

# Editorial

## Courts, not press, should determine Goetz' innocence

The second New York Grand Jury made the right decision in charging Bernhard Goetz for attempted murder in shooting four black teenagers in a subway train last December. The first grand jury indicted him only for illegal possession of handguns.

Goetz will go on trial for four counts of attempted murder, four counts of assault, one count of reckless endangerment to other passengers in the subway and one count of criminal possession of a weapon.

Whether Goetz is a murderer or a hero is not a decision for the press, but a decision of the courts — that's the way our justice system is supposed to work.

The media and the public made Goetz a hero after the shooting on the subway. The first grand jury made his first appearance a farce — it was more a test of public opinion than an unbiased hearing.

Given the deluge of phone calls of support, it was no wonder that the grand jury justified what Goetz did, and that Manhattan District Attorney Robert Morgenthau was lenient in pressing the homicide indictment.

According to the Time magazine cover story, April 8, a Media General-Associated Press poll shows that 47 percent of Americans approve of Goetz's actions, 36 percent say they do not know enough details to form a judgment and 17 percent condemn Goetz' shooting the youths.

The press was also largely responsible for propelling the 37-year-old bespectacled engineer to celebrity status. The media hype that followed hinted support for Goetz's so-called self-defense.

Goetz said in a first-person newspaper story why he did it: "I was acting out of goddamn fear." The nation latched on to his words of "I'm mad as hell and I'm not going to take it anymore."

Now, the pendulum has swung the other way. Rightly so, a new grand jury was formed to indict Goetz on the basis of "significantly new evidence," which consisted of testimony by Goetz's victims: Troy Canty and James Ramseur, and witness Victor Flores.

Unfortunately, it was the media and public opinion that made the new grand jury necessary.

Rather than being a hero, Goetz is now a villain. Even more, the media has put the criminal justice system on trial instead of Bernhard Goetz.

Rather than the social ramifications, we must not forget that Goetz did shoot four people and that he should be tried for it — in court, public opinion and media hype aside.

Although Goetz is now pictured as a villain, the media should not affect his right to a fair trial.

The media has the right — and the duty — to report and comment on news events, and people have the right to express their opinions. But the courts must determine an accused person's innocence or guilt free of such public discussion. That is what must happen in the Goetz case.

Everyone has the right to a fair trial, to be treated the same, including Bernhard Goetz. And society, through its courts, has the duty to try everyone accused of a crime, no matter how much people like the accused, including Bernhard Goetz.

BEN SARGENT  
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## Execution demeans humanity Is 'civilized' murder perhaps the greater crime?

It was there, in the newspaper. Page three. But I could put the newspaper down.

It was there, on the television. But I could turn the television off.

But it was there. And it was real. Somebody had died a horrible death.



James A. Fussell

That in itself is not so unusual. Not unless you consider that it was we who killed him. And furthermore, that it was all perfectly legal. If you think about it that way, it is astonishing — astonishing, what we do in the name of justice.

The simple fact is that we kill people, you and me. We call it capital punishment, the death penalty, execution. And even as we argue intellectually over its legal and ethical merits, more people die.

The man on page three was executed. Killed, really — by the "civilized" people. We blew out his pilot light, we snuffed out his life force and flicked him away like an old cigar butt. Some of us aren't proud of that.

I'm not very proud. I have to keep reminding myself that a man was killed today by officials of my government — on purpose. EX-E-CU-TED.

It's such a clean word. Sounds more like a computer command than the end of a human life. We don't have trouble saying it because it manages to soft-peddle the truth: Our government is in

the grisly business of legalized murder. And all of our names are on the ledger.

I'm not proud at all. A man was killed today — a bad man, the people say. But a man who used to cry and feel and breathe — another of God's children — is dead. The blood is on our hands this time, the shame is in our souls. Surely this is not my America, the most civilized country in the world.

Regrettably, it is America, with all its glories, the land of the free and the home of the brave, is also the home of the gassed, electrocuted, hanged, shot and lethally injected. God have mercy on our souls. We know all too well what we do, and we do it anyway.

Damn the eternal arrogance! We allow ourselves to render the ultimate judgment on a human life and then salve our conscience by calling it justice. It is not justice. It is grim and ghastly: it is a sin against every law of God and man. Nothing cheapens our humanity like the death penalty.

We have no more right as a society to end a human life than the criminal. We should aim to punish him, not copy him.

But what about the victim, you cry. I cry, too. But the stark facts are that he lies beyond our pity. We cannot jumpstart one man's heart with another. By killing his assassin, we accomplish nothing in a constructive sense, except to perpetuate the chain of violence.

When someone kills, in a large part, it is we who have failed; failed to fit an imperfect cog into an imperfect wheel. We do not rid ourselves of that failure by killing and burying our mistake; we only

compound it with shame and dishonor.

I could launch into a detailed polemic against capital punishment, but frankly I grow tired of the arguments. They just depress me. Anymore, I am simply saddened that killing another human being — under any circumstances — is not recognized as brutal and barbarous behavior.

I am saddened. We are not a civilized society when we can stand idle and indifferent while human beings are being scrapped as useless: humans like ourselves, with God-given arms and legs and teeth and breasts and red corpuscles and brain ganglia and tissue and sinew and muscle and flesh. It was not a creation meant to be so cavalierly disposed of, whether legally or illegally.

When the deed is done, the reasons hardly matter. The unmitigated blasphemy of such an act should make us all weep tears of shame.

And in the end, it is we, the civilized folk, who should fear eternal damnation more than the killer who we now kill. More than likely, his was a passionate mistake, a horrible moment spurred by jealousy, blinding rage or both.

We have no such excuse. We are supposedly humane, intelligent and moral. And yet we kill with the detached efficiency of a hired exterminator.

No matter how often we try to prove it to the contrary, we are not gods. We are mortal men and women, with consciences and souls. And as such, we should seek to find every moral reason to preserve life rather than every convenient reason to end it.

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## Reader says myths fabricated by people who 'fear sexuality'

The author of the guest opinion, "UNL group organizes Gay Student Month," should be praised for the clearheadedness he showed in that article.

However, since that is an opinion, some of his perceptions are not on target. If you think about it, "homosexuality is unnatural" is not a false notation. It isn't wrong, but it is unnatural. Perhaps the reason for

homosexuality being viewed as deviant is because the vast majority of people are heterosexual. Unless you want to redefine deviant, that's what it means.

People fabricate myths about homosexuality because they fear for their own sexuality, I suspect. I do not take myths as gospel, but part of my psyche wants to

believe these myths because I, too, fear for my own sexuality. But what is normal is normal, and no arguments or rationalities can change that. This is why so few people can deal rationally with homosexuality.

Jay Russell  
freshman  
history

The Daily Nebraskan welcomes brief letters to the editor from all readers and interested others.

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## Letter