

# Broken System and Broken Lives

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Has anyone noticed that the American legal system is hanging heavily-lopsided on the wall of the public trust? In fact, hardly ever has there been an evenly-keeled balance in our system of checks and balances. Who is steering this ship? It seems that many of the representatives in our country are not executing justice but are involved in a game of Chess. This has been increasingly so when these Chess players are involved in a heavily publicized match, in which human Chess pieces are in play by the two sides of a controversy. In this controversy, and exercise of wills, truth is usually there somewhere, but who can find it? In the various moves of the pieces, moving sideways and playing off the other pieces in the game, stepping over the red tape and enforcing others to stay behind the very same lines, one finds the pieces (human beings) are eliminated or end up in a labyrinth. This political game that we see today, whether it be the nomination process of cabinet members or other officials, has minimal concern for the human lives and citizens involved. What is important may only be the advantage on the Chess board. It becomes more important when someone like a Supreme Court Justice with a life-time appointment, and someone who has the ability to decide law that is different from that held by the Chess players, is found on the same board of Chess. The concern may not be finding someone to serve the country and the Constitution, but choosing a person who will follow the wishes of the various players' political party or financial supporters, and even as low as winning because of personal pride. Nobody should be a Chess piece. Where are the people of America in all of this? Even one person's life can be shattered by either malicious actions, threats, innuendos, or unsubstantiated charges. However, who is attending to people's needs while continuous degradation of our leaders is becoming dangerously contagious? Have they gone mad? Why the Stone age all over again?

**We, the American People, are tired of the torment of political jostling.** Probably most politicians are also. I tried working in the political arena for a few years in the past, and tired of it. It was wishful thinking that I could make a difference. I find it difficult for anyone with a conscience to continue in governmental services. Some people have stronger guts than I do, I suppose. It is not wrong to be involved, but it takes a hard mind-protecting helmet to get through the day and have a restful sleep. To add insult to injury, not only is the political system in disarray, but Law Enforcement has become little concerned with, and ignored, the pleas of victims and, instead, they are releasing criminals or even not prosecuting in the first place. The Court system has ceased to execute justice and has become more concerned with supporting the latest radical cause. I was educated in the governing community, the Criminal Justice and Legal system; and worked in it. My father is a retired officer in Law Enforcement after several decades plus. I have had my share of raw experience.

But life comes with no guarantees. While a teenager and in my prior marriage, I found myself a victim of sexual and physical abuse (barely a survivor) crying out for help but to only hit a brick wall, watching things fall apart, and watching other survivors and victims of malice and abuse treated in the same way. We had nowhere to turn. I have seen too many criminals walk free, and even demanding their rights, while their victims, including me, did not have ours respected, nor protected. Our lives were stumped into the ground, destroyed, while Law Enforcement representatives sat on the sidelines aware. I was told that I was "not dead enough" and called "collateral damage."

Not only this, but at times, they were criminals themselves, as I came to experience. **Has anyone ever asked how this disregard for justice has affected other people attempting to seek help, refuge, and shelter while police are policing themselves?** Even victim advocates have acted corruptly and I am tired even of them, since they were not only useless but dangerous, by hiding numbers of reported rapes or how the cases were handled so that the funding continues. What is pathetic is that when I and other victims have gone to churches and community groups for help, there was little empathy. They even harbored wolves with clearly seen sheep skins hanging out of their fangs.

**Yet, in America, I support the Adversarial System of Justice** that presumes a person is “innocent unless proven guilty”. In this system, the burden of proof is always on the one who makes the accusations and allegations. The purpose for this approach is ensure that no innocent person may be subjected to punishment apart from the Due Process of Law. This may result in a guilty person going free. It is not a perfect system, and some people have walked free having committed egregious crimes. But if the system is not upheld, then there is anarchy, the antithesis to order – a last resort to human sanity. For example, which one would you prefer? a sidewalk with side rails on a bridge that you can still walk on, or a bunch of dusty gravel and mud rolling down a steep hill with boulders at the bottom, when you can fall and slide down at any point? Neither is preferred, but one protects from the other! If we allow the system to be ignored or dismantled, one should not complain about a sinking ship after poking a hole in its deck.

I still do not see how the accusers of Judge Kavanaugh can view themselves as acting in the “Name of Justice.” **What Justice do they wish to exercise as they themselves demonstrate such savage behavior against him and his family, while questioning Dr. Ford with “kid gloves” for fear of upsetting her?! Their acts already exceed the accusations!** They behaved like audacious bullies (likely what their behavior was in high school). They dared to call it a job interview! Those were interrogation tactics that are considered unethical at this point even in police questioning. During the Senate hearing, Judge Kavanaugh found himself in a one-down position after some senators chose to play God and he was in a self-preservation seat. Anyone can accuse anyone of anything. That does not make it true, nor real. These are double standards that we saw in the so-called “job interview” while they were boorishly snowballing him with fallacious forms of questioning where no right information can be obtained regardless of the answer. It was intentional by some to continue to provoke a self-defense response (as anyone would feel intimidated at how they barraged him). Others were lethargically absent in their minds, hoping it will be someone else who will come to his aid. Once again, if we are speaking high school – we are talking bullies. I thought bullying was not a condoned behavior. What’s in their school year books? Does that mob approach bother anyone? It should! Stacking the deck by *ad hominum* argument— arguing against a person— while attempting to fallaciously assassinate the person’s character (in the name of ends justifying the means?) at the cost of supposedly greater good, has been a Machiavellian political trick for some time now. These senators were deliberately performing for the public to create a first impression for Dr. Ford’s alleged self-confident but spooked teenage girl (what the public will see in her) and an aloof dangerous perpetrator in her accused – neither were known entities to the public – so, there went their first impressions. Bravo! It was well-orchestrated, but not everyone is naïve but can catch those senators with their hands in a metaphorical cookie jar. Can you see that now?

**The danger is** that by **not** upholding the Adversarial system, we get back to square one in the political game of Chess - the very reason why the system was put into place: because people make wrong moves and then lie and engage in cover -ups! Deciding what action to take, based on probing, believing and feeling, is not the proper protocol! **How would any of you like such a measure of truth of your life or events?** Whom to hurt, or whom to lie about, or whom to protect, or whom to let go? Arbitrarily or even with contrition? For instance, it should really raise eye brows that Dr. Ford made a number of inconsistent, and constantly changing, statements in her various comments that still need to be examined. On the other hand, she accused Judge Kavanaugh of an alleged sexual misconduct, but no proof, not even witnesses attesting to it, nor willing to! Granted that committing an act is a serious step from deliberating it. But accusing someone doing something just because others may have done it, does not logically follow! We are not simply grass blowing in the wind. Humans can make a decision to proceed. One can make a decision to stop, to turn around, to choose to do something else, or not, even conceive of it in the first place! How can one, then, legitimately deliberate and pontificate an action to come to reality just to make a story fit? That is how false allegations are birthed. That is **punishment without crime**. Yes, there are times when there is **crime without punishment**. If we have no solid evidence, what do we do then? Should we throw the first person who fits the mold we have formed under a “bureaucratic bus” and ask questions later? I hope not. Otherwise, it is a political crucifixion! A modern-day lynch-mob job, and hanging a scarlet letter on a person based on a majority vote.

**What we are witnessing today is not according to the American *Adversarial System* with its *Due Process*.** What we are seeing is a political maneuver, creating a tug-o-war, even if other people’s lives are at stake, to run down the clock. Some are not denying it. When a person is accused (not to the police, but to a higher Court), then the next step is the Due Process – whether we like it or not. **There is a reason why slander, liable, and false accusations actually do make into the penalty box of the legal measures and consequences (meaning, it is against the law to perjure oneself).** Whether or not someone chooses to enforce the acts is a separate issue.

**As a U.S. citizen, I cannot emphasize enough how grieved I am to see what is happening in America.** I came to this country many years ago. I learned the language, I studied hard, I worked hard and volunteered. I raised my children and tried to do everything to protect them, sadly, without much help from others (though I needed much help and protection). Internationally, I had witnessed the lynch-mob mentality of people who would act angrily over issues and throw others to doom’s-day destiny, like on an iceberg’s edge when penguins sacrifice their own to hungry seals for the sake of other penguins. Therefore, the analogy is that the people who are doing the lynch-mob attack are the ones who demonstrate the utmost dangerous type of persons. They know better about what they are doing and yet keep playing on the naïve or tired minds and hearts of those who choose not to think for themselves.

**We are humans, not animals!** (Animals are without a sense of guilt and conscience). But the animals are not held accountable for their actions. Humans are! We, as human beings, have something called the *prefrontal cortex* in our sophisticated brains that permits us to think so intricately that we can conceive of great ideas of rhetoric, concepts, art, design, and build a working ocean liner and a space ship (though, granted, we are equally capable of constructing and contributing to the destruction of a *Challenger* and a *Titanic*).

As the phrase goes “Time will tell” as we are back to the ugly battle ground. I do hope that time will tell—the truth. But if it does not tell all, then what? How do those who wish to crucify Judge Kavanaugh restore any sense of humanity by destroying him and his family’s life? They are suffering because of accusations which are possibly lies, particularly considering there was already much talk about premeditated retaliation, if he gains the seat. That is a far more plausible reason why they went after him.

There is a reason why we have a system of checks and balances. As one of my former university professors in Criminal Justice once said. “The wheels of justice turn slowly, but they do turn.” Now, how many people, if judged based on our human merit, wish to volunteer to receive their fair hearing with the non-corrupt police, the caring FBI, and the benevolent judges? **The problem is that we have a system that periodically has a lapse in its own judgment**, even harbors malice, and commits travesty of justice, in which people have even been executed, and later exonerated posthumously. This does not even include countless victims of rape and violence that are left in the dust, and silenced, with a threat of retaliation. I think that a majority of those who perform public services in all of the legal areas I have mentioned are truly honest and helpful people. But the system is so skeletal in its nature, that much gets missed and frustrates many, including those who wish to do their job well. I am not concerned about those people – I have experienced their frustration myself. I am, however, concerned about those who misuse and abuse their positions. So long as we have them, the “Caution” and “Do Not Enter” tapes are necessary.

If anyone reads *Crime and Punishment* by Fedor Dostoevsky and *Man’s Search for Meaning* by Victor Frankl, one should know that both of these books recount true stories about much human tragedy at the evil deeds of other humans’ lack of compassion and empathy. However, there is only one story that is real and the other one is fiction. There is a metaphorical sea of societal issues and problems, in which everyone is sprayed by a fire hydrant of deception, lies, cover ups, as well as true outcries. Who can tell truth from fiction without proper evidence or the source of evidence? Who wants to volunteer to be the judge of that? Who is to say whose life is more precious, more important? Should someone be sacrificed over another? How do you measure your own judgement and heart of what you hear and read? Who is your Judge?

As a graduate student who studied in the field of Psychology and therapy, it disturbs me to see that we have a polygraph test taken by a person who is familiar with the field as her only basis of demonstrating truthfulness of her statements. That’s like asking a Driver’s Ed instructor to take a driving test and wondering if he or she can pass. It so happens that polygraph tests are built by people who are familiar with the human brain, mind, and behavior. It is virtually certain that since Dr. Ford is very familiar with the field of Psychology that she can easily pass a polygraph test. Polygraphs only show people’s vital signs going out of range – that could indicate nervousness, but by no means do they indicate guilt nor truth telling alone. That should be a disturbing fact in a civilized society that to this day our system fails us by providing inconclusive circumstances while using testing that is prone to show faulty or limited results. Polygraphs are not considered credible by themselves and are typically not used in the court of law. They only provide raw information and it takes a specialist (like a Psychologist) to interpret properly. That’s a bit of a circular issue. I would be cautious of her “performance” during the senate meeting and others should at least pause to think. It is important as, historically, people were executed based on limited scopes of interrogation results, and then exonerated posthumously based on DNA results and witness testimony.

How easy is it to throw out a person's life without any regard for their dignity or safety? It comes to this – unless it is happening in your back yard, inside your home, to you or your loved one, humans have tendency to lean toward the carnal side: “I do not want to know because I do not care.” and “Let someone else pay.” How do we make these decisions? Who taught us this? What measure do we use? These are questions we often do not ask ourselves as a habit, but the answers will be oscillating, depending on our individual experiences. These are far more questions that I would have asked of Dr. Ford and her accusations than the committee did, and should have been asked of her prior to bringing in another FBI investigation in regard to Judge Kavanaugh.

The FBI does not investigate sex crimes unless it is kidnapping and human trafficking, jurisdictionally speaking. Sure, someone with power can push for it, but that is putting the wagon before the horse. It just so happens to be that a Pro-Life Judge will be x-rayed like no others. A good detective should suspect that someone can look for any school or college year book and find anything questionable in it first, and then come at an angle with a fabricated story with half-truths or compete lies to make something **appear** scandalous. There may be nothing wrong that can be proved in the end, but it buys enough time to stall the process. That is an obvious, glaring motive and opportunity (two major qualifiers for someone to commit their own type of crime). Whom do we trust? The investigators? I have little confidence in their truthfulness as well. So long as we lack transparency in the processes, abuses in the system will continue to exist.

**The real issue is that our American system has major flaws and problems! One person should not be a scape goat. So long as our System glitches and fails (as it consistently does), to demand that someone be investigated, as if that will produce infallible results,** this only plays for the ears of late-night-cable-TV-show watchers who do not wish to check in with the real world, yet choose to disregard others' lives and the right to live peaceably. Theoretically, that is what the American system of checks and balances attempts to move away from— not to embrace anarchy and venting. This is why we are a Republic. People cannot vote on a grossly-distorted circumstance by the herds and decide at the end of the day that “Might is right” just because they didn't get it their way. Isn't “Right is might?” Isn't that the way to treat others like you would wish to be treated? That picture of the legal system on the wall I spoke of needs to be straightened up, checked, and balanced periodically. **In the meantime, many of us hope for all of the pieces of our lives' puzzles to come together to restore, not to destroy. It takes people working together and utilizing the tools we have,** not grab clubs, torches, and pitchforks and run out with shouts like a mass of barbarians. We've seen much of that in history as well. So, it seems history repeats itself and if we follow the same path, we should be warned that we will probably end up in the same ditch all over again as many nations have.

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~ Irina V. House