# The Dark Side of Web Anonymity

By Catherine Holahan on April 30, 2008

www.businessweek.com/stories/2008-04-30/**the-dark-side-of-web-anonymity**

Malicious gossip posted by unidentified users is sparking a new debate about free speech online

Melissa heard the gossip about her Princeton University classmates on JuicyCampus.com even before she saw the Web site.

She's anorexic.

He's a closeted homosexual.

She's spreading sexual diseases.

Since it was set up last year, JuicyCampus has become a popular place for college kids around the country to share such gossip. Melissa ultimately found her own name connected with the malicious rumors. But the Princeton junior couldn't do anything about it. All the comments were anonymous and JuicyCampus won't remove posts based on students' objections. "The second someone's name appears on the site, it's a death sentence," she says.

She's not the only one who feels that way. Complaints about the site have poured into the office of New Jersey Attorney General Anne Milgram, and Milgram has opened an investigation into JuicyCampus. She wants the site to provide a way to remove defamatory posts, but the problems go beyond slander. Milgram worries the Web site's guarantee of anonymity could lead to harassment, assault, or worse. One young woman said strange men started knocking on her door at night after comments were posted on the site detailing her alleged sexual activities and giving her home address. "There are public safety issues," says Milgram. Her effort has generated support among legal authorities from Connecticut to California.

JuicyCampus denies any wrongdoing. Founder and Chief Executive Matt Ivester says the site has no legal responsibility to police or remove comments based on claims of defamation. "We are confident that we haven't violated any laws," he says, "and we're disappointed that this is where [the attorney general] is focusing her time." The Web site doesn't charge its users any fees, instead generating revenue from advertising.

Ivester has plenty of support. Many tech executives and legal experts argue that anonymous, unfettered speech is essential on the Internet. It's not just the principle; it's the business. Web sites such as Amazon.com (AMZN), YouTube, (GOOG) and MySpace (NWS) depend on user participation to generate content. Monitoring or screening users could prove costly or impossible for some sites. "To shift the burden [of screening content] to Web site operators is precisely the opposite of what has led to a well-developed Internet," says Matt Zimmerman, senior staff attorney with the Electronic Frontier Foundation, a nonprofit civil liberties advocate.

Adeo Ressi has seen the controversy at first hand. He founded a Web site called TheFunded, which allows entrepreneurs to anonymously rate venture capital firms and provide comments on firm employees. He says cloaking participants' identities is essential to elicit candid assessments, and allows the Web site to provide valuable information about the venture industry. "Anonymity is necessary in order to get to the truth," he says.

The proliferation of such interactive Internet sites is what's given rise to the current debate. In the past, there were a relatively small number of sites that allowed user comments, players such as Yahoo! (YHOO) and America Online (TWX). If needed, prosecutors like Milgram could subpoena a site's host to discover a user's identity. But now there are thousands of Web sites that allow comments, and many wipe out or fail to store the records necessary to track down visitors to the site. "It used to be that if someone slammed you anonymously, you subpoenaed AOL and they got his home address and his full name," says Michael Fertik, chief executive of ReputationDefender, which tracks commentary for clients online. "But that's no longer the case."

Melissa understands the issues only too well. The confident 20-year-old welcomes a reporter to her dorm room dressed for the gym. She talks about JuicyCampus dismissively. She doesn't believe the site deserves any attention and is annoyed that it has gotten so much of hers. "It is just a mean concept and no one uses it for anything more than reporting mean things," she says.

LEGAL GAMBITS

The posts about her, with her full name, include attacks on her integrity, accusing her of backstabbing friends and social climbing. Normally, she would have shrugged it off. But because the posts could stay online for years, she frets about their effect on her reputation, perhaps even as she interviews for jobs. "It's not funny," she says. "I don't know if an employer would consider this a reliable source of anything, but if they went on and found a prospective employee's name, it's worrisome." She asked that her last name not be used for this story to avoid calling more attention to the posts.

Milgram believes JuicyCampus' own terms of service could require it to remove such material. The site asks users not to post content that is abusive, defamatory, or invasive of privacy, among other things. Not upholding those terms could violate New Jersey's Consumer Fraud Act, Milgram says.

There are few legal means to compel Web sites to police message boards. For more than a decade, section 230 of the Communications Decency Act of 1996 has protected sites from suits concerning user comments, defining such sites as akin to public parks rather than publications. Now some lawmakers are saying those protections are too broad. One member of California's state assembly has called for suggestions to change state law to address the problem.

The growing dangers of online speech have been illustrated by tragic cases, such as the suicide of 13-year-old Megan Meier in October. The young teen hanged herself a day after being insulted online by a person she believed to be Josh Evans, a 16-year-old boy with whom she had formed a friendship on MySpace. Evans didn't exist. He was later revealed to be a false profile allegedly created by a neighbor.

As the legal debate rages, Princeton students are trying another tactic to shut down anonymous gossip online: attacking the sites' business model. They're organizing boycotts of JuicyCampus and similar ventures, to cut off traffic and, by extension, ad revenue.

Behind the movement at Princeton is Connor Diemand-Yauman, 20-year-old president of the 2010 class. He created a new Web site, OwnWhatYouThink.com, that asks students to pledge not to visit anonymous gossip sites and to stand behind their online statements. "This is about changing the way our generation and our culture look at the way we communicate with one another," he says.Since the campaign's launch on Apr. 1, nearly 1,000 students have signed the pledge. Ivester says the boycott won't have any damaging effect on the site.

One warm afternoon, Diemand-Yauman and dozens of other students held a rally to promote their cause. As an antidote to abusive content online, hundreds of positive statements about students from their classmates were projected onto a massive screen.

She gives the best hugs.

He is sweet and smart.

She is always around when I need a friend.

Some wore shirts, emblazoned with a retort to JuicyCampus and sites like it: "Anonymity = Cowardice."