

Where's the beef?

Oprah Winfrey cattle trial lacks merit on both sides



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How now, mad cow?
It's a brawl in the Old West, where both the Hatfields and McCoys are packing six-shooters of the First Amendment, and the drama is as bizarre as a physically attractive engineer.

The scene is Amarillo, Texas, where cattle are tearing away the very fabric of the Constitution, all in the name of Oprah. This soap opera is mangling the threads of sanity, leaving us bewildered and confused, graying the space between black and white, good and evil, the just and unjust.

When I first heard about the Cattlemen vs. Oprah Winfrey trial, I thought, probably like many of you, that Oprah Winfrey's show can air any opinion she wants. This \$10.3

million lawsuit is, much like Texas itself, a bunch of bunk. After researching the premise and oddities of this trial, I had no idea what to believe. Both sides point to the First Amendment — one side claims slander hurts, the other doesn't.

This fight arose from the April 16, 1996, broadcast of "The Oprah Winfrey Show," which focused on the possibility of mad cow disease reaching the states from Great Britain. Guests on the show were Howard Lyman, who was a former cattle rancher turned vegetarian; Dr. Gary Weber of the National Cattlemen's Beef Association; and Dr. Will Hueston of the University of Maryland.

In the following debate, Lyman said the U.S. Department of Agriculture has placed the public at risk for mad cow disease, saying it could make AIDS look like the common cold. After Lyman finished, Winfrey then stated, "It has just stopped me from eating another burger!"

Dr. Weber and Dr. Hueston were allowed to retort during the taping, during which Dr. Hueston later mentioned the show had "a lynch-mob mentality" toward meat eaters.

With the episode's extreme vegetarian views, Texas cattlemen decided to sue Lyman and Winfrey for slander

because "The Oprah Winfrey Show" aired Mr. Lyman's inaccurate comments. Cattle producers claim it cost them \$10.3 million.

The case focuses on two points: First, if the comments said on the program actually caused a \$10 million loss in future prices, and secondly, if the First Amendment protects Lyman and Winfrey's show from slander, even though they may have knowingly lied to stress their opinions. A tough call.

But what makes this case so damn interesting are the words said by Lyman.

Lyman is certainly a man who believes in his convictions, which I can respect. However, during the trial he answered questions all but proving his ignorance about the disease and basically common sense in general, saying, "I believe there are a lot of ways of educating other than facts."

He also said his statements on the show were "based on the information (he) had in (his) soul."

This is why vegetarians freak me out. When I hear this, I think of the future. I think of all the psycho vegetarians like Howie Lyman in a courtroom saying, "I believe there are a lot of ways of educating other than facts. That's why I blew up the meat-packing plant, killing 232 people!" or "I made that pipe bomb, based on the

information I had in my soul!"

Lyman even admitted some of his family believes he's nuts! Does Oprah Winfrey believe her show is credible claiming a madman from Montana is an expert on a disease that can actually kill people? Do Oprah and Jerry Springer just rotate guests?

With the estranged Mr. Lyman looming in the mist, the trial has shown itself to be more disturbing than eating a half-digested pancake off the floor at McDonald's, just like that bastard Todd Munson did! On one hand, "The Oprah Winfrey Show" may have known or, more importantly, should have known the statements from Howard Lyman that caused this \$10 million suit were untrue.

On the other hand, tabloids chronically print false information about celebrities and national figureheads and continue unscathed, making one wonder, why should Oprah pay the bill? Boiling away the quirks of the trial, one final question becomes apparent: Should slander be legal even if it's a source of damage to someone or some group?

Now the word "damage" transforms into a vague, unclear term meaning financial loss, emotional loss, etc. How much damage is needed for slander to be illegal? What forms of damage are legal and ille-

gal?

Because of the existence of these questions, Winfrey should not compensate the Texas cattlemen for the lost earnings. If Winfrey was ordered to repay the cool \$10.3 million, what kind of precedent would be set? Should anyone with proof that someone misdirected the American public sue for a variety of damages? What about judicial cases where a statement is false using one point of view and true viewing another angle? This could become a backed-up judicial sewer.

Besides, profiting from raising cattle should not be viewed as a right. It is a business, and with a business there are sound times and not so sound times. Don't misunderstand me: "The Oprah Winfrey Show" was terribly irresponsible and should realize the amount of sway Oprah has in public opinion. Winfrey cannot be held responsible for the gullibility of the American people.

Instead of receiving a \$10.3 million shaft, Oprah should eat a hamburger in front of America, a quaint gesture saying, "I'm sorry. I screwed up." Then paparazzo should say, "We're sorry we whacked Princess Di." And the creator of those wimpy microbrews must say, "We suck. We screwed beer."

America would be right again.

An eye for an eye

The punishment should match the crime for serious offenses



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On Tuesday night, Karla Faye Tucker got the needle and, as always, the death penalty caused great controversy all through the land.

There was a time when I believed capital punishment was wrong. That time was June 14, 1993, between 10 a.m. and 10:02 a.m.

In general, I am opposed to taking another person's life, but on the other hand, I cannot answer the "If it was your little sister, would you want the murderer dead?" question with a "no." Hell, I'd gladly kill the bastard myself.

Back in the old days, if you stole something, you'd get your hand cut off. If you committed adultery or raped somebody ... well, you do the math. That system really isn't that bad, because you can steal only twice and rape just once. So much for repeat offenders.

Actually, I'm not in favor of dismembering rapists ... hold on! Hell yes, I am. Let's get back to punishment that is just that — punishment. I am not a religious man, but those Christians might have been on to something when they came up with that "eye for an eye" thing.

Well, I guess many rapists get a fair share of their own medicine in jail, but that is not what I mean. To me, it comes down to making sure the criminals get what they deserve, and they never do it again.

Call me old-fashioned, but if you take a human's life, you just don't deserve to be a part of society anymore. The same holds true for rapists or child molesters. If you screw up the life of another person in such a

way, you should never be allowed to be free again.

I used to work with kids who were physically, mentally and sexually abused. I believe harming a child in these ways is the worst crime a person can commit. These children are scarred for life. The memories will never go away and can possibly affect the rest of their lives. In their cases, considering today's life expectancy, this equals 70 years of nightmares, 70 years of being afraid to trust another person and 70 years of horrendous flashbacks.

The criminals' punishment is not even close to what the victims have to endure. They'll get a slap on the wrist from some lenient judge, or maybe they'll go to prison for a few months. Then they come back and do it again.

There is something wrong with that picture. Just look at the case of Mary Kay LeTourneau, the teacher who had an affair with a 13-year-old student. She had a child with this boy and went to jail for three months. On Tuesday she was arrested again for having been with the same boy, sitting in a car with "steamed-up windows."

This encounter should have never happened. There is no way she ever should have seen this boy again. Let's put away the double standard for a second and pretend society would treat this case as if a male teacher had raped a female student.

Put yourself in the position of this child's parents. First of all, there is the suffering the family had to go through after finding out their little kid was raped by a teacher (child rape was the charge she admitted being guilty of). Then they find out the criminal was released. Then, less than half a year after the first conviction, the same thing happens again.

In crimes such as rape or child abuse some way has to be found that ensures the victim and the criminal never meet again. I believe LeTourneau should have been locked up for a large portion of her life, simply because she does not seem to fit in society. Why give her another chance just to see her fail again?

I'm all for trying to rehabilitate people who are guilty of minor offenses like grand theft auto. Society can afford to give them another shot. What is the worst that could happen? They steal another car, somebody gets insurance money, and no harm is done. The same does not hold true for other crimes.

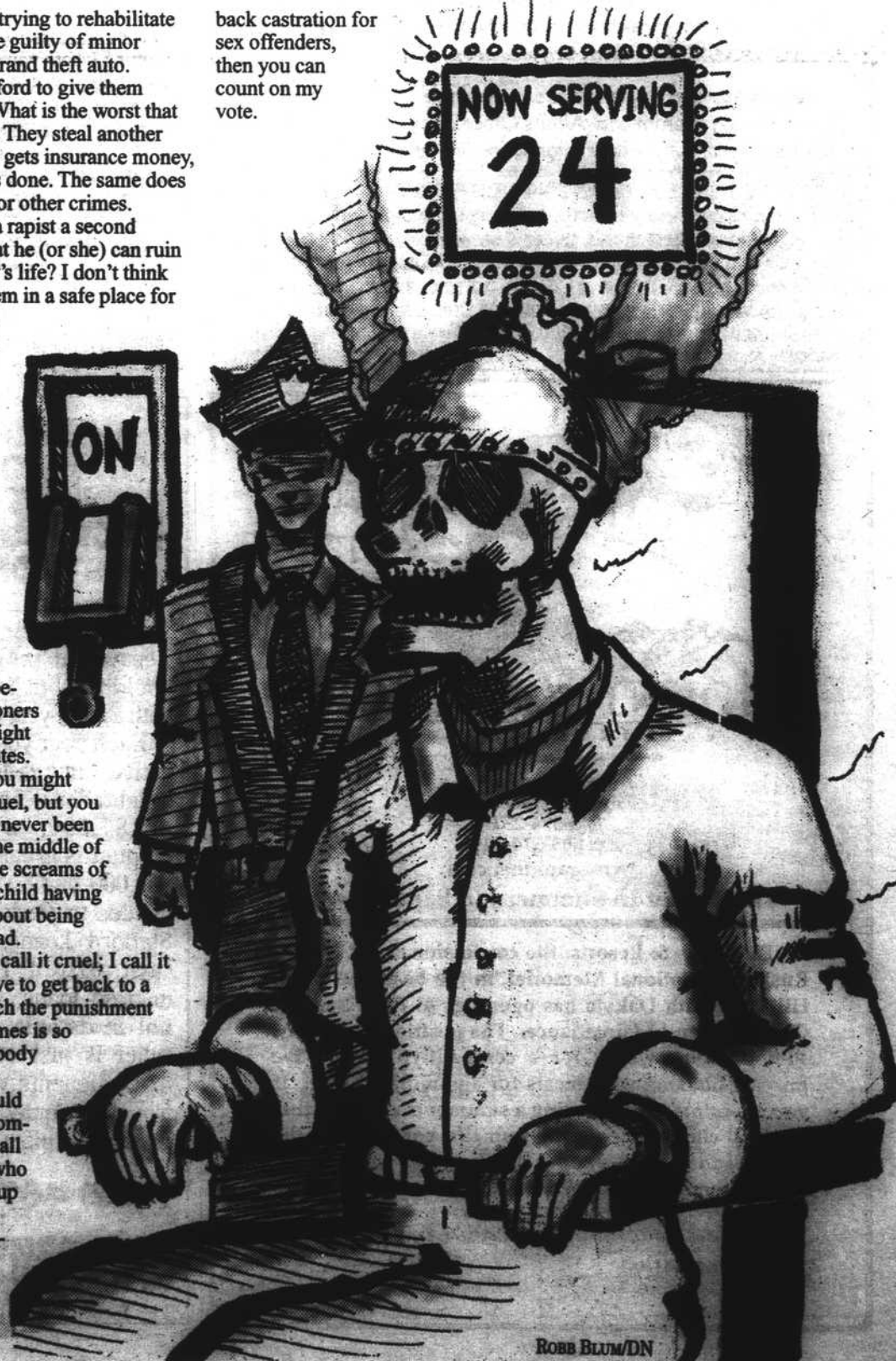
Why give a rapist a second chance? So that he (or she) can ruin another family's life? I don't think so. Just put them in a safe place for 20 to 30 years. My idea of an efficient correctional facility does not include a weight room and is not a recruiting camp for gang members. My jail looks more like a bunch of holes in the ground. Every Sunday as a special treat, prisoners get to see sunlight for a few minutes.

Some of you might think this is cruel, but you probably have never been awakened in the middle of the night by the screams of an 8-year-old child having a nightmare about being raped by his dad.

You might call it cruel; I call it justice. We have to get back to a system in which the punishment for certain crimes is so severe that nobody who is in their sane mind would ever want to commit them, and all the nut cases who do get locked up for life.

And if anybody ever wants to bring

back castration for sex offenders, then you can count on my vote.



ROBB BLUM/DN