner und Stephan Schulmeister sprechen über den Stellenwert des Feminismus aus dem Blickwinkel ihrer Disziplinen, über Formationen der Abschottung, über Innen- und Außensicht. Ist die Frauenbewegung mittlerweile eine gesellschaftliche Schutzzone geworden und wie funktionieren im Vergleich dazu Männervereinigungen?

Erich Lehner, Theologe, Männer- und Geschlechterforscher, Ludwig Boltzmann-Institut für Werteforschung, Wien.
Stephan Schulmeister, Österreichisches Institut für Wirtschaftsforschung (WIFO), Wien.
Rosa Logar, Geschäftsführerin der Interventionsstelle gegen Gewalt, Wien.

Dienstag, 16. Oktober, 19.00
Podiumsdiskussion
Elektronische Demokratie?

Unter welchen Bedingungen könnte Online Voting sinnvoll sein und zwar nicht nur, um die technische Durchführung demokratischer Wahlen zu vereinfachen, sondern auch, um die Demokratie zu stärken? Durch die Einbindung der User in Communities und Wahlbörsen könnte sich die

Möglichkeit einer höheren Wahlbeteiligung ergeben, wenn der technological gap zwischen Usern und Non-Usern überwunden werden kann.

Die Aktion Vote-Auction (www.voteauction.at) der Gruppe übermorgen, hat vor einem Jahr für die Wahlprozeduren in den USA eine "Vereinfachung" vorgeschlagen; eine Verbindung von Demokratie und Kapitalismus sollte direkt den WählerInnen zukommen.

Katharina Gsöllpointner, Kunst-, Kultur- und Medientheoretikerin, Wien.
lizvix und hans_extrem, KünstlerInnen der Gruppe übermorgen, Wien.
Gregor Matjan, Politikwissenschaftler, Institut für Politikwissenschaft der Universität Wien.

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Depot
Kunst und Diskussion
1070 Wien, Breitegasse 3

01/522 76 13
depot@depot.or.at
www.depot.or.at

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08 INTERFACE EXPLORER 18./19. Oktober 2001 -> 2nd Announcement
von: Martin Wassermair <wassermair@t0.or.at>
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VERANSTALTUNGSANKÜNDIGUNG pt.2
Public Netbase Media~Space!
Institut für Neue Kulturtechnologien/t0

|---
| INTERFACE EXPLORER
| Shared Boundaries
|
<http://interface.t0.or.at/>

|---
| Ein Public Netbase Event im "Zwischenquartier" mit:
|
| Markus Bader/DE, Jonah Brucker-Cohen/US, Matthew Fuller/UK,
| Patricia Futterer/AT, Mieke Gerritzen/NL, Johannes Grenzfurthner/AT,
| Graham Harwood/UK, Margarete Jahrmann/AT, Joes Koppers/NL , Christoph
| Kummerer/AT, Pär Lannerö/SE, Lev Manovich/US/RU, Max Moswitzer/AT,
Peter Purgathofer/AT, Gebhard Sengmüller/AT, Stijn Slabbinck/BE

|---
18./19. Oktober 2001, jeweils ab 19 Uhr

Die Veranstaltung thematisiert den Umgang mit Interfaces (Deutsch: Verbindung, Schnittstelle, Zwischenstück) und versucht, ihre Vielseitigkeit im Zusammenhang mit neuen Informationstechnologien zu erklären. Dabei beschränkt sich der Blick nicht auf einen theoretischen Diskurs, sondern er sucht auch ganz bewusst einen spielerischen Zugang. Neben der Präsentation einer Reihe von PC- und Web-Interfaces werden auch Arbeiten von KünstlerInnen vorgestellt, die sich diesem Thema auf

allgemeinere Art annähern und eigene sowie auch eigenwillige Umsetzungen erarbeiten.

Lev Manovich, ein bedeutender Theoretiker der Neuen Medien, beschreibt in seinem aktuellen Buch "The Language of New Media" die kulturelle Dimension der digitalen Technologien und die Entwicklung der neuer Mensch/Maschine-Interfaces. Er wird im Rahmen seines Vortrags am 18. Oktober einige Grundlagen des kulturellen elektronischen Interfaces vorstellen und nicht nur Software-Kultur, sondern auch Kultur als Software begreifbar machen.

Am 19. Oktober folgt ein Panelgespräch zum Stand der Entwicklung kultureller Interfaces. ExpertInnen und EntwicklerInnen diskutieren dabei die gegenwärtig vorhandenen Ansätze im Interface Design. Mieke Gerritzen von NL.Design war eine der BegründerInnen des Internationalen Browserday, der vor 4 Jahren erstmals in Amsterdam und zuletzt in New York veranstaltet wurde, um Alternativen zu den bestehenden Web-Browsern aufzuzeigen. Zwei Gewinner der Browserday Awards - Joes Koppers (NL) und Jonah Brucker-Cohen (US) - werden ihre Projekte selbst vorstellen.

Die Künstler Harwood/Fuller beschäftigen sich seit langem mit den sozialen und sozio-kognitiven Aspekten der digitalen Informationsinteraktion. Sie präsentieren mit "TEXT-FM" ein text-to-speech-to-radio Projekt, bei dem über SMS anonyme Mitteilungen von einem Mobiltelefon gesendet werden und ein Computer einen über Sprache vermittelten Informationsaustausch ermöglicht.

Die Präsentationen und Installationen zeigen die Einbeziehung von Audio- und Videosystemen in das elektronische Interface - von Scratchrobot, TimeCodeVinyl, VinylVideo und Climax-Action Bot Concert bis hin zu webgesteuerter Discokugel-Musik und Musical Web-Pads.

| Ausstellung der INTERFACE EXPLORER Installationen bis Freitag,
| 9. November 2001 im Public Netbase Zwischenquartier
Geöffnet: Montag bis Freitag, von 14.00 bis 19.00 Uhr.

| Ort:
| Public Netbase t0 Media~Space!
| Zwischenquartier
| Burggasse 21
A-1070 Wien

| Programminformation:
| Sonja Eismann
| Public Netbase Media~Space!
| Institut für neue Kulturtechnologien/t0
| Museumsplatz 1, Museumsquartier
| A-1070 Wien
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| Tel. +43 (1) 522 18 34
| Fax. +43 (1) 522 50 58
|
| <mailto:eismann@t0.or.at>
| <http://www.t0.or.at/>

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09 In den Fängen des Dr. Gross
von: augustin <augustin@nextra.at>

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In den Fängen des Dr. Gross
Eine Veranstaltung am Dienstag, 16. Oktober
im Aktionsradius Augarten

Mit skandalöser Verspätung hat nun der Bund Sozialdemokratischer Akademiker (BSA) eine Aufarbeitung des Falles Heinrich Gross in Auftrag gegeben. BSA-Präsident und Wiens Vizebürgermeister Sepp Rieder gestand dieser Tage, es sei ein Fehler gewesen, die Frage der BSA-Mitgliedschaft des berüchtigten NS-Arztes auf dem Spiegelgrund nicht offensiver angegangen zu sein. Nun ist Wolfgang Neugebauer, Leiter des Dokumentationsarchivs des Österreichischen Widerstands, mit einer Untersuchung beauftragt worden. Bereits im Juni hatte die Führung der Ludwig-Boltzmann-Gesellschaft um Verzeihung gebeten. Die Gesellschaft hatte dem NS-Arzt - man wirft ihm mehrfachen Mord an geistig behinderten Kindern vor - Unterschlupf gewährt und ihn mit einem Gehirnforschungsinstitut versorgt.

Hätten nicht der Journalist Oliver Lehmann und die Zeitgeschichtlerin Traudl Schmidt mit ihrem Buch "In den Fängen des Dr. Gross" (Czernin Verlag) die Öffentlichkeit aufgewühlt - der braune Fleck im BSA wäre wohl weiter nicht angegangen worden. Oliver Lehmann wird im Aktionsradius Augarten sein Buch vorstellen und über die Lawine berichten, die er damit losgetreten hat. Die Wiener Ärztin Dr. Karin Mosser, Leiterin des Gedenk- und Forschungsprojekts in der Causa Gross (im Auftrag der Gemeinde Wien), wird über die Pläne der Errichtung einer Gedenkstätte auf dem Baumgartner Höhe und der Bestattung der Hirne der ermordeten Kinder berichten. Einige Überlebende vom Spiegelgrund werden für Anfragen zur Verfügung stehen.

Ort: Wien 20, Gaußplatz 11
Beginn: 19:30. Eintritt frei.

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10 1 Jahr Todesfasten in der Türkei
von: PWI <info@pwi.action.at>

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An die demokratische Öffentlichkeit!

Das gestrige Koordinationstreffen hat für den Jahrestag des Todesfastens der politischen Gefangenen in der Türkei und ihrer Angehörigen folgendes beschlossen:

SOLIDARITÄTSDEMONSTRATION

Ort: Europaplatz/Westbahnhof
Datum: Samstag, 20. Oktober 2001
Zeit: 14.00 Uhr

Die bisherigen UnterstützerInnen sind:
AIK - Antiimperialistische Koordination
RKL - Revolutionär Kommunistische Liga
BsB - Bewegung für soziale Befreiung
Rat zur Verteidigung des Kampfes der iranischen Völker
ÖZTUDAK - TIKB
TAYAD - Solidaritätskomitee Wien
DHKC Wien
KPÖ Wien
Gesellschaft für bedrohte Völker

Falls noch jemand diese Aktion unterstützen möchte, dann schreibt bitte ein Mail an Prison Watch International - Wien.

Internationalen Leninistischen Strömung

PF 23, A-1040 Wien, Austria

Tel & Fax +43 1 504 00 10

rkl@leninist-current.org

<http://www.leninist-current.org>

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Redaktionsschluss: 13. Oktober 2001, 23:00 Uhr
Diese Ausgabe hat [Petra Steiner](#)
zusammengestellt

Fehler moege frau/man mir nachsehen!

>The So Called Evidence is a Farce
>I'm a retired Special Forces Master Sergeant. That doesn't cut much for
>those who will only accept the opinions of former officers on military
>matters, since we enlisted swine are assumed to be incapable of grasping
>the nuances of doctrine.
>But I wasn't just in the army. I studied and taught military science and
>doctrine. I was a tactics instructor at the Jungle Operations Training
>Center in Panama, and I taught Military Science at West Point. And
>contrary to the popular image of what Special Forces does, SF's mission is
>to teach. We offer advice and assistance to foreign forces. That's
>everything from teaching marksmanship to a private to instructing a
>Battalion staff on how to coordinate effective air operations with a
>sister service.
>Based on that experience, and operations in eight designated conflict
>areas from Vietnam to Haiti, I have to say that the story we hear on the
>news and read in the newspapers is simply not believable. The most cursory
>glance at the verifiable facts, before, during, and after September 11th,
>does not support the official line or conform to the current actions of
>the United States government.
>But the official line only works if they can get everyone to accept its
>underlying premises. I'm not at all surprised about the Republican and
>Democratic Parties repeating these premises. They are simply two factions
>within a single dominant political class, and both are financed by the
>same economic powerhouses. My biggest disappointment, as someone who
>identifies himself with the left, has been the tacit acceptance of those
>premises by others on the left, sometimes naively, and sometimes to score
>some morality points. Those premises are twofold. One, there is the
>premise that what this de facto administration is doing now is a
>"response" to September 11th. Two, there is the premise that this attack
>on the World Trade Center and the Pentagon was done by people based in
>Afghanistan. In my opinion, neither of these is sound.
>To put this in perspective we have to go back not to September 11th, but
>to last year or further.
>A man of limited intelligence, George W. Bush, with nothing more than his
>name and the behind-the-scenes pressure of his powerful father-a former
>President, ex-director of Central Intelligence, and an oil man-is
>systematically constructed as a candidate, at tremendous cost. Across the
>country, subtle and not-so-subtle mechanisms are put into place to
>disfranchise a significant fraction of the Democrat's African-American
>voter base. This doesn't come out until Florida becomes a battleground for
>Electoral College votes, and the magnitude of the story has been
>suppressed by the corporate media to this day. In a decision so lacking in
>legitimacy, the Supreme Court will neither by-line the author of the
>decision nor allow the decision to ever be used as a precedent, Bush v.
>Gore awards the presidency of the United States to a man who loses the
>popular vote in Florida and loses the national popular vote by over
>600,000.
>This de facto regime then organizes a very interesting cabinet. The Vice
>President is an oil executive and the former Secretary of Defense. The
>National Security Advisor is a director on the board of a transnational
>oil corporation and a Russia scholar. The Secretary of State is a man with
>no diplomatic experience whatsoever, and the former Chair of the Joint
>Chiefs of Staff. The other interesting appointment is Donald Rumsfeld as
>Secretary of Defense. Rumsfeld is the former CEO of Searle
>Pharmaceuticals. He and Cheney were featured as speakers at the May, 2000,
>Russian-American Business Leaders Forum. So the consistent currents in
>this cabinet are petroleum, the former Soviet Union, and the military.
>Based on the record of Daddy Bush, in all his guises, and the general
>trajectory of US foreign policy as far back as the Carter Administration,
>I feel I can reasonably conclude that Middle Eastern and South Asian
>fossil fuels are one of their major preoccupations. Not just because this
>klavern has some very direct financial interests in fossil fuel, but
>because they surely know that worldwide oil production is peaking as we
>speak, and will soon begin a permanent and precipitous decline that will
>completely change the character of civilization as we know it within 20
>years. Even the left seems to be in deep denial about this, but the math
>is available. And, no, alternative energies and energy technologies will

>not save us. All the alternatives in the world can not begin to provide
>more than a tiny fraction of the energy base now provided by oil. This
>makes it more than a resource, and the drive to control what's left more
>than an economic competition.
>I further conclude that the economic colonization of the former Soviet
>Union is probably high on that agenda, and in fact has a powerful synergy
>with the issue of petroleum. Russia not only holds vast untapped resources
>that beckon to imperialism in crisis, it remains a credible military and
>nuclear challenger in the region.
>We have not one, but three members of the Bush de facto cabinet with
>military credentials, which makes the cabinet look quite a lot like a
>military General Staff. All this way before September 11th.
>Then there's the subject of the North Atlantic Treaty Organization. NATO
>might have expected consignment to the dustbin of the Cold War after the
>Eastern Bloc shattered in 1991. Peace dividend and all that. But it
>didn't. It expanded directly into the former states of the Eastern Bloc
>toward the former Soviet Union, and contributed significant forces to the
>devastation of Iraq-a key country in the world oil market, over which
>control translates into the ability to manipulate oil prices.
>NATO is a military formation, and the United States exerts the controlling
>interest in it. It seemed like a form without a function, but it remedied
>that pretty quickly.
>Then when Yugoslavia refused to play ball with the International Monetary
>Fund, the US and Germany began a systematic campaign of destabilization
>there, even using some of the veterans of Afghanistan in that campaign.
>NATO became the military arm of that agenda-the break-up of Yugoslavia
>into compliant statelets, the further containment of the former Soviet
>Union, and the future pipeline easement for Caspian Sea oil to Western
>European markets through Kosovo.
>You see, this is important to understand, and people-even those against
>the war talk-are tending to overlook the significance of it. NATO is not a
>guarantor of international law, and it is not a humanitarian organization.
>It is a military alliance with one very dominant partner. And it can no
>longer claim to be a defensive alliance against European socialists. It is
>an instrument of military aggression.
>NATO is the organization that is now going to thrust further along the
>40th parallel from the Balkans through the Southern Asian Republics of the
>former Soviet Union. The US military has already taken control of a base
>in Uzbekistan. No one is talking about how what we are doing seems to be a
>very logical extension of a strategy that was already in motion, and has
>been in motion for two decades. Once we recognize the pattern of activity
>designed to simultaneously consolidate control over Middle Eastern and
>South Asian oil, and contain and colonize the former Soviet Union,
>Afghanistan is exactly where they need to go to pursue that agenda.
>Afghanistan borders Iran, India, and even China but, more importantly, the
>Central Asian Republics of the former Soviet Union, Uzbekistan,
>Turkmenistan and Tajikistan. These border Kazakhstan. Kazakhstan borders
>Russia. Turkmenistan sits on the Southeastern quadrant of the Caspian Sea,
>whose oil the Bush Administration dearly covets.
>Afghanistan is necessary for two things: as a base of operations to begin
>the process of destabilizing, breaking off, and establishing control over
>the South Asian Republics, which will begin within the next 18-24 months
>in my opinion, and constructing a pipeline through Turkmenistan,
>Afghanistan, and Pakistan to deliver petroleum to the Asian market.
>The BBC was recently told by Niaz Naik, a Pakistani Foreign Secretary,
>that senior American officials were warning them as early as mid-July that
>military action for mid-October was being planned for Afghanistan. In
>1996, the Department of Energy was issuing reports on the desirability of
>a pipeline through Afghanistan, and in 1998, Unocal testified before the
>House Subcommittee on Asia and the Pacific that this pipeline was crucial
>to transport Caspian Basin oil to the Indian Ocean.
>Given this evidence that a military operation to secure at least a portion
>of Afghanistan has been on the table, possibly as early as five years ago,
>I can't help but conclude that the actions we are seeing put into motion
>now are part of a pre-September 11th agenda. I'm absolutely sure of that,
>in fact. The planning alone for operations, of this scale, that are now
>taking shape, would take many months. And we are seeing them take shape in

>mere weeks.
>It defies common sense. This administration is lying about this whole
>thing being a "reaction" to September 11th. That leads me, in short order,
>to be very suspicious of their yet-to-be-provided evidence that someone in
>Afghanistan is responsible. It's just too damn convenient. Which also
>leads me to wonder-just for the sake of knowing-what actually did happen
>on September 11th, and who actually is responsible.
>The so-called evidence is a farce. The US presented Tony Blair's puppet
>government with the evidence, and of the 70 so-called points of evidence,
>only nine even referred to the attacks on the World Trade Center, and
>those points were conjectural. This is a bullshit story from beginning to
>end. Presented with the available facts, any 16-year old with a liking for
>courtroom dramas could tear this story apart like a two-dollar shirt. But
>our corporate press regurgitates it uncritically. But then, as we should
>know by now, their role is to legitimize.
>This cartoon heavy they've turned bin Laden into makes no sense, when you
>begin to appreciate the complexity and synchronicity of the attacks. As a
>former military person who's been involved in the development of countless
>operations orders over the years, I can tell you that this was a very
>sophisticated and costly enterprise that would have left what we call a
>huge "signature".
>In other words, it would be very hard to effectively conceal.
>So there's a real question about why there was no warning of this. That
>can be a question about the efficacy of the government's intelligence
>apparatus. That can be a question about various policies in the various
>agencies that had to be duped to orchestrate this action. And it can also
>be a question about whether or not there was foreknowledge of the event,
>and that foreknowledge is being covered up. To dismiss this concern out of
>hand as the rantings of conspiracy nuts is premature. And there is a
>history of this kind of thing being done by national political bosses,
>including the darling of liberals, Franklin Roosevelt. The evidence is
>very compelling that the Roosevelt Administration deliberately failed to
>act to stop Pearl Harbor in order to mobilize enough national anger to
>enter the World War II.
>I have no idea why people aren't asking some very specific questions about
>the actions of Bush and company on the day of the attacks.
>Follow along:
>Four planes get hijacked and deviate from their flight plans, all the
>while on FAA radar. The planes are all hijacked between 7:45 and 8:10 AM
>Eastern Daylight Time.
>Who is notified?
>This is an event already that is unprecedented. But the President is not
>notified and going to a Florida elementary school to hear children read.
>By around 8:15 AM, it should be very apparent that something is terribly
>wrong. The President is glad-handing teachers.
>By 8:45, when American Airlines Flight 11 crashes into the World Trade
>Center, Bush is settling in with children for his photo ops at Booker
>Elementary. Four planes have obviously been hijacked simultaneously, an
>event never before seen in history, and one has just dived into the worlds
>best know twin towers, and still no one notifies the nominal Commander in
>Chief.
>No one has apparently scrambled any Air Force interceptors either.
>At 9:03, United Flight 175 crashes into the remaining World Trade Center
>building. At 9:05, Andrew Card, the Presidential Chief of Staff whispers
>to George W. Bush. Bush "briefly turns somber" according to reporters.
>Does he cancel the school visit and convene an emergency meeting? No.
>He resumes listening to second graders read about a little girl's pet
>fucking goat, and continues this banality even as American Airlines Flight
>77 conducts an unscheduled point turn over Ohio and heads in the direction
>of Washington DC.
>Has he instructed Chief of Staff Card to scramble the Air Force? No.
>An excruciating 25 minutes later, he finally deigns to give a public
>statement telling the United States what they already have figured out;
>that there's been an attack by hijacked planes on the World Trade Center.
>There's a hijacked plane bee-lining to Washington, but has the Air Force
>been scrambled to defend anything yet? No.
>At 9:30, when he makes his announcement, American Flight 77 is still ten

>minutes from its target, the Pentagon.
>The Administration will later claim they had no way of knowing that the
>Pentagon might be a target, and that they thought Flight 77 was headed to
>the White House, but the fact is that the plane has already flown South
>and past the White House no-fly zone, and is in fact tearing through the
>sky at over 400 nauts.
>At 9:35, this plane conducts another turn, 360 degrees over the Pentagon,
>all the while being tracked by radar, and the Pentagon is not evacuated,
>and there are still no fast-movers from the Air Force in the sky over
>Alexandria and DC.
>Now, the real kicker: A pilot they want us to believe was trained at a
>Florida puddle-jumper school for Piper Cubs and Cessnas, conducts a
>well-controlled downward spiral, descending the last 7,000 feet in
>two-and-a-half minutes, brings the plane in so low and flat that it clips
>the electrical wires across the street from the Pentagon, and flies it
>with pinpoint accuracy into the side of this building at 460 nauts.
>When the theory about learning to fly this well at the puddle-jumper
>school began to lose ground, it was added that they received further
>training on a flight simulator.
>This is like saying you prepared your teenager for her first drive on I-40
>at rush hour by buying her a video driving game. It's horse shit!
>There is a story being constructed about these events. My crystal ball is
>not working today, so I can't say why.
>But at the least, this so-called Commander-in-Chief and his staff that we
>are all supposed to follow blindly into some ill-defined war on terrorism
>is criminally negligent or unspeakably stupid. And at the worst, if more
>is known or was known, and there is an effort to conceal the facts, there
>is a criminal conspiracy going on.
>Certainly, the Bush de facto administration was facing a confluence of
>crises from which they were temporarily rescued by this event. Whether
>they played a sinister role or not, there is little doubt that they have
>at the very least opportunistically pounced on this attack to overcome
>their lack of legitimacy, to shift the blame for the encroaching recession
>from capitalism to the September 11th terror attack, to legitimize their
>pre-existing foreign policy agenda, and to establish and consolidate
>repressive measures domestically and silence dissent. In many ways,
>September 11th pulled the Bush cookies out of the fire.
>And given them the green light to begin constructing a long-term scenario
>within which to establish fascistic control measures at home and abroad as
>a citadel for the ruling class in the catastrophic conjuncture that we are
>entering based on the end of oil.
>This elephant in the living room is being studiously ignored. In fact, the
>domestic repression has already begun, officially and unofficially. It's
>kind of a latter day McCarthyism. I participated in a teach-in at Chapel
>Hill, North Carolina, on the 17th of September, and though not a single
>person on the panel excused or justified the attacks, and every person
>there offered either condolences and prayers for the victims, we were
>excoriated within two days as "enemies of America." Yesterday an op-ed
>called for my deportation (to where, one can only guess). Now Herr
>Ashcroft is fast tracking the biggest abrogation of US civil liberties
>since the so-called anti-terrorism legislation after the Oklahoma City
>bombing - which by the way hasn't resulted in anti-terrorism but in the
>acceleration of the application of the racist death penalty. The FBI has
>defined terrorist groups not by whether any given group has ever acted as
>terrorists, but by their beliefs. Some socialists and anti-globalization
>groups have already been identified by name as terrorist groups, even
>though there is not a single shred of evidence that they have ever
>participated in any criminal activity. It reminds me of the Smith Act that
>was finally declared unconstitutional, but only after a hell of a lot of
>people served a hell of a long time in jail for the crime of thinking.
>I think this also points to yet another huge problems that the Bush regime
>was facing. Worldwide resistance to the whole so-called neoliberal agenda,
>which is a prettied up term for debt-leverage imperialism. While debt and
>the threat of sanctions has been used to coerce nations in the periphery,
>we have to understand that the final guarantor of compliance remains
>military action. For a global economic agenda, there is always a
>corresponding political and military agenda.

>The focal point of these actions in the short term is Southern Asia, but
>they have already scripted this as a worldwide and protracted fight
>against terrorism.
>It's far better than drug wars as a rationalization, and the drug war
>thing was being discredited in any case. Leftists are regaining power and
>popularity in Venezuela, El Salvador, Nicaragua, Ecuador, Colombia, the
>Dominican Republic, Haiti, Brazil, and Argentina. Cuba has gained immense
>prestige over the last few years. The empire is beginning to unravel. We
>can hardly justify intervention in these places by saying they are not
>towing the economic line by allowing the absolute domination of their
>societies by transnational corporations. That exposes the agenda. So we
>simply claim they are supporting terrorism.
>It's for all these reasons I say the left has missed the boat on this one,
>by allowing them to get away with rushing past the question of who did
>what on September 11th. If the official story is a lie, and I think the
>circumstantial case is strong enough to stay with this question, then we
>really do need to know what happened. And we need to understand concretely
>what the motives of this administration are.
>And we need to understand more than just their immediate motives, but
>where the larger social forces that underwrite our situation right now are
>headed. I do not think this administration is engaged in the deliberative
>process of a political grouping that is on top of their game. They are
>putting together some very deliberative technical solutions in response to
>a larger situation that it slipping rapidly out of their control. Like
>clear cutting. There's a very smart technology being employed to do a very
>dumb thing.
>What they are responding to is not September 11th, but the beginning of a
>permanent and precipitous decline in worldwide oil production, the
>beginning of a deep and protracted worldwide recession, and the unraveling
>of the empire.
>This brings me to a point about what all this means for Americans'
>security, which they are perfectly justified to worry about. The actions
>being prepared by this administration will not only not enhance our
>security, it will significantly degrade it. Military action against many
>groups across the globe, which is what the administration is telling us
>quite openly they are planning to do, will put a lot of backs against the
>wall. That can't be very secure.
>The concept of war being touted here is a violation of the principles of
>war on several counts, and will inevitably lead to military catastrophes,
>if you're inclined to view this from a position of moral and political
>neutrality.
>And the people who are now in possession of half the world's remaining oil
>reserves are subject to destabilization for which we can't even pretend to
>predict the consequences-but loss of access to critical energy supplies is
>certainly within the realm of possibility. Worst of all, we will be
>destabilizing Pakistan, a nuclear power in an active conflict with its
>neighbor, and we will be provoking Russia, another nuclear power. The
>security stakes don't get any higher, and Americans can ill afford to
>ignore nukes.
>And I think that this domestic agenda is a tremendous threat to the
>security of anyone who is critical of the government or their corporate
>financiers, and we already know that the real threats are against
>populations that can easily be scapegoated as the domestic crisis deepens.
>There is a very real threat right now of creeping fascism in this country,
>and that phenomenon requires its domestic enemies. Historically those
>enemies have included leftists, trade unionists, and racially and
>nationally oppressed sectors. This whole "state of emergency" mentality is
>already being used to quiet the public discourses of anti-racism, of
>feminism, of environmentalism, and of both socialism and anarchism. And
>while there is token resistance by officials to anti-Muslim xenophobia,
>the stereotypical images have saturated the media, and the government is
>already beginning to openly re-instate racial profiling. It is only a
>short step from there to go after other groups. We have long been prepared
>by the ideologies of overt and covert racism, and racism as both
>institution and corresponding psychology in the United States is nearly
>intractable.
>It's for all these reasons that I say emphatically that we can not accept

>anything from this administration; not their policies nor their bullshit
>stories. What they are doing is very, very dangerous, and the time to
>fight back against them, openly, is right now, before they can consolidate
>their power and their agenda. Once they have done that, our job becomes
>much more difficult.
>The left, if it has the capacity to self-organize out of its oblivion,
>needs to understand its critical roles here. We have to play the role of
>credible, hard-working, and non-sectarian partners in a broader
>peace-movement. We have to study, synthesize, and describe our current
>historical conjuncture. And we have to prepare leadership for the decisive
>conflict that will emerge to first defeat fascism then take political
power.
>Rosa Luxemburg's words are truer than ever right now. We are not faced
>with a choice between socialism and capitalism, but socialism or barbarism.
>And what we can least afford are denial and timidity.

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02 4 Gefallene Im Großen Widerstand
von: Revolutionäre Volksbefreiungsfront <press@dhkc.org>
=====

4 Gefallene Im Großen Widerstand
Unsere, Mit 72 Gefallenen Größer werdende Rechnung
Der Widerstand Jener, Die sich für eine unabhängige Türkei anstelle von der
Amerikanischen Regierung aussprechen
Der Marsch der Patrioten gegen die Landesverräter

DIE PATRIOTEN DIE SICH IM WIDERSTAND FÜR BROT UND GERECHTIGKEIT BEFINDEN
WERDEN SIEGEN

Zeynep Arıkan Gülbag, die genau 343 Tage lang die Worte "Für unser Volk, das
bisher kein Glück erfahren konnte..." auf ihrem Stirnband trug, hat sich am
27. September in Armutlu zu den Helden unseres unbesiegbaren Volkes begeben.
Ali Rıza Demir ist auf seinem Marsch, den er am 20. Oktober 2000 mit den
Worten "Wir werden die Volksfeinde, Imperialisten und ihre Kollaborateure
daran hindern, unser Volk auszubeuten und unser Land Stück für Stück zu
verkaufen" angetreten hat, am 27. September, den 343. Tag des Widerstands in
Armutlu unsterblich geworden.

Ayşe Bastımur krönte ihren Kampf, den sie opferbereit mit den Worten "Wir
werden auf den Böden unseres Landes Welle für Welle zur Freiheitshoffnung
werden" aufgenommen, am 28. September, den 342. Tag ihres Widerstands in Ankara
mit ihrem Martyrertum.

Özlem Durakcan ist in ihrem Widerstand, den sie vor 74 Tagen mit den Worten
"Ich bin gegen Ungleichheit, Ausbeutung, Ungerechtigkeit, ich will ein Land
in dem man menschlich leben kann" begonnen hat, am 28. September in Ankara
gefallen.

Die Karawane zieht mit 4 Gefallenen in zwei Tagen weiter. Der Kampf gegen
die Tyrannei der Pro-Amerikaner setzt sich gnadenlos fort.

Zeynep, Ali Rıza und Ayşe... Sie sind KämpferInnen der 1. Todesfastengruppe,
unsere drei Helden und Herzen, die Massaker, Unterdrückung, Folter,
Bestechung und Zeit nicht von ihrem Weg abbringen konnten.

Özlem... das junge Herz der Verantwortung, eine junge Anhängerin des TAYAD,
die ihr Leben denen gewidmet hat, die sich der Unterdrückung widersetzen.

Zeynep, Ali Rıza und Ayşe waren WiderstandskämpferInnen der 1.
Todesfastengruppe. Sie wurden freigelassen. Sie haben nicht einmal für einen
Moment an Verrat gedacht. Sie haben nicht gezögert. Sie haben auf das
Gesicht des Verrats gespuckt, der über unsere Leichen gehend zum Vorschein
trat, und ihren Weg fortgesetzt. Drei Fäuste prallten eine nach dem anderen
auf das Gesicht des Verrats aus dem alles Leben gewichen ist.

Mit 4 Rosen haben wir die Brust der Unterdrückung mitsamt ihrer Kugel
geschlagen. Während unser in einem Atemzug fortgesetzter Widerstand bald 1
Jahr vollendet hat, ist aus unseren Gefallenen mittlerweile ein Berg
entstanden. Wir haben genau 72 Leben gegeben in diesem Kampf. Wir sind 72
Mal gestorben, seitdem die Oligarchie gegen das Volk der Türkei einen Krieg
eröffnet hat.

In diesen 344 Tagen sind wir genau 72 Mal gestorben, aber die Hand des Widerstands hat nicht ein einziges Mal gezittert. Nicht ein einziges Mal konnten sie in die Knie gezwungen werden.

Die Geschichte ist nicht müde geworden, weiterhin unsere Heldenepen niederzuschreiben. Anatolien wurde durch unseren Schrei der Rebellion, der sich gegen die Tyrannei von seinen Böden erhebt, geehrt. Es hat die Namen unserer Helden mit rotem Stirnband an der Seite der würdevollsten Kinder einer tausende Jahre existierenden Menschheitsgeschichte verewigt.

DIE REGIERUNG MUSS VON IHRER ILLUSION UND IHREN LÜGEN ABWEICHEN

Den Krieg, den Amerika zur Stabilisierung seines Imperiums mit der Lüge "gegen den Terror" begonnen hat als Gelegenheit nutzend, hat sich die Oligarchie noch intensiver an Lügen wie "Das Todesfasten wird vom Ausland gelenkt" geklammert, um ihren mörderhaften Charakter legitim zu zeigen.. Wie bedauernswert.

Was gestern die lügenerischen Minister und Regierungen gesagt haben, wird heute schamlos und ungeniert vom heuchlerischen General Yasar Büyükanit nachgeplaudert.

Wir verkünden der ganzen Welt ein weiteres Mal; ihr sucht die Führungszentrale des Widerstands?

Das Zentrum des Widerstands, sein Stützpunkt, die ihn Leitenden und Ausführenden sind unsere Menschen, die den Tod in Kauf genommen haben. Ihr könnt mit Euren Lügen nicht den Widerstand brechen, sondern Euch damit lediglich vor der ganzen Welt lächerlich machen.

Die Gefangenen haben dies mit den Worten "Selbst wenn ein Einziger von uns zurückbleibt, wird der Widerstand andauern" erklärt.

Es ist eine Illusion, auf das Ende des Widerstands zu warten, ohne daß die Forderungen erfüllt wurden.

Es ist eine Illusion zu erwarten, daß uns Zeit, Unterdrückung und Tod einschüchtern.

Gebt diese Illusion auf. Akzeptiert die Forderungen der Gefangenen ehe ihr eure Schuld und die Wut vergrößert.

Stoppt die Isolation.

Die 7. Todesfastengruppen, die am 26. September den Widerstand begonnen haben, sind der Beweis für die Entschlossenheit und dafür, wie brennend und unverzichtbar die Forderungen sind.

Allein die 4 Helden, die innerhalb von zwei Tagen gefallen sind, geben den besten Beweis dafür ab, daß der Widerstand einen großen Preis in Kauf nimmt.

Jene, die immer noch darauf warten, daß der Widerstand von selbst endet, sind entweder schwer von Begriff oder leben nicht in diesem Land.

WIR LEISTEN WIDERSTAND GEGEN DIE TYRANNEI DER PRO-AMERIKANISCHEN REGIERUNG

Diese Regierung hat weder mit dem Volk noch mit dem Land irgendetwas zu tun.

Das Volk ist hungig, arm, arbeitslos, mit Ausnahme einer Handvoll

Kollaborateure will niemand die Böden unseres Landes an das Amerikanische Imperium verschenken. Das Land ist zur Hölle geworden, aber das kümmert die Regierung überhaupt nicht.

Sie sagen "Volle Unterstützung an Amerika" und nichts weiter.

DIESE REGIERUNG EXISTIERT LEDIGLICH FÜR DIE INTERESSEN DES AMERIKANISCHEN IMPERIUMS.

Sie haben die Führung des Landes den Konsulen der USA und dem IMF ausgehändigt.

Der amerikanische Außenminister klatscht in die Hände und sie begeben sich Hals über Kopf in die USA. Sie sagen "Wir stehen bedingungslos in Eurem Befehl".

Das arme Volk des in einen Feuerherd verwandelten Anatoliens ruft "WIR SIND HUNGRIG", doch sie drehen sich nicht einmal nach ihm um.

Die Knechtschaft hat eine derartige Dimension angenommen, Bush spricht von "Kreuzzügen" und diese Regierung korrigiert ihn "es handelt sich um ein Mißverständnis". Die ganze Welt kritisiert Bush, aber diese Regierung gibt kein Wort von sich.

Diese Regierung sagt nur: "Völlige Unterstützung an Amerika". Diese Regierung will unser Land zu einem Bundesland Amerika's machen!

WIR WERDEN DIES NIEMALS ZULASSEN!

Kann das Amerikanische Imperium ein Volk, aus dem 4 Helden im gleichen Zeitraum wie ein Messer auf die Brust der Unterdrückung einstechen, zu seinem Untertanen machen?

Solange dieses Volk Helden wie diese hervorbringt, sich Hunderte von Freiheitskämpfern für Brot und Gerechtigkeit mit Aufopferungsgeist schmücken; können jene, die eine Operation zur Eroberung der Welt beginnen und sagen, daß Systeme, die auf Egoismus, Profit, Lügen, Plünderung, Raub, Ausbeutung und Massaker aufgebaut sind "die überlegenste Zivilisation sind", sowie deren Kollaborateure in unserem Land das Volk nicht zur Ergebung zwingen.

Unser Widerstand ist der Widerstand des nicht kapitulierenden Volkes.
Unser Widerstand ist der Widerstand der Patrioten gegen den Landesverrat.
Unser Widerstand ist das unzerbrechliche Monument der Losung "Unabhängige Türkei" gegen die pro-amerikanische Regierung. Unser Widerstand ist gegen das Unterdrückungs- und Ungerechtigkeitsystem des US-Imperiums und seiner Kollaborateure, die einen Krieg ansagen, um auf der Welt keine einzige oppositionelle Kraft übrigzulassen. Als die Oligarchie zusammen mit dem IMF dem Volk den Krieg erklärt und als wichtigen Teil dessen die F Typ Gefängnisse an die Tagesordnung gebracht hat, stellten wir ihr unseren Widerstand entgegen; heute, wo Amerika allen unterdrückten Völkern der Welt den Krieg erklärt, geben wir unsere Antwort im Widerstand.

Wir verkünden der ganzen Welt, daß der Pro-Amerikanismus auf diesem Boden keine Ruhe finden wird. Unser Todesfastenwiderstand ist ein prunkvolles Manifest aller dem Volk angehörenden Werte gegenüber der pro-amerikanischen Kultur. Genau dann, wenn die Pro-Amerikaner denken, daß sie alle Gehirne mit der amerikanischen Kultur beschmutzen konnten; explodieren wir wie ein Vulkan, aus dessen Lava Geschwisterlichkeit, Solidarität, gegenseitige Unterstützung, Genossenschaftlichkeit, Opferbereitschaft, Liebe zum Volke und zur Heimat sprüht. Wir zerschmettern und verwischen den Schmutz des Egoismus, der Fäulnis und der Unmoral in ihren Köpfen.

DER KAMPF IST EIN KAMPF UM BROT

DIE FORDERUNG UNSERES VOLKES IST BROT UND GERECHTIGKEIT

Das amerikanische Imperium läßt die Weltvölker ohne Brot und Gerechtigkeit. Die Oligarchie der Türkei läßt ihr Volk ohne Brot und Gerechtigkeit. Diese Regierung bringt lediglich Unterdrückung und Hunger. Unser Volk wurde so weit gebracht, daß es heute nicht mehr imstande ist das trockene Brot, welches es gestern gegessen hat, zu kaufen.

Wie lange kann dieser Hunger, diese Ungerechtigkeit noch mit Tyrannei unterdrückt werden? Wie lange noch können sie die Rebellion der Hungernden und Verarmten mit Polizei und Armee aufhalten? Unser Volk muß sich sättigen. Es gibt keine einzige Kraft in der Welt, die eine solche Forderung unterdrücken kann.

GESCHWISTER! UNSER HUNGRIGES UND ARMES VOLK!

Wir müssen uns gegen das Unterdrückungssystem, welches von der Hilfsregierung des IMF aufgebaut wurde, organisieren. Wir müssen uns für Brot organisieren. Wir müssen uns für Gerechtigkeit organisieren. Wir können nicht ohne Brot und Gerechtigkeit leben.

Die 4 Gefallenen sind ein Aufruf zur Rebellion gegen den IMF, das US-Imperium und die pro-amerikanische Regierung.

Sie sind der Aufruf für ein Land, das nicht vom IMF regiert wird. Wenn wir Brot wollen, dann müssen wir uns vom IMF und seinen Kollaborateuren befreien.

Unser Widerstand ist der Aufruf für ein freies und unabhängiges System, in dem unser Volk in Satttheit lebt.

Wir werden dieses von unseren Gefallenen ersehnte System aufbauen.

UNSERE GEFALLENEN:

Zeynep ARIKAN GÜLBAG:

"Dieses Leben soll ihnen gewidmet sein!"

Im Jahre 1986 lernte sie Anhänger der Dev-Genc kennen. Sie machte einen Schritt vor in den Kampf. Unsere Genossin Zeynep befindet sich heute wie gestern im Kampf. Heute, sowie gestern hat sie auf vielen Gebieten des Kampfes Aufgaben übernommen. Sie war Führerin, Kommandantin. Am Vorabend des letzten großen Gefechts erklärte sie "Ich möchte nicht am Kampf teilnehmen sondern im Kampf ganz vorne stehen", und das ist ihr gelungen. Mit einer Bescheidenheit, die sagt "Ich versuche am 280. Tage des Todesfastens lediglich ein einfacher Soldat des Kampfes zu sein", ist sie als

Kommandantin und Symbol der Herausforderung von Zeit und Unterdrückung, der Willensstärke und Entschlossenheit unsterblich geworden. Unsere Genossin Zeynep wurde 1968 in Malatya Hekimhan geboren. Im Kindesalter ist sie mit ihrer Familie nach Istanbul verzogen. Zwischen 1986-87 lernte sie in der Universität zu Istanbul die Anhänger der Dev-Genc kennen. Und sie hat ihren Kampf von 1987 bis 1992 innerhalb von Dev-!

Genc geführt. Während dieser Zeitspanne ist sie mehrmals festgenommen worden. Sie wurde aufgrund eines Protests gegen das Massaker in Maras festgenommen und befand sich für eine Weile im Gefängnis von Bayrampasa. Sie übernahm Aufgaben innerhalb des Dev-Genc- Komitees. Sie arbeitete bei der Zeitung Mucadele. Mit Kazim Gülbag heiratete sie im März 1992. Die Bedingungen des Kampfes und die organisatorischen Bedürfnisse haben sie nach kurzer Zeit voneinander getrennt. Während sich Zeynep im Gefängnis von Ümraniye im Todesfasten befand, war Kazim Gülbag im Ausland. Er beteiligte sich am Widerstand, indem er seinen Körper in Brand steckte; Er hat seine Verbundenheit und Liebe zu seinen Genossen, seinem Volk und seiner Ehefrau gezeigt, indem er seinen Körper gegen die Unterdrückung einsetzte. Im Jahre 1993 wurde Zeynep seitens der Putschisten angeschossen. Zwischen 1995-96 befand sie sich zwecks Ausbildung auf verschiedenen Gebieten. Von 1996-1997 übernahm sie die Aufgabe als Kommando!

ndantin innerhalb der Bewaffneten Propagandaeinheiten in Istanbul. Sie setzte ihre Unterschrift unter Aktionen, bei denen die Volksjustiz gegen Folterer und Mörder umgesetzt wurde. Am 4. August 1997 wurde sie festgenommen und ins Gefängnis gesteckt. Als die Gefängnisse des Typ F an die Tagesordnung kamen, befand sie sich im Gefängnis von Ümraniye. Sie trat ins Todesfasten. Der 19. Dezember, die Folter Zwangsernährung, Bestechung der Freilassung folgten eine nach dem anderen. Sie liebte ihr Volk, war ihren Genossen verbunden und ihren Gefallenen treu. Sie hat nicht gezögert. Sie wurde unsterblich mit dem Glauben an den Sieg.

ALI RIZA DEMIR:

"Ich bin in einer Gemeinschaft, selbstlos und ohne Rücksicht auf den Tod"
Er wurde am 9. November 1973 als Kind einer armen Kurdischen Familie in dem Dorf Adiyaman-Gökçay (Karikan) geboren. Er kannte die Repression und die Unterdrückung aus seinem Dorf. Er war das Kind eines Volkes, dessen Sprache und Kultur verboten war. Nach Abschluß des Gymnasiums in Malatya trat er im Jahre 1991 das Fach Textilingenieurwesen an der Technischen Universität zu Istanbul an. Hier lernte er die Anhänger von Dev-Genc kennen. Er hat ohne zu zögern im organisierten Kampf teilgenommen. Denn er "wollte sein Wissen nicht in den Dienst des Systems stellen". Er war sich darüber bewußt, daß der Kampf gegen den Faschismus organisiertes Revolutionärtum bedeutete. Bis zu seiner Gefangenschaft im Jahre 1994 hat er innerhalb von Dev-Genc unterschiedliche Aufgaben übernommen. Als Kämpfer der 1. Todesfastengruppe im Gefängnis von Ümraniye ist er in seinem langen Rennen, das er mit den Worten "Wir rufen die Stimme unserer Genossen, die aus den Gefängnissen den Aufrufen des Feindes!

'sich zu ergeben' mit 'Wir werden eher sterben, als uns ergeben' antworteten, noch lauter hinaus. Mit unserer Todesfastenoffensive werden wir diese Fahne ein weiteres Mal auf der Festung des Feindes aufpflanzen" begonnen hat, 343 Tage ohne Atempause gelaufen. Er setzte den Widerstand nach seiner Freilassung fort. Seine Gefühle in diesen Tagen hat er folgenderweise zum Ausdruck gebracht: "Heute befinde ich mich innerhalb der großen Familie der Partei-Front, meiner Familie. Ich bin glücklich und stolz. Ich bin gefüllt mit Begeisterung und Freude. Ich befinde mich unter Genossen. Ich bin in einer Gemeinschaft, selbstlos und ohne Rücksicht auf den Tod, ich liebe diese Familie." Diese Familie liebt auch Ihn.

AYSE BASTIMUR:

"Was kann schöner sein als sich der Gewalt zu widersetzen?"
Sie wurde am 24. Januar 1967 in Balıkesir-Bigadic als Tochter einer Familie türkischer Herkunft und sunnitischen Glaubens geboren. Sie hat die Volks- und Mittelschule in Bigadic, das Gymnasium für den Medizinberuf in Balıkesir abgeschlossen und als Krankenschwester zu arbeiten begonnen. Sie war in verschiedenen Krankenhäusern in Istanbul tätig. Sie arbeitete in der Türkischen Krankenschwesternvereinigung. Ihre erste Bekanntschaft und Sympathie zu unserer Bewegung begann etwa im Jahre 1985.

Ab 1987 nahm sie innerhalb unserer organisierten Zusammenhänge teil. Nach eigenen Worten hat sie das organisierte revolutionäre Leben gewählt "weil sie daran glaubte, die Wahrheit gefunden zu haben". Sie übernahm Aufgaben innerhalb der Organisierung der Revolutionären Beamtenbewegung. Im Jahre 1988 wurde sie nach den 1. Mai Demonstrationen inhaftiert und verbrachte zweieinhalb Monate im Gefängnis von Bayrampasa. Nach ihrer Freilassung gab es schließlich eine Ayse die in ihrer Wahl für das Revolutionärtum noch klarer war. Bis zu ihrer Gefangennahme bei der Operation vom 16-17 April 1992 hat sie verschiedene spezielle Aufgaben in unserer Bewegung übernommen. Nach ihrer zweieinhalbjährigen Gefangenschaft in Bayrampasa wurde sie ins Gefängnis von Canakkale verlegt. Als der Isolationszellen-Angriff an die Tagesordnung kam, nahm sie in der 1. Todesfastengruppe im Gefängnis von Canakkale teil. Während sie sich freiwillig meldete erklärte sie: "Was kann es schöneres geben als sich der Gewalt zu widersetzen?" Am 19. Dezember gehörte sie zu denen, die sich der Folter durch Zwangseingriff entgegenstellten. Sie hat die Bestechung durch Freilassung zurückgewiesen und das "rote Band", welches sie auch draußen um ihre Stirn band, nicht abgeworfen. Denn sie hat an den Sieg geglaubt und gewußt, daß das einzige Mittel gegen Unterdrückung der Widerstand war. Dies hat sie in ihren letzten Worten folgendermaßen zum Ausdruck gebracht:
"Wir haben den Weg beschritten um zu siegen. Die Entwicklungen haben einen noch viel stärkeren Willenskampf erfordert als wir erwartet hatten. Ob nun vorbereitet oder unvorbereitet, es war unsere Ehrenpflicht dies in Kauf zu nehmen. Niemand soll daran zweifeln, die Tage unseres Sieges sind ganz nah." Wenn sie auch den Sieg nicht erleben konnte, so sah sie ihn vorher und sagte: "Schon jetzt feiere ich den Sieg unseres Volkes und der Weltvölker".

DEVRYMCY HALK KURTULUP CEPHESY
REVOLUTIONÄRE VOLKSBEFREIUNGSFRONT

Datum: 10. Oktober 2001 Erklärung: 215

Schluß mit der Lüge und Demagogie!
Jede auf Afghanistan abgeworfene Bombe ist der Beweis der Realität!
DIES IST EIN EROBERUNGSKRIEG!

Nach tagelanger Propaganda, Manövern, und Demagogien hat sich die amerikanische Kriegsmaschinerie in Bewegung gesetzt und begonnen, das Volk von Afghanistan zu bombardieren. Dabei war die Rede von Gerechtigkeit, unendlicher Freiheit und vom Anpassungskrieg; Alles gelogen. Mit diesen Diskussionen soll das Wesen des Angriffs verschleiert werden. Die USA bringen Tod und Hunger nach Asien. Die US-Operation ist ein offener, gegen die Weltvölker gerichteter Terrorangriff. Dieser Krieg, ist der Krieg der USA um die Weltmacht. Es ist der Krieg um das Imperium. Deshalb wird Afghanistan bombardiert. Deshalb werden Länder, Völker, Organisationen bedroht.

Schluß mit der Lüge und Demagogie!
Die USA Können Nicht Bestimmen, Wie Die Weltvölker Zu Leben Haben!
Die USA erklären 'Taliban wird dafür bezahlen, daß er nicht mit uns kollaboriert', und sagen damit ganz offen, wir werden dein Land in Schutt und Asche legen. Sie sagen 'Mir gefällt dein Regime nicht, ich werde es ändern'. Wo bleiben hier Demokratie, internationales Recht und Gerechtigkeit? Nichts davon ist zu sehen. Es ist absoluter Terror. Sie wechseln die Führungen: Um sie auszutauschen morden sie; die Überlebenden werden Armut und Hunger ausgesetzt, ohne ein Glas sauberes Wasser zu haben in Flüchtlingslager gesperrt. Wodurch wollen sie denn die Führung ersetzen, während sie mit Bomben und Raketen alles niederbrennen und massakrieren. Sie sagen "Hier habt ihr einen König!".

Die Realität: Jede Abgeworfene Bombe Dient Den Interessen Der Monopole. Das ist die imperialistische Demokratie. In der imperialistischen Demokratie gibt es keine Prinzipien; ihr einziges Prinzip sind die Interessen der

Monopole. Hierfür verteidigt sie auch die Monarchie und führt Militärputsche durch. War es nicht sie selbst, die Taliban an die Regierung gebracht hat? Damals stellten die Lebensweise von Taliban und sein Regime kein Problem für Amerika dar. Denn die damaligen Interessen der Monopole lagen darin, die UdSSR-nahe Regierung in Afghanistan umzustürzen. Es war für die USA zu keiner Zeit bedeutend, ob der Charakter des Regimes in Afghanistan oder das eines anderen Landes demokratisch ist oder nicht; das entscheidende ist für die USA, ob es sich dem Amerikanischen Imperium beugt oder nicht. Wenn es sich beugt, ist es ein gutes, wenn nicht dann ist es ein schlechtes Regime, das ausgetauscht werden muß. Das Amerikanische Imperium will den letzten Bissen des Volkes, die letzten Überreste der nationalen Willenskraft vernichten. Dies ist das Ziel des Eroberungskrieges. Sein Ziel ist; sich die ganze Welt untertänig zu machen.

Afghanistan Ist Die Tür Zur Eroberung Asiens

Die Hauptverantwortung für alle Gewalt auf der Welt trägt der US-Imperialismus, welcher der Welt sein Imperium aufzwingt. Er macht sich mit dem Vorwand Bin Ladin zu schnappen über die ganze Welt und die Völker lustig. Dies ist eine Operation zur Eroberung, mit der die Märkte Asiens und die Welt erbeutet werden sollen.

Das Imperium führt daran vorbei, den Mittleren Osten, den Balkan und Asien zu erobern. Der Angriff der mit Irak begann und mit Jugoslawien fortgesetzt wurde, richtet sich nun gegen Afghanistan. Weil dem so ist, haben die USA von Beginn an von einer langen Dauer dieses Krieges gesprochen; es ist wahrhaft nicht leicht, Asien und die Welt zu erobern. Der Asiatische Markt, der große Chinesische Markt, die ehemaligen Sowjetländer blenden die imperialistischen Monopole. Die Kriegsmaschinerie Amerikas hat sich in Bewegung gesetzt, um die Erdöllager in diesen Regionen zu beschlagnahmen. Dies ist der ganzen Welt bekannt. Schluß mit der Lüge und Demagogie. Der Angriff auf Afghanistan ist der größte und sichtbarste Zustand der imperialistischen Gewalt.

NATO, EU, UN Haben Sich An Amerika Festgeklammert!

Die USA haben damit begonnen, ihren Plan, Afghanistan zu bombardieren und sich von dort aus in ganz Asien auszubreiten in die Praxis umzusetzen. Die USA erklären den anderen Imperialisten gegenüber, daß sie dies mit oder ohne ihre Beteiligung tun werden. Die EU hat sich beteiligt, um nicht ein Außensteher dieser Ausbeutung und Plünderung zu sein. So war dies schon beim Angriff auf Irak und Jugoslawien.

Die anderen Imperialisten besitzen weder die Kraft, dies zu verhindern noch die Vorreiterrolle zu übernehmen. Innerhalb dieses Kräftegleichgewichts, haben die USA NATO, EU und UN benutzt, um ihren Angriff zu legitimieren und die NATO den Beschluß fassen lassen, Artikel 5 in Anwendung zu bringen. Den Angriff führen sie im Grunde mit ihren eigenen Kräften durch.

Die Quelle Der Gewalt Ist Amerika Und Sein System.

Die gesamte Geschichte der USA ist gefüllt mit Massakern, Besetzungen, dunklen Geschäften, Attentaten, Komplotten. Sind nicht auch Taliban und Bin Laden, gegen die heute der Krieg geführt wird, jene Kräfte, die mit Unterstützung der USA ins Leben gerufen wurden?

Es sind die USA, die Militärputschs durchführen und Konterguerillaorganisationen aufbauen. Speziell für die Massaker und Militärjuntas, die vom 2. imperialistischen Verteilungskrieg bis in die Gegenwart verwirklicht wurden tragen die USA die Hauptverantwortung. Dieses System wurde für die Ausbeutung und Plünderung der Monopole aufgebaut. Die Bomben sind dessen offenste Erscheinung. Neben jenen, die durch Hunger und Armut getötet werden, stellen die durch Bomben Ermordeten nur einen geringen Anteil dar. Kapitalismus tötet durch Hunger. Dutzende von Institutionen veröffentlichen Statistiken. Die Weltvölker HUNGERN! Und wer läßt sie hungern?

Brot und Gerechtigkeit ist das Recht aller Völker. Wer dieses Recht raubt, ist auch verantwortlich für jede Form von Gewalt. Auf diese Weise wird Gewalt produziert. Den Kindern, die im Kugelhagel aufwachsen und den Völkern die inmitten von Bomben, Raketen und Hungersnot leben müssen, bleibt keine andere Wahl als für Brot und Gerechtigkeit Widerstand zu leisten und zu kämpfen.

Die Völker Besitzen Widerstandskraft Gegenüber Den Besetzern!

Auch die Völker, deren Brot und Gerechtigkeit geraubt werden sagen gegenüber diesem Zwang; 'wir entscheiden selbst, wie wir zu leben haben; auch wir haben das Recht zu regieren. Um dieses Recht in Anspruch zu nehmen, ist es auch unser legitimes Recht Widerstand zu leisten'.

Der Zorn der Weltvölker auf die USA ist nun noch größer geworden. Diese Wut wird sich in ganz unterschiedlichen Formen gegen die USA wenden.

Auch die Behauptung, die ganze Welt stünde auf der Seite der USA ist ein Teil der Demagogie. Es hat nicht allzugroße Bedeutung, ob so und so viele Länder oder so und so viele Regierungen ohne ausgeprägte Persönlichkeit mit den USA kollaborieren. Die Welt der Armen, Hungernden, Unterdrückten ist gegen die USA; und selbst wenn der Preis dafür Raketen und der Tod sind, stellen sie sich gegen eine Kollaboration mit den USA und gegen die Komplizenschaft in dem Krieg Amerikas. Die armen Völker Asiens werden sich den Amerikanischen Raketen nicht beugen.

Die Regierung Kann Das Volk Der Türkei Nicht Vertreten! Unser Volk Steht Auf Der Seite Der Unterdrückten Völker. Wir Sind Auf Der Seite Des Afghanischen Volkes!

Die Haltung der Regierung unseres Landes gegenüber dem Angriff der USA auf Afghanistan ist schändlich. Eine Regierung, die sich seriös zu zeigen versucht, indem sie in völliger Knechtschaft und Unterwerfung hinter den USA herzieht und um die bessere Dienerschaft wetteifert, damit sie vom IMF einige Millionen Dollar mehr bekommt, kann unser Volk und unser Land nicht vertreten.

Der Ministerrat fällt den Beschluß, daß Protestaktionen gegen den Krieg nicht zugelassen werden können. Sie sind noch royalistischer als der König selbst. Sogar in den USA werden Protestaktionen gegen den Krieg abgehalten, aber sie zögern nicht dabei, ihre Knüppel gegen das eigene Volk einzusetzen, es mit Panzern zu überfahren und zu beschießen, um die Proteste gegen ihre Könige zu verhindern.

Amerika! Raus aus Asien, aus dem Mittleren Osten und der Welt!

Amerikaner; begeht Euch nach Hause!

Auch wenn alle Imperialisten, faschistischen Diktatoren, kollaborierenden und Lakaienregime auf Eurer Seite stehen, habt ihr die größte Kraft der Welt, die Kraft, welche die Welt aufrecht erhält, DIE WELTVÖLKER gegen euch. Euer Traum vom Imperium wird auf den Widerstand der Völker prallen und sich zu einem Alptraum wenden. Jedes Gebiet nach dem Amerika seine Hand ausstreckt wird am Ende zu einem Vietnam werden.

Schluß Mit Der Lüge Und Demagogie!

Alle, Die Die Realität Sehen, Müssen Sich Dem Amerikanischen Imperium Widersetzen!

Wir stehen einem Zwang gegenüber, der sagt 'Die ganze Welt muß sich vor mir beugen, die ganze Welt soll meine Gedanken, meine Ideologie meine Lebensweise akzeptieren; die ganze Welt wird produzieren jedoch nicht konsumieren, und die Früchte der Arbeit werde ich aufessen.' Die USA führen einen absoluten Krieg zur Kapitulation in sowohl ökonomischer, militärischer als auch politischer Hinsicht. In diesem Amerikanischen System sind die Völker HUNGRIG, besitzen Völker und Länder keinen eigenen WILLEN. In diesem Amerikanischen System, besitzen die Völker keine Nationalen Identitäten, Kulturen und Rechte. Auf einer solchen Welt existieren weder Brot noch Gerechtigkeit. Diese, den Völkern keinerlei Achtung schenkende imperialistische Politik, ist die Quelle der Gewalt.

Es ist unmöglich, daß eine Politik wie diese keine Gewalt produziert. Alle Völker der Welt werden gegen das Amerikanische Imperium FÜR BROT UND GERECHTIGKEIT Widerstand leisten und kämpfen. Es gibt für die Völker keinen anderen Weg.

DEVRYMCY HALK KURTULUP CEPHESY
REVOLUTIONÄRE VOLKSBEFREIUNGSFRONT

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- > > <http://www.9-11peace.org/>
- > > <http://pax.protest.net/>
- > > <http://www.s29.org/>
- > > <http://www.alternet.org/issues/index.html?IssueAreaID=26>
- > > <http://www.sfbg.com/News/altvoices.html>
- > > <http://www.peacefuljustice.cjb.net/>
- > > <http://www.warresisters.org/attack9-11-01.htm#things>
- > > <http://www.legitgov.org/peaceprotests.html>
- > > <http://www.igc.org/inkworks/www/downloads.html>
- > > <http://groups.yahoo.com/group/studentsnowar/files>
- > > <http://www.honoringourhumangoodness.homestead.com/>
- > > <http://www.peaceflags.org>
- > > <http://www.mwaw.org>
- > > <http://www.stopworldwar3.com/>
- >
- > -----

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04 Wochentliche ATTAC-Info (41. Woche)

von: ATTAC Österreich, infos@attac-austria.org
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1. Erfolg der Aktionen zum Thema Steueroasen am 5. und 6. Oktober
2. 15.10. Attac Treffen Salzburg
3. 19.10. Terminerinnerung Reichtumskonferenz
4. 5.11. Gründung Attac Kärnten
5. 6.11. Start unseres monatlichen ForumAttac in Wien
6. 10.11. WTO Konferenz in Linz
7. 10.11. Ein Jahr ATTAC - Geburtstagsparty ebenfalls in Linz

1. STEUEROASE AKTION im Graben

War ein Erfolg! Nicht nur österreichische Medien waren interessiert, sondern auch internationale (z.B. Reuters). Fotos von unserer Steueroase könnt ihr nicht nur auf unserer Homepage <http://www.attac-austria.org/fotos/oase/oase.php> bewundern, sondern auch in verschiedenen Medien (z. B: Standard und Kurier vom 6.10, Profil 8. Oktober). Weiters gab es eine internationale Aktion in Luxemburg, viele AktivistInnen waren dort, die Infostände wurden gut besucht, Fotos unter www.attac.org/luxembourg.

Der Terror-Anschlag vom 11. September hat die Diskussion über Steueroasen und Geldwäsche ins Licht der Öffentlichkeit gerückt. So ist in der heutigen Ausgabe der Süddeutschen Zeitung ist das Thema des Tages "Konten sperren statt Krieg führen" und in der Einleitung ist zu lesen: ... "Terroristen nutzen offenbar oft dieselben Strukturen im internationalen Finanzsystem wie Geldwäscher. Sie eröffnen zum Beispiel Bankkonten von Scheinfirmen in Geldwäsche-Paradiesen, um Spuren zu verwischen. Die Arbeit der Ermittler wird in beiden Fällen durch die Existenz anonymer Konten erschwert....

Der ganze Text ist zu lesen auf:

http://szonnet.diz-muenchen.de/REGIS_A13152257

2. Attac Treffen in Salzburg

Am 15. 10. um 18.30 ist im Salzburger Brunauerzentrum das erste Herbsttreffen. Dabei sollen die inhaltlichen Schwerpunkte festgelegt werden und über bereits konkret geplantes diskutiert werden.

InteressentInnen kontaktieren Robert Müllner: auge.sbg@demut.at

Die Salzburger ATTAC-Gruppe ist Mitorganisatorin der Veranstaltungsreihe (9.11., 19.11., 7.12.) zum Thema: Seattle-Salzburg-Genua. Globalisierungsprotest und die Gewaltfrage des Salzburger Friedensbüros. Die erste prominent besetzte Veranstaltung findet am 9.11. um 18.00 h statt.

Weitere Informationen folgen und sind in Kürze auf der Seite von ATTAC-Salzburg zu lesen.

3. Terminerinnerung: Reichtumskonferenz

Am 19./20. Oktober 2001 findet die Reichtumskonferenz mit einem spannenden Programm statt, ATTAC ist Mitorganisator. Das Programm findet ihr auf <http://www.attac-austria.org/termine/reichtumskonferenz.php>, Anmeldung und Infos bei: armutskonferenz@akis.at

4. Gründung von ATTAC - Kärnten

Am 5. November ist es auch in Kärnten soweit! ATTAC Kärnten wird gegründet. Und zwar im Rahmen einer Veranstaltung (u.a. mit Bischof Herwig Sturm "Die Welt- ein Casino? Ethische Problem unter dem Einfluss der Finanzmärkte") um 19.00 im Gemeindezentrum St.Ruprecht, in der St. Ruprechterstraße in Klagenfurt. Genauere Details werden nächste Woche bekanntgegeben.

InteressentInnen melden sich bei Walther Schütz: buendnis.oeie@aon.at

5. ForumAttac startet am 6. November

ForumAttac ist unser neuer, monatlicher Treffpunkt für ATTAC-Mitglieder und Interessierte und solche, die es noch werden wollen. Wirkliche statt virtuelle Kommunikation, Gemütlichkeit statt Aktionsstress, zum Kennenlernen für Interessierte; Informationen zu aktuellen Themen, Aktionen,...in Verbindung mit musikalischen Events (DJ, Jazz, Blues. Wer hat Ideen?) oder einfacher Beisl-Athmosphäre

6. November, 19.00 im Depot (Breite Gasse 3, 1070 Wien, hinter Museumsquartier);

Thema: Informationen zum Thema Welthandelsorganisation (WTO) anlässlich der Ministerkonferenz in Qatar und der ATTAC-Konferenz in Linz.
Einleitungsstatement: Christian Felber, ATTAC Österreich

6. WTO KONFERENZ, 10. November Linz

In einem Monat ist es wieder soweit! Nach dem Scheitern der letzten WTO Konferenz in Seattle, findet diese Konferenz an einem Ort statt, wo es kein Demonstrationsrecht gibt! (Doha in Qatar vom 9-13. November). Zudem stehen auf der Agenda nicht nur die Bereiche Gesundheit, Bildung oder Wasserversorgung: Auf Initiative der EU-Kommission gelangt das Thema Investitionen auf die Tagesordnung, was voraussichtlich das berüchtigte Investitionsschutzabkommen MAI wiederbelebt. Nicht zuletzt deshalb finden in ganz Europa Kongresse, alternative Gipfel, Demonstrationen, Aktionen... statt, die eine andere Globalisierung fordern. Zudem werden diese Aktionen gegenüber den Medien von SOS-WTO-EU europaweit koordiniert.

Wir sind natürlich auch dabei: Mit dem Kongress zum Thema "Die Welt ist keine Ware - Qatar/Linz 2001" am 10. November in Linz (Volkshaus Dornach) den ganzen Tag ab 10.00 gemeinsam mit Greenpeace, Dreikönigsaktion, ÖGB Oberösterreich und anderen Organisationen.

Das Gesamtprogramm mit allen Infos wird am Montag getrennt ausgesandt und ist ab dann auch auf unserer Homepage. Wir freuen uns auf zahlreiche Teilnahme!

Im Anschluss an diese Veranstaltung findet am Abend

7. UNSERE GEBURTSTAGSFEIER

statt: ATTAC Österreich ist 1 Jahr alt geworden und beginnt dieses Fest

der Straße Workshops, Diskussionsrunden und Aktionen zu diesem Thema stattgefunden. Sowohl gemeinsam mit PolitikerInnen, als auch mit ReferentInnen der SchülerInnenvertretung, der AKS und der ÖH diskutierten SchülerInnen über die derzeitige Bildungspolitik und Reformen im Schulwesen und machten durch kreative Aktionen auf der Straße auf ihre Anliegen aufmerksam.

"Der Staat zieht sich immer weiter aus der Verantwortung zurück und gewährt marktwirtschaftlichen Prinzipien von Konkurrenzdenken und Leistungsdruck mehr und mehr Einzug in das Schulwesen. Die Schule sollte selbstdenkende, kritische Persönlichkeiten heranbilden, anstatt der Wirtschaft den vorgeformten Produktionsfaktor Mensch in die Hand zu spielen! Bildung ist Menschenrecht und keine Ware zum Verkauf!", so der AKS-Bundesvorsitzende.

Der 11. Oktober ist gleichzeitig der Startschuss der neuen AKS-Kampagne, die unter demselben Motto auf die Missstände in österreichs Schulen und den neo-konservativen Tenor von österreichs Bildungspolitik aufmerksam machen will. "Die gestrige Präsenz der SchülerInnen stellt einen großen Motivationsschub für unsere Arbeit dar. Wir werden weiterhin unserem Unmut Ausdruck verleihen - die Bildungsministerin kann die Anliegen der SchülerInnen nicht ewig ignorieren.", schließt Kowall.

Rückfragehinweis: Niki Kowall 0699/11408142

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07 Depot Programm in der Woche 15. bis 19.10.01
von: depot <koestring@depot.or.at>

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Sehr geehrte Damen und Herren, liebe FreundInnen und PartnerInnen des Depot,

in der Anlage finden Sie das Programm des Depot für die kommende Woche.

Wir freuen uns auf Ihr Kommen.

Ein wichtiger Hinweis: Die für Donnerstag, den 18. Oktober geplante Veranstaltung "Luxus - Ökonomie. Feministische Wirtschaftsmodelle" der feministischen Medien wurde leider abgesagt.

Depot-Team

Montag, 15. Oktober, 19.00
Bewegte Männer
Rosa Logar im Gespräch mit Erich Lehner und Stephan Schulmeister

Ist eine politische Umsetzung der Ziele des Feminismus nur möglich, wenn sie von Frauen vorangetrieben werden? Zum Auftakt einer Depot-Reihe über die Zukunft des Feminismus sitzen unter der Moderation von Rosa Logar zwei Männer auf dem Podium: Erich Lehner und Stephan Schulmeister sprechen über den Stellenwert des Feminismus aus dem Blickwinkel ihrer Disziplinen, über Formationen der Abschottung, über Innen- und Außensicht. Ist die Frauenbewegung mittlerweile eine gesellschaftliche Schutzzone geworden und wie funktionieren im Vergleich dazu Männervereinigungen?

Erich Lehner, Theologe, Männer- und Geschlechterforscher, Ludwig Boltzmann-Institut für Werteforschung, Wien.
Stephan Schulmeister, Österreichisches Institut für Wirtschaftsforschung (WIFO), Wien.
Rosa Logar, Geschäftsführerin der Interventionsstelle gegen Gewalt, Wien.

Dienstag, 16. Oktober, 19.00

Podiumsdiskussion
Elektronische Demokratie?

Unter welchen Bedingungen könnte Online Voting sinnvoll sein und zwar nicht nur, um die technische Durchführung demokratischer Wahlen zu vereinfachen, sondern auch, um die Demokratie zu stärken? Durch die Einbindung der User in Communities und Wahlbörsen könnte sich die Möglichkeit einer höheren Wahlbeteiligung ergeben, wenn der technological gap zwischen Usern und Non-Usern überwunden werden kann.

Die Aktion Vote-Auction (www.voteauction.at) der Gruppe übermorgen, hat vor einem Jahr für die Wahlprozeduren in den USA eine "Vereinfachung" vorgeschlagen; eine Verbindung von Demokratie und Kapitalismus sollte direkt den WählerInnen zukommen.

Katharina Gsöllpointner, Kunst-, Kultur- und Medientheoretikerin, Wien.
lizvlx und hans_extrem, KünstlerInnen der Gruppe übermorgen, Wien.
Gregor Matjan, Politikwissenschaftler, Institut für Politikwissenschaft der Universität Wien.

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Depot
Kunst und Diskussion
1070 Wien, Breitegasse 3

01/522 76 13
depot@depot.or.at
www.depot.or.at

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08 INTERFACE EXPLORER 18./19. Oktober 2001 -> 2nd Announcement
von: Martin Wassermair <wassermair@t0.or.at>
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VERANSTALTUNGSANKÜNDIGUNG pt.2
Public Netbase Media~Space!
Institut für Neue Kulturtechnologien/t0

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| INTERFACE EXPLORER
| Shared Boundaries
|
<http://interface.t0.or.at/>

|---
| Ein Public Netbase Event im "Zwischenquartier" mit:
|
| Markus Bader/DE, Jonah Brucker-Cohen/US, Matthew Fuller/UK,
| Patricia Futterer/AT, Mieke Gerritzen/NL, Johannes Grenzfurthner/AT,
| Graham Harwood/UK, Margarete Jahrmann/AT, Joes Koppers/NL , Christoph
| Kummerer/AT, Pär Lannerö/SE, Lev Manovich/US/RU, Max Moswitzer/AT,
Peter Purgathofer/AT, Gebhard Sengmüller/AT, Stijn Slabbinck/BE

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18./19. Oktober 2001, jeweils ab 19 Uhr

Die Veranstaltung thematisiert den Umgang mit Interfaces (Deutsch: Verbindung, Schnittstelle, Zwischenstück) und versucht, ihre Vielseitigkeit im Zusammenhang mit neuen Informationstechnologien zu erklären. Dabei beschränkt sich der Blick nicht auf einen theoretischen Diskurs, sondern er sucht auch ganz bewusst einen spielerischen Zugang. Neben der Präsentation einer Reihe von PC- und Web-Interfaces werden auch Arbeiten von KünstlerInnen vorgestellt, die sich diesem Thema auf allgemeinere Art annähern und eigene sowie auch eigenwillige Umsetzungen erarbeiten.

Lev Manovich, ein bedeutender Theoretiker der Neuen Medien, beschreibt in seinem aktuellen Buch "The Language of New Media" die kulturelle Dimension der digitalen Technologien und die Entwicklung der neuer Mensch/Maschine-Interfaces. Er wird im Rahmen seines Vortrags am 18. Oktober einige Grundlagen des kulturellen elektronischen Interfaces vorstellen und nicht nur Software-Kultur, sondern auch Kultur als Software begreifbar machen.

Am 19. Oktober folgt ein Panelgespräch zum Stand der Entwicklung kultureller Interfaces. ExpertInnen und EntwicklerInnen diskutieren dabei die gegenwärtig vorhandenen Ansätze im Interface Design. Mieke Gerritzen von NL.Design war eine der BegründerInnen des Internationalen Browserday, der vor 4 Jahren erstmals in Amsterdam und zuletzt in New York veranstaltet wurde, um Alternativen zu den bestehenden Web-Browsern aufzuzeigen. Zwei Gewinner der Browserday Awards - Joes Koppers (NL) und Jonah Brucker-Cohen (US) - werden ihre Projekte selbst vorstellen.

Die Künstler Harwood/Fuller beschäftigen sich seit langem mit den sozialen und sozio-kognitiven Aspekten der digitalen Informationsinteraktion. Sie präsentieren mit "TEXT-FM" ein text-to-speech-to-radio Projekt, bei dem über SMS anonyme Mitteilungen von einem Mobiltelefon gesendet werden und ein Computer einen über Sprache vermittelten Informationsaustausch ermöglicht.

Die Präsentationen und Installationen zeigen die Einbeziehung von Audio- und Videosystemen in das elektronische Interface - von Scratchrobot, TimeCodeVinyl, VinylVideo und Climax-Action Bot Concert bis hin zu webgesteuerter Discokugel-Musik und Musical Web-Pads.

| Ausstellung der INTERFACE EXPLORER Installationen bis Freitag,
| 9. November 2001 im Public Netbase Zwischenquartier
Geöffnet: Montag bis Freitag, von 14.00 bis 19.00 Uhr.

| Ort:
|
| Public Netbase t0 Media ~Space!
| Zwischenquartier
| Burggasse 21
A-1070 Wien

| Programminformation:
|
| Sonja Eismann
| Public Netbase Media ~Space!
| Institut für neue Kulturtechnologien/t0
| Museumsplatz 1, Museumsquartier
| A-1070 Wien
|
| Tel. +43 (1) 522 18 34

| Fax. +43 (1) 522 50 58
|
| mailto:eismann@t0.or.at
| http://www.t0.or.at/

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09 In den Fängen des Dr. Gross
von: augustin <augustin@nexta.at>
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In den Fängen des Dr. Gross
Eine Veranstaltung am Dienstag, 16. Oktober
im Aktionsradius Augarten

Mit skandalöser Verspätung hat nun der Bund Sozialdemokratischer Akademiker (BSA) eine Aufarbeitung des Falles Heinrich Gross in Auftrag gegeben. BSA-Präsident und Wiens Vizebürgermeister Sepp Rieder gestand dieser Tage, es sei ein Fehler gewesen, die Frage der BSA-Mitgliedschaft des berüchtigten NS-Arztes auf dem Spiegelgrund nicht offensiver angegangen zu sein. Nun ist Wolfgang Neugebauer, Leiter des Dokumentationsarchivs des Österreichischen Widerstands, mit einer Untersuchung beauftragt worden. Bereits im Juni hatte die Führung der Ludwig-Boltzmann-Gesellschaft um Verzeihung gebeten. Die Gesellschaft hatte dem NS-Arzt - man wirft ihm mehrfachen Mord an geistig behinderten Kindern vor - Unterschlupf gewährt und ihn mit einem Gehirnforschungsinstitut versorgt. Hätten nicht der Journalist Oliver Lehmann und die Zeitgeschichtlerin Traudl Schmidt mit ihrem Buch "In den Fängen des Dr. Gross" (Czernin Verlag) die Öffentlichkeit aufgewühlt - der braune Fleck im BSA wäre wohl weiter nicht angegangen worden. Oliver Lehmann wird im Aktionsradius Augarten sein Buch vorstellen und über die Lawine berichten, die er damit losgetreten hat. Die Wiener Ärztin Dr. Karin Mosser, Leiterin des Gedenk- und Forschungsprojekts in der Causa Gross (im Auftrag der Gemeinde Wien), wird über die Pläne der Errichtung einer Gedenkstätte auf dem Baumgartner Höhe und der Bestattung der Hirne der ermordeten Kinder berichten. Einige Überlebende vom Spiegelgrund werden für Anfragen zur Verfügung stehen.

Ort: Wien 20, Gaußplatz 11
Beginn: 19:30. Eintritt frei.

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10 1 Jahr Todesfasten in der Türkei
von: PWI <info@pwi.action.at>
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An die demokratische Öffentlichkeit!

Das gestrige Koordinationstreffen hat für den Jahrestag des Todesfastens der politischen Gefangenen in der Türkei und ihrer Angehörigen folgendes beschlossen:

SOLIDARITÄTSDEMONSTRATION

Ort: Europaplatz/Westbahnhof
Datum: Samstag, 20. Oktober 2001
Zeit: 14.00 Uhr

Die bisherigen UnterstützerInnen sind:
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Satire

Satire (v. lat.: *Satura* = satt, fruchtbar, voll; in Verbindung mit lat. *lanx* = Schüssel: eine mit allerlei Früchten buntgefüllte Schale) ist ursprünglich eine **Spottdichtung**, ein boshaft-kritisches, spöttisch-humoriges **Gedicht**, zusammengesetzt aus gemischten Elementen und mit gewissem Tiefgang zum Nachdenken verfasst.

Der Begriff geht zurück auf die Spottverse des römischen Dichters **Lucilius** (ca. 180-102 v. Chr.), die eine **Emanzipation** von der bis dahin griechisch geprägten Dichtkunst markierten. Anfangs als "Sermones" bezeichnet, stehen in den ersten drei Jahrhunderten beide Begriffe nebeneinander, bis sich mit dem boshaften Schriftenzyklus aus 16 Satiren von **Juvenal** (ca. 60-140 n. Chr.) der Begriff "Satire" endgültig durchsetzt.

Ursprünglich also in der **Literatur** entstanden, hat sich die Satire nach der Entwicklung von **Film**, **Fernsehen** und **Rundfunk** auch in diesen modernen Medien etabliert. Die Filmsatire bedeutet demnach ein filmisches Allerlei, eine Mixtur aus unterschiedlichen Elementen mit dem Ziel einer spöttischen **Kritik** an bestehenden Zuständen. Das heißt: Die Satire - ob literarisch oder filmisch - will Missstände und Unsitten innerhalb der Gesellschaft, aber auch bestimmte Ereignisse und Personen anprangern, kommentieren und entlarven. Satire ist also Zeitkritik mit erzieherischer Tendenz, und ihr Verständnis darum auch stets an das soziale und historische Umfeld ihrer Entstehung gebunden.

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Elemente und Stilmittel

Als **Stilmittel** bedient sich die Satire einer extremen Übertreibung, sehr häufig auch einer Übertretung der Grenzen dessen, was vom Publikum als "guter Geschmack" empfunden wird. Sie verfremdet einen Sachverhalt, hebt Widersprüche in übertriebener und ironischer Weise hervor, stellt kritisch gegenüber, verzerrt einseitig die angeprangerten Zustände und gibt sie der Lächerlichkeit preis, stellt bloß und setzt herab. Dies geschieht meist aus einer einseitig-subjektiven Sichtweise des Autors heraus.

Offt wird eine Person, eine gesellschaftliche Gruppe oder ein gesellschaftlich-kultureller Trend zur Zielscheibe des Satirikers. Dieser erklärt z.B. ein von ihm auserkorenes Opfer zum Gegner, den er glaubt, mit Worten lächerlich machen und herabwürdigen zu dürfen. Insofern wohnt der Satire ein höchst aggressives Potential inne. In seiner einseitig-subjektiven Sichtweise prangert der Verfasser einer Satire also das an, was er für falsch und unerträglich, was er in seinen Augen für ein individuelles oder gesellschaftliches Fehlverhalten hält.

Zitate

- "Satire: a poem in which wickedness or folly is censured." (Definition von **Samuel Johnson**)
- "Satirisch ist der Dichter, wenn er die Entfernung von der Natur und den Widerspruch der Wirklichkeit mit dem Ideale (in der Wirkung auf das **Gemüt** kommt beides auf eins hinaus) zu seinem Gegenstande macht. Dies kann er aber sowohl ernsthaft und mit Affekt als scherzhaft und mit Heiterkeit ausführen; Je nachdem er entweder im Gebiete des Willens oder im Gebiete des Verstandes verweilt. Jenes geschieht durch die strafende oder pathetische, dieses durch die scherzhafte Satire." (**Friedrich Schiller**)
- "Die Satire muss übertreiben und ist ihrem tiefsten Wesen nach ungerecht. Sie bläst die Wahrheit auf, damit sie deutlicher wird, und sie kann gar nicht anders arbeiten als nach dem Bibelwort: Es leiden die Gerechten mit den Ungerechten. [...] Was darf die Satire? Alles." (**Kurt Tucholsky**)
- "Satire ist die Kunst, einem anderen so auf den Fuß zu treten, dass er es merkt, aber nicht aufschreit." (**Helmut Qualtinger**)
- "Difficile est, saturam non scribere" (Es ist schon schwer, nicht Satiren zu schreiben) (**Juvenal**)
- "Applaus allein genügt nicht!" (**Rudolf Rolf**s)

Magazine/Zeitschriften**deutschsprachig**

Simplicissimus - **Titanic** - **pardon** - Nebelspalter - **Eulenspiegel** - **ZYN!** - **MAD** - @tzend - ... **UND?** - Raketa - Satirezeitung **HERBST** - **Satiremagazin Gustlof**

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Punch - Le Charivari - Charly Hebdo - Le Canard Enchaîné

Satire im Radio

Stenkelfeld - Gerd Show - Zugabe

Große Satiriker

deutschsprachig

F.W. Bernstein - Ludwig Börne - Sebastian Brant - Wilhelm Busch - Fedor Flinzer - Robert Gernhardt - Adolf Glaßbrenner - Heinrich Heine - Eckhard Henscheid - Dieter Hildebrandt - Karl Kraus - Georg Christoph Lichtenberg - Johann Nestroy - Gerhard Polt - Kurt Tucholsky

international

• griechische Klassik

- Aristophanes (445 v. Chr.-385 v. Chr.)

• römische Klassik

- Ennius - Lucllius - Varro - Horaz - Gaius Petronius Arbiter - Seneca - Persius - Martial - Juvenal - Apuleius - Lukian

• Neuzeit

- François Rabelais - Erasmus von Rotterdam - Miguel de Cervantes - Molière - Voltaire - Samuel Butler 2 - Jonathan Swift - Charles Fourier - Joseph Addison - John Gay - Alexander Pope - Laurence Sterne - Henry Fielding - Charles Dickens - Mark Twain - Ambrose Bierce - George Bernard Shaw -
- ab 20. Jahrhundert: Jaroslav Hašek - George Orwell - Alfred Jarry - Anatole France - Aldous Huxley - Aziz Nesin - Sinclair Lewis - Evelyn Waugh - Michail Bulgakow - Vladimir Nabokov - Ephraim Kishon - Monty Python - Terry Pratchett

Bedeutende satirische Einzelwerke

Literarische Satiren

- Sebastian Brant: *Das Narrenschiff* (1494)
- Erasmus von Rotterdam: *Encomium moriae (Lob der Torheit)*, 1509
- *Till Eulenspiegel* (Volksbuch, 1515)
- Miguel de Cervantes: *Don Quijote* (1605-1615)
- Jonathan Swift: *Gulliver's Travels* (1726)
- Ambrose Bierce: *Des Teufels Wörterbuch* (1911)
- Heinrich Mann: *Der Untertan* (1914)
- Bernd A. Weil: *Die Schwarzseher* (1993)
- Voltaire: *Le Dictionnaire Philosophique* (1763)

Filmsatiren

- (Stanley Kubrick)
- Sein oder Nichtsein (Hail Hamlet, Ernst Lubitsch)
- Wag the Dog (Dustin Hoffman, Robert De Niro)
- Les Patterson rettet die Welt (Barry Humphries, Pamela Stephenson)

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- Was ist eine Satire?
- Das Satiremagazin Titanic

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- Die letzten Tage der Menschheit
- Die PARTEI
- Die Redlichen
- Die Truman Show
- Die Zeitmaschine
- Dieter Bohlen
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- Dürmel
- Dr. Seltsam oder: Wie ich lernte, die Bombe zu lieben
- Dustin Hoffman
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Satire

Satire (v. lat.: *Satura* = fully, fruitfully, fully; in connection with lat. *lanx* = dish: a bowl multicolored-filled with all kinds of fruits) is originally mockery a seal, a malicious-critical, spoettisch humoriges poem, compound up from mixed elements and with certain depth written for thinking.

The term goes back on the mockery verses of the Roman poet Lucilius (approx. 180-102 v. Chr.), which marked a Emanzipation of up to then the Greek coined/shaped dichtkunst. At the beginning of as "Sermones" designation, both terms stand next to each other, to itself with the malicious writing cycle from 16 satires of Juvenal in the first three centuries (approx. 60-140 n. Chr.) the term "satire" finally intersperses.

Originally thus in the literature developed, the satire was established after the development of film _television and broadcast also in these modern media. The film satire therefore means a cinematic potpourri, a mixture from different elements with the goal of a spoettischen criticism at existing conditions. That means: The satire - whether literarily or cinematic - wants bad states and Unsitten within the society, in addition, determined events and persons anprangern, commentate and expose. Satire is thus time criticism with educational tendency, and its understanding therefore also always to the social and historical surrounding field of their emergence bind.

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Elements and style means

When style means avails itself the satire of an extreme exaggeration, very frequently also an infringement of the borders its that by the public as "good taste" is felt. It verfremdet circumstances, emphasizes contradictions in exaggerated and ironical way, confronts critically, distorted on one side the anprangerten conditions and gives it the ridiculousness price, exposes and lowers. This happens usually from a one-sided-subjective aspect of the author out.

Often become a person, a social group or a social-cultural trend the target of the Satirikers. This explains e.g. a victim auserkorenes of it as the opponent, whom ridiculous he believes to be allowed to do with words makes and down-worthy. To that extent a most aggressive potential is inherent in to the satire. In its one-sided-subjective aspect the author of a satire prangert thus on, which he for wrong and intolerably, which he regards in his eyes as an individual or social failure.

Quotations

- "satire: A poem in which wickedness or folly is censured." (definition of Samuel Johnson)
- "Satirisch is a poet, if he makes the distance of nature and the contradiction of the reality with the ideal (in the effect on the mind both comes on one outside) his article. It can implement this however both seriously and with affect and jokeful and with amusement: ever after it stays either in areas of the will or in areas of the understanding. That one takes place by means of the punishing or pathetische, this with the jokeful satire." (Friedrich Schiller)
- "the satire must exaggerate and is unfair after its deepest nature. It blows the truth up, so that it becomes clearer, and it cannot work at all differently than after the Bible word: The fair ones with the unfair ones suffer [...] which may do the satire? Everything." (Kurt Tucholsky)
- "satire is the art to step another in such a way on the foot that it notices it, but does not cry out." (Helmut Qualtinger)
- "Difficile est, saturam non scribere" (it is already heavy not to write satires) (Juvenal)
- "applause alone is not sufficient!" (Rudolf Rolf)

Magazine/magazines

German-language

Simplicissimus - Titanic - pardon - Nebelspalter - eulenspiegel - ZYNI - WAD - @tzend - ... AND? - Raketa - satire newspaper AUTUMN - satire magazine Gustloff

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Large Satiriker

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German-language

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internationally

• Greek classical period

- Aristophanes (445 v. Chr.-385 v. Chr.)

• Roman classical period

- Ennius - Lucllius - Varro - Horaz - Gaius Petronius Arbiter - Seneca - Persius - Martial - Juvenal - Apuleius - Lukian

• Modern times

- François Rabelais - Erasmus of Rotterdam - Miguel de Cervantes - Molière - Voltaire - Samuel Butler 2 - Jonathan Swift - Charles Fourier - Joseph Addison - John Gay - Alexander Pope - Laurence of stars - Henry falling thing - Charles of thickening - Mark of Twain - Ambrose Bierce - George Berne pool of broadcasting corporations Shaw -
- starting from 20. Century: Jaroslav Hašek - George Orwell - Alfred Jarry - Anatole France - Aldous Huxley - Aziz Nesin - Sinclair Lewis - Evelyn Waugh - Mikhail Bulgakow - Vladimir Nabokov - Ephraim Kishon - Monty Python - Terry Pratchett

Important one satirische individual works

Literary satires

- Sebastian Brant: *The fool ship* (1494)
- Erasmus of Rotterdam: *Encomium moriae* (*praise of the foolishness* , 1509)
- *Till eulenspiegel* (people book, 1515)
- Miguel de Cervantes: *Don Quijote* (1605-1615)
- Jonathan Swift: *Gulliver's Travels* (1726)
- Ambrose Bierce: *The devil dictionary* (1911)
- Heinrich man: *The subject* (1914)
- Bernd A. because: *Blackrather* (1993)
- Voltaire: *Le Dictionnaire Philosophique* (1763)

Film satires

- (Stanley Kubrick)
- Its or Nichtsein (Hail Hamlet, Ernst Lubitsch)
- Dare the Dog (Dustin Hoffman, Robert De Niro)
- Les Patterson saves the world (Barry Humphries, Pamela Stephenson)

See also

- Used forms: Kabarett, caricature
- Style means: Travestie, Parodie, irony, Epigramm
- Humor
- Marginalistik
- Slapstick

Web on the left of

- Small dictionary of the Komik
- Tucholsky to the question: What may do satire?
- What is a satire?
- The satire magazine Titanic

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• The cashiers

• The last days of mankind

• The PARTY

• The fair ones

• The Truman Show

• The time machine

• Dieter planks

• Dieter Hallervorden

• Diminutiv

• Dirmel

• Dr. Strangely or: As I learned to love the bomb

• Dustin Hoffman

• Edward with the shears hands

• Edwin Abbott Abbott

• Utopian literature

• Conspiracy theory

• Voteauction

• Dare the Dog

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• Walter E. Richartz

• Which (film)

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Satire

Satire (v. *lat.*: *Satura* = satt, fruchtbar, voll; in Verbindung mit *lat.* *lanx* = Schlüssel: eine mit allerlei Früchten buntgefüllte Schale) ist ursprünglich eine **Spottdichtung**, ein boshaft-kritisches, spöttisch-humoriges **Gedicht**, zusammengesetzt aus gemischten Elementen und mit gewissem Tiefgang zum Nachdenken verfasst.

Der Begriff geht zurück auf die Spottverse des römischen Dichters **Lucilius** (ca. 180-102 v. Chr.), die eine **Emanzipation** von der bis dahin griechisch geprägten Dichtkunst markierten. Anfangs als "Sermones" bezeichnet, stehen in den ersten drei Jahrhunderten beide Begriffe nebeneinander, bis sich mit dem boshaften Schriftzyklus aus 16 Satiren von **Juvenal** (ca. 60-140 n. Chr.) der Begriff "Satire" endgültig durchsetzt.

Ursprünglich also in der **Literatur** entstanden, hat sich die Satire nach der Entwicklung von **Film**, **Fernsehen** und **Rundfunk** auch in diesen modernen Medien etabliert. Die Filmsatire bedeutet demnach ein filmisches Allerlei, eine Mixtur aus unterschiedlichen Elementen mit dem Ziel einer spöttischen **Kritik** an bestehenden Zuständen. Das heißt: Die Satire - ob literarisch oder filmisch - will Missstände und Unsitten innerhalb der Gesellschaft, aber auch bestimmte Ereignisse und Personen anprangern, kommentieren und entlarven. Satire ist also Zeitkritik mit erzieherischer Tendenz, und ihr Verständnis darum auch stets an das soziale und historische Umfeld ihrer Entstehung gebunden.

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Elemente und Stilmittel

Als **Stilmittel** bedient sich die Satire einer extremen Übertreibung, sehr häufig auch einer Übertretung der Grenzen dessen, was vom Publikum als "guter Geschmack" empfunden wird. Sie verfremdet einen Sachverhalt, hebt Widersprüche in übertriebener und ironischer Weise hervor, stellt kritisch gegenüber, verzerrt einseitig die angeprangerten Zustände und gibt sie der Lächerlichkeit preis, stellt bloß und setzt herab. Dies geschieht meist aus einer einseitig-subjektiven Sichtweise des Autors heraus.

Offt wird eine Person, eine gesellschaftliche Gruppe oder ein gesellschaftlich-kultureller Trend zur Zielscheibe des Satirikers. Dieser erklärt z.B. ein von ihm auserkorenes Opfer zum Gegner, den er glaubt, mit Worten lächerlich machen und herabwürdigen zu dürfen. Insofern wohnt der Satire ein höchst aggressives Potential inne. In seiner einseitig-subjektiven Sichtweise prangert der Verfasser einer Satire also das an, was er für falsch und unerträglich, was er in seinen Augen für ein individuelles oder gesellschaftliches Fehlverhalten hält.

Zitate

- "Satire: a poem in which wickedness or folly is censured." (Definition von **Samuel Johnson**)
- "Satirisch ist der Dichter, wenn er die Entfernung von der Natur und den Widerspruch der Wirklichkeit mit dem Ideale (in der Wirkung auf das **Gemüt** kommt beides auf eins hinaus) zu seinem Gegenstande macht. Dies kann er aber sowohl ernsthaft und mit Affekt als scherzhaft und mit Heiterkeit ausführen; je nachdem er entweder im Gebiete des Willens oder im Gebiete des Verstandes verweilt. Jenes geschieht durch die strafende oder pathetische, dieses durch die scherzhafte Satire." (**Friedrich Schiller**)
- "Die Satire muss übertreiben und ist ihrem tiefsten Wesen nach ungerecht. Sie bläst die Wahrheit auf, damit sie deutlicher wird, und sie kann gar nicht anders arbeiten als nach dem Bibelwort: Es leiden die Gerechten mit den Ungerechten. [...] Was darf die Satire? Alles." (**Kurt Tucholsky**)
- "Satire ist die Kunst, einem anderen so auf den Fuß zu treten, dass er es merkt, aber nicht aufschreit." (**Helmut Qualtinger**)
- "Difficile est, saturam non scribere" (Es ist schon schwer, nicht Satiren zu schreiben) (**Juvenal**)
- "Applaus allein genügt nicht!" (**Rudolf Rolf**s)

Magazine/Zeitschriften

deutschsprachig

Siehe auch

- 2. November
- 34
- Adolf Gläßbrenner
- Alan Alexander Milne
- Alexander Sergejewitsch Puschkin
- Alfred Polgar
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- Bill Murray
- Blackadder
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- Byte-Reihenfolge
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Satire im Radio

[Stenkelfeld](#) - [Gerd Show](#) - [Zugabe](#)

Große Satiriker

deutschsprachig

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international

• griechische Klassik

- [Aristophanes](#) (445 v. Chr.-385 v. Chr.)

• römische Klassik

- [Ennius](#) - [Lucilius](#) - [Varro](#) - [Horaz](#) - [Gaius Petronius Arbitr](#) - [Seneca](#) - [Persius](#) - [Martial](#) - [Juvenal](#) - [Apuleius](#) - [Lukian](#)

• Neuzeit

- [François Rabelais](#) - [Erasmus von Rotterdam](#) - [Miguel de Cervantes](#) - [Molière](#) - [Voltaire](#) - Samuel Butler 2 - [Jonathan Swift](#) - [Charles Fourier](#) - Joseph Addison - [John Gay](#) - [Alexander Pope](#) - [Laurence Sterne](#) - [Henry Fielding](#) - [Charles Dickens](#) - [Mark Twain](#) - [Ambrose Bierce](#) - [George Bernard Shaw](#) -
- ab 20. Jahrhundert: [Jaroslav Hašek](#) - [George Orwell](#) - [Alfred Jarry](#) - [Anatole France](#) - [Aldous Huxley](#) - [Aziz Nesin](#) - [Sinclair Lewis](#) - [Evelyn Waugh](#) - [Michail Bulgakow](#) - [Vladimir Nabokov](#) - [Ephraim Kishon](#) - [Monty Python](#) - [Terry Pratchett](#)

Bedeutende satirische Einzelwerke

Literarische Satiren

- Sebastian Brant: *Das Narrenschiff* (1494)
- Erasmus von Rotterdam: *Encomium moriae (Lob der Torheit)*, 1509)
- *Till Eulenspiegel* (Volksbuch, 1515)
- Miguel de Cervantes: *Don Quijote* (1605-1615)
- Jonathan Swift: *Gulliver's Travels* (1726)
- Ambrose Bierce: *Des Teufels Wörterbuch* (1911)
- Heinrich Mann: *Der Untertan* (1914)
- Bernd A. Weil: *Die Schwarzseher* (1993)
- Voltaire: *Le Dictionnaire Philosophique* (1763)

Filmsatiren

- ([Stanley Kubrick](#))
- [Sein oder Nichtsein](#) (Hail Hamlet, [Ernst Lubitsch](#))
- [Wag the Dog](#) ([Dustin Hoffman](#), [Robert De Niro](#))
- Les Patterson rettet die Welt ([Barry Humphries](#), [Pamela Stephenson](#))

Siehe auch

- Verwandte Formen: [Kabarett](#), [Karikatur](#)
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Weblinks

- [Kleines Wörterbuch der Komik](#)
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7. Ai-Wald Shut [Germany]

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 menschenrechtbewegung,bietet
 informationen,zum,thema,menschenrechte
 und,stellt,aktuelle,vor.

8. Info-Zahnmedizin-Land Shut.de

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9. Uni Shut [MB,CAN]

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 distributor,retailer,ready,made,rolling
 components.

10. Hof S Hut

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 location,throughout,los,angeles,orange
 county.

11. Shut Down-SizeWell.org.uk

Campaign,working,closure,nuclear
 stations,bradwell,installations.

12. Shutterbugzphoto

"Shutterbugz wedding photography"
 fine portraiture",throughout,western
 united,states,click,examples,price
 located,salt,lake,city.

13. Shuttleworthlaw

"Shuttleworth,ingersoll,pc",cedar,rapids
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14. Shutts-Law

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17. Cm Shuts

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 precast,equipment,shelters,buildings.

18. Ju-Land Shut-Land [Germany]

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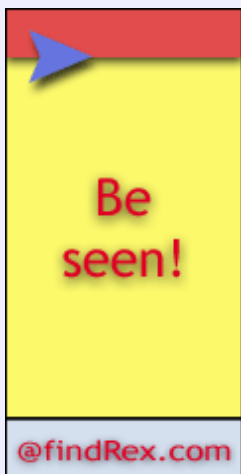
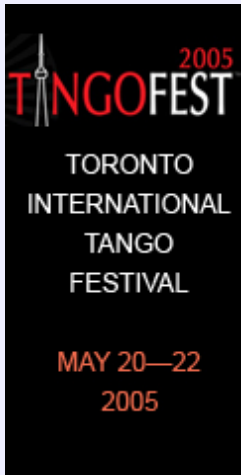
FREE

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 Phone
 Consultation**

**\$300
 Value**



Trend etrix



"Kreisverband der jungen union" informationen, zum, und, zur vorstandschafft, sowie, den, ortsverb, nde im, landkreis, aktuelle, nachrichten pressespiegel, mailing-liste.

19. Shutterbugphoto

"Shutterbug memories photography", studio photojournalistic, wedding, coverage portraiture, located, rock, island, il.

20. Shuttershops

"Shuttersshops", sells, custom, wood, public painted, stained, specializes, plantation cafe, styles.

21. Shutter Cutters

Installation, hurricane, shutters, storm security, panels, protection.

22. Shuttle [Org]

"Space shuttle encyclopedia", data current, missis, etc.

23. Palmsprings Shuttle

"Desert valley shuttle", service, to, from area, schedule, fares.

24. Hurricane Shutters

"South florida shutters, inc.", custom manufacture, installer, pricing, guides safety, tips, {sales}.

25. Spacedaily.com/news/Russia-Space-General-01m.html

To, bring, shuttle, back, from, grave, plans resurrect, buran.

26. Screenshot.com/packs/Shut001/showall

"Space shuttle wallpaper", full, photo recent, missions, your, pc.

27. San-Diego-Golf-Shuttle

San Diego Golf packages {sports} {sales} [San Diego, California, USA].

28. Sunglas S Hut

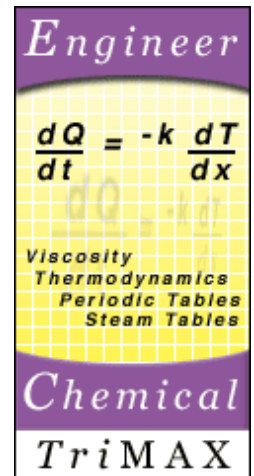
International, inc, operates, stores, non-prescription, sunglasses, well, styles fashion, sport, function, novelty, watches nasdaq; , rays, online, retailer, brand, name gucci, oakley, ray-ban, other.

29. Shut Sellafield

Campaign, to, close, nuclear, reprocessing plant, west, cumbria, schools, section purpose, chernobyl, accident.

30. Hagrid S Hut

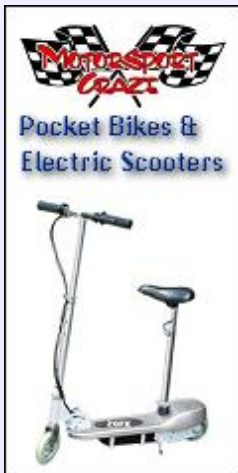
Expensive
Experience
Explore
Expression
Fair
Fake
Fatal
Father
Faux
Fievre
Find
Findrex
Flare
Flexible
Flock
Foe
Foil
Fold
Foreign
Found
Fresh
Frontenac
Function
Functional
Functionality
Fundamental
Garbage
Gauche
Geisha
General
Generic
Gerrymander
Ghost
Gizmo
Glow
Glow, stick
Gossip
Goth
Grind
Guard
Guy
Handwritten
Hangover
Harrow
Haunt
Haunting
Headquarters
High
High, Speed
High, Speed, Chase
Honor
Hoop
Hour
Illustrate
Illustrated
Improvement
Improvement, Self
Indigo
Information
Inquiry
Inspiration
Integral
Integrity
Intense
Inventor






tango club™

TORONTO



**MotorSport
Crazy**

**Pocket Bikes &
Electric Scooters**




**engineering-
software.com**

KRC TECHNOLOGIES INC.

calculators



Power Mac G5

The world's first
64-bit personal
computer.

Apple Store

Harry's, world, from, point, view, humor, news merchandise.

31. Glas S Hut Studio

Fused, dichroic, jewelry, bracelets earrings, pendants, plates, leaded, windows etched, ornaments, sun catchers, cape, cod souveneirs, gifts.

32. Firework S Hut

Products, listed, manufacture, descriptions price, well, ordering, delivery information.

33. Furth-Bei-Land Shut [Germany]

Gemeinde, informationen, zur telefonverzeichnis, der, verwaltung gewerbebetriebe, vereine, schulen.

34. Shut Upand Dance [UK]

Records, house, label, artists, ragga, twins peter, bouncer, history, merchandise discography.

35. Shut Upand Shop.wild.net.au

Australian, graffiti, artist, qtvrs interactive, shockwaves, quicktime, movies all, world, hunger.

36. Larson Shutter

Company, design, installation, interior traditional, plantation, california, style custom, shutters, greater, san, jose, area.

37. ShuteLtd

"Shute heating, cooling", residential commercial, ventilation, air, quality control, products.

38. Shuttlefactor

"Problems with the nasa space shuttles" paper, presenting, possible, cause challenger, accident.

39. E Shutter

"Eshutter creative llc", integrated photography, graphic, design, studio corporate, communications.

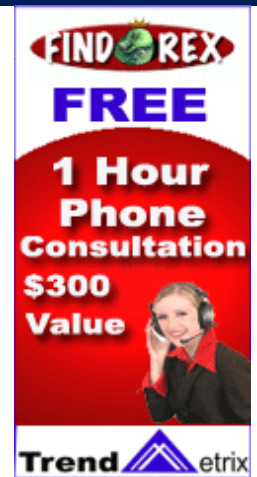
40. Shutan

"Shutan camera, video", finest, precision optics, since, 1918, authorized, dealer meade, celestron, televue, jim's, mobile, 10 0, oaks, kendrick, pentax, losmandy.

41. Miami-Shuttle

Transportation, shuttles, vans, limousines to, from, cruise, ships, airport, attraction sporting, events, across, state, detailed rate, charts, site, english, spanish.

Investigate
Investigating
Investigation
Iquique
Issue
Jughead
Junior
Kanji
Kiosk
Kiss
Landmark
Last, Minute
Lasting
Lay
Layer
Lend
Lender
Listen
Lobby
Location
Logo
Look
Looking
Lotus
Low
Luck
Luckyly
Lucky
Mask
Mate
Mating
Meet
Memoir
Memorabilia
Metacritic
Method
Mint
Minute
Miss
Miss, America
Miss, Universe
Missing
Mistress
Mother
Ms, America
Ms, Universe
Multipass
Multiple
Netvista
Next
Night, Shift
offbeat
Option
Outlet
Pair
Pairing
Panorama
Panel
Pen
Person
Personal
Photograph
Photographer
Photography
Play




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Consultation**

**\$300
Value**



Trend etrix



**FAT CAT
graphics**

Toronto
web & print
design services



Maserati-Ferrari.com



**Electronic
Engineering
Design
Center**

@findRex.com

DIVX PRO

Try the HOTTEST application in video. Download DivX Pro™ TODAY!



Teva



Men-Terra-Fi
teva.com

Submit
Your Site

@findRex.com

42. Airport Shuttle [New Zealand]

Shuttles, company, premium, service sightseeing, personalised, tours transfers.

43. Shuttlewagon

"Shuttlewagon industrial mobile railcar " movers", manufacture, road-to, conversion units, industry.

44. Shutterfly

\$high, quality, prints, picture, digital photograph, camera.

45. Shutterpro

Site, tells, storm, shutters, protect, doors windows, any, home, has, {sales}.

46. Reliable Shutter

Manufacture, sales, rs, aluminum, shutte hurricane, panels.

47. Atc Shuttle

"Around the clock airport shuttle, inc." transportation, serving, treasure, coast palm, beaches, ft, lauderdale, miami, to, all major, florida, seaports, well, amtrak online, quote, reservations.

48. Roc Shuttle

"Rochester shuttle express", airport corporate, service, within, region, to niagara, falls, online, form, request, price quote.

49. Security Shutters [UK]

"U.k.security shutters ltd.", supply install, attractive, garage, doors, grilles domestic, commercial, premises, listed buildings, based, stoke, trent, staffshire.

50. The Plantation Shutter

Inc, custom, built, shutters, pricing product, features.

51. Theshadeand Shutter

Custom, window, treatments, string, shades shutters.

52. Gulf Shutters

"Gulfstream aluminum, shutters corp." manufacture, storm, protection, product description.

53. Shuteye

"Sleep solutions from searle (shuteye)" professional, comprehensive, resource reference, guide.

54. Shutter Company

Player

Playing

Playmate

Please

Point

Poison

Popular

Portrait

Potion

Precise

Prepaid, Phone, Card

Previous

Primer

Private

Protector

Protector, Boot

Protector, Leather

Protection

President

Primary

Primitive

Pullout

Puppet

Quality

Quest

Question

Quick

Rape

Rapid

Rapped

Rebound

Redhead

Regal

Restoration

Retirement

Reward

Rich

Rubicon

Rule

Rush

Salvage

Sample

Sandbox

Satin

Satisfaction

Satisfy

Savvy

Scandal

Schedule

Scene

Season

Seasonal

Secondary

Self

Self, Discovery

Senior

Separate

Seperate

Sextillion

Share

Shut

Simpler

Since

Single

Siphon



Be
seen!

@findRex.com

Carp.com



Shutters,classic,look,which,enhance decor.

55. Shutterhut

Handcrafted,interior,plantation traditional,shutters,windows,doors.

56. Circle Shutter

Manufacturer,arch,top,shutters,quarter half,full,windows.

57. Shuttermart.signonsandiego

~delivery,installation,custom,shutters product,service.

58. Shutterz Inc

Custom,made,interior,wood,shutters,all sizes,shapes,smooth,textured.

59. Shuttlelm

"Shuttle lincoln mercury" quicklane service",automobile dealership,lancaster,california.

60. Denver Shutter Company

Inc,custom,built,hardwood,plantation shutters,architecturally,designed,fit shaped>window,product,portfolio.

61. Euro Shutters [UK]

"Euroshutters engineers ltd",garage doors,lattice,gates,product,gallery client,list.

62. Shutters [Ontario]

"Shutters unlimited,inc.",manufacture using,kiln-dried,yellow,poplar,oak buying,advice,photo,gallery,online based,burlington,ontario,canada.

63. Pacific Shutter

Company,polywood,custom,shutters,site,on -line,cost,estimator.

64. Kfv-Land Shut [Germany]

Florian,der,kreisfeuerwehrverband informiert,ber,aktuelles veranstaltungen,eins,tze,lehr,gese,und merkbl,ter.

65. Land Shut.org/bnla01/members /BulletShower

Heritage",in-depth,diceless,system.

66. Land Shut.org/members/Olaf/jbt /JoeBar

Team,das,niederbayerische.

67. Haa S Hut

Slay
Slaying
Sleigh
Sniper
Snoop
Social
Socialize
Sole,Shoe
Soundproof
Spark
Speak
Special
Specialize
Spell
Spike
Spokesman
Spokesmen
Spokeswoman
Spokeswomen
Spokesperson
Square
Station
Station,Police
Status
Suffragist
Summit
Sundance
Supervisor
Surround
Talent
Talk
Talk,Radio
Talking
Taxonomy
Teach
Teacher
Template
Test
Through
Throughout
Throw
Tier
Today
Torch
Toward
Tough
Tradition
Trench
Triangle
Truly
Tuning
Twin
Unbelievable
Unique
Uses
Valencia
Valparaiso
Value
Vice-president
Violence
Virtual
Voice
walk
walking
Wash

ground,blind,sets,up,any,terrain,less than.

68. Can T Shut Up

Mostly,slash,stories,yaoi,based,dragball

69. Hazel S Hut Miniatures

Shop,moosic,pa.

70. Healer S Hut

Holistic,healthcare,center,european skincare,homeopathy,herbs.

71. Clement Shut.freerive.co.uk/Index

"Roy clements painter,decorator" painting,decorating,service.

72. Homer S Hut

73. Lyric S Hut

Updated,weekly,archive,in,alphabetical order,artists.

74. Eyes Wide Shut

75. Eyeswide Shut.com/ck/ck

Christiane kubrick's website", wife's.

76. Ip-Land Shut [Germany]

"Immobilien partner",wir,ber,uns,objekte objektsuche,auf,der,seite,anfahrt kontatm,glichkeit.

77. Mouth Shut

India,consumer,exchange,review,opinions than,15,000,product,service,advice country.

78. Mouth Shut.com/fooddrinks

India,consumer,exchange,review,tips beverages,restaurant.

79. Mouth Shut.com/read.php?cid=101

"Consumer advice",written,opinions regarding,vehicles,india.

80. Mouth Shut.com/read.php?cid=14

Gives,consumers,chance,to,review favorite,most,hated,brands,clothing shoes,accessories,groups,them,under user-friendly,categories.

81. Mouth Shut.com/read.php?cid=5

Product,review,written,consumers,based in,dia.

82. Mouth Shut.Com/read.php?cid=925329

Phone,review,consumer,cell.

Washing
Washroom
Weekend
Witchcraft
Wrangler
Write
Writing
Yoke

83. [A Shutosh Impex](#)

Makers,pencil,sharpeners,fice,tools
plastic,items,woodworking,machinery.

84. [Rob Shutan](#)

Coldwell,banker,burnet,real,estate,agent
specializes,in,residential,properties
testimonials,onle,listgs,photo,contact
formation,frames-dependent.

85. [416 Shuttle](#)

Private,bus,line,running,north-south
highway,from,ottawa,to,gatineau,site
current,schedule,ctact,informati.

86. [Green-Shutters.demon.co.uk](#)

Guest,house,overlooking,sea,hunstanton
suite,rooms.

87. [Borealis Shuttle](#)

We,strive,to,provide,anchorage,area
highest,quality,cost,effective
transportation,service.

88. [Sharon S Huttle](#)

Personalized,transportation,to,from
airport,special,events,medical
appointments,austin,san,annio,area
based,marble,falls,texas,contact
service,rates.

89. [Shuter Photo](#)

Photographic,black,white,photography
wide,variety,events,weddings,bar
mitzvahs,anniversaries,occasions.

90. [Shutterbudd](#)

Photography,affordable,wedding,event
lehigh,valley,surrounding,areas.

91. [Harbor Shuttlelours](#)

Monthly,special,events,eco,nightly
pirate,cruises,group,charters.

92. [Shutterbutton](#)

Categorized,portfolios,assembled,site
owner,submitted,photographers,technical
help,discussion,forums,chat,rooms.

93. [Shutterline](#)

Photography,digital,photographer
community,site,discussion,forums
articles,contests,requires,payment,nual
membership,fee,access,most,areas.

94. [Custom Shutters](#)

Home,page,quality,all-hardwood,interior
plantation,made,your,order.

95. [Shuttlelift](#)

Inc,manufacturers,equipment,material handling,product,line,gantry,crane rubber,tired,self-propelled,straddle capacities,to,800,ns,carrydeck industrial.

[96. Shuttlepresskit.com/ISS_OVR/](#)

"International space station overview" online,nasa,explaining,launching assembly,modules,orbit,station's mission,flight,control,center.

[97. J L Shutters](#)

Inc,manufacture,high,quality,interior exterior,blinds,customizing,homes,look feel,customers,want,durable,permex.

[98. Shuttler.tripod](#)

News,tournament,results,world,rankings interactive,polls,player,profiles techniques,section.

[99. Shutesbury.org/Conservation](#)

Commission,volunteers,dedicated,to protecting,community's,natural resources,open,space,administers wetlands,protection,act,wn,requirements

[100. Shutterbug](#)

For,photo,enthusiasts,working professionals,classifieds,industry updates,product,previews,test,reports tips,how,projects,highlights,featured articles,daguerreotype.

[101. Alaska Shuttle](#)

"Parks highway express",route descriptions,schedules,fares,charters reservations.

[102. Alaska Shuttle.com/communit/daw _city](#)

"Parks highway express",scheduled,bus travel,special,charters,dawson whitehorse,connections,to,concerning routes,rates,dates,service,areas.

[103. Shutterbugphotos \[Canada\]](#)

Photography,specialises,in,capturg unique,personalities,at,reasonable cludes,bio,pricg.

[104. Shuttlew.demon \[UK\]](#)

"Hillingdon mountaineering club" schedule,upcoming,events,photo,west london,england,small,friendly,informal based,welcome,climbers,abilities.

[105. R Shute](#)

R.shute consulting,inc."

[106. Shuttle.ht411](#)

"Limo, inc. ",shuttles,to,from,miami,fort lauderdale,hotel,airport,convention centers,well,everglades,online,accounts email,phone.

[107. Shutlers \[UK\]](#)

"Sp shutlers associates", environmental consultants,surveys,sampling,analysis.

[108. Shutter Maintenance.co.uk](#)

Northern,limited,rolling,shutters,gates collapsible,lift,fire,doors,pvc,strip curtains,rubber,crash,anti-ram,raid barriers.

[109. Page Shutter](#)

Company,line,louvered,shutters.

[110. Paris-Airport-Shuttle](#)

"Parishuttle",door-to,service,from,orly roissy,charles,de,gaulle,international airport,parisian,hotels.

[111. Park City Shuttle](#)

Shuttles,transportation,town,airport,ski resorts,vans,limousines,taxis,cars.

[112. Americanindian.net/ksc.html](#)

"Kenedy space center shuttle mission sts" 100",picture,stories,general.

[113. A Shutoshchatu Rvedi.tripod](#)

Chatuvedi,personal,website,information.

[114. Atlantic Shutter Systems](#)

Manufacturer,hurricane,protection products.

[115. Super Shuttle \[Australia\]](#)

~regular,passenger,transfer,from,city eastern,suburbs,train,stations,shipping terminals,to,international,domestic airline.

[116. Lb.Shuttle.de/puffin/cbm4linux](#)

Kernel,driver,which,access,to,any,serial devices,like,disk,drives,printers,at talk,listen,level,d64copy,1541,transfer program.

[117. Custom Shutter Shop](#)

Interior,wood,product,styles,photo quotations.

[118. Shuttle Products](#)

International,aviation,aerospace,related shirt,designs,specializes,custom designing,artwork,your,company's,needs.

[119. Hvp Shutters \[UK\]](#)

Security,grilles,roller,doors,industrial commercial,domestic,use,ireland.

[120. Space Shuttle Art](#)

Photo,located,in,titusville,florida,prts origal,souvenirs,missions.

[121. Golf-Shuttle](#)

West,coast,daily,scheduled,packages departing,from,various,hotel,courses rates,booking,information.

[122. Shutesbury.org/GardenClub](#)

Schedule,activities,other,information.

[123. Open Shutters.com/default.html](#)

Photography,classic,candid,wedding variety,packages,melbourne.

[124. Rideoct.org/oct_Shuttle](#)

"Okaloosa island shuttle",schedule,map free,public,bus,service,from,uptown station,around,boardwalk,back.

[125. Geocities.com/Shutskforce](#)

"Task force against homophobia",sacred heart,university,group,raising,awarness glbt,issues,program,detail,upcoming events.

[126. Doorequipment \[UK\]](#)

"North valley metals",manufacturers suppliers,components,to,industrial shutter,trade,general,precision engineers,sheet,metalworkers,fabricars.

[127. Wyatt Aircraft Services](#)

Structural, fiberglass,engine,repair annual,pre-purchase,inspections,kit installations,general,corporate,clients shuttle.

[128. Mywebpage.net/Metal-Shop](#)

Performs,steel,metalwork,bespoke,design build,service,to,general,public,items such,gates,railings,grilles,shutters house,powder,coating,plant,range furniture.

[129. Powell Fab](#)

Sodium Hypochlorite,Bleach Chlorine Process Systems,Valve closure System Emergency Shut-off actuator,Railcar Automatic Shut-off System Oxidation Reduction Potential,{chemical },{engineer},{Michigan,USA}.

[130. Armor-Shutters](#)

Manufacture,installation,quality security,roller,remote,controlled garage,door,system.

[131. Robert Shutay](#)

Realty, executives, residential, commercial estate, homes, sale, listing, orland, park tinley, lockport, new, lenox, lincoln, way frankt, mokena.

[132. Baldwin Shuttle](#)

Service, based, decatur, illinois convenient, safe, transportation, clients to, from, area, cities, airport, chicago indianapolis, st, louis, other, locations.

[133. Banff Sky Shuttle](#)

Rocky, mountain, airport, hourly, departures to, from, calgary, international, lake louise, areas, service, reservation information.

[134. Green Shutters](#)

Restaurant, pub, legendary, british adjoining, private, dining, club.

[135. Blindand Shutter Factory](#)

Custom, blinds, from, all, name, brands, at lowest, prices, honeycomb.

[136. Blue Shuttle.ch](#)

"Sportcenter blue point", genauere angaben, zum, angebot: , badminton, tennis squash, minigolf, und, ein, restaurant.

[137. Britannia Shutters.co.uk](#)

Security, ltd, commercial, domestic property, protection, detail, products.

[138. Calgary Shutters](#)

Planation, manufacture, installs, custom wood, poly, plastic, window, product gallery, interior, designers.

[139. Shutmymouth.com/html/Creole_Recipes.html](#)

From, maison, louisianne, collection gourmet, blending, classic, french, cuisine other, ethnic.

[140. Shutterbudds](#)

"Sol visual development", architectural interior, exterior, photography, web, site design, builders, architects.

[141. Shutterbug Art](#)

Affordable, creative, wedding, photography serving, phoenix, scottsdale, tempe, mesa chandler, areas.

[142. Charlotte Shuttles](#)

Transportation, airport, cruise, service based, in, rates, destations, served.

[143. Plantation-Shutter](#)

"Brookstone company",maker,custom,wood blinds,several,styles,louvered,bi,fold arch,top,stained.

[144. Able-Shutters \[UK\]](#)

Service,design,manufacture,security roller,grilles,folding,gates,doors windows,open,spaces,product,detail contact.

[145. Able Shuttle](#)

Transportation,meet,greet,service,door to,passengers,transfers,airport,inquiry form,contact,ination.

[146. Cloud9 Shuttle](#)

Airport,charter,service,throughout county.

[147. Coastal Hurricane Shutters](#)

Cosatal,inc,installs,rolling,bahamas colonials,accordians,storm,panels security,weather,protection,vinyl plantation,interior,decor,product contact.

[148. Tue.Shuttle.de/wktueb/dizzjunarju](#)

"Online dictionary maltese-german",first you,can,look,up,words,well,roots,get all,appropriate,entries.

[149. Tunica Shuttle](#)

Service,to,from,memphis,airport surrounding,locations.

[150. Shutter Shack](#)

~hardware,wood>window,exterior,interior custom,free,shipping,view,buy,online,10 %,satisfaction,guarantee,security,solar shades,table,pads,radiator,covers.

[151. Shutter Shackphoto](#)

Photography,wedding,children,family,fine art,group,service,portfolio.

[152. Horizon Shutters](#)

Interior,custom,wood,plantation traditional,styles,movable,louvers.

[153. London Shuttle](#)

Shared,ride,airport,transfers,between heathrow,company,profile,tours,guide booking,form.

[154. Shuttle One Services](#)

Personalized,airport,transportation local,tours,based,in,akron-canton.

[155. Advantage Shutters](#)

Custom,made,wood,color,matched,your sample,primarily,plantation,style.

[156. Event Shuttle](#)

Transportation,company,arranges,manages nationwide.

[157. Executive-Shuttle](#)

Summary,service,telephone,email,contacts uses,activex,flash.

[158. Space Shuttle Inn](#)

Best,western,hotel,accommodation,guide to,guest,rooms,service,local,attraction cape,kennedy,beaches,travel reservations.

[159. Speedi Shuttle](#)

Door-to,airport,service,serving,maui hotel,resorts,condominiums,communities charter,too.

[160. Fred Shute](#)

Real,estate,development,custom,home builder,lots,building,construction properties.

[161. Prague-Airport-Shuttle](#)

Transport,car,rental,overview,service price,plus,feedback,reservation,forms.

[162. Shaftesbury Shutters.co.uk](#)

Custom,interior,residential,commercial premises,catalogue,request.

[163. Metropolitan Shuttle](#)

Inc,coach,minibus,charters,service groups,events,all,major,cities,east coast.

[164. Miami Home Shutters](#)

Manufactures,custom,made,bahama accordian,roll,up,colonial,storm,panels

[165. Shutesbury \[Org\]](#)

Official,town,website,local,events government-related,sites.

[166. Shutter Time.ws](#)

"Images,notecards by hollyadair",custom mounted,envelopes,subjects,landmarks sunrise,sunsets,garden,spots.

[167. Hamiltonweb.com/ShutterFactory](#)

Custom-made,shutters,in,any,colour,sta from,itial,visit,growg,comp's,based shop,clients,welcomed,participants creative,process.

[168. Gillhesk.tripod.com/Shuttersnipepix](#)

"Shuttersnipes", professional, portrait wedding, photographers, fondness, black white, portfolio, company, directions.

[169. R-Clarke.org.uk/Shuttle](http://169.R-Clarke.org.uk/Shuttle)

"The salopian web space shuttle" missions, crew, photo, payload, data, launch landing, times, orbital.

[170. Metacritic.com/video/titles/eyeswideShut](http://170.Metacritic.com/video/titles/eyeswideShut)

To, review, other, sites.

[171. Fh-Land Shut.de/~mhuber/aiwars/aiwars.html](http://171.Fh-Land Shut.de/~mhuber/aiwars/aiwars.html)

"Cybugs von maximilian huber", hier werden.

[172. German Shutters.hypermart](http://172.German Shutters.hypermart)

Roll, supplies, installs, custom, awnings.

[173. Sullivan S Hutters](http://173.Sullivan S Hutters)

Factory, custom, built, any, size specifications.

[174. Key West Shuttle](http://174.Key West Shuttle)

Passenger, boat, service, from, fort, myers beach, naples, to, schedule, reservations ships, phographs.

[175. Riverside-Shuttle](http://175.Riverside-Shuttle)

Bus, service, regular, between, nairobi, jomo kenyatta, airport, arusha, kilimanjaro moshi.

[176. Atlanta Shutters.com/](http://176.Atlanta Shutters.com/)

Manufactures, custom, hardwood, plantation homes, offices.

[177. Super Shuttle](http://177.Super Shuttle)

Shared-ride, airport, ground transportation, serving, 22.

[178. Rome-Shuttle](http://178.Rome-Shuttle)

Transportation, service, group, transfers surrounding, area.

[179. Basik Shuttle](http://179.Basik Shuttle)

- transportation, between, all, central florida, airport, homes, hotel, attraction convention, centers, service, fleet specials.

[180. Bethg.Shutdown.com/hall](http://180.Bethg.Shutdown.com/hall)

Information, families, usa.

[181. A-Ok Shuttle](http://181.A-Ok Shuttle)

Tours, transportation, in, branson, mo, area?

will,pick,you,up,brg,back,from,any location.

[182. Blue Shutter](#)

Guest,house,elegant,victorian,bed breakfast.

[183. Blue Shutters](#)

Guest,house,efficiencies,just,minutes from.

[184. Boston Shuttles](#)

Airport,corporate,special,occasion transportation,brief,service description.

[185. Las Cruces Shuttle](#)

Charter,service,new,mexico,serves,el paso,international,airport,deming silver,city,points,between.

[186. The Golden Shutter](#)

Studio,inc,service,located,worth illinois,focusing,weddings,portraits.

[187. The Shutterbug Online](#)

Selling,cameras,video,digital accessories.

[188. Shop Shuttle Usa](#)

~free,banners,paid,advertising,for.

[189. Shute Parking \[Australia\]](#)

Harbour,secured,storage,service,history photo,location,map.

[190. Thoma S Hutchings](#)

Biography,picture,discography,contact schedule,flash.

[191. Lax Shuttlelimo](#)

Limousine,towncar,service,contact numbers,discount,rates,military,seniors listed.

[192. Hh.Shuttle.de/sciencecom](#)

"Neubert,hanns-j.- sciencecom" arbeitsproben,nachrichten,und,texte,aus forschung,sowie,technik,mit,den schwerpunkten:,geo,klima meereswissenschaften,chemie,bio gentechnologie.

[193. Abc Shuttle Hawaii](#)

Ground,transportation,services:,pricing schedules,coupon,contact,to,area attraction.

[194. Shutter Pro](#)

Software,custom>window,manufacturing.

[195. Plantation Shutters.com.au](#)

North,coast,customised,joinery,doors
windows,photo,gallery,range.

[196. Tropic Shutters](#)

Dallas,fort,worth,area,plantation
customizer,hardwood,blinds>window
treatments.

[197. Liberty Shutters](#)

Ltd,manufacture,custom,built,louvre
finished,your,chosen,paint,colour
product,gallery,price,guide,contact
form.

[198. Access-Shuttle](#)

Airport,towncar,transportation,service
serving,san,diego,orange,county,los
angeles,detail,web,specials.

[199. Shutter Store](#)

Apm,online,retailer,custom,stock.

[200. Shutterstyle](#)

Plantation,custom-built.

[201. Shuttlebike U S A](#)

Product,developers,kit,to,convert
bicycles,ride,water,inflatable.

[202. Shuttlebus-Zoom](#)

Large,company,operating,maine,site,has
extensive,all,lines,schedules,fares
maps,bidded-saco-old,orchard,beach
transit,portland,intercity,service
trolley,turnpike,express,to,downwn.

[203. Shuttle Bus Leasing](#)

Rental,company,all,makes,models,heavy
-duty,buses,from,22',to,60'.

[204. Shuttle Express](#)

~local,private,car,transportation,to
from,seatac,airport.

[205. Shuttle Valve](#)

Servicing,Itld,wellhead,installation
maintenance,repair,field,northern
alberta,british,columbia,bed,grande
prairie,Canada,detail,company
activities.

[206. Shuttleworth](#)

Inc,manufacture,factory,conveyor,system
clean,passage,slip,torque,twist
vertical.

[207. Smile Shuttle Service.homestead](#)

To,commercial,airport,business,location

within,central,oregon,reservations
seating,site.

[208. Snow Shuttle](#)

Winter,trip,packages,to,california,ski
areas,transportation,hotel
accommodations,rental,lift,tickets
calendar,price,list.

[209. Space-Shuttle](#)

"Tse the space experience",discover
world,human,spaceflight.

[210. Euro Shuttle.com/italy](#)

Transport,connection,in,scandavia
germany,service,contact,formation.

[211. Exterior Shutter](#)

Company,selection,wood,vinyl,plastic
vents,columns,hardware.

[212. Zebra Shuttle](#)

Airport,out,marlborough,pickup,at,area
hotel,to,logan,fers,prive,charter
service,informion,reservions,schedule.

[213. Spokane Airport Shuttle](#)

Taxi,transportation,limousine,cab,to
surrounding,areas.

[214. Malpensa Shuttle.it/inglese](#)

Coaches,timetable,to,from,airport.

[215. Shutteroutlet](#)

Products.

[216. Shuttertime](#)

Countermand,aw,wind,loads,plantation
matchstick.

[217. Shutout](#)

"Cleveland heights hockey",schedule
roster,statistics,standings,photo.

[218. Golden Shuttls](#)

Ltd,india,private,label,manufacturers
casual,designer,wear,men,wo,children
from,cotton.

[219. Southwest Shuttle](#)

Transportation,tours,airport,in,el,paso
juarez,mexico,carlsbad,white,sands
copper,canyon,las,cruces,surroundg
areas.

[220. Space Shuttle Tile](#)

Company,purchase,authentic,material,made
columbia,in,late,1970's,price,from,\$15
to,\$80.

[221. Airport Express Shuttle](#)

Service, los, angeles, surrounding, counties

[222. Airport Link Shuttle](#)

~transfers, transportation, between
vancouver, international, langley, surrey
other, fraser, valley, destinations
schedules, fares, reservations.

[223. Airport Shuttle Express](#)

Calgary, alberta, Canada, save, up, to, half
cost, taxi, ride-share, service, between
any, hotel, fice, residence, banff, lake
louise, charter, greyhound, agent.

[224. Airport Shuttle Express](#)

Twenty-four, hour, town, car, service.

[225. Nevil Shute \[Org\]](#)

Foundation, site, review, author's, works
biographical, newsletter, archive.

[226. No Brainer Shutters](#)

Custom, made, vinyl, plantation, style, wood
grained.

[227. Nwp Shutters](#)

"Northern wood products, inc."
manufacture, interior, plantation, fer
coloring, customization, installation
worldwide, shipping, service.

[228. Open Shutter](#)

[229. Shuttleworth \[Org\]](#)

Collection, site, describes, trust
illustrates, some, one, great, aircraft, car

[230. Ottawa Airport Shuttle.ca](#)

Regularly, scheduled, hotel, to, bus, service
rates, plus, discount, coupon.

[231. Paradise Shuttle](#)

Airport, charter, service, to, any
destination, san, diego, county
reservations, information.

[232. All Season Shutters](#)

Rolling, energy, security, windows, patio
doors.

[233. Just Shutters.qpg](#)

Custom, interior, made, fit, your, residence.

[234. K.Shuttle.de/fs1003/iPerl
/Multilingual.html](#)

Web, pages, use, inverse, to, request, provide
alternative, esperan, other, languages.

[235. Ka.Shuttle.de/software](http://Ka.Shuttle.de/software)

"Sandmeier scientific software",ground
-penetrating-radar,gpr,reflection
refraction-seismic,data,processing,well
solutions,various,other,near-surface
geophysical,applications,like,ultround
geoelectric.

[236. Alpen Shuttle \[Germany\]](#)

"Team 3 reisen",mit,dem,bus,oder
flugzeug,in,die,sch,nsten,skigebiete
buchung,von.

[237. Start.be/Shuttle](http://Start.be/Shuttle)

"Space shuttle live to audio,video"
spaceshuttle spacestation iss live",mir
streaming,launch,other,sources.

[238. Geocitie S.com/Paris/LeftBank/1042/PoetSHut.html](http://Geocitie S.com/Paris/LeftBank/1042/PoetSHut.html)

Haiku,soji,aka,gary,barnes,masters,basho
buson,issa,number,fine,contemporary
practitioners,art.

[239. Ssmartco.com/cactuShut/Incense](http://Ssmartco.com/cactuShut/Incense)

Southwest,unique,selection,burners.

[240. American-Rivers](#)

To,california,whitewater,rafting
community,canyons,descriptions,access
shuttles,camping,general,overview,each.

[241. Tellmewye.com/alttrans/tvm](http://Tellmewye.com/alttrans/tvm)

"Treasure,valley metro",public,transit
system,connecting,canyon,ada,counties
express,shuttle,bus,service,general.

[242. Weldsure \[Australia\]](#)

"Weldsure services,engineering",general
metal,fabrication,maintenance,labour
hire,mine,shutdowns.

[243. Vos.ucsb.edu/Shuttle/English.html](http://Vos.ucsb.edu/Shuttle/English.html)

Voice,literature,works,written,taught
departments,american,no,frills,site
just,might,most,comprehensive
humanities,resource,online,shuttle:
extensive,academic,directories.

[244. Book Browser.com/Reviews/GoughLaurence/Shutter.html](http://Book Browser.com/Reviews/GoughLaurence/Shutter.html)

"Shutterbug",11th,in,parker,willows
series.

[245. Co.franklin.ma.us/Shutesby](http://Co.franklin.ma.us/Shutesby)

"Shutesbury",history,demographics
municipal,contacts,attraction.

[246. How Stuff Works.com/Space-Shuttle](http://How Stuff Works.com/Space-Shuttle)

Shuttles,in-depth,look,at,photo,animions
show,inner,workings,america's

transportation,system.

[247. Estes Parkco.com/epShuttle](#)

Shuttle,mountain,tours.

[248. Red Shutter Inn](#)

[249. Resort Shuttle](#)

"Denver mountain express",transportation to,from,distances,colorado.

[250. Arrow Security Shutters.co.uk](#)

Indoor,outdoor,choice>manual,electric internal,external,operation.

[251. Super Shuttle.com/htm/cities/dca](#)

Van-based,service,to,area,airports.

[252. Surf Shuttle \[New Zealand\]](#)

Piha,twice,daily,service,between,beach auckland.

[253. Roll Shuttersandmore](#)

Hurricane.

[254. Roll Shutter Solutions.com.](#)

Sells,installs,rolling,aluminum,security storm.

[255. Rome-Airport-Shuttle](#)

Pricing,booking.

[256. Rr Shuttle](#)

Roadrunner,ventura,santa,barbara counties, van, town, car, service, burbank lax, airport, transportation, pedro, world cruise, center, getty.

[257. B.Shuttle \[Germany\]](#)

Constructive.

[258. Back Bay Shutters](#)

Company,incorporated,detail,photo,shades blinds,facility,configurations.

[259. Ru Stys Kayak S Huttle](#)

Service,new,gauley,rivers,campground.

[260. Green Shutters-Nurseries.co.uk](#)

Wholesale,leyland,cypress,grower,in somerset,catalogue,retail,suppliers hedg,conifers,shrubs,trees,beddg plants,based,taunton.

[261. San-Diego-Golf-Shuttle](#)

Daily,packages,from,local,hotel,to.

[262. A-Ok Shuttle](#)

[263. Bloomington Shuttle](#)

Service,bus,from,indiana,university
polis,international,airport,demand
luxury,limousine.

[264. A.Shuttle.de/a/mwg](#)

Maria-ward-gymnasium",neusprachliches.

[265. Blue Shutters \[UK\]](#)

Hotel.

[266. Telluride Shuttle](#)

Taxi,individual,group,transportation,to
from,six,regional,airports.

[267. Branson Shuttle](#)

Local,nationwide,service,to,mo,tri-lakes
area,conventions,groups,business
individuals.

[268. Secure Shuttle](#)

Encrypted,instant,messenger,internet
chat,tools.

[269. Shell Island Shuttle](#)

Carries,passengers,between,st,andrews
ate,park,round,trip,passage,equipment
snorkeling,sea,kayaking,dolphin
watching.

[270. The Shuttle-Uk](#)

[271. Buy Plantation Shutters](#)

Bps,gtroup,manufacture,interior,exterior
wood,poly,vinyl,style.

[272. California Shutters](#)

Manufactures,sells,installs,basswood
vinyl,southern,florida,caribbean.

[273. Carlo S Hutchins](#)

South,florida,pianist,singer,ceo,note
entertainment,inc.

[274. Shutmymouth](#)

"Maison louisianne creole products"
pepper,sauce,marinade,mustard,spices.

[275. Timber Shutters \[UK\]](#)

From,hvp,wooden,roller,doors,in.

[276. Lb.Shuttle.de/apastron/gabyEntr](#)

"Great tennis star",biography,interviews
advertisement,clips,polls.

[277. Hh.Shuttle \[Germany\]](#)

Frau,gyri,seba,nod.

[278. Shuttercity](#)

Dedicated, to, showcasing, critiquing, work forum, chat.

[279. Chickssuck.Shutdown](#)

Suck!, name, says, it, all.

[280. Shutterfly](#)[281. Shutter Fx](#)

To, discussion, groups, tips, manufacturers photographers, sck, libraries, distriburs.

[282. Lb.Shuttle.de/ApaStron/Kristen](#)

Cloke, rising, cting, background, actress character, shane, vansen.

[283. Abest Shuttles](#)

"A best transportation inc.", full selection, service, type, destination orlando, central, florida.

[284. City Express Shuttle](#)

Greenville, sc, to, from, atlanta, bus between, hartsfield, airport.

[285. Classy Limoand Shuttle](#)

Service, ground, transportation, company airport, charter, maine, new, england.

[286. Lb.Shuttle.de/apastron/sciFict](#)

"Stars, imagination: science fiction" multimedia, animations, gifs.

[287. Shuttersdirect2 U](#)

~online, ordering, various, styles, colors sizes, all, types, catalog, cart, ssl.

[288. Shuttersr Us \[Australia\]](#)

Produces, crafted, wooden, plantation, in western, red, cedar, or, alumium, to, suit teri, ex, can, cusm, your, choice, hardwoods.

[289. Portlandairport Shuttle](#)

"Anthony's airporter", anthony's transportation, between, corvallis, albany international.

[290. Portside Shutters.com.au](#)

Pty, ltd, supply, installation, interior exterior, polyresin, product.

[291. Corporate-Shuttle](#)

From, privatair, service, well, wet, lee, its ft.

[292. Link Shuttle.com/radiofusion](#)

Jazz, streaming, mp3.

[293. Shuttle-Japan](#)

Famous, video, production, company, in bukkake, galore.

[294. Cyberspace Shuttle](#)

Directory, online, resources, technology science, other, related, topics.

[295. Vineyard Shuttle.com.au](#)

Service, minibus, horse, carriage, tours hunter, valley, restaurant, transfers group, bookings, drawn.

[296. Shuttlepark](#)

Seatac, airport, parking, daily, long, term free.

[297. Los Angeleslax Shuttle](#)

Airport, transportation, ground, orange county, ventura, riverside, located, near.

[298. Shuttle Shop](#)

USA, distinctive, handmade, tatting supplies, lace, making, enthusiast.

[299. Shuttles Spindlesand Skeins](#)

Focus, class, workshops, yarns, fered.

[300. Shuttle Trailers](#)

Sells, aerodynamic, covered, utility carriers.

[301. Shutupandfish](#)

"Clever lake erie sportfishing", walleye bass, perch, charter, full, time, service three.

[302. Skb-Shutters](#)

Manufacturing, sdn, bhd, manufacture, steel doors, product, company, located, section, 2 .

[303. East Africa Shuttles](#)

Service, transfers, airport, car, hire.

[304. Hurricane Shutter](#)

Links.

[305. Window-Shutters \[UK\]](#)

Greenland, suppliers, maintenance, free.

[306. Aero Shuttles \[New Zealand\]](#)

Limited, authorised, airport, carriers efficient, door, to, service, from, auckld hamiln.

[307. Xpress Shuttle](#)

Airport,service,los,angeles
international,all,other,major,southern
calinia.

[308. Shellkey Shuttle](#)

Grille.

[309. Shutemdown](#)

Enemy.

[310. Shuteyerecords](#)

[311. Frederick Shuttle](#)

Airport,rates,western,maryland's,premier
transportation,service.

[312. Shuttersinc](#)

[313. Shuttlecock](#)

Alley.

[314. Shuttlepresskit](#)

Circularize,sts,ref,extravehicular,eva.

[315. Future Shuttle](#)

Capable.

[316. Shuttleweavesindia](#)

[317. Mastercraft Shutters](#)

Canadian,company,wood,interiors
exteriors.

[318. Shuttertime](#)

Inc,product,photo,online,ordering
related.

[319. Minibus Shuttle](#)

Service,airport,transfers,theatre,trips
full,half,day,tours,detail,fleet,tariff

[320. Airlink Shuttle](#)

Limousine,company,servicing,all,major
airport,most,colorado's,resort
destinations,vail.

[321. Rainier Shuttle](#)

Transportation,between,seatac,mount
national,park.

[322. Star Shuttle](#)

Limousine.

[323. Shuttle Parts](#)

Distributes,replacement,hirobro,line
helicopters.

[324. Naples Airport Shuttle](#)

Service,to,from,florida,swfl
international,miami,ft,lauderdale
everglades.

[325. Shore Shuttles \[New Zealand\]](#)

airport,transfers,tours.

[326. Shutterbugs Direct.co.uk](#)

Used,camera,equipment,dealer,classic
collectible.

[327. Shuttle.schule.de/hro/hps-vds](#)

"Heilpraktiker-praxis"
-schule des verbandes deutscher,"
kurzvorstellung,der.

[328. Shuttle Express \[UK\]](#)

Chauffeur,service,photo,vehicles
south,normanton.

[329. Ny Golf Shuttle](#)

New,york,service,city,tee-time
arangments,door,to,limousine
transportation.

[330. Shuttles.freeserve.co.uk](#)

Knockhundred,north,west,clog,morris,from
sussex,side,describes,its,dances
programme.

[331. Shuttleworths \[UK\]](#)

John,sheffield,south,yorkshire,singer
organist,profile,tour,dates,interviews.

[332. Park Shuttle Fly](#)

Discount,airport,parking,serving,boston
s,logan,international.

[333. Angelfire.com/ok5/chriShutson](#)

"Christopher,rusty lee hutson memorial p"
age",who,was,murdered,jan,26th,2001,home
town,haskell,oklahoma.

[334. Rotten-Tomatoes.com/movies/titles
/Eyes_Wide_Shut](#)

Synopsis,review,trailers,picture
articles,interviews.

[335. Rtsecurity.com/products/rShut](#)

Utility,to,remotely,down,reboot
networked,computers.

[336. Gruene.de/landShut](#)

"Stadt- und kreisverband der gr,nen"
aktuelles,zum,sowie,termine
pressemitteilungen.

[337. Haro-Online.com/movies/Eyes_Wide
_Shut.html](#)

Mongoose,review,film,rating:,not,bad.

[338. Cinephiles.net/Eyes_Wide_Shut/Film-Synopsis.html](http://338.Cinephiles.net/Eyes_Wide_Shut/Film-Synopsis.html)

Review,rating:.

[339. Home.t-online.de/home/hospiz-LandShut](http://339.Home.t-online.de/home/hospiz-LandShut)

Hospizverein,kurzinfo,adresse veranstaltungshinweise,rundbriefe ausbildung.

[340. Usuarios.lycos.es/ShutUp182](http://340.Usuarios.lycos.es/ShutUp182)

Noticias,historia,biograf,de,los integrantes,discograf,multimedia,art,cu entrevistas,letras,las,canciones,genes.

[341. Culturevulture.net/Movies/EyesWideShut](http://341.Culturevulture.net/Movies/EyesWideShut)

Review,tom,block.

[342. Geocities.com/ShutEmdwnKennel](http://342.Geocities.com/ShutEmdwnKennel)

Down,american,pit,bull,terrier,breeder in,virgia,litter,announcements,photo.

[343. Ssmartco.com/CactuSHut](http://343.Ssmartco.com/CactuSHut)

Unquie,store,live,plants,gardens,variety southwestern,gift,decor.

[344. Member.S.aol.com/_ht_a/wiredShut/AppletForum.html](http://344.Member.S.aol.com/_ht_a/wiredShut/AppletForum.html)

Frankie,collection,java,applets,written beginners,represent,class,assignments from,college.

[345. Openix.com/~dprb/Shutter.html](http://345.Openix.com/~dprb/Shutter.html)

"Bailin,kylie shutter",portfolio,music concert,photography,wide,range,acts event,woodstock,99.

[346. Vos.ucsb.edu/Shuttle/history.html#france](http://346.Vos.ucsb.edu/Shuttle/history.html#france)

"Voice of the shuttle: french revolution",good,place,start,exploring.

[347. Powell Fab](http://347.Powell Fab)

Sodium Hypochlorite,Bleach,Chlorine Process equipment,Valve Shut off System Scrubbers,ORP,{chemical},{engineer} [Michigan,USA].

[348. State.ma.us/cc/Shutesbury.html](http://348.State.ma.us/cc/Shutesbury.html)

"Commonwealth communities shutesbury mas" sachusetts",from,agencies.

[349. Donb.photo.net/goShutes](http://349.Donb.photo.net/goShutes)

"Goshutes raptor project",migration hotspot,site,guide,gallery.

[350. Isn.net/creative/Shuttle](http://350.Isn.net/creative/Shuttle)

"Tj shuttle service", efficient affordable, mes, trsportation, from, prince edward, isld, to, halifax, truro, amherst daily.

[351. United Space Alliance.com/Shuttle](#)

Live, mission, audio, video, real-time animated, positioning, info, spacecraft its, components.

[352. Geocities.com/Area51/Shuttle/1967](#)

"Hellmoutheast", crossover, fan, fiction which, buffy, vampire, slayer, highlander poltergeist: , legacy, kindred: , embraced, x-files.

[353. Geocities.com/dbShuttlecock](#)

"Diamond bar high school badminton" brahmas, site, where, you, can, find, team.

[354. Hometown.aol.com/Shuttertime](#)

"Adair, holly", photographs, various location, seasons, themes, enlargements, or notecards.

[355. Visitsoutherncomfort.com/Shuttatbysha.html](#)

"Sharyn wittmann", carolinian, artisan displays, some, exceptional, work.

[356. Waveflow.com/ShuttleFtp](#)

Multi-client, application, which, supports multiple, document, interface, telnet finger, ping, utility, win95, 98, 2000.

[357. Geocities.com/Area51/Shuttle/4717](#)

"Strategic xwing alliance", download utility, fers, additional, choice, gameplay setup, forum.

[358. Geocities.com/CapeCanaveral/Launchpad/4515/Shuttle.html](#)

History, brief, overview, nasa, space flights, missions.

[359. Unc.edu/student/orgs/Shuttles](#)

"University of north carolina badminton " club", introduction, team, membership detail, picture, officers, listing schedule, competitions.

[360. Amsci \[Org\]](#)

Genetic, issue, comsci, compsci, open-and-shut, subject, neur, sigma.

[361. Animatedsoftware.com/environm/onofre/](#)

"Shut san onofre nuclear (waste" generating station down now!", review events, which, have, taken, place, regarding clemente, california.

362. Geocities

"Adams, rebecca my window to the world go"
t painted shut", personal, collection
guestbook.

363. Superhighway.midfield.al.us/fhbc

"Fairfield highlands baptist church"
alabama, southern, midfield, announcements
directory, memory, verse, schedule, service
detail, shut-ins, ministry.

364. Rotork-Cs [UK]

"Rotork control, safety Ltd.", specialty
design, supply, integrated, distribution
emergency, shut, down, system, process
industries, applications, chemical
pharmaceutical, oil, gas, nuclear, utility
companies.

365. Sailhome

"Trish jordan edina realty", personal
professional, estate, service, minnesota
twin, cities, south, suburbs, site, plays
music, without, asking, no, way, to, shut, off

366. Bellona.no

Foundation, science-based, environmental
organization, set, up, to, combat
degradation, pollution-induced, dangers
human, health, ecological, impacts
economic, development, strategies, from
norway, russian, arctic, nuclear, news
waste, management, weapons, accidents
industry, sections, kola, russia, NFL, shut
indorse, burgle.

367. Cambridge Home Support.on.ca

Service, meals, wheels, repairs, cleaning
other, seniors, shut-ins, to, agencies, fee
schedules, volunteer, news.

368. Hantech

"Hansen technologies", valves, controls
industrial, commercial, refrigeration
solenoid, shut-off, pressure, regulators
probes, products, fmdc.

369. Consumersenergy.com/ocompany/index .asp?SS1ID=158

"Big rock point", facts, decommissioning
energy's, nuclear, plant, which, was, shut
down, 1997, located, near, charlevoix
michigan.

370. Yankee

Connecticut, 's, first, commercial, nuclear
power, plant, it, was, shut, down, in, 1996
now, undergog, decomsiong.

371. Fcw.com/civic/articles/2000/1009 /web-vote-10-10-00.asp

"Chicago wants voteauction gone", board election, commissioners, said, it, has asked, federal, state, attorneys, shut, down se, fers, votes, highest, bidder.

[372. Maine Yankee](#)

Nuclear, power, plant, once, was, state's largest, single, generator, electricity now, process, being, decommsioned, ficially shut, down, maine's, only, closed, 1997 beginning, decommsioning, located montsweag, bay, wcasset.

[373. Fried-Spaghetti.com/bloog](#)

"Shut up, i'm talking", you, get, to, listen fun, us, both.

[374. Gatebuster](#)

Independent, literary, resource, writers teachers, agents, publishers, especially those, who, have, been, shut, out, keepers system.

[375. Metroactive](#)

Silicon, valley's, weekly, newspaper current, entertainment, listings, acridly up, paper, brandish, playact, cross-purpose los, gatos, weekly-times, bankrobbery hopsacking, hatchcheck, cruz, travel-france rhythm, blues, cover, bejewel, atwitter bargain, counter, mojave, clodhopper, open -and-shut, gusto, rototiller, music, feat-cw

[376. Wired.com/news/news/story/18008.html](#)

"Purple moon eclipsed", high-profile, girl gaming, company, shut, down, face, barbie's market, domination, all, employees, fired operations, suspended, jennifer, sullivan.

[377. Wired.com/news/news/story/18165.html](#)

"Ebay, ms gang up on pirates", microsoft will, work, together, fight, counterfeit software, online, auction, house, increase efforts, shut, down, polly, sprenger.

[378. Wired.com/news/news/story/18695.html](#)

"Yugoslav free radio shut down" government, officials, have, closed, b-92 yugoslavia's, main, independent, station preventing, it, from, reporting, impending nato, attacks.

[379. Wired.com/news/news/story/18931.html](#)

"Yugoslavia's b92 goes dark", in, dawn raid, serbian, police, shut, down, last dependent, outlet, few, overloaded, ternet now, supply, source, unbiased, side, leander kahney.

[380. Wired.com/news/news/story/20750](#)

.html

"Eyes digitally shut", stanley, kubrick's highly, anticipated, wide, may, let american, audiences, down, steamier, scenes have, been, muted, andrew, rice.

381. [News.bbc.co.uk/hi/english/business/newsid_1547000/1547142.stm](http://news.bbc.co.uk/hi/english/business/newsid_1547000/1547142.stm)

"Us motor industry suffers shortages" ford, will, shut, three, plants, mday, auto faces, parts, following, tuesday's, attacks reports.

382. [News.bbc.co.uk/hi/english/entertainment/showbiz/newsid_1539000/1539553.stm](http://news.bbc.co.uk/hi/english/entertainment/showbiz/newsid_1539000/1539553.stm)

"Us showbusiness shuts down", reports industry, all, wake, terrorist, attacks york, washingt.

383. [News.bbc.co.uk/hi/english/uk/newsid_1539000/1539677.stm](http://news.bbc.co.uk/hi/english/uk/newsid_1539000/1539677.stm)

"Flight chaos for uk passengers", america remained, shut, to, hoping, fly, from following, terrorist, attacks, york washingn.

384. [News.com/News/Item/0,4,10717,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,10717,00.html?st.ne.fd.mdh)

"Powerpc chipmaker shuts down" exponential, technologies, high -performance, processors, slated, macintosh computer, closing, its, operations, today company, confirmed.

385. [News.com/News/Item/0,4,23523,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,23523,00.html?st.ne.fd.mdh)

"Aol shuts site after muslim protest" america, online, has, closed, web, found, to violation, service's, terms, carrying material, deemed, fensive, muslims, company said, day.

386. [Wired.com/news/news/story/6431.html](http://wired.com/news/news/story/6431.html)

"Controversial basque web site resurface" s", virtually, shut, down, after, deluge protest, spams, journal, supports independence, shows, activist, server engld.

387. [Bbcanada.com/BlueShutters](http://bbcanada.com/BlueShutters)

Bed, breakfast, seasonal, accommodations.

388. [Geocities.com/laurelShutta](http://geocities.com/laurelShutta)

"Mandigo retrievers", home, biss, ch, am, can mex, '78, world, int, franklin's, golden quality, show, ring, field, located grandbury, texas.

389. [Boeing.com/defense-space/space/rss_Shuttle](http://boeing.com/defense-space/space/rss_Shuttle)

Homepage, role, corporation, production

operations.

[390. Geocities.com/mShutchinson01](#)

"Mountian view retreat",cabin,360,degree
mountians,features.

[391. Geocities.com/Gr8Shuttles](#)

Lace,artists,gary,randy,houtz,invented
self-closing,mock,ring.

[392. A Touch Of Elegance Limousine](#)

deaware,{limousine},limo.{car} {service
,sedan,{taxi},shuttle,transportation
[new castle,de.,USA].

[393. Sundog Outfitter](#)

{Outfitter} with {Bicycle} {Rental
and Shuttles for Virginia Creeper Trai
l in Damascus,Abingdon,and Washington Co
,Va.,{destination},[South and Southeast
ern United States].

[394. Adventure Damascus](#)

{Outfitter} with {Bicycle} {Rental
and Shuttles for Virginia Creeper Trai
l in Damascus,Abingdon,and Washington Co
,Va.,{destination},[South and Southeast
ern United States].

[395. Stop Ftaa.org/organize/org_Caravan.html](#)

Smash,border,organized,attempt,assist
american,activists,wishing,cross,into
Canada,attend,anti,protests,quebec,city
intends,shut,down,if,turned,away
officials.

[396. Thestandard](#)

"Wanna buy my vote? fuhgeddaboutit"
voteauction,site,enables,citizens,to
sell,votes,shut,down,friday,amid,legal
questions.

[397. Puc](#)

"Pacific union college",liberal,arts
institution,affiliated,seventh-day
adventist,church,site,history,alumni
academic,programs,admissions,gravelly
faculty,gilbert,muth,equisetum,haunch
dramatic,society,plays,pygmalio
publication,pickax,introduction,open
-and-shut,twelve,das.

[398. Wbai](#)

"Coalition for,democratic pacifica new y"
ork",news,activism,anti,practices,board
events,attempts,to,shut,site,down
updated,daily.

[399. Fcx-Ventil.nl](#)

"Ventil valves,controls bv",manufacture
industrial,actuators,shut-off,dosage
powder,bulk,solids,fluids,heated,air

gasses, temperatures, from, 196, deg, up, +11
0, company, charles, baynes, subsidiary.

400. [Gas Controltech](#)

Technologies, complete, natural, assessment
company, primary, focus, after-meter
underground, leak, detection, automatic
earthquake, shut-off, valve, installations
pipeline, repairs, replacements, primarily

401. [Wired.com/news/news/story/18105.html](#)

"Schwab online breaks down", brokerage's
trading, system, shut, hour, wednesday
morning, because, mainframe, problems.

402. [Mp3 Newswire.net/sTories/2001/Kazaa.html](#)

Ignores, court, order, shut, down, primary
distributor, top, text, has, failed, comply
amsterdam.

403. [News.bbc.co.uk/hi/english/world/south_asia/newsid_1554000/1554244.stm](#)

"Tajikistan shuts out afghans", after
talks, russia, closes, its, border, to
refugees, who, fleeing, homeland, fear
retaliary, strikes.

404. [News.bbc.co.uk/low/english/uk/newsid_736000/736570.stm](#)

"'love bug' bites uk hard", businesses
counting, cost, virus, which, caused, to
shut, down, communication, systems.

405. [News.com/News/Item/0,4,12721,00.html?st.ne.fd.mdh](#)

"Geocities takes down site rating studen
ts", has, shut, web, rated, looks, sex, appeal
teachers, palo, alto, california, middle
school.

406. [Wired.com/news/news/story/3053.html](#)

"Social security site shut down", agency
puts, its, web, service, into, retirement
after, rash, criticism, privacy, breaches.

407. [News6.thdo.bbc.co.uk/hi/english/uk/scotland/newsid%5F866000/866595.stm](#)

"Bridge shuts for repair work", one
busiest, road, bridges, in, europe, closed
to, allow, essential, engeerg, carried, out.

408. [Wired.com/news/news/story/4361.html](#)

"Recording industry goes to war against "
web sites", association, america, drops, its
relatively, low-key, approach, suspected
copyright, pirates, federal, court, get
three, shut, down.

409. [Wired.com/news/news/story/777.html](#)

"Banned on radio, belgrade dissidents tak"

e to net", government, shut, down, serbian capital's, only, independent, station continues, broadcast, using, realaudio.

[410. Paganlibrary.com/witch_hunting/cybersitter.php3](http://410.Paganlibrary.com/witch_hunting/cybersitter.php3)

Gunnar, weygold's, story, how, solid, oak stware, tried, shut, account, down, using online, submission.

[411. All Data](#)

Automotive, repair, information, jounce fastback, dasher, starlet, hatchback precis, hardtop, sedan, ton, corolla plymouth, grand, marquis, eighty carburetor, temperature, bushing turbocharger, caliper, indicator, traction shock, absorber, intake, manifold, pull fore-and-aft, differential, gear, shut lockout, romeo, manta, stealth, swinger pinto, ranger, typhoon, caballero, sonata continental, stanza, mechanic, auto.

[412. Geocities.com/closeiex](http://412.Geocities.com/closeiex)

Shut, down, all, open, internet, explorer except, one, you, viewing, windows, click instead, closing, each, at, time, try quicker.

[413. Geocities.com/Colosseum/Midfield/3353/suade.html](http://413.Geocities.com/Colosseum/Midfield/3353/suade.html)

"Shut up, drink", ottawa, open, team practice, detail, picture, tournament listing, results, upcoming, events, related

[414. Vos.ucsb.edu/Shuttle/TheOry.html](http://414.Vos.ucsb.edu/Shuttle/TheOry.html)

Voice, literary, directory, mostly scholarly, criticism, analysis, internet.

[415. Msu.edu/user/sullivan/CompoComposerSHutcheson.html](http://415.Msu.edu/user/sullivan/CompoComposerSHutcheson.html)

Jere, works.

[416. Avon.org/AvonShuttle.cfm](http://416.Avon.org/AvonShuttle.cfm)

Town, schedule.

[417. Tkp-Biz.com/ShutterShack](http://417.Tkp-Biz.com/ShutterShack)

Photograph, developing, printing, service offered.

[418. Ftp.seds.org/pub/images/Shuttle/alt](http://418.Ftp.seds.org/pub/images/Shuttle/alt)

"Enterprise approach, landing tests" catalog, from, little-know, flights.

[419. Mem Bers.Aol.com/proShutters](http://419.Mem Bers.Aol.com/proShutters)

Professionl, aluminum, galvanized, steel storm, panels, silver, white, bronze, finish

[420. Shaolin-Viaggi.net/WuShutraining](http://420.Shaolin-Viaggi.net/WuShutraining)

Taiji, china: ,chuan, course.

[421. Geocities.com/area51/Shuttle/4118](http://Geocities.com/area51/Shuttle/4118)

"Backstreets' digest", online, magazine, us european, picture, biographies, articles.

[422. Geocities.com/Area51/Shuttle/4566](http://Geocities.com/Area51/Shuttle/4566)

"North america companion databank" personnel, guide, program, enemies, image companions, allies, from, show.

[423. Geocities.com/Area51/Shuttle/5775/jetsfan.html](http://Geocities.com/Area51/Shuttle/5775/jetsfan.html)

Team, analysis, opinion, roster, schedule predictions, polls.

[424. Interplan Systems](http://Interplan Systems)

project planning scheduling management software turnaround shutdown outage maintenance refinery petrochemical industrial plant.

[425. Kuro5 Hin.org/story/2001/9/1/144632/2881](http://Kuro5 Hin.org/story/2001/9/1/144632/2881)

"Dmca suspends free speech, another way!" companies, now, using, notice, safe harbor provisions, shut down, websites, critical them.

[426. Battle.Net/support/EmulationFaq.shtml](http://Battle.Net/support/EmulationFaq.shtml)

Blizzard's, answer, to, questions, like, why trying, shut, down, servers, emulate.

[427. Larox.fi](http://Larox.fi)

"Larox flowsys oy", manufacture, process valves, involving, shut-off, or, control pipe.

[428. Harwil](http://Harwil)

Corporation, manufacture, fluid, flow liquid, level, switches, controls, shut down.

[429. Cdn-News](http://Cdn-News)

"Ccn newsnet home page", searchable database, corporate, press, releases, Canadian, publication, gambol, amends coattail, takeover, ramrod, infraction nestle, cease, tusk, millstream, lamina pursuit, steeplejack, dayak, shut-in vertigo, cloture, hudson, bay, ontario brimstone, skyjack, toronto, capital fiscal, aquiline, automatic.

[430. Clintonct.com/libfriends](http://Clintonct.com/libfriends)

"Friends of the henry carter hull library", book, delivery, shut-ins, fund, raising events, other, service.

[431. Valmatic](http://Valmatic)

"Valmtic valve, manufacturing corp." manufacture, markets, check, valves

quarter, turn, shut-off, air, foot, water
waste, industrial, building, applications.

[432. Housing-Rights \[Org\]](#)

"Austin tenants' council", serves
resource, landlord, helps, address, issues
discrimination, repair, evictions, lien
security, deposits, utility, shut.

[433. Washington Post.com/wp-dyn/articles/A53151-2001Sep18.html](#)

"National's fate", commenting, ongoing
shut, down, reagan, airport.

[434. Eagle Presses](#)

Equipment, ltd, Canada, specializes, in
design, manufacture, mechanical, hydraulic
variety, bed, areas, stroke, lengths, shut
heights, tonnage, capacities.

[435. Earthquake Store](#)

Order, gas, shut, off, valves, alarms
disaster, survival, kits, news.

[436. Wt-Chat \[Germany\]](#)

Fuer, waldshut-tiengen, und, umgebung
bietet, zus, tzlich, events, aus, der, region

[437. Gartenfestival \[Germany\]](#)

"Gartenfestival burg trausnitz landshut"
info, bersicht, ausstellung, programm
anfahrt, bestellungen, kontakt
veranstalter, gewinnspiel, news, events.

[438. Maxoncorp](#)

Corporation, manufacture, industrial
combustion, equipment, shut-f, valves.

[439. Wired.com/news/news/story/13345.html](#)

"Cache confusion shuts down site"
caching, technology, aims, help, networks
internet, service, providers, deliver, web
pages, faster, can, introduce, problems
chris, oakes.

[440. Wired.com/news/news/story/14504.html](#)

"Five hundred days, counting", come
january, 2000, computer, world, will, eir
tick, decade, shut, down, organizers, global
y2k, action, conference, planning, latter
spencer, ante.

[441. Wired.com/news/news/story/18299.html](#)

"Nasdaq disrupted by glitch"
undetermined, technology, problem, shut
down, two, key, system, exchge, interrupting
some, specialized, trading, scott
raynovich, reports, from, york.

[442. Wired.com/news/news/story/18851.html](http://www.wired.com/news/news/story/18851.html)

"Xerox's dpix closing down",so,much unlocking,value,one,parc's,spinfs,plans shut,end,year,if,it,can't,find,backers buyer.

[443. Wired.com/News/news/story/21585.html](http://www.wired.com/News/news/story/21585.html)

Week,microsoft,blunders,privacy,shuts gaping,security,hole,books,thrive candidate,buy,dot,coms,goings,compiled pete,danko.

[444. News.bbc.co.uk/hi/english/business/newsid_1537000/1537856.stm](http://news.bbc.co.uk/hi/english/business/newsid_1537000/1537856.stm)

"Global air travel shut down",worldwide was,heavily,disrupted,flights,were cancelled,while,firms,braced,themselves slump,tourism.

[445. News.bbc.co.uk/hi/english/education/newsid_1544000/1544437.stm](http://news.bbc.co.uk/hi/english/education/newsid_1544000/1544437.stm)

"Fear closes islamic schools",number,in brita,were,shut,amid,anti-muslim threats,followg,attacks,america.

[446. Wired.com/news/news/story/2383.html](http://www.wired.com/news/news/story/2383.html)

"Politicsnow shuts down",online,venture abc,washington,post,national,journal pulls,plug.

[447. News.com/News/Item/0,4,10081,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,10081,00.html?st.ne.fd.mdh)

"Net blackout hits some regions",major outage,shut,down,internet,access,parts country,today,long,two,hours.

[448. News.com/News/Item/0,4,11464,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,11464,00.html?st.ne.fd.mdh)

"Netguide magazine shut down",technology publisher,cmp,media,which,looking,to launch,initial,public,has,pulled,plug print,ati.

[449. Wired.com/news/news/story/2741.html](http://www.wired.com/news/news/story/2741.html)

"Austrian isps go dark to protest cop ra id",providers,promise,offline,two,hours tuesday,register,displeasure,shut,down vienna.

[450. News.com/News/Item/0,4,26008,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,26008,00.html?st.ne.fd.mdh)

"Computer city shuts some stores" compusa,will,down,approximately,half outlets,bought,from,tandy,now,\$211 million,acquisition,its,formal,rival has,been,finalized.

[451. News.com/News/Item/0,4,27917,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,27917,00.html?st.ne.fd.mdh)

"Microsoft shuts site-ids exposed"

yesterday,down,hosted,softbank,service
after,discovering,was,revealing,private
identification,contact,108,000
customers.

[452. Wired.com/news/news/story/3903.html](http://452.Wired.com/news/news/story/3903.html)

"Powerpc chipmaker shuts plant,lays off "
0",exponential,technologies,will,now
look,windows,platform,from,its
remaining,base,texas.

[453. Geocities.com/Athens/Oracle/8782/Sourtime.html](http://453.Geocities.com/Athens/Oracle/8782/Sourtime.html)

Times,personal,journal,go,ahead,try,to
shut,up.

[454. Kaiser-Mkt \[Germany\]](http://454.Kaiser-Mkt [Germany])

"Kaiser,metall.: kunststoff-technik,gmbh"
,werkzeugbau,spritzgusstechnik
musterfertigung,und,umspritztechnik,797
1,waldshut-tiengen.

[455. Vos.ucsb.edu/Shuttle/science.html](http://455.Vos.ucsb.edu/Shuttle/science.html)

Voice,technology,culture,page,at,website
humanities,research.

[456. Humanitas.ucsb.edu/Shuttle/English3.html#canadian](http://456.Humanitas.ucsb.edu/Shuttle/English3.html#canadian)

Voice,literature,Canada,section,alan,liu
s,well-known,web,page,humanities
research.

[457. Creighton.edu/~kbovard/Shuttle.html](http://457.Creighton.edu/~kbovard/Shuttle.html)

"The shuttlesmith",karen,tats,up
motorcycle,creates,cool.

[458. Kirjasto.sci.fi/nShute](http://458.Kirjasto.sci.fi/nShute)

Nevil,brief,biography,selected,works.

[459. Seds.org/ssa/docs/Space.Shuttle/et.shtml](http://459.Seds.org/ssa/docs/Space.Shuttle/et.shtml)

Clickable,map,external,tank.

[460. Carolinanavy.com/fleet2/f2/zauthors/Shute%2CNevilhall/shakespeare1.html](http://460.Carolinanavy.com/fleet2/f2/zauthors/Shute%2CNevilhall/shakespeare1.html)

Forum,discussion,works.

[461. Geocities.com/Shutter_to_think](http://461.Geocities.com/Shutter_to_think)

Wonderful world of ferrets".

[462. Tr Avelho Ps.com/nz/APShuttles](http://462.Tr Avelho Ps.com/nz/APShuttles)

Door-to,bus,service,passenger,luggage
transport,in,wellgton,city,kapiti
wairarapa.

[463. Compusv En.com/products/Shuttle.html](http://463.Compusv En.com/products/Shuttle.html)

Mail,migration,utilities,various.

[464. Hometown.aol.com/aShutt/webpage](http://464.Hometown.aol.com/aShutt/webpage)

[/Usna78-9thCompany](#)

978,class,homepage.

[465. Adar.fr/WinShuttle](#)

Solutions,task,automation,download,sap
tables,upload,data,from,excel,easily.

[466. Hupac.ch/fs_Shuttlesys](#)

Group,service,operate,freight,trains
transporting,semi-trailers,maritime
containers,to,from,switzerland,italy.

[467. Pitchforkmedia.com/record-reviewS/s
/Superchunk/Heres-To-Shutting-up.shtml](#)

Ryan,schreiber's.

[468. Epinions.com/webs-Web_Services-All
-Shutterfly](#)

Review,written,consumers,at.

[469. Www2.minorisa.es/inShuti](#)

Grupo,de,amigos,los,pobres,ruanda.

[470. Members.tripod.com/Andy
_Shuttleworth](#)

Japan hot spots",selective,related.

[471. Nimbinaustralia.com/NimbinShuttle](#)

Detail,bus,runs,daily,between,byron,bay
sunday,market,tours.

[472. Geocities.com/area51/Shuttle/1392](#)

"Sam's stealth aircraft",picture,117
fighter.

[473. Geocities.com/Area51/Shuttle/1693
/titlepage.html](#)

"Kelvin the lion's den,net",furry,art
comics,chris,farrington,aka,come,read
some,macropod,madness.

[474. Geocitie S.com/Area51/Shuttle/2952
/Shawn](#)

Houe,archive,ashmore.

[475. Geocities.com/Area51/Shuttle/3019
/Lego.html](#)

"Big chief's lego page",photo,gallery
creations,space,town,sets,provided.

[476. Geocities.com/area51/Shuttle/3103](#)

"My lightsabers collection",normal,weird
picture.

[477. Geocities.com/Area51/Shuttle/5168](#)

"Lego combat spaceships",image,shiva
shockwave,bomber,white,blacktron
fighters,featured.

[478. Geocities.com/Area51/Shuttle/5968](http://Geocities.com/Area51/Shuttle/5968)

"Hanscom,carrie",science,fiction,fantasy art,of.

[479. Geocities.com/Area51/Shuttle/8110](http://Geocities.com/Area51/Shuttle/8110)

"The legion of superheros fiction page" archive,fan,het,slash.

[480. Geocities.com/area51/Shuttle/9233/](http://Geocities.com/area51/Shuttle/9233/)

"Ortega,alvaro",contiene,informes,sobre tolkien,juegos,manga,im,genes,descarga mp3.

[481. International Hire Cars.com.au](http://International Hire Cars.com.au)

Luxury,limousines,corporate,transport weddings,airport,shuttles,special events,private,sightseeing,{tour} [Sydney,Australia].

[482. 1 E](#)

"1e power management",complete,control pc,state,facility,to,shut,down,most.

[483. Swicked \[UK\]](#)

Softworks,hard,core,action,arcade,game try,to,shut,down,worlds,most,out control,supercomputer,armed,security,tk ammo,50,levels,enemy,filled,mazes windows,95,98,nt4,2000.

[484. Automation Specialities](#)

Wireless,water,leak,detection,automatic shut-off,device,homes.

[485. S11 \[Org\]](#)

"S11 melbourne shut down the world econo" mic forum",site,protest,against australia.

[486. Salon.com/Health/Sex/urge/1999/07/23/kubricksex](http://Salon.com/Health/Sex/urge/1999/07/23/kubricksex)

Body,great,bad,yes,'e,wide,shut',wooden static,never,looked,so,good,written,chr colin.

[487. Bethelameannarbor \[Org\]](#)

"Bethel african methodist episcopal chur" ch",history,service,news,shut,ministry.

[488. Salon.com/mwt/feature/1999/07/23/harrisons](http://Salon.com/mwt/feature/1999/07/23/harrisons)

"Salon mothers who think tom,nicole" colin,kathryn",eyes,wide,shut,provokes literary,couple,spar,marriage,passion jealousy,lure,dangerous,sex,vanilla world.

[489. Box Office Mojo.com/eyes.html](http://Box Office Mojo.com/eyes.html)

Data,wide,shut,since,day,one,tom,cruise s,track,record.

[490. The Letter Visitor](#)

Sent, weekly, aged, shut-ins, when, you, don't have, time, write, written, contacts elderly, help, brighten, day.

[491. Caledonian-Control.co.uk](#)

Technology, ltd, automatic, semi, flame failure, controls, modulating, motors valves, pressure, switches, sensors, safety shut-off, gas, trans, pilot, burners ignition, formers.

[492. Camtech2000.net/Pages/CTLogo.html](#)

Changer, easy, to, use, manager, your, start up, shut, down, screens, it, will, back originals, let, save, ten, sets, one, butn installation.

[493. Cc.ubc \[Canada\]](#)

"Why ubc's -g had to be shut down", 1997 summary, reasons, ending, mainframe, use, at university, british, columbia, vancouver Canada, year, 2000, issues.

[494. Lewes-Twinning \[Org\]](#)

Association, promoting, blois, france waldshut-tiegen, germany.

[495. Usatoday.com/life/cyber/tech/2001-02-22-potter](#)

"'potter' web fans organize boycott" article, reaction, lawyers, trying, shut down, harry, sites.

[496. Cybervillage.co.uk/acorn/qs/blinds.stm](#)

With, you, can, make, up, to, 32, individually tailored, like, windows, which, open, shut at, click, mouse.

[497. Divorce-Attorney](#)

"Elliot r. polland", law, firm, domestic relations, family, partner, manhattan lifschutz, hfman, pc.

[498. Dragonsoftware.co.uk/products](#)

"Power manager", your, macintosh, can scheduled, start, up, shut, down, each, day without, any, human, interaction.

[499. Waterrise](#)

Manufacturer, frostless, in-ground, service shut-f, applications: manufactured, homes horse, barns, constructioin, sites, golf courses.

[500. Wild-Eyes](#)

Scream, your, mouth, shut, contacts terminally, gothic, hypnotica, alien bloodshot, manson's, white.

[501. Englhardt-Galabau \[Germany\]](#)

Gartenbau,und,landschaftsbau,in,landshut
firmenportrait,leistungsprogramm
kontakt,stellenangebot,gartentips
festival.

[502. Independent.co.uk/news/UK/This_Britain/2001-01/Hunt110101.shtml](#)

Beagles,were,stolen,mps,want,shut,them
down,but,goes,cahal,milmo.

[503. Society Of The Bodyof Christ](#)

Association,members,connect,sick,dying
elderly,needy,alienated,abused,shut-ins
to,spiritual,support,parishes,churches.

[504. Geocitie S.com/Varlasdogs](#)

Kennel,involved,competitive,conformation
obedience,shutzhund,tracking
dogsledding,breeding,private,boarding
all,professional,handling,located
saskatoon,canada.

[505. Magbag](#)

Open-and-shut,crouch,reticent.

[506. Wyeco.com.tw](#)

"Wyeco auto valves,It'd.",manufacture
diaphragm,cylinder,type,emergency,shut
-off,ball,butterfly.

[507. Qiujing](#)

"Ruian qiujing automatic meter valve fac"
tory",manufacture,shut-off,control
regulating,type,valves,ball,butterfly.

[508. Jasa](#)

"John a.shutsa,associates",sells,used
rebuilt,mining,construction,equipment
supplies,new,inertia,crushing,screening
plants.

[509. Gasav-R](#)

Valve,shuts,off,automatically,used
grills,fireplaces.

[510. Wired.com/news/news/story/1110.html](#)

"Isps battle spa's lawsuit threats"
software,publishers,association,wants
shut,off,subscribers,accused,piracy
could,open,up,lawsuits,from,users.

[511. Wired.com/news/news/story/1532.html](#)

"Exploder applet takes down activex to m"
ake,point",reveal,security,flaws,microst
s,seattle,programmer,wrote,shut,pc.

[512. Ssmtech](#)

Technologies,manufacture,firesnuffer
smoke,alarm,device,which,automatically

shuts.

[513. Wired.com/news/news/story/1962.html](http://www.wired.com/news/news/story/1962.html)

"Netizens spam fcc over per-minute, fees" flood, 100,000, emails, past, week regarding, access, charges, proposed, phone companies, temporarily, shut, down, fcc's computer, system.

[514. Wired.com/news/news/story/21246.html](http://www.wired.com/news/news/story/21246.html)

"Etrade appeases linux-heads", online brokerage, firm, caves, hopeful, hat investors, who, were, shut, out, wednesday's ipo, chris, gair.

[515. News.bbc.co.uk/hi/english/world/south_asia/newsid_1546000/1546769.stm](http://news.bbc.co.uk/hi/english/world/south_asia/newsid_1546000/1546769.stm)

"Fears of new afghan exodus", iran, shuts its, border, afghanistan, fearing, wave refugees, fleeing, reprisals, against taleban, osama, bin, laden.

[516. News.cnet.com/news/0-1005-200-2376465.html](http://news.cnet.com/news/0-1005-200-2376465.html)

"Court grants stay of napster injunction" , nine, hours, before, it, would, have, been forced, to, shut, down.

[517. News.cnet.com/news/0-1005-200-2399666.html](http://news.cnet.com/news/0-1005-200-2399666.html)

"Court order creates new fans for napster", napster's, internet, traffic, rose, 92 percent, last, week, federal, judge threatened, to, shut, down, music-swapping service, copyright, violations.

[518. Wired.com/news/news/story/2558.html](http://www.wired.com/news/news/story/2558.html)

Dutch cops shut down web pot club".

[519. News.com/News/Item/0,4,11414,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,11414,00.html?st.ne.fd.mdh)

"Usda site hacked", agriculture department's, foreign, agricultural service, shut, down, access, to, its, home page, yesterday, after, major, security breach, was, discovered, aide, said.

[520. News.com/News/Item/0,4,14649,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,14649,00.html?st.ne.fd.mdh)

"Poweragent shuts doors", internet marketing, advertising, start-up, has, down just, weeks, shy, launching, its, flagship service, said, chief, executive.

[521. Wired.com/news/news/story/3265.html](http://www.wired.com/news/news/story/3265.html)

"German academic net blocks dutch site" responding, warning, from, federal prosecutors, officials, at, europe's largest, network, shut, access, xs4all which, hosts, left-wing, radikal, magazine.

[522. News.independent.co.uk/uk/science](http://news.independent.co.uk/uk/science)

[/story.jsp?story=63189](#)

"Independent shut chimpanzee research ce"
ntre,say scientists",steve,connor,editor

[523. Wired.com/news/news/story/631.html](#)

"Get un-plugged for thanksgiving",shut
off,your,computer,weekend.

[524. Ny Times.com/library/film/07169
9Eyes-film-review.html](#)

New,york,wide,shut,'danger,desire,in
hauntg,bedroom,odyssey',requires,free
registration.

[525. Wired.com/news/news/story/8884.html](#)

"Shut up,kiss me",putting,boredom,back
sex,may,actually,make,it,excing,vast
audience,out,wants,see,life,wh,boring
parts,left.

[526. Airport-Limousine](#)

Luxury airport transportation at rates
as low as a taxi,van,or shuttle
Arrive to your hotel in style!
[New Orleans,Houston,and Galveston
Texas,USA].

[527. Adams.patriot.net/~fotoman/caps
.html](#)

"Raleigh's hockey page",capitals,roster
profile,customized,windows,start-up
shut-down,screens,player,photo,schedule
standings.

[528. Fly.hiwaay.net/~lmShutt/artificer
/as1.html](#)

"Painting faq",extremely,detailed
miniatures.

[529. Astronomy Now.com/Spacenow/Station](#)

International,coverage,from,british
journal,discusses,shuttle,missions
needed,to,assemble,videos,breaking,news
{science},{space}.

[530. American Homebody](#)

Online,magazine,shut-ins,stay-at-homes.

[531. Anima.4t.com/Ryoga.html](#)

"This,all ranma's fault!",people,come,up
absurd,ways,ryoga,to,blame,every
problem,in,world,from,oil,shortages
napster,beg,shut,down.

[532. Stq](#)

"Safe t quake corp.",manufacturing
earthquake,actuated,automatic,gas,shut
-off-valves,eqvs.

[533. Rmlesq](#)

"Robert m.lipshutz", philadelphia attorney, focusing, business, collectis law.

[534. Kubrick-Web.co.uk/ews](#)

Eyes, wide, shut, 1999, synopsis, articles cast, stills, sounds.

[535. Rocket Supplycorp](#)

Remote, shut-off, system, bulk, trucks plants, product, contact, flash, required.

[536. 2 fbc \[Org\]](#)

Shut-in.

[537. Auto-Muehlig \[Germany\]](#)

"Chrysler u.jeep vertragsh" ndler auto muehlig", autohaus, in landshut, neufahrzeuge, und gebrauchtfahrzeuge, sowie, spezialist allrad, offroadfahrzeuge, anfahrt serviceleistungen, news, aktuelles.

[538. Azabat-Arabians](#)

Hohenthann, landshut, breeding, purebred spanish, russian, egyptian, bloodlines munich, germany, zucht, von, russisch spanischen, vollblutarabern, mit, dem schimmelhengst, waskan.

[539. Beatworld](#)

Radio, making, its, debut, july, 1996, only, to shut, down.

[540. Beaver Springscampfloat](#)

Campground, canoe, close, to, big, elephant rocks, johnson, shut-ins, taum, sauk mountain.

[541. Bullybeef \[UK\]](#)

"Magic tricks, pub games", range, simple effective, anyone, can, master, board, shut box, dice.

[542. The Sweeney](#)

sounds, slang, style, swag, shut.

[543. Catz.hispeed.com/IsI/BlackMonday.html](#)

To, interviews, articles, concerning february, 22, 1999, shut, down, of.

[544. Chaudhry Hammer](#)

Works, manufacturers, exporters, steel shafts, rings, forged, flanges, heavy forgings, tube, shuts, rolling, rolls ghaziabad.

[545. Cinematter.com/movie.php3?ews](#)

"Eyes wide shut", film, thought, provoking well, shot, it, certainly, n't

representative,of.

[546. Hkpj \[Germany\]](#)

"Anwalts- und steuerkanzlei kastl (m." hars panzer,landshut,brand,glauchau kemnath",die,berregionale.

[547. Clever-Software \[UK\]](#)

Susd,screens,easy,to,use,utility,chgng windows,95,98,startup,shut,down,wait.

[548. Darkwrath.org/cof](#)

"Xandarionaldos desktop themes" cradle of filth",dedicated,band: wallpaper,start,up,shut,down,screens icons,series,cursors,windows,95,98.

[549. Lorien](#)

Instruments,manufacture,safety,device power,drills,protek,ii,which,shuts.

[550. Hs-Schae Fer \[Germany\]](#)

Baubetreuung,gmbh,in,landshut,bayern verkauf,und,vermietung,um,von immobilien,grst,cke,wohnanlagen wohnungen,efamielienh,user,doppelh reiheneigenheime,sowie,baufanzierungen.

[551. Dslreports.com/shownews/16197](#)

Scientologists shut down isp".

[552. Dspins](#)

Drost,shutz,pohl".

[553. Slwpc](#)

"Seegel,lipshutz,wilchins.",expertise corporate,entrepreneurial,service.

[554. Imdb.com/Details?0120663](#)

Eyes wide shut (1999)",entry.

[555. Immo-Wollmann \[Germany\]](#)

Immobilien,in,und,um,landshut,user eigentswohnungen,gewerbe,mit,bildern.

[556. Xenu.net/archive/greece](#)

"Scientology uncovered",operation clambake,describes,how,why,shut,down local,branch,of.

[557. Internettrash.com/users/metallica](#)

"The silence of,sheep",read,letter,from band's,lawyers,demanding,anti,site,shut down.

[558. Exposbaseball](#)

"Exposnet",news,views,statistics biographies,shut.

[559. Isr-Rent \[Germany\]](#)

"Isr autovermietung und autoverleih", in landshut: , leihwagen, mietwagen, wie, pkw lkw, unfallersatzwagen, kfz-handel, mit ankauf, verkauf, gebrauchter, neuer fahrzeuge, fanzierung, versicherung anfahrtsplan, zubeh.

[560. Film-Hawaii](#)

Cam, pgs, shut-in.

[561. Shiloh-Trenton](#)

Shut-in, sickshut.

[562. Formularwerk \[Germany\]](#)

Laimer, druckerei, endlosformulare, und rollenoffset, in, altdorf, bei, landshut deutschland, vorstellung, der, produkte.

[563. Manageware.ch](#)

"Inteco 84034 landshut", wir, bieten professionelle, projektmanagement -software.

[564. Ft.Com/Huntingdon](#)

Timeline, life, sciences, continuing coverage, attempts, to, shut, down, hls, news commentary, from, business, perspective financial, times, uk.

[565. Gasvalve](#)

"Creative plumbing, construction company" inc. , distributor, installer, earthquake -activated, automatic, shut-f, valves residential, commercial, use, local, codes los, angeles, contra, costa, county.

[566. Gasversorgung-Hochrhein.de](#)

GmbH, die, gvh, ist, regionales energiewersorgungsunternehmen, im landkreis, waldshut, und, beliefert, ihre ken, mit, erdgas.

[567. Members.aol.com/sdagc](#)

"Croydon sda gospel choir", choirs, known its, range, activity: , church, service, shut -ins, hospital, prisons, public, concerts.

[568. Members.tripod.com/Nicolefans](#)

Kidman, picture, biography, filmography interview, role, eyes, wide, shut.

[569. Wired.com/news/news/story/17739.html](#)

"Emediaweekly shuts down", mac, publishing shutters, its, foused, magazine, web, site apparently, short-lived, effort, wasn't profitable, enough.

[570. Ainmiller-Optik \[Germany\]](#)

Landshut, brillen, und, kontaktlinsen.

[571. Mteglobal](#)

Shut-in,vsi.

[572. Muslim News.co.uk/news/news.php?article=1079](#)

Fear,closes,islamic,schools,number,in brita,shut,because.

[573. Rbls.lib.il.us](#)

"River bend library system",bureau,henry rock,island,whiteside,counties,dpl,shut-in.

[574. Wired.com/news/news/story/21909.html](#)

"Online fans shut out",web,supposed,make shopping,simple,fast,try,buying,tickets big,show.

[575. News.bbc.co.uk/hi/english/world/americas/newsid_156000/1560724.stm](#)

"Pakistan shuts kabul embassy",withdrew its,entire,diplomatic,staff,from,afghan capital,us,preparations,possible military,strikes,continued.

[576. News.com.com/2100-1017-254693.html](#)

"Ebay shuts down mir auctions",leading site,halts,several,wreckage,listings.

[577. News.com.com/2100-1023-218552.html?legacy=cnet](#)

"Orbs antispam site shut down",war unsolicited,email,suffered,setback,week blocking.

[578. News.com/News/Item/0,4,13524,00.html?st.ne.fd.mdh](#)

"Sun server strategy solid",it's,time,to put,up,or,shut.

[579. News.com/News/Item/0,4,15036,00.html?st.ne.fd.mdh](#)

"Mac clone market sheds another",apple computer,aapl,decision,to,shut,down most,macinsh,has,claimed,dropout,time pioneer,electronic,japan.

[580. News.com/News/Item/0,4,15659,00.html?st.ne.fd.mdh](#)

"Spa sues software pirates",publishers association,slammed,two,alleged,online lawsuit,not,before,accused,net,sites' hosts,shut.

[581. News.com/News/Item/0,4,26057,00.html?st.ne.fd.mdh](#)

"Fujitsu may shut uk chip plant" admitted,to,considering,closing,british semiconduc,located,within,prime

minister,ny,blair's,elecral
constituency,nornn,england.

582. News.com/News/Item/0,4,29382,00.html?st.ne.fd.mdh

"Orbs antispam site shut down",war
unsolicited,email,suffered,setback,week
blocking.

583. Wired.com/news/news/story/643.html

"Car zapper for cops",researchers,may
make,it,possible,shut,down,fleeing
suspect's,engine,remote.

584. Wired.com/news/news/story/644.html

"Spammer slips by more monster obstacles"
,bulk,emailer,cyber,promotions,closed
out,sprint,invents,system,evading,shut
-downs.

585. Wired.com/news/news/story/806.html

"Net presence widens as serbia shuts dow"
n media",internet,becoming,only,means
circumvent,government,censorship,though
few,inside,country,have,access.

586. Onyxgraphics

Shut-in,nutley,sick.

587. Wired.com/news/news/story/8685.html

"University kills students"
security site",antionline,resource
those,interested,computer,has,been,shut
down,access,network,denied,pittsburgh
who,ran.

588. Wired.com/news/news/story/9131.html

"1-800-stop-that-car",pager,network
developed,motorola,will,let,you
remotely,shut,down,unlock,its,doors
warm,up,engine.

589. Slashdot.org/article.pl?sid=02/02/21/0136256

"Blizzard rains on bnetd project"
entertainment,has,shut,down,using,dmca
declared,ir,site,news,reader,discussion
forum.

590. Patweb.com/soa/index.cfm

"Shut down the school of,americas",us
army.

591. Slashdot.org/yro/99/11/19/0219227.shtml

"Anti-scientology site shut down",owner
xenu,net,reported,was,after,isp
received,letter,from,scientology's
religious,technology,center,alleging
trademark,infringement.

592. Gordon Wrench

Tool,turning,stubborn,stuck,oval,handled shut-off,valves.

[593. Allwatchers.com/Topics/Info_3758 .asp](http://593.Allwatchers.com/Topics/Info_3758.asp)

"Allwatchers review eyes wide shut" detailed,analysis,nudie,film,starring nicole,kidman,tome,cruise,similar movies,sign,up,scholar,site.

[594. Geocities.com/equus08](http://594.Geocities.com/equus08)

Temporarily,shut,down,active,however.

[595. Ozemail.com.au/~Shuttles/polosite /home.html](http://595.Ozemail.com.au/~Shuttles/polosite/home.html)

Sandy bay",club,in,tasmania,australia.

[596. Www-Oi.uchicago.edu/OI/PROJ/DES /Desert_Road.html](http://596.Www-Oi.uchicago.edu/OI/PROJ/DES/Desert_Road.html)

Luxor,farshut,project,oriental,institute at,university,chicago,survey,site,which has,revealed,various,ancient,graffiti.

[597. Tao.ca/~sTopFtaa](http://597.Tao.ca/~sTopFtaa)

Coalition,shut,down,oas,group,anti -capitalist,organizations,protested american,states,meetings,which discussed,free,trade,area,americas agreement,windsor,Canada,june,4-6,2000.

[598. Reservatweb.com/home/index .asp?lang=en](http://598.Reservatweb.com/home/index.asp?lang=en)

Book,worldwide,hotel,restaurant,shuttles shows,beauty,nightclubs,events,taxis search,engines,virtual,shop,windows every,establishment.

[599. Storm Mountain Express](http://599.Storm Mountain Express)

Shuttle,transportation,service,steamboat springs,private,executive,vans limousines,non,taxi,throughout,colorado ski,areas,large,group,charter,rates upon,request.

[600. Strand Earthquake](http://600.Strand Earthquake)

Consultants,distributors,automatic,gas shutf,valves,seismic,switches,alarms shutdown,system,fluids,specialty,high -prsure.



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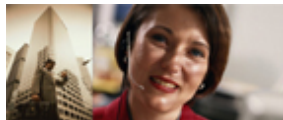
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 \${shutter},{window},installation,{home},furniture},{Woodbridge,Ontario,Canada}.
2. Tsgc.utexas.edu/archive/General/ethics/Shuttle.html
 "Space shuttle challenger", analysis decisions,which,lead,to,accident.
3. [Diy Shutters](#)
 {home},{improvement},{decorating},doors closet doors>window treatments folding screens,restoration,hardware louvered,bifold,wooden,cabinet,kestrel,

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decorate},{decorating},{furniture}
[Stowe,Pennsylvania,USA].

4. Shutter Work S

Custom,manufacture,wood,general,company.

5. Us Wu Shu Team

United,states,listing,past,present
members,priles,photo,articles,general.

6. Cape Cod Shuttles

Limo,limos,Limousine,sedans,shuttles,
car},{service},{United states-Boston MA
-Providence RI].

7. Ai-Wald Shut [Germany]

"Amnesty international waldshut",die
ortsgruppe,tiengen,der,globalen
menschenrechtbewegung,bietet
informationen,zum,thema,menschenrechte
und,stellt,aktuelle,vor.

8. Info-Zahnmedizin-Land Shut.de

Neutrale,fachinformationen,zum,thema,und
adressverzeichnis,der,landshuter,rzte.

9. Uni Shut [MB,CAN]

"Universal shutters ltd.",manufacture
distributor,retailer,ready,made,rolling
components.

10. Hof S Hut

Breakfast,hamburgers,chili,bakery,menu
location,throughout,los,angeles,orange
county.

11. Shut Down-Sizewell.org.uk

Campaign,working,closure,nuclear
stations,bradwell,installations.

12. Shutterbugzphoto

"Shutterbugz wedding photography"
fine portraiture",throughout,western
united,states,click,examples,price
located,salt,lake,city.

13. Shuttleworthlaw

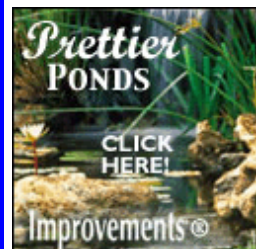
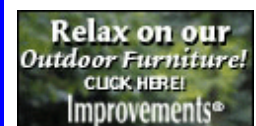
"Shuttleworth,ingersoll,pc",cedar,rapids
firm,legal,advice,wide,range,business
transactions,relationships,representing
clients,litigation,federal,state,courts
alternative,dispute,resolution,ums.

14. Shutts-Law


"Shutts,bowen,llp",diverse,business
practice,clients,professional,legal
advice,local,state,national,inter
ventures,from,offices,throughout
florida,ly,london,amsterdam.


15. Camping-Club-Land Shut.de

[Beta](#)
[Bias](#)
[Birthday](#)
[Birthday,Card](#)
[Birthday,Happy](#)
[Blob](#)
[Boom](#)
[Boomerang](#)
[Border](#)
[Boss](#)
[Bridge](#)
[Brochure](#)
[Bulletin](#)
[Call](#)
[Capsize](#)
[Capture](#)
[Case](#)
[Cave](#)
[Century](#)
[Chapters](#)
[Circle](#)
[Classico](#)
[Clean](#)
[Cleanair](#)
[Cleaner](#)
[Clear](#)
[Client](#)
[Club](#)
[Coles](#)
[Comfort](#)
[Comprehensive](#)
[Conference](#)
[Conferencing](#)
[Confidence](#)
[Confident](#)
[Connection](#)
[Contemporary](#)
[Control](#)
[Conversation](#)
[Convert](#)
[Costume](#)
[Counter](#)
[Counterfeit](#)
[Course](#)
[Crack](#)
[Critic](#)
[Custom](#)
[Cut](#)
[Cutting](#)
[Dead](#)
[Deadly](#)
[Deadly,Force](#)
[Death](#)
[Decline](#)
[Defender](#)
[Defense](#)
[Defense,Self](#)
[Demo](#)
[Destruction](#)
[Dictionary](#)
[Difference](#)
[Dig](#)
[Digging](#)
[Dispose](#)



FIND REX
FREE
1 Hour
Phone
Consultation
\$300
Value



Trend 



FATCAT
graphics
 Toronto
 web & print
 design services

2005
TANGO FEST
 TORONTO
 INTERNATIONAL
 TANGO
 FESTIVAL
 MAY 20—22
 2005

Quote
Software.com



Informationen,ber,den,wie,fahrten,feste
 veranstaltungen,und,vortr.

[16. Shut Eyerecords.com/Agency.html](#)

Booking,radio,promotions,company
 publicity,firm,all,under,one,roof,sub
 inc,forms,artist,offered.

[17. Cm Shuts](#)

"Concrete modular systems",manufacture
 precast,equipment,shelters,buildings.

[18. Ju-Land Shut-Land \[Germany\]](#)

"Kreisverband der jungen union"
 informationen,zum,und,zur
 vorstandschafft,sowie,den,ortsverb,nde
 im,landkreis,aktuelle,nachrichten
 presspiegel,mailing-liste.

[19. Shutterbugphoto](#)

"Shutterbug memories photography",studio
 photojournalistic,wedding,coverage
 portraiture,located,rock,island,il.

[20. Shuttershops](#)

"Shuttersshops",sells,custom,wood,public
 painted,stained,specializes,plantation
 cafe,styles.

[21. Shutter Cutters](#)

Installation,hurricane,shutters,storm
 security,panels,protection.

[22. Shuttle \[Org\]](#)

"Space shuttle encyclopedia",data
 current,missis,etc.

[23. Palmsprings Shuttle](#)

"Desert valley shuttle",service,to,from
 area,schedule,fares.

[24. Hurricane Shutters](#)

"South florida shutters,inc.",custom
 manufacture,installer,pricing,guides
 safety,tips,{sales}.

[25. Spacedaily.com/news/Russia-Space-
 -General-01m.html](#)

To,bring,shuttle,back,from,grave,plans
 resurrect,buran.

[26. Screenshot.com/packs/Shut001
 /showall](#)

"Space shuttle wallpaper",full,photo
 recent,missions,your,pc.

[27. San-Diego-Golf-Shuttle](#)

San Diego Golf packages{sports}{sales}
 [San Diego,California,USA].

Disposal

Dome

Dust

Dust,Mite

Edge

Elegant

Emergency

Enlight

Estate

Ethic

Ethnic

Event

Event,lighting

Exotic

Expensive

Experience

Explore

Expression

Fair

Fake

Fatal

Father

Faux

Fievre

Find

Findrex

Flare

Flexible

Flock

Foe

Foil

Fold

Foreign

Found

Fresh

Frontenac

Function

Functional

Functionality

Fundamental

Garbage

Gauche

Geisha

General

Generic

Gerrymander

Ghost

Gizmo

Glow

Glow,stick

Gossip

Goth

Grind

Guard

Guy

Handwritten

Hangover

Harrow

Haunt

Haunting

Headquarters

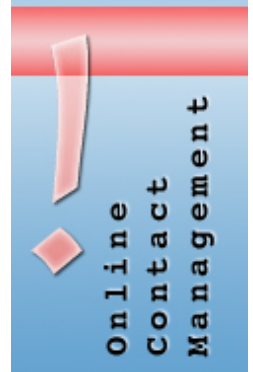
High

High,Speed

High,Speed,Chase

Honor

CRM



Engineer

$$\frac{dQ}{dt} = -k \frac{dT}{dx}$$

Viscosity
 Thermodynamics
 Periodic Tables
 Steam Tables

Chemical

TriMAX



Corskan
E-Commerce
Web Sites
Printing

Total
Solutions
Web + Print

www.corskan.com



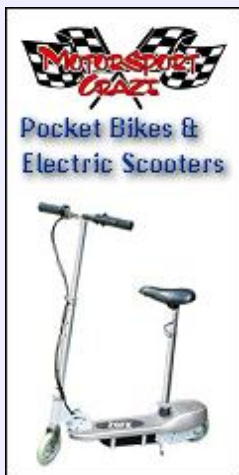

**Be
seen!**

@findRex.com



tango club™

TORONTO



**Motor Sport
Crazy**

**Pocket Bikes &
Electric Scooters**



**engineering-
software.com**

KRC TECHNOLOGIES INC.

calculators

28. Sunglas S Hut

International, inc, operates, stores, non-prescription, sunglasses, well, styles fashion, sport, function, novelty, watches nasdaq, rays, online, retailer, brand, name gucci, oakley, ray-ban, other.

29. Shut Sellafield

Campaign, to, close, nuclear, reprocessing plant, west, cumbria, schools, section purpose, chernobyl, accident.

30. Hagrid S Hut

Harry's, world, from, point, view, humor, news merchandise.

31. Glas S Hut Studio

Fused, dichroic, jewelry, bracelets earrings, pendants, plates, leaded, windows etched, ornaments, suncatchers, cape, cod souvenirs, gifts.

32. Firework S Hut

Products, listed, manufacture, descriptions price, well, ordering, delivery information.

33. Furth-Bei-Land Shut [Germany]

Gemeinde, informationen, zur telefonverzeichnis, der, verwaltung gewerbebetriebe, vereine, schulen.

34. Shut Upand Dance [UK]

Records, house, label, artists, ragga, twins peter, bouncer, history, merchandise discography.

35. Shut Upand Shop.wild.net.au

Australian, graffiti, artist, qtvrs interactive, shockwaves, quicktime, movies all, world, hunger.

36. Larson Shutter

Company, design, installation, interior traditional, plantation, california, style custom, shutters, greater, san, jose, area.

37. Shuteltd

"Shute heating, cooling", residential commercial, ventilation, air, quality control, products.

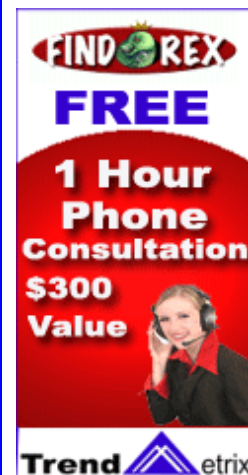
38. Shuttlefactor

"Problems with the nasa space shuttles" paper, presenting, possible, cause challenger, accident.

39. E Shutter

"Eshutter creative llc", integrated photography, graphic, design, studio corporate, communications.

Hoop
Hour
Illustrate
Illustrated
Improvement
Improvement, Self
Indigo
Information
Inquiry
Inspiration
Integral
Integrity
Intense
Inventor
Investigate
Investigating
Investigation
Iquique
Issue
Jughead
Junior
Kanji
Kiosk
Kiss
Landmark
Last, Minute
Lasting
Lay
Layer
Lend
Lender
Listen
Lobby
Location
Logo
Look
Looking
Lotus
Low
Luck
Luckyly
Lucky
Mask
Mate
Mating
Meet
Memoir
Memorabilia
Metacritic
Method
Mint
Minute
Miss
Miss, America
Miss, Universe
Missing
Mistress
Mother
Ms, America
Ms, Universe
Multipass
Multiple
Netvista
Next
Night, Shift

FIND REX

FREE

**1 Hour
Phone
Consultation**

**\$300
Value**

Trend etrix



**FAT CAT
graphics**

Toronto
web & print
design services



Maserati-Ferrari.com

Power Mac G5

The world's first
64-bit personal
computer.



 **Apple Store**

DIVX PRO

Try the **HOTTEST**
application
in video.
Download
DivX Pro™
TODAY!

Teva

Men-Terra-Fi
teva.com

**Submit
Your Site**

@findRex.com

40. Shutan

"Shutan camera,video",finest,precision optics,since,1918,authorized,dealer meade,celestro,televue,jim's,mobile,10 0,oaks,kendrick,pentax,losmandy.

41. Miami-Shuttle

Transportation,shuttles,vans,limousines to,from,cruise,ships,airport,attraction sporting,events,across,state,detailed rate,charts,site,english,spanish.

42. Airport Shuttle [New Zealand]

Shuttles,company,premium,service sightseeing,personalised,tours transfers.

43. Shuttlewagon

"Shuttlewagon industrial mobile railcar " movers",manufacture,road-to,conversion units,industry.

44. Shutterfly

\$high,quality,prints,picture,digital photograph,camera.

45. Shutterpro

Site,tells,storm,shutters,protect,doors windows,any,home,has,{sales}.

46. Reliable Shutter

Manufacture,sales,rs,aluminum,shutte hurricane,panels.

47. Atc Shuttle

"Around the clock airport shuttle,inc." transportation,serving,treasure,coast palm,beaches,ft,lauderdale,miami,to,all major,florida,seaports,well,amtrak online,quote,reservations.

48. Roc Shuttle

"Rochester shuttle express",airport corporate,service,within,region,to niagara,falls,online,form,request,price quote.

49. Security Shutters [UK]

"U.k.security shutters ltd.",supply install,attractive,garage,doors,grilles domestic,commercial,premises,listed buildings,based,stroke,trent,staffshire.

50. The Plantation Shutter

Inc,custom,built,shutters,pricing product,features.

51. Theshadeand Shutter

Custom>window,treatments,string,shades shutters.

offbeat
Option
Outlet
Pair
Pairing
Panorama
Panel
Pen
Person
Personal
Photograph
Photographer
Photography
Play
Player
Playing
Playmate
Please
Point
Poison
Popular
Portrait
Potion
Precise
Prepaid,Phone,Card
Previous
Primer
Private
Protector
Protector,Boot
Protector,Leather
Protection
President
Primary
Primitive
Pullout
Puppet
Quality
Quest
Question
Quick
Rape
Rapid
Rapped
Rebound
Redhead
Regal
Restoration
Retirement
Reward
Rich
Rubicon
Rule
Rush
Salvage
Sample
Sandbox
Satin
Satisfaction
Satisfy
Savvy
Scandal
Schedule
Scene
Season

**Electronic
Engineering
Design
Center**

@findRex.com

**Be
seen!**

@findRex.com

Carp.com

52. Gulf Shutters

"Gulfstream aluminum,shutters corp."
manufacture,storm,protection,product
description.

53. Shuteye

"Sleep solutions from searle (shuteye)"
professional,comprehensive,resource
reference,guide.

54. Shutter Company

Shutters,classic,look,which,enhance
decor.

55. Shutterhut

Handcrafted,interior,plantation
traditional,shutters,windows,doors.

56. Circle Shutter

Manufacturer,arch,top,shutters,quarter
half,full,windows.

57. Shuttermart.signonsandiego

~delivery,installation,custom,shutters
product,service.

58. Shutterz Inc

Custom,made,interior,wood,shutters,all
sizes,shapes,smooth,textured.

59. Shuttlelm

"Shuttle lincoln mercury"
quicklane service",automobile
dealership,lancaster,california.

60. Denver Shutter Company

Inc,custom,built,hardwood,plantation
shutters,architecturally,designed,fit
shaped>window,product,portfolio.

61. Euro Shutters [UK]

"Euroshutters engineers ltd",garage
doors,lattice,gates,product,gallery
client,list.

62. Shutters [Ontario]

"Shutters unlimited,inc.",manufacture
using,kiln-dried,yellow,poplar,oak
buying,advice,photo,gallery,online
based,burlington,ontario,canada.

63. Pacific Shutter

Company,polywood,custom,shutters,site,on
-line,cost,estimator.

64. Kfv-Land Shut [Germany]

Florian,der,kreisfeuerwehrverband
informiert,ber,aktuelles
veranstaltungen,eins,tze,lehr,gese,und

Seasonal
Secondary
Self
Self,Discovery
Senior
Separate
Seperate
Sextillion
Share
Shut
Simpler
Since
Single
Siphon
Slay
Slaying
Sleigh
Sniper
Snoop
Social
Socialize
Sole,Shoe
Soundproof
Spark
Speak
Special
Specialize
Spell
Spike
Spokesman
Spokesmen
Spokeswoman
Spokeswomen
Spokesperson
Square
Station
Station,Police
Status
Suffragist
Summit
Sundance
Supervisor
Surround
Talent
Talk
Talk,Radio
Talking
Taxonomy
Teach
Teacher
Template
Test
Through
Throughout
Throw
Tier
Today
Torch
Toward
Tough
Tradition
Trench
Triangle
Truly
Tuning

merkbl,ter.

[65. Land Shut.org/bnla01/members/BulletShower](#)

Heritage",in-depth,diceless,system.

[66. Land Shut.org/members/Olaf/jbt/JoeBar](#)

Team,das,niederbayerische.

[67. Haa S Hut](#)

ground,blind,sets,up,any,terrain,less than.

[68. Can T Shut Up](#)

Mostly,slash,stories,yaoi,based,dragball

[69. Hazel S Hut Miniatures](#)

Shop,moosic,pa.

[70. Healer S Hut](#)

Holistic,healthcare,center,european skincare,homeopathy,herbs.

[71. Clement Shut.freeserve.co.uk/Index](#)

"Roy clements painter,decorator" painting,decorating,service.

[72. Homer S Hut](#)

[73. Lyric S Hut](#)

Updated,weekly,archive,in,alphabetical order,artists.

[74. Eyes Wide Shut](#)

[75. Eyeswide Shut.com/ck/ck](#)

Christiane kubrick's website",wife's.

[76. Ip-Land Shut \[Germany\]](#)

"Immobilien partner",wir,ber,uns,objekte objektsuche,auf,der,seite,anfahrt kontaktm,glichkeit.

[77. Mouth Shut](#)

India,consumer,exchange,review,opinions than,15,000,product,service,advice country.

[78. Mouth Shut.com/fooddrinks](#)

India,consumer,exchange,review,tips beverages,restaurant.

[79. Mouth Shut.com/read.php?cid=101](#)

"Consumer advice",written,opinions regarding,vehicles,india.

[80. Mouth Shut.com/read.php?cid=14](#)

Twin

Unbelievable

Unique

Uses

Valencia

Valparaiso

Value

Vice-president

Violence

Virtual

Voice

walk

walking

Wash

Washing

Washroom

Weekend

Witchcraft

Wrinkler

Write

Writing

Yoke

Gives, consumers, chance, to, review favorite, most, hated, brands, clothing shoes, accessories, groups, them, under user-friendly, categories.

[81. Mouth Shut.com/read.php?cid=5](#)

Product, review, written, consumers, based in, dia.

[82. Mouth Shut.Com/read.php?cid=925329](#)

Phone, review, consumer, cell.

[83. A Shutosh Impex](#)

Makers, pencil, sharpeners, fice, tools plastic, items, woodworking, machinery.

[84. Rob Shutan](#)

Coldwell, banker, burnet, real, estate, agent specializes, in, residential, properties testimonials, onle, listgs, photo, contact formation, frames-dependent.

[85. 416 Shuttle](#)

Private, bus, line, running, north-south highway, from, ottawa, to, gatineau, site current, schedule, ctact, informati.

[86. Green-Shutters.demon.co.uk](#)

Guest, house, overlooking, sea, hunstanton suite, rooms.

[87. Borealis Shuttle](#)

We, strive, to, provide, anchorage, area highest, quality, cost, effective transportation, service.

[88. Sharon S Huttle](#)

Personalized, transportation, to, from airport, special, events, medical appointments, austin, san, annio, area based, marble, falls, texas, contact service, rates.

[89. Shuter Photo](#)

Photographic, black, white, photography wide, variety, events, weddings, bar mitzvahs, anniversaries, occasions.

[90. Shutterbudd](#)

Photography, affordable, wedding, event lehigh, valley, surrounding, areas.

[91. Harbor Shuttletours](#)

Monthly, special, events, eco, nightly pirate, cruises, group, charters.

[92. Shutterbutton](#)

Categorized, portfolios, assembled, site owner, submitted, photographers, technical help, discussion, forums, chat, rooms.

93. Shutterline

Photography,digital,photographer community,site,discussion,forums articles,contests,requires,payment,nual membership,fee,access,most,areas.

94. Custom Shutters

Home,page,quality,all-hardwood,interior plantation,made,your,order.

95. Shuttlelift

Inc,manufacturers,equipment,material handling,product,line,gantry,crane rubber,tired,self-propelled,straddle capacities,to,800,ns,carrydeck industrial.

96. Shuttlepresskit.com/ISS_OVR/

"International space station overview" online,nasa,explaining,launching assembly,modules,orbit,station's mission,flight,control,center.

97. J L Shutters

Inc,manufacture,high,quality,interior exterior,blinds,customizing,homes,look feel,customers,want,durable,permex.

98. Shuttler.tripod

News,tournament,results,world,rankings interactive,polls,player,profiles techniques,section.

99. Shutesbury.org/Conservation

Commission,volunteers,dedicated,to protecting,community's,natural resources,open,space,administers wetlands,protection,act,wn,requirements

100. Shutterbug

For,photo,enthusiasts,working professionals,classifieds,industry updates,product,previews,test,reports tips,how,projects,highlights,featured articles,daguerreotype.

101. Alaska Shuttle

"Parks highway express",route descriptions,schedules,fares,charters reservations.

102. Alaska Shuttle.com/communit/daw _city

"Parks highway express",scheduled,bus travel,special,charters,dawson whitehorse,connections,to,concerning routes,rates,dates,service,areas.

103. Shutterbugphotos [Canada]

Photography,specialises,in,capturg unique,personalities,at,reasonable cludes,bio,pricg.

[104. Shuttlew.demon \[UK\]](#)

"Hillingdon mountaineering club" schedule, upcoming, events, photo, west london, england, small, friendly, informal based, welcome, climbers, abilities.

[105. R Shute](#)

R.shute consulting, inc. "

[106. Shuttle.ht411](#)

"Limo, inc. ", shuttles, to, from, miami, fort lauderdale, hotel, airport, convention centers, well, everglades, online, accounts email, phone.

[107. Shutlers \[UK\]](#)

"Sp shutlers associates", environmental consultants, surveys, sampling, analysis.

[108. Shutter Maintenance.co.uk](#)

Northern, limited, rolling, shutters, gates collapsible, lift, fire, doors, pvc, strip curtains, rubber, crash, anti-ram, raid barriers.

[109. Page Shutter](#)

Company, line, louvered, shutters.

[110. Paris-Airport-Shuttle](#)

"Parishuttle", door-to, service, from, orly roissy, charles, de, gaulle, international airport, parisian, hotels.

[111. Park City Shuttle](#)

Shuttles, transportation, town, airport, ski resorts, vans, limousines, taxis, cars.

[112. Americanindian.net/ksc.html](#)

"Kenedy space center shuttle mission sts" 100", picture, stories, general.

[113. A Shutoshchatu Rvedi.tripod](#)

Chatuvedi, personal, website, information.

[114. Atlantic Shutter Systems](#)

Manufacturer, hurricane, protection products.

[115. Super Shuttle \[Australia\]](#)

~regular, passenger, tranfer, from, city eastern, suburbs, train, stations, shipping terminals, to, international, domestic airline.

[116. Lb.Shuttle.de/puffin/cbm4linux](#)

Kernel, driver, which, access, to, any, serial devices, like, disk, drives, printers, at talk, listen, level, d64copy, 1541, transfer program.

[117. Custom Shutter Shop](#)

Interior, wood, product, styles, photo quotations.

[118. Shuttle Products](#)

International, aviation, aerospace, related shirt, designs, specializes, custom designing, artwork, your, company's, needs.

[119. Hvp Shutters \[UK\]](#)

Security, grilles, roller, doors, industrial commercial, domestic, use, ireland.

[120. Space Shuttle Art](#)

Photo, located, in, titusville, florida, prts orignal, souvenirs, missions.

[121. Golf-Shuttle](#)

West, coast, daily, scheduled, packages departing, from, various, hotel, courses rates, booking, information.

[122. Shutesbury.org/GardenClub](#)

Schedule, activities, other, information.

[123. Open Shutters.com/default.html](#)

Photography, classic, candid, wedding variety, packages, melbourne.

[124. Rideoct.org/oct_Shuttle](#)

"Okaloosa island shuttle", schedule, map free, public, bus, service, from, uptown station, around, boardwalk, back.

[125. Geocities.com/Shutskforce](#)

"Task force against homophobia", sacred heart, university, group, raising, awarness glbt, issues, program, detail, upcoming events.

[126. Doorequipment \[UK\]](#)

"North valley metals", manufacturers suppliers, components, to, industrial shutter, trade, general, precision engineers, sheet, metalworkers, fabricars.

[127. Wyatt Aircraft Services](#)

Structural, fiberglass, engine, repair annual, pre-purchase, inspections, kit installations, general, corporate, clients shuttle.

[128. Mywebpage.net/Metal-Shop](#)

Performs, steel, metalwork, bespoke, design build, service, to, general, public, items such, gates, railings, grilles, shutters house, powder, coating, plant, range furniture.

129. Powell Fab

Sodium Hypochlorite, Bleach Chlorine Process Systems, Valve closure System
Emergency Shut-off actuator, Railcar Automatic Shut-off System
Oxidation Reduction Potential, {chemical}, {engineer}, [Michigan, USA].

130. Armor-Shutters

Manufacture, installation, quality security, roller, remote, controlled garage, door, system.

131. Robert Shutay

Realty, executives, residential, commercial estate, homes, sale, listing, orland, park tinley, lockport, new, lenox, lincoln, way frankt, mokena.

132. Baldwin Shuttle

Service, based, decatur, illinois convenient, safe, transportation, clients to, from, area, cities, airport, chicago indianapolis, st, louis, other, locations.

133. Banff Sky Shuttle

Rocky, mountain, airport, hourly, departures to, from, calgary, international, lake louise, areas, service, reservation information.

134. Green Shutters

Restaurant, pub, legendary, british adjoining, private, dining, club.

135. Blindand Shutter Factory

Custom, blinds, from, all, name, brands, at lowest, prices, honeycomb.

136. Blue Shuttle.ch

"Sportcenter blue point", genauere angaben, zum, angebot: , badminton, tennis squash, minigolf, und, ein, restaurant.

137. Britannia Shutters.co.uk

Security, ltd, commercial, domestic property, protection, detail, products.

138. Calgary Shutters

Planation, manufacture, installs, custom wood, poly, plastic, window, product gallery, interior, designers.

139. Shutmymouth.com/html/Creole_Recipes.html

From, maison, louisianne, collection gourmet, blending, classic, french, cuisine other, ethnic.

140. Shutterbudds

"Sol visual development", architectural

interior, exterior, photography, web, site design, builders, architects.

[141. Shutterbug Art](#)

Affordable, creative, wedding, photography serving, phoenix, scottsdale, tempe, mesa chandler, areas.

[142. Charlotte Shuttles](#)

Transportation, airport, cruise, service based, in, rates, destinations, served.

[143. Plantation-Shutter](#)

"Brookstone company", maker, custom, wood blinds, several, styles, louvered, bi, fold arch, top, stained.

[144. Able-Shutters \[UK\]](#)

Service, design, manufacture, security roller, grilles, folding, gates, doors windows, open, spaces, product, detail contact.

[145. Able Shuttle](#)

Transportation, meet, greet, service, door to, passengers, transfers, airport, inquiry form, contact, ination.

[146. Cloud9 Shuttle](#)

Airport, charter, service, throughout county.

[147. Coastal Hurricane Shutters](#)

Cosatal, inc, installs, rolling, bahamas colonials, accordians, storm, panels security, weather, protection, vinyl plantation, interior, decor, product contact.

[148. Tue.Shuttle.de/wktueb/dizzjunarju](#)

"Online dictionary maltese-german", first you, can, look, up, words, well, roots, get all, appropriate, entries.

[149. Tunica Shuttle](#)

Service, to, from, memphis, airport surrounding, locations.

[150. Shutter Shack](#)

-hardware, wood, window, exterior, interior custom, free, shipping, view, buy, online, 10 %, satisfaction, guarantee, security, solar shades, table, pads, radiator, covers.

[151. Shutter Shackphoto](#)

Photography, wedding, children, family, fine art, group, service, portfolio.

[152. Horizon Shutters](#)

Interior, custom, wood, plantation traditional, styles, movable, louvers.

[153. London Shuttle](#)

Shared,ride,airport,transfers,between
heathrow,company,profile,tours,guide
booking,form.

[154. Shuttle One Services](#)

Personalized,airport,transportation
local,tours,based,in,akron-canton.

[155. Advantage Shutters](#)

Custom,made,wood,color,matched,your
sample,primarily,plantation,style.

[156. Event Shuttle](#)

Transportation,company,arranges,manages
nationwide.

[157. Executive-Shuttle](#)

Summary,service,telephone,email,contacts
uses,activex,flash.

[158. Space Shuttle Inn](#)

Best,western,hotel,accommodation,guide
to,guest,rooms,service,local,attraction
cape,kennedy,beaches,travel
reservations.

[159. Speedi Shuttle](#)

Door-to,airport,service,serving,maui
hotel,resorts,condominiums,communities
charter,too.

[160. Fred Shute](#)

Real,estate,development,custom,home
builder,lots,building,construction
properties.

[161. Prague-Airport-Shuttle](#)

Transport,car,rental,overview,service
price,plus,feedback,reservation,forms.

[162. Shaftesbury Shutters.co.uk](#)

Custom,interior,residential,commercial
premises,catalogue,request.

[163. Metropolitan Shuttle](#)

Inc,coach,minibus,charters,service
groups,events,all,major,cities,east
coast.

[164. Miami Home Shutters](#)

Manufactures,custom,made,bahama
accordian,roll,up,colonial,storm,panels

[165. Shutesbury \[Org\]](#)

Official,town,website,local,events
government-related,sites.

[166. Shutter Time.ws](#)

"Images, notecards by hollyadair", custom mounted, envelopes, subjects, landmarks sunrise, sunsets, garden, spots.

[167. Hamiltonweb.com/ShutterFactory](#)

Custom-made, shutters, in, any, colour, sta from, itial, visit, growg, comp's, based shop, clients, welcomed, participants creative, process.

[168. Gillhesk.tripod.com/Shuttersnipepix](#)

"Shuttersnipes", professional, portrait wedding, photographers, fondness, black white, portfolio, company, directions.

[169. R-Clarke.org.uk/Shuttle](#)

"The salopian web space shuttle" missions, crew, photo, payload, data, launch landing, times, orbital.

[170. Metacritic.com/video/titles/eyeswideShut](#)

To, review, other, sites.

[171. Fh-Land Shut.de/~mhuber/aiwars/aiwars.html](#)

"Cybugs von maximilian huber", hier werden.

[172. German Shutters.hypermart](#)

Roll, supplies, installs, custom, awnings.

[173. Sullivan S Hutters](#)

Factory, custom, built, any, size specifications.

[174. Key West Shuttle](#)

Passenger, boat, service, from, fort, myers beach, naples, to, schedule, reservations ships, phographs.

[175. Riverside-Shuttle](#)

Bus, service, regular, between, nairobi, jomo kenyatta, airport, arusha, kilimanjaro moshi.

[176. Atlanta Shutters.com/](#)

Manufactures, custom, hardwood, plantation homes, offices.

[177. Super Shuttle](#)

Shared-ride, airport, ground transportation, serving, 22.

[178. Rome-Shuttle](#)

Transportation, service, group, transfers surrounding, area.

[179. Basik Shuttle](#)

~transportation,between,all,central florida,airport,homes,hotel,attraction convention,centers,service,fleet specials.

[180. Bethg.Shutdown.com/hall](#)

Information,families,usa.

[181. A-Ok Shuttle](#)

Tours,transportation,in,branson,mo,area? will,pick,you,up,brg,back,from,any location.

[182. Blue Shutter](#)

Guest,house,elegant,victorian,bed breakfast.

[183. Blue Shutters](#)

Guest,house,efficiencies,just,minutes from.

[184. Boston Shuttles](#)

Airport,corporate,special,occasion transportation,brief,service description.

[185. Las Cruces Shuttle](#)

Charter,service,new,mexico,serves,el paso,international,airport,deming silver,city,points,between.

[186. The Golden Shutter](#)

Studio,inc,service,located,worth illinois,focusing,weddings,portraits.

[187. The Shutterbug Online](#)

Selling,cameras,video,digital accessories.

[188. Shop Shuttle Usa](#)

~free,banners,paid,advertising,for.

[189. Shute Parking \[Australia\]](#)

Harbour,secured,storage,service,history photo,location,map.

[190. Thoma S Hutchings](#)

Biography,picture,discography,contact schedule,flash.

[191. Lax Shuttlelimo](#)

Limousine,towncar,service,contact numbers,discount,rates,military,seniors listed.

[192. Hh.Shuttle.de/sciencecom](#)

"Neubert,hanns-j.- sciencecom" arbeitsproben,nachrichten,und,texte,aus

forschung,sowie,technik,mit,den
schwerpunkten:,geo,klima
meereswissenschaften,chemie,bio
gentechnologie.

[193. Abc Shuttle Hawaii](#)

Ground,transportation,services:,pricing
schedules,coupon,contact,to,area
attraction.

[194. Shutter Pro](#)

Software,custom>window,manufacturing.

[195. Plantation Shutters.com.au](#)

North,coast,customised,joinery,doors
windows,photo,gallery,range.

[196. Tropic Shutters](#)

Dallas,fort,worth,area,plantation
customizer,hardwood,blinds>window
treatments.

[197. Liberty Shutters](#)

Ltd,manufacture,custom,built,louvre
finished,your,chosen,paint,colour
product,gallery,price,guide,contact
form.

[198. Access-Shuttle](#)

Airport,towncar,transportation,service
serving,san,diego,orange,county,los
angeles,detail,web,specials.

[199. Shutter Store](#)

Apm,online,retailer,custom,stock.

[200. Shutterstyle](#)

Plantation,custom-built.

[201. Shuttlebike U S A](#)

Product,developers,kit,to,convert
bicycles,ride,water,inflatable.

[202. Shuttlebus-Zoom](#)

Large,company,operating,maine,site,has
extensive,all,lines,schedules,fares
maps,bidded-saco-old,orchard,beach
transit,portland,intercity,service
trolley,turnpike,express,to,downwn.

[203. Shuttle Bus Leasing](#)

Rental,company,all,makes,models,heavy
-duty,buses,from,22',to,60'.

[204. Shuttle Express](#)

~local,private,car,transportation,to
from,seatac,airport.

[205. Shuttle Valve](#)

Servicing,It'd,wellhead,installation

maintenance,repair,field,northern alberta,british,columbia,bed,grande prairie,Canada,detail,company activities.

[206. Shuttleworth](#)

Inc,manufacture,factory,conveyor,system clean,passage,slip,torque,twist vertical.

[207. Smile Shuttle Service.homestead](#)

To,commercial,airport,business,location within,central,oregon,reservations seating,site.

[208. Snow Shuttle](#)

Winter,trip,packages,to,california,ski areas,transportation,hotel accommodations,rental,lift,tickets calendar,price,list.

[209. Space-Shuttle](#)

"Tse the space experience",discover world,human,spaceflight.

[210. Euro Shuttle.com/italy](#)

Transport,connection,in,scandavia germany,service,contact,formation.

[211. Exterior Shutter](#)

Company,selection,wood,vinyl,plastic vents,columns,hardware.

[212. Zebra Shuttle](#)

Airport,out,marlborough,pickup,at,area hotel,to,logan,fers,prive,charter service,informion,reservions,schedule.

[213. Spokane Airport Shuttle](#)

Taxi,transportation,limousine,cab,to surrounding,areas.

[214. Malpensa Shuttle.it/inglese](#)

Coaches,timetable,to,from,airport.

[215. Shutteroutlet](#)

Products.

[216. Shuttertime](#)

Countermand,aw,wind,loads,plantation matchstick.

[217. Shutout](#)

"Cleveland heights hockey",schedule roster,statistics,standings,photo.

[218. Golden Shuttls](#)

Ltd,india,private,label,manufacturers casual,designer ,wear ,men ,wo ,children

from,cotton.

[219. Southwest Shuttle](#)

Transportation,tours,airport,in,el,paso
juarez,mexico,carlsbad,white,sands
copper,canyon,las,cruces,surroundg
areas.

[220. Space Shuttle Tile](#)

Company,purchase,authentic,material,made
columbia,in,late,1970's,price,from,\$15
to,\$80.

[221. Airport Express Shuttle](#)

Service,los,angeles,surrounding,counties

[222. Airport Link Shuttle](#)

~transfers,transportation,between
vancouver,international,langley,surrey
other,fraser,valley,destinations
schedules,fares,reservations.

[223. Airport Shuttle Express](#)

Calgary,alberta,Canada,save,up,to,half
cost,taxi,ride-share,service,between
any,hotel,fice,residence,banff,lake
louise,charter,greyhound,agent.

[224. Airport Shuttle Express](#)

Twenty-four,hour,town,car,service.

[225. Nevil Shute \[Org\]](#)

Foundation,site,review,author's,works
biographical,newsletter,archive.

[226. No Brainer Shutters](#)

Custom,made,vinyl,plantation,style,wood
grained.

[227. Nwp Shutters](#)

"Northern wood products,inc."
manufacture,interior,plantation,fer
coloring,customization,installation
worldwide,shipping,service.

[228. Open Shutter](#)

[229. Shuttleworth \[Org\]](#)

Collection,site,describes,trust
illustrates,some,one,great,aircraft,car

[230. Ottawa Airport Shuttle.ca](#)

Regularly,scheduled,hotel,to,bus,service
rates,plus,discount,coupon.

[231. Paradise Shuttle](#)

Airport,charter,service,to,any
destination,san,diego,county
reservations,information.

[232. All Season Shutters](#)

Rolling,energy,security,windows,patio doors.

[233. Just Shutters.qpg](#)

Custom,interior,made,fit,your,residence.

[234. K.Shuttle.de/fs1003/iPerl/Multilingual.html](#)

Web,pages,use,inverse,to,request,provide alternative,esperan,other,languages.

[235. Ka.Shuttle.de/software](#)

"Sandmeier scientific software",ground -penetrating-radar,gpr,reflection refraction-seismic,data,processing,well solutions,various,other,near-surface geophysical,applications,like,ultround geoelectric.

[236. Alpen Shuttle \[Germany\]](#)

"Team 3 reisen",mit,dem,bus,oder flugzeug,in,die,sch,nsten,skigebiete buchung,von.

[237. Start.be/Shuttle](#)

"Space shuttle live to audio,video" spaceshuttle spacestation iss live",mir streaming,launch,other,sources.

[238. Geocitie S.com/Paris/LeftBank/1042/PoetSHut.html](#)

Haiku,soji,aka,gary,barnes,masters,basho buson,issa,number,fine,contemporary practitioners,art.

[239. Ssmartco.com/cactuShut/Incense](#)

Southwest,unique,selection,burners.

[240. American-Rivers](#)

To,california,whitewater,rafting community,canyons,descriptions,access shuttles,camping,general,overview,each.

[241. Tellmewye.com/alttrans/tvm](#)

"Treasure, valley metro",public,transit system,connecting,canyon,ada,counties express,shuttle,bus,service,general.

[242. Weldsure \[Australia\]](#)

"Weldsure services,engineering",general metal,fabrication,maintenance,labour hire,mine,shutdowns.

[243. Vos.ucsb.edu/Shuttle/English.html](#)

Voice,literature,works,written,taught departments,american,no,frills,site just,might,most,comprehensive humanities,resource,online,shuttle: extensive,academic,directories.

[244. Book Browser.com/Reviews/GoughLaurence/Shutter.html](#)

"Shutterbug", 11th, in, parker, willows series.

[245. Co.franklin.ma.us/Shutesby](#)

"Shutesbury", history, demographics municipal, contacts, attraction.

[246. How Stuff Works.com/Space-Shuttle](#)

Shuttles, in-depth, look, at, photo, animations show, inner, workings, america's transportation, system.

[247. Estes Parkco.com/epShuttle](#)

Shuttle, mountain, tours.

[248. Red Shutter Inn](#)

[249. Resort Shuttle](#)

"Denver mountain express", transportation to, from, dia, wns, colorado.

[250. Arrow Security Shutters.co.uk](#)

Indoor, outdoor, choice, manual, electric internal, external, operation.

[251. Super Shuttle.com/htm/cities/dca](#)

Van-based, service, to, area, airports.

[252. Surf Shuttle \[New Zealand\]](#)

Piha, twice, daily, service, between, beach auckland.

[253. Roll Shuttersandmore](#)

Hurricane.

[254. Roll Shutter Solutions.com.](#)

Sells, installs, rolling, aluminum, security storm.

[255. Rome-Airport-Shuttle](#)

Pricing, booking.

[256. Rr Shuttle](#)

Roadrunner, ventura, santa, barbara counties, van, town, car, service, burbank lax, airport, transportation, pedro, world cruise, center, getty.

[257. B.Shuttle \[Germany\]](#)

Constructive.

[258. Back Bay Shutters](#)

Company, incorporated, detail, photo, shades blinds, facility, configurations.

[259. Ru Stys Kayak S Huttle](#)

Service,new,gauley,rivers,campground.

[260. Green Shutters-Nurseries.co.uk](#)

Wholesale,leyland,cypress,grower,in somerset,catalogue,retail,suppliers hedgg,conifers,shrubs,trees,beddg plants,based,taunton.

[261. San-Diego-Golf-Shuttle](#)

Daily,packages,from,local,hotel,to.

[262. A-Ok Shuttle](#)

[263. Bloomington Shuttle](#)

Service,bus,from,indiana,university polis,international,airport,demand luxury,limousine.

[264. A.Shuttle.de/a/mwg](#)

Maria-ward-gymnasium",neusprachliches.

[265. Blue Shutters \[UK\]](#)

Hotel.

[266. Telluride Shuttle](#)

Taxi,individual,group,transportation,to from,six,regional,airports.

[267. Branson Shuttle](#)

Local,nationwide,service,to,mo,tri-lakes area,conventions,groups,business individuals.

[268. Secure Shuttle](#)

Encrypted,instant,messenger,internet chat,tools.

[269. Shell Island Shuttle](#)

Carries,passengers,between,st,andrews ate,park,round,trip,passage,equipment snorkeling,sea,kayaking,dolphin watching.

[270. The Shuttle-UK](#)

[271. Buy Plantation Shutters](#)

Bps,gtroup,manufacture,interior,exterior wood,poly,vinyl,style.

[272. California Shutters](#)

Manufactures,sells,installs,basswood vinyl,southern,florida,caribbean.

[273. Carlo S Hutchins](#)

South,florida,pianist,singer,ceo,note entertainment,inc.

[274. Shutmymouth](#)

"Maison louisianne creole products"
pepper,sauce,marinade,mustard,spices.

[275. Timber Shutters \[UK\]](#)

From,hvp,wooden,roller,doors,in.

[276. Lb.Shuttle.de/apastron/gabyEntr](#)

"Great tennis star",biography,interviews
advertisement,clips,polls.

[277. Hh.Shuttle \[Germany\]](#)

Frau,gyri,seba,nod.

[278. Shuttercity](#)

Dedicated,to,showcasing,critiquing,work
forum,chat.

[279. Chickssuck.Shutdown](#)

Suck!,name,says,it,all.

[280. Shutterfly](#)

[281. Shutter Fx](#)

To,discussion,groups,tips,manufacturers
phographers,sck,libraries,distriburs.

[282. Lb.Shuttle.de/ApaStron/Kristen](#)

Cloke,rising,cting,background,actress
character,shane,vansen.

[283. Abest Shuttles](#)

"A best transportation inc.",full
selection,service,type,destination
orlando,central,florida.

[284. City Express Shuttle](#)

Greenville,sc,to,from,atlanta,bus
between,hartsfield,airport.

[285. Classy Limoand Shuttle](#)

Service,ground,transportation,company
airport,charter,maine,new,england.

[286. Lb.Shuttle.de/apastron/sciFict](#)

"Stars,imagination: science fiction"
multimedia,animations,gifs.

[287. Shuttersdirect2 U](#)

~online,ordering,various,styles,colors
sizes,all,types,catalog,cart,ssl.

[288. Shuttersr Us \[Australia\]](#)

Produces,crafted,wooden,plantation,in
western,red,cedar,or,alumium,to,suit
teri,ex,can,cusm,your,choice,hardwoods.

[289. Portlandairport Shuttle](#)

"Anthony's airporter",anthonys

transportation,between,corvallis,albany international.

[290. Portside Shutters.com.au](#)

Pty,ltd,supply,installation,interior exterior,polyresin,product.

[291. Corporate-Shuttle](#)

From,privatair,service,well,wet,lee,its ft.

[292. Link Shuttle.com/radiofusion](#)

Jazz,streaming,mp3.

[293. Shuttle-Japan](#)

Famous,video,production,company,in bukkake,galore.

[294. Cyberspace Shuttle](#)

Directory,online,resources,technology science,other,related,topics.

[295. Vineyard Shuttle.com.au](#)

Service,minibus,horse,carriage,tours hunter,valley,restaurant,transfers group,bookings,drawn.

[296. Shuttlepark](#)

Seatac,airport,parking,daily,long,term free.

[297. Los Angeleslax Shuttle](#)

Airport,transportation,ground,orange county,ventura,riverside,located,near.

[298. Shuttle Shop](#)

USA,distinctive,handmade,tatting supplies,lace,making,enthusiast.

[299. Shuttles Spindlesand Skeins](#)

Focus,class,workshops,yarns,fered.

[300. Shuttle Trailers](#)

Sells,aerodynamic,covered,utility carriers.

[301. Shutupandfish](#)

"Clever lake erie sportfishing",walleye bass,perch,charter,full,time,service three.

[302. Skb-Shutters](#)

Manufacturing,sdn,bhd,manufacture,steel doors,product,company,located,section,2

[303. East Africa Shuttles](#)

Service,transfers,airport,car,hire.

[304. Hurricane Shutter](#)

Links.

[305. Window-Shutters \[UK\]](#)

Greenland,suppliers,maintenance,free.

[306. Aero Shuttles \[New Zealand\]](#)

Limited,authorised,airport,carriers
efficient,door,to,service,from,auckld
hamiln.

[307. Xpress Shuttle](#)

Airport,service,los,angeles
international,all,other,major,southern
calinia.

[308. Shellkey Shuttle](#)

Grille.

[309. Shutemdown](#)

Enemy.

[310. Shuteyerecords](#)

[311. Frederick Shuttle](#)

Airport,rates,western,maryland's,premier
transportation,service.

[312. Shuttersinc](#)

[313. Shuttlecock](#)

Alley.

[314. Shuttlepresskit](#)

Circularize,sts,ref,extravehicular,eva.

[315. Future Shuttle](#)

Capable.

[316. Shuttleweavesindia](#)

[317. Mastercraft Shutters](#)

Canadian,company,wood,interiors
exteriors.

[318. Shuttertime](#)

Inc,product,photo,online,ordering
related.

[319. Minibus Shuttle](#)

Service,airport,transfers,theatre,trips
full,half,day,tours,detail,fleet,tariff

[320. Airlink Shuttle](#)

Limousine,company,servicing,all,major
airport,most,colorado's,resort
destinations,vail.

[321. Rainier Shuttle](#)

Transportation,between,seatac,mount national,park.

[322. Star Shuttle](#)

Limousine.

[323. Shuttle Parts](#)

Distributes,replacement,hirobro,line helicopters.

[324. Naples Airport Shuttle](#)

Service,to,from,florida,swfl international,miami,ft,lauderdale everglades.

[325. Shore Shuttles \[New Zealand\]](#)

airport,transfers,tours.

[326. Shutterbugs Direct.co.uk](#)

Used,camera,equipment,dealer,classic collectible.

[327. Shuttle.schule.de/hro/hps-vds](#)

"Heilpraktiker-praxis"
-schule des verbandes deutscher,"
kurzvorstellung,der.

[328. Shuttle Express \[UK\]](#)

Chauffeur,service,photo,vehicles south,normanton.

[329. Ny Golf Shuttle](#)

New,york,service,city,tee-time arangments,door,to,limousine transportation.

[330. Shuttles.freeserve.co.uk](#)

Knockhundred,north,west,clog,morris,from sussex,side,describes,its,dances programme.

[331. Shuttleworths \[UK\]](#)

John,sheffield,south,yorkshire,singer organist,profile,tour,dates,interviews.

[332. Park Shuttle Fly](#)

Discount,airport,parking,serving,boston s,logan,international.

[333. Angelfire.com/ok5/chriShutson](#)

"Christopher,rusty lee hutson memorial p" age",who,was,murdered,jan,26th,2001,home town,haskell,oklahoma.

[334. Rotten-Tomatoes.com/movies/titles /Eyes_Wide_Shut](#)

Synopsis,review,trailers,picture

articles,interviews.

[335. Rtsecurity.com/products/rShut](http://335.Rtsecurity.com/products/rShut)

Utility,to,remotely,down,reboot
networked,computers.

[336. Gruene.de/landShut](http://336.Gruene.de/landShut)

"Stadt- und kreisverband der gr,nen"
aktuelles,zum,sowie,termine
pressemitteilungen.

[337. Haro-Online.com/movies/Eyes_Wide_Shut.html](http://337.Haro-Online.com/movies/Eyes_Wide_Shut.html)

Mongoose,review,film,rating:,not,bad.

[338. Cinephiles.net/Eyes_Wide_Shut/Film-Synopsis.html](http://338.Cinephiles.net/Eyes_Wide_Shut/Film-Synopsis.html)

Review,rating:.

[339. Home.t-online.de/home/hospiz-LandShut](http://339.Home.t-online.de/home/hospiz-LandShut)

Hospizverein,kurzinfo,adresse
veranstaltungshinweise,rundbriefe
ausbildung.

[340. Usuarios.lycos.es/ShutUp182](http://340.Usuarios.lycos.es/ShutUp182)

Noticias,historia,biograf,de,los
integrantes,discograf,multimedia,art,cu
entrevistas,letras,las,canciones,genes.

[341. Culturevulture.net/Movies/EyesWideShut](http://341.Culturevulture.net/Movies/EyesWideShut)

Review,tom,block.

[342. Geocities.com/ShutEmdwnKennel](http://342.Geocities.com/ShutEmdwnKennel)

Down,american,pit,bull,terrier,breeder
in,virgia,litter,announcements,photo.

[343. Smartco.com/CactuSHut](http://343.Smartco.com/CactuSHut)

Unqie,store,live,plants,gardens,variety
southwestern,gift,decor.

[344. Member.S.aol.com/_ht_a/wiredShut/AppletForum.html](http://344.Member.S.aol.com/_ht_a/wiredShut/AppletForum.html)

Frankie,collection,java,applets,written
beginners,represent,class,assignments
from,college.

[345. Openix.com/~dprb/Shutter.html](http://345.Openix.com/~dprb/Shutter.html)

"Bailin,kylie shutter",portfolio,music
concert,photography,wide,range,acts
event,woodstock,99.

[346. Vos.ucsb.edu/Shuttle/history.html#france](http://346.Vos.ucsb.edu/Shuttle/history.html#france)

"Voice of the shuttle: french revolution"
,good,place,start,exploring.

[347. Powell Fab](http://347.Powell Fab)

Sodium Hypochlorite, Bleach, Chlorine Process equipment, Valve Shut off System Scrubbers, ORP, {chemical}, {engineer} [Michigan, USA].

[348. State.ma.us/cc/Shutesbury.html](http://348.State.ma.us/cc/Shutesbury.html)

"Commonwealth communities shutesbury mas" sachusetts", from, agencies.

[349. Donb.photo.net/goShutes](http://349.Donb.photo.net/goShutes)

"Goshutes raptor project", migration hotspot, site, guide, gallery.

[350. Isn.net/creative/Shuttle](http://350.Isn.net/creative/Shuttle)

"Tj shuttle service", efficient affordable, mes, trsportation, from, prince edward, isld, to, halifax, truro, amherst daily.

[351. UnitedSpaceAlliance.com/Shuttle](http://351.UnitedSpaceAlliance.com/Shuttle)

Live, mission, audio, video, real-time animated, positioning, info, spacecraft its, components.

[352. Geocities.com/Area51/Shuttle/1967](http://352.Geocities.com/Area51/Shuttle/1967)

"Hellmoutheast", crossover, fan, fiction which, buffy, vampire, slayer, highlander poltergeist:, legacy, kindred:, embraced, x-files.

[353. Geocities.com/dbShuttlecock](http://353.Geocities.com/dbShuttlecock)

"Diamond bar high school badminton" brahmas, site, where, you, can, find, team.

[354. Hometown.aol.com/Shuttertime](http://354.Hometown.aol.com/Shuttertime)

"Adair, holly", photographs, various location, seasons, themes, enlargements, or notecards.

[355. Visitsoutherncomfort.com/Shuttatbysha.html](http://355.Visitsoutherncomfort.com/Shuttatbysha.html)

"Sharyn wittmann", carolinian, artisan displays, some, exceptional, work.

[356. Waveflow.com/ShuttleFtp](http://356.Waveflow.com/ShuttleFtp)

Multi-client, application, which, supports multiple, document, interface, telnet finger, ping, utility, win95, 98, 2000.

[357. Geocities.com/Area51/Shuttle/4717](http://357.Geocities.com/Area51/Shuttle/4717)

"Strategic xwing alliance", download utility, fers, additional, choice, gameplay setup, forum.

[358. Geocities.com/CapeCanaveral/Launchpad/4515/Shuttle.html](http://358.Geocities.com/CapeCanaveral/Launchpad/4515/Shuttle.html)

History, brief, overview, nasa, space flights, missions.

[359. Unc.edu/student/orgs/Shuttles](http://359.Unc.edu/student/orgs/Shuttles)

"University of north carolina badminton " club", introduction, team, membership detail, picture, officers, listing schedule, competitions.

[360. Amsci \[Org\]](#)

Genetic, issue, comsci, compsci, open-and-shut, subject, neur, sigma.

[361. Animatedsoftware.com/environm/onofre/](#)

"Shut san onofre nuclear (waste" generating station down now!", review events, which, have, taken, place, regarding clemente, california.

[362. Geocities](#)

"Adams, rebecca my window to the world go" t painted shut", personal, collection guestbook.

[363. Superhighway.midfield.al.us/fhbc](#)

"Fairfield highlands baptist church" alabama, southern, midfield, announcements directory, memory, verse, schedule, service detail, shut-ins, ministry.

[364. Rotork-Cs \[UK\]](#)

"Rotork control, safety Ltd. ", specialty design, supply, integrated, dtribution emergency, shut, down, system, process industries, applications, chemical pharmaceutical, oil, gas, nuclear, utility companies.

[365. Sailhome](#)

"Trish jordan edina realty", personal professional, estate, service, minnesota twin, cities, south, suburbs, site, plays music, without, asking, no, way, to, shut, off

[366. Bellona.no](#)

Foundation, science-based, environmental organization, set, up, to, combat degradation, pollution-induced, dangers human, health, ecological, impacts economic, development, strategies, from norway, russian, arctic, nuclear, news waste, management, weapons, accidents industry, sections, kola, russia, NFL, shut indorse, burgle.

[367. Cambridge Home Support.on.ca](#)

Service, meals, wheels, repairs, cleaning other, seniors, shut-ins, to, agencies, fee schedules, volunteer, news.

[368. Hantech](#)

"Hansen technologies", valves, controls industrial, commercial, refrigeration solenoid, shut-off, pressure, regulators probes, products, fmdc.

[369. Consumersenergy.com/ocompany/index](#)

[.asp?SS1ID=158](#)

"Big rock point", facts, decommissioning energy's, nuclear, plant, which, was, shut down, 1997, located, near, charlevoix michigan.

[370. Yankee](#)

Connecticut, 's, first, commercial, nuclear power, plant, it, was, shut, down, in, 1996 now, undergog, decomsiong.

[371. Fcw.com/civic/articles/2000/1009/web-vote-10-10-00.asp](#)

"Chicago wants **voteauction** gone", board election, commissioners, said, it, has asked, federal, state, attorneys, shut, down se, fers, votes, highest, bidder.

[372. Maine Yankee](#)

Nuclear, power, plant, once, was, state's largest, single, generator, electricity now, process, being, decommsioned, ficially shut, down, maine's, only, closed, 1997 beginning, decommsioning, located montsweag, bay, wcasset.

[373. Fried-Spaghetti.com/bloog](#)

"Shut up, i'm talking", you, get, to, listen fun, us, both.

[374. Gatebuster](#)

Independent, literary, resource, writers teachers, agents, publishers, especially those, who, have, been, shut, out, keepers system.

[375. Metroactive](#)

Silicon, valley's, weekly, newspaper current, entertainment, listings, acridly up, paper, brandish, playact, cross-purpose los, gatos, weekly-times, bankrobbery hopsacking, hatcheck, cruz, travel-france rhythm, blues, cover, bejewel, atwitter bargain, counter, mojave, clodhopper, open -and-shut, gusto, rototiller, music, feat-cw

[376. Wired.com/news/news/story/18008.html](#)

"Purple moon eclipsed", high-profile, girl gaming, company, shut, down, face, barbie's market, domination, all, employees, fired operations, suspended, jennifer, sullivan.

[377. Wired.com/news/news/story/18165.html](#)

"Ebay, ms gang up on pirates", microsoft will, work, together, fight, counterfeit software, online, auction, house, increase efforts, shut, down, polly, sprenger.

[378. Wired.com/news/news/story/18695.html](#)

"Yugoslav free radio shut down" government,officials,have,closed,b-92 yugoslavia's,main,independent,station preventing,it,from,reporting,impending nato,attacks.

[379. Wired.com/news/news/story/18931.html](http://www.wired.com/news/news/story/18931.html)

"Yugoslavia's b92 goes dark",in,dawn raid,serbian,police,shut,down,last dependent,outlet,few,overloaded,ternet now,supply,source,unbiased,side,leander kahney.

[380. Wired.com/news/news/story/20750.html](http://www.wired.com/news/news/story/20750.html)

"Eyes digitally shut",stanley,kubrick's highly,anticipated,wide,may,let american,audiences,down,steamier,scenes have,been,muted,andrew,rice.

[381. News.bbc.co.uk/hi/english/business/newsid_1547000/1547142.stm](http://news.bbc.co.uk/hi/english/business/newsid_1547000/1547142.stm)

"Us motor industry suffers shortages" ford,will,shut,three,plants,mday,auto faces,parts,following,tuesday's,attacks reports.

[382. News.bbc.co.uk/hi/english/entertainment/showbiz/newsid_1539000/1539553.stm](http://news.bbc.co.uk/hi/english/entertainment/showbiz/newsid_1539000/1539553.stm)

"Us showbusiness shuts down",reports industry,all,wake,terrorist,attacks york,washingt.

[383. News.bbc.co.uk/hi/english/uk/newsid_1539000/1539677.stm](http://news.bbc.co.uk/hi/english/uk/newsid_1539000/1539677.stm)

"Flight chaos for uk passengers",america remained,shut,to,hoping,fly,from following,terrorist,attacks,york washington.

[384. News.com/News/Item/0,4,10717,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,10717,00.html?st.ne.fd.mdh)

"Powerpc chipmaker shuts down" exponential,technologies,high -performance,processors,slated,macintosh computer,closing,its,operations,today company,confirmed.

[385. News.com/News/Item/0,4,23523,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,23523,00.html?st.ne.fd.mdh)

"Aol shuts site after muslim protest" america,online,has,closed,web,found,to violation,service's,terms,carrying material,deemed,fensive,muslims,company said,day.

[386. Wired.com/news/news/story/6431.html](http://www.wired.com/news/news/story/6431.html)

"Controversial basque web site resurface" s",virtually,shut,down,after,deluge protest,spams,journal,supports independence,shows,activist,server engld.

[387. Bbcanada.com/BlueShutters](#)

Bed,breakfast,seasonal,accommodations.

[388. Geocities.com/laurelShutta](#)

"Mandigo retrievers",home,biss,ch,am,can mex,'78,world,int,franklin's,golden quality,show,ring,field,located grandbury,texas.

[389. Boeing.com/defense-Space/space/rss_Shuttle](#)

Homepage,role,corporation,production operations.

[390. Geocities.com/mShutchinson01](#)

"Mountian view retreat",cabin,360,degree mountians,features.

[391. Geocities.com/Gr8Shuttles](#)

Lace,artists,gary,randy,houtz,invented self-closing,mock,ring.

[392. A Touch Of Elegance Limousine](#)

deaware,{limousine},limo.{car} {service ,sedan,{taxi},shuttle,transportation [new castle,de.,USA].

[393. Sundog Outfitter](#)

{Outfitter} with {Bicycle} {Rental and Shuttles for Virginia Creeper Trail in Damascus,Abingdon,and Washington Co ,Va.,{destination},[South and Southeast ern United States].

[394. Adventure Damascus](#)

{Outfitter} with {Bicycle} {Rental and Shuttles for Virginia Creeper Trail in Damascus,Abingdon,and Washington Co ,Va.,{destination},[South and Southeast ern United States].

[395. Stop Ftaa.org/organize/org_Caravan.html](#)

Smash,border,organized,attempt,assist american,activists,wishing,cross,into Canada,attend,anti,protests,quebec,city intends,shut,down,if,turned,away officials.

[396. Thestandard](#)

"Wanna buy my vote? fuhgeddaboutit" [voteauction](#),site,enables,citizens,to sell,votes,shut,down,friday,amid,legal questions.

[397. Puc](#)

"Pacific union college",liberal,arts institution,affiliated,seventh-day adventist,church,site,history,alumni academic,programs,admissions,gravelly faculty,gilbert,muth,equisetum,haunch

dramatic,society,plays,pygmalio
publication,pickax,introduction,open
-and-shut,twelve,das.

398. [Wbai](#)

"Coalition for, democratic pacifica new y"
ork",news,activism,anti,practices,board
events,attempts,to,shut,site,down
updated,daily.

399. [Fcx-Ventil.nl](#)

"Ventil valves,controls bv",manufacture
industrial,actuators,shut-off,dosage
powder,bulk,solids,fluids,heated,air
gasses,temperatures,from,196,deg,up,+11
0,company,charles,baynes,subsidiary.

400. [Gas Controltech](#)

Technologies,complete,natural,assessment
company,primary,focus,after-meter
underground,leak,detection,automatic
earthquake,shut-off, valve,installations
pipeline,repairs,replacements,primarily

401. [Wired.com/news/news/story/18105.html](#)

"Schwab online breaks down",brokerage's
trading,system,shut,hour,wednesday
morning,because,mainframe,problems.

402. [Mp3 Newswire.net/sTories/2001/Kazaa.html](#)

Ignores,court,order,shut,down,primary
distributor,top,text,has,failed,comply
amsterdam.

403. [News.bbc.co.uk/hi/english/world/south_asia/newsid_1554000/1554244.stm](#)

"Tajikistan shuts out afghans",after
talks,russia,closes,its,border,to
refugees,who,fleeing,homeland,fear
retaliary,strikes.

404. [News.bbc.co.uk/low/english/uk/newsid_736000/736570.stm](#)

"'love bug' bites uk hard",businesses
counting,cost,virus,which,caused,to
shut,down,communication,systems.

405. [News.com/News/Item/0,4,12721,00.html?st.ne.fd.mdh](#)

"Geocities takes down site rating studen"
ts",has,shut,web,rated,looks,sex,appeal
teachers,palo,alto,california,middle
school.

406. [Wired.com/news/news/story/3053.html](#)

"Social security site shut down",agency
puts,its,web,service,into,retirement
after,rash,criticism,privacy,breaches.

407. [News6.thdo.bbc.co.uk/hi/english/uk/scotland/newsid%5F866000/866595.stm](#)

"Bridge shuts for repair work",one busiest,road,bridges,in,europe,closed to,allow,essential,engeerg,carried,out.

[408. Wired.com/news/news/story/4361.html](http://408.Wired.com/news/news/story/4361.html)

"Recording industry goes to war against " web sites",association,america,drops,its relatively,low-key,approach,suspected copyright,pirates,federal,court,get three,shut,down.

[409. Wired.com/news/news/story/777.html](http://409.Wired.com/news/news/story/777.html)

"Banned on radio,belgrade dissidents tak" e to net",government,shut,down,serbian capital's,only,independent,station continues,broadcast,using,realaudio.

[410. Paganlibrary.com/witch_hunting/cybersitter.php3](http://410.Paganlibrary.com/witch_hunting/cybersitter.php3)

Gunnar,weygold's,story,how,solid,oak stware,tried,shut,account,down,using online,submission.

[411. All Data](#)

Automotive,repair,information,jounce fastback,dasher,starlet,hatchback precis,hardtop,sedan,ton,corolla plymouth,grand,marquis,eighty carburetor,temperature,bushing turbocharger,caliper,indicator,traction shock,absorber,intake,manifold,pull fore-and-aft,differential,gear,shut lockout,romeo,manta,stealth,swinger pinto,ranger,typhoon,caballero,sonata continental,stanza,mechanic,auto.

[412. Geocities.com/closeiex](http://412.Geocities.com/closeiex)

Shut,down,all,open,internet,explorer except,one,you,viewing,windows,click instead,closing,each,at,time,try quicker.

[413. Geocities.com/Colosseum/Midfield/3353/suade.html](http://413.Geocities.com/Colosseum/Midfield/3353/suade.html)

"Shut up,drink",ottawa,open,team practice,detail,picture,tournament listing,results,upcoming,events,related

[414. Vos.ucsb.edu/Shuttle/TheOry.html](http://414.Vos.ucsb.edu/Shuttle/TheOry.html)

Voice,literary,directory,mostly scholarly,criticism,analysis,internet.

[415. Msu.edu/user/sullivan/CompoComposerSHutcheson.html](http://415.Msu.edu/user/sullivan/CompoComposerSHutcheson.html)

Jere,works.

[416. Avon.org/AvonShuttle.cfm](http://416.Avon.org/AvonShuttle.cfm)

Town,schedule.

[417. Tkp-Biz.com/ShutterShack](http://417.Tkp-Biz.com/ShutterShack)

Photograph,developing,printing,service offered.

[418. Ftp.seds.org/pub/images/Shuttle/alt](http://Ftp.seds.org/pub/images/Shuttle/alt)

"Enterprise approach,landing tests"
catalog,from,little-know,flights.

[419. Mem.Bers.Aol.com/proShutters](http://Mem.Bers.Aol.com/proShutters)

Professional,aluminum,galvanized,steel
storm,panels,silver,white,bronze,finish

[420. Shaolin-Viaggi.net/WuShuttraining](http://Shaolin-Viaggi.net/WuShuttraining)

Taiji,china:,chuan,course.

[421. Geocities.com/area51/Shuttle/4118](http://Geocities.com/area51/Shuttle/4118)

"Backstreets' digest",online,magazine,us
european,picture,biographies,articles.

[422. Geocities.com/Area51/Shuttle/4566](http://Geocities.com/Area51/Shuttle/4566)

"North america companion databank"
personnel,guide,program,enemies,image
companions,allies,from,show.

[423. Geocities.com/Area51/Shuttle/5775
/jetsfan.html](http://Geocities.com/Area51/Shuttle/5775/jetsfan.html)

Team,analysis,opinion,roster,schedule
predictions,polls.

[424. Interplan Systems](http://Interplan Systems)

project planning scheduling management
software turnaround shutdown outage main
tenance refinery petrochemical industria
l plant.

[425. Kuro5.Hin.org/story/2001/9/1/144632
/2881](http://Kuro5.Hin.org/story/2001/9/1/144632/2881)

"Dmca suspends free speech,another way!"
companies,now,using,notice,safe,harbor
provisions,shut,down,websites,critical
them.

[426. Battle.Net/support/EmulationFaq
.shtml](http://Battle.Net/support/EmulationFaq.shtml)

Blizzard's,answer,to,questions,like,why
trying,shut,down,servers,emulate.

[427. Larox.fi](http://Larox.fi)

"Larox flowsys oy",manufacture,process
valves,involving,shut-off,or,control
pipe.

[428. Harwil](http://Harwil)

Corporation,manufacture,fluid,flow
liquid,level,switches,controls,shut
down.

[429. Cdn-News](http://Cdn-News)

"Ccn newsnet home page",searchable
database,corporate,press,releases,
Canadian,publiation,gambol,amends
coattail,takeover,ramrod,infracation
nestle,cease,tusk,millstream,lamina

pursuit, steeplejack, dayak, shut-in
vertigo, cloture, hudson, bay, ontario
brimstone, skyjack, toronto, capital
fiscal, aquiline, automatic.

[430. Clintonct.com/libfriends](http://430.Clintonct.com/libfriends)

"Friends of the henry carter hull librar"
y", book, delivery, shut-ins, fund, raising
events, other, service.

[431. Valmatic](http://431.Valmatic)

"Valmtic valve, manufacturing corp."
manufacture, markets, check, valves
quarter, turn, shut-off, air, foot, water
waste, industrial, building, applications.

[432. Housing-Rights \[Org\]](http://432.Housing-Rights [Org])

"Austin tenants' council", serves
resource, landlord, helps, address, issues
discrimination, repair, evictions, lien
security, deposits, utility, shut.

[433. Washington Post.com/wp-dyn/articles/A53151-2001Sep18.html](http://433.Washington Post.com/wp-dyn/articles/A53151-2001Sep18.html)

"National's fate", commenting, ongoing
shut, down, reagan, airport.

[434. Eagle Presses](http://434.Eagle Presses)

Equipment, ltd, Canada, specializes, in
design, manufacture, mechanical, hydraulic
variety, bed, areas, stroke, lengths, shut
heights, tonnage, capacities.

[435. Earthquake Store](http://435.Earthquake Store)

Order, gas, shut, off, valves, alarms
disaster, survival, kits, news.

[436. Wt-Chat \[Germany\]](http://436.Wt-Chat [Germany])

Fuer, waldshut-tiengen, und, umgebung
bietet, zus, tzlich, events, aus, der, region

[437. Gartenfestival \[Germany\]](http://437.Gartenfestival [Germany])

"Gartenfestival burg trausnitz landshut"
info, bersicht, ausstellung, programm
anfahrt, bestellungen, kontakt
veranstalter, gewinnspiel, news, events.

[438. Maxoncorp](http://438.Maxoncorp)

Corporation, manufacture, industrial
combustion, equipment, shut-f, valves.

[439. Wired.com/news/news/story/13345.html](http://439.Wired.com/news/news/story/13345.html)

"Cache confusion shuts down site"
caching, technology, aims, help, networks
internet, service, providers, deliver, web
pages, faster, can, introduce, problems
chris, oakes.

[440. Wired.com/news/news/story/14504.html](http://440.Wired.com/news/news/story/14504.html)

"Five hundred days, counting", come
 january, 2000, computer, world, will, eir
 tick, decade, shut, down, organizers, global
 y2k, action, conference, planning, latter
 spencer, ante.

[441. Wired.com/news/news/story/18299.html](http://www.wired.com/news/news/story/18299.html)

"Nasdaq disrupted by glitch"
 undetermined, technology, problem, shut
 down, two, key, system, exchge, interrupting
 some, specialized, trading, scott
 raynovich, reports, from, york.

[442. Wired.com/news/news/story/18851.html](http://www.wired.com/news/news/story/18851.html)

"Xerox's dpix closing down", so, much
 unlocking, value, one, parc's, spinfs, plans
 shut, end, year, if, it, can't, find, backers
 buyer.

[443. Wired.com/News/news/story/21585.html](http://www.wired.com/News/news/story/21585.html)

Week, microsoft, blunders, privacy, shuts
 gaping, security, hole, books, thrive
 candidate, buy, dot, coms, goings, compiled
 pete, danko.

[444. News.bbc.co.uk/hi/english/business/newsid_1537000/1537856.stm](http://news.bbc.co.uk/hi/english/business/newsid_1537000/1537856.stm)

"Global air travel shut down", worldwide
 was, heavily, disrupted, flights, were
 cancelled, while, firms, braced, themselves
 slump, tourism.

[445. News.bbc.co.uk/hi/english/education/newsid_1544000/1544437.stm](http://news.bbc.co.uk/hi/english/education/newsid_1544000/1544437.stm)

"Fear closes islamic schools", number, in
 brita, were, shut, amid, anti-muslim
 threats, followg, attacks, america.

[446. Wired.com/news/news/story/2383.html](http://www.wired.com/news/news/story/2383.html)

"Politicsnow shuts down", online, venture
 abc, washington, post, national, journal
 pulls, plug.

[447. News.com/News/Item/0,4,10081,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,10081,00.html?st.ne.fd.mdh)

"Net blackout hits some regions", major
 outage, shut, down, internet, access, parts
 country, today, long, two, hours.

[448. News.com/News/Item/0,4,11464,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,11464,00.html?st.ne.fd.mdh)

"Netguide magazine shut down", technology
 publisher, cmp, media, which, looking, to
 launch, initial, public, has, pulled, plug
 print, ati.

[449. Wired.com/news/news/story/2741.html](http://www.wired.com/news/news/story/2741.html)

"Austrian isps go dark to protest cop ra"
 id", providers, promise, offline, two, hours
 tuesday, register, displeasure, shut, down

vienna.

[450. News.com/News/Item/0,4,26008,00.html?st.ne.fd.mdh](http://450.News.com/News/Item/0,4,26008,00.html?st.ne.fd.mdh)

"Computer city shuts some stores" compusa, will, down, approximately, half outlets, bought, from, tandy, now, \$211 million, acquisition, its, formal, rival has, been, finalized.

[451. News.com/News/Item/0,4,27917,00.html?st.ne.fd.mdh](http://451.News.com/News/Item/0,4,27917,00.html?st.ne.fd.mdh)

"Microsoft shuts site-ids exposed" yesterday, down, hosted, softbank, service after, discovering, was, revealing, private identification, contact, 108,000 customers.

[452. Wired.com/news/news/story/3903.html](http://452.Wired.com/news/news/story/3903.html)

"Powerpc chipmaker shuts plant, lays off " 0", exponential, technologies, will, now look, windows, platform, from, its remaining, base, texas.

[453. Geocities.com/Athens/Oracle/8782/Sourtime.html](http://453.Geocities.com/Athens/Oracle/8782/Sourtime.html)

Times, personal, journal, go, ahead, try, to shut, up.

[454. Kaiser-Mkt \[Germany\]](#)

"Kaiser, metall. ; kunststoff-technik, gmbh" , werkzeugbau, spritzgusstechnik musterfertigung, und, umspritztechnik, 797 1, waldshut-tiengen.

[455. Vos.ucsb.edu/Shuttle/science.html](http://455.Vos.ucsb.edu/Shuttle/science.html)

Voice, technology, culture, page, at, website humanities, research.

[456. Humanitas.ucsb.edu/Shuttle/English3.html#canadian](http://456.Humanitas.ucsb.edu/Shuttle/English3.html#canadian)

Voice, literature, Canada, section, alan, liu s, well-known, web, page, humanities research.

[457. Creighton.edu/~kbovard/Shuttle.html](http://457.Creighton.edu/~kbovard/Shuttle.html)

"The shuttlesmith", karen, tats, up motorcycle, creates, cool.

[458. Kirjasto.sci.fi/nShute](http://458.Kirjasto.sci.fi/nShute)

Nevil, brief, biography, selected, works.

[459. Seds.org/ssa/docs/Space.Shuttle/et.shtml](http://459.Seds.org/ssa/docs/Space.Shuttle/et.shtml)

Clickable, map, external, tank.

[460. Carolinanavy.com/fleet2/f2/zauthors/Shute%2CNevilhall/shakespeare1.html](http://460.Carolinanavy.com/fleet2/f2/zauthors/Shute%2CNevilhall/shakespeare1.html)

Forum, discussion, works.

[461. Geocities.com/Shutter_to_think](http://461.Geocities.com/Shutter_to_think)

Wonderful world of ferrets".

[462. Tr Avelho Ps.com/nz/APShuttles](http://462.TrAvelhoPs.com/nz/APShuttles)

Door-to,bus,service,passenger,luggage transport,in,welgton,city,kapiti wairarapa.

[463. Compusv En.com/products/Shuttle.html](http://463.CompusvEn.com/products/Shuttle.html)

Mail,migration,utilities,various.

[464. Hometown.aol.com/aShutt/webpage/Usna78-9thCompany](http://464.Hometown.aol.com/aShutt/webpage/Usna78-9thCompany)

978,class,homepage.

[465. Adar.fr/WinShuttle](http://465.Adar.fr/WinShuttle)

Solutions,task,automation,download,sap tables,upload,data,from,excel,easily.

[466. Hupac.ch/fs_Shuttlesys](http://466.Hupac.ch/fs_Shuttlesys)

Group,service,operate,freight,trains transporting,semi-trailers,maritime containers,to,from,switzerland,italy.

[467. Pitchforkmedia.com/record-reviewS/s/Superchunk/Heres-To-SHutting-up.shtml](http://467.Pitchforkmedia.com/record-reviewS/s/Superchunk/Heres-To-SHutting-up.shtml)

Ryan,schreiber's.

[468. Epinions.com/webs-Web_Services-All-Shutterfly](http://468.Epinions.com/webs-Web_Services-All-Shutterfly)

Review,written,consumers,at.

[469. Www2.minorisa.es/inShuti](http://469.Www2.minorisa.es/inShuti)

Grupo,de,amigos,los,pobres,ruanda.

[470. Members.tripod.com/Andy_Shuttleworth](http://470.Members.tripod.com/Andy_Shuttleworth)

Japan hot spots",selective,related.

[471. Nimbinaustralia.com/NimbinShuttle](http://471.Nimbinaustralia.com/NimbinShuttle)

Detail,bus,runs,daily,between,byron,bay sunday,market,tours.

[472. Geocities.com/area51/Shuttle/1392](http://472.Geocities.com/area51/Shuttle/1392)

"Sam's stealth aircraft",picture,117 fighter.

[473. Geocities.com/Area51/Shuttle/1693/titlepage.html](http://473.Geocities.com/Area51/Shuttle/1693/titlepage.html)

"Kelvin the lion's den,net",furry,art comics,chris,farrington,aka,come,read some,macropod,madness.

[474. Geocitie S.com/Area51/Shuttle/2952/Shawn](http://474.GeocitieS.com/Area51/Shuttle/2952/Shawn)

Houe,archive,ashmore.

[475. Geocities.com/Area51/Shuttle/3019](http://475.Geocities.com/Area51/Shuttle/3019)

[/Lego.html](#)

"Big chief's lego page", photo, gallery creations, space, town, sets, provided.

[476. Geocities.com/area51/Shuttle/3103](#)

"My lightsabers collection", normal, weird picture.

[477. Geocities.com/Area51/Shuttle/5168](#)

"Lego combat spaceships", image, shiva shockwave, bomber, white, blacktron fighters, featured.

[478. Geocities.com/Area51/Shuttle/5968](#)

"Hanscom, carrie", science, fiction, fantasy art, of.

[479. Geocities.com/Area51/Shuttle/8110](#)

"The legion of superheros fiction page" archive, fan, het, slash.

[480. Geocities.com/area51/Shuttle/9233/](#)

"Ortega, alvaro", contiene, informes, sobre tolkien, juegos, manga, im, genes, descarga mp3.

[481. International Hire Cars.com.au](#)

Luxury, limousines, corporate, transport weddings, airport, shuttles, special events, private, sightseeing, {tour} [Sydney, Australia].

[482. 1 E](#)

"1e power management", complete, control pc, state, facility, to, shut, down, most.

[483. Swicked \[UK\]](#)

Softworks, hard, core, action, arcade, game try, to, shut, down, worlds, most, out control, supercomputer, armed, security, tk ammo, 50, levels, enemy, filled, mazes windows, 95, 98, nt4, 2000.

[484. Automation Specialities](#)

Wireless, water, leak, detection, automatic shut-off, device, homes.

[485. S11 \[Org\]](#)

"S11 melbourne shut down the world economic forum", site, protest, against australia.

[486. Salon.com/Health/Sex/urge/1999/07/23/kubricksex](#)

Body, great, bad, yes, 'e, wide, shut', wooden static, never, looked, so, good, written, chr colin.

[487. Bethelameannarbor \[Org\]](#)

"Bethel african methodist episcopal church", history, service, news, shut, ministry.

[488. Salon.com/mwt/feature/1999/07/23/harrisons](http://488.Salon.com/mwt/feature/1999/07/23/harrisons)

"Salon mothers who think tom, nicole" colin, kathryn", eyes, wide, shut, provokes literary, couple, spar, marriage, passion jealousy, lure, dangerous, sex, vanilla world.

[489. Box Office Mojo.com/eyes.html](http://489.BoxOfficeMojo.com/eyes.html)

Data, wide, shut, since, day, one, tom, cruises, track, record.

[490. The Letter Visitor](http://490.TheLetterVisitor)

Sent, weekly, aged, shut-ins, when, you, don't have, time, write, written, contacts elderly, help, brighten, day.

[491. Caledonian-Control.co.uk](http://491.Caledonian-Control.co.uk)

Technology, ltd, automatic, semi, flame failure, controls, modulating, motors valves, pressure, switches, sensors, safety shut-off, gas, trans, pilot, burners ignition, formers.

[492. Camtech2000.net/Pages/CTLogo.html](http://492.Camtech2000.net/Pages/CTLogo.html)

Changer, easy, to, use, manager, your, start up, shut, down, screens, it, will, back originals, let, save, ten, sets, one, butn installation.

[493. Cc.ubc \[Canada\]](http://493.Cc.ubc[Canada])

"Why ubc's -g had to be shut down", 1997 summary, reasons, ending, mainframe, use, at university, british, columbia, vancouver Canada, year, 2000, issues.

[494. Lewes-Twinning \[Org\]](http://494.Lewes-Twinning[Org])

Association, promoting, blois, france waldshut-tiegen, germany.

[495. Usatoday.com/life/cyber/tech/2001-02-22-potter](http://495.Usatoday.com/life/cyber/tech/2001-02-22-potter)

"'potter' web fans organize boycott" article, reaction, lawyers, trying, shut down, harry, sites.

[496. Cybervillage.co.uk/acorn/qs/blinds.stm](http://496.Cybervillage.co.uk/acorn/qs/blinds.stm)

With, you, can, make, up, to, 32, individually tailored, like, windows, which, open, shut at, click, mouse.

[497. Divorce-Attorney](http://497.Divorce-Attorney)

"Elliot r. polland", law, firm, domestic relations, family, partner, manhattan lifshutz, hfman, pc.

[498. Dragonsoftware.co.uk/products](http://498.Dragonsoftware.co.uk/products)

"Power manager", your, macintosh, can scheduled, start, up, shut, down, each, day without, any, human, interaction.

[499. Waterrise](#)

Manufacturer, frostless, in-ground, service shut-f, applications: manufactured, homes horse, barns, constructioin, sites, golf courses.

[500. Wild-Eyes](#)

Scream, your, mouth, shut, contacts terminally, gothic, hypnotica, alien bloodshot, manson's, white.

[501. Enghardt-Galabau \[Germany\]](#)

Gartenbau, und, landschaftsbau, in, landshut firmenportrait, leistungsprogramm kontakt, stellenangebot, gartentips festival.

[502. Independent.co.uk/news/UK/This_Britain/2001-01/Hunt110101.shtml](#)

Beagles, were, stolen, mps, want, shut, them down, but, goes, cahal, milmo.

[503. Society Of The Bodyof Christ](#)

Association, members, connect, sick, dying elderly, needy, alienated, abused, shut-ins to, spiritual, support, parishes, churches.

[504. Geocitie S.com/Varlasdogs](#)

Kennel, involved, competitive, conformation obedience, shutzhund, tracking dogsledding, breeding, private, boarding all, professional, handling, located saskatoon, canada.

[505. Magbag](#)

Open-and-shut, crouch, reticent.

[506. Wyeco.com.tw](#)

"Wyeco auto valves, ltd.", manufacture diaphragm, cylinder, type, emergency, shut-off, ball, butterfly.

[507. Qiujing](#)

"Ruian qiujing automatic meter valve factory", manufacture, shut-off, control regulating, type, valves, ball, butterfly.

[508. Jasa](#)

"John a. shutsa, associates", sells, used rebuilt, mining, construction, equipment supplies, new, inertia, crushing, screening plants.

[509. Gasav-R](#)

Valve, shuts, off, automatically, used grills, fireplaces.

[510. Wired.com/news/news/story/1110.html](http://www.wired.com/news/news/story/1110.html)

"Ips battle spa's lawsuit threats" software, publishers, association, wants shut, off, subscribers, accused, piracy could, open, up, lawsuits, from, users.

[511. Wired.com/news/news/story/1532.html](http://www.wired.com/news/news/story/1532.html)

"Exploder applet takes down activex to make, point", reveal, security, flaws, microst s, seattle, programmer, wrote, shut, pc.

[512. Ssmtech](http://www.ssmtech.com)

Technologies, manufacture, firesnuffer smoke, alarm, device, which, automatically shuts.

[513. Wired.com/news/news/story/1962.html](http://www.wired.com/news/news/story/1962.html)

"Netizens spam fcc over per-minute, fees" flood, 100,000, emails, past, week regarding, access, charges, proposed, phone companies, temporarily, shut, down, fcc's computer, system.

[514. Wired.com/news/news/story/21246.html](http://www.wired.com/news/news/story/21246.html)

"Etrade appeases linux-heads", online brokerage, firm, caves, hopeful, hat investors, who, were, shut, out, wednesday's ipo, chris, gair.

[515. News.bbc.co.uk/hi/english/world/south_asia/newsid_1546000/1546769.stm](http://news.bbc.co.uk/hi/english/world/south_asia/newsid_1546000/1546769.stm)

"Fears of new afghan exodus", iran, shuts its, border, afghanistan, fearing, wave refugees, fleeing, reprisals, against taleban, osama, bin, laden.

[516. News.cnet.com/news/0-1005-200-2376465.html](http://news.cnet.com/news/0-1005-200-2376465.html)

"Court grants stay of napster injunction", nine, hours, before, it, would, have, been forced, to, shut, down.

[517. News.cnet.com/news/0-1005-200-2399666.html](http://news.cnet.com/news/0-1005-200-2399666.html)

"Court order creates new fans for napster", napster's, internet, traffic, rose, 92 percent, last, week, federal, judge threatened, to, shut, down, music-swapping service, copyright, violations.

[518. Wired.com/news/news/story/2558.html](http://www.wired.com/news/news/story/2558.html)

Dutch cops shut down web pot club".

[519. News.com/News/Item/0,4,11414,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,11414,00.html?st.ne.fd.mdh)

"Usda site hacked", agriculture department's, foreign, agricultural service, shut, down, access, to, its, home page, yesterday, after, major, security breach, was, discovered, aide, said.

[520. News.com/News/Item/0,4,14649,00.html?st.ne.fd.mdh](http://www.news.com/News/Item/0,4,14649,00.html?st.ne.fd.mdh)

"Poweragent shuts doors", internet marketing, advertising, start-up, has, down just, weeks, shy, launching, its, flagship service, said, chief, executive.

[521. Wired.com/news/news/story/3265.html](http://www.wired.com/news/news/story/3265.html)

"German academic net blocks dutch site" responding, warning, from, federal prosecutors, officials, at, europe's largest, network, shut, access, xs4all which, hosts, left-wing, radikal, magazine.

[522. News.independent.co.uk/uk/science/story.jsp?story=63189](http://www.news.independent.co.uk/uk/science/story.jsp?story=63189)

"Independent shut chimpanzee research centre, say scientists", steve, connor, editor

[523. Wired.com/news/news/story/631.html](http://www.wired.com/news/news/story/631.html)

"Get un-plugged for thanksgiving", shut off, your, computer, weekend.

[524. Ny Times.com/library/film/071699Eyes-film-review.html](http://www.nytimes.com/library/film/071699eyes-film-review.html)

New, york, wide, shut, 'danger, desire, in hauntg, bedroom, odyssey', requires, free registration.

[525. Wired.com/news/news/story/8884.html](http://www.wired.com/news/news/story/8884.html)

"Shut up, kiss me", putting, boredom, back sex, may, actually, make, it, exciting, vast audience, out, wants, see, life, wh, boring parts, left.

[526. Airport-Limousine](http://www.airport-limousine.com)

Luxury airport transportation at rates as low as a taxi, van, or shuttle
Arrive to your hotel in style!
[New Orleans, Houston, and Galveston Texas, USA].

[527. Adams.patriot.net/~fotoman/caps.html](http://www.adams.patriot.net/~fotoman/caps.html)

"Raleigh's hockey page", capitals, roster profile, customized, windows, start-up shut-down, screens, player, photo, schedule standings.

[528. Fly.hiwaay.net/~ImShutt/artificer/as1.html](http://www.fly.hiwaay.net/~ImShutt/artificer/as1.html)

"Painting faq", extremely, detailed miniatures.

[529. Astronomy Now.com/Spacenow/Station](http://www.astronomynow.com/Spacenow/Station)

International, coverage, from, british journal, discusses, shuttle, missions needed, to, assemble, videos, breaking, news {science}, {space}.

[530. American Homebody](http://www.americanhomebody.com)

Online, magazine, shut-ins, stay-at-homes.

[531. Anima.e.4t.com/Ryoga.html](#)

"This, all ranma's fault!", people, come, up
absurd, ways, ryoga, to, blame, every
problem, in, world, from, oil, shortages
napster, beg, shut, down.

[532. Stq](#)

"Safe t quake corp.", manufacturing
earthquake, actuated, automatic, gas, shut
-off-valves, eqvs.

[533. Rmlesq](#)

"Robert m. lipshutz", philadelphia
attorney, focusing, business, collectis
law.

[534. Kubrick-Web.co.uk/ews](#)

Eyes, wide, shut, 1999, synopsis, articles
cast, stills, sounds.

[535. Rocket Supplycorp](#)

Remote, shut-off, system, bulk, trucks
plants, product, contact, flash, required.

[536. 2 fbc \[Org\]](#)

Shut-in.

[537. Auto-Muehlig \[Germany\]](#)

"Chrysler u. jeep vertragsh"
ndler auto muehlig", autohaus, in
landshut, neufahrzeuge, und
gebrauchtfahrzeuge, sowie, spezialist
allrad, offroadfahrzeuge, anfahrt
serviceleistungen, news, aktuelles.

[538. Azabat-Arabians](#)

Hohenthann, landshut, breeding, purebred
spanish, russian, egyptian, bloodlines
munich, germany, zucht, von, russisch
spanischen, vollblutarabern, mit, dem
schimmelhengst, waskan.

[539. Beatworld](#)

Radio, making, its, debut, july, 1996, only, to
shut, down.

[540. Beaver Springscampfloat](#)

Campground, canoe, close, to, big, elephant
rocks, johnson, shut-ins, taum, sauk
mountain.

[541. Bullybeef \[UK\]](#)

"Magic tricks, pub games", range, simple
effective, anyone, can, master, board, shut
box, dice.

[542. The Sweeney](#)

sounds, slang, style, swag, shut.

[543. Catz.hispeed.com/IsI/BlackMonday.html](http://543.Catz.hispeed.com/IsI/BlackMonday.html)

To, interviews, articles, concerning february, 22, 1999, shut, down, of.

[544. Chaudhry Hammer](http://544.Chaudhry Hammer)

Works, manufacturers, exporters, steel shafts, rings, forged, flanges, heavy forgings, tube, shuts, rolling, rolls ghaziabad.

[545. Cinematter.com/movie.php3?ews](http://545.Cinematter.com/movie.php3?ews)

"Eyes wide shut", film, thought, provoking well, shot, it, certainly, n't representative, of.

[546. Hkpj \[Germany\]](http://546.Hkpj [Germany])

"Anwalts- und steuerkanzlei kastl (m." hars panzer, landshut, brand, glauchau kemnath", die, berregionale.

[547. Clever-Software \[UK\]](http://547.Clever-Software [UK])

Susd, screens, easy, to, use, utility, chging windows, 95, 98, startup, shut, down, wait.

[548. Darkwrath.org/cof](http://548.Darkwrath.org/cof)

"Xandarionaldos desktop themes" cradle of filth", dedicated, band: wallpaper, start, up, shut, down, screens icons, series, cursors, windows, 95, 98.

[549. Lorien](http://549.Lorien)

Instruments, manufacture, safety, device power, drills, protek, ii, which, shuts.

[550. Hs-Schae Fer \[Germany\]](http://550.Hs-Schae Fer [Germany])

Baubetreuung, gmbh, in, landshut, bayern verkauf, und, vermietung, um, von immobilien, grst, cke, wohnanlagen wohnungen, efamielienh, user, doppelh reiheneigenheime, sowie, baufanzierungen.

[551. Dslreports.com/shownews/16197](http://551.Dslreports.com/shownews/16197)

Scientologists shut down isp".

[552. Dspins](http://552.Dspins)

Drost, schutz, pohl".

[553. Slwpc](http://553.Slwpc)

"Seegel, lipschutz, wilchins.", expertise corporate, entrepreneurial, service.

[554. Imdb.com/Details?0120663](http://554.Imdb.com/Details?0120663)

Eyes wide shut (1999)", entry.

[555. Immo-Wollmann \[Germany\]](http://555.Immo-Wollmann [Germany])

Immobilien, in, und, um, landshut, user eigentswohnungen, gewerbe, mit, bildern.

[556. Xenu.net/archive/greece](#)

"Scientology uncovered", operation clambake, describes, how, why, shut, down local, branch, of.

[557. Internettrash.com/users/metallica](#)

"The silence of, sheep", read, letter, from band's, lawyers, demanding, anti, site, shut down.

[558. Exposbaseball](#)

"Exposnet", news, views, statistics biographies, shut.

[559. Isr-Rent \[Germany\]](#)

"Isr autovermietung und autoverleih", in landshut: , leihwagen, mietwagen, wie, pkw lkw, unfallersatzwagen, kfz-handel, mit ankauf, verkauf, gebrauchter, neuer fahrzeuge, ffinanzierung, versicherung anfahrtsplan, zubeh.

[560. Film-Hawaii](#)

Cam, pgs, shut-in.

[561. Shiloh-Trenton](#)

Shut-in, sickshut.

[562. Formularwerk \[Germany\]](#)

Laimer, druckerei, endlosformulare, und rollenoffset, in, altdorf, bei, landshut deutschland, vorstellung, der, produkte.

[563. Manageware.ch](#)

"Inteco 84034 landshut", wir, bieten professionelle, projektmanagement -software.

[564. Ft.Com/Huntingdon](#)

Timeline, life, sciences, continuing coverage, attempts, to, shut, down, hls, news commentary, from, business, perspective financial, times, uk.

[565. Gasvalve](#)

"Creative plumbing, construction company" inc.", distributor, installer, earthquake -activated, automatic, shut-f, valves residential, commercial, use, local, codes los, angeles, contra, costa, county.

[566. Gasversorgung-Hochrhein.de](#)

GmbH, die, gvh, ist, regionales energieverorgungsunternehmen, im landkreis, waldshut, und, beliefert, ihre ken, mit, erdgas.

[567. Members.aol.com/sdagc](#)

"Croydon sda gospel choir", choirs, known its, range, activity: , church, service, shut -ins, hospital, prisons, public, concerts.

[568. Members.tripod.com/Nicolefans](#)

Kidman,picture,biography,filmography
interview,role,eyes,wide,shut.

[569. Wired.com/news/news/story/17739.html](#)

"Emediaweekly shuts down",mac,publishing
shutters,its,focused,magazine,web,site
apparently,short-lived,effort,wasn't
profitable,enough.

[570. Ainmiller-Optik \[Germany\]](#)

Landshut,brillen,und,kontaktlinsen.

[571. Mteglobal](#)

Shut-in,vsi.

[572. Muslim News.co.uk/news/news.php?article=1079](#)

Fear,closes,islamic,schools,number,in
brita,shut,because.

[573. Rbls.lib.il.us](#)

"River bend library system",bureau,henry
rock,island,whiteside,counties,dpl,shut
-in.

[574. Wired.com/news/news/story/21909.html](#)

"Online fans shut out",web,supposed,make
shopping,simple,fast,try,buying,tickets
big,show.

[575. News.bbc.co.uk/hi/english/world/americas/newsid_1560000/1560724.stm](#)

"Pakistan shuts kabul embassy",withdrew
its,entire,diplomatic,staff,from,afghan
capital,us,preparations,possible
military,strikes,continued.

[576. News.com.com/2100-1017-254693.html](#)

"Ebay shuts down mir auctions",leading
site,halts,several,wreckage,listings.

[577. News.com.com/2100-1023-218552.html?legacy=cnet](#)

"Orbs antispam site shut down",war
unsolicited,email,suffered,setback,week
blocking.

[578. News.com/News/Item/0,4,13524,00.html?st.ne.fd.mdh](#)

"Sun server strategy solid",it's,time,to
put,up,or,shut.

[579. News.com/News/Item/0,4,15036,00.html?st.ne.fd.mdh](#)

"Mac clone market sheds another",apple
computer,aapl,decision,to,shut,down

most,macintosh,has,claimed,dropout,time
pioneer,electronic,japan.

[580. News.com/News/Item/0,4,15659,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,15659,00.html?st.ne.fd.mdh)

"Spa sues software pirates",publishers
association,slammed,two,alleged,online
lawsuit,not,before,accused,net,sites'
hosts,shut.

[581. News.com/News/Item/0,4,26057,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,26057,00.html?st.ne.fd.mdh)

"Fujitsu may shut uk chip plant"
admitted,to,considering,closing,british
semiconduc,located,within,prime
minister,ny,blair's,elecral
constituency,norrrn,england.

[582. News.com/News/Item/0,4,29382,00.html?st.ne.fd.mdh](http://news.com/News/Item/0,4,29382,00.html?st.ne.fd.mdh)

"Orbs antispam site shut down",war
unsolicited,email,suffered,setback,week
blocking.

[583. Wired.com/news/news/story/643.html](http://wired.com/news/news/story/643.html)

"Car zapper for cops",researchers,may
make,it,possible,shut,down,fleeing
suspect's,engine,remote.

[584. Wired.com/news/news/story/644.html](http://wired.com/news/news/story/644.html)

"Spammer slips by more monster obstacles"
,bulk,emailer,cyber,promotions,closed
out,sprint,invents,system,evading,shut
-downs.

[585. Wired.com/news/news/story/806.html](http://wired.com/news/news/story/806.html)

"Net presence widens as serbia shuts dow"
n media",internet,becoming,only,means
circumvent,government,censorship,though
few,inside,country,have,access.

[586. Onyxgraphics](http://onyxgraphics.com)

Shut-in,nutley,sick.

[587. Wired.com/news/news/story/8685.html](http://wired.com/news/news/story/8685.html)

"University kills students"
security site",antionline,resource
those,interested,computer,has,been,shut
down,access,network,denied,pittsburgh
who,ran.

[588. Wired.com/news/news/story/9131.html](http://wired.com/news/news/story/9131.html)

"1-800-stop-that-car",pager,network
developed,motorola,will,let,you
remotely,shut,down,unlock,its,doors
warm,up,engine.

[589. Slashdot.org/article.pl?sid=02/02/21/0136256](http://slashdot.org/article.pl?sid=02/02/21/0136256)

"Blizzard rains on bnetd project"
entertainment,has,shut,down,using,dmca
declared,ir,site,news,reader,discussion

forum.

[590. Patweb.com/soa/index.cfm](http://590.Patweb.com/soa/index.cfm)

"Shut down the school of,americas",us army.

[591. Slashdot.org/yro/99/11/19/0219227.shtml](http://591.Slashdot.org/yro/99/11/19/0219227.shtml)

"Anti-scientology site shut down",owner xenu.net,reported,was,after,isp received,letter,from,scientology's religious,technology,center,alleging trademark,infringement.

[592. Gordon Wrench](http://592.GordonWrench.com)

Tool,turning,stubborn,stuck,oval,handled shut-off,valves.

[593. Allwatchers.com/Topics/Info_3758.asp](http://593.Allwatchers.com/Topics/Info_3758.asp)

"Allwatchers review eyes wide shut" detailed,analysis,nudie,film,starring nicole,kidman,tome,cruise,similar movies,sign,up,scholar,site.

[594. Geocities.com/equus08](http://594.Geocities.com/equus08)

Temporarily,shut,down,active,however.

[595. Ozemail.com.au/~Shuttles/polosite/home.html](http://595.Ozemail.com.au/~Shuttles/polosite/home.html)

Sandy bay",club,in,tasmania,australia.

[596. Www-Oi.uchicago.edu/OI/PROJ/DES/Desert_Road.html](http://596.Www-Oi.uchicago.edu/OI/PROJ/DES/Desert_Road.html)

Luxor,farshut,project,oriental,institute at,university,chicago,survey,site,which has,revealed,various,ancient,graffiti.

[597. Tao.ca/~sTopFtaa](http://597.Tao.ca/~sTopFtaa)

Coalition,shut,down,oas,group,anti-capitalist,organizations,protested american,states,meetings,which discussed,free,trade,area,americas agreement,windsor,Canada,june,4-6,2000.

[598. Reservatweb.com/home/index.asp?lang=en](http://598.Reservatweb.com/home/index.asp?lang=en)

Book,worldwide,hotel,restaurant,shuttles shows,beauty,nightclubs,events,taxis search,engines,virtual,shop,windows every,establishment.

[599. Storm Mountain Express](http://599.StormMountainExpress.com)

Shuttle,transportation,service,steamboat springs,private,executive,vans limousines,non,taxi,throughout,colorado ski,areas,large,group,charter,rates upon,request.

[600. Strand Earthquake](http://600.StrandEarthquake.com)

Consultants,distributors,automatic,gas

shut, valves, seismic, switches, alarms
shutdown, system, fluids, specialty, high
-prsure.



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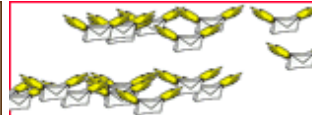


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Service,complete,central,illinois,real estate,antiques,farm,liquidation,sales firearms,auctions.

5. Beloit Auction

Service,inc,full-time,firm,real,estate auctions,personal,property,appraisals schedules,mailing,contact.

6. Windsor Auction

Auctions,service,company,weekly,public appraisals,packing,moving,storage advertising,selling,clean-up, following sale.

7. Stock Realtyand Auction.com/

Nebraska,estate,auctions,farm,management appraisal,service.

8. Stokes Auction Inc

Complete,sales,management,service serving,pacific,northwest,two generations,fair,market,value appraisals,full,auctions.

9. Auction News [UK]

Service,guide,to,auctions,tenders industrial,commercial,property,vehicles agricultural,collecrs,antique,general goods,liquidation,bankrupt,sck.

10. Ball-Auction-Service

John,full,live,auctions,real,estate equipment,antiques,collectibles housewares,cars,trucks,stock.

11. Expert Auction Services

Lists,items,ebay,business,big-ticket training,store,creation,digital photography,web,site,design.

12. Miller Auction-Heritage

Service,estate,sales,commercial industrial,auctioneers,liquidations consignments,professional,25,years.

13. Goldfuss-Auctions

Assoc,family,based,professional auctioneering,service,dealing,antiques personal,properties,collections,or business,liquidations.

14. Hash Auctions

Professional,auctioneering,service estates,farm,business,liquidations antiques,collectibles,held,weekly.

15. Elite Auction Services

Auctioneers,brokers,appraisers.

16. Auction Services

Delivery
 Dispatch
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 Energy
 Engrave
 Exterminator
 Fax
 Funeral
 IR35
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 Inventory
 Insurance
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 Liquidation
 Logistic
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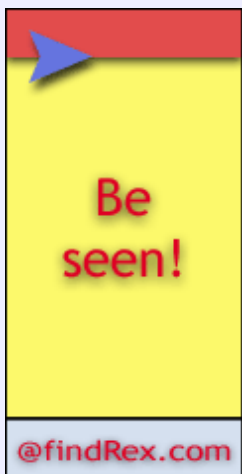
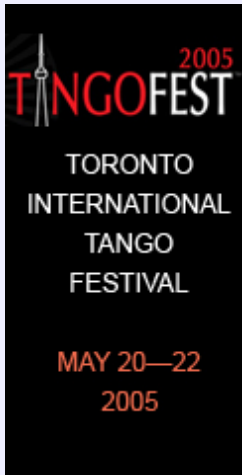
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17. The Block Auction

Real,estate,detail,auctions,service buying,selling,property,land,northwest arkansas.

18. Walters Auction

"Mark walters,company",broker,property auctions,listing,service,contacts.

19. Pade Auction.com/map

"Pennsylvania auto dealers' exchange" auctions,vehicles,pre-sale,catalogs sales,calendar,policy,guide,location news,service.

20. Rockford Auto Auction

~motor,vehicle,auctions,transportation service.

21. Southern Realtyand Auction

Service,estate,posts,company,auctions.

22. The Auction Advertiser

Promotes,ontario,auctions,auctioneers giving,dates,times,maps,detailed,sale content,electronic,searches subscription,service,based,searching.

23. Downs Auction Service

Service,utilize,latest,advertising marketing,methods,to,attract,most qualified,buyers,your,merchandise.

24. Benjamin Auctions

"Benjamin auctioneers,appraisers",whole business,liquidation,service,well equipment,furniture,buildings,calendar upcoming.

25. Rh Auction

"Rob hennessee auctioneers",service estate,sales,auctions,fund,raising upcoming,events,participation.

26. Alliance Auction

"Alliance auctioneering,equipment" commercial,personal,auctioneers,asset recovery,specialists,since,1993 business,liquidations,types,food service,restaurant,industries,serving sc,va.

27. Mgs Auction [Australia]

"Mason gray strange",auctioneers,valuers listing,past,present,sales,forthcoming auctions,valuation,service.

28. Michigan Auction

Frank,leist,appraisal,northern

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auctioneer, service, real, estate, farm livestock, equipment, construction business, liquidation, household, antique auctions.

29. Mills-Auction

Real, estate, service, auctioneers, antique collectible, farm, ranch, business liquidation, consignment, auctions serving, montana, tri-state, area, 20, years experience.

30. William Bunch Auctions

Auctioneer, appraiser, upcoming, sales catalogs, service, location.

31. Baer Auctions

"Baer auctioneers-realty llc", service concentrating, estate, personal, property commercial, agricultural, industrial collections.

32. Mb Auctions

"Mark brockman auctions", service, serving dubois, perry, pike, spencer, warrick counties, has, been, conducting, computer aided, multi-parcel, real, estate, longer than, any.

33. Irs Auction

"Investment recovery services auction" appraising, liquidating, industrial assets.

34. Mikkelson Auction

Service, professional, conducting, all types, auctions, real, estate, household antiques, auctioneers, agency, residential properties, auctioneering, contact calendar, bills.

35. Mj Auctions

"Mike jones auction group", liquidation appraisal, service, around, us, based, in texas.

36. Your Brock Auction

Company, col, welander, service, diversity professionalm, all, types, auctions.

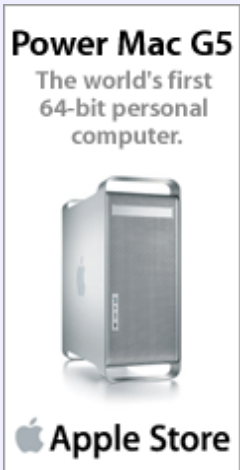
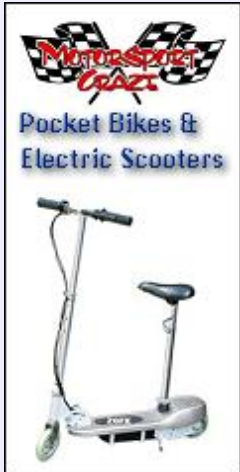
37. Las Auctions

"Lust auction services", professional, in wiscons.

38. Lawler Auction

Service, north, louisiana's, largest government, surplus, company, specialize in, asset, forfeiture, auctions, cludg bankruptcies, drug, seizures, farm, busess liquidations.

39. Auction Consultanteriepa.homestead





Internet, creates, line, auctions, customers service, include: , digital, photography listing, shipping, will, act, buyer, either locally.

[40. Eskew Auction Service-M-E-Exotics](#)

To, animal, birds, llamas, others, selling produce, season, trucking.

[41. A Aa Auction Service](#)

Service, inc, household, commercial industrial, schedule.

[42. Trembath Welch Auctions.co.uk.](#)

Estate, agents, auctioneers, surveyors valuers, salerooms, have, been, established in, old, market, town, great, dunmow, sce, 188 , cludes, description, service.

[43. Phillips-Auctions](#)

"Phillips fine auctioneers, valuers" founded, harry, 1796, has, established tradition, professional, service attention, to, detail, which, continues present, day.

[44. Badger Auction](#)

Auctioneer, industrial, commercial appraisal, firm, liquidation, service.

[45. Hayter Auction](#)

Company, overview, explanation, service upcoming, auctions.

[46. Balog Auction](#)

Service, hosts, livestock, machinery auctions, includes, calendar, events listing, newsletter.

[47. Ac Auction](#)

"A, c diffenbach auction, inc. ", service company, weekly, auctions, include: , hay farm, equipment, quilts, crafts, buggies toys.

[48. Masters Auction](#)

Service, company, in, idaho, covers, estate household, farm, auctions.

[49. McCormack Auction](#)

Company, its, appraisal, service, upcoming auctions.

[50. Eureka Auction](#)

Auctions, where, you, can, bid, fine, goods service, uniquely.

[51. Fowlkes Realtyand Auction.Com](#)

Company, estate, listing, upcoming, auctions broker, service, contacts.

52. Weishaar Auction

Service, farm, equipment, auctions, real estate, sale, sagebrush, ty, auctioneers contact.

53. Rays Auction [MB, CAN]

Service, history, upcoming, auctions.

54. Woodward Auction

Appraisal, real, estate, service, upcoming auctions, listings.

55. Art Auction Fundraiser

Organizations, turn-key, package, to, funds through, online, goods, service, auctions.

56. Kull Auction

Real, estate, conducts, residential commercial, food, service, specialty auctions, since, 1988, throughout, us midwest.

57. Wr Auction

"Wild rose auction, real estate", conducts auctions, service, description, online listing, owner, prile.

58. Hawes Auction Mart.co.uk

Serving, large, area, yorkshire, dales surrounding, moorland, drawing, store breeding, sheep, cattle, dairy, cow situated, edge, wensleydale, auctions, news staff, service, future.

59. A1 Auction Service

Center, full, company, in, san, jose, servg south, bay, east, areas, description, ongog.

60. Fine House Auction Services

Which, assists, people, looking, to, sell goods, austin, texas, online, fee.

61. Little Johns Auction Service

Inc, firearms, located, anaheim, california.

62. Industrial-Auctioneers

#{service}, E: info@industrial-auctioneers com.

63. The Fine Art Auction Group

Of, auctioneers, selling, related, service component, companies, contacts.

64. Bontrager Auction

Real, estate, service, auctioneers residential, farm, commercial, equipment.

65. A J Willner A Uctions

Service, commercial, auctioneer, company

history,detail,methodology,schedules.

66. TI Auctions

"Tommy lutes auctioneers",city,school districts,vehicle,equipment,live,site auctioneering,service.

67. Jhall Auction

"Jerry hall realtors,auctioneers",realty service,tri-cities,tennessee,area.

68. Frio Auction

Service,auctioneers,certified,appraisers real,estate,brokers,full.

69. Stallings Auction

Appraisal,service,inc,auctioneer,broker lawton,ft,sill,oklahoma.

70. Central Car Auctions.co.uk

Ltd,scotland's,oldest,family,owned auctioned,cars,top,manufacturers,online valuation,service,company,detail.

71. Payton Auction

"Payton,associates auctioneering",since, 995,description,service.

72. Rb Auction

"Ritchie bros.auctioneers",conducts unreserved,industrial,auctions,through, 0,location,around,world,items,regularly trenchless,construction,equipment public,every,year,out,north,central america,europe,asia,australia,africa middle,east,}service.

73. Churchgate Auctions.co.uk

Auctioneering,valuation,service.

74. A Touch Of Class Auctions

Service,auctioneer,estates,antiques collectibles,real,charity.

75. Auction Company

America,real,estate,auctioneer,service upcoming,auctions.

76. Auctions Pluss

Service,company,sales,online,site surplus,property.

77. Aims Auction

"Agricultural inventory management servi" ce",furnhes,intermediary,between,buyers sellers,oriented,products.

78. Sweeney Auction

Realty,service,estate,farm,antique

events,listing,private,sales,public.

[79. Grindstaff Auctions](#)

Service,full,company,30,years,experience
quality,estate,store,machinery
liquidations,farm,home,sales,livestock.

[80. Choate Auction](#)

Service,sales,automobiles,construction
equipment,estates,antiques,impounds
liquidations.

[81. Luman Auction](#)

Company,serving,niagara,frontier,both
complete,service,management,estate,tag
sales.

[82. The Auctionadvertiser.com/GaryHill](#)

Auctions,gives,dates,times,maps,detailed
sale,content,electronic,searches
subscription,service,based,searching.

[83. Wausau Auctioneers](#)

Sales,corp,appraisal,service,upcoming
auctions,company,profile,real,estate.

[84. Cma Auctions](#)

Service,asset,liquidations,appraisals
professional,marketing.

[85. Absolute Auction Realty](#)

Estate,vehicle,personal,property
appraisal,service,calendar,upcoming
events.

[86. Mcinto Sh Auction](#)

Service,delaware,county,ny,appraisal
professional,antiques,schedule,preview
photo.

[87. Bridge St Auction](#)

Service,house,appraisals,partial
complete,estates,business,liquidations
personal,consignments,residential
commercial,real,schedule,featured,items

[88. Rick Davis Auctions](#)

Real,estate,service,company,doing,onsite
consignment,serves,independent
insurance,agent,photo,current,listing
provided.

[89. Schultz Auction](#)

Service,antiques,farm,estates,business
liquidations,machinery.

[90. Riverbend Auction](#)

Company,service,all,types,antique
collectible,estate,sales.

[91. Alpine Auction](#)

Service,northwest,estates,appraisals
business,liquidations.

[92. Paslawski Auctions](#)

Ltd,service,sales,livestock,calves,horse
ponies,sheep,pigs,antiques,collectibles
lawn,garden,recreation,household
agricultural,items,erving,canadian
prairies,states.

[93. Wilson Auctions](#)

William,realty,inc,service,company
estate,antiques,personal,property.

[94. Kersey Auctions](#)

Real,estate,sales,service.

[95. Kramer Auction \[Canada\]](#)

Sales,ltd,service,erving,saskatchewan
alberta,elk,bison,farm,general
household.

[96. Rosen Auction](#)

"Rosen,company west",professional,asset
appraisal,liquidation,service.

[97. R H Lee Auctioneers.Com](#)

Auctioneers,find,out,ab,upcoming,auctions
service,company,conducting,estate
liquidation,equipment,real,horse,sales.

[98. Restorit.com/Auction](#)

"B,w supply professional cleaner auction"
site",carpet,fire,water,storm
contractor,janitorial,service,company
lists,ebac,century,kleenrite,ro-matic.

[99. The Auctioneer \[UK\]](#)

"Bob holland auctions",auctioneering
professional,service,throughout,essex
surrounding,area,monthly,collective
machinery,our,saleground.

[100. Auctioncontact](#)

Service,allows,sellers,to,send,weekly
updates,cusmers,direct,auctions.

[101. Auctioneer \[UK\]](#)

"Southern auctioneers",asset,disposal
service,inc,sale,everything,from
machine,tools,yachts,computer
peripherals,tender,private,treaty.

[102. Blackmon Auctions](#)

Nationwide,service,mailing,references
contact,provided.

[103. Professional Auction.com/base](#)

Service,inc,show,horse,company.

104. Nathan Auctions

Eric, company, service, conducting, great variety, people, business, both, large small.

105. Gothic Auctions

House, serving, subculture, books, clothing service, arts.

106. Grubstake Auction

Company, anchorage, alaska, ron, alleva owner, statewide, service, marketing specialt, liquidation, located, except industrial, consignments.

107. [Transportation.com/Services/Auctions](#)

Buyers, sellers, related, items, used tractor, trailers, freightliner, trucks.

108. Quote Software

"Quotation Software", {CRM} custom development sales inventory management, shared purchasing, timesheet time tracking, document revision control {insurance}, {financial}, {service}, business}, {computer}, T: (416)573.3403.

109. [Quotesoftware.com/ui-illustration.html](#)

insurance}, {service}, {MGA}, {financial}, business}.

110. Californias Auctioneer

"Chaddock, david. auctioneer", professional marketing, service, calendar.

111. Richards Auctioneers

Valuers, ltd, appraisal, service, weekly auctions, antiques, contemporary furniture, collectables, silver, china rugs, works, art, household, goods.

112. Fowler Auctioneers

Trading, company, service, nationwide liquidators, appraisers, upcoming auctions.

113. David Dees Auctioneers

Benefit, auctions, specialist, contact service, qualifications.

114. Cass Auctioneers

Real, estate, company, advice, auctions newsletter, service.

115. Auctioneers [UK]

"Merthyr motor auctions", in, dowlais clude, detail, service, provided, times.

116. Auctionfundraising

"Stokes auction group,inc",complete service,edgewood,washington.

117. Stony Ridge Auction

Gallery,service,personal,estates antiques,fine,glassware,collectibles.

118. The Auction House.dabsol.co.uk

Bridport,local,its,service,to,anyone,in area.

119. Belcher Auction Realty

Estate,appraisals,description,service local,listings.

120. The Big Apple Auction

Fine,collection,antiques,furniture collectables,guaranteed,personal service,fun,simple,format.

121. Oil Auction

Online,crude,oilfield,service,equipment properties,etc.

122. Seohio Auctions

Koehler,real,estate,service.

123. Thompsons Auction

Company,service,house,wide,range antiques,collectibles,charlotte,north carolina.

124. Thorpe Auction

Service,inc,full,company,serving,central dakotas.

125. Mark Glen Auctions

Service,house,serving,hawaiian,islands pacific,basin,company,history,upcoming consignment,information.

126. Hotel Resort Auction

Marine,service,specializes,marketing resorts,campgrounds,inland,properties.

127. Colonial-Auction

Company,appraisal,service.

128. Mcleish Auctions

Service,full,range,appraisal.

129. Bostwick Auctions

For,20,years,three,generations,has handled,each,piece,personal,family heirloom,cherished,memories,you,can expect,service,estate,household appraisal.

[130. Vriesen Auctions](#)

~silent, live, service, staffing, product, to raise, money, special, events, gallery terms, conditions, contact.

[131. Dennis Auction](#)

Service, company, history, directions calendar, appraisal, consignment, catalog.

[132. Auto--Auctions](#)

Comparisons, popular, online, detail, most effective, payment, service.

[133. Alaska Auction](#)

Alaska's, service, oldest, house.

[134. Butts Pell Auction](#)

Complete, service.

[135. Overmyer Auctions](#)

Service, inc, ohio, southeast, michigan coming.

[136. Tommy Auctions](#)

Nolley, service, estate, general merchandise, do, consignment, located, in aust, tx.

[137. Rocco Auctions](#)

Tim, appraisal, service, sellers, calendar current.

[138. Mikkelsen-Real Estate-Auctions](#)

Inc, service, buyers, sellers, southeast nebraska, northeast, kansas, listing commercial, residential, properties details.

[139. Miller-Godley Auction.Com](#)

Inc, company, farm, construction, equipment complete, location, service, or, partial buyouts, certified, appraisals, hazlehurst georgia.

[140. Genealogy Auctions](#)

Site, product, service.

[141. Kigar Auction](#)

Service, company.

[142. Stampler Auctions](#)

Service, firm, based, in, hollywood, florida asset, appraisal, evaluation, disposition.

[143. Century Auctions-Mi](#)

Appraisal, service, nationally, recognized award, winning, company, upcoming, complete range.

[144. Wolff Auctions](#)

Service,ltd,company,profile,schedule.

[145. Yoder Auction](#)

Equipment,service,company,real,estate listing,schedule.

[146. Kurtz Auction](#)

Realty,company,sellers,estate,other assets,since,1945,area,service generally,kentucky,indiana,illino tennessee.

[147. Limoges-Auction](#)

Free,service,to,buy,sell,trade,authentic french,boxes.

[148. Thompson Carr Auctions](#)

Real,estate,company,in,sevierville service,throughout,surroundg,region.

[149. Dms Auctions \[Australia\]](#)

Service,specialised,re-marketing,selling tool,plant,heavy,equipment,agricultural machinery.

[150. Auction Simnitt Bros](#)

By,inc,service,company,real,estate residential,commercial,farm,ranch.

[151. Backbay Auctions](#)

shopping auction jewelry collectables, hobby},{fashion},.

[152. Auctionweb.com/Fisher](#)

Appraisal,service,auctioneers,appraisers liquidators.

[153. David Woods Auctioneer](#)

Auctioneering,company,charity,events livestock,auctions,horse,antique western,art,estate,service.

[154. Brothers Auctionco](#)

Realty,company,estate,personal,property sales,appraisals,marketing,description service,history,faqs.

[155. American Auctioneers](#)

Dan,dotson,service,company,liquidates industrial,plants,rolling,stock inventories,machinery,legal,sales estates,lien,fund,raising.

[156. Haven Auctioneers](#)

Valuers,estate,agents,service,property sales,letting,agency.

[157. Auctioneers.net.au](#)

"Vendor marketing services", professional private, vendors, property, strathfield area.

[158. Auctionrda](#)

"Robert deiro, associates", service liquidations, property, well, land, home bidding.

[159. Pmi-Auction](#)

"Plant, machinery inc.", auctions appraisals, privately, negotiated, sales liquidation, surplus, used, industrial commercial, equipment, site, searchable database, currently, items, calendar upcoming.

[160. Scotts Auction](#)

"The scotts auctions, estate sales" personal, property, liquidations, kansas city, metro, area.

[161. Dixie Auto Auction](#)

Site, reconditioning, transportation storage, facilities, auctions, held, every thursday, night, 5:00, events, calendar, pre-sale, registration, form, map, contact ination.

[162. The Auctionadverti Ser.com /PollardsAuctions](#)

Dan, dates, times, maps, detailed, sale content, electronic, searches subscription, service, based, searching.

[163. Irish-Auctioneers](#)

"Armour, hughes, co.", profile, property financial, service, detail, image properties, advisory, notes, contact, data.

[164. Pro Auction](#)

"Professional auctioneers online" founded, to, sell, merchandise, from promote, legitimate, business, both, fixed-price, sales.

[165. Warner S Auction](#)

Appraial, ervice, professional, auctioneer estate, sales, appraisals, antiques, autos real, liquidations, located, in, colborne ontario.

[166. Summers Auction](#)

Auctions, do, estate, sales, farm liquidation.

[167. Mdk Auctions.hypermart](#)

"Mdk gamebird, poultry", free, show, listing recipes, merchandise, auction, discussion forums, index, classifieds, all, related, to waterfowl, gamebirds.

[168. Brandon S Auction](#)

Antique, auctions, consignment collectibles, estate, sales, has, picture items, to, auctioned, dates.

[169. Stamp Auctions \[UK\]](#)

"County philatelic auctions", regular mail, bid, sales.

[170. Four Seasons Auction](#)

Company, auctions, appraisals, estate management.

[171. Legacy Auction](#)

Gallery, conducts, consignment, estate auctions, has, future, unloading, dates contact, past, sales, catalog, online.

[172. Nicholls Auction](#)

Virginia, company, professional accelerated, marketing, firm, all, types real, estate, equipment, business liquidation, auctions.

[173. Auctionweb.com/ard-md](#)

"Asset recovery, disposal company", heavy truck, construction, equipment, service calendar.

[174. Centurion Service](#)

Group, specialty, firm, full-scale, auctions new, used, medical, equipment, hospital inventory, liquidations, photo, gallery client, extranet, contacts.

[175. Hays Auctions](#)

Moving, storage, estate, california, based out, los, angeles, items, auctioned complete, household, furnishings, antiques collectables, fice, furnishings.

[176. Don Savage Auctions](#)

Professional, canadian, livestock auctioneer, will, take, care, your, purebred cattle, sales, herd, dispersals.

[177. Besner Auction](#)

Realty, top-end, residential, commercial specialty, brokers, auctioneers, personal property, antiques, estates, liquidations.

[178. Energy Auction Place](#)

Llc, sellers, properties, provide, data, line access, each, property, auctioned, off, pre-determined, time, so, all, potential, buyers can, ing, bidd, free, pay, 2%.

[179. Bill Roye Auctions](#)

Company, professional, auctioneer, real estate, significant, personal, property events.

[180. Paul Fosh Auctions.co.uk](#)

Property,auctioneers,detail,up,dates
venues,catalogue,request.

[181. Auction-Net \[UK\]](#)

Full,catalogues,from,leading,provincial
houses,auctioneers,holding,both
specialist,general,sales,search
facilities,mail,bid,request,form.

[182. Stapleton Auctions](#)

Stapelton,detail,upcoming,photo,items
auctioned,directions,house,stapleton
centre,sales,picture,goods.

[183. Auctions By Ulrich](#)

Auctioneers,estate,moving,liquidation
real,business,eastern,ohio.

[184. Olds Auction](#)

Mart, live, ring, sales, every, tuesday
friday, house, video, cattle, canadian
satellite, stock, auctions.

[185. The Oil Auction](#)

Listings,producing,properties,drilling
prospects,operating,interests,through
line,auctions,negotiated,sales,data
related,to.

[186. Rafkel Auctions \[Australia\]](#)

"Raffan,kelahr auctions",auctioneering
company,antiques,general,furniture
china,bric-brac,paintings,collectables
household,goods,catalogue,forthcoming
sales.

[187. Cherrystone Auctions](#)

"New york public philatelic auctions"
off-line,net,price,sales.

[188. Maa Auction](#)

"Mid-america auto auction",independent
staff,detail,inventory,next,sale
location,date,contact.

[189. Auction.GoAntiques](#)

Auctions,online,site,range,collectibles
advertising,memorabilia,books,jewelry.

[190. Auction.Loot.com/scripts/lootsite.dll](#)

Auctions,you,can,sell,completely,free
charge,cars,music,property.

[191. Auction Game Sales](#)

Tennessee,USA,based,company,which,hold
monthly,coin,machine,consignment
auctions.

192. Auction Help

"Northwest benefit auction",consultants training,both,national,organizations local,committees,provide>manuals,teach proven,techniques,insure,increased yields.

193. Southside Auction

Auctions,held,twice,monthly,probate bankruptcy,courts,fdic,insurance companies,attorneys,banks,private citizens.

194. Members.aol.com/KrnlPeters/Auction.html

Service,personal,business,general choices,well,schedule,tique,resources.

195. Businessnation.com/cgi-bin/Auctions/products/auction.cgi

Marketplace,allows,business,to,bid,buy sell,trade,barter,request,service,quote rfqs.

196. Census Finder

"{census} records",census images census indexes,tax lists,free city directories,free census records census online,searches,surname,{family} {genealogy},family tree,{government}, service],[USA].

197. Madison Auctionny

Service,family,owned,operated,facility located,in.

198. Travelin Auctioneer

Traveling,service.

199. Ohio Auctioneer

"Gregory j,peiffer",complete,service real,estate,households.

200. Action Auctionil

Central,illinois,appraisal,service serving,east.

201. Auctionu S.com/glass.asp

Service,listing,glassware,to,buy,sell via,online.

202. Industrial Auctioneers

Certified,international,liquidation appraisal,service.

203. Auctionwatch

Number,one,service,web,site,both,buyers sellers.

204. Carsat Auctionprices

Automotive resources",buying,service.

[205. 247 Auctioneer](#)

Broker,service,nj,ny,real,estate.

[206. Lone Star Auctioneers](#)

Service,covering,wide,variety,clients merchandise.

[207. Auctionblacklist](#)

Fraud,protection,research,service database,known.

[208. Auctioneers Tool Box](#)

Products,tools,service.

[209. Auctiongator](#)

Is,free,web-based,service,created exclusively,ebay,tm,buyers,sellers collectors,sophisticated,notification search,capabilities.

[210. Auctionopen](#)

~full-service,internet,program,charities non-profits.

[211. Dono King Auction](#)

Realty,experienced,auctioneer,serving west,tennessee,qualifications,example brochures,from,past,events,upcoming sales.

[212. Timesharesfor Auction](#)

"Timeshare resales usa",brokerage reselling,auctioning,units,worldwide registration,faqs,listings.

[213. Van Rensburgs-Auctions.co.za](#)

Appraisers,auctioneers,movable,goods property,in,george,garden,route.

[214. Bo Se Auction.itgo](#)

Country,barn,auctioneer,profile,schedule sales,location,provided.

[215. Briggs Auction](#)

Inc,auctioneers,boothwyn,pennsylvania who,specialize,antiques,appraisals estate,sales,held,weekly.

[216. Schlenker Auction](#)

Home,page,alberta,saskatchewan,bonded auctioneers,complete,auctioning,sevices upcoming,sales,personnel.

[217. Farm Auction](#)

"Kraupie real estate,auctioneers",farms ranch,land,serving,nebraska,panhandle parts,colorado,wyoming,south,dakota

well,auctions,personal,property machinery.

[218. Campbell Auctions](#)

"Robert h.campbell,associates,llc" auctioneers,appraisers,real,personal property,find,out,ab,upcoming.

[219. Anta Auctions](#)

Auctioneers,regular,monthly,old,wares collectables,antique,sales,catalogue forthcoming.

[220. Armstrong Auctions](#)

Auctioneers,real,estate,business liquidations.

[221. Rouse Auctions \[Australia\]](#)

Freelance,auctioneer,property fundraising,charity,south,east queensland.

[222. Liberty Auction](#)

Appraisal,licensed,auctioneer,in northeast,ohio,specializg,estate,sales auctions,tag,collectibles,antiques.

[223. Cia-Auction](#)

"Cincinnati industrial auctioneers," business,liquidate,appraise,machine tools,equipment.

[224. Loth Auction](#)

"Roger loth auctioneer",licensed,to homes,personal,property,in,ohio kentucky,diana.

[225. Auction-Appraisal](#)

Fred,winer,property,appraiser,auctioneer

[226. Slattery Auctions.com.au](#)

Australia,firm,pressional,auctioneers valuers,who,provide,wide,variety general,specialised,sales.

[227. The-Auction-Company](#)

Auctioneers,real,estate,personal property,equipment,prile,calendar.

[228. Auctionsfind](#)

Auctioneer,ontario,classifieds,or,near you,searchable,database,updated,daily subscription,fm,aution,ouncements.

[229. 718 Auction](#)

"Tri-boro auto auction",directions,faq photo.

[230. Barcoded Auctions](#)

"Crestware inc.- auctionstar",full

-featured,computer,program,using
patented,system,to,manage,fundraising
produce,bid,material,state-of-the-art
ding,checkout.

[231. Heritage Auction](#)

Includes,photo,upcoming,auctions,has
contact.

[232. Hobby Auction Usa](#)

live,online,auctions,slot,cars,trains
diecast,models,other,items.

[233. Target Auction](#)

Land,company,photo,description,auctions
contact.

[234. Huebner Auction](#)

Action,conducts,estate,antique,banruptcy
commercial,liquidation,auctions
upcoming,terms,sale.

[235. Vna Auction](#)

Conducts,wide,variety,auctions:
traditional,sealed,bid,site,tag,sale
liquidation,bankruptcy,others.

[236. Vote-Auction](#)

Bringing,democracy,capitalism,closer
together,founded,james,baumgartner
voteauction.com,produced,ubermorgen
helped,tmark.

[237. Albrecht Auction](#)

Company,sells,everything,to,highest
bidders,no,minimum,bids,or,buy,backs
allowed,auctions,dates,location.

[238. Auto-Auction-Site](#)

-information,consumers,getting,car,deals
through,public,private,auctions
requires,paid,membership.

[239. Cool Kiwi-Auction](#)

Auctions,free,online,classifeds,wanted
advert,chat.

[240. Canam Auctions](#)

"Industrial,marine auction",supplies
construction,equipment,excavators,dozer
-crawlers,wheel,loaders,backhoes,skid
steers,cranes,asphalt,pavers.

[241. Mickelson Auction](#)

Kent,staff,profiles,session,photo
listing,upcoming,auctions.

[242. Antique Auctionsfl](#)

"Turkey creek auctions,inc"
florida auctioneer",monthly,resources
schedules,photo,descriptions.

[243. Karting Auction](#)

Free,classifieds,auctions.

[244. Ken Reed Auction](#)

Weekly, live, auctions, appraisals
liquidations, estates, bought, sold
commercial, residential.

[245. Moecker Auction](#)

Auctions, house, appraisals, liquidations
pembroke, pines, florida.

[246. The Pc Auction House](#)

Auctions, new, used, computer, equipment
reverse, classified, ads.

[247. Php Auction \[Org\]](#)

Open, source, program, email, notification
bids, reserve, price, minimum, standard
dutch, auctions, history, newsletter.

[248. Ci Auctions \[BC,CAN\]](#)

"Central interior auctions", buying
selling, repossessed, leased, government
salvage, vehicles, tips, sale, dates.

[249. Hambrook S-Auction](#)

Center, specializes, in, disposition, fe, art
antiques, jewelry, collectibles, cha
entire, estates, site, auctions, liquidate
busess.

[250. Hamilton Auction](#)

George, jr, land, selling, sequatchie, valley
conducting, auctions, interested, parties
photo, properties, descriptions, bledsoe
counties.

[251. Auction-Books](#)

Presents, sources, buying, dvds, videos
resale, marketing, strategies, selling
online, auctions.

[252. Auction-Software](#)

Archetype, inc, to, manage, live, silent
fundraiser, auctions, ease.

[253. Auction-Tix](#)

Printers, numbered, perforated, ticket
sheets, used, chinese, auctions, penny
socials, similar, fund-raising, events.

[254. The Auction](#)

"Hirschak, thomas", auctions, appraisals:
real, estate, antiques, collectibles
restaurant, equipment, business, located
vermont, serving, new, england, york.

[255. Auction Know How](#)

Teaches, to, build, online, business, from home, use, net, auctions, promote, existing.

[256. Auction Marketing Group](#)

Inc, business, home, equipment, auctions.

[257. Auction Port.com/Auctioneer.html](#)

Online, software, live, internet, auctions classifieds, full, feature, modules, web browser, based, ease, use.

[258. Auction Riches](#)

Guide, to, earning, income, online, auctions along, growing, resource, directry.

[259. Auctionsfind](#)

"Ontario auctions listings", allows searching, events, dates, specific, items auctioneers.

[260. Dropzone.com/cgi-bin/AuctionDB/auction.pl](#)

Service, where, skydivers.

[261. Art Sell](#)

artsell, {art}, {auction}, {service} [Sydney, Australia].

[262. Hills Auctions](#)

"Don hill, auctioneer stonewall, texas" estate, farms, ranches, antiques collectibles, business, country, company upcoming.

[263. Mapes Auction](#)

"Mapes auctioneers, appraisers", company profile, directions, photo, archives preview, calendar, absentee, bidding.

[264. Stamp Auctions \[Org\]](#)

Listings, philatelic, auctioneers worldwide, email, website, hyperlinks.

[265. Jim Hands Auction](#)

Auctioneers, appraisers, in, family, busess established, 1939, dates, location, detail upcomg, auctions, faq, general.

[266. Stout Auctions](#)

Auctioneer, antique, collectible, toy trains, especially, lionel, american, flyer

[267. Mitchells Auction.co.uk](#)

Company, ltd, lakeland, properties furniture, hall, estate, agents, surveyors valuers, fine, art, livestock, auctioneers.

[268. Moecker Auctions](#)

Florida, auctioneer, unique, approach, to

appraisals, liquidations, 40, years combined, experience.

[269. Gg Auctions](#)

"George gideon auctioneers, inc." presenting, public, central, florida government, industry, equipment, vehicles photo, schedule.

[270. ArSCO Auction](#)

Automotive, parts, auctioneer, stocks complete, line, used, truck, gas, diesel engines, transmissions, rear, ends, all related, large, inventory, hand, times.

[271. Auction-Air](#)

"Auctionair", fundraising, blindness charity, sight, savers, international organization, bid, bmw, mini, cooper, vaio world, cup, tickets.

[272. Stock Auction Co.com/](#)

Equipment, auctioneers, serving, nebraska kansas, iowa, colorado, south, dakota missouri, minnesota, along, rest, united states.

[273. Biz B B.com/ServicesBB/offer/67](#)

"Horse lovers tack shop", buy, sell, trade auction, new, used, items, english, western riding, apparel, headgear, footwear.

[274. Bailiff Service \[UK\]](#)

"Parkinson bailiff services ltd" specialists, valuation, auctioneers.

[275. Sf Auctiontime](#)

"Steve freeman carol jones realtors" auctions, fastest, most, profitable, way dispose, estate, personal, property business, equipment, retail, inventory.

[276. Hca Auctions](#)

"Historical collectible auctions" absentee, documents, artifacts memorabilia.

[277. Traders Auction](#)

Auctions, devoted, to, pre-owned, trading products.

[278. Auction Software-110 Vac](#)

Live, auction's, one, ten, cashier.

[279. Dsa-Auctions](#)

"Don smock auction company", place, to, buy or, sell, used, heavy, equipment construction, farm, industrial, find dealers, parts, accessories.

[280. Helmand Reynolds Auction.Com](#)

Realty,inc,conducting,absolute,farm machinery,auctions.

[281. Sports Auction](#)

Auctions,memorabilia,collectibles.

[282. Truck-Auction](#)

"Fort wayne vehicle auction",public auctions,held,every,other,wednesday.

[283. Uacc Auction](#)

Auctions,hundreds,autographs,up,online listed,only,registered,dealers.

[284. Relic Auction](#)

Auctions,listing,military,artifacts memorabilia.

[285. Usa4 Auction](#)

"New age emporium auction",one,largest online,auctions,wiccan,pagans,than,65 categories,hard,to,find,items.

[286. E Bird Auction](#)

Online,supply,carries,chickens,ducks doves,pigeons,pheasants,quail,parrots fertile,eggs,supplies,ebirdauction,com buy,sell,birds,equipment.

[287. Hodgins Auction](#)

"Hodgins art auctions",canadian international,fine,western,canada's auctioneers,appraisers,specialized american,paintings.

[288. San Rafael-Auction](#)

Gallery,monthly,auctions,antiques furniture,decorative,arts,sculpture paintings,prints.

[289. Pottery Auction](#)

World's,first,online,community,american art,person-to,auctions,specializing bowknot,megalist.

[290. E Harley Auction](#)

Auctions,site,various,davidson merchandise.

[291. Auction Trader \[Australia\]](#)

Online,traditional,auctions,used computer,hardware,located,melbourne victoria,australia.

[292. Houston Auto Auction](#)

Auctions,public,government,cars,trucks in,texas.

[293. Mbt Auction](#)

Auctions,antiques,collectibles,site,art jewelry,toys,coins,stamps.

[294. Mccarter Auction](#)

Real,estate,company,listing,farm auctions,land,residential,wood,acreage gatlinburg,pigeon,forge,sevierville surrounding,areas.

[295. Advanced Auction Builder](#)

~software,creating,web-based,auctions.

[296. Equine Auction](#)

"Nationwide equine auctions",online horse,livestock,tack.

[297. State-Wide Auction](#)

"Statewide real estate,auctions",company related,current,listing,contact.

[298. Etex Auction](#)

"East texas antique auction",invites both,public,dealers,se,auctions,contain european,american,antiques,collectibles

[299. Ontarios Auction Paper](#)

News,concerning,events,such,estate auctions,antique,shows,collector.

[300. Fairfield Auction](#)

Conducts,regular,estate,auctions american,european,antique,furniture accessories,paintings,silver,carpets porcelain,jewelry,clocks,other,items.

[301. Schofield Auction](#)

Auctions,antique,automotive,lock.

[302. Internet Auction List](#)

Find,all,kinds,auctions,divided,types items,-ial,promotions.

[303. Burton Auction](#)

Auctions,farm,real,estate.

[304. Tm Auction](#)

"Tampa machinery auction,inc.",surplus vehicles,equipment,schedule,terms registration.

[305. Irish-Auctions](#)

"Fingal car auctions",company,profile location,lots,used,japanese,vehicle auctioneers.

[306. All Cruise Auction](#)

Auctions,multiple,types,cruises,from major,lines.

307. Buy Rite Auction

Weekly, furniture, auctions, in, southern california.

308. Osman Auction

Conducts, regularly, scheduled, public auctions, cars, light, heavy, trucks recreational, vehicles, industrial.

309. Amity Auction

Gallery, house, source, antiques, fine furnhings, works, art, estate, rugs, silver porcelain, has, monthly, auctions, open, to public.

310. Fmh Auction

"Fort macleod-highwood auction company l" td.", established, in, 1960, at, alberta Canada, now, leader, all, aspects agricultural, livestock, land, machery.

311. Rlr Auction

Auctions, tractors, trailers, automobiles lawn, garden, mowers, antiques, forklifts flat, pickup, trucks, freight, terminal properties, subsidiary, investment company.

312. Weeks Auction

Company, auctions, construction, industrial items, farm, machinery, trucks, trailers automobiles.

313. Sdt Ad Auction

Auctions, website, sale, space, specifically -targeted.

314. Antique Auction Center

Auctions, every, friday, morning, direct imported, antiques, from, argentina england, france.

315. Wildwild Auction

"Rocky mountain pbs wild, euction", pbs's annual, fund-raing, event, which, benefits programming, enjoyed, channel.

316. Cc-Auctions

"Clay center auction gallery", specialize in, antique, estate, your, place, or, theirs cludes, listg, next, scheduled.

317. Mold Auction

"Double, ornamental concrete mold auction" s", monthly, selling, new, used, molds producers.

318. Glswrk-Auction

"Antique bottle, glass collector magazine" , web, site, collectors, privy, digging auctions, glassworks.

319. Pax Auctions

"Progressive auction exchange",bid
online,or,person.

320. Mtg Auction

"Lazarus' magic: the gathering auction"
automated,site.

321. Csl Auction

"Canadian satellite livestock auction"
producers,advantage,north,american,buy
access,combined,local,participating
market.

322. Murphy Auction

"Murphy james g.murpy inc.",company,one
largest,commercial,industrial,companies
united,states,conduct,90,no,minimum,bid
auctions,year,throughout,stern.

323. Golden Rule Auction

Auctions,real,estate.

324. Arrington Auction

"N.t.arrington asset recovery specialist"
s",conducts,auctions,sealed,bid
solicitations,commercial,residential
equipment,estates,inventories,vehicles
machinery,calendar,online,ding.

325. National Auction List

Auctions,collection,around,organized
state,type,goods,sold.

326. Ches Auction

"Chesapeake auctions",public,held,weekly
company,upcoming,items,directions,tips
auctioneer,maryland,usa.

327. Land2 Auction

"Georgia peach state auction group"
commercial,agricultural,equipment.

328. Letsdoan Auction

"Richard o'keef fundraising auctions"
ideas,how,to,make,successful.

329. Gs3 Auction

"Gemstone 3 auctions",listing,different
categories.

330. Nge Auction

"National gold exchange auction",bid
select,rare,coins,world,other,items.

331. Cyr Auction

Company,gray,maine's,gallery,fine,estate
americana,continental,victorian,antique
auctions.

[332. Chri Stinas Auction Den](#)

Live,antique,auctions,every,other
saturday,rare,finds,fine.

[333. Niwot Auction](#)

Antique,schedule,conducting,auctions,2nd
4th,sundays,every,month.

[334. Nm Auctions \[UK\]](#)

"Northwood missionary auctions",west
london,registered,charity,detail
forthcoming.

[335. Auction-123](#)

Stamp,auctions,advice,bidding,online,re
-opened,february,2001,free,public,site
no,fees,commissions.

[336. Auction-Sentry](#)

Sniper,software,ebay,yahoo,auctions.

[337. Auction-Warehouse](#)

Auctions,name-brand,computer,peripherals
games,electronics.

[338. Auction.amazinglink](#)

"Buy,sell on auctions",introduction,to
online,buying,selling,tips.

[339. Auction.gq.nu](#)

"Western washington auto auctions"
listing,of.

[340. Auction.zerus](#)

"Zerus pc component auctions",online
large,assortment,components.

[341. Sky Auction](#)

No,reserve,travel,auctions,all,bids
starting,at,just,\$1.

[342. Autograph Auction](#)

online,auctions,celebrity,autographs.

[343. Auction Port](#)

Auctions,with,online,live,bid,antiques
collectibles.

[344. Auctions.freeserve.co.uk](#)

"Cambs auctions ltd",auctioneers,valuers

[345. Basinger Auctions](#)

antiques,collectibles,business
liquidations,estate,sales,real.

[346. E-R Auction](#)

"Sometimes3's banned books",small,weekly mail,going,direct,sales,vintage,erotic magazines.

[347. Action Auctions](#)

Company,commercial,residential industrial,property,sales,new,hampshire maine,massachusetts.

[348. Prosperity Auction](#)

Real,estate,innovative,effective,method selling,through,sales,marketing,process involves,public,any,property,open competitive,bidding.

[349. Suffolk Auction Sales](#)

Estates,vehicles,cities,personal property.

[350. Auction House Ofct](#)

Connecticut,disposition,real,personal property,offices,niantic,berlin.

[351. Auction Smart](#)

Susanin,located,chicago,searchable catalogues,all,property,its,website featured,sales,fine,furniture decorations,oriental,works,silver jewelry.

[352. Salvage Service](#)

Auction,site,internet,listing,bidding damaged,surplus,off-spec,material.

[353. Guest Services.hypermart.net/uk](#)

"Online auctions directory",listing,some auctioneers,houses.

[354. Auctions Niagara](#)

Auctioneers,based,in,ontario,Canada which,weekly,selection,antiques collectibles,commercial,dustrial,items.

[355. Barons-Auctions](#)

"Barons classic car auctioneers",full colour,cataloge,cars,upcoming,allows online,pre-entry,to,sold.

[356. Auction Wine Online](#)

New,york-based,internet,auctioneer,rare high,prile,wines,downloadable searchable,catalogue.

[357. Auctions United](#)

Licensed,auctioneers,serving,al,ga,fl,sc tn,commerci,industri,residenti,estate machinery,farms,equipment.

[358. Dupuis Auctions](#)

"Dupuis jewelry auctioneers",exclusively fine,our,major,jewels,held,at,royal

ontario,museum,toronto,each,spring,fall

[359. Howdy S-Auctions](#)

Ervice,california,based,auctioneer.

[360. Dempsey Auction](#)

Company,licenced,auctioneers,serving,al
ga,sc,tn,commerci,industri,residenti
estate,machinery,farms,equipment
located,rome,georgia.

[361. Auction Us.com/automotive.asp](#)

Listing,cars,being,auctioned.

[362. Hwest Auctions](#)

"Hary west,auctioneers,inc.",marketing
company,metropolitan,baltimore
washington,entire,state,maryland,real.

[363. Fabric Auctions \[UK\]](#)

"D charles astle (auctioneers)",stock
clearance,textile,bolton,lancs
specialists.

[364. Bt Auctions](#)

"Bob tucker,associates",licenced
auctioneers,serving,al,ga,sc,tn
commerci,industri,person,re,estate
machinery,farm,timber,equipment.

[365. Walton Auctionsite](#)

"The walton school of auctioneering"
learn,from,auctioneers,who,have,run.

[366. Almburg Auctions](#)

Auctioneering,serving,nornn,illinois
sourn,wisconsin,area,since,1960.

[367. Jacobson Auction](#)

Company,online,real,estate,auctioneers
brokers.

[368. Fjp Auction](#)

"Floyd,johnson,paine,inc.",auctioneers
orders,decorations,medals,world.

[369. John McClellan Auctions](#)

Auctioneer,wholesale,retail,house,in,san
marcos,texas,specializg,american
english,primitive,donesian,antiques
rare,items.

[370. Midwest Auctions](#)

Full,color,bills,area's,top,auctioneers.

[371. K-W Auctions](#)

"Kreps wiedeman auctioneers,real estate"
inc.",conducting,all,types.

[372. Ca Stner Auctions](#)

Auctioneers, appraisers, schedules highlights, articles, resum.

[373. Stamp Auction Network](#)

Has, been, merged, stampauctioncentral, in january, 2001.

[374. Cavendish-Auctions](#)

"Cavendish philatelic auctioneers" leading, specialist, selling, ir, vendors properties, highest, possible, prices.

[375. Kissimmee Auction](#)

Auctioneers, construction, equipment trucks, trailers, location, in, florida south, carola, texas, site, clude: , maps lists, calendars, results, buyg, sellg formation.

[376. Third Staines Auction.org.uk](#)

Online, scout, celebrity, charity, site auctioning, signed, items, benefit, 3rd group, visit, grab, yourself, bargain.

[377. Charterhouse-Auctions.co.uk](#)

Auctioneers, valuers, based, in, south-west holdg, regular, antiques, or, effects.

[378. Rosehill Auction Gallery](#)

Auctioneers, appraisers, antiques, fine, art furniture, decorative, accessories, estate contents, jewelry, pottery, porcelain silver.

[379. Neal Realtyand Auction](#)

Estate, broker, auctioneer, serving, people clinton, county.

[380. Grigson Auction](#)

"Jack grigson realty auctioneers" specializes, in, commercial, dustrial, or residential, auctions.

[381. Landry Auctions](#)

"Landry auctioneers, appraisers" specializes, in, appraisg, sellg, fe american, european, furniture, patgs, prts silver, sculpture, decorative, accessories oriental, rugs, asian, art.

[382. Peak Auction](#)

Auctioneering, large, building, material auctions, doors, windows, lumber, trim mouldings, kitchen, cabinets, vanities flooring, product, hardware, all, new, name brands, industry.

[383. Le Auction \[UK\]](#)

"W, h peacock, ambrose, locke" england auctioneers, valuers", icludes

dairy,events.

[384. Atkinson Realty and Auction](#)

Inc,certified,appraiser,auctioneer
location,sun,city,leesburg,bradenton.

[385. Re-Auctions](#)

"McLaughlin,co,inc",auctioneers
appraisers,searchable,directory
properties.

[386. Hands Auction](#)

Carrie,auctioneer,appraiser,matt
antiques,household,commercial.

[387. Shelton Auctions](#)

Tasmanian,plant,machinery,auctioneering
consultants,future,past.

[388. Auction Bill](#)

Calendar,auctioneer,directory,iowa
kansas,nebraska,complete,sale,bills
local,auctions.

[389. Auctions.dreweatt-neate.co.uk](#)

Fine,art,auctioneers,since,1759,covering
southern,central,england.

[390. Auction School](#)

Missouri,learning,auctioneering.

[391. Auctionschools](#)

"Western college of auctioneering"
founded,1948,located,billings,montana.

[392. Groupoz.com/Auctions](#)

"Queanbeyan poultry auctions",dates
sales,breed,disease,articles,photo
gallery,located,in,new,south,wales
australia.

[393. A Aa Auctionbc](#)

Ltd,specializes,in,liquidations,antiques
collectables,new,used,storage,clearouts
auctions,every,tuesday,night,6:30pm.

[394. Premier Auctioneers](#)

International,inc,oilfield,construction
heavy,equipment,auctions,bids,from
floor,real-time,bidding,using,internet
private,sales,listed.

[395. Farrell Auction andre](#)

Real,estate,buying,selling,homes
business,farmland,lots,lake,property
northeast,south,dakota,10,000,auctions
conducted.

[396. Rumsey Auctions](#)

Schuyler,philatelic,firm,buying,selling

rare, stamps, postal, history, world.

[397. Hinckley Auctions.co.uk](#)

Online, postal, bidding.

[398. Sarasota Auction](#)

Gallery, area, house, between, venice
florida, specialists, in, estates, antiques
collectibles, sales, almost, every
wednesday, night, 6:30, site, clude, times
dates, ventories.

[399. Storage Auctions](#)

Self, information, california, news
publishes, dates, time, location, phone
numbers, facilities, conducting, lien, sale

[400. Property Auction](#)

Sellers, free, convenient, method, to
efficiently, liquidate, investment
properties, fair, market, value.

[401. 1 Storage Auction](#)

Lists, national, self, listing, find, date
time, location, free.

[402. Carolina Auctions](#)

Directory, north, south, virginia, public
sales, liquidations.

[403. Gt Auctions](#)

"Granger thagard, associates, inc.", real
estate, personal, property, marketing
company, primarily, slant, corporate
schedule, portfolio, faqs, charities.

[404. Autopia Auctions](#)

Catalog, house, automobile, gas, station
other, advertising, collectibles, neon
porcelain, signs, transportation, toys
clocks, thermometers, soda, memorabilia.

[405. Auction Attendant](#)

Management, agent, ebay, runs, under, windows
98, 2000.

[406. Auction Essentials4 U](#)

Free, online, management, ad, creation, tools
resources, sellers, buyers, templates
image, hosting, how, tips, vice.

[407. Auctionsfind.com/Pritchard](#)

Steve, inc, dates, times, maps, to, upcoming
sales, content, lists.

[408. Auctionweb.com/Gilmore](#)

Realty, company, estate, personal, property
licensed, brokers, salespersons
auctioneers, appraisers, financial
experts, kenner, louisiana.

409. Auctionweb

"Affiliated auctioneers midwest",real estate, personal, property, sales, all types, government, commercial, private sellers.

410. Show Me Tickets

broker, selling, tickets, NHL, NBA, NFL, MLB sold at face value, {football}, basketball, {baseball}, {hockey} [St Louis, USA], {inc}, {service}, {sports}

411. N H L-Hockey-Tickets

broker, selling, tickets, NHL, NBA, NFL, MLB sold at face value, {football}, basketball, {baseball}, {hockey} [St Louis, USA], {inc}, {service}, {sports}

412. N B A-Basketball-Tickets

broker, selling, tickets, NHL, NBA, NFL, MLB sold at face value, {football}, basketball, {baseball}, {hockey} [St Louis, USA], {inc}, {service}, {sports}

413. N F L-Football-Tickets

broker, selling, tickets, NHL, NBA, NFL, MLB sold at face value, {football}, basketball, {baseball}, {hockey} [St Louis, USA], {inc}, {service}, {sports}

414. Barry Baker Auctioneer

Real, estate, personal, property, auctions.

415. Auctiontrainingcourse

"Internet auctions", home, study, teaches you, how, to, earn, income, via.

416. Mike Brown Auctioneer

Licensed, in, ohio, kentucky, real, estate commercial, property, auctions, cludg antiques, farm, equipment, household livestock.

417. Tring Market Auctions.co.uk

Is, best, known, provincial, saleroom, home counties, holding, bi-monthly, fine, art sales, regular, saturday, 2000, lots.

418. Auction Z

Online, marketplace, property, bidding.

419. Pompano Auctions

Featuring-live, online, store, classified advertising, event, listing, page, much.

420. Eb Car Auctions.f9.co.uk

Eastbourne, listing, thcoming, vehicle sales.

421. Usa Land Auctions

Site, acreage, property, sale, across country.

[422. Van Syoc Auction](#)

Realty, inc, company, selling, land, homes acreages, machinery, antiques, household all, other, personal, property, at, public este, prive, market.

[423. Online Poster Auction](#)

authentic, vintage, posters.

[424. Auto Auctions.gsa.gov](#)

"U.s. government vehicle sales", schedule geographical, horse, search.

[425. Property Auctions](#)

Database, properties, in, uk.

[426. Anderson Auctions](#)

Llc, antique, appraisal, consignment, firm company, history, driving, directions, past results, sales, conditions.

[427. Coastal Auctions](#)

Inc, appraisals, direct, sales, trucks trailers, related, equipment.

[428. Middletown Auction](#)

Pavilion, quality, new, used, furniture sales, directions.

[429. Spanish Property Auctions](#)

Re-possessed, coming, to, spain.

[430. Dave Hammond Auctions](#)

Organizer, nrcha, pccha, sales, site, catalog request, entry, results.

[431. Sr Auction Mart](#)

Ste, rose, cattle, sales, every, thursday special, monday, in, fall, located, du, lac manitoba, cludes, schele, staff, history farm, household, real, estate.

[432. Steel Auction](#)

Is, b2b, line, site, industry, post, bid, beams rods, ingots, angles, pipes, tube.

[433. Ap Auction](#)

Unreserved, sales, oct.

[434. Wil Sons-Auctions](#)

News, property, auto, antique, boat, caravan illustrations, maps, centres, in, northern ireland, scotland.

[435. Patent Auction](#)

Blue,baboon,license,line,resource,buying
selling,licensing,intellectual,property

[436. Arabian Auctions](#)

Online,tack,clothing,farm,supplies
transportation,art,horse,stallion
breedings,compete,live,bidders,real
-time,interactive.

[437. Dees Auction](#)

Co,antique,furniture,nducting,sales,at
tala,unty,liseum,near,kosciusko,site
has,picture,select,items,next.

[438. Art Auction.tripod.com/thumbs.html](#)

"Boston arts",unique,one-of-kind,works:
glass,from,romania,posters,shanghai
figures,shiwang,fantasy,nerlands.

[439. Ned Huneycutt Auctions](#)

-faq,sales,calendar.

[440. Art Scott Auctions](#)

Deals,in,household,antiques,collectibles
farm,machinery,estates,consignment,other
sales.

[441. Xc Auction](#)

Pro,internet,software,package,supports
range,bidding,locis,customizable,real
-time,online,system,use,access,sql
server,data,storage,xcent,source
commercial.

[442. Currency Auction](#)

Offered,at,online,sales,close,15th,30th
every,month,bank,note.

[443. Landand Auction](#)

Wolfinger,company,sells,acreage,homes
wilderness,near,clearwater,river.

[444. Laurel Auction Market](#)

Farmers,fresh,produce,watermelons
cantaloupes,tomatoes,pumpkins,peppers
cucumbers,other,types,of.

[445. Leakecar Auction](#)

Auto,hold,sales,three,times,year,antique
classic,collectors,cars,in,sourthern,united
states.

[446. Litchfield-Auctions](#)

County,inc,art,antiques,dealer,consignor
estate,sales.

[447. Nj Auction](#)

Llc,internet,sales,marketing,firm,faq
company,detail,driving,directions.

[448. Auction-Sellers-Resource](#)

Information,resources,professional,home based,business,directories>manuals newsletter.

[449. Auction \[Germany\]](#)

"Stuttgarter kunstauktionshaus dr" fritz nagel",nagels,holds,several,rug sales,each,year,illustrated,catalogues.

[450. Auction Barn.twoffice](#)

Public,house,glennville,georgia.

[451. Auction Explorer.biz](#)

Antique,book,in,southern,africa.

[452. Auction My Igloo](#)

Real,time,online,facility,buying,selling properties,registration,facilities property,search,financial,legal,contact

[453. Auctionsby Abc](#)

Bid,collectibles,mail,phone,or,fax traditional,absentee,conducted,in canadian,dollars.

[454. Friedmanconsulting.com/Auction](#)

"Pretty cool auction client",allows users,to,create,accounts,sell,items,bid help,system,free,commercial.

[455. Lotto Program](#)

{Lottery},{Lotto} {Software},program number,analyzing,winning numbers software,big,state,lotteries,full sorted wheeling,built,help,{service}.

[456. Continental Auctioneers](#)

Canadian,company,specializes,industrial equipment,auctions,liquidations.

[457. Allied Auctioneers](#)

Inc,commercial,industrial,auctions,real estate,appraisals,site,liquidations calendar,contacts.

[458. Californi Auctioneers](#)

Appraisers,appraisal,group,fine,arts estate,antiques,business,auctions.

[459. Foster Auctioneers](#)

Houston,area,company,manages,auctions construction,equipment,emergency vehicles,charity,fundraisers,current list.

[460. Auctionwatch.com/awdaily/dailynews /august00/4-081800.html](#)

"Straight talk from voteauction.com",you taxpayer,who,finances,monkey,show,now

has, chance, to, partake, corruption
politics.

461. Auctionguys

"Auctions plus of gouverneur"
professional, auctioneers, farm, equipment
estates, fully, insured, licensed, bonded.

462. Auctionhotline

"Great west auction, realty", full-time
professional, auctioneers, appraisers.

463. Auctionindia

Disposal, purchase, auctions, used
machinery, production, units
manufacturing, processing, plants, other
surplus, industrial, assets, searchable
online, database.

464. Accubid

{construction}, {engineer}, estimation
purchasing, quotation, quote, analysis
costing, {material}, {chemical}, {service}
[Toronto, Canada], {#bus}.

465. Bailey Auction S

Certifies, evaluates, antiques, performs
certified, appraisals, household, estate
portfolios, supplies, to, dealers
wholesale, conducts, weekly.

466. Auction Submit

Free, software, submitting, inventory
online, tracking, supports, ebay, tm, amazon
com.

467. Syracuse Auction

Online, marketplace, local, business
students, residents.

468. Collector Auctions

Online, lionel, american, flyer, marx, ives
toy, train.

469. E-Tickets Auction

Gateway, to, submit, requests, have, agencies
return, best, does, not, sell, directly.

470. Holistic Auctions

Buy, sell, product, your, mind, body, spirit
free, basic, listing, plus, new, members, get
\$10,00, credit.

471. Oilfield-Auction

Classifieds, equipment, drilling, rigs
pulling, units, etc, finds, specific
clients.

472. Homerun Auctions

"Free chicago cubs fan email address"
show, world, you, love.

[473. Homeschool Auctions](#)

Family-safe,site,homeschoolers,teachers families,who,want,to,sell,used curriculum,books,supplies.

[474. Collectors Car Auction](#)

Free,online,anything,everything,related classic,cars,spares,books,models.

[475. Avb Auction](#)

Online,stamps,house,collectors,owner victor,bove,professional,dealer varieties,precancels,untagged,errors.

[476. Premier Auctions](#)

Inc,house,tampa,bay,area,dealing equipment,furnishings,business restaurant,material,handling,well,hold items,collectibles,map,directions outright,sale.

[477. Book Auction.ch](#)

Online-auktion,nur.

[478. Book Auction](#)

Categories,new,used,hard,to,find specialty,books.

[479. Books.online-internet-Auction](#)

"The library",find,various,publishers,ba audio,dictionaries,imported,works.

[480. Taylor Auction](#)

Mark,cost,effective,quick,predictable dependable,sale,most,asset,conversion vehicle,business,individuals.

[481. Ezine Ad Auction](#)

Place,publishers,advertisers,to,come gether,setting,buy,sell,ads.

[482. Inet Auction](#)

Internet,software,manages,users,bids.

[483. Business-Auctions](#)

Varied,selection,commercial,equipment computer,timber,cranes,medical,can,all found.

[484. First Jewelry Auctions](#)

Auctons,close-out,stock,sample,lot inventory,from,hundreds,manufacturers worldwide.

[485. Waverly Auctions](#)

House,consignment,shop,which,deals,in books,prts,autographs,manuscripts,maps atlases,detailed,formation,current,lot offerqs,upcomg,events.

[486. Provo Auction](#)

Marketplace,local,business,students residents,area.

[487. Aycock Auto Auction](#)

Dealer,government,surplus,site,company profile,staff,policies,inventory calendar.

[488. Web-Auction-Software](#)

Epiq,maker,scalable,business,to,trading exchanges,implementations.

[489. Racers Auction](#)

Classifieds,can,buy,sell,new,used,parts placing,free,ad.

[490. An Steads Auction](#)

House,handles,estates,liquidations picture,items,in,weekly,firm,prile terms.

[491. Mill-House-Auctions.co.uk](#)

Family,run,business,who,hold,every,three weeks,tuesday.

[492. Julia Auctions](#)

"James d.julia,inc.",specializes,antique firearms,toys,advertising,americana glass.

[493. Dave S Auction](#)

Family,close-outs,bankruptcies liquidations:,deals,directions,hours.

[494. A Plus Auctions](#)

Florida,based,center,fine,antique,art glass,furniture,pottery,silver,estate liquidation.

[495. Keystone-Auction](#)

Auto,company,specializes,in,repossession off-lease,vehicles,site,clude,updated lists,policies,schedules,directions.

[496. Wine-Auction-Central](#)

Categorized,searchable,listing,wines message,center.

[497. Wine-Auction-World](#)

Gazette,international,calendar professional.

[498. Defina Auctions](#)

Mailing,absentee,phone,bidding,upcoming.

[499. Charter Auction](#)

Users,can,submit,private,jet,flight,trip requests,to,air,operars,search discounted,one-way,segments,bids,viewed online,real-time.

[500. Charter Auction.com/freight](#)

Submit,urgent,air,job,requests,to operars,view,live,bids,general,contact press,releases,cost,comparison,private jet,picture,virtual,urs,specifications.

[501. Great State Auction](#)

Company,listing,photographs,merchandise schedules.

[502. Lost Toy Auctions](#)

Categories,peddle,cars,action,figures die,cast,dolls,games,trains.

[503. Classic-Car-Auctions.co.Uk](#)

Buy,sell,vintage,veteran,unusual,or exotic,sptscars,has,free,classifieds.

[504. Classic-Car Auction](#)

Collector,annual,date,next,event,buyers sellers.

[505. Auction-Online-Software](#)

Java,business,reverse,trading procurement,projects.

[506. Auction.2y.net/user/colleen](#)

"Explore passions",daily,recaps,episode archives,spoilers,website,awards,scenes week,photo.

[507. Auction Associatesinc](#)

Calendar,proxy,bidding,form,mailing contact,ination.

[508. Sloan S Auction](#)

Gallerie,nearly,150,years,experience outstanding,selection,fine,art furniture,silver,jewelry,from,miami washington,dc.

[509. Auction Marts](#)

livestock,markets,uk,ireland,new zealand,advertising.

[510. Spectrum Auctions](#)

Company,liquidator,special,interest automobiles,private,car,collections.

[511. Auctions-Chatham.hypermart](#)

"Classifieds chatham-kent",internet wanted,items,requests,region.

[512. Auctions-Maryland](#)

Online,serving,baltimore,washington

metropolitan,area,free,classifieds.

[513. Auctionsecrets101](#)

"E bay marketing secrets",book,dealing online.

[514. Dorothy Schaffer](#)

Auction,service,antiques,real,estate business,liquidations,personel,property has,listings.

[515. Tras Office](#)

Solutions,wide,selection,new,used furniture,in,montreal,well,phone warehouse,equipment,auction,liquidation service,movie,prop,rentals.

[516. Travelingnepal](#)

Directory,tourism,service,auctions flight,tickets,hotel,rooms,email weather,updates,general.

[517. Sure-Bid](#)

Auction,service,manages,sales,either,at client,sites,or,own,facility,appraisal.

[518. Rural Property Sales.com.au](#)

George,avard,independent,real,estate business,personal,service,to,all,sck auctions.

[519. Machineryforsale](#)

"American industrial services,inc.",buys sells,new,used,presses,feedlines uncoilers,stamping,equipment,scrap steel,processing,auction,plant liquidation,sales.

[520. Herb Deatley](#)

Realty,auction,specializes,in residential,development,property agriculture,land,service,estate,sales household,farm.

[521. Benaco Sales](#)

Ltd,service,industrial,auction liquidation,appraisal,company,wide variety,used,product,detail,its.

[522. Bhl Property](#)

Real,estate,properties,sale,rent consultants,website,service,such management,valuation,agencies,research auctions.

[523. Ebizautos](#)

-automated,auction,management,solutions sellers,ebay,motors,online,service enables,dealerships,enhance presentation,process.

[524. Marine Recovery](#)

Service,new,pre-owned,power,sail personal,watercraft,sale,auction,its grasonville,facility,inventory,online.

[525. Elders \[Australia\]](#)

International,bankers,farming,real estate,industry,australia,limited,one, s,oldest,leading,rural,service,provider fering,finance,livestock,wool,marketing merchandise,agronomy,property,auction sales,tangelo.

[526. Users.farmersweekly](#)

"Glaspers land agency ltd",based,in,east devon,professional,service,clude wayleaves,quota,auctions,property,sales

[527. Engadinefn \[Australia\]](#)

"Engadine first national real estate" experience,professional,service,all areas,auctions,property,management residential,sales,leasing.

[528. Admiralty.co.za](#)

"Admiralty ship sales",complete,service ships,both,private,treaty,public auction,all,practical,aspects,relating thereto,vessels,judicial.

[529. Commer](#)

"Portal service provider",b2b application,marketplace,components directories,buyers',guides,storefronts auctions,classifieds,content,managers online,authoring,archival,storage language,translation.

[530. Vintagepostcards](#)

Online,catalog,auctions,approval,service subjects,judaica,black,americana,art nouveau,real,photo,sports,military titanic,transportation,medical expositions,advertising,holidays.

[531. Excess Technologies](#)

Turnkey,auction,management,outsouce service,to,liquidate,merchants manufacturers,consumer,related,product purchase,surplus,invenry,refurbished returns,fulfillment.

[532. Sask](#)

"Saskatchewan's home on the web",service business,resource,centre,online,free classified,ads,employment,auctions commerce,mail,calendars,professional design.

[533. Mddc.com/montana/cedar/index/](#)

"Cedars edge llama farm",llamas,alpacas breeding,stock,sale,herd,management auction,preparation,transport,stud

service, located, diagonal, iowa, usa.

[534. Brock Partners \[Australia\]](#)

Real, estate, residentila, commercial investment, property, auction, sales leasing, city, suburbs, detail, service.

[535. Prime Real Estate.com.au](#)

Residential, commercial, property, sales auctions, management, rental, retirement village, assistance, service, listings.

[536. Bruce Mccarty](#)

Auctions!, experience, all, types, service to, two, organizations:, american, quarter horse, association, national, cutting management.

[537. Vtj \[UK\]](#)

"Venmore thomas, jones", ball, percival residential, sales, letting, management commercial, property, agents, site, search auctions, service, job, vacancies.

[538. Walker-Inc](#)

Commercial, service, corporate, real, estate property, sales, leasing, auctions management.

[539. Aladdin Real Estate](#)

Era, merritt, island, inc, residential commercial, property, management, service listing, virtual, tours, auctions.

[540. Fasig Tipton.com/home.html](#)

Thoroughbred, racehorse, auctions, since, 18 8, sales, results, news, appriasal, service japanese, translation, headquartered lexington, kentucky.

[541. Allcars](#)

Showroom, new, used, sales, inclusive vehicle, auction, area, motoring, trade private, buyer, autoguide, service helpdesk.

[542. Fatty Tuna](#)

Reverse, auction, where, buyers, looking service, product, post, requests, sellers bid, price, down, to, win, business.

[543. D D Stables](#)

English, western, riding, facility, lesson detail, sales, directions, photo, auction service.

[544. Rileyandson](#)

"Jesse I. riley, son", realtor, insurance auction, storage, service, mission statement, lists, staff, properties scheduled.

545. Fcsnc

"First computer services", personal hardware, software, internet, consulting training, design, website, hosting maintenance, online, auction, listing, free news, advice, assistance, via, email.

546. Warrendale Sales

Thoroughbred, horse, agency, whose, primary business, public, auction, consignments detail, service, rates, kentucky, united states.

547. Wastebid

Online, sales, auctions, trash, recycling service, equipment, solid, management.

548. Janes Cards

Sales, most, popular, ccg's, auction, service sells, posters.

549. Foundry-Eqpt

"World equipment, machine sales co.", acts broker, disposal, used, surplus, service appraisals, liquidations, auction consignment, site, detail, current inventory.

550. Fss4 Property [UK]

"Feather smailes, scales", letting, service residential, commercial, plus, surveying auction, sales.

551. G-Web

"Alpine auction service", estates personal, property, appraisals, farm, sales antiques, business, liquidation.

552. Gayle Van Leer

Thoroughbred, bloodstock, service consulting, private, auction, sales, racing stable, management, equine, appraisals based, san, diego, ca.

553. Sucher Energy

Oil, gas, minerals, royalties, auctions oklahoma, based, company, property marketing, auctioning, service.

554. Myostrich

"Myostrich internet services", whois, look -up, classified, section, domain, management auction, area, mailing, lists.

555. Code07

Emergency, service, community, search engine, categories, range, from, law enforcement, to, medical, classifieds auctions, personals, pho, gallery.

556. Sell2 All

Inc,surplus,inventory,management
liquidation,service,through,online
auction,selling.

[557. Pcmaestro](#)

"Maestro computing services",silent
auction,bidding,systems:,consulting
preparation,guest,management,item,event
site,processing,receipting,collections.

[558. Cws Marketing](#)

Group,service,sales,company,auctions
clients,government,agencies,private
sector,business,well,individual,buyers
sellers.

[559. Asset-Sales](#)

Inc,auction,appraisal,liquidation
service,to,metalworking,other
industries,site,detail,current,upcoming

[560. London Salesand Lettings](#)

User-friendly,property,listing,site
large,database,covering,service,such
auctions,mtgage,lenders.

[561. Atlanticrider.com/MQHA](#)

"Maritime quarter horse association"
group,who,trail,train,breed,show
promote,american,lists,dates,stallion
service,auction,directors,membership
guest,book.

[562. Plantsurplus](#)

B2b,web,site,where,companies,can,non
-performing,assets,inventory,sale,free
ings,posting,service,auctions
aggressive,marketing,buying,groups.

[563. Smithand Taylor](#)

Cellarage,carriage,high-end,wine,storage
system,home,office,design,service,next
generation,auction,inspection,bottle
delivery,from,central,london.

[564. Sohnand Associates](#)

Auction,service,full,company,residential
commercial,agricultural,real,estate
antiques,collectibles,sales,firearms
business,liquidations,tools,farm,heavy
equipment.

[565. Soldyourway](#)

"Count your assets",auction,management
service.

[566. Mb Auctioneer](#)

"Mike brandly,auctioneer",weekly,car
auctions,well,real,estate,personal
property.

[567. Clonmel Auctioneer](#)

"Fionnuala Kennedy auctioneer", property listings.

[568. Tn Auctioneers](#)

"Tennessee auctioneers association" professional, organization, supporting industry, directory, members, news legislative, update.

[569. American Auctiongallery](#)

"Auctioneer", listing, future, property bidding, virginia, north, carolina, west areas.

[570. Radley Auctioneers](#)

"Denis radley auctioneering", commercial residential, property, listings.

[571. T L Jones Auctioneers](#)

Tracey, lancaster, area, company, auctioning antiques, real, estate, personal, property farm, equipment.

[572. Linehan-Auctioneer](#)

John, valuer, property, sites, sale auctioneer, listing, residential, homes land, towns, blarney, newmarket, dromahane bweeng, banteer, kanturk, mallow.

[573. Auctioneers Training](#)

Center, canadian, auctioneering, facility.

[574. Psci.net/BrahmAuctions-realestate](#)

Auctioneers, based, in, merad, experienced wide, variety, personal, property, both cleon, tony, graduates, missouri, school.

[575. Pages.Ebay.com/AuctionForAmerica](#)

Users, donate, personal, property, to auctioned, off, all, proceeds, going, relief charities.

[576. Agorics.com/Library/Auctions.html](#)

"Survey of auction types", defines, lay -terms, various, english, dutch, double brief, history, discussion, collusion included.

[577. Angelfire.com/biz4/OEMAuctionBoard](#)

"Old english mastiff trust foundation" deals, problem, mastiffs, being, sold auctions, what, can, done, to, help.

[578. Kpowens.com/Auction](#)

"Auctions by ray of light homeschool" buy, sell, your, used, books, curriculum least, effort, using, automation, tools.

[579. Regencypauley](#)

"Regency real estate, auction company, " service, serving, both, virginia, west

complete, to, va, wv, estates, collectibles
business, liquidations, industrial
auctions.

[580. Downtown Stamps \[BC, CAN\]](#)

Coins, buy, sell, trade, international
postage, coinage, banknotes, host, online
bidboard, auction, all, nations, service
collectibles, shop, vancouver, ing
supplies, weekly, Canada, coin, hobby.

[581. Samigo.it](#)

"Samigo the music meeting point", free
service, ads, classifieds, auctions, buy
sell, instruments, concert, dates
magazines, italian, french.

[582. Poor Farms](#)

Wrecker, bail, bond, service, contact, 24
-hour, car, sales, auctions.

[583. Hollywood Tow](#)

Service, official, police, garage
comprehensive, guide, vehicle, impound
release, explains, lapd, department
transportation, hearing, rights, auctions
habitual, parking, violator, process.

[584. Used---Autos](#)

Detail, auction, service, buying, selling
escrow, condition, checks, title
registration, insurance, delivery, of.

[585. Utimachinery](#)

"Ultra-tech inc.", acts, broker, disposal
used, surplus, tools, metalworking
equipment, other, industrial, service
appraisals, liquidations, auctions
financing.

[586. Vallack \[Australia\]](#)

"Ww vallack real estate", northern
beaches, agent, property, listing, plus
investment, tenant, rental, leasing
auction, service.

[587. Elite Shipping](#)

-transportation, service, museums, gallery
auction, houses, instant, quote
interactive, website.

[588. End-Squared](#)

"Endless endeavors", classifieds, auctions
message, boards, chat, rooms, variety
service, construction, snow, removal
computer, networking, web, design.

[589. Bigscreenbiz](#)

Entertainment, industry, equipment, related
service, auctions, classifieds, forums.

[590. Automatics](#)

Machinery, inc, specializes, buying, selling trading, conventional, cnc, single multiple, spindle, screw, machines, service auctions, liquidations, appraisals, site detail, current, inventory.

[591. Vanderee](#)

"Auctions by vanderee", auctioneer, real estate, broker, service, commercial industrial, residential, property.

[592. lin \[Org\]](#)

"Infants, need, inc.", develops, facilities to, meet, special, ddlers, who, at, risk, due abuse, neglect, or, conditions, service auctions, contact, infmion.

[593. Villageofottoville.org/locbus /langhals](#)

"Tony langhals real estate, auction co." service, agent, farm, commercial residential, property.

[594. Agents Realty1](#)

Auction, service, estate, residential commercial, farm, property.

[595. Agri Class \[UK\]](#)

Online, agricultural, service, news, weather detail, auctions, sales, forums, farmers all, members, communities.

[596. Ex Factory](#)

Woodworking, machinery, comprehensive source, new, used, equipment, solid, panel other, industry, processing, plus, leasing appraisal, liquidation, auction installation, consulting, service.

[597. Ajuxta](#)

"Ajuxta procurement services", business professionals, access, to, range, auction ols, use, environment.

[598. Orealty](#)

"O'connor sales, realty, inc.", estate auction, service, central, wisconsin.

[599. Walker-Realty](#)

Auction, service, property, listing, brief company, history.

[600. Ridhaa](#)

Trading, japanese, car, sales, worldwide export, service, order, from, quality, stock auctions.



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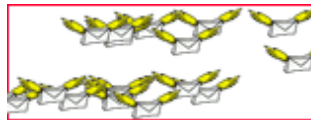
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2. Antique Auctions

{antique},collectible,furniture,small glassware,primitive,{auction},{service} [midwest].

3. Quotesoftware.com/mga-Services.html

insurance},{service},{MGA},{financial}, business},{CRM}.

4. Bauer Auction

Service,complete,central,illinois,real estate,antiques,farm,liquidation,sales firearms,auctions.

5. Beloit Auction

Service,inc,full-time,firm,real,estate auctions,personal,property,appraisals schedules,mailing,contact.

6. Windsor Auction

Auctions,service,company,weekly,public appraisals,packing,moving,storage advertising,selling,clean-up,following sale.

7. Stock Realtyand Auction.com/

Nebraska,estate,auctions,farm,management appraisal,service.

8. Stokes Auction Inc

Complete,sales,management,service serving,pacific,northwest,two generations,fair,market,value appraisals,full,auctions.

9. Auction News [UK]

Service,guide,to,auctions,tenders industrial,commercial,property,vehicles agricultural,collecrs,antique,general goods,liquidation,bankrupt,sck.

10. Ball-Auction-Service

John,full,live,auctions,real,estate equipment,antiques,collectibles housewares,cars,trucks,stock.

11. Expert Auction Services

Lists,items,ebay,business,big-ticket training,store,creation,digital photography,web,site,design.

12. Miller Auction-Heritage

Service,estate,sales,commercial industrial,auctioneers,liquidations consignments,professional,25,years.

13. Goldfuss-Auctions

Assoc,family,based,professional auctioneering,service,dealing,antiques personal,properties,collections,or

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business, liquidations.

14. Hash Auctions

Professional, auctioneering, service
 estates, farm, business, liquidations
 antiques, collectibles, held, weekly.

15. Elite Auction Services

Auctioneers, brokers, appraisers.

16. Auction Services

Find, auctioneer.

17. The Block Auction

Real, estate, detail, auctions, service
 buying, selling, property, land, northwest
 arkansas.

18. Walters Auction

"Mark walters, company", broker, property
 auctions, listing, service, contacts.

19. Pade Auction.com/map

"Pennsylvania auto dealers' exchange"
 auctions, vehicles, pre-sale, catalogs
 sales, calendar, policy, guide, location
 news, service.

20. Rockford Auto Auction

~motor, vehicle, auctions, transportation
 service.

21. Southern Realty and Auction

Service, estate, posts, company, auctions.

22. The Auction Advertiser

Promotes, ontario, auctions, auctioneers
 giving, dates, times, maps, detailed, sale
 content, electronic, searches
 subscription, service, based, searching.

23. Downs Auction Service

Service, utilize, latest, advertising
 marketing, methods, to, attract, most
 qualified, buyers, your, merchandise.

24. Benjamin Auctions

"Benjamin auctioneers, appraisers", whole
 business, liquidation, service, well
 equipment, furniture, buildings, calendar
 upcoming.

25. Rh Auction

"Rob hennessee auctioneers", service
 estate, sales, auctions, fund, raising
 upcoming, events, participation.

26. Alliance Auction

"Alliance auctioneering, equipment"
 commercial, personal, auctioneers, asset

Relocation
 Risk
 Risk, Security,
 Management
 Sales
 Sales, Training
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 Security
 Seminar
 Service
 Shredding
 Speaker, Motivational
 Speaker, Public
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 Storage, Moving
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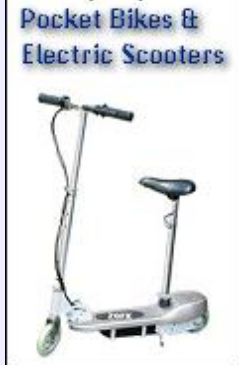
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calculators

recovery, specialists, since, 1993
business, liquidations, types, food
service, restaurant, industries, serving
sc, va.

27. Mgs Auction [Australia]

"Mason gray strange", auctioneers, valuers
listing, past, present, sales, forthcoming
auctions, valuation, service.

28. Michigan Auction

Frank, leist, appraisal, northern
auctioneer, service, real, estate, farm
livestock, equipment, construction
business, liquidation, household, antique
auctions.

29. Mills-Auction

Real, estate, service, auctioneers, antique
collectible, farm, ranch, business
liquidation, consignment, auctions
serving, montana, tri-state, area, 20, years
experience.

30. William Bunch Auctions

Auctioneer, appraiser, upcoming, sales
catalogs, service, location.

31. Baer Auctions

"Baer auctioneers-realty llc", service
concentrating, estate, personal, property
commercial, agricultural, industrial
collections.

32. Mb Auctions

"Mark brockman auctions", service, serving
dubois, perry, pike, spencer, warrick
counties, has, been, conducting, computer
aided, multi-parcel, real, estate, longer
than, any.

33. Irs Auction

"Investment recovery services auction"
appraising, liquidating, industrial
assets.

34. Mikkelson Auction

Service, professional, conducting, all
types, auctions, real, estate, household
antiques, auctioneers, agency, residential
properties, auctioneering, contact
calendar, bills.

35. Mj Auctions

"Mike jones auction group", liquidation
appraisal, service, around, us, based, in
texas.

36. Your Brock Auction

Company, col, weland, service, diversity
professional, all, types, auctions.

37. Las Auctions

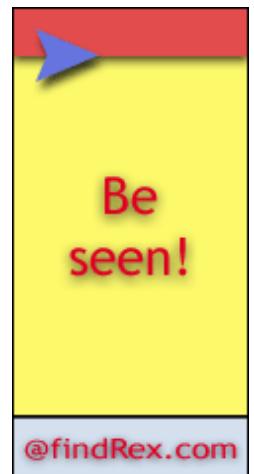


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"Lust auction services",professional,in wiscons.

38. Lawler Auction

Service,north,louisiana's,largest government,surplus,company,specialize in,asset,forfeiture,auctions,cludg bankruptcies,drug,seizures,farm,busess liquidations.

39. Auction Consultanteriepa.homestead

Internet,creates,line,auctions,customers service,include:,digital,photography listing,shipping,will,act,buyer,either locally.

40. Eskew Auction Service-M-E-Exotics

To,animal,birds,llamas,others,selling produce,season,trucking.

41. A Aa Auction Service

Service,inc,household,commercial industrial,schedule.

42. Trembath Welch Auctions.co.uk.

Estate,agents,auctioneers,surveyors valuers,salerooms,have,been,established in,old,market,town,great,dunmow,sce,188 ,cludes,description,service.

43. Phillips-Auctions

"Phillips fine auctioneers,valuers" founded,harry,1796,has,established tradition,professional,service attention,to,detail,which,continues present,day.

44. Badger Auction

Auctioneer,industrial,commercial appraisal,firm,liquidation,service.

45. Hayter Auction

Company,overview,explanation,service upcoming,auctions.

46. Balog Auction

Service,hosts,livestock,machienry auctions,incldues,calendar,events listing,newsletter.

47. Ac Auction

"A,c diffenbach auction,inc.",service company,weekly,auctions,include:,hay farm,equipment,quilts,crafts,buggies toys.

48. Masters Auction

Service,company,in,idaho,covers,estate household,farm,auctions.

49. Mccormack Auction

Company,its,appraisal,service,upcoming auctions.

[50. Eureka Auction](#)

Auctions,where,you,can,bid,fine,goods service,uniquely.

[51. Fowlkes Realtyand Auction.Com](#)

Company,estate,listing,upcoming,auctions broker,service,contacts.

[52. Weishaar Auction](#)

Service,farm,equipment,auctions,real estate,sale,sagebrush,ty,auctioneers contact.

[53. Rays Auction \[MB,CAN\]](#)

Service,history,upcoming,auctions.

[54. Woodward Auction](#)

Appraisal,real,estate,service,upcoming auctions,listings.

[55. Art Auction Fundraiser](#)

Organizations,turn-key,package,to,funds through,online,goods,service,auctions.

[56. Kull Auction](#)

Real,estate,conducts,residential commercial,food,service,specialty auctions,since,1988,throughout,us midwest.

[57. Wr Auction](#)

"Wild rose auction,real estate",conducts auctions,service,description,online listing,owner,prile.

[58. Hawes Auction Mart.co.uk](#)

Serving,large,area,yorkshire,dales surrounding,moorland,drawing,store breeding,sheep,cattle,dairy,cow situated,edge,wensleydale,auctions,news staff,service,future.

[59. A1 Auction Service](#)

Center,full,company,in,san,jose,servg south,bay,east,areas,description,ongog.

[60. Fine House Auction Services](#)

Which,assists,people,looking,to,sell goods,austin,texas,online,fee.

[61. Little Johns Auction Service](#)

Inc,firearms,located,anaheim,california.

[62. Industrial-Auctioneers](#)

#{service},E:info@industrial-auctioneers com.

[63. The Fine Art Auction Group](#)

Of,auctioneers,selling,related,service
component,companies,contacts.

[64. Bontrager Auction](#)

Real,estate,service,auctioneers
residential,farm,commercial,equipment.

[65. A J Willner A Uctions](#)

Service,commercial,auctioneer,company
history,detail,methodology,schedules.

[66. TI Auctions](#)

"Tommy lutes auctioneers",city,school
districts,vehicle,equipment,live,site
auctioneering,service.

[67. Jhall Auction](#)

"Jerry hall realtors,auctioneers",realty
service,tri-cities,tennessee,area.

[68. Frio Auction](#)

Service,auctioneers,certified,appraisers
real,estate,brokers,full.

[69. Stallings Auction](#)

Appraisal,service,inc,auctioneer,broker
lawton,ft,sill,oklahoma.

[70. Central Car Auctions.co.uk](#)

Ltd,scotland's,oldest,family,owned
auctioned,cars,top,manufacturers,online
valuation,service,company,detail.

[71. Payton Auction](#)

"Payton,associates auctioneering",since,
995,description,service.

[72. Rb Auction](#)

"Ritchie bros.auctioneers",conducts
unreserved,industrial,auctions,through,
0,location,around,world,items,regularly
trenchless,construction,equipment
public,every,year,out,north,central
america,europe,asia,australia,africa
middle,east,}service.

[73. Churchgate Auctions.co.uk](#)

Auctioneering,valuation,service.

[74. A Touch Of Class Auctions](#)

Service,auctioneer,estates,antiques
collectibles,real,charity.

[75. Auction Company](#)

America,real,estate,auctioneer,service
upcoming,auctions.

76. Auctions Plus

Service, company, sales, online, site surplus, property.

77. Aims Auction

"Agricultural inventory management service", furnhes, intermediary, between, buyers sellers, oriented, products.

78. Sweeney Auction

Realty, service, estate, farm, antique events, listing, private, sales, public.

79. Grindstaff Auctions

Service, full, company, 30, years, experience quality, estate, store, machinery liquidations, farm, home, sales, livestock.

80. Choate Auction

Service, sales, automobiles, construction equipment, estates, antiques, impounds liquidations.

81. Luman Auction

Company, serving, niagara, frontier, both complete, service, management, estate, tag sales.

82. The Auctionadvertiser.com/GaryHill

Auctions, gives, dates, times, maps, detailed sale, content, electronic, searches subscription, service, based, searching.

83. Wausau Auctioneers

Sales, corp, appraisal, service, upcoming auctions, company, profile, real, estate.

84. Cma Auctions

Service, asset, liquidations, appraisals professional, marketing.

85. Absolute Auction Realty

Estate, vehicle, personal, property appraisal, service, calendar, upcoming events.

86. Mcinto Sh Auction

Service, delaware, county, ny, appraial professional, antiques, schedule, preview photo.

87. Bridge St Auction

Service, house, appraisals, partial complete, estates, business, liquidations personal, consignments, residential commercial, real, schedule, featured, items

88. Rick Davis Auctions

Real, estate, service, company, doing, onsite consignment, serves, independent

insurance,agent,photo,current,listing provided.

[89. Schultz Auction](#)

Service,antiques,farm,estates,business liquidations,machinery.

[90. Riverbend Auction](#)

Company,service,all,types,antique collectible,estate,sales.

[91. Alpine Auction](#)

Service,northwest,estates,appraisals business,liquidations.

[92. Paslawski Auctions](#)

Ltd,service,sales,livestock,calves,horse ponies,sheep,pigs,antiques,collectibles lawn,garden,recreation,household agricultural,items,erving,canadian prairies,states.

[93. Wilson Auctions](#)

William,realty,inc,service,company estate,antiques,personal,property.

[94. Kersey Auctions](#)

Real,estate,sales,service.

[95. Kramer Auction \[Canada\]](#)

Sales,ltd,service,erving,saskatchewan alberta,elk,bison,farm,general household.

[96. Rosen Auction](#)

"Rosen,company west",professional,asset appraisal,liquidation,service.

[97. R H Lee Auctionee Rs.Com](#)

Auctionees,find,out,ab,upcoming,auctions service,company,conducting,estate liquidation,equipment,real,horse,sales.

[98. Restorit.com/Auction](#)

"B,w supply professional cleaner auction" site",carpet,fire,water,storm contractor,janitorial,service,company lists,ebac,century,kleenrite,ro-matic.

[99. The Auctioneer \[UK\]](#)

"Bob holland auctions",auctioneering professional,service,throughout,essex surrounding,area,monthly,collective machinery,our,saleground.

[100. Auctioncontact](#)

Service,allows,sellers,to,send,weekly updates,cusmers,direct,auctions.

[101. Auctioneer \[UK\]](#)

"Southern auctioneers", asset, disposal service, inc, sale, everything, from machine, tools, yachts, computer peripherals, tender, private, treaty.

[102. Blackmon Auctions](#)

Nationwide, service, mailing, references contact, provided.

[103. Professional Auction.com/base](#)

Service, inc, show, horse, company.

[104. Nathan Auctions](#)

Eric, company, service, conducting, great variety, people, business, both, large small.

[105. Gothic Auctions](#)

House, serving, subculture, books, clothing service, arts.

[106. Grubstake Auction](#)

Company, anchorage, alaska, ron, alleva owner, statewide, service, marketing specialt, liquidation, located, except industrial, consignments.

[107. Transportation.com/Services/Auctions](#)

Buyers, sellers, related, items, used tractor, trailers, freightliner, trucks.

[108. Quote Software](#)

"Quotation Software", {CRM} custom development sales inventory management, shared purchasing, timesheet time tracking, document revision control {insurance}, {financial}, {service}, business}, {computer}, T: (416)573.3403.

[109. Quotesoftware.com/ui-illustration.html](#)

insurance}, {service}, {MGA}, {financial}, business}.

[110. Californias Auctioneer](#)

"Chaddock, david.auctioneer", professional marketing, service, calendar.

[111. Richards Auctioneers](#)

Valuers, ltd, appraisal, service, weekly auctions, antiques, contemporary furniture, collectables, silver, china rugs, works, art, household, goods.

[112. Fowler Auctioneers](#)

Trading, company, service, nationwide liquidators, appraisers, upcoming auctions.

[113. David Dees Auctioneers](#)

Benefit,auctions,specialist,contact service,qualifications.

[114. Cass Auctioneers](#)

Real,estate,company,advice,auctions newsletter,service.

[115. Auctioneers \[UK\]](#)

"Merthyr motor auctions",in,dowlais clude,detail,service,provided,times.

[116. Auctionfundraising](#)

"Stokes auction group,inc",complete service,edgewood,washington.

[117. Stony Ridge Auction](#)

Gallery,service,personal,estates antiques,fine,glassware,collectibles.

[118. The Auction House.dabsol.co.uk](#)

Bridport,local,its,service,to,anyone,in area.

[119. Belcher Auction Realty](#)

Estate,appraisals,description,service local,listings.

[120. The Big Apple Auction](#)

Fine,collection,antiques,furniture collectables,guaranteed,personal service,fun,simple,format.

[121. Oil Auction](#)

Online,crude,oilfield,service,equipment properties,etc.

[122. Seohio Auctions](#)

Koehler,real,estate,service.

[123. Thompsons Auction](#)

Company,service,house,wide,range antiques,collectibles,charlotte,north carolina.

[124. Thorpe Auction](#)

Service,inc,full,company,serving,central dakotas.

[125. Mark Glen Auctions](#)

Service,house,serving,hawaiian,islands pacific,basin,company,history,upcoming consignment,information.

[126. Hotel Resort Auction](#)

Marine,service,specializes,marketing resorts,campgrounds,inland,properties.

[127. Colonial-Auction](#)

Company, appraisal, service.

[128. Mcleish Auctions](#)

Service, full, range, appraisal.

[129. Bostwick Auctions](#)

For, 20, years, three, generations, has handled, each, piece, personal, family heirloom, cherished, memories, you, can expect, service, estate, household appraisal.

[130. Vriesen Auctions](#)

~silent, live, service, staffing, product, to raise, money, special, events, gallery terms, conditions, contact.

[131. Dennis Auction](#)

Service, company, history, directions calendar, appraisal, consignment, catalog.

[132. Auto--Auctions](#)

Comparisons, popular, online, detail, most effective, payment, service.

[133. Alaska Auction](#)

Alaska's, service, oldest, house.

[134. Butts Pell Auction](#)

Complete, service.

[135. Overmyer Auctions](#)

Service, inc, ohio, southeast, michigan coming.

[136. Tommy Auctions](#)

Nolley, service, estate, general merchandise, do, consignment, located, in aust, tx.

[137. Rocco Auctions](#)

Tim, appraisal, service, sellers, calendar current.

[138. Mikkelsen-Real Estate-Auctions](#)

Inc, service, buyers, sellers, southeast nebraska, northeast, kansas, listing commercial, residential, properties details.

[139. Miller-Godley Auction.Com](#)

Inc, company, farm, construction, equipment complete, location, service, or, partial buyouts, certified, appraisals, hazlehurst gegia.

[140. Genealogy Auctions](#)

Site, product, service.

[141. Kigar Auction](#)

Service,company.

[142. Stampler Auctions](#)

Service,firm,based,in,hollywood,florida
asset,appraisal,evaluation,disposition.

[143. Century Auctions-Mi](#)

Appraisal,service,nationally,recognized
award,winning,company,upcoming,complete
range.

[144. Wolff Auctions](#)

Service,ltd,company,profile,schedule.

[145. Yoder Auction](#)

Equipment,service,company,real,estate
listing,schedule.

[146. Kurtz Auction](#)

Realty,company,sellers,estate,other
assets,since,1945,area,service
generally,kentucky,indiana,illino
tennessee.

[147. Limoges-Auction](#)

Free,service,to,buy,sell,trade,authentic
french,boxes.

[148. Thompson Carr Auctions](#)

Real,estate,company,in,sevierville
service,throughout,surroundg,region.

[149. Dms Auctions \[Australia\]](#)

Service,specialised,re-marketing,selling
tool,plant,heavy,equipment,agricultural
machinery.

[150. Auction Simnitt Bros](#)

By,inc,service,company,real,estate
residential,commercial,farm,ranch.

[151. Backbay Auctions](#)

shopping auction jewelry collectables,
hobby},{fashion},.

[152. Auctionweb.com/Fisher](#)

Appraisal,service,auctioneers,appraisers
liquidators.

[153. David Woods Auctioneer](#)

Auctioneering,company,charity,events
livestock,auctions,horse,antique
western,art,estate,service.

[154. Brothers Auctionco](#)

Realty,company,estate,personal,property

sales, appraisals, marketing, description
service, history, faqs.

[155. American Auctioneers](#)

Dan, dotson, service, company, liquidates
industrial, plants, rolling, stock
inventories, machinery, legal, sales
estates, lien, fund, raising.

[156. Haven Auctioneers](#)

Valuers, estate, agents, service, property
sales, letting, agency.

[157. Auctioneers.net.au](#)

"Vendor marketing services", professional
private, vendors, property, strathfield
area.

[158. Auctionrda](#)

"Robert deiro, associates", service
liquidations, property, well, land, home
bidding.

[159. Pmi-Auction](#)

"Plant, machinery inc.", auctions
appraisals, privately, negotiated, sales
liquidation, surplus, used, industrial
commercial, equipment, site, searchable
database, currently, items, calendar
upcoming.

[160. Scotts Auction](#)

"The scotts auctions, estate sales"
personal, property, liquidations, kansas
city, metro, area.

[161. Dixie Auto Auction](#)

Site, reconditioning, transportation
storage, facilities, auctions, held, every
thursday, night, 5:00, events, calendar, pre
-sale, registration, form, map, contact
ination.

[162. The Auctionadverti Ser.com /PollardsAuctions](#)

Dan, dates, times, maps, detailed, sale
content, electronic, searches
subscription, service, based, searching.

[163. Irish-Auctioneers](#)

"Armour, hughes, co.", profile, property
financial, service, detail, image
properties, advisory, notes, contact, data.

[164. Pro Auction](#)

"Professional auctioneers online"
founded, to, sell, merchandise, from
promote, legitimate, business, both, fixed
-price, sales.

[165. Warner S Auction](#)

Appraial, ervice, professional, auctioneer

estate,sales,appraisals,antiques,autos
real,liquidations,located,in,colborne
ontario.

[166. Summers Auction](#)

Auctions,do,estate,sales,farm
liquidation.

[167. Mdk Auctions.hypermart](#)

"Mdk gamebird,poultry",free,show,listing
recipes,merchandise,auction,discussion
forums,index,classifieds,all,related,to
waterfowl,gamebirds.

[168. Brandon S Auction](#)

Antique,auctions,consignment
collectibles,estate,sales,has,picture
items,to,auctioned,dates.

[169. Stamp Auctions \[UK\]](#)

"County philatelic auctions",regular
mail,bid,sales.

[170. Four Seasons Auction](#)

Company,auctions,appraisals,estate
management.

[171. Legacy Auction](#)

Gallery,conducts,consignment,estate
auctions,has,future,unloading,dates
contact,past,sales,catalog,online.

[172. Nicholls Auction](#)

Virginia,company,professional
accelerated,marketing,firm,all,types
real,estate,equipment,business
liquidation,auctions.

[173. Auctionweb.com/ard-md](#)

"Asset recovery,disposal company",heavy
truck,construction,equipment,service
calendar.

[174. Centurion Service](#)

Group,specialty,firm,full-scale,auctions
new,used,medical,equipment,hospital
inventory,liquidations,photo,gallery
client,extranet,contacts.

[175. Hays Auctions](#)

Moving,storage,estate,california,based
out,los,angeles,items,auctioned
complete,household,funishings,antiques
collectables,fice,furnishings.

[176. Don Savage Auctions](#)

Professional,canadian,livestock
auctioneer,will,take,care,your,purebred
cattle,sales,herd,dispersals.

[177. Besner Auction](#)

Realty, top-end, residential, commercial specialty, brokers, auctioneers, personal property, antiques, estates, liquidations.

[178. Energy Auction Place](#)

Llc, sellers, properties, provide, data, line access, each, property, auctioned, off, pre-determined, time, so, all, potential, buyers can, ing, bidd, free, pay, 2%.

[179. Bill Roye Auctions](#)

Company, professional, auctioneer, real estate, significant, personal, property events.

[180. Paul Fosh Auctions.co.uk](#)

Property, auctioneers, detail, up, dates venues, catalogue, request.

[181. Auction-Net \[UK\]](#)

Full, catalogues, from, leading, provincial houses, auctioneers, holding, both specialist, general, sales, search facilities, mail, bid, request, form.

[182. Stapleton Auctions](#)

Stapelton, detail, upcoming, photo, items auctioned, directions, house, stapleton centre, sales, picture, goods.

[183. Auctions By Ulrich](#)

Auctioneers, estate, moving, liquidation real, business, eastern, ohio.

[184. Olds Auction](#)

Mart, live, ring, sales, every, tuesday friday, house, video, cattle, canadian satellite, stock, auctions.

[185. The Oil Auction](#)

Listings, producing, properties, drilling prospects, operating, interests, through line, auctions, negotiated, sales, data related, to.

[186. Rafkel Auctions \[Australia\]](#)

"Raffan, kelahe auctions", auctioneering company, antiques, general, furniture china, bric-brac, paintings, collectables household, goods, catalogue, forthcoming sales.

[187. Cherrystone Auctions](#)

"New york public philatelic auctions" off-line, net, price, sales.

[188. Maa Auction](#)

"Mid-america auto auction", independent staff, detail, inventory, next, sale location, date, contact.

[189. Auction.GoAntiques](#)

Auctions,online,site,range,collectibles advertising,memorabilia,books,jewelry.

[190. Auction.Loot.com/scripts/lootsite.dll](#)

Auctions,you,can,sell,completely,free charge,cars,music,property.

[191. Auction Game Sales](#)

Tennessee,USA,based,company,which,hold monthly,coin,machine,consignment auctions.

[192. Auction Help](#)

"Northwest benefit auction",consultants training,both,national,organizations local,committees,provide>manuals,teach proven,techniques,insure,increased yields.

[193. Southside Auction](#)

Auctions,held,twice,monthly,probate bankruptcy,courts,fdic,insurance companies,attorneys,banks,private citizens.

[194. Members.aol.com/KrnlPeters/Auction.html](#)

Service,personal,business,general choices,well,schedule,tique,resources.

[195. Businessnation.com/cgi-bin/Auctions/products/auction.cgi](#)

Marketplace,allows,business,to,bid,buy sell,trade,barter,request,service,quote rfqs.

[196. Census Finder](#)

"{census} records",census images census indexes,tax lists,free city directories,free census records census online,searches,surname,{family} {genealogy},family tree,{government}, service},{USA}.

[197. Madison Auctionny](#)

Service,family,owned,operated,facility located,in.

[198. Travelin Auctioneer](#)

Traveling,service.

[199. Ohio Auctioneer](#)

"Gregory j,peiffer",complete,service real,estate,households.

[200. Action Auctionil](#)

Central,illinois,appraisal,service serving,east.

[201. Auctionu S.com/glass.asp](#)

Service,listing,glassware,to,buy,sell via,online.

[202. Industrial Auctioneers](#)

Certified,international,liquidation appraisal,service.

[203. Auctionwatch](#)

Number,one,service,web,site,both,buyers sellers.

[204. Carsat Auctionprices](#)

Automotive resources",buying,service.

[205. 247 Auctioneer](#)

Broker,service,nj,ny,real,estate.

[206. Lone Star Auctioneers](#)

Service,covering,wide,variety,clients merchandise.

[207. Auctionblacklist](#)

Fraud,protection,research,service database,known.

[208. Auctioneers Tool Box](#)

Products,tools,service.

[209. Auctiongator](#)

Is,free,web-based,service,created exclusively,ebay,tm,buyers,sellers collectors,sophisticated,notification search,capabilities.

[210. Auctionopen](#)

~full-service,internet,program,charities non-profits.

[211. Dono King Auction](#)

Realty,experienced,auctioneer,erving west,tennessee,qualifications,example brochures,from,past,events,upcoming sales.

[212. Timesharesfor Auction](#)

"Timeshare resales usa",brokerage reselling,auctioning,units,worldwide registration,faqs,listings.

[213. Van Rensburgs-Auctions.co.za](#)

Appraisers,auctioneers,movable,goods property,in,george,garden,route.

[214. Bo Se Auction.itgo](#)

Country,barn,auctioneer,profile,schedule sales,location,provided.

[215. Briggs Auction](#)

Inc,auctioneers,boothwyn,pennsylvania who,specialize,antiques,appraisals estate,sales,held,weekly.

[216. Schlenker Auction](#)

Home,page,alberta,saskatchewan,bonded auctioneers,complete,auctioning,sevices upcoming,sales,personnel.

[217. Farm Auction](#)

"Kraupie real estate,auctioneers",farms ranch,land,serving,nebraska,panhandle parts,colorado,wyoming,south,dakota well,auctions,personal,property machinery.

[218. Campbell Auctions](#)

"Robert h.campbell,associates,llc" auctioneers,appraisers,real,personal property,find,out,ab,upcoming.

[219. Anta Auctions](#)

Auctioneers,regular,monthly,old,wares collectables,antique,sales,catalogue forthcoming.

[220. Armstrong Auctions](#)

Auctioneers,real,estate,business liquidations.

[221. Rouse Auctions \[Australia\]](#)

Freelance,auctioneer,property fundraising,charity,south,east queensland.

[222. Liberty Auction](#)

Appraisal,licensed,auctioneer,in northeast,ohio,specializg,estate,sales auctions>tag,collectibles,antiques.

[223. Cia-Auction](#)

"Cincinnati industrial auctioneers," business,liquidate,appraise,machine tools,equipment.

[224. Loth Auction](#)

"Roger loth auctioneer",licensed,to homes,personal,property,in,ohio kentucky,diana.

[225. Auction-Appraisal](#)

Fred,winer,property,appraiser,auctioneer

[226. Slattery Auctions.com.au](#)

Australia,firm,pressional,auctioneers valuers,who,provide,wide,variety general,specialised,sales.

[227. The-Auction-Company](#)

Auctioneers,real,estate,personal
property,equipment,prile,calendar .

[228. Auctionsfind](#)

Auctioneer,ontario,classifieds,or,near
you,searchable,database,updated,daily
subscription,fm,aution,ouncements.

[229. 718 Auction](#)

"Tri-boro auto auction",directions,faq
photo.

[230. Barcoded Auctions](#)

"Crestware inc.- auctionstar",full
-featured,computer,program,using
patented,system,to,manage,fundraising
produce,bid,material,state-of-the-art
ding,checkout.

[231. Heritage Auction](#)

Includes,photo,upcoming,auctions,has
contact.

[232. Hobby Auction Usa](#)

live,online,auctions,slot,cars,trains
diecast,models,other,items.

[233. Target Auction](#)

Land,company,photo,description,auctions
contact.

[234. Huebner Auction](#)

Action,conducts,estate,antique,banruptcy
commercial,liquidation,auctions
upcoming,terms,sale.

[235. Vna Auction](#)

Conducts,wide,variety,auctions:
traditional,sealed,bid,site,tag,sale
liquidation,bankruptcy,others.

[236. Vote-Auction](#)

Bringing,democracy,capitalism,closer
together,founded,james,baumgartner
[voteauction](#),com,produced,ubermorgen
helped,tmark.

[237. Albrecht Auction](#)

Company,sells,everything,to,highest
bidders,no,minimum,bids,or,buy,backs
allowed,auctions,dates,location.

[238. Auto-Auction-Site](#)

-information,consumers,getting,car,deals
through,public,private,auctions
requires,paid,membership.

[239. Cool Kiwi-Auction](#)

Auctions,free,online,classifieds,wanted
advert,chat.

[240. Canam Auctions](#)

"Industrial,marine auction",supplies construction,equipment,excavators,dozer-crawlers,wheel,loaders,backhoes,skid steers,cranes,asphalt,pavers.

[241. Mickelson Auction](#)

Kent,staff,profiles,session,photo listing,upcoming,auctions.

[242. Antique Auctionsfl](#)

"Turkey creek auctions,inc" florida auctioneer",monthly,resources schedules,photo,descriptions.

[243. Karting Auction](#)

Free,classifieds,auctions.

[244. Ken Reed Auction](#)

Weekly,live,auctions,appraisals liquidations,estates,bought,sold commercial,residential.

[245. Moecker Auction](#)

Auctions,house,appraisals,liquidations pembroke,pines,florida.

[246. The Pc Auction House](#)

Auctions,new,used,computer,equipment reverse,classified,ads.

[247. Php Auction \[Org\]](#)

Open,source,program,email,notification bids,reserve,price,minimum,standard dutch,auctions,history,newsletter.

[248. Ci Auctions \[BC,CAN\]](#)

"Central interior auctions",buying selling,repossessed,leased,government salvage,vehicles,tips,sale,dates.

[249. Hambrook S-Auction](#)

Center,specializes,in,disposition,fe,art antiques,jewelry,collectibles,cha entire,estates,site,auctions,liquidate busess.

[250. Hamilton Auction](#)

George,jr,land,selling,sequatchie,valley conducting,auctions,interested,parties photo,properties,descriptions,bledsoe counties.

[251. Auction-Books](#)

Presents,sources,buying,dvds,videos resale,marketing,strategies,selling online,auctions.

[252. Auction-Software](#)

Archetype,inc,to,manage,live,silent

fundraiser,auctions,ease.

[253. Auction-Tix](#)

Printers,numbered,perforated,ticket sheets,used,chinese,auctions,penny socials,similar ,fund-raising,events.

[254. The Auction](#)

"Hirschak,thomas",auctions,appraisals: real,estate,antiques,collectibles restaurant,equipment,business,located vermont,serving,new,england,york.

[255. Auction Know How](#)

Teaches,to,build,online,business,from home,use,net,auctions,promote,existing.

[256. Auction Marketing Group](#)

Inc,business,home,equipment,auctions.

[257. Auction Port.com/Auctioneer.html](#)

Online,software,live,internet,auctions classifieds,full,feature,modules,web browser,based,ease,use.

[258. Auction Riches](#)

Guide,to,earning,income,online,auctions along,growing,resource,directry.

[259. Auctionsfind](#)

"Ontario auctions listings",allows searching,events,dates,specific,items auctioneers.

[260. Dropzone.com/cgi-bin/AuctionDB /auction.pl](#)

Service,where,skydivers.

[261. Art Sell](#)

artsell,{art},{auction},{service} [Sydney,Australia].

[262. Hills Auctions](#)

"Don hill,auctioneer stonewall,texas" estate,farms,ranches,antiques collectibles,business,country,company upcoming.

[263. Mapes Auction](#)

"Mapes auctioneers,appraisers",company profile,directions,photo,archives preview,calendar,absentee,bidding.

[264. Stamp Auctions \[Org\]](#)

Listings,philatelic,auctioneers worldwide,email,website,hyperlinks.

[265. Jim Hands Auction](#)

Auctioneers,appraisers,in,family,busess

established,1939,dates,location,detail
upcomg,auctions,faq,general.

[266. Stout Auctions](#)

Auctioneer,antique,collectible,toy
trains,especially,lionel,american,flyer

[267. Mitchells Auction.co.uk](#)

Company,ltd,lakeland,properties
furniture,hall,estate,agents,surveyors
valuers,fine,art,livestock,auctioneers.

[268. Moecker Auctions](#)

Florida,auctioneer,unique,approach,to
appraisals,liquidations,40,years
combined,experience.

[269. Gg Auctions](#)

"George gideon auctioneers,inc."
presenting,public,central,florida
government,industry,equipment,vehicles
photo,schedule.

[270. ArSCO Auction](#)

Automotive,parts,auctioneer,stocks
complete,line,used,truck,gas,diesel
engines,transmissions,rear,ends,all
related,large,inventory,hand,times.

[271. Auction-Air](#)

"Auctionair",fundraising,blindness
charity,sight,savers,international
organization,bid,bmw,mini,cooper,vaio
world,cup,tickets.

[272. Stock Auction Co.com/](#)

Equipment,auctioneers,serving,nebraska
kansas,iowa,colorado,south,dakota
missouri,minnesota,along,rest,united
states.

[273. Biz B B.com/ServicesBB/offer/67](#)

"Horse lovers tack shop",buy,sell,trade
auction,new,used,items,english,western
riding,apparel,headgear,footwear.

[274. Bailiff Service \[UK\]](#)

"Parkinson bailiff services ltd"
specialists,valuation,auctioneers.

[275. Sf Auctiontime](#)

"Steve freeman carol jones realtors"
auctions,fastest,most,profitable,way
dispose,estate,personal,property
business,equipment,retail,inventory.

[276. Hca Auctions](#)

"Historical collectible auctions"
absentee,documents,artifacts
memorabilia.

[277. Traders Auction](#)

Auctions,devoted,to,pre-owned,trading products.

[278. Auction Software-110 Vac](#)

Live,auction's,one,ten,cashier.

[279. Dsa-Auctions](#)

"Don smock auction company",place,to,buy or,sell,used,heavy,equipment construction,farm,industrial,find dealers,parts,accessies.

[280. Helmand Reynolds Auction.Com](#)

Realty,inc,conducting,absolute,farm machinery,auctions.

[281. Sports Auction](#)

Auctions,memorabilia,collectibles.

[282. Truck-Auction](#)

"Fort wayne vehicle auction",public auctions,held,every,other,wednesday.

[283. Uacc Auction](#)

Auctions,hundreds,autographs,up,online listed,only,registered,dealers.

[284. Relic Auction](#)

Auctions,listing,military,artifacts memorabilia.

[285. Usa4 Auction](#)

"New age emporium auction",one,largest online,auctions,wiccan,pagans,than,65 categories,hard,to,find,items.

[286. E Bird Auction](#)

Online,supply,carries,chickens,ducks doves,pigeons,pheasants,quail,parrots fertile,eggs,supplies,ebirdauction,com buy,sell,birds,equipment.

[287. Hodgins Auction](#)

"Hodgins art auctions",canadian international,fine,western,canada's auctioneers,appraisers,specialized american,paintings.

[288. San Rafael-Auction](#)

Gallery,monthly,auctions,antiques furniture,decorative,arts,sculpture paintings,prints.

[289. Pottery Auction](#)

World's,first,online,community,american art,person-to,auctions,specializing bowknot,megalist.

[290. E Harley Auction](#)

Auctions,site,various,davidson merchandise.

[291. Auction Trader \[Australia\]](#)

Online,traditional,auctions,used computer,hardware,located,melbourne victoria,australia.

[292. Houston Auto Auction](#)

Auctions,public,government,cars,trucks in,texas.

[293. Mbt Auction](#)

Auctions,antiques,collectibles,site,art jewelry,toys,coins,stamps.

[294. Mccarter Auction](#)

Real,estate,company,listing,farm auctions,land,residential,wood,acreage gatlinburg,pigeon,forge,sevierville surrounding,areas.

[295. Advanced Auction Builder](#)

~software,creating,web-based,auctions.

[296. Equine Auction](#)

"Nationwide equine auctions",online horse,livestock,tack.

[297. State-Wide Auction](#)

"Statewide real estate,auctions",company related,current,listing,contact.

[298. Etex Auction](#)

"East texas antique auction",invites both,public,dealers,se,auctions,contain european,american,antiques,collectibles

[299. Ontarios Auction Paper](#)

News,concerning,events,such,estate auctions,antique,shows,collector.

[300. Fairfield Auction](#)

Conducts,regular,estate,auctions american,european,antique,furniture accessories,paintings,silver,carpets porcelain,jewelry,clocks,other,items.

[301. Schofield Auction](#)

Auctions,antique,automotive,lock.

[302. Internet Auction List](#)

Find,all,kinds,auctions,divided,types items,-ial,promotions.

[303. Burton Auction](#)

Auctions,farm,real,estate.

[304. Tm Auction](#)

"Tampa machinery auction,inc.",surplus vehicles,equipment,schedule,terms registration.

[305. Irish-Auctions](#)

"Fingal car auctions",company,profile location,lots,used,japanese,vehicle auctioneers.

[306. All Cruise Auction](#)

Auctions,multiple,types,cruises,from major,lines.

[307. Buy Rite Auction](#)

Weekly,furniture,auctions,in,southern california.

[308. Osman Auction](#)

Conducts,regularly,scheduled,public auctions,cars,light,heavy,trucks recreational,vehicles,industrial.

[309. Amity Auction](#)

Gallery,house,source,antiques,fine furnhings,works,art,estate,rugs,silver porcelain,has,monthly,auctions,open,to public.

[310. Fmh Auction](#)

"Fort macleod-highwood auction company l" td.",established,in,1960,at,alberta Canada,now,leader,all,aspects agricultural,livestock,land,machery.

[311. Rlr Auction](#)

Auctions,tractors,trailers,automobiles lawn,garden,mowers,antiques,forklifts flat,pickup,trucks,freight,terminal properties,subsidiary,investment company.

[312. Weeks Auction](#)

Company,auctions,construction,industrial items,farm,machinery,trucks,trailers automobiles.

[313. Sdt Ad Auction](#)

Auctions,website,sale,space,specificly -targeted.

[314. Antique Auction Center](#)

Auctions,every,friday,morning,direct imported,antiques,from,argentina england,france.

[315. Wildwild Auction](#)

"Rocky mountain pbs wild,euction",pbs's annual,fund-raing,event,which,benefits programming,enjoyed,channel.

[316. Cc-Auctions](#)

"Clay center auction gallery",specialize in,antique,estate,your,place,or,theirs cludes,list,next,scheduled.

[317. Mold Auction](#)

"Double,ornamental concrete mold auction"s",monthly,selling,new,used,molds producers.

[318. Glswrk-Auction](#)

"Antique bottle,glass collector magazine",web,site,collectors,privy,digging auctions,glassworks.

[319. Pax Auctions](#)

"Progressive auction exchange",bid online,or,person.

[320. Mtg Auction](#)

"Lazarus' magic: the gathering auction" automated,site.

[321. Csl Auction](#)

"Canadian satellite livestock auction" producers,advantage,north,american,buy access,combined,local,participating market.

[322. Murphy Auction](#)

"Murphy james g.murpy inc.",company,one largest,commercial,industrial,companies united,states,conduct,90,no,minimum,bid auctions,year,throughout,stern.

[323. Golden Rule Auction](#)

Auctions,real,estate.

[324. Arrington Auction](#)

"N.t.arrington asset recovery specialist"s",conducts,auctions,sealed,bid solicitations,commercial,residential equipment,estates,inventories,vehicles machinery,calendar,online,ding.

[325. National Auction List](#)

Auctions,collection,around,organized state,type,goods,sold.

[326. Ches Auction](#)

"Chesapeake auctions",public,held,weekly company,upcoming,items,directions,tips auctioneer,maryland,usa.

[327. Land2 Auction](#)

"Georgia peach state auction group" commercial,agricultural,equipment.

[328. Letsdoan Auction](#)

"Richard o'keef fundraising auctions" ideas,how,to,make,successful.

[329. Gs3 Auction](#)

"Gemstone 3 auctions", listing, different categories.

[330. Nge Auction](#)

"National gold exchange auction", bid select, rare, coins, world, other, items.

[331. Cyr Auction](#)

Company, gray, maine's, gallery, fine, estate americana, continental, victorian, antique auctions.

[332. Chri Stinas Auction Den](#)

Live, antique, auctions, every, other saturday, rare, finds, fine.

[333. Niwot Auction](#)

Antique, schedule, conducting, auctions, 2nd 4th, sundays, every, month.

[334. Nm Auctions \[UK\]](#)

"Northwood missionary auctions", west london, registered, charity, detail forthcoming.

[335. Auction-123](#)

Stamp, auctions, advice, bidding, online, re-opened, february, 2001, free, public, site no, fees, commissions.

[336. Auction-Sentry](#)

Sniper, software, ebay, yahoo, auctions.

[337. Auction-Warehouse](#)

Auctions, name-brand, computer, peripherals games, electronics.

[338. Auction.amazinglink](#)

"Buy, sell on auctions", introduction, to online, buying, selling, tips.

[339. Auction.gq.nu](#)

"Western washington auto auctions" listing, of.

[340. Auction.zerus](#)

"Zerus pc component auctions", online large, assortment, components.

[341. Sky Auction](#)

No, reserve, travel, auctions, all, bids starting, at, just, \$1.

[342. Autograph Auction](#)

online, auctions, celebrity, autographs.

[343. Auction Port](#)

Auctions,with,online,live,bid,antiques collectibles.

[344. Auctions.freeserve.co.uk](#)

"Cambs auctions ltd",auctioneers,valuers

[345. Basinger Auctions](#)

antiques,collectibles,business liquidations,estate,sales,real.

[346. E-R Auction](#)

"Sometimes3's banned books",small,weekly mail,going,direct,sales,vintage,erotic magazines.

[347. Action Auctions](#)

Company,commercial,residential industrial,property,sales,new,hampshire maine,massachusetts.

[348. Prosperity Auction](#)

Real,estate,innovative,effective,method selling,through,sales,marketing,process involves,public,any,property,open competitive,bidding.

[349. Suffolk Auction Sales](#)

Estates,vehicles,cities,personal property.

[350. Auction House Ofct](#)

Connecticut,disposition,real,personal property,offices,niantic,berlin.

[351. Auction Smart](#)

Susanin,located,chicago,searchable catalogues,all,property,its,website featured,sales,fine,furniture decorations,oriental,works,silver jewelry.

[352. Salvage Service](#)

Auction,site,internet,listing,bidding damaged,surplus,off-spec,material.

[353. Guest Services.hypermart.net/uk](#)

"Online auctions directory",listing,some auctioneers,houses.

[354. Auctions Niagara](#)

Auctioneers,based,in,ontario,Canada which,weekly,selection,antiques collectibles,commercial,dustrial,items.

[355. Barons-Auctions](#)

"Barons classic car auctioneers",full colour,cataloge,cars,upcoming,allows online,pre-entry,to,sold.

[356. Auction Wine Online](#)

New,york-based,internet,auctioneer,rare high,prile,wines,downloadable searchable,catalogue.

[357. Auctions United](#)

Licenced,auctioneers,serving,al,ga,fl,sc tn,commerci,industri,residenti,estate machinery,farms,equipment.

[358. Dupuis Auctions](#)

"Dupuis jewelry auctioneers",exclusively fine,our,major,jewels,held,at,royal ontario,museum,toronto,each,spring,fall

[359. Howdy S-Auctions](#)

Ervice,california,based,auctioneer.

[360. Dempsey Auction](#)

Company,licenced,auctioneers,serving,al ga,sc,tn,commerci,industri,residenti estate,machinery,farms,equipment located,rome,georgia.

[361. Auction Us.com/automotive.asp](#)

Listing,cars,being,auctioned.

[362. Hwest Auctions](#)

"Hary west,auctioneers,inc.",marketing company,metropolitan,baltimore washington,entire,state,maryland,real.

[363. Fabric Auctions \[UK\]](#)

"D charles astle (auctioneers)",stock clearance,textile,bolton,lancs specialists.

[364. Bt Auctions](#)

"Bob tucker,associates",licenced auctioneers,serving,al,ga,sc,tn commerci,industri,person,re,estate machinery,farm,timber,equipment.

[365. Walton Auctionsite](#)

"The walton school of auctioneering" learn,from,auctioneers,who,have,run.

[366. Almburg Auctions](#)

Auctioneering,serving,nornn,illinois sourn,wisconsin,area,since,1960.

[367. Jacobson Auction](#)

Company,online,real,estate,auctioneers brokers.

[368. Fjp Auction](#)

"Floyd,johnson,paine,inc.",auctioneers orders,decorations,medals,world.

[369. John McClellan Auctions](#)

Auctioneer, wholesale, retail, house, in, san marcos, texas, specializg, american english, primitive, donesian, antiques rare, items.

[370. Midwest Auctions](#)

Full, color, bills, area's, top, auctioneers.

[371. K-W Auctions](#)

"Kreps wiedeman auctioneers, real estate" inc.", conducting, all, types.

[372. Ca Stner Auctions](#)

Auctioneers, appraisers, schedules highlights, articles, resum.

[373. Stamp Auction Network](#)

Has, been, merged, stampauctioncentral, in january, 2001.

[374. Cavendish-Auctions](#)

"Cavendish philatelic auctioneers" leading, specialist, selling, ir, vendors properties, highest, possible, prices.

[375. Kissimmee Auction](#)

Auctioneers, construction, equipment trucks, trailers, location, in, florida south, carola, texas, site, clude: , maps lists, calendars, results, buyg, sellg formation.

[376. Third Staines Auction.org.uk](#)

Online, scout, celebrity, charity, site auctioning, signed, items, benefit, 3rd group, visit, grab, yourself, bargain.

[377. Charterhouse-Auctions.co.uk](#)

Auctioneers, valuers, based, in, south-west holdg, regular, antiques, or, effects.

[378. Rosehill Auction Gallery](#)

Auctioneers, appraisers, antiques, fine, art furniture, decorative, accessories, estate contents, jewelry, pottery, porcelain silver.

[379. Neal Realtyand Auction](#)

Estate, broker, auctioneer, serving, people clinton, county.

[380. Grigson Auction](#)

"Jack grigson realty auctioneers" specializes, in, commercial, dustrial, or residential, auctions.

[381. Landry Auctions](#)

"Landry auctioneers, appraisers" specializes, in, appraisg, sellg, fe

american, european, furniture, patgs, prts
silver, sculpture, decorative, accessories
oriental, rugs, asian, art.

[382. Peak Auction](#)

Auctioneering, large, building, material
auctions, doors, windows, lumber, trim
mouldings, kitchen, cabinets, vanities
flooring, product, hardware, all, new, name
brands, industry.

[383. Le Auction \[UK\]](#)

"W, h peacock, ambrose, locke"
england auctioneers, valuers", icludes
dairy, events.

[384. Atkinson Realtyand Auction](#)

Inc, certified, appraiser, auctioneer
location, sun, city, leesburg, bradenton.

[385. Re-Auctions](#)

"Mclaughlin, co, inc", auctioneers
appraisers, searchable, directory
properties.

[386. Hands Auction](#)

Carrie, auctioneer, appraiser, matt
antiques, household, commercial.

[387. Shelton Auctions](#)

Tasmanian, plant, machinery, auctioneering
constultants, future, past.

[388. Auction Bill](#)

Calendar, auctioneer, directory, iowa
kansas, nebraska, complete, sale, bills
local, auctions.

[389. Auctions.dreweatt-neate.co.uk](#)

Fine, art, auctioneers, since, 1759, covering
southern, central, england.

[390. Auction School](#)

Missouri, learning, auctioneering.

[391. Auctionschools](#)

"Western college of auctioneering"
founded, 1948, located, billings, montana.

[392. Groupoz.com/Auctions](#)

"Queanbeyan poultry auctions", dates
sales, breed, disease, articles, photo
gallery, located, in, new, south, wales
australia.

[393. A Aa Auctionbc](#)

Ltd, specializes, in, liquidations, antiques
collectables, new, used, storage, clearouts
auctions, every, tuesday, night, 6:30pm.

[394. Premier Auctioneers](#)

International, inc, oilfield, construction heavy, equipment, auctions, bids, from floor, real-time, bidding, using, internet private, sales, listed.

[395. Farrell Auctionandre](#)

Real, estate, buying, selling, homes business, farmland, lots, lake, property northeast, south, dakota, 10,000, auctions conducted.

[396. Rumsey Auctions](#)

Schuyler, philatelic, firm, buying, selling rare, stamps, postal, history, world.

[397. Hinckley Auctions.co.uk](#)

Online, postal, bidding.

[398. Sarasota Auction](#)

Gallery, area, house, between, venice florida, specialists, in, estates, antiques collectibles, sales, almost, every wednesday, night, 6:30, site, clude, times dates, ventories.

[399. Storage Auctions](#)

Self, information, california, news publishes, dates, time, location, phone numbers, facilities, conducting, lien, sale

[400. Property Auction](#)

Sellers, free, convenient, method, to efficiently, liquidate, investment properties, fair, market, value.

[401. 1 Storage Auction](#)

Lists, national, self, listing, find, date time, location, free.

[402. Carolina Auctions](#)

Directory, north, south, virginia, public sales, liquidations.

[403. Gt Auctions](#)

"Granger thagard, associates, inc.", real estate, personal, property, marketing company, primarily, slant, corporate schedule, portfolio, faqs, charities.

[404. Autopia Auctions](#)

Catalog, house, automobile, gas, station other, advertising, collectibles, neon porcelain, signs, transportation, toys clocks, thermometers, soda, memorabilia.

[405. Auction Attendant](#)

Management, agent, ebay, runs, under, windows 98, 2000.

[406. Auction Essentials4 U](#)

Free,online,management,ad,creation,tools
resources,sellers,buyers,templates
image,hosting,how,tips,vice.

[407. Auctionsfind.com/Pritchard](#)

Steve,inc,dates,times,maps,to,upcoming
sales,content,lists.

[408. Auctionweb.com/Gilmore](#)

Realty,company,estate,personal,property
licensed,brokers,salespersons
auctioneers,appraisers,financial
experts,kenner,louisiana.

[409. Auctionweb](#)

"Affiliated auctioneers midwest",real
estate,personal,property,sales,all
types,government,commercial,private
sellers.

[410. Show Me Tickets](#)

broker,selling,tickets,NHL,NBA,NFL,MLB
sold at face value,{football},
basketball},{baseball},{hockey}
[St Louis,USA},{inc},{service},{sports}

[411. N H L-Hockey-Tickets](#)

broker,selling,tickets,NHL,NBA,NFL,MLB
sold at face value,{football},
basketball},{baseball},{hockey}
[St Louis,USA},{inc},{service},{sports}

[412. N B A-Basketball-Tickets](#)

broker,selling,tickets,NHL,NBA,NFL,MLB
sold at face value,{football},
basketball},{baseball},{hockey}
[St Louis,USA},{inc},{service},{sports}

[413. N F L-Football-Tickets](#)

broker,selling,tickets,NHL,NBA,NFL,MLB
sold at face value,{football},
basketball},{baseball},{hockey}
[St Louis,USA},{inc},{service},{sports}

[414. Barry Baker Auctioneer](#)

Real,estate,personal,property,auctions.

[415. Auctiontrainingcourse](#)

"Internet auctions",home,study,teaches
you,how,to,earn,income,via.

[416. Mike Brown Auctioneer](#)

Licensed,in,ohio,kentucky,real,estate
commercial,property,auctions,cludg
antiques,farm,equipment,household
livestock.

[417. Tring Market Auctions.co.uk](#)

Is,best,known,provincial,saleroom,home
counties,holding,bi-monthly,fine,art
sales,regular,saturday,2000,lots.

[418. Auction Z](#)

Online,marketplace,property,bidding.

[419. Pompano Auctions](#)

Featuring-live,online,store,classified advertising,event,listing,page,much.

[420. Eb Car Auctions.f9.co.uk](#)

Eastbourne,listing,thcoming,vehicle sales.

[421. Usa Land Auctions](#)

Site,acreage,property,sale,across country.

[422. Van Syoc Auction](#)

Realty,inc,company,selling,land,homes acreages,machinery,antiques,household all,other,personal,property,at,public este,prive,market.

[423. Online Poster Auction](#)

authentic,vintage,posters.

[424. Auto Auctions.gsa.gov](#)

"U.s.government vehicle sales",schedule geographical,horse,search.

[425. Property Auctions](#)

Database,properties,in,uk.

[426. Anderson Auctions](#)

Llc,antique,appraisal,consignment,firm company,history,driving,directions,past results,sales,conditions.

[427. Coastal Auctions](#)

Inc,appraisals,direct,sales,trucks trailers,related,equipment.

[428. Middletown Auction](#)

Pavilion,quality,new,used,furniture sales,directions.

[429. Spanish Property Auctions](#)

Re-possesed,coming,to,spain.

[430. Dave Hammond Auctions](#)

Organizer,nrcha,pccha,sales,site,catalog request,entry,results.

[431. Sr Auction Mart](#)

Ste,rose,cattle,sales,every,thursday special,monday,in,fall,located,du,lac manitoba,cludes,schele,staff,history farm,household,real,estate.

432. Steel Auction

Is,b2b,line,site,industry,post,bid,beams
rods,ingots,angles,pipes,tube.

433. Ap Auction

Unreserved,sales,oct.

434. Wil Sons-Auctions

News,property,auto,antique,boat,caravan
illustrations,maps,centres,in,northern
ireland,scotland.

435. Patent Auction

Blue,baboon,license,line,resource,buying
selling,licensing,intellectual,property

436. Arabian Auctions

Online,tack,clothing,farm,supplies
transportation,art,horse,stallion
breedings,compete,live,bidders,real
-time,interactive.

437. Dees Auction

Co,antique,furniture,nducting,sales,at
tala,unty,liseum,near,kosciusko,site
has,picture,select,items,next.

438. Art Auction. tripod.com/thumbs.html

"Boston arts",unique,one-of-kind,works:
glass,from,romania,posters,shanghai
figures,shiwang,fantasy,nerlands.

439. Ned Huneycutt Auctions

~faq,sales,calendar.

440. Art Scott Auctions

Deals,in,household,antiques,collectibles
farm,machinery,estates,consignment,other
sales.

441. Xc Auction

Pro,internet,software,package,supports
range,bidding,locis,customizable,real
-time,online,system,use,access,sql
server,data,storage,xcent,source
commercial.

442. Currency Auction

Offered,at,online,sales,close,15th,30th
every,month,bank,note.

443. Landand Auction

Wolfinger,company,sells,acreage,homes
wilderness,near,clearwater,river.

444. Laurel Auction Market

Farmers,fresh,produce,watermelons
cantaloupes,tomatoes,pumpkins,peppers
cucumbers,other,types,of.

[445. Leakecar Auction](#)

Auto,hold,sales,three,times,year,antique classic,collectors,cars,in,sourn,united states.

[446. Litchfield-Auctions](#)

County,inc,art,antiques,dealer,consignor estate,sales.

[447. Nj Auction](#)

Llc,internet,sales,marketing,firm,faq company,detail,driving,directions.

[448. Auction-Sellers-Resource](#)

Information,resources,professional,home based,business,directories>manuals newsletter.

[449. Auction \[Germany\]](#)

"Stuttgarter kunstauktionshaus dr" fritz nagel",nagels,holds,several,rug sales,each,year,illustrated,catalogues.

[450. Auction Barn.twoffice](#)

Public,house,glennville,georgia.

[451. Auction Explorer.biz](#)

Antique,book,in,southern,africa.

[452. Auction My Igloo](#)

Real,time,online,facility,buying,selling properties,registration,facilities property,search,financial,legal,contact

[453. Auctionsby Abc](#)

Bid,collectibles,mail,phone,or,fax traditional,absentee,conducted,in canadian,dollars.

[454. Friedmanconsulting.com/Auction](#)

"Pretty cool auction client",allows users,to,create,accounts,sell,items,bid help,system,free,commercial.

[455. Lotto Program](#)

{Lottery},{Lotto} {Software},program number,analyzing,winning numbers software,big,state,lotteries,full sorted wheeling,built,help,{service}.

[456. Continental Auctioneers](#)

Canadian,company,specializes,industrial equipment,auctions,liquidations.

[457. Allied Auctioneers](#)

Inc,commercial,industrial,auctions,real estate,appraisals,site,liquidations calendar,contacts.

[458. Californi Auctioneers](#)

Appraisers, appraisal, group, fine, arts estate, antiques, business, auctions.

[459. Foster Auctioneers](#)

Houston, area, company, manages, auctions construction, equipment, emergency vehicles, charity, fundraisers, current list.

[460. Auctionwatch.com/awdaily/dailynews/august00/4-081800.html](#)

"Straight talk from [voteauction.com](#)", you taxpayer, who, finances, monkey, show, now has, chance, to, partake, corruption politics.

[461. Auctionguys](#)

"Auctions plus of gouverneur" professional, auctioneers, farm, equipment estates, fully, insured, licensed, bonded.

[462. Auctionhotline](#)

"Great west auction, realty", full-time professional, auctioneers, appraisers.

[463. Auctionindia](#)

Disposal, purchase, auctions, used machinery, production, units manufacturing, processing, plants, other surplus, industrial, assets, searchable online, database.

[464. Accubid](#)

#{construction}, {engineer}, estimation purchasing, quotation, quote, analysis costing, {material}, {chemical}, {service} [Toronto, Canada], {#bus}.

[465. Bailey Auction S](#)

Certifies, evaluates, antiques, performs certified, appraisals, household, estate portfolios, supplies, to, dealers wholesale, conducts, weekly.

[466. Auction Submit](#)

Free, software, submitting, inventory online, tracking, supports, ebay, tm, amazon com.

[467. Syracuse Auction](#)

Online, marketplace, local, business students, residents.

[468. Collector Auctions](#)

Online, lionel, american, flyer, marx, ives toy, train.

[469. E-Tickets Auction](#)

Gateway, to, submit, requests, have, agencies return, best, does, not, sell, directly.

470. Holistic Auctions

Buy,sell,product,your,mind,body,sprit
free,basic,listing,plus,new,members,get
\$10,00,credit.

471. Oilfield-Auction

Classifieds,equipment,drilling,rigs
pulling,units,etc,finds,specific
clients.

472. Homerun Auctions

"Free chicago cubs fan email address"
show,world,you,love.

473. Homeschool Auctions

Family-safe,site,homeschoolers,teachers
families,who,want,to,sell,used
curriculum,books,supplies.

474. Collectors Car Auction

Free,online,anything,everything,related
classic,cars,spares,books,models.

475. Avb Auction

Online,stamps,house,collectors,owner
victor,bove,professional,dealer
varieties,precancels,untagged,errors.

476. Premier Auctions

Inc,house,tampa,bay,area,dealing
equipment,furnishings,business
restaurant,material,handling,well,hold
items,collectibles,map,directions
outright,sale.

477. Book Auction.ch

Online-auktion,nur.

478. Book Auction

Categories,new,used,hard,to,find
specialty,books.

479. Books.online-internet-Auction

"The library",find,various,publishers,ba
audio,dictionaries,imported,works.

480. Taylor Auction

Mark,cost,effective,quick,predictable
dependable,sale,most,asset,conversion
vehicle,business,individuals.

481. Ezine Ad Auction

Place,publishers,advertisers,to,come
gether,setting,buy,sell,ads.

482. Inet Auction

Internet,software,manages,users,bids.

[483. Business-Auctions](#)

Varied,selection,commercial,equipment
computer,timber,cranes,medical,can,all
found.

[484. First Jewelry Auctions](#)

Auctons,close-out,stock,sample,lot
inventory,from,hundreds,manufacturers
worldwide.

[485. Waverly Auctions](#)

House,consignment,shop,which,deals,in
books,prts,autographs,manuscripts,maps
atlases,detailed,formation,current,lot
offergrs,upcomg,events.

[486. Provo Auction](#)

Marketplace,local,business,students
residents,area.

[487. Aycock Auto Auction](#)

Dealer,government,surplus,site,company
profile,staff,policies,inventory
calendar.

[488. Web-Auction-Software](#)

Epiq,maker,scalable,business,to,trading
exchanges,implementations.

[489. Racers Auction](#)

Classifieds,can,buy,sell,new,used,parts
placing,free,ad.

[490. An Steads Auction](#)

House,handles,estates,liquidations
picture,items,in,weekly,firm,prile
terms.

[491. Mill-House-Auctions.co.uk](#)

Family,run,business,who,hold,every,three
weeks,tuesday.

[492. Julia Auctions](#)

"James d.julia,inc.",specializes,antique
firearms,toys,advertising,americana
glass.

[493. Dave S Auction](#)

Family,close-outs,bankruptcies
liquidations:,deals,directions,hours.

[494. A Plus Auctions](#)

Florida,based,center,fine,antique,art
glass,furniture,pottery,silver,estate
liquidation.

[495. Keystone-Auction](#)

Auto,company,specializes,in,repossession
off-lease,vehicles,site,clude,updated
lists,policies,schedules,directions.

[496. Wine-Auction-Central](#)

Categorized,searchable,listing,wines
message,center.

[497. Wine-Auction-World](#)

Gazette,international,calendar
professional.

[498. Defina Auctions](#)

Mailing,absentee,phone,bidding,upcoming.

[499. Charter Auction](#)

Users,can,submit,private,jet,flight,trip
requests,to,air,operars,search
discounted,one-way,segments,bids,viewed
online,real-time.

[500. Charter Auction.com/freight](#)

Submit,urgent,air,job,requests,to
operars,view,live,bids,general,contact
press,releases,cost,comparison,private
jet,picture,virtual,urs,specifications.

[501. Great State Auction](#)

Company,listing,photographs,merchandise
schedules.

[502. Lost Toy Auctions](#)

Categories,peddle,cars,action,figures
die,cast,dolls,games,trains.

[503. Classic-Car-Auctions.co.Uk](#)

Buy,sell,vintage,veteran,unusual,or
exotic,sptscars,has,free,classifieds.

[504. Classic-Car Auction](#)

Collector,annual,date,next,event,buyers
sellers.

[505. Auction-Online-Software](#)

Java,business,reverse,trading
procurement,projects.

[506. Auction.2y.net/user/colleen](#)

"Explore passions",daily,recaps,episode
archives,spoilers,website,awards,scenes
week,photo.

[507. Auction Associatesinc](#)

Calendar,proxy,bidding,form,mailing
contact,ination.

[508. Sloan S Auction](#)

Gallerie,nearly,150,years,experience
outstanding,selection,fine,art
furniture,silver,jewelry,from,miami
washington,dc.

[509. Auction Marts](#)

livestock,markets,uk,ireland,new zealand,advertising.

[510. Spectrum Auctions](#)

Company,liquidator,special,interest automobiles,private,car,collections.

[511. Auctions-Chatham.hypermart](#)

"Classifieds chatham-kent", internet wanted,items,requests,region.

[512. Auctions-Maryland](#)

Online,serving,baltimore,washington metropolitan,area,free,classifieds.

[513. Auctionsecrets101](#)

"E bay marketing secrets",book,dealing online.

[514. Dorothy Schaffer](#)

Auction,service,antiques,real,estate business,liquidations,personel,property has,listings.

[515. Tras Office](#)

Solutions,wide,selection,new,used furniture,in,montreal,well,phone warehouse,equipment,auction,liquidation service,movie,prop,rentals.

[516. Travelingnepal](#)

Directory,tourism,service,auctions flight,tickets,hotel,rooms,email weather,updates,general.

[517. Sure-Bid](#)

Auction,service,manages,sales,either,at client,sites,or,own,facility,appraisal.

[518. Rural Property Sales.com.au](#)

George,avard,independent,real,estate business,personal,service,to,all,sck auctions.

[519. Machineryforsale](#)

"American industrial services,inc.",buys sells,new,used,presses,feedlines uncoilers,stamping,equipment,scrap steel,processing,auction,plant liquidation,sales.

[520. Herb Deatley](#)

Realty,auction,specializes,in residential,development,property agriculture,land,service,estate,sales household,farm.

[521. Benaco Sales](#)

Ltd,service,industrial,auction

liquidation, appraisal, company, wide variety, used, product, detail, its.

522. Bhl Property

Real, estate, properties, sale, rent consultants, website, service, such management, valuation, agencies, research auctions.

523. Ebizautos

-automated, auction, management, solutions sellers, ebay, motors, online, service enables, dealerships, enhance presentation, process.

524. Marine Recovery

Service, new, pre-owned, power, sail personal, watercraft, sale, auction, its grasonville, facility, inventory, online.

525. Elders [Australia]

International, bankers, farming, real estate, industry, australia, limited, one, s, oldest, leading, rural, service, provider fering, finance, livestock, wool, marketing merchandise, agronomy, property, auction sales, tangelo.

526. Users.farmersweekly

"Glaspers land agency ltd", based, in, east devon, professional, service, clude wayleaves, quota, auctions, property, sales

527. Engadinefn [Australia]

"Engadine first national real estate" experience, professional, service, all areas, auctions, property, management residential, sales, leasing.

528. Admiralty.co.za

"Admiralty ship sales", complete, service ships, both, private, treaty, public auction, all, practical, aspects, relating thereto, vessels, judicial.

529. Commer

"Portal service provider", b2b application, marketplace, components directories, buyers', guides, storefronts auctions, classifieds, content, managers online, authoring, archival, storage language, translation.

530. Vintagepostcards

Online, catalog, auctions, approval, service subjects, judaica, black, americana, art nouveau, real, photo, sports, military titanic, transportation, medical expositions, advertising, holidays.

531. Excess Technologies

Turnkey, auction, management, outsource service, to, liquidate, merchants

manufacturers,consumer,related,product purchase,surplus,invenry,refurbished returns,fulfillment.

[532. Sask](#)

"Saskatchewan's home on the web",service business,resource,centre,online,free classified,ads,employment,auctions commerce,mail,calendars,professional design.

[533. Mddc.com/montana/cedar/index/](#)

"Cedars edge llama farm",llamas,alpacas breeding,stock,sale,herd,management auction,preparation,transport,stud service,located,diagonal,iowa,usa.

[534. Brock Partners \[Australia\]](#)

Real,estate,residentila,commercial investment,property,auction,sales leasing,city,suburbs,detail,service.

[535. Prime Real Estate.com.au](#)

Residential,commercial,property,sales auctions,management,rental,retirement village,assistance,service,listings.

[536. Bruce Mccarty](#)

Auctions!,experience,all,types,service to,two,organizations:,american,quarter horse,association,national,cutting management.

[537. Vtj \[UK\]](#)

"Venmore thomas,jones",ball,percival residential,sales,letting,management commercial,property,agents,site,search auctions,service,job,vacancies.

[538. Walker-Inc](#)

Commercial,service,corporate,real,estate property,sales,leasing,auctions management.

[539. Aladdin Real Estate](#)

Era,merritt,island,inc,residential commercial,property,management,service listing,virtual,tours,auctions.

[540. Fasig Tipton.com/home.html](#)

Thoroughbred,racehorse,auctions,since,18 8,sales,results,news,appriasal,service japanese,translation,headquartered lexington,kentucky.

[541. Allcars](#)

Showroom,new,used,sales,inclusive vehicle,auction,area,motoring,trade private,buyer,autoguide,service helpdesk.

[542. Fatty Tuna](#)

Reverse, auction, where, buyers, looking service, product, post, requests, sellers bid, price, down, to, win, business.

[543. D D Stables](#)

English, western, riding, facility, lesson detail, sales, directions, photo, auction service.

[544. Rileyandson](#)

"Jesse I. riley, son", realtor, insurance auction, storage, service, mission statement, lists, staff, properties scheduled.

[545. Fcsnc](#)

"First computer services", personal hardware, software, internet, consulting training, design, website, hosting maintenance, online, auction, listing, free news, advice, assistance, via, email.

[546. Warrendale Sales](#)

Thoroughbred, horse, agency, whose, primary business, public, auction, consignments detail, service, rates, kentucky, united states.

[547. Wastebid](#)

Online, sales, auctions, trash, recycling service, equipment, solid, management.

[548. Janes Cards](#)

Sales, most, popular, ccg's, auction, service sells, posters.

[549. Foundry-Eqpt](#)

"World equipment, machine sales co.", acts broker, disposal, used, surplus, service appraisals, liquidations, auction consignment, site, detail, current inventory.

[550. Fss4 Property \[UK\]](#)

"Feather smailes, scales", letting, service residential, commercial, plus, surveying auction, sales.

[551. G-Web](#)

"Alpine auction service", estates personal, property, appraisals, farm, sales antiques, business, liquidation.

[552. Gayle Van Leer](#)

Thoroughbred, bloodstock, service consulting, private, auction, sales, racing stable, management, equine, appraisals based, san, diego, ca.

[553. Sucher Energy](#)

Oil, gas, minerals, royalties, auctions oklahoma, based, company, property

marketing,auctioning,service.

[554. Myostrich](#)

"Myostrich internet services", whois,look-up,classified,section,domain,management auction,area,mailing,lists.

[555. Code07](#)

Emergency,service,community,search engine,categories,range,from,law enforcement,to,medical,classifieds auctions,personals,pho,gallery.

[556. Sell2 All](#)

Inc,surplus,inventory,management liquidation,service,through,online auction,selling.

[557. Pcmaestro](#)

"Maestro computing services", silent auction,bidding,systems:, consulting preparation,guest,management,item,event site,processing,receipting,collections.

[558. Cws Marketing](#)

Group,service,sales,company,auctions clients,government,agencies,private sector,business,well,individual,buyers sellers.

[559. Asset-Sales](#)

Inc,auction,appraisal,liquidation service,to,metalworking,other industries,site,detail,current,upcoming

[560. London Salesand Lettings](#)

User-friendly,property,listing,site large,database,covering,service,such auctions,mtgage,lenders.

[561. Atlanticrider.com/MQHA](#)

"Maritime quarter horse association" group,who, trail,train,breed,show promote,american,lists,dates,stallion service,auction,directors,membership guest,book.

[562. Plantsurplus](#)

B2b,web,site,where,companies,can,non-performing,assets,inventory,sale,free ings,posting,service,auctions aggressive,marketing,buying,groups.

[563. Smithand Taylor](#)

Cellarage,carriage,high-end,wine,storage system,home,office,design,service,next generation,auction,inspection,bottle delivery,from,central,london.

[564. Sohnand Associates](#)

Auction,service,full,company,residential commercial,agricultural,real,estate

antiques,collectibles,sales,firearms
business,liquidations,tools,farm,heavy
equipment.

[565. Soldyourway](#)

"Count your assets",auction,management
service.

[566. Mb Auctioneer](#)

"Mike brandly,auctioneer",weekly,car
auctions,well,real,estate,personal
property.

[567. Clonmel Auctioneer](#)

"Fionnuala kennedy auctioneer",property
listings.

[568. Tn Auctioneers](#)

"Tennessee auctioneers association"
professional,organization,supporting
industry,directory,members,news
legislative,update.

[569. American Auctiongallery](#)

"Auctioneer",listing,future,property
bidding,virginia,north,carolina,west
areas.

[570. Radley Auctioneers](#)

"Denis radley auctioneering",commercial
residential,property,listings.

[571. T L Jones Auctioneers](#)

Tracey,lancaster,area,company,auctioning
antiques,real,estate,personal,property
farm,equipment.

[572. Linehan-Auctioneer](#)

John,valuer,property,sites,sale
auctioneer,listing,residential,homes
land,towns,blarney,newmarket,dromahane
bweeng,banteer,kanturk,mallow.

[573. Auctioneers Training](#)

Center,canadian,auctioneering,facility.

[574. Psci.net/BrahmAuctions-realestate](#)

Auctioneers,based,in,merad,experienced
wide,variety,personal,property,both
cleon,tony,graduates,missouri,school.

[575. Pages.Ebay.com/AuctionForAmerica](#)

Users,donate,personal,property,to
auctioned,off,all,proceeds,going,relief
charities.

[576. Agorics.com/Library/Auctions.html](#)

"Survey of auction types",defines,lay
-terms,various,english,dutch,double
brief,history,discussion,collusion
included.

[577. Angelfire.com/biz4/OEMAuctionBoard](#)

"Old english mastiff trust foundation"
deals,problem,mastiffs,being,sold
auctions,what,can,done,to,help.

[578. Kpowens.com/Auction](#)

"Auctions by ray of light homeschool"
buy,sell,your,used,books,curriculum
least,effort,using,automation,tools.

[579. Regencypauley](#)

"Regency real estate,auction company,"
service,serving,both,virginia,west
complete,to,va,wv,estates,collectibles
business,liquidations,industrial
auctions.

[580. Downtown Stamps \[BC,CAN\]](#)

Coins,buy,sell,trade,international
postage,coinage,banknotes,host,online
bidboard,auction,all,nations,service
collectibles,shop,vancouver,ing
supplies,weekly,Canada,coin,hobby.

[581. Samigo.it](#)

"Samigo the music meeting point",free
service,ads,classifieds,auctions,buy
sell,instruments,concert,dates
magazines,italian,french.

[582. Poor Farms](#)

Wrecker,bail,bond,service,contact,24
-hour,car,sales,auctions.

[583. Hollywood Tow](#)

Service,official,police,garage
comprehensive,guide,vehicle,impound
release,explains,lapd,department
transportation,hearing,rights,auctions
habitual,parking,violator,process.

[584. Used---Autos](#)

Detail,auction,service,buying,selling
escrow,condition,checks,title
registration,insurance,delivery,of.

[585. Utimachinery](#)

"Ultra-tech inc.",acts,broker,disposal
used,surplus,tools,metalworking
equipment,other,industrial,service
appraisals,liquidations,auctions
financing.

[586. Vallack \[Australia\]](#)

"Ww vallack real estate",northern
beaches,agent,property,listing,plus
investment,tenant,rental,leasing
auction,service.

[587. Elite Shipping](#)

-transportation,service,museums,gallery

auction,houses, instant,quote
interactive,website.

[588. End-Squared](#)

"Endless endeavors",classifieds,auctions
message,boards,chat,rooms,variety
service,construction,snow,removal
computer,networking,web,design.

[589. Bigscreenbiz](#)

Entertainment,industry,equipment,related
service,auctions,classifieds,forums.

[590. Automatics](#)

Machinery,inc,specializes,buying,selling
trading,conventional,cnc,single
multiple,spindle,screw,machines,service
auctions,liquidations,appraisals,site
detail,current,inventory.

[591. Vanderee](#)

"Auctions by vanderee",auctioneer,real
estate,broker,service,commercial
industrial,residential,property.

[592. Iin \[Org\]](#)

"Infants,need,inc.",develops,facilities
to,meet,special,ddlers,who,at,risk,due
abuse,neglect,or,conditions,service
auctions,contact,infmion.

[593. Villageofottoville.org/locbus /langhals](#)

"Tony langhals real estate,auction co."
service,agent,farm,commercial
residential,property.

[594. Agents Realty1](#)

Auction,service,estate,residential
commercial,farm,property.

[595. Agri Class \[UK\]](#)

Online,agricultural,service,news,weather
detail,auctions,sales,forums,farmers
all,members,communities.

[596. Ex Factory](#)

Woodworking,machinery,comprehensive
source,new,used,equipment,solid,panel
other,industry,processing,plus,leasing
appraisal,liquidation,auction
installation,consulting,service.

[597. Ajuxta](#)

"Ajuxta procurement services",business
professionals,access,to,range,auction
ols,use,environment.

[598. Orealty](#)

"O'connor sales,realty,inc.",estate
auction,service,central,wisconsin.

599. Walker-Realty

Auction,service,property,listing,brief
company,history.

600. Ridhaa

Trading,japanese,car,sales,worldwide
export,service,order,from,quality,stock
auctions.



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 -- <http://www.mcdpolitics.org/>
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 -- <http://geocities.com/fineyoungsocialist/sdp.html>
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- [Caucasian Institute for Peace, Democracy and Development \(CIPDD\)](#) - "Main Objectives are to promote democratic and free-market values, to publicize the major achievements of Western democratic thought, and to encourage a non-partisan theoretical analysis of the problems of the post-communist transition process in Georgia and the Caucasus region."
-- <http://www.armazi.demon.co.uk/cipdd.html>
- [Catholic Encyclopedia: Christian Democracy](#) - Article from 1908 representing Christian democracy as the ensemble of Catholic doctrine, organization, and action in the field of popular social questions.
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- [Teledemocracy Action News + Network \(TAN+N\)](#) - The web site of the Global Democracy Movement dedicated to the creative use of modern technologies and face-to-face deliberative techniques that directly empower citizens to have authentic input into the political process.
-- <http://www.auburn.edu/tann/>
- [Douglas-Coldwell Foundation](#) - Canadian organization promoting education about and research into social democracy, activism and social justice. Named for the founders of Canada's New Democratic Party.
-- <http://www.dcf.ca/>
- [Artists for a New South Africa](#) - ANSA is a non-profit organization founded and supported by artists, activists and others dedicated to furthering democracy and equality in South Africa and civil rights in the U.S.
-- <http://www.ansafrika.org>
- [Democracy Now!](#) - Homepage of Amy Goodman's acclaimed Pacifica show. She had been harassed by Pacifica before the radio network was reclaimed by activists.
-- <http://www.democracynow.org/>
- [Gamecatcher Forum - Multi-Site Democracy Game](#) - Bulletin board for discussions of the Gamecatcher and CFC teams in the multisite democracy game of ACS, CFC and Gamecatcher.
-- <http://www.gamecatcher.net/fora/viewforum.php?f=23>
- [IDEA: Voter Turnout from 1945 to 1998](#) - Offers a global survey of voting trends and turn-out for parliamentary and presidential elections in nations around the world. Produced by the International Institute for Democracy and Election Assistance.
-- http://www.idea.int/voter_turnout/index.html
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-- <http://www.mediachannel.org/>
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networks, art, & collaboration



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- Alternative Economies; summary of strategies on a culturally loathsome subject from the depths of disorganization

by Sarah Lewison

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<http://www-apparitions.ucsd.edu/~slewison/>

(bribery accounts for 1 trillion \$US of the world economy) (1)

what is the meaning of our exchanges, given that they all indicate exchanges of value- so what do they do? internet new practices of exchange are rather common- how to move to material practices.

what is the possibility of collaborating toward economic change? alternative approaches to economic transactions-- what would this mean

money as forced cooperation: contradictory because we make lots of little decisions and don't uniformly participate, but only as much as we need to or are accustomed to. not systematic, but questions both as to how we will be able to use internet increasingly to critique facilitate transactions and support different kinds of organizing, and second, how to bring resistant ideas back to the material world-- HOLmes' qustion; How to play the exhibition game in such a way that something real can actually be won? how to configure critical and radical cultural practices as mobilizing force.

Polanyi, The Great Transformation, '94, a critique of foundations of economics liberalism and technological determinism: rather than being embedded in social relations, the economy we currently have constitutes our social relations. Society is an accessory of the economy.

cultural production: as accessory of economy; subculture of creative production; precarious, physically discontinuous-- we are the ambassadors of good intentions

what follows conflates life and art practices, art people are familiar with, examining them from the perspective of economics, collaboration and distribution, rather than art criticism

tournaments of value (21 arjun appadurai-- The Social Life of Things): circulation of things around a

community, describes the community (model- several overlapping circles?) circulating through traditional art contexts, our value as artists corresponds to a market auction; what have we done that was interesting, followed by another thing, encountering fluctuations.

values-- different tournament- what happens in net, list serves, among self-produced liaisons

as many sided monads or operatives, we turn different sides to those productions, modulate them distinctively-- perhaps

external value is constructed through publicity; circulation of the project; meanwhile attempts to construct stable values internally-- circulation of ideas-- imitation of strategies-- sharing software

control on substances of value: alcohol, fuel, drugs; ways of making money my value peaks 95? with FAt of the land: (2) dated. but still circulating in wider public;. what we were doing was eco-friendly and that, but also we were making money. and there is cache to that-- right now, at the same time this movement is being historicized, they are seeking to regulate it.

the home distilled cocktail; money out of the nation's expected revenue-- artificially scripted alcohol and prohibition: anarchist ideas of mutualism; fair off-market exchanges of labor and commodities gain credibility as part of the popular resistance to prohibition. Mutualism is an interaction in which organisms in a close relationship derive some degree of benefit. Mutualism is usually temporary or not obligatory, and is one basis for ideas about free cooperation:

if capitalism is form of forced cooperation: what exchanges are materially oppositional; what other means to survive? gifts, barter, communality, organizing, coops, theft (or as the Situationists called it 'liberation of the commodity', alternative currencies, tax resistance, -job sharing

gift- can be exchange that is temporal; 3 different kinds-- familial, associative, strangers

be already afoot ; how we invite each other places, or recommend someone to an exhibit-- sometimes these operate like a gift, if there is risk at stake for the person who is giving; this is a kind of gift--

There is a calculative dimension to all exchange. the giving of the gift sets up the expectation of how this will be moved around.

off the dusty shelf: collaborating with the dead communalism; anarchistic; La Commune, (peter watkins film) english diggers flashes of utopia- communes, cockettes; free exchange, diggers, everything is free, rent is 35 bucks, acid

basis of murray bookchin's early work, he thought it political- later retracts this view (was spiritual) that god thing-- depoliticized ethics- research into open land movement; experience of people who lived there; -- embodiment; permissiveness

(yippies?)

contemporary 'free spaces' and attempts to equitably include public cultural conflict: debate -cf
Messhall in Chicago

Man B: we can't charge money for anything in this space because we are getting it for free, we can then produce an atmosphere outside of market capitalism. chance to redefine exchange; what happens here is entirely voluntary and purely the exchange of freely cooperating, everything distributed here should always be free

Man D: there are different cultures of thought regarding money, and we exclude certain cultures and avoid critical reflection of realities of market by having a standard rule that everything is free. an artist who labors should be able to produce value from this labor if he wants. otherwise our space will only reflect the homogeneity of our specific training, if we do not allow for exceptions to this rule

(what are the assumptions, expectations for each of these?--

Decisions about free exchange exposes the differentials; there is no natural unity; is there always a membrane or barrier between those who have and who don't, incommensurable barrier of static inequivalence and speech (can't be spoken about except to intimates). The extreme dramatization of this is the man who sells his wife for a meal. The job of redistributing the lack of 'wealth' on one side of the barrier belongs to someone else; the state, but is non-functional. Software is free but doesn't pay the rent.

Individually, is this a taboo subject? As cooperation/ collectivity/ etc, does the subject gain a platform? is interpellation possible?

banking on trust N55 proposal to share income among set group of people

70s and 80s some stories circulated of a kind of personal micro-finance; they were kind of early tales about the effectivity of social networks, pre-internet. someone wants to buy a piece of property writes everyone they know, and maybe this is copied and extended. the request is for small loans that won't kill anyone; they are slowly repaid over the years.

House posted on rTMark: pledges from strangers, collective purchase and constitution of a corporation on the basis of purchasing property. why did they pledge? it was clear there would be 17000 other buyer, they were going to get dust motes, did they think of it as a gift-- or as ownership. Utopian, too expensive, but bldg would have had to be managed somehow in the interest of a wider public. would be a long experiment.. pledges added up to \$7000, not bad but not enough

critical organizing: accessing the body of practices used by workers

art strike, tongue in cheek rhetoric, backed by sincere argument for change; radical valuation of cultural work (3)

addressing economic precariousness as flexibility extends to all areas of labor. unevenness of employment-manipulation of labor not only by the industries, but between competing factions;

resistance to cooperation.

temporary overtime: seek to represent flexible and disorganized labor, provide grounds for organizing, recover histories, and bring discussion of this industrial maneuver into a more public arena

Black Cloud over Vegas (2001 unrealized): working with organized labor: physical mani occupying entire strip and air space (4)

Precarias de la Deriva: Spain: walking with precarious women; speculate about re-figuring categories of unity, also physically embodied, narrativized thorough the way the workers occupy and use the city, (5)

Association of intermittents de la Spectacle in France, struggle throughout 2003 and the assimilation of television technical labor into the same category: pop idol interuppted; "Eiteinez vos teles" this year, 40,000 scientists join in with Intermittents and other educated labor, deploring an attack on the intelligence of the nation. just prior to the election (6) (7)

sig of Academic Student Unions: (mark warshaw, vp ASE/UAW) ASE in Cali is part of UAW, because they had the money and membership to support them through a long struggle for ratification by the university. it almost took 20 years, just signed 2nd contract. Now, between UC and newly organized Cal and U of W, ASE has 20,000 members, more than 1/4 of UAW's western region membership. reflects the shift of the site of production to work having to do with information, and requiring high degrees of cognitive and social processing, what Negri calls finesse.

ASE organizers talk about the plateaus of participation by new signees. at first a process of re-examining relation to how they think of their work and the university. some begin organize, or become interns at the Labor Center at UCLA: why why is this important. the numbers are getting large enough and the membership is excited and sees potential for political leverage. they are preparing actions to oppose states proposed cuts to the university from walkouts to civil disobedience on the day of the strike. particular uni culture; everyone is Temporary: demands are higher for constructing paths of continuity-- uni restored as site for politicization and organizing- members look ahead to election-- speculate; percentage of members continue creative organizing -

value of embodiment ; standing on a barricade Representation of this embodiment, however is problematic- what is the goal of this representation, the insouciance Sholette refers to--- Superflex; barricade--?

why else think about economic assemblages? market affect- The Strike and the Boycott: word of mouth party General Strike: Not a lightbulb shines, not a telephone rings, not a wheel turns without the permission of proletariat.

Radical Media Pragmatism; flashy radical tactics critically interrogating rules and protections of capitalization and capitalist exchange

rTMark: etoy so successful; was that final word on directly attacking the business ethics of a corporation so triumphantly

voteauction.com-- 1976 Buckley v Valeo-- constitutional ruling equated money with free speech. although free speech still doesn't equal money. one argument against this is that lawyers who want more than 1/2 an hour to sum up their arguments to the court could pay for extra time. (8)

Minerva Cuevas launched the Mejor Vida Corp in the late 90s, distributing for free such things as personalized university identification cards bar code stickers. only for a few things and certain stores. she provided a number of personal services. She got a gallery in Paris to write rec. letters for jobless individuals. (9)

some of cueva's ideas were already practiced in libertarian and anarchist cultures; for years people have been copying and distributing passports, train tix etc. there is a whole network of young people in the united states who share info on train schedules for train hopping, reproduce greyhound bus passes, etc. she brings it into another critical lite and audience

recode.com: (liberating capital) improves upon Cueva's bar code project by providing an interactive database of upc codes. the user punched in the item, and recode spat out the correct sticker. the stickers were likely used, but there is no record-- nathan talks about them as being quick strikes, reach only a certain amount of people; CDL: engagement with anarchist and punk culture -- Michel Chevalier- artist and theorist in Hamburg writes about the autonomy of punk culture; keep control over distribution (10) also the young social ecologists--

yomango; a diy lexicon in shoplifting-- large participation, pre-existing cultural habit; people do survive from what they have shoplifted, and Spanish laws against shoplifting mild compared to in US, project is a celebration of a defiant culture-- this open flaunting of authority of the commodity is a continuing manifestation of the energy generated by the collaboration several activist art collaborations as a meta agencia; Las Agencias-- collaborations within a collaboration--

las agencias: their participation in the show (xxx name?) at Museum of Contemporary Art in Barcelona, 2000, where museum money for the exhibit is used to fund purchases for the movements in Spain, including the bus and computers-- coinciding with G7 meeting in Barcelona, the group achieves a highly creative street visibility in the ensuing protests, and practices and ideas established out of the week long workshop continue to spread and diversify.

duration and continuity not necessarily attractive to institutional publicity campaigns, loses attention; how to keep it going, elongate attention, form or support other associations to reuse or recirculate ideas-- multiply into forking campaigns,

(this is going on with various mobile 'street writer' mechanisms, with successive generations attempting to improve their functionality and heterogeneity of messages)

anonymity as to authorship of the project, and conditions of diverse collaboration at initiating phases facilitate possibilities of duration and continuity

Practices and theories:

Horizontalidad: new languages for association (Argentina) Marina Sitrin and Emilio Sparato wrote a piece for the upcoming Journal of Aesthetics and Politics about the language of association is changing in Argentina as people activate new ways of working and surviving in cooperation. horizontalidad; collective protagonism, autogestion :

Alternative currencies: Ithaca Hours. retain economic wealth in local economy and retain control. Ithaca Hours since 1991, issued over \$100,000. promotion may outpace the practice? Hours promotion: expand the local money supply, local shopping, double the local minimum wage to \$10.00, subsidize premium prices for local goods and food. foster new businesses and jobs, reduce dependence on imports and fuel, grant making, zero-interest loans, stimulate community pride

thousands of residents, 500 businesses (bank, movie theaters, health clubs, farmers and hospital), have traded several million dollars with Ithaca Hour. value= one hour of basic labor or \$10.00. There are now dozens of HOUR systems in North America (from Brooklyn to Santa Barbara) and worldwide (from China to Argentina) based on this model. (from their promo)

Same principle of intra-community circulation and profitability used to enhance sustainability goals has led to addition of a credit union, stock exchange, and a health care system.

Cooperatives: not entirely dead; ag coops all along, but they are often compromised by agribusiness interests; the 70s food coop and conspiracy movement linked to the back to the land movement and still is in some regions, where it was difficult to farm by industrial standards. The point was to continue building these alternative avenues for commodities; supporting them with networks of collectively and cooperatively managed warehouses, and even transportation. It was intended to be a vertically integrated sub-economy that existed within American capitalism, refusing excess profit and hierarchy. Most were forced to close by building regulations, or succumbed to entrepreneurship, internal conflict or external competition as organic foods became more popular and less politicized. Michael Doyle, a historian of American counterculture calls these zones Ecological niches of conviviality-- an unglaciated valley in Minnesota near the Mississippi, there is still a colony of unregulated housing, a cooperative mill, a coop and until recently a cooperative warehouse, recently bought out. (11)

Mondragon Cooperatives are kind of a chain, based in Spain and concentrated in the Basque region. They claim to be one of the biggest corporations in Spain. Profits go to charity and to a collectively owned account. there now is a bakery in SF which is MOndragon. workers invest in the business. They see themselves as emerging from social relationships: "The Coop always begins a new enterprise with a group of people who are friends, never with just one person. It sees the natural bonds of friendship as a building block for which successful ventures are built." (12)

again there is the problem of integration between the barrier of inequalities: an unemployed person cannot afford to shop at the coop,-- cannot afford to buy commodities which pay their workers a living wage.

Theoretical movements: acknowledge Oliver Ressler's project- interviewing proponents of various alternative economic movements- i am doing a little follow up (13)

libertarian municipalism- forms of participatory democracy based in community building, politics and

economics. emphasizing local decision making, and full citizen participation at every level and cooperative economic forms. presupposes restraint of scale to allow for a demos, an assembly consisting of all units, and then the voluntary confederation of such communities

bookchin and takis fotopolous main proponents: : Also called social ecology, it is an amalgam of socialist, democratic, identity, ecological, and direct democracy politics Fotopolous: An authentic social ecology is inspired by a vision of human communities achieving their fulfilment as an integral part of the larger, self-realising earth community...social ecology is an attempt to understand the dialectical movement in society within the context of the larger dialectic of society and nature.

They diverge on the issue of economics.

Murray Bookchin of the Institute for Social Ecology believes the general assembly of citizen/residents in the municipality should make the overriding decisions for all areas of production. He sees small proprietary concerns as co-existing with larger cooperatively managed and owned sites of production.

Takis Fotopolous, one of those Ressler interviewed, advocates a rationalized approach that divides the demos among four instrumental social categories; 1. political or direct democracy 2 economic level divided into two assemblies; production and consumption 3 social level, workplaces: production facilities, schools, household 4 ecological democracy; how to integrate society into nature

the multiple levels involve a cumbersome number of meetings to decide which and how much of goods to produce, and then how to go about it.

Another movement that claims the title of social ecology is more inflected with the spiritual eco-communitarianism of Arne Naess, the Swedish philosopher who coined the term 'deep ecology'. It is a kind of voluntary associationist bioregional movement wherein citizenship is driven by one's place in the bios--

ASN: Augmented Social Networks describes a new architecture for the internet that would more practically enable connections between people working in technical fields with those working in social fields.

Move-on bakesale ?

pragmatic multitudinism authorship and circulation ratio of spectacle to reusable practice:deliberate and subtle decisions about positioning work meta collections of collectives: anonymous and large- travel farther new pedagogies and heterogeneous alliances: change is located in practices structure habitus teknological mutualism: marketization always followed enclosure of the commons, it won't be bad to see how this will work in reverse.

links: (1) ethical corporation <http://www.ethicalcorp.com/> (2) fat of the land <http://www-apparitions.ucsd.edu/~slewison/fat.html> (3) art strike <http://www.stewarthomesociety.org/artstrik.htm> and http://www.thing.de/projekte/7:9%23/y__yawn.html

- (4) still learning from las vegas <http://www.journalofaestheticsandprotest.org/1/vegas/index.html> art strike
 - (5) First Stutterings of Precarias de la deriva <http://www.sindominio.net/karakola/precarias/balbuceos-english.htm>
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what follows conflates life and art practices, art people are familiar with, examining them from the perspective of economics, collaboration and distribution, rather than art criticism

tournaments of value (21 arjun appadurai-- The Social Life of Things): circulation of things around a community, describes the community (model- several overlapping circles?) circulating through traditional art contexts, our value as artists corresponds to a market auction; what have we done that was interesting, followed by another thing, encountering fluctuations.

values-- different tournament- what happens in net, list serves, among self-produced liaisons

as many sided monads or operatives, we turn different sides to those productions, modulate them distinctively-- perhaps

external value is constructed through publicity; circulation of the project; meanwhile attempts to construct stable values internally-- circulation of ideas-- imitation of strategies-- sharing software

control on substances of value: alcohol, fuel, drugs; ways of making money my value peaks 95? with FAt of the land: (2) dated. but still circulating in wider public;. what we were doing was eco-friendly and that, but also we were making money. and there is cache to that-- right now, at the same time this movement is being historicized, they are seeking to regulate it.

the home distilled cocktail; money out of the nation's expected revenue-- artificially scripted alcohol and prohibition: anarchist ideas of mutualism; fair off-market exchanges of labor and commodities gain credibility as part of the popular resistance to prohibition. Mutualism is an interaction in which organisms in a close relationship derive some degree of benefit. Mutualism is usually temporary or not obligatory, and is one basis for ideas about free cooperation:

if capitalism is form of forced cooperation: what exchanges are materially oppositional; what other means to survive? gifts, barter, communality, organizing, coops, theft (or as the Situationists called it 'liberation of the commodity', alternative currencies, tax resistance, -job sharing

gift- can be exchange that is temporal; 3 different kinds-- familial, associative, strangers

be already afoot ; how we invite each other places, or recommend someone to an exhibit--

sometimes these operate like a gift, if there is risk at stake for the person who is giving; this is a kind of gift--

There is a calculative dimension to all exchange. the giving of the gift sets up the expectation of how this will be moved around.

off the dusty shelf: collaborating with the dead communalism; anarchistic; La Commune, (peter watkins film) english diggers flashes of utopia- communes, cockettes; free exchange, diggers, everything is free, rent is 35 bucks, acid

basis of murray bookchin's early work, he thought it political- later retracts this view (was spiritual) that god thing-- depoliticized ethics- research into open land movement; experience of people who lived there; -- embodiment; permissiveness

(yippies?)

contemporary 'free spaces' and attempts to equitably include public cultural conflict: debate -cf Messhall in Chicago

Man B: we can't charge money for anything in this space because we are getting it for free, we can then produce an atmosphere outside of market capitalism. chance to redefine exchange; what happens here is entirely voluntary and purely the exchange of freely cooperating, everything distributed here should always be free

Man D: there are different cultures of thought regarding money, and we exclude certain cultures and avoid critical reflection of realities of market by having a standard rule that everything is free. an artist who labors should be able to produce value from this labor if he wants. otherwise our space will only reflect the homogeneity of our specific training, if we do not allow for exceptions to this rule

(what are the assumptions, expectations for each of these?--

Decisions about free exchange exposes the differentials; there is no natural unity; is there always a membrane or barrier between those who have and who don't, incommensurable barrier of static inequivalence and speech (can't be spoken about except to intimates). The extreme dramatization of this is the man who sells his wife for a meal. The job of redistributing the lack of 'wealth' on one side of the barrier belongs to someone else; the state, but is non-functional. Software is free but doesn't pay the rent.

Individually, is this a taboo subject? As cooperation/ collectivity/ etc, does the subject gain a platform? is interpellation possible?

banking on trust N55 proposal to share income among set group of people

70s and 80s some stories circulated of a kind of personal micro-finance; they were kind of early tales about the effectivity of social networks, pre-internet. someone wants to buy a piece of property writes

everyone they know, and maybe this is copied and extended. the request is for small loans that won't kill anyone; they are slowly repaid over the years.

House posted on rTMark: pledges from strangers, collective purchase and constitution of a corporation on the basis of purchasing property. why did they pledge? it was clear there would be 17000 other buyer, they were going to get dust motes, did they think of it as a gift-- or as ownership. Utopian, too expensive, but bldg would have had to be managed somehow in the interest of a wider public. would be a long experiment.. pledges added up to \$7000, not bad but not enough

critical organizing: accessing the body of practices used by workers

art strike, tongue in cheek rhetoric, backed by sincere argument for change; radical valuation of cultural work (3)

addressing economic precariousness as flexibility extends to all areas of labor. unevenness of employment-manipulation of labor not only by the industries, but between competing factions; resistance to cooperation.

temporary overtime: seek to represent flexible and disorganized labor, provide grounds for organizing, recover histories, and bring discussion of this industrial maneuver into a more public arena

Black Cloud over Vegas (2001 unrealized): working with organized labor: physical mani occupying entire strip and air space (4)

Precarias de la Deriva: Spain: walking with precarious women; speculate about re-figuring categories of unity, also physically embodied, narrativized thorough the way the workers occupy and use the city, (5)

Association of intermittents de la Spectacle in France, struggle throughout 2003 and the assimilation of television technical labor into the same category: pop idol interrupted; "Eiteinez vos teles" this year, 40,000 scientists join in with Intermittents and other educated labor, deploring an attack on the intelligence of the nation. just prior to the election (6) (7)

sig of Academic Student Unions: (mark warshaw, vp ASE/UAW) ASE in Cali is part of UAW, because they had the money and membership to support them through a long struggle for ratification by the university. it almost took 20 years, just signed 2nd contract. Now, between UC and newly organized Cal and U of W, ASE has 20,000 members, more than 1/4 of UAW's western region membership. reflects the shift of the site of production to work having to do with information, and requiring high degrees of cognitive and social processing, what Negri calls finesse.

ASE organizers talk about the plateaus of participation by new signees. at first a process of re-examining relation to how they think of their work and the university. some begin organize, or become interns at the Labor Center at UCLA: why why is this important. the numbers are getting large enough and the membership is excited and sees potential for political leverage. they are preparing actions to oppose states proposed cuts to the university from walkouts to civil disobedience on the day of the strike. particular uni culture; everyone is Temporary: demands are higher for constructing paths of

continuity-- uni restored as site for politicization and organizing- members look ahead to election-- speculate; percentage of members continue creative organizing -

value of embodiment ; standing on a barricade Representation of this embodiment, however is problematic- what is the goal of this representation, the insouciance Sholette refers to--- Superflex; barricade--?

why else think about economic assemblages? market affect- The Strike and the Boycott: word of mouth party General Strike: Not a lightbulb shines, not a telephone rings, not a wheel turns without the permission of proletariat.

Radical Media Pragmatism; flashy radical tactics critically interrogating rules and protections of capitalization and capitalist exchange

rTMark: etoy so successful; was that final word on directly attacking the business ethics of a corporation so triumphantly

voteauction.com-- 1976 Buckley v Valeo-- constitutional ruling equated money with free speech. although free speech still doesn't equal money. one argument against this is that lawyers who want more than 1/2 an hour to sum up their arguments to the court could pay for extra time. (8)

Minerva Cuevas launched the Mejor Vida Corp in the late 90s, distributing for free such things as personalized university identification cards bar code stickers. only for a few things and certain stores. she provided a number of personal services. She got a gallery in Paris to write rec. letters for jobless individuals. (9)

some of cueva's ideas were already practiced in libertarian and anarchist cultures; for years people have been copying and distributing passports, train tix etc. there is a whole network of young people in the united states who share info on train schedules for train hopping, reproduce greyhound bus passes, etc. she brings it into another critical lite and audience

recode.com: (liberating capital) improves upon Cueva's bar code project by providing an interactive database of upc codes. the user punched in the item, and recode spat out the correct sticker. the stickers were likely used, but there is no record-- nathan talks about them as being quick strikes, reach only a certain amount of people; CDL: engagement with anarchist and punk culture -- Michel Chevalier- artist and theorist in Hamburg writes about the autonomy of punk culture; keep control over distribution (10) also the young social ecologists--

yomango; a diy lexicon in shoplifting-- large participation, pre-existing cultural habit; people do survive from what they have shoplifted, and Spanish laws against shoplifting mild compared to in US, project is a celebration of a defiant culture-- this open flaunting of authority of the commodity is a continuing manifestation of the energy generated by the collaboration several activist art collaborations as a meta agencia; Las Agencias-- collaborations within a collaboration--

las agencias: their participation in the show (xxx name?) at Museum of Contemporary Art in Barcelona, 2000, where museum money for the exhibit is used to fund purchases for the movements in Spain,

including the bus and computers-- coinciding with G7 meeting in Barcelona, the group achieves a highly creative street visibility in the ensuing protests, and practices and ideas established out of the week long workshop continue to spread and diversify.

duration and continuity not necessarily attractive to institutional publicity campaigns, loses attention; how to keep it going, elongate attention, form or support other associations to reuse or recirculate ideas-- multiply into forking campaigns,

(this is going on with various mobile 'street writer' mechanisms, with successive generations attempting to improve their functionality and heterogeneity of messages)

anonymity as to authorship of the project, and conditions of diverse collaboration at initiating phases facilitate possibilities of duration and continuity

Practices and theories:

Horizontalidad: new languages for association (Argentina) Marina Sitrin and Emilio Sparato wrote a piece for the upcoming Journal of Aesthetics and Politics about the language of association is changing in Argentina as people activate new ways of working and surviving in cooperation. horizontalidad; collective protagonism, autogestion :

Alternative currencies: Ithaca Hours. retain economic wealth in local economy and retain control. Ithaca Hours since 1991, issued over \$100,000. promotion may outpace the practice? Hours promotion: expand the local money supply, local shopping, double the local minimum wage to \$10.00, subsidize premium prices for local goods and food. foster new businesses and jobs, reduce dependence on imports and fuel, grant making, zero-interest loans, stimulate community pride

thousands of residents, 500 businesses (bank, movie theaters, health clubs, farmers and hospital), have traded several million dollars with Ithaca Hour. value= one hour of basic labor or \$10.00. There are now dozens of HOUR systems in North America (from Brooklyn to Santa Barbara) and worldwide (from China to Argentina) based on this model. (from their promo)

Same principle of intra-community circulation and profitability used to enhance sustainability goals has led to addition of a credit union, stock exchange, and a health care system.

Cooperatives: not entirely dead; ag coops all along, but they are often compromised by agribusiness interests; the 70s food coop and conspiracy movement linked to the back to the land movement and still is in some regions, where it was difficult to farm by industrial standards. The point was to continue building these alternative avenues for commodities; supporting them with networks of collectively and cooperatively managed warehouses, and even transportation. It was intended to be a vertically integrated sub-economy that existed within American capitalism, refusing excess profit and hierarchy. Most were forced to close by building regulations, or succumbed to entrepreneurship, internal conflict or external competition as organic foods became more popular and less politicized. Michael Doyle, a historian of American counterculture calls these zones Ecological niches of conviviality-- an unglaciated valley in Minnesota near the Mississippi, there is still a colony of unregulated housing, a cooperative mill, a coop and until recently a cooperative warehouse, recently bought out. (11)

Mondragon Cooperatives are kind of a chain, based in Spain and concentrated in the Basque region. They claim to be one of the biggest corporations in Spain. Profits go to charity and to a collectively owned account. there now is a bakery in SF which is MOndragon. workers invest in the business. They see themselves as emerging from social relationships: "The Coop always begins a new enterprise with a group of people who are friends, never with just one person. It sees the natural bonds of friendship as a building block for which successful ventures are built." (12)

again there is the problem of integration between the barrier of inequalities: an unemployed person cannot afford to shop at the coop,-- cannot afford to buy commodities which pay their workers a living wage.

Theoretical movements: acknowledge Oliver Ressler's project- interviewing proponents of various alternative economic movements- i am doing a little follow up (13)

libertarian municipalism- forms of participatory democracy based in community building, politics and economics. emphasizing local decision making, and full citizen participation at every level and cooperative economic forms. presupposes restraint of scale to allow for a demos, an assembly consisting of all units, and then the voluntary confederation of such communities

bookchin and takis fotopolous main proponents: : Also called social ecology, it is an amalgam of socialist, democratic, identity, ecological, and direct democracy politics Fotopolous: An authentic social ecology is inspired by a vision of human communities achieving their fulfilment as an integral part of the larger, self-realising earth community...social ecology is an attempt to understand the dialectical movement in society within the context of the larger dialectic of society and nature.

They diverge on the issue of economics.

Murray Bookchin of the Institute for Social Ecology believes the general assembly of citizen/residents in the municipality should make the overriding decisions for all areas of production. He sees small proprietary concerns as co-existing with larger cooperatively managed and owned sites of production.

Takis Fotopolous, one of those Ressler interviewed, advocates a rationalized approach that divides the demos among four instrumental social categories; 1. political or direct democracy 2 economic level divided into two assemblies; production and consumption 3 social level, workplaces: production facilities, schools, household 4 ecological democracy; how to integrate society into nature

the multiple levels involve a cumbersome number of meetings to decide which and how much of goods to produce, and then how to go about it.

Another movement that claims the title of social ecology is more inflected with the spiritual eco-communitarianism of Arne Naess, the Swedish philosopher who coined the term 'deep ecology'. It is a kind of voluntary associationist bioregional movement wherein citizenship is driven by one's place in the bios--

ASN: Augmented Social Networks describes a new architecture for the internet that would more

practically enable connections between people working in technical fields with those working in social fields.

Move-on bakesale ?

pragmatic multitudinism authorship and circulation ratio of spectacle to reusable practice: deliberate and subtle decisions about positioning work meta collections of collectives: anonymous and large- travel farther new pedagogies and heterogeneous alliances: change is located in practices structure habitus technological mutualism: marketization always followed enclosure of the commons, it won't be bad to see how this will work in reverse.

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(4) still learning from las vegas <http://www.journalofaestheticsandprotest.org/1/vegas/index.html> art strike

(5) First Stutterings of Precarias de la deriva <http://www.sindominio.net/karakola/precarias/balbuces-english.htm>

(6) Pop Idol action <http://fr.starnews.be/Contents.Detail.cfm?ContentsId=2000&lang=fr>

(7) Intellectuals <http://www.dawn.com/2004/02/19/int16.htm>

(8) **voteauction** <http://vote-auction.net/index00.htm>

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(11) the collective farm <http://www.ftlcomm.com/ensign/ensign2/humanAdaptations/collectiveFarm/collective.html>

(12) mondragon cooperatives <http://www.iisd.org/50comm/commdb/desc/d13.htm>

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[HANSBERNHARD.COM , VOTEAUCTION , VOTE-AUCTION, VOTEAUCTION.COM ...](#)

WWW.HANSBERNHARD.COM. [V]ote-auction project descriptions and publications. ...
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... **Voteauction** [0] was a Website which offered US citizens to sell their presidential vote to the highest bidder during the Presidential Elections 2000, Al Gore vs ...
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modified Size Description Parent Directory 22-Feb-2003 ...
[www.vote-auction.net/VOTEAUCTION/2000_PRESS/
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[www.vote-auction.net/VOTEAUCTION/
2000_ACTION_COMMUNICATIONS/00_ALLE_MAILBOXEN_ONLINE/](http://www.vote-auction.net/VOTEAUCTION/2000_ACTION_COMMUNICATIONS/00_ALLE_MAILBOXEN_ONLINE/) - 3k -
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[How It Works](#)

Voteauction.com is devoted to combining the American principles of democracy and
capitalism by bringing the big money of campaigns directly to the voting public ...
www.vote-auction.net/vote_auction_original_site_2000/howitworks.htm - 6k - [Cached](#)
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[Message Board](#)

Voteauction.com provides this message board as a forum for the free exchange of
ideas about **voteauction.com**, vote-selling, campaign investing, and campaign ...
www.vote-auction.net/vote_auction_original_site_2000/message.htm - 2k - [Cached](#) -
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[Date: Wed, 30 Aug 2000 17:28:02 +0100 To: baumgj@rpi.edu From ...](#)

... Wed, 30 Aug 2000 17:28:02 +0100 To: baumgj@rpi.edu From: net_CALLBOY
<hans@ubermorgen.com> Subject: Fwd: Re: URGENT: Request for comment re: **Voteauction.com** Cc ...
[www.vote-auction.net/VOTEAUCTION/
2000_ACTION_COMMUNICATIONS/30082000_wirednews.txt](http://www.vote-auction.net/VOTEAUCTION/2000_ACTION_COMMUNICATIONS/30082000_wirednews.txt) - 5k - [Cached](#) -
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["Bringing Capitalism and Democracy Closer Together"](#)

... To register with **voteauction.com**, click on the "sell" button on the left hand portion of your screen. ... from aboutpolitics.com. **Voteauction** Message Board. ...

www.vote-auction.net/vote_auction_original_site_2000/mainframe.htm - 4k - [Cached](#)

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www.vote-auction.net/VOTEAUCTION/2001_2002_CSL_KLAGE/ - 2k - [Cached](#) -

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[IN THE CIRCUIT COURT OF COOK COUNTY](#)

... Upon information and belief, Hans Bernard currently owns and/or operates an Internet

web site entitled "**Voteauction.com**" that transacts business within the ...

www.vote-auction.net/VOTEAUCTION/chicago_docs/207.70.85.119/complaint.htm -

88k - [Cached](#) - [Similar pages](#)

[RTMark: **Voteauction.com** | Past projects](#)

Voteauction.com. ... Past projects / **Voteauction.com**. The most prominent success of 2000's last quarter was surely **Voteauction.com** (now vote-auction.net). ...

www.rtmk.com/voteauction.html - 23k - [Cached](#) - [Similar pages](#)

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... **VOTEAUCTION** SATIRE ILLEGALLY SQUELCHED, WILL RE-OPEN IN HUNDREDS OF PLACES

RTMark.com reveals its role, offers cash to the first person who can redirect the ...

www.rtmk.com/voteauctionpr.html - 29k - [Cached](#) - [Similar pages](#)

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Articles about **Voteauction.com**. ... **Voteauction** press archive (much more complete than

the RTMark list); Vote auctions page on Open Directory; Wired, Nov. ...

www.rtmk.com/pressvot.html - 32k - [Cached](#) - [Similar pages](#)

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The meanness of Dow and Verio The Yes Men impersonate the WTO Back to **Voteauction.com** Nov. 5 press release Articles about **Voteauction** ...

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[Wired News: **Voteauction** Booth is Closed](#)

... Advertisement. **Voteauction** Booth is Closed. ... 21, 2000 PT. After two months of going

up and down and back up again, **Voteauction.com** is taking no more bidders. ...

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... Advertisement. **Voteauction** Bids the Dust. ... 22, 2000 PT. **Voteauction.com**, which attempted

to sell presidential votes to the highest bidder, is no more. ...

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... **Voteauction** Booth is Closed. by Mark K. Anderson. ... 21, 2000 PT. After two months of

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attempted to sell presidential votes to the highest bidder, is no more. ...

www.wired.com/news/print/0,1294,38355,00.html - 18k - [Cached](#) - [Similar pages](#)

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... Advertisement. **Voteauction** Bids the Dust. ... 22, 2000 PT. **Voteauction.com**, which attempted

to sell presidential votes to the highest bidder, is no more. ...

www.wired.com/news/school/0,1383,38355,00.html - 25k - [Cached](#) - [Similar pages](#)

[Wired News: Selling Votes or Peddling Lies?](#)

... Is Vote-auction -- which changed its name from **Voteauction.com** this week after the

original domain name had been shut down by court order -- actually ...

www.wired.com/news/politics/0,1283,39770,00.html - 27k - [Cached](#) - [Similar pages](#)

[Wired News: Voteauction Booth is Closed](#)

... Advertisement. **Voteauction** Booth is Closed. by Mark K. Anderson | Also by this reporter « back Page 2 of 2. 02:00 AM Oct. 21, 2000 PT. ...

www.wired.com/news/politics/0,1283,39590-2,00.html?tw=wn_story_page_next1 - 27k - [Cached](#) - [Similar pages](#)

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... Advertisement. **Voteauction** Bids the Dust. ... Solicited by an Austrian investor over the weekend, Baumgartner said he has taken steps to sell **Voteauction** itself. ...

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[Wired News: Close Vote? You Can Bid on It](#)

... If citizens do indeed find the choice between Gush and Bore meaningless, the proprietors of **Voteauction.com** say, why not at least make a little cash on the side ...
www.wired.com/news/print/0,1294,38229,00.html - 21k - [Cached](#) - [Similar pages](#)

[Wired News: Chicago to Sue Vote Auctioneers](#)

... presidential votes up on the virtual auction block, election officials in Chicago are expected to file a lawsuit Friday against the website **Voteauction.com**. ...
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... presidential votes up on the virtual auction block, election officials in Chicago are expected to file a lawsuit Friday against the website **Voteauction.com**. ...
www.wired.com/news/politics/0,1283,39431,00.html - 26k - [Cached](#) - [Similar pages](#)

[Tech Briefs | Oct 13, 2000](#)

... Or so claims the controversial new website **Voteauction.com**, which hit the Internet this summer and has already drawn barrages of criticism from numerous sources ...
www.yaleherald.com/archive/xxx/2000.10.13/features/techbrief.html - 10k - [Cached](#) - [Similar pages](#)

[Chicago wants Voteauction gone](#)

... Chicago wants **Voteauction** gone. ADVERTISEMENT. Click here... RELATED LINKS. ...
Voteauction.com is an Internet marketplace for the wholesale purchase of votes. ...
www.fcw.com/civic/articles/2000/1009/web-vote-10-10-00.asp - 27k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[disinformation | capitol punishment: does voteauction.com subvert ...](#)

... capitol punishment: does **voteauction.com** subvert democracy? ... To see this legitimacy shift in microcosm, just study the **Voteauction.com** controversy. ...
www.disinfo.com/archive/pages/dossier/id505/pg1/ - 55k - [Cached](#) - [Similar pages](#)

[Voteauction 2000-2004 ubermorgen](#)

... [V]ote-auction Web-Site Nov 7 2000 **Voteauction** Web-Site Mar - Jul 2000
SELLtheVOTE.COM 2004 CNN - "Burden of Proof" 2000 [27 Min. ...
vote-auction.net/ - 10k - [Cached](#) - [Similar pages](#)

[Index of /VOTEAUCTION/2000_LEGAL_DOCUMENTS/](#)

[CHICAGO_ILLINOIS/207.70 ...](#)

Index of /**VOTEAUCTION**/2000_LEGAL_DOCUMENTS/
CHICAGO_ILLINOIS/207.70.85.119.

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[vote-auction.net/VOTEAUCTION/2000_LEGAL_DOCUMENTS/](#)

[CHICAGO_ILLINOIS/207.70.85.119/](#) - 2k - [Cached](#) - [Similar pages](#)

[Google Directory - Society > Activism > Media > Culture Jamming > ...](#)

... TMark: **Voteauction.com** - <http://rtmark.com/voteauction.html> ®TMark page about its investment in **Voteauction.com**. Wired: Selling Votes or Peddling Lies? ...

[directory.google.com/Top/Society/Activism/Media/Culture_Jamming/Vote_Auctions/](#) - 26k - [Cached](#) - [Similar pages](#)

[Vote Auction](#)

November 5, 2000 FOR IMMEDIATE RELEASE **VOTEAUCTION** SATIRE ILLEGALLY SQUELCHED,

WILL RE-OPEN IN HUNDREDS OF PLACES. RTMark.com reveals ...

[www.zakros.com/mica/wdf00/voteauction.html](#) - 9k - [Cached](#) - [Similar pages](#)

[Voteauction.com](#)

Notes: Front page of vote-auction.com.... More description...

[theyesmen.org/wto/ppt/sld012.htm](#) - 2k - [Cached](#) - [Similar pages](#)

[voteauction.com](#)

Voteauction.com. An Internet jurisdiction case. In October, 2000, the Chicago Board of Election Commissioners became concerned that ...

[www.kentlaw.edu/perritt/conflicts/voteauction.html](#) - 8k - [Cached](#) - [Similar pages](#)

[Miller: Voteauction.com out of business](#)

OCTOBER 20, 2000 - **Voteauction.com**, the controversial web site promoting the sale of votes over the Internet, is apparently out of business. Skip Navigation ...

[www.michigan.gov/sos/0,1607,7-127-1640_9150-44322--M_2000_10,00.html](#) - 27k - [Cached](#) - [Similar pages](#)

[Slashdot | Voteauction.com](#)

Voteauction.com. News. ... **Voteauction.com** | Log in/Create an Account | Top | 208 comments (Spill at 50!) | Index Only | Search Discussion. ...

[slashdot.org/articles/00/08/17/1459228.shtml](#) - 80k - [Cached](#) - [Similar pages](#)

[Politech: Voteauction.com will be shut down, from A.Pressman](#)

Politech: **Voteauction.com** will be shut down, from A.Pressman. ... So it'll have to be **voteauction.eu** or **somesuch** or an IP address instead. ...

[seclists.org/lists/politech/2000/Oct/0040.html](#) - [Similar pages](#)

[Politech: Chicago officials try to shut down voteauction.com](#)

Politech: Chicago officials try to shut down **voteauction.com**. From: Declan McCullagh (declan_at_well.com) Date: Oct 06 2000. Next ...
seclists.org/lists/politech/2000/Oct/0011.html - [Similar pages](#)

[Politech: Orrin Hatch hosts Napster love-in; **Voteauction.com** ...](#)

Politech: Orrin Hatch hosts Napster love-in; **Voteauction.com** getting sued. From: Declan McCullagh (declan_at_well.com) Date: Oct 12 2000. ...
seclists.org/lists/politech/2000/Oct/0026.html - [Similar pages](#)

[HANS BERNHARD - PROJECTS](#)

... ubermorgen exhibits the [V]ote-auction CNN tape, **Voteauction** seals and [F]original legal documents at Aldrich Contemporary Art Museum 2001, The Premises ...
www.hansbernhard.com/X/pages/projects/ - 7k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[\[Random-bits\] <http://www.voteauction.com/>](#)

[Random-bits] <http://www.voteauction.com/>. James Love love@cptech.org Fri, 01 Sep 2000 11:35:45 -0400: Next message: [Random-bits] UDRP ...
lists.essential.org/pipermail/random-bits/2000-September/000295.html - 3k - [Cached](#) - [Similar pages](#)

[August 2000](#)

... **VoteAuction.Com**. ... To register with **voteauction.com**, click on the 'sell' button on the left hand portion of your screen.". The CNN story. ...
www.alamut.com/past/0008.html - 63k - [Cached](#) - [Similar pages](#)

[Deconstructing Code: **Voteauction.com** shut down](#)

... August 25, 2000. **Voteauction.com** shut down. **Voteauction.com** shut down. Posted by rshah at August 25, 2000 12:00 PM. Comments. Post a comment. Name: Email Address ...
www.rajivshah.com/directory/2000/08/voteauctioncom.html - 7k - [Cached](#) - [Similar pages](#)

[October 19, 2000, 1:54 PM PDT](#)

October 19, 2000, 1:54 PM PDT **Voteauction** to Lose Domain Name After a court defeat in Illinois, the site that enables people to sell their presidential votes ...
www.electioncenter.org/voting/VoteAuction%20to%20Lose%20DomainName.htm - 3k - [Cached](#) - [Similar pages](#)

[Florida and **voteauction.com**](#)

Florida and **voteauction.com**. ... Does anyone know how many Floridian votes were being sold as a bloc on **voteauction.com**, and how much they were going for? ...
www.mail-archive.com/armchair@gmu.edu/msg00618.html - 6k - [Cached](#) - [Similar pages](#)

[Goodies to Go - **Voteauction.com**, typosquatters, and more!](#)

Goodies to Go - **Voteauction.com**, typosquatters, and more! Goodies To Go Mon, 23 Oct 2000 15:14:47 -0700. ... Put it up for sale on **Voteauction.com**. ...
www.mail-archive.com/htmlgoodies2-l@listserv.earthweb.com/msg00007.html - 17k -

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[Voteauction Booth is Closed](#)

Voteauction Booth is Closed. Wired News Daily Sat, 21 Oct 2000 09:21:16 -0700. ...
Voteauction Booth is Closed Wired News Daily. Reply via email to:
www.mail-archive.com/wiredmail-announce@lists.wired.com/msg00717.html - 14k -
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[\[FYI\] RTMmark will VoteAuction durch viele DN-Verweise wieder ...](#)

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RTMmark will **VoteAuction** durch viele DN-Verweise wieder eröffnen. ...
www.fitug.de/debate/0011/msg00248.html - 6k - [Cached](#) - [Similar pages](#)

[Voteauction.com back online! \(was Re: Open Letter to Mayor Richard ...](#)

... **Voteauction**.com back online! (was Re: Open Letter to Mayor Richard M. Daley of). ...
IMNSHO, the **Voteauction**.com case should never been brought in court. ...
www.gigalaw.com/archives/0010/gigalaw-discuss-0010-00211.html - 17k - [Cached](#) - [Similar pages](#)

[Voteauction.com](#)

... **Voteauction**.com. Subject: **Voteauction**.com; From: Dodi Schultz
<SCHULTZ@compuserve.com>; To: "GigaLaw.com Discussion List" <gigalaw-discuss@lists.gigalaw.com>; ...
www.gigalaw.com/archives/0010/gigalaw-discuss-0010-00203.html - 16k - [Cached](#) -
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[Voteauction.com back in business | The Register](#)

... **Voteauction**.com back in business. By Linda Harrison in New York. Published
Monday 23rd October 2000 20:37 GMT. An American votes-for ...
www.theregister.co.uk/2000/10/23/voteauction_com_back_in_business/ - 23k - 6 Mar 2005 -
[Cached](#) - [Similar pages](#)

[<nettime> voteauction](#)

... <nettime> **voteauction**. To: NETTIME-L **at** bbs.thing.net; Subject: <nettime>
voteauction; From: "ann marie lanese" <lanese **at** hotmail.com>; ...
amsterdam.nettime.org/Lists-Archives/nettime-l-0008/msg00133.html - 12k - [Cached](#) -
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[<nettime> fwd: love **at** cptech.org: Jurisdiction and the ...](#)

... <nettime> fwd: love **at** cptech.org: Jurisdiction and the **Voteauction**.com
case. To: Nettime <nettime-l **at** bbs.thing.net>; Subject ...
amsterdam.nettime.org/Lists-Archives/nettime-l-0102/msg00244.html - 12k - [Cached](#)
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[\[Nettime-bold\] fwd: love **at** cptech.org: Jurisdiction and the ...](#)

... [Nettime-bold] fwd: love **at** cptech.org: Jurisdiction and the **Voteauction.com** case. To: Nettime <nettime-l **at** bbs.thing.net ...
amsterdam.nettime.org/Lists-Archives/nettime-bold-0102/msg00511.html - 12k -
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[Flutterby! : VoteAuction.com 2000-10-24 10:08:29-07](#)

VoteAuction.com. ... It looks like the politicians in Chicago couldn't stand the competition and have gotten a temporary injunction against **VoteAuction.com**. ...
www.flutterby.com/archives/comments/2980.html - 4k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[heise online - Stimmenverkauf per Internet "bedroht Grundfeste der ... - \[Translate this page \]](#)

... Demokratie". Die Site **Voteauction.com** bietet Wählern in den USA an, ihre Stimme im Internet an den Meistbietenden zu verkaufen. ...
www.heise.de/newsticker/meldung/12420 - 30k - [Cached](#) - [Similar pages](#)

[WTO | World Trade Organization: WTO / GATT Voteauction.com page](#)

... **Voteauction.com**. The most prominent success of 2000's last quarter was surely **Voteauction.com** (now 62.116.31.68). ... 5 press release. Articles about **Voteauction.com** ...
www.gatt.org/voteauction.html - 33k - [Cached](#) - [Similar pages](#)

[Vote Auction](#)

... (September 18, 2000) Web site **Voteauction.com** started as a student project, sparred with the law and landed in the portfolio of an Austrian marketing company. ...
www.sduros.com/voteswork.html - 9k - [Cached](#) - [Similar pages](#)

[SWOC archives -- October 2000 \(#27\)](#)

... SWOC@LISTS.WAYNE.EDU> Sender: school workers on-line community <SWOC@LISTS.WAYNE.EDU> From: Richard Gibson <rgibson@PIPELINE.COM> Subject: **voteauction.com** X-To ...
lists.wayne.edu/cgi-bin/wa?A2=ind0010&L=swoc&F=&S=&P=3047 - 11k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[Dot com ruled by US law? || kuro5hin.org](#)

... A number of other domains (www.**voteauction.at**, www.**voteauction.de**, www.**voteauction.cu**, www.**voteauction.ru**, www.vote-auction.net, www.vote-auction.org) should ...
www.kuro5hin.org/?op=displaystory;sid=2000/11/3/143335/151 - 77k - [Cached](#) - [Similar pages](#)

[transfert.net./ Voteauction.com n'est plus. Vive vote-auction.com - \[Translate this page \]](#)

... Société. 23/10/2000 • 16h18. **Voteauction.com** n'est plus. ... Pour son fondateur, **voteauction** n'est qu'un "canular". **Voteauction.com** n'existe plus. ...
www.transfert.net/a2223 - [Similar pages](#)

[Pigdog Journal \(Liberty\) -- Fuck You, Bill Jones, My Vote Is STILL ...](#)

... Gar gar gar! So here's the big hoo-haw: this guy made this perfectly funny and amusing Web site called **Voteauction.com**, linked to at the end of this page. ...

Go to Google Home

Web Images Groups News Froogle Local ^{New!} more »
Advanced Search
Preferences

Web Results 301 - 400 of about 5,000 for voteauction. (2.60 seconds)

????? ?????? - ?????????? ?? ?????????? ...

The summary for this Bulgarian page contains characters that cannot be correctly displayed in this language/character set.

litenet.bg/publish11/m_popova/regulation.htm - 60k - [Cached](#) - [Similar pages](#)

[EL PAIS DIGITAL-CIBERP@IS](#) - [[Translate this page](#)]

... Dos experimentos han llamado la atención por las consecuencias inesperadas que pueden traer. Uno es la compra de votos en el sitio **VoteAuction.com**. ...

[www.ciberpais.elpais.es/d/temas/pacifico/pacif140.htm](#) - 14k - [Cached](#) - [Similar pages](#)

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... la guinda. La página web **Voteauction.com** permitía hasta la semana pasada a los electores vender su voto al mejor postor. Se registraron ...

[www.ciberpais.elpais.es/d/temas/noticia/noti138.htm](#) - 18k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[Friheten - utenriks - And the winner is...](#)

... (nettsiden [www.voteauction.com](#)) Det er meldt om ekstremt store andeler forkastede stemmer fra svarte bydeler mange steder i Florida. ...

[www.friheten.no/uriks/2000/12/sam.html](#) - 5k - [Cached](#) - [Similar pages](#)

[\[MyAppleMenu\] Oct 30, 2000](#)

... (Wired News) <<http://www.wired.com/news/politics/0,1283,39770,00.html>> Did **Voteauction.com** really solicit bids on American votes, or was it all a mirage? ...

[www.pairlist.net/pipermail/applesurf-list/2000-October/000202.html](#) - 23k - [Cached](#) - [Similar pages](#)

[Wired News - ?????????????6000 ...](#) - [[Translate this page](#)]

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[hotwired.goo.ne.jp/news/news/culture/story/20000926206.html](#) - 33k - [Cached](#) - [Similar pages](#)

[????????????6000??????\(?\) Mark ...](#) - [[Translate this page](#)]

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[hotwired.goo.ne.jp/i/news/20000926206.html](#) - 6k - [Cached](#) - [Similar pages](#)

[[More results from hotwired.goo.ne.jp](#)]

[Inet-Duyuru : Turkiye Internet Duyuru Listesi: \[INET-DUYURU:1140\] ...](#)

... it now. By the way, the perpetrators of **VoteAuction.Com** are now claiming this whole site is just a hoax. How convenient! Now that ...

listweb.bilkent.edu.tr/inet-duyuru/2000/Nov/0001.html - 28k - [Cached](#) - [Similar pages](#)

[ARS Electronica ARCHIV](#) - [[Translate this page](#)]

... Nach Erhalt der Verfügung beschloss CORENIC, alle DNS-Dienste betreffend die Domain "**voteauction.com**" ohne Vorwarnung zu sperren. ...

www.aec.at/de/archives/prix_archive/prix_projekt.asp?iProjectID=12435 - 27k - [Cached](#) - [Similar pages](#)

[[More results from www.aec.at](#)]

[Österreichische HochschülerInnenschaft - ÖH Bundesvertretung ...](#) - [[Translate this page](#)]

... Kurz vor der Präsidentschaftswahl sorgte **voteauction.com** für erhebliches Aufsehen: Binnen kürzester Zeit meldeten sich dort 15.000 WählerInnen und etliche ...

oeh.ac.at/oeh/progress/103348630443/103348963634/103348971013 - 34k - [Cached](#) - [Similar pages](#)

[politica - News2000 - Libero](#) - [[Translate this page](#)]

... Continua la telenovela di **VoteAuction**, il sito che lo scorso agosto scatenò una bagarre proponendo ai cittadini americani di mettere in vendita il proprio ...

news2000.libero.it/editoriali/749.jhtml - 30k - [Cached](#) - [Similar pages](#)

[INFINIT](#)

... Az Amerikai Választási Bizottság már levelet intézett a szövetségi és állami ügyészségekhez, melyben a **Voteauction.com** bezárását sürgette. ...

www.ittk.hu/infinit/2000/1019/ - 40k - [Cached](#) - [Similar pages](#)

[NEWCITY.COM : Alternative America](#)

... electoral showdown. FLIPPING A COIN It's a tie! What now? CAPITOL PUNISHMENT Did **Voteauction.com** subvert democracy? ONE VOTER STRIKES ...

www.newcitychicago.com/newcity/content/current/politics_archive.html - 101k - [Cached](#) - [Similar pages](#)

[NEWCITY.COM : Alternative America](#)

... RETURN OF THE BULL MOOSE Look out Republican Party: Here come the young Bulls.

CAPITOL PUNISHMENT Did **Voteauction.com** subvert democracy? ...

www.newcitychicago.com/newcity/content/current/elect.HTML - 101k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[derStandard.at | Forum](#) - [[Translate this page](#)]

... **voteauction** 2000 zur US-Wahl Bush/Gore gab es ein nettes Projekt von der Gruppe ubermorgen.com, die damals eine Online Plattform zur Versteigerung der ...

derstandard.at/?page=userposts&pid=2563526 - 12k - [Cached](#) - [Similar pages](#)

[E Online - ???e???](#)

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www.hri.org/E/2000/00-11-20.dir/stiles/diethni.htm - 12k - [Cached](#) - [Similar pages](#)

[SEGA Daily](#)

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www.segabg.com/28102000/sect7.asp - 17k - [Cached](#) - [Similar pages](#)

[Webactivism is a Fiction of Dubious Merit by Christopher Robbins](#)

... Vapor-marketing strikes me as one of the most exciting new media today. Your uHaul thing, gunsforkids, **voteauction**, the yesmen, etc. ...

www.grographics.com/webactivism/harpers.php?layout=harpers&page=2002_10_01_archive.php - 86k - [Cached](#) - [Similar pages](#)

[Cabinet Magazine Online - Hierglyphs of the Future: Jacques ...](#)

... like the Call-in Sick Day to celebrate the non-holiday (in Anglo-Saxon lands) of 1 May; pseudo-official sites like gw bush.com , **voteauction.com** , or gatt.org ...

www.cabinetmagazine.org/issues/4/Hieroglyphs.php - 43k - [Cached](#) - [Similar pages](#)

[eselUpdateWiki - Ubermorgen](#) - [[Translate this page](#)]

... Lisa ?LaHue, Lisa Simpson, Elisabeth Maria Haas <http://lizvix.com>, <http://ubermorgen.com> Projekte: ubermorgen.com, **Voteauction**, 194.152.164.137, NAZILINE, bmdi ...

update.esel.at/wiki/index.php/Ubermorgen - 20k - [Cached](#) - [Similar pages](#)

[Dnevna Mladina - Grožnja demokraciji](#)

... Ameriški politologi in politiki so se že uprli takšnemu poskusu voline manipulacije, spletno stran www.voteauction.com (trenutno je nedosegljiva) pa so že ...

www.mladina.si/dnevnik/7225/ - 29k - [Cached](#) - [Similar pages](#)

[Anarhisti in antiglobalisti na pohodu](#)

... Sponzorirali so recimo spletno stran **voteauction.com**, kjer so volilci na draž bi ponujali svoje glasove najboljšemu ponudniku. ...

www.mladina.si/mednik/200234/clanek/nt/ - 34k - [Cached](#) - [Similar pages](#)

[:n/e/tsurf](#) - [[Translate this page](#)]

... de l'information: La plus curieuse est peut-être la tentative d'acheter des voix sur l'internet inventée par un étudiant, créateur du site **VoteAuction.com** ...

www.netsurf.ch/archives/2000/00_11/001106nt.html - 20k - [Cached](#) - [Similar pages](#)

[\[PDF\] DONNERSTAG, 01. APRIL 2004](#)

File Format: PDF/Adobe Acrobat - [View as HTML](#)

... CLUB DER POLNISCHEN VERSAGER >>> 16 - 18 Uhr >>> fffilms of resistance DOKUMENTE

DES WIDERSTANDES Filme über **VoteAuction** (Hans Bernhard, ubermorgen ...
www.rebelart.net/ffffff.pdf - [Similar pages](#)

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... resistance. DOKUMENTE DES WIDERSTANDES. Filme über **VoteAuction** (Hans Bernhard, ubermorgen), Nikeground (0100101110101101.ORG), The YesMen. ...
www.rebelart.net/ffffff.doc - [Similar pages](#)

[\[zpet na hlavní stránku\]](#)

... Z jejich novejších projektu bychom meli zmínit stránku www.voteauction.com (<http://62.116.31.68/>), která umožň nujec volicum prodat svůj hlas velkým ...
uisk.jinonice.cuni.cz/kera/sylabus2002/03tema1.htm - 32k - [Cached](#) - [Similar pages](#)

[Søndag Aften](#)

... Sitet **Voteauction.com** har lanceret en auktion, hvor du kan sælge din stemme (til det amerikanske præsidentvalg) til højstbydende. ...
www.cultur.com/2000/1099.html - 21k - [Cached](#) - [Similar pages](#)

[RIXC](#)

... lapam. Tiesam biež i janodarbojas ar šiem viltojumiem. **Voteauction.com** lieta ASV noveda pat pie precedentā procesa. Sekojošais ...
rixc.lv/reader/txt/txt.php?id=275&l=lv - 16k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[Art & Science Collaborations, Inc. \(ASCI\) - Art, Science & ...](#)

... who proposed, among other things, replacing the inefficiency of voting with a system of selling votes to the highest bidder (see <http://www.voteauction.com>). ...
www.asci.org/artikel428.html - 29k - 7 Mar 2005 - [Cached](#) - [Similar pages](#)

[FFFFFF#000001 - das rebel:art - festival 01.-03.04.2004 in Berlin ...](#) - [[Translate this page](#)]

... medien) und Tom Büschemann (Platoon cultural development, Berlin) AGENTUR01 >>>
14 - 16 Uhr DOKUMENTE DES WIDERSTANDES Filme über **VoteAuction** (Hans Bernhard ...
blog.cyberfiction.ch/C2018571429/E343755097/ - 10k - [Cached](#) - [Similar pages](#)

[Netpolitique - Newsletter n°5](#) - [[Translate this page](#)]

... Du Peer-to-Peer (P2P) au Voter-to-Voter Après **voteauction.com**, l'Ebay de la politique où l'on pouvait vendre son vote au plus offrant, les dernières ...
www.netpolitique.net/php/newsletter/newsletter05.php3 - 55k - [Cached](#) - [Similar pages](#)

[RTMark, ziberaktibismoa eta umore garratza | UNInet](#)

... gehiago. RTMark www.rtmark.com Gezurrezko webak www.gatt.org/homewto.html
www.gwbush.com Botoak salgai www.voteauction.com. LABURRAK. ...
www.sarean.com/artxiboak/000267.html - 12k - [Cached](#) - [Similar pages](#)

[NewsTrolls - News Under the Radar -](#)

... Submitted on Oct 20 2000 - 08.16 by diva. None of the Above. **voteauction.com** told to shut down. The site is reported to have moved ...

www.newstrolls.com/news/dev/troll102000.htm - 56k - [Cached](#) - [Similar pages](#)

[Jungle World 29/2001](#) - [[Translate this page](#)]

... Wahlkampagnen und TV vermittelten Stimmenkaufs ist es nicht minder (zur späteren Umsetzung auch dieser Aktion in Zusammenarbeit mit **Voteauction.com** siehe den ...

www.nadir.org/nadir/periodika/jungle_world/_2001/29/24a.htm - 22k - [Cached](#) - [Similar pages](#)

[Atlas.cz | FilmPub](#)

... Aukci volebních hlasu. Na www.voteauction.com muž ete jak hlasy prodávat, tak i nakupovat. Proc by trž ní pravidla nemela platit iv této oblasti? ...

filmpub.atlas.cz/clanek.aspx?articleId=18513 - 17k - [Cached](#) - [Similar pages](#)

[politik-digital 3.0](#) - [[Translate this page](#)]

... Neben der vergleichsweise plumpen Version von **voteauction.com**, einer inzwischen geschlossenen Website zum Stimmenverkauf, unterbreitete voteswap2000.com ein ...

www.politik-digital.de/text/archiv/edemocracy/usa/endspurt.shtml - 14k - [Cached](#) - [Similar pages](#)

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... <http://www.cybermesa.com/~berny/election1.html> - Morire di noia Era tutto scherzo l'iniziativa di voti all'asta di **Voteauction.com**, ma oltre la parodia dell ...

www.diritto.it/rubriche/temp/cybrmesa.html - 62k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[Diritto & Diritti - rivista giuridica on line](#) - [[Translate this page](#)]

... La Web site **Voteauction.com**, è infatti riapparsa sul net lo scorso week end sotto un indirizzo non appartenente agli Stati Uniti. Staremo a vedere. ...

www.diritto.it/articoli/cyberdiritto_usa/cyberdiritto_usa4.html - 101k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[Future Trading - Futures Brokerage Forum Trading](#)

... extensive commodity market research. disinformation capitol punishment: does **voteauction.com** subvert ... Tulips and Bears: the stock ...

futuretrading.resource-websites.com/futuresbrokerageforumtrading/ - 46k - [Cached](#) - [Similar pages](#)

[Wer wählt, gewinnt - Versuche, im Internet Wahlstimmen zu ...](#) - [[Translate this page](#)]

... August. Ebenso Yahoo, auf dessen US-Seiten ebenfalls Stimmen gehandelt wurden. Anfang dieser Woche löschte dann die Seite **voteauction.com** ihre Inhalte. ...

www.konradlichka.de/nhproben156.htm - 9k - [Cached](#) - [Similar pages](#)

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www.geocities.co.jp/SiliconValley/8300/201117.html - 13k - [Cached](#) - [Similar pages](#)

[Meet BAVC : News : Enews : April 2001](#)

... RTMark internationally renown for cultural interventions such as SimCopterhack, the Barbie Liberation Organization, **Voteauction.com**, GWBush.com, the etoy Fund ...

www.bavc.org/meet/news/e_news/0401.htm - 37k - [Cached](#) - [Similar pages](#)

[Heise News-Ticker: 17C3: CCC plant Aufbau eines alternativen DNS ...](#) - [[Translate this page](#)]

... ermöglicht, nachdem der Betrieb der ursprünglich von einem Kunststudenten im Staate New York konzipierte Plattform unter der Domain **Voteauction.com** von einem ...

www.chscene.ch/ccc/congress/2000/presse/heise04.htm - 9k - [Cached](#) - [Similar pages](#)

[KUNSTIKESKUS](#)

... poliitikat tehakse. Rühmitus sponsoreeris veebilehekülge **voteauction.com**, mis pakkus ameerika poliitikutele 2000. aasta presidendivalimiste ...

www.kunstikeskus.ee/keskus/keskus_tekst_internet.htm - 29k - [Cached](#) - [Similar pages](#)

[n-tv.de](#) - [[Translate this page](#)]

... Verfügung gelöscht. Bereits im Oktober war die damalige Internet-Adresse der Website, **voteauction.com**, vom Netz genommen worden. Die ...

www.n-tv.de/cgi-bin/show_doc.cgi?doc_id=802175&tpl_id=n_innen - 39k - [Cached](#) - [Similar pages](#)

[Barrapunto | Democracia líquida](#) - [[Translate this page](#)]

... Recuerdo una iniciativa, (**Voteauction.com** = subasta de votos) que como protesta pretendia instaurar una democracia virtual de corrupcion. Es decir ofrecia un ...

barrapunto.com/article.pl?sid=03/07/19/1429238 - 53k - [Cached](#) - [Similar pages](#)

[Perkins Coie](#)

... 16, 2000). The Chicago Board of Elections seeks a permanent injunction in Cook County Court against the operator of www.voteauction.com. ...

www.perkinscoie.com/casedigest/icd_results.cfm?keyword1=criminal%20actions&topic=Criminal%20Actions - 79k - [Cached](#) - [Similar pages](#)

[Hieroglyphs of the Future](#)

... like the Call-in Sick Day to celebrate the non-holiday (in Anglo-Saxon lands) of May 1st; pseudo-official sites like gwbush.com, **voteauction.com**, or gatt.org. (7 ...

www.declarations.ca/knowledge/hieroglyphs.htm - 25k - [Cached](#) - [Similar pages](#)

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Portale dedicato alla gastronomia dove oltre ad un ricettario potrete trovare un elenco di ristoranti italiani, riferimenti ai cibi e ai vini, alla storia dell' ...

www.spaghetitaliani.com/Articoli/ArticoloAT.htm - 23k - [Cached](#) - [Similar pages](#)

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... Inglés. James Baumgartner. **Voteauction.com**. Página ideada por el joven James Baumgartner y posteriormente absorbida por el colectivo rtmark. ...

www.interzona.org/transmisor/arte/obras.htm - 101k - [Cached](#) - [Similar pages](#)

[Hongkong: Misc Archives](#)

... August 20, 2004. Electronic Voting Machines and **Voteauction.com**. ... Best of all was the presentation of his "**voteauction.com**" project. Go there and check it out. ...

www.stritzelberger.at/archives/misc/ - 101k - [Cached](#) - [Similar pages](#)

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[sell web site online auction directory](#)

... CNN.com - Technology - Web site offering to sell votes shut down - August 23, 2000 **Voteauction.com**, a site that enables citizens to sell their votes, shut ...

sell-web-site-online-auction.auction-site.biz/dir/sell-web-site-online-auction/P01L01.html - 15k - [Cached](#) - [Similar pages](#)

[Amerikaner verkaufen Wahlstimmen](#) - [[Translate this page](#)]

Auf der Website www.voteauction.com können Interessierte sich Wählerstimmen aus mehreren US-Bundesstaaten erkaufen. sternshortnews Logo. IFRAME. ...

shortnews.stern.de/web/news_archive/1/id/128798/robot/1/x_id/Amerikaner%20verkaufen%20Wahlstimmen/start.cfm - 54k - [Cached](#) - [Similar pages](#)

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... www.arrakis.es/~jmluque Lo desconocido Parapsicología. <http://voteauction.com> se compran votos americanos por Internet a 10\$ de momento, es una subasta. ...

usuarios.lycos.es/k92petrj/descargas/OvniXXX_LinksV1_0.rtf - [Similar pages](#)

[Tomments- Financial and investing commentary from Tom Murcko, CEO ...](#)

="Tomments.com.

www.tomments.com/tomments6b.htm - 24k - [Cached](#) - [Similar pages](#)

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... Schock-Marketing), die im vergangenen Jahr in den USA einen großen Mediencoup mit der Wahlstimmen gegen Geld tauschenden Plattform **Voteauction.com** landen ...

www.tor.at/resources/focus/telepolis/terminal/heise.de/tp/deutsch/inhalt/te/11471/1.html - 21k - [Cached](#) - [Similar pages](#)

[Telepolis-Terminal2000](#) - [[Translate this page](#)]

... Aufruf zum Umlenken der Besucher der Website eines US-Präsidentschaftskandidaten

RTMark schaltet sich bei **Voteauction.com** ein Florian Rötzer 06.11.2000. ...

www.tor.at/resources/focus/telepolis/terminal/heise.de/tp/deutsch/inhalt/te/2000.html - 101k - [Cached](#) - [Similar pages](#)

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[Progressive Links](#)

... (R)TMark (US) Amongst their successful 'actions' are putting up a satirical site <http://www.rtmark.com/voteauction.html> where one could go to buy votes, which ...
free.freespeech.org/marquelinques/progressivelinks.html - 101k - [Cached](#) - [Similar pages](#)

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[de:bug_reviews](#) - [[Translate this page](#)]

... Alles nur eine Frage des Maßstabs! See: <http://www.ilovecolette.com/> <http://www.flipflopflyin.com/> <http://www.colette.fr/> server@schoenerwissen.de. **voteauction**. ...
www.de-bug.de/cgi-bin/debug.pl?what=listPrev&part=network&list=2&from=15 - 32k - [Cached](#) - [Similar pages](#)

[5CI: Penki kontinentai Online : Kiek kainuoja demokratija?](#)

... Naujas tinklapis www.voteauction.com, kaip tvirtina jo steigėjai, turintis ???suartinti kapitalizma ir demokratija“, parduoda prezidento rinkėju balsus ...

online.5ci.lt/Article.asp?Lang=L&ArticleID=1349 - 17k - [Cached](#) - [Similar pages](#)

[Votos en venta al mejor postor](#) - [[Translate this page](#)]

... Sitio relacionado: <http://www.voteauction.com>. _____, Publicación diaria de Prime Media Press ® - Derechos reservados © Copyright internacional 1997-2000. ...

www.diarioti.com/noticias/2000/oct2000/15193604.htm - 14k - [Cached](#) - [Similar pages](#)

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... content="black, website, concept, 1951, 2003, ubermorgen, etoy, HANS BERNHARD, LIZVLX, rauschenberg, malevich, neo, anuscan, **voteauction**, metaballs, florian ...

archivesic.ccsd.cnrs.fr/documents/archives0/00/00/11/38/sic_00001138_01/sic_00001138.pdf -

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[chrono-us-1000-mp](#)

... A Web site, www.voteauction.com, offers to sell thousands of votes for president to the highest bidder, arguing that "like the prison industry, the election ...

www.univ-nancy2.fr/CEAA/CRESAB/chrono-us-1000-mp.html - 62k - [Cached](#) - [Similar pages](#)

[Bytes in Brief - November 2000](#)

... On October 18th, a Cook County, Illinois Circuit Court judge issued an order prohibiting a website ([voteauction.com](http://www.voteauction.com)) from auctioning off votes for the ...

www.senseient.com/bytesinbrief/bytes.asp?page=November_2000.htm - 31k - [Cached](#) -

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... electrónicas de votos han puesto la guinda. La página web **Voteauction.com** permitía hasta la semana ... Cómo hacer una copia de seguridad ...

www.aui.es/prensa/titulares/2000/tit_001026.htm - 79k - [Cached](#) - [Similar pages](#)

[Bagasch Archiv](#) - [[Translate this page](#)]

... Wien. ubermorgen. [V]ote-Auction / **voteauction.com** 2000 till now Austria. collage; computer-print-outs and ink-drawing on paper. 13 ...

bagasch.monochrom.at/archiv/May2004/0140.html - 9k - [Cached](#) - [Similar pages](#)

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[ThurmUnit: Internet Observer \[Tracking News About the Internet\]](#)

... The website -- Austrian owned **VoteAuction.com** -- collects absentee ballots from voters, verifies them, and then sells them. [More from CourtTV.com]. ...

shell.deru.com/~gdt/internet/observer/2000.shtml - 56k - [Cached](#) - [Similar pages](#)

[AME - netNewsLetter 44/00 - Top: Nahost-Konflikt - Eskalation auch ...](#) - [[Translate this page](#)]

... Da die Stimmen in den USA nicht gekauft werden (vgl: **Voteauction** wurde bereits verboten, nNL 37/00), verstößt der Stimmentausch nach Angaben des "US ...

netnewsletter.de/letter/archiv/0044.html - 64k - [Cached](#) - [Similar pages](#)

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[Andrei Costina Cyberculture - from electronic media to net.art](#)

... WTO believed in doing away with all cultural differences (for example, siestas) that get in the way of free trade or to the presentation of **Voteauction.com** (a ...

www.cloudsmagazine.com/16/Andrei_Costina_Cyberculture.htm - 37k - [Cached](#) - [Similar pages](#)

[Por primera vez, Internet cuenta. A015](#) - [[Translate this page](#)]

... El sitio web de **VoteAuction** ha alcanzado los 5.500 registros con su fórmula de "acercar más el capitalismo y la democracia". ...

www.el-mundo.es/ariadna/2000/A016/A016-06.html - 18k - [Cached](#) - [Similar pages](#)

[Internet Voting](#)

... Security Considerations for Internet Voting. Security Considerations for Internet Voting (.pdf file). **VoteAuction** to Lose Domain Name.

www.electioncenter.org/voting/inetvoting.html - 2k - [Cached](#) - [Similar pages](#)

[Salon Directory](#)

... Filter this topic: Will culture-jam for food The prankster behind the **Voteauction.com** satire needs your help to pay off his \$3,800 legal debt. ...

dir.salon.com/topics/technology_log/?ti=13 - [Similar pages](#)

[info online kredit Informationen](#) - [[Translate this page](#)]

... Er beschreibt die Auseinandersetzungen um DeCSS, **voteauction**, den toywar, und zeigt Onlineaktivismus von Gruppen wie RTmark, den Yes Men. ...

www.kredite-finanz.de/x/info-online-kredit.html - 12k - [Cached](#) - [Similar pages](#)

[Flutterby!: interactive drama](#)

... parents (2936); Dan (2944); Big Bird must die (2951); strange bedfellows (2966); ghost dog (2979); **VoteAuction.com** (2980); Protest Votes ...

www.flutterby.com/wiki/interactive%20drama - 54k - [Cached](#) - [Similar pages](#)

[Internet Sperrungen/Vergangenheit - C4 Wiki](#) - [[Translate this page](#)]

... Die Domain **Voteauction** wird von den Amerikanern gehighjacked: <http://www.heise.de/newsticker/data/fr-23.10.00-000/>. It's not the Nazis, Stupid! ...

wiki.koeln.ccc.de/index.php/Internet_Sperrungen/Vergangenheit - 40k - [Cached](#) - [Similar pages](#)

[Open Directory - Society:Activism:Media:Culture Jamming](#)

... **Voteauction.com** is committed to improving this system by bringing the campaign contributors' money directly to the voters.". etoy. ...

dmoz.org/Society/Activism/Media/Culture_Jamming/desc.html - 10k - [Cached](#) - [Similar pages](#)

www.voteauction.info/

[Similar pages](#)

voteauction.exsудо.de/%5Bweblink%5D.htm

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voteauction.exsудо.com/

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[GreenNet - Altnet News](#)

... Maybe selling your vote is the way forward... -- <http://voteauction.com/> Vote auction background: ---> <http://www.fsb.com/fortunesb/articles/0,2227,966,00> ...

www.gn.apc.org/news/altnet/046%2021-09-00.html - 21k - [Cached](#) - [Similar pages](#)

[Malmoe: Information From Answers.com](#)

@import url(<http://www.answers.com/main/content/wp/css/common.css>); @import url(<http://www.answers.com/main/content/wp/css/gnwp>).

www.answers.com/topic/malmoe - 11k - [Cached](#) - [Similar pages](#)

[kommute archive may 2001 - milkycat . com](#)

... Over the weekend, I went to a really excellent screening/benefit for ® TM ark and **voteauction.com** at ATA and I saw one of the many characters from my kommute. ...

www.milkycat.com/karchive014.html - 65k - [Cached](#) - [Similar pages](#)

[\[EAS\]Votes for Sale](#)

... What is next, they asked. Another of my colleagues provides a timely answer

<http://www.voteauction.com/> about a site where you can sell your vote. ...

jove.eng.yale.edu/pipermail/eas-info/2000/000189.html - 4k - [Cached](#) - [Similar pages](#)

[A Whole Lotta Nothing: Odd moment from the other](#)

... Odd moment from the other day: I'm sitting at the movies, waiting for it to start, and some guys behind us start talking about **voteauction.com**, a site that ...

a.wholelottanothing.org/2000/10/odd_moment_from.html - 8k - [Cached](#) - [Similar pages](#)

[The Best of Mike's Soapbox for 2000](#)

... But now, it can be told. 11/1 - You have heard me talk about "**voteauction.com**".

Now, there is another example of how the Internet age will affect voting. ...

www.rantsinyourpants.com/best_soapbox_2000.htm - 56k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[the Earthbound kid](#)

... Another example, today in a story about **voteauction.com**, some guy said it was a shame people sold their votes, since many people have died for the right to vote ...

deadhobosociety.com/opendiary/viewentry.php?page=11 - 6k - [Cached](#) - [Similar pages](#)

[16th \(nov 2000\) log by piet bouter](#)

... As law professor Jamin Raskin said about **Voteauction**, "...we have now evolved a system in which it's OK for money to buy elections, and yet we somehow cling to ...

members.lycos.nl/vadercats/miscs-n-logs/16th_log.htm - 101k - [Cached](#) - [Similar pages](#)

[[More results from members.lycos.nl](#)]

[Jouke Kleerebezem's NQPafu 32, 11-29 August 2000](#)

... Then there's topics out there that need serious scrutiny and thinking over their effects/affordances (eg. **voteauction**). There's ...

www.nqpaofu.com/2000/nqpaofu32.html - 40k - [Cached](#) - [Similar pages](#)

[Sporks R' Us || could vote-selling via internet be the business of ...](#)

... Meanwhile, another site is soliciting undecided voters to offer as a block to the highest bidder for each state.[...] I-LIST) From **voteauction.com** 2000 to ...

www.sporks-r-us.com/story/2004/11/5/824/87088 - 24k - [Cached](#) - [Similar pages](#)

[Internet MONITOR](#)

... Cijela prica izašla je u Wired.com-u. Internet bez granica Site za prodaju glasackog prava opet radi Mada je donesena presuda da se **voteauction.com** site ...

www.monitor.hr/foto/trg/ - 73k - [Cached](#) - [Similar pages](#)

[concreteSTREAM](#)

... Beck" a remix of Beck Hansen's music, instigated actions such as "Phone in Sick Day", and supported the satirical websites "GWBush.com", "**Voteauction.com**" and ...

[concretestream.umbc.edu/rtmark.html](#) - 2k - [Cached](#) - [Similar pages](#)

[WebComics - : Society : Activism : Media : Culture Jamming ...](#)

... Leonardo (9); Spoof Websites@ (18); **Voteauction.com**@ (30). ®TMark - (RTMark) Brokers of bounties for acts of creative subversion against mass-produced items. ...

[www.webcomics.com/top/index.php/Society/Activism/Media/Culture_Jamming/%C2%AETMark/](#) - 11k - [Cached](#) - [Similar pages](#)

[The Star Online Directory - %C2%AETMark](#)

Barbie Liberation Organization (6); CueJack (3); Deconstructing Beck (2); etoy@ (69). Leonardo (9); Spoof Websites@ (18); **Voteauction.com**@ (30). ...

[directory.thestar.com/my/cat.asp?/Society/Activism/Media/Culture_Jamming/®TMark/](#) - 10k - [Cached](#) - [Similar pages](#)

[HANS BERNHARD - SEALS](#)

Voteauction Seal. Seals. Title: [V ... original Seal. Next >>. Link[s] internal: Projects Seal Large Lentos Linz 2005. Link[s] external: **Voteauction**.

[hansbernhard.com/X/pages/seals/](#) - 5k - [Cached](#) - [Similar pages](#)

[[More results from hansbernhard.com](#)]

[Uren.Dagen.Nachten](#)

... Ik had het er op 26 september al over, het staat ondertussen eindelijk in de kranten en nu is **Voteauction** dichtgegaan door een rechtszaak. ...

[www.middernacht.be/udn/archive/2000_10_01_index.html](#) - 82k - [Cached](#) - [Similar pages](#)

[Alt Text | I may not condone this but....](#)

... elections? Then sell your vote to the highest bidder at [www.voteauction.com](#) Posted by Ben on October 6, 2000 03:31 PM | [trackback](#). ...

[www.alttext.com/archives/00/10/001006i_may_not_condon.html](#) - 7k - [Cached](#) - [Similar pages](#)

[Desk: b.lab floor plan](#)

... G) | G) -> [kuukuk.de](#) | Hardware | | H) -> [rolux.org](#) | Room | | I) -> [textz.com](#) | | O | | J) -> [ubermorgen.com](#) | _____ | | K) -> **voteauction.com** | | | L ...

[desk.org:8080/Desk/b.lab+floor+plan](#) - 5k - [Cached](#) - [Similar pages](#)

[Desk: bootlab](#)

... [exxp.de](#) [klubradio.de](#) [nettime](#), on net-critique Open Radio Archive Network Group Open

Video Archive [kuukuk.de](#) [Rolux](#) [textz.com](#) [ubermorgen.com](#) **voteauction.com** ...

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[EXPLORE: Ubermorgen - Dictionary of Arts and Entertainment](#)

... **Voteauction**, NAZI~LINE (in collaboration with Christoph Schlingensief), Injunction generator, THE_WHITE_WEBSITE [http://ubermorgen.com/THE_WHITE_WEBSITE](#), esof ...

[www.explore-art.com/arts_and_entertainment/U/Ubermorgen.html](#) - 12k - [Cached](#) - [Similar pages](#)

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Web Results 1 - 100 of about 5,000 for **voteauction**. (0.21 seconds)

[+++ gfrastsackl.org +++ \\$home of some gfrastsackl's +++](#)

welcome - homepages - members - news - links. \$home of some gfrastsackl's. this host is. Connectivity sponsored by EUnet. Design&Layout 2000 courtesy strecko. ...
[62.116.31.68/ - 3k - 6 Mar 2005 - Cached - Similar pages](#)

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welcome - homepages - members - news - links News. 09.08.2000, redesign. ???.12.2000, viele bunte Bilder. 05.01.2001, Bilder von der Box (outdated seit 07/2001). ...
[62.116.31.68/news.htm - 4k - 6 Mar 2005 - Cached - Similar pages](#)

[Voteauction 2000-2004 ubermorgen](#)

... [V]ote-auction Web-Site Nov 7 2000 **Voteauction** Web-Site Mar - Jul 2000 SELLtheVOTE.COM 2004 CNN - "Burden of Proof" 2000 [27 Min. ...
[www.vote-auction.net/ - 10k - 6 Mar 2005 - Cached - Similar pages](#)

[Voteauction - DVD](#)

Directed by ubermorgen Producer 5uper.net & ubermorgen executive producer medien.KUNSTLABOR edited by 5uper.net **VOTEAUCTION** DVD COMING SOON - WATCH THE TRAILER ...

[www.vote-auction.net/dvd.html - 2k - Cached - Similar pages](#)

[[More results from www.vote-auction.net](#)]

[RTMark: Voteauction.com | Past projects](#)

Voteauction.com. ... Past projects / **Voteauction.com**. The most prominent success of 2000's last quarter was surely **Voteauction.com** (now vote-auction.net). ...
[www.rtmark.com/voteauction.html - 23k - Cached - Similar pages](#)

[RTMark: Nov. 5 release | Voteauction.com | Past projects](#)

... **VOTEAUCTION** SATIRE ILLEGALLY SQUELCHED, WILL RE-OPEN IN HUNDREDS OF PLACES

RTMark.com reveals its role, offers cash to the first person who can redirect the ...

[www.rtmark.com/voteauctionpr.html - 29k - Cached - Similar pages](#)

[[More results from www.rtmark.com](#)]

[Wired News: Voteauction Booth is Closed](#)

... Advertisement. **Voteauction** Booth is Closed. ... 21, 2000 PT. After two months of going up and down and back up again, **Voteauction.com** is taking no more bidders. ...

www.wired.com/news/politics/0,1283,39590,00.html - 28k - [Cached](#) - [Similar pages](#)

[Wired News: Voteauction Bids the Dust](#)

... Advertisement. **Voteauction** Bids the Dust. ... 22, 2000 PT. **Voteauction.com**, which attempted to sell presidential votes to the highest bidder, is no more. ...

www.wired.com/news/politics/0,1283,38355,00.html - 27k - [Cached](#) - [Similar pages](#)

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[Tech Briefs | Oct 13, 2000](#)

... Or so claims the controversial new website **Voteauction.com**, which hit the Internet this summer and has already drawn barrages of criticism from numerous sources ...

www.yaleherald.com/archive/xxx/2000.10.13/features/techbrief.html - 10k - [Cached](#) - [Similar pages](#)

[Chicago wants Voteauction gone](#)

... Chicago wants **Voteauction** gone. ADVERTISEMENT. Click here... RELATED LINKS. ... **Voteauction.com** is an Internet marketplace for the wholesale purchase of votes. ...

www.fcw.com/civic/articles/2000/1009/web-vote-10-10-00.asp - 27k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[disinformation | capitol punishment: does voteauction.com subvert ...](#)

... capitol punishment: does **voteauction.com** subvert democracy? ... To see this legitimacy shift in microcosm, just study the **Voteauction.com** controversy. ...

www.disinfo.com/archive/pages/dossier/id505/pg1/ - 55k - [Cached](#) - [Similar pages](#)

[Google Directory - Society > Activism > Media > Culture Jamming > ...](#)

... TMark: **Voteauction.com** - <http://rtmark.com/voteauction.html> ®TMark page about its investment in **Voteauction.com**. Wired: Selling Votes or Peddling Lies? ...

directory.google.com/Top/Society/Activism/Media/Culture_Jamming/Vote_Auctions/ - 26k - [Cached](#) - [Similar pages](#)

[Vote Auction](#)

November 5, 2000 FOR IMMEDIATE RELEASE **VOTEAUCTION** SATIRE ILLEGALLY SQUELCHED,

WILL RE-OPEN IN HUNDREDS OF PLACES. RTMark.com reveals ...

www.zakros.com/mica/wdf00/voteauction.html - 9k - [Cached](#) - [Similar pages](#)

[Voteauction.com](#)

Notes: Front page of vote-auction.com.... More description...

theyesmen.org/wto/ppt/sld012.htm - 2k - [Cached](#) - [Similar pages](#)

[Democracy: Possible paths](#)

... model: in this case you have the [click] corporations paying, with about the same number of people involved, ONE entity: [click] **Voteauction.com**, **Voteauction** ...

[theyesmen.org/wto/ppt/sld011.htm](#) - 5k - [Cached](#) - [Similar pages](#)

[[More results from theyesmen.org](#)]

[voteauction.com](#)

Voteauction.com. An Internet jurisdiction case. In October, 2000, the Chicago Board of Election Commissioners became concerned that ...

[www.kentlaw.edu/perritt/conflicts/voteauction.html](#) - 8k - [Cached](#) - [Similar pages](#)

[Miller: Voteauction.com out of business](#)

OCTOBER 20, 2000 - **Voteauction.com**, the controversial web site promoting the sale of votes over the Internet, is apparently out of business. Skip Navigation ...

[www.michigan.gov/sos/0,1607,7-127-1640_9150-44322--M_2000_10,00.html](#) - 27k - [Cached](#) - [Similar pages](#)

[Slashdot | Voteauction.com](#)

Voteauction.com. News. ... **Voteauction.com** | Log in/Create an Account | Top | 208 comments (Spill at 50!) | Index Only | Search Discussion. ...

[slashdot.org/articles/00/08/17/1459228.shtml](#) - 80k - [Cached](#) - [Similar pages](#)

[Politech: Voteauction.com will be shut down, from A.Pressman](#)

Politech: **Voteauction.com** will be shut down, from A.Pressman. ... So it'll have to be **voteauction.eu** or **somesuch** or an IP address instead. ...

[seclists.org/lists/politech/2000/Oct/0040.html](#) - [Similar pages](#)

[Politech: Chicago officials try to shut down voteauction.com](#)

Politech: Chicago officials try to shut down **voteauction.com**. From: Declan McCullagh (declan_at_well.com) Date: Oct 06 2000. Next ...

[seclists.org/lists/politech/2000/Oct/0011.html](#) - [Similar pages](#)

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[HANS BERNHARD - PROJECTS](#)

... ubermorgen exhibits the [V]ote-auction CNN tape, **Voteauction** seals and [F]original legal documents at Aldrich Contemporary Art Museum 2001, The Premises ...

[www.hansbernhard.com/X/pages/projects/](#) - 7k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[\[Random-bits\] http://www.voteauction.com/](#)

[Random-bits] [http://www.voteauction.com/](#). James Love love@cptech.org Fri, 01 Sep 2000 11:35:45 -0400: Next message: [Random-bits] UDRP ...

[lists.essential.org/pipermail/random-bits/2000-September/000295.html](#) - 3k - [Cached](#) -

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[August 2000](#)

... **VoteAuction.Com.** ... To register with **voteauction.com**, click on the 'sell' button on the left hand portion of your screen.". The CNN story. ...

www.alamut.com/past/0008.html - 63k - [Cached](#) - [Similar pages](#)

[Deconstructing Code: Voteauction.com shut down](#)

... August 25, 2000. **Voteauction.com** shut down. **Voteauction.com** shut down. Posted by rshah at August 25, 2000 12:00 PM. Comments. Post a comment. Name: Email Address ...

www.rajivshah.com/directory/2000/08/voteauctioncom.html - 7k - [Cached](#) - [Similar pages](#)

[October 19, 2000, 1:54 PM PDT](#)

October 19, 2000, 1:54 PM PDT **Voteauction** to Lose Domain Name After a court defeat in Illinois, the site that enables people to sell their presidential votes ...

www.electioncenter.org/voting/VoteAuction%20to%20Lose%20DomainName.htm - 3k - [Cached](#) - [Similar pages](#)

[Florida and voteauction.com](#)

Florida and **votauction.com**. ... Does anyone know how many Floridian votes were being sold as a bloc on **votauction.com**, and how much they were going for? ...

www.mail-archive.com/armchair@gmu.edu/msg00618.html - 6k - [Cached](#) - [Similar pages](#)

[Goodies to Go - Voteauction.com, typosquatters, and more!](#)

Goodies to Go - **Voteauction.com**, typosquatters, and more! Goodies To Go Mon, 23 Oct 2000 15:14:47 -0700. ... Put it up for sale on **Voteauction.com**. ...

www.mail-archive.com/htmlgoodies2-l@listserv.earthweb.com/msg00007.html - 17k - [Cached](#) - [Similar pages](#)

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[\[FYI\] RTMmark will VoteAuction durch viele DN-Verweise wieder ...](#)

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RTMmark will **VoteAuction** durch viele DN-Verweise wieder eröffnen. ...

www.fitug.de/debate/0011/msg00248.html - 6k - [Cached](#) - [Similar pages](#)

[Fwd: Corporate vote-buying OK, satire not OK.](#)

... Sender: owner-debate@fitug.de. > >November 5, 2000 >FOR IMMEDIATE RELEASE > >**VOTEAUCTION**

SATIRE ILLEGALLY SQUELCHED, WILL RE-OPEN IN HUNDREDS OF PLACES >RTMark ...

www.fitug.de/debate/0011/msg00204.html - 10k - [Cached](#) - [Similar pages](#)

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[Voteauction.com back online! \(was Re: Open Letter to Mayor Richard ...](#)

... **Voteauction.com** back online! (was Re: Open Letter to Mayor Richard M. Daley of). ...

IMNSHO, the **Voteauction.com** case should never been brought in court. ...

www.gigalaw.com/archives/0010/gigalaw-discuss-0010-00211.html - 17k - [Cached](#) - [Similar pages](#)

[Voteauction.com](#)

... **Voteauction.com**. Subject: **Voteauction.com**; From: Dodi Schultz

<SCHULTZ@compuserve.

com>; To: "GigaLaw.com Discussion List" <gigalaw-discuss@lists.gigalaw.com>; ...
www.gigalaw.com/archives/0010/gigalaw-discuss-0010-00203.html - 16k - [Cached](#) -

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[Voteauction.com back in business | The Register](#)

... **Voteauction.com** back in business. By Linda Harrison in New York. Published Monday 23rd October 2000 20:37 GMT. An American votes-for ...

www.theregister.co.uk/2000/10/23/voteauction_com_back_in_business/ - 23k - 6 Mar 2005 -

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[<nettime> voteauction](#)

... <nettime> **voteauction**. To: NETTIME-L **at** bbs.thing.net; Subject: <nettime> **voteauction**; From: "ann marie lanese" <lanese **at** hotmail.com>; ...

amsterdam.nettime.org/Lists-Archives/nettime-l-0008/msg00133.html - 12k - [Cached](#) -

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[<nettime> fwd: love **at** cptech.org: Jurisdiction and the ...](#)

... <nettime> fwd: love **at** cptech.org: Jurisdiction and the **Voteauction.com** case. To: Nettime <nettime-l **at** bbs.thing.net>; Subject ...

amsterdam.nettime.org/Lists-Archives/nettime-l-0102/msg00244.html - 12k - [Cached](#)

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[Flutterby! : VoteAuction.com 2000-10-24 10:08:29-07](#)

VoteAuction.com. ... It looks like the politicians in Chicago couldn't stand the competition and have gotten a temporary injunction against **VoteAuction.com**. ...

www.flutterby.com/archives/comments/2980.html - 4k - 6 Mar 2005 - [Cached](#) - [Similar pages](#)

[heise online - Stimmenverkauf per Internet "bedroht Grundfeste der ... - \[\[Translate this page\]\(#\) \]](#)

... Demokratie". Die Site **Voteauction.com** bietet Wählern in den USA an, ihre Stimme im Internet an den Meistbietenden zu verkaufen. ...

www.heise.de/newsticker/meldung/12420 - 30k - [Cached](#) - [Similar pages](#)

[TP: Anstatt Voteauction gibt es jetzt Vote-Auction.com - \[\[Translate this page\]\(#\) \]](#)

... Anstatt **Voteauction** gibt es jetzt Vote-Auction.com. Florian Rötzer 23.10.2000. Die von einem Österreicher betriebene Auktionsseite ...

www.heise.de/tp/r4/artikel/8/8969/1.html - 22k - [Cached](#) - [Similar pages](#)

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[WTO | World Trade Organization: WTO / GATT Voteauction.com page](#)

... **Voteauction.com**. The most prominent success of 2000's last quarter was surely **Voteauction.com** (now 62.116.31.68). ... 5 press release. Articles about **Voteauction.com** ...

www.gatt.org/voteauction.html - 33k - [Cached](#) - [Similar pages](#)

[WTO | World Trade Organization: WTO / GATT press page](#)

Articles about **Voteauction.com**. **Voteauction** press archive (much more complete than

the WTO/GATT list); Vote auctions page on Open Directory; Wired, Nov. ...

www.gatt.org/pressvot.html - 40k - [Cached](#) - [Similar pages](#)

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[Vote Auction](#)

... (September 18, 2000) Web site **Voteauction.com** started as a student project, sparred with the law and landed in the portfolio of an Austrian marketing company. ...

www.sduros.com/voteswork.html - 9k - [Cached](#) - [Similar pages](#)

[SWOC archives -- October 2000 \(#27\)](#)

... SWOC@LISTS.WAYNE.EDU> Sender: school workers on-line community <SWOC@LISTS.WAYNE.

EDU> From: Richard Gibson <rgibson@PIPELINE.COM> Subject: **voteauction.com** X-To ...

lists.wayne.edu/cgi-bin/wa?A2=ind0010&L=swoc&F=&S=&P=3047 - 11k - 6 Mar 2005 - [Cached](#) -

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[Dot com ruled by US law? || kuro5hin.org](#)

... A number of other domains (www.**voteauction.at**, www.**voteauction.de**, www.**voteauction.cu**, www.**voteauction.ru**, www.vote-auction.net, www.vote-auction.org) should ...

www.kuro5hin.org/?op=displaystory;sid=2000/11/3/143335/151 - 77k - [Cached](#) - [Similar pages](#)

[transfert.net./ Voteauction.com n'est plus. Vive vote-auction.com](#) - [[Translate this page](#)]

... Société. 23/10/2000 • 16h18. **Voteauction.com** n'est plus. ... Pour son fondateur, **voteauction** n'est qu'un "canular". **Voteauction.com** n'existe plus. ...

www.transfert.net/a2223 - [Similar pages](#)

[transfert.net./ Offensives judiciaires contre le vote aux ...](#) - [[Translate this page](#)]

... Après New York, c'est au tour de la Californie et Chicago de réclamer la fermeture de **voteauction.com**, qui met aux enchères les voix d'électeurs américains ...

www.transfert.net/a2182 - [Similar pages](#)

[[More results from www.transfert.net](#)]

[Pigdog Journal \(Liberty\) -- Fuck You, Bill Jones, My Vote Is STILL ...](#)

... Gar gar gar! So here's the big hoo-haw: this guy made this perfectly funny and amusing Web site called **Voteauction.com**, linked to at the end of this page. ...

www.pigdog.org/auto/liberty/link/1815.html - 11k - [Cached](#) - [Similar pages](#)

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... and the corporations that support them are spending millions of dollars this year in an attempt to influence your decision," claims www.**voteauction.com**, a ...

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... At one point, Bichlbauer suggested replacing such "inefficient democratic institutions" as elections with private-sector solutions like **Voteauction.com**, an ...

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... 23-Oct-00 **voteauction.com** shut down The Chicago Board got an injunction, To halt selling votes by Web auction It's time to embalm **Voteauction.com** 'Til the pols ...

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... Das dachte sich wohl auch James Baumgartner, ein Kunststudent aus New York und stellte **Voteauction.com** online: Eine Seite, auf der US-Bürger ihre Stimme bei ...

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... A DOWNTURN FOR A DEMOCRACY **Voteauction.com** (<[a href="http://rtmark.com/voteauction.html"](http://rtmark.com/voteauction.html)><http://rtmark.com/voteauction.html>), the "private-sector solution ...

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... Best, tom Allow me to get mad at some Libertarian items here: ---- **Voteauction.com** reaps cynical voters Author: Justin Matlick "What Internet critics don't ...

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... was kind of a high concept satire on the ... Description: The prankster behind the **Voteauction.com** satire needs your help to pay off his \$3800 legal debt.... ...

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... prenant en compte l'utilisation d'internet pour créer une "place de marché des votes" (achat des voix, vente aux enchères des voix www.voteauction.com, troc ...

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... Did you think that href="**Voteauction.com**" target=_blank>**Voteauction.com**, the seemingly parodic Web site created to aggregate and sell votes to the highest ...

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... **Voteauction** to Lose Domain Name Illinois became the latest state to be excluded from **Voteauction.com**, a Web site that accepts bids for presidential votes, and ...

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... closer together. Founded by James Baumgartner (as **voteauction.com**), produced by ubermorgen.com and helped by ®TMark. Culture Jamming ...

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... The site in question: **voteauction.com**. (I can't connect to this site. ... Did the folks at **voteauction.com** get some quick legal advise?). ...

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... part of the session: "migros.org" by <bold>Ursula Widner (Switzerland)</bold>, "libro.com" by <bold>Andre Rettberg (Austria)</bold> and "**voteauction.com**" by ...

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... There are lots of cool bands and activists who are part of this. Well, that's all for now. Also check out the link www.voteauction.com, as it really hits home. ...

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... It seems there is this Web site "**Voteauction.com** where people can register to sell their vote to the highest bidder." Chicago was the original home of the site ...

[thunderbird.kuee.kyoto-u.ac.jp/EMTPNEWS/jan01.pdf](#) - [Similar pages](#)

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... säkra demokratin. (Ja, jag tänker naturligtvis på **voteauction.de**, som var ett strålande debattinlägg på många sätt.). Stallman ...

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... Aber jede Website braucht eine Adresse, einen so genannten Domain-Namen - in diesem Fall [www.voteauction.com](#) -, und der wird von einem Unternehmen vergeben. ...

[www.zeit.de/archiv/2001/17/200117_interview_perrit.xml](#) - 34k - [Cached](#) - [Similar pages](#)

[LauschAngriff.org - GeekRadio for the Audience - \[Translate this page \]](#)

... 03.09.2000, Unified Resource Locators (heute nur 2) : Ulmer Linux Tag am 23.September 2000 **Voteauction.com**, Möglichkeit seine Wahlstimme zu versteigern. ...

[lauschangriff.org/index.php?id=2&subid=54](#) - 39k - [Cached](#) - [Similar pages](#)

[Die "Internet Corporation for Assigned Names and Numbers" \(ICANN\) ... - \[Translate this page \]](#)

... Universität Münster, Münster. Der Fall "**voteauction.com**" Siegfried Langebach Geschäftsführer, CSL, Düsseldorf. Der Fall ...

[www.icann-studienkreis.net/conf/zuerich2001/zurprog.html](#) - 24k - [Cached](#) - [Similar pages](#)

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[www.pcmaster.gr/columns/default.asp?Column=6](#) - 101k - 7 Mar 2005 - [Cached](#) - [Similar pages](#)

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... Bei der noch heute denkwürdigen Wahl von George W. Bush ins Weiße Haus hatte es bereits im Sommer 2000 über die Adresse ???[voteauction.com](#)“ Online ...
[www.politik-digital.de/edemocracy/wahlkampf/bundestagswahl2002/koll.shtml](#) - 33k - [Cached](#) - [Similar pages](#)

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... Founded by James Baumgartner (as [voteauction.com](#)), produced by [ubermorgen.com](#) and helped by [Â@TMark](#). [[Click To Open In A New Window](#)]. ...
[www.auction4winning.com/auctions/online-auction.shtml](#) - 41k - [Cached](#) - [Similar pages](#)

[Internetové umení není jenom web design, ale také spojení ...](#)

... [museumofhoaxes.com](#) (dez)informační aktivismus: 8) [http://www.usdept-arttech.net/9\)](#) [www.World-Information.org](#) 9) [www.RtMark.com](#) 10) [www.voteauction.com](#) 11 ...
[uisk.jinonice.cuni.cz/kerasylabus2002/3.html](#) - 14k - [Cached](#) - [Similar pages](#)

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... C'est en tout cas ce que laisse penser le concept du site mis en ligne par un étudiant en science politique, James Baumgartner, [Voteauction.com](#). [suite]. ...
[www.abc-politique.com/evote/evote1.html](#) - 18k - [Cached](#) - [Similar pages](#)

[\[PDF\] WORLDWIDE PRESCRIPTIVE JURISDICTION IN INTERNET CONTENT ...](#)

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... was done, for example, in respect of the sites [vote-auction.com](#) and [voteauction.com](#) – the registering US company cancelled the ...
[www.nacpec.org/docs/WPJYuliaT.pdf](#) - [Similar pages](#)

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... Wahlkampagnien und TV vermittelten Stimmenkaufs ist es nicht minder (zur späteren Umsetzung auch dieser Aktion in Zusammenarbeit mit [Voteauction.com](#) siehe ...
[www.dichtung-digital.com/2001/07/17-Simanowski/4.htm](#) - 20k - [Cached](#) - [Similar pages](#)

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... Salon: Will culture-jam for food. The prankster behind the [Voteauction.com](#) satire needs your help to pay off his \$3,800 legal debt. By Katharine Mieszkowski. ...
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[ManaMyerson1](#)

... A [voteauction.com](#)-ot úgy mutattátok be, mint egy olyan projektet, ???amely arra törekszik, hogy kombinálja egymással a demokrácia és a kapitalizmus ...
[www.c3.hu/~ligal/ManaMyerson1.htm](#) - 8k - [Cached](#) - [Similar pages](#)

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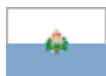
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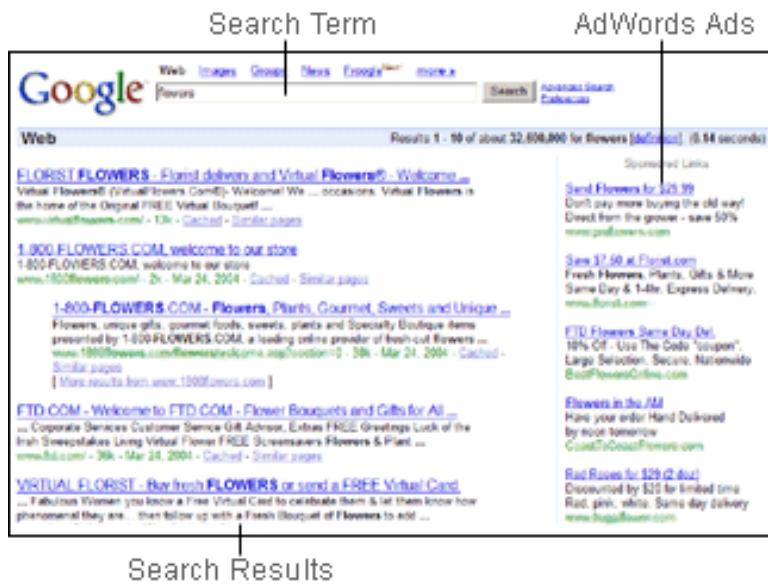
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