

# EDITORIAL

## Was justice served or justice bought?

"Nobody has bought anyone's silence," said Larry Feldman, attorney for the plaintiff in the Michael Jackson child molestation case. The 14-year-old accuser was said to be "very happy" with the settlement, which includes a payment of at least \$10 million.

A case like this raises serious questions about the justice system, and the wealthy's affect on it. There were no charges filed, just allegations made. There was never anyone arrested, and there wasn't even a court case. The opportunity to forfeit the trial was bought by Jackson.

"You could call it the rich man's exemption in a child molestation case," said Harlan Braun, a prominent Los Angeles defense attorney. "What it means is the person who buys off a minor gets away with it. It turns these sex cases into private disputes."

Is Jackson guilty? It doesn't matter, and that's not the issue. Men as wealthy as Jackson will always have the opportunity to pay off a crime that may or may not have been committed and never spend a day in court, let alone behind bars. If Jackson is guilty, is simply paying off the victim punishment enough for him? With an estimated wealth of more than \$150 million, the settlement probably seems like pocket change. Obviously his career will never be the same, but that goes with the turf.

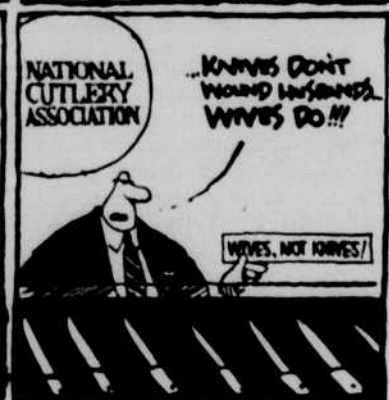
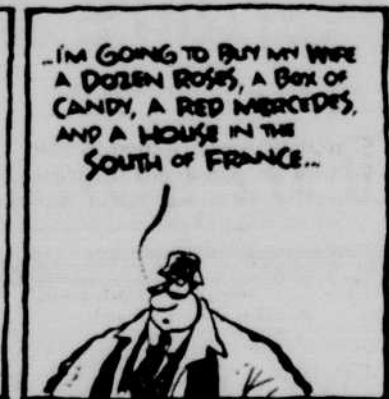
But consider the victim. If the incident did happen, then a monetary settlement for punitive damages should be awarded. In this particular case, there is little threat of a man like Jackson actually seeking the victim for revenge. In California, the victim of sexual abuse can't be forced to testify. Certainly a 14-year-old boy has little concern as to whether Jackson spends time in jail. Jackson poses no threat, so why bother testifying? It seems the case was bought out by the plaintiff and sold out by the defendant.

Gill Garcetti, Los Angeles district attorney, said the settlement will not stop the proceedings of the case.

"The District Attorney's Office is taking Mr. Feldman (attorney for the boy) at his word that the alleged victim will be allowed to testify and that there has been no agreement in the civil matter that will affect cooperation in the criminal investigation," Garcetti said.

In the Jackson case, it worked out well for both sides. The boy received punitive damages that he may have received had Jackson been found guilty, and Jackson takes a small dent in his savings — costs the court may have forced him to pay anyway. For Jackson, the financial damage was done when the boy first came forward, in the money lost from his abandoned "Dangerous" world tour, as well as the endorsements that Jackson will never see again.

The true loser in the case is the American public, which may or may not believe that justice has been served. A victim of a crime, lured by money, has the opportunity to let the alleged criminal buy his way out of court. Certainly this is not the first case of its kind, and, unfortunately, it won't be the last. As for Jackson, there are still lawsuits pending against him from promoters and former security guards. There is a good chance those will be resolved the same way.



### COMMENTARY

## 'Emerald' mishandled charges

By Young-Tak Chough

Speaking in terms of physics, I am experiencing a quantum electrodynamic transition from a charged state to a charge-free state. Some simple physics we can do here: If you carry any electric charge, you will feel force when you are placed in an electric field. Likewise, if you are legally charged, you will suffer a miserable lot of pressure from the force field called "judicial law." So folks, beware of any kind of charges: Electromagnetic charge is hazardous for your health and a legal charge is lethal for your life as an ordinary human.

From a mathematical viewpoint, there should be no difference if the charge is neutralized and you are returned to yesterday's pure state. It could have been so if it were not for the malicious tongue of some third-class journalism. Thanks to such premature journalism, a name is dishonored unjustly and sufferings begin and last even if the charge has been removed. The article on the front page of the *Emerald* of Nov. 12, 1993, regarding my nonsensical case, makes one wonder why this article megaphoned my poor name all over the village. Was it to warn people that our University was in danger? Or was it that the reporter simply enjoyed the thrill and fun of revealing an Asian guy's name in such a circumstance?

If it was to warn the society, what if the allegation turns out to be false and a pure libel? The courthouse is down there because there is always such a possibility and that possibility must be completely respected. Nevertheless, the *Emerald* wasn't even satisfied with its first article (indeed, second, including the one that appeared in the police beat a couple of days before) and brought up the case again in an editorial a week later (Nov. 19). And it alleged that our campus was in danger because a criminal was walking in daylight.

How strange. And how dare the University newspaper override the legal procedure of the

society by calling an innocent person a criminal, in such a hurry? How dare they be so sure when the professional lawyers in the courthouse weren't? Particularly now, when the case has been thrown into the prosecutor's garbage can, I am very curious about how the *Emerald* will respond to these questions. Please do not say you guys were pursuing the human right or safety first. You know you have just created a blow of dreary wind on this campus, where people's minds are wandering in consequent gloom.

The university has existed since the 12th century and it has been the center, the leader, and the successor of the culture of the society, to my understanding. How the university is performing such a role may be best known by looking at the university newspaper, someone said. And a newspaper is most easily evaluated by its editorial, which is a common word. However, I am surprised to see that the articles, including the opinion column, of the *Emerald* are essentially about nothing other than sexism, racism, or crimes and violence. Was today's problem in American society the Bobbitts' case or a senator's diary?

Such cases are simply a matter of people who reside beyond the two-sigma tail of a normal distribution. These are not a global problem of modern American society. Students' debates about such matters contribute nothing to the welfare of this society or to themselves. They are not what university students are supposed to take care of. Let the law or the society do that. Just leave matters to the commercial magazines to deal with, for we have other, much more meaningful things to

take care of — things that must be taken care of by us, not by those out there.

A university newspaper should find some more creative, some more contributory subjects. There are lots of them. Talk about the reality of the L.A. quake and our measures. Talk about the problems of high school education in this society, if any. Talk about celebrated authors' recent publications. Talk about art and literature. Talk about our environment and the drying up of fossil fuel. Let's talk about constructive subjects and let's not talk about sex anymore. My case was apparently a serious matter in the community, according to the allegation, but it shouldn't have been treated the way it was in the *Emerald*. It didn't deserve a square inch of the valuable space on the front page and my name was not something that should have appeared on it.

The article on that front page calling my name without the court's confirmation has clearly demonstrated that this paper positions itself somewhere beyond the three-sigma tail of the quality distribution of newspapers. I mean, to the left! *Emerald*, my dearest, please find the philosophy or the ethics of a newspaper before writing an article and show it to your colleagues. If you can't find it anywhere on this continent, go to Europe or give a visit to Asia and take a look at how they are doing in those places. If found, thoroughly observe it so as to interact constructively with the academic community of the University, rather than to keep chattering sensuous gossips.

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# Oregon Daily Emerald

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### COMMENTARY

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