

The court of public opinion.

Since when had this become a part of our legal system?

I find this is slowly becoming a rather significant issue in our society. Even if we have an amazing legal system based on the legendary "checks and balances" mentality, people are initially tried in the court of public opinion first and foremost. Even if we have the basic premise of "beyond a reasonable doubt", well, that doesn't seem to matter much either. "Guilty" the populace will yell, and to hell with the data.

Everyone in this country is, by law, entitled to a fair trial. If we stand to our principles as a country, then this must occur - and must occur for everyone under the law equally.

I am going to start with what many will consider an extreme example. Sure, I can understand how public opinion might have believed (and still does it seems) that OJ Simpson was guilty. That's left to your own personal observations - and the legal system. But ... and this is a huge point of contention among many in the general public - he was still entitled to a fair trial. You can debate the issue all you want, but the law explicitly notes that it must be proven "beyond a reasonable doubt". Yes, there may be times when good people get unreasonably sent to jail - and bad people get off without a hitch. But the system is set to deliver the best possible answer - the most reasonable answer to the greatest number of people - in the greatest number of cases. It's the beauty of a fair legal system, one in which we are all equal under the law - perhaps one of the few places these days in which we all ARE truly equal. Of course, that's a completely different diatribe ...

The court of public opinion found Simpson guilty - long before he was found to be innocent in a court of law.

Bring this forward a few years and take a look at Roger Clemens. He's found his name mentioned repeatedly in the Mitchell Report on the problems of steroid use in baseball.

Written by Allan Besselink
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Now I am not comparing the two - there's certainly no comparison there. Let's face it, nobody's died from the indiscretions of professional baseball. But both will have faced immeasurable scrutiny from the court of public opinion, perhaps long before a decision (or in Clemens' case, even a lawsuit) have materialized.

Before we go any further - can someone please tell me why the House Committee on Oversight and Government Reform is spending my public tax dollars on this situation? What the hell does "Government Reform" have to do with "the clear"? Why hasn't Major League Baseball and their private dollars looked into this on their own? Oh, yes, I forgot, they've got their head in the sand - because we all know there has never really been a drug problem in such a highly-evolved sport as baseball ... heaven forbid. It's far too American-and-apple-pie, how could it possibly be happening in OUR backyard? Maybe if we just ignore it, it will go away. Don't worry Dorothy, we might just get back to Kansas sometime ...

Oh yes, Roger ... "guilty until proven innocent", that's where I was going with all this. Actually, the fact is that this has become an issue of the court of public opinion. Has the House Committee actually used any of their research to file a legal complaint? No. So, what we're seeing is a bunch of folks collecting information ... and collecting opinions. They release it under the premise of the "Mitchell Report" but it might just as well be an expose released in Time magazine (though a true journalist probably wouldn't have an article like this approved based on the hearsay and diatribe and journalistic standards ... but, I digress). But since it's done by "the government", then it carries weight, doesn't it? And public opinion starts swirling ... and now Roger is guilty - without a trial, without even a lawsuit.

Hell, if Barry Bonds is found guilty, it will be of PERJURY and not taking steroids!!! Asterisk or no asterisk ...

Frankly, I agree with Clemens on one key element - and that is that he's guilty before being proven innocent - and that is wrong within our legal system. Simply wrong. Simply Un-American.

Now ... does this mean that he did or didn't take steroids? No. But people have been wondering privately about professional baseball players (and other sports stars) for years. It makes good pub fodder, good discussion material between classes or over a cup of coffee at the office. There's the "he said, he said" that we all wonder about, but that's for professional sport to deal with, not the government. Hold on a second (inject sarcasm here), has this in fact become a

government program to spend more tax dollars on? That's very un-Republican of us ...

And why would we care anyways? It's baseball ... a sport that takes in millions of dollars and is a PRIVATE enterprise that should in fact be enforcing it's own policies - or perhaps even making some policies in the first place. Then my tax dollars could end up going towards ... let's see what else are we spending money on ... oh yes, there's Iraq ... or another long laundry list of well-"intentioned" government spending programs ...