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THE TRIBUNE'S VIEW

Dangers of censorship

Just look at the 'John Z. Doe' case

The recent charge of sexual abuse against a Columbia priest provides a good lesson about censorship. Kind of scary, isn't it?

In a civil lawsuit filed last week, the priest is accused of molesting and sodomizing someone who is identified only as "John Z. Doe." In most such cases, the accuser's name would be known to the accused and anyone else who bothered to check the legal documents, including the media. Even though most media have a policy not to identify victims of rape or sodomy, at least we usually know their names and that real people are involved.

The Doe case is fraught with peculiar twists, as if anonymity weren't enough. Stranger still, the plaintiff went around town drawing attention to the lawsuit while refusing to give his name. The crime was allegedly committed 20 years ago, and the plaintiff is represented by a Minnesota lawyer who has made a lucrative career of bringing lawsuits against members of the Roman Catholic clergy.

At this point, the accuser's allegations have been overshadowed by the secrecy issue. Public sympathy seems to have tilted toward the defendant simply because the proper balance is lacking. The idea that one person can hide behind a legal shield while publicly condemning another offends our sensibilities.

Now, suppose for a moment that such secrecy were required by law. Suppose the media were prohibited from publicizing the names of plaintiffs in potentially embarrassing cases. Can't happen, you say? It almost did during the last session of the Missouri General Assembly. The legislature approved a measure that would have made it illegal to identify sexual abuse victims. Gov. John Ashcroft vetoed it, thank goodness. Yes, the bill was undoubtedly unconstitutional, but it could have created plenty of trouble before it got struck down by a court of law.

For our legal system to work properly, the names of litigants should never be kept secret except in a very few extraordinary situations — some matters involving juveniles, I suppose. With each exception, we lose a primary defense against injustice. Public knowledge means everything to the integrity of the system — even if we don't pay attention to every case that comes along.

Remember this lawsuit against the priest the next time someone tries to convince you that withholding the name of a plaintiff and/or a defendant would be a good idea. Remember how unfair the whole situation seems.

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