



Wikipedia:Wikipedia Signpost/2018-12-01/Arbitration report

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Arbitration report

A long break ends

By [Bri](#) and [Pythoncoder](#)

New case opened

One new arbitration case has been opened this month: [Wikipedia:Arbitration/Requests/Case/Fred Bauder](#). The case was opened after [Maxim](#) did an emergency IAR desysop of [Fred Bauder](#) after Bauder removed an edit-warring block of himself. Arbs voted 10/0/2 (accept/decline/recuse) to accept the case. A motion was introduced afterwards to accept the case while providing further clarification of Bauder's admin status in the interim, with an 8/0/1 result. – [P](#)

New request

A new request was [opened](#) November 27 by administrator [There'sNoTime](#), concerning an experienced editor contacting a new editor by telephone regarding their [MEDRS](#)-violating edits. For the Arbitration Committee, does this constitute help, or harassment? Should the case be handled privately? And what should sanctions be, if any, for the editor who has had ArbCom sanctions previously? – [B](#)

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- The latter case has a more general discussion at [WT:Harassment](#) which may cause change to that policy. --[Izno](#) (talk) [16:46, 1 December 2018 \(UTC\)](#)

And the former case has a discussion hanging around (I think [WP:VPT](#) but it might be [WP:VPPOL](#)) regarding removing the technical ability of administrators to unblock themselves. The WMF went ahead and implemented a change on that in the middle of the community discussion. --[Izno](#) (talk) [16:47, 1 December 2018 \(UTC\)](#)

- New Request: Re: "*....an experienced editor...*" -- News is about who, what, when, why, where, and how. That delicate sensibilities have somehow rendered the writer unable to identify the fact that Jytdog is the subject of the proposed (now nearly accepted) second case is a marked fail for the *Signpost* as a Wikipedia news source. [Carrite](#) (talk) [19:11, 1 December 2018 \(UTC\)](#)

- This was my report so I take responsibility; however, I did ask (<https://en.wikipedia.org/w/index.php?title=&diff=prev&oldid=871188523>) at the Newsroom whether we ought to name the parties in this case. We tread a fine line on "outing" members of the community at times, and *The Signpost* has taken criticism previously for doing the opposite. Also note that this appeared less than 48 hours before publication, so we didn't really have a chance to hash out the decision. Part of the reasoning (in my mind) was that if the case was accepted, we would certainly have a chance to name names in the next issue. And if the case was not accepted, then naming them would serve no discernable purpose but raise the internal-outing issue I mentioned. ☆ [Bri](#) (talk) [17:58, 2 December 2018 \(UTC\)](#)

- There has also been a request declined in which arbitrators named as parties declined to recuse and saw no issue in voting against a case in which their own actions would have been examined. What with the case mentioned above, where some Arbitrators appear to not understand that making a phone call is not necessarily a form of harassment, there is much more that could have been in this report. [EdChem](#) (talk) [13:36, 2 December 2018 \(UTC\)](#)

- [@EdChem](#): What is this COI case dismissal you speak of? Shall it affect my vote in the arb elections? -[Indy beetle](#) (talk) [05:36, 5 December 2018 \(UTC\)](#)

- It refers to a pointed case request by [Fram](#) that named as parties all members of the 2017 ArbCom, some of whom are on the present committee. Three present arbitrators who were named recused and commented as parties ([Newyorkbrad](#), [DeltaQuad](#), and [Doug Weller](#)); two others commented as arbitrators and voted to decline the case request ([Mkdw](#) and [DGG](#)). I objected as I think that current arbitrators have absolutely no business voting to reject a case request that touches on their own conduct, no matter how flawed they might view the case request, with the exception where the request makes all current arbitrators parties. Fram's request was intended, I believe, to get some answers and discussion about a serious matter. The approach taken was provocative and the answers provided were disappointing. To some extent, the issue motivating Fram remains live and unresolved.

On the recusal issue, I strongly believe that those arbitrators named as parties had an unavoidable COI and that they could (and should) have all chosen to recuse, comment as parties, and leave the decision to the arbitrators who were not on the 2017 committee. There were still 5 non-COI arbitrators voting to decline, as can be seen from the [request \(https://en.wikipedia.org/w/index.php?title=Wikipedia:Arbitration/Requests/Case&oldid=871548843#2017_ArbCom_and_the_GdB_unban\)](https://en.wikipedia.org/w/index.php?title=Wikipedia:Arbitration/Requests/Case&oldid=871548843#2017_ArbCom_and_the_GdB_unban) at the point it was ~~archived~~ removed (<https://en.wikipedia.org/w/index.php?title=Wikipedia:Arbitration/Requests/Case&diff=871586085&oldid=871548843>), and so the outcome

would have been the same. The COI arbitrators voting could have shown respect for the process and the request (however flawed) and demonstrated the importance of the integrity of the position of Arbitrator and of the Committee as a whole. Unfortunately, it is my view that they chose a different approach:

- DGG asserted that "I am no more involved than anyone else and if it is brought here, at least some of us must deal with the request in some manner." This is simply wrong as all the current arbitrators who were not on the 2017 ArbCom were not involved and would have dealt with the request.
- Mkdw stated that the "case request is no different except only in name" from a request at ARCA or ACN, going on that "[t]here is a nearly unanimously consensus that it is in the wrong place. These concerns were already raised repeatedly in 2017 including one public discussion. Responding then as it is now is no different. Responding to inquiries by the community does not require recusal nor how the policy and safeguard was intended. Recusal is an important part of the ARB POL when it correctly applies." This ignores that the request was *not* at ARCA or ACN, it was a case request in which Mkdw was a named party. Consequently, Mkdw had no more role in deciding it was not a case request than in declining it on COI grounds. Recusal *is* important and in refusing to act in that way, I believe that Mkdw weakened the policy meant to avoid COI at ArbCom and in so doing has added to the problem of administrators acting while involved (in the ordinary meaning of the term) by skirting the letter of WP:INVOLVED.

@Indy beetle: As for voting on the elections, I think you posted after the voting period had ended, and even if it were still open now, it would not be my place to tell anyone else how to vote. If you are interested in my opinion, however, I can say that I am now concerned that Mkdw and DGG, who chose not to recuse despite having an obvious conflict of interest, have demonstrated poor and highly questionable judgement and I have concerns / doubts about their impartiality and decision-making going forward on issues of recusal, COI, and interpretation of WP:INVOLVED. EdChem (talk) 09:02, 7 December 2018 (UTC)

the case did not "touch upon my own conduct" as I was never involved in the primary matter, to the extent I had no idea what the case was about. (the secondary part of the request dealt with arb practice involving all arbs, present and past, so if we had all recused, nobody would have been left to consider it.) DGG (talk) 19:38, 7 December 2018 (UTC)

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