

# Legal system protects innocent

Justice has been served — at least as we know it.

The basis of the American legal system, the jury trial, has run its course in the case of the State of California versus Orenthal James Simpson, and the verdict is in.

The verdict on the system itself, however, is just beginning to be debated.

Like it or not, O.J. Simpson is, by law, not guilty. He was tried by a jury of his peers and acquitted.

The jury did its job and the trial is over. Period. To let the public put Simpson back on trial and convict him would be a crime in itself. It would go against everything for which our system of justice stands.

The system worked as it was meant to — the judgment handed down in the Simpson case was not flawed. But maybe, some have said, the system itself is.

The question we must ask ourselves now is whether we want to keep that system in place.

If juries are found to be untrustworthy, then what?

If reasonable doubt is viewed as unimportant, then what?

If the desire to convict the guilty overcomes the obligation to protect the innocent, the falsely accused, what will our justice system look like.

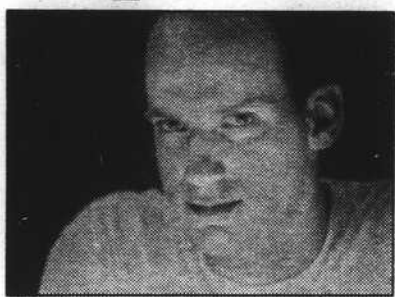
I shudder to think of it.

First, perhaps the jury system would be scrapped altogether. A judge, or panel of judges, would alone decide the fates of the accused. Sound OK? Maybe.

But judges are human, too — susceptible to all the failings of the jurors whose verdicts are so readily attacked by the public.

Then, of course, in America's never-ending crusade against crime — real or perceived — we would impose tougher conditions on defendants.

Reasonable doubt would still have a place in the courtroom but this time it would be a prosecutor's



**Doug Peters**

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tool. Instead of having to prove guilt beyond a reasonable doubt, the accused would have to prove his or her own innocence beyond that same criterion.

Sound like a step in the right direction?

Imagine being falsely accused of a crime — a double-murder, perhaps. Then take it a step further: Your alibi is questionable. Some of the evidence points to you, some doesn't. But you couldn't have, wouldn't have and didn't commit the crime.

Under the new, enlightened "get tough on crime" American system of justice. You, as a criminal found not innocent beyond a reasonable doubt, would be convicted, sentenced and hung out to dry — all in the name of justice.

But is that justice? Not even close.

Call me crazy, but as much as it galls me to see criminals go free using the loopholes provided by our legal system, I would much rather see one murderer go free than one innocent man or woman wrongly convicted.

That is the fundamental aim of our judicial system — to protect the innocent completely while punishing, as best it can, the criminal element in our society.

If we abandon the innocent, we abandon ourselves, our rights and our freedoms. We must not let that happen.

Sometimes, we may lose sight of what's really important and rush to the soapboxes and the "Larry King Lives" of our world, screaming for reform, screaming for justice.

This is one of those times.

The country has just witnessed the most visible and most closely followed criminal proceeding in history.

Everyone has had ample opportunity to arrive at a personal judgment on the case, and maybe this visibility has led the viewing public to believe that they, too, can play the role of the jury, that they know better.

Maybe they do, but that doesn't make any difference now.

In the end, the whole thing is pretty simple.

Ron Goldman and Nicole Brown Simpson are dead. Their murderer has either been acquitted or is still at large. No amount of second-guessing a jury's decision will change that. Their deaths were tragic, brutal and senseless.

But taking their deaths, and the trial that followed, as an excuse to indict America's system of justice would be every bit as tragic, every bit as brutal and every bit as senseless.

Peters is a graduate student of Journalism and a Daily Nebraskan columnist.

# Powell politics give GOP pull

The political system always works smoothly when compromise runs high and wide. This is most pronounced in conference committee sessions, when House and Senate members are supposed to work together on legislative bills that differ — however slightly — in the two chambers.

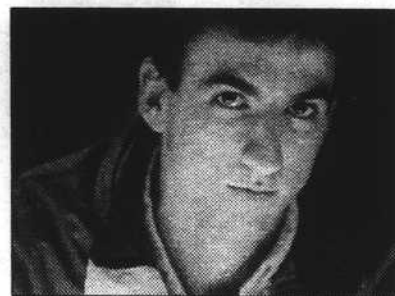
When both sides willingly work together and give a few inches, pending bills quickly make their way to the Oval Office for executive approval. An unwillingness to negotiate provisions, however, inevitably results in classic Inside-the-Beltway gridlock.

As Colin Powell jubilantly continues his now notorious book tour — shaking hands, kissing babies, and acting very presidential — the country eagerly awaits a formal announcement. The Republicans have been courting him, ostensibly, in an attempt to avoid an independent run that could have damaging repercussions in 1996.

But the proliferating right-wing of the GOP — those who call themselves "Christian Conservatives" — have been careful not to court the former chairman of the Joint Chiefs of Staff. As a relatively new and growing branch of the party, they are clearly demonstrating that they have yet to learn the most fundamental lesson of hardball politics: the lesson of compromise.

After working closely with Presidents Reagan and Bush, Powell established himself as a conservative on foreign and defense issues. He is an astute strategic thinker who has climbed the military ranks at a lightning pace. And he has learned to play the diplomatic bargaining game with extreme caution.

In the Sept. 24 Washington Post Magazine, Bob Woodward paraphrases Ken Duberstein (White House Chief of Staff in the Reagan administration's last year) as attesting to Powell's disagreement with Reagan on several foreign policy decisions because of a lack of preliminary strategic and defense planning.



**Neil Feldman**

*"If Powell were the Republican nominee, he would, according to this poll, beat Clinton 51-41."*

In other words, by not following standard operating procedures of the diplomatic establishment, Reagan was deviating from the norm. To Powell and many others of his kin, deviation in policy is not conservative, and thus a cornucopia of moderates and liberals do not appreciate such a stance. But, nonetheless, many moderates and liberals overlook his acute conservatism in foreign policy.

On social issues, Powell tends to lean toward liberalism. He thinks abortion should be legal and school prayer has no place in public institutions.

Powell is much tougher to penetrate on fiscal issues, though he is probably liberal here as well. He believes the government should assist the poor and has suggested that cutting taxes would not be wise. Otherwise, however, Powell has been very careful not to indicate his position on important tax issues, health care and government spending. Perhaps this is an indication that he would adhere to Washington's foremost lesson.

Senators Bob Dole (R-Kan.) and Phil Gramm (R-Texas) have firmly established positions on everything

from budget, tax and social issues to U.S. foreign policy to Andorra.

While the former is less conservative than the latter, both are creatures of the establishment that have spent many conference committee hours jammed in gridlock over diminutive issues in otherwise large bills. Such rigidity has backfire potential.

Colin Powell, the outside, the man of "duty, honor, country," seems to be exemplary of the moderate wing of the GOP.

The argument that moderate Republicans simply don't make it has unequivocally been disproved in the last few years. Look no further than the success of New Jersey's darling governor Christine Todd Whitman or New York City's Mayor Rudolph Giuliani, both of whom eclipsed liberal Democrats in their respective races last November.

Last month, Newsweek asked people how they would vote if Bob Dole the Republican, Bill Clinton the Democrat, and Colin Powell the Independent were the candidates. Clinton won with 36 percent, Dole had 33 percent and Powell had 21 percent. If Powell didn't run, Clinton finished ahead of Dole by 2 percentage points. And if Powell were the Republican nominee, he would, according to this poll, beat Clinton 51-41.

I am not suggesting that polls are definitive, but historically they're fairly accurate of the political climate.

The far-right should think pragmatically by letting impedimental issues ride for a while, encouraging Powell to run, and thinking on a grander scale. If the entire Republican spectrum keeps this paramount lesson of Capital politics in mind throughout the campaign season, 1996 might just be a victorious time for the GOP.

Feldman is a senior international affairs major and a Daily Nebraskan columnist.

# A letter... from the **FROSH**

## Lesbianism phobia proves a false fear



**Adria Chilcote**

When my mom asked me if I was a Lesbian, it cracked me up. It wouldn't have been so funny coming from someone else, but it sounded funny coming from my mom.

I asked her why she felt the need to ask me about it. I didn't want to say no right away, I could tell the suspense was killing her.

She listed her numerous clues:

One was that I had read a romance book once about a Lesbian relationship.

● I read it because it was a good book.

I haven't had any steady boyfriends to speak of.

● That's because when I see something bad in a guy, I don't take it. All of the guys I've gotten to know have been jerks.

She also brought up the fact that I haven't talked with her about any crushes I've had on boys.

● Well, for heaven's sakes, she's my mom. And ever since a friend of mine in fifth grade yelled across a crowded cafeteria room, "Hey, Danny, Adria likes you!" and then Danny looked at me and said, "Yeah, well I hate her," I haven't trusted too many people with that type of information.

Of course, she's also concerned about the major I've chosen: Women's Studies. I'll not only be learning about heterosexual women, but Lesbian women as well.

● I've chosen the major because I'm a woman, and I like learning about other women.

I know that one of her friends warned my mother about all of the Lesbians in the department, and that she should watch out because I might be "recruited."

I think the biggest thing was that another one of her friends (a Lesbian) asked her if I was a Lesbian, and she wasn't sure what the answer was.

When I broke it to my mom that I wasn't a Lesbian, a wave of relief washed over her face. She said something like, "Oh good, I was getting worried."

I love my mom, and I know that she's not homophobic; she's actually a fairly liberal mom when compared to quite a few other mothers. She just doesn't like to know about any specifics or to have it in her own family.

Although she didn't say anything, I think she was also worried because she thinks I dress funny. Even though I think my wardrobe is fairly tame, she thinks I look rather freakish. And if I look like a freak, I must be a freak.

*"My dad's side of the family are mostly hippies. Maybe my mom's afraid that I'm turning into a Chilcote."*

And, oh my God, I don't shave my legs! She doesn't make a big deal about it, but I know she hates it that my legs are all hairy.

What kind of woman, especially in this society, would not shave her legs? She is either seen as some lesbo-hippie-freak, or she's gone insane.

I don't find anything wrong with either of those things. It's a person's choice if they want to be what's considered a lesbo-hippie-freak, and sanity is completely relative.

I don't fit either category. I just think that shaving is stupid. I don't think being hairy's disgusting, so why should I spend time, energy, water, and the money on razors just so everyone else won't be grossed out?

My mother isn't the only one who's concerned about me. My grandfather also has his concerns. When he first saw that I had stopped shaving, instead of saying something to me about it, he said something to my mom.

On top of all that I'm a vegetarian and a feminist. I know he doesn't approve that I've chosen Women's Studies as a major. God, what kind of a person am I turning into?

I know that my family will always love and accept me no matter what kind of a freak I become, but that doesn't mean that they have to like it.

Both sides of my family should be used to dealing with differences among us. But thank God both sides don't ever have to be in the same place at the same time.

My mother's brothers are good 'ole southern cowboy type guys. My mother's sister's family are all huge war buffs (and borderline militants). My dad's side of the family are mostly hippies. (Maybe my mom's afraid that I'm turning into a Chilcote.)

So my family has quite the variety of values and life styles. I guess I fit right in; nobody really realizes it though. I'm just about as freakish as the rest of my family — if being freakish is living your life the best way you see fit.

I know that my mom and I see many things differently, but she will always be my mom and I, her daughter. I feel secure that we will always love and accept each other. That goes for the rest of my family as well.

Still, it would be fun to play with her mind a little, and bring home a cute girl for dinner some time.

Chilcote is a freshman women's studies major and a Daily Nebraskan columnist.