

The Legal Lynching of a Truth-Seeker: Jim Fetzer's Stalinist-Style Show Trial

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Tuesday was the final day of Jim Fetzer's defense against Lenny Pozner's libel lawsuit. I attended and [wrote up a "just the facts" report that evening](#). At almost the same moment I published my report, the jury came back with a verdict awarding close to half a million dollars to Lenny "Jim Fetzer gave me PTSD" Pozner.

Now it's time for an opinion piece. And as much as I sympathize with Mr. Pozner, assuming his account is accurate, my opinion is that Jim Fetzer got a raw deal...and that the reverberations of this case will be disastrous unless it is overturned.

The whole courtroom drama was carefully scripted and controlled to ensure that the jury, as well as onlookers and reporters, got to hear only one side of the story. Fetzer was never allowed to present his defense.

Jim Fetzer's defense is simple: Truth is an absolute defense against libel, and Fetzer published statements alleged by Posner to be libelous because he believed them to be true. What's more, he still believes them to be true. Whether he is right I do not know. But I do know he is sincere in his beliefs.

I watched Jim Fetzer take the stand, swear to tell "the truth, the whole truth, and nothing but the truth"—and then watched him silenced and admonished, and the jury hurriedly chased out of the room, when he tried to speak the truth as he saw it.

Jim merely said he still believed his "libelous" statements were true. Asserting the contrary would be a lie. Not saying anything would be a lie by omission. So he was admonished and threatened by the court for the sin of not lying on the witness stand!

As I understand it, at no point during the two phases of the trial was Jim Fetzer ever allowed to present to a jury the evidence that led him to believe that Sandy Hook was an Operation Gladio style psy-op (which those who have read Daniel Ganser's [NATO's Secret Armies](#) know is entirely plausible) and that there was no actual school shooting (which does seem farfetched, but stranger things have happened). How could he present a truth defense without showing the evidence that led him to believe his allegedly libelous statements were in fact truthful?

According to the 7th Amendment of the Constitution:

IN SUITS AT COMMON LAW, WHERE THE VALUE IN CONTROVERSY SHALL EXCEED TWENTY DOLLARS, THE RIGHT OF TRIAL BY JURY SHALL BE PRESERVED...

Yet as I understand it—and perhaps someone can correct me in the comments if I am wrong—Jim Fetzer was never given the right of trial by jury to determine whether he had or had not committed libel. Instead, an obviously biased judge presided over that crucial first phase of the case, denying Jim's Constitutionally-guaranteed right to a trial by jury. The same judge prevented Jim from presenting his truth defense, which would have entailed giving Jim full scope to present the evidence that led him to believe his statements were truthful and therefore not libelous.

It was only in the second, penalty phase of the trial that a jury was convened. And during that phase, not only was Jim prevented from presenting his truth defense to the jury, he was prohibited from even mentioning it, or from telling the truth about his beliefs.

Meanwhile the Pozner team was allowed to engage in shameless emotional manipulation of the jury. They even projected a huge adorable picture of Noah Pozner on the screen as the backdrop to the crucial back-to-back testimony of Lenny Pozner and Jim Fetzer! (Jim Fetzer, of course, was not allowed to use the big screen to project images that raise questions about the official story of Sandy Hook—images that can be found in [*Nobody Died at Sandy Hook*](#), but which were, along with all other evidence supporting Fetzer's truth defense, in essence banned from the courtroom.)

Chilling Effect?

One of the most dangerous repercussions of Pozner-vs.-Fetzer is its potential chilling effect on free speech. The decision

awarded more than half a million dollars in “damages” based on the premise that a book presenting an alternative interpretation of a historical event *hurt someone’s feelings*. There was no tangible connection between the “libelous” statements in the book and any actual damages—loss of income, medical bills, etc. It was all about emotions: “This tearjerking Hollywood-style courtroom spectacle has whipped us into tearful sympathy with Pozner and two minutes of hate for Fetzer. Let’s express our emotions with a damage award.”

Following the court’s logic, if a German-American’s feelings are hurt by a book portraying Germans as villains in World War II, why not sue the author for libel and ban the book? Why not drag the author into court—and refuse to allow him to present the reasons he thinks his anti-German interpretation of World War II is truthful? Of course that would never happen, since popular prejudices are in sync with hatred of [Germany’s mythic villainy](#); the court would find ways to rig the process to support the popular prejudice.

So how about these more plausible examples: African-American plaintiffs sue publishers for hurting their feelings by publishing 19th-century texts that include libelous portrayals of blacks; the grandson of Lyndon Johnson sues authors who have hurt his feelings by arguing that LBJ participated in the JFK assassination coup; a father who lost a son in Iraq sues an antiwar author for hurting his feelings by asserting that the invasion of Iraq was a criminal war based on lies and that his dead son was a war criminal.

One can imagine an almost infinite number of possible “libel” cases along these lines. And while only a few are likely to actually happen, that is a few too many—because the chilling effect of such lawsuits will terrorize authors and publishers into avoiding controversial or unpopular historiography. This is precisely what the Bill of Rights, whose purpose is to protect controversial and disturbing speech about matters of public import, is supposed to prevent.

I have had my differences with Jim Fetzer on many issues, including Sandy Hook. Specifically, I think we should be very careful about asserting or insinuating “nobody died” theories about suspected false flag events, for reasons that should by now be obvious.

But this is bigger than Jim Fetzer and Sandy Hook. This is about saving the Bill of Rights, which is under attack today as never before. Regardless of whether Jim is right or wrong about Sandy Hook, regardless of how mistaken some of his approaches may have been, the outcome of Pozner v. Fetzer presents a clear and present danger to freedom of expression in the United States.

The process of Pozner v. Fetzer appears to have been rigged precisely for the purpose of engineering this controlled demolition of our Constitutional rights. It must be appealed and overturned.

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