

Public Domain

by Steve Krulick, Senior Civics Columnist

J'accuse...!

"If you can't answer a man's argument, all is not lost; you can still call him vile names." – Elbert Hubbard (1856-1915)

Writing an every-other-week column usually involves simply waiting for a suitable issue to arise since the previous column. Often, just noting the current buzz at the local or national level provides a buffet of grist to pick from. On average, two or three possibilities contend back and forth during the days before my Friday deadline for the following week's publication. I usually wait until the last minute to pounce on the chosen target, like a crouching tiger eyeing the most vulnerable deer in the herd.

For example, I was considering a follow-up to my previous essay on the Village Dissolution Committee, now that its members have been appointed. I also had been mulling an update to last year's series on peak oil, now that the mainstream media has finally recognized the issue (though still not a peep from the Oval Office – or the current contenders – on this most critical concern). And, finally, I was considering marking the fifth anniversary of Shrub's "Mission Accomplished in Iraq" speech with a parade of putrid punditry, letting the very breathless and bombastic words of the smug pols and cheerleading media poobahs in 2003 be the rope with which to hang them and their pitiful prognostication.

But all that changed when I saw last issue's editorial about the Journal's online forum. Now, some of you read the print Journal but not the forum; others read the forum but not the print Journal; some few read both. Even fewer read *and* contribute to the forum; fewest read *and* contribute to both the forum *and* print edition. I'm one of the latter fewest.

I can say, without likely contradiction, that I have contributed more words to the forum, since the very first online issue (July 2006), than any other person. This includes both personal comments and cut-and-paste postings of articles and links germane to the issues in the threads. In nearly every instance, my posting was the reply to an error in a source article or posted comment, or else a response to vague, misleading, or infuriating comments in the forum.

My particular bugbear, which I've been railing against since day one, is that anonymous miscreants can say *anything* and slander *anyone*, and do so without *any* accountability or recourse. They can post with *no* name, or use any *made-up* name they choose, or can even post under the *real* names of actual real persons. To prove the latter, I posted one comment as George W. Bush, and another as one of the regular contributors with whom I had been having a running debate (though I announced therein that it wasn't really him, but was only proof of how easy it was to do). Since then, apparently, one or more persons have posted over my name, or have posted anonymously but have been accused of being me.

I've been outspoken and blunt, even aggressive, snarky, or sarcastic at times. Certainly, my forum style is far more unrestricted and spontaneous than how I write in these columns (indeed, some who read only the forums probably have no idea what the "columnist" Krulick is like). I've been accused online of being arrogant, wordy, elitist, pompous... and worse. I've been called a liar, a thief, a fraud, a user

of illegal drugs, a double-dealer. I've been the specific personal target of lies and obscenities. Just this week I've been called a "closet anti-Semite," and a "self-hating Jew." I think a line has been crossed the Journal can no longer ignore or justify.

See, when I post, I sign with *my* name and *my* email address; if you don't like what *I* say, you know *who* said it, and you have recourse to hold *me* accountable. However, the vast majority of the posts on the forum are anonymous, so it's too easy for hateful, vicious persons to say outrageous and slanderous things from behind the safety of unaccountability. Would these cowards say such things to my face? Unlikely. Can I sue them for slander, or even just have the world know who is responsible for such reprehensible behavior? Not as things now stand, and I hold the Journal responsible for that. And, by failing to fix this defect, which could easily be done, the Journal becomes an accessory to the crime, despite lame excuses and attempts to hide this under a First Amendment umbrella.

Let's address that irrelevant claim. The First Amendment deals with rights of free speech and of a free press to be safe from *government* infringement only. Originally, this meant only Congressional or Federal interference, but the 14th Amendment broadened that to state and local governments. It has *nothing* to do with the right of a newspaper to control what it chooses to publish, in print or online; indeed, it protects *that* right. No publisher is obligated to publish slander or libel (neither of which is protected free speech), nor to accept any anonymous material. A publisher may choose to withhold an author's name on request, for legitimate reasons, but I know of no publisher who would risk the liability of *printing* a scabrous screed without knowing who wrote it.

To claim that the online forum is somehow exempt from this rigorous accountability is specious. It is not censorship to prevent, through a moderator, the promulgation of anonymous (or even attributed) slander, or to remove something later acknowledged as offensive. Many forums use a moderator; most require each poster to register with the host using a *real* name and address, even if they are allowed to post under a made-up, but *consistent*, user name. This way, even if the privacy of posters to the casual reader is somewhat ensured, the forum host knows who is responsible, and can take appropriate steps (including reprimanding or banning that person) or even legal action. This could all be done on the Journal's forum, as other newspapers do, yet nothing has been changed since the first day, other than an ineffectual request, posted below the comment box, to "be nice."

Surely, between *no* comments and *any* comments, there's a middle ground, and many forums have done this: allow nasty and slanderous comments to be prevented or removed; allow persons to edit or correct their previous posts; require all posters to register with proof of real identity, even if they may post with a consistent pseudonym.

The Journal can't blithely avoid responsibility by claiming to extend freedoms and rights that don't exist, and aren't protected by law, to justify slander and unaccountability. The Journal has the ability and moral duty to prevent or fix these abuses, so just being "sad" about it is not sufficient; glibly advising readers to ignore trolls and dismiss their poison doesn't undo the ugliness and permanent damage.

The Journal *can* banish the trolls and slanderers without quashing legitimate rights; hence, continual failure to do so is simply inexcusable.