

Chapter 10: WORDS AND THINGS

“A MAP IS NOT THE TERRITORY.” Alfred Korzybski, father of General Semantics, author of *Science and Sanity*

Now, let's talk about name-calling and the need to respect one another's opinions.... As you have seen, Judge is a gutless, hypocritical, nitwit. How is that for a subject about which we should all agree to disagree?

Surely Judge understood the logical extensions of his observation about name-calling and his suggestion that “opportunity for true communication” would be lost in “the who's right or wrong approach.” Communication with whom, toward what end? Surely, there was no need for me to get personal in order for him to see the light. Could he have reached adulthood without having encountered examples where acceptable words were used in a clearly unacceptable way? Didn't he know what names he called me without having to use my name or the offending words? Had he never heard a cop, a store clerk or a government official call someone “sir,” or “ma'm,” in a way that sounded more like a seven-letter word that starts with asshole?

None of us knew at the time that Judge (my name for him, not his) was a judge, nor did he say that he was black. Only much later did I learn what he did for a living. After reading a number of his letters, I had him figured for a black, low-level supervisor in a large institution like a hospital or junior college. I pictured him someplace where he carried an impressive-sounding title and was used to people, mostly younger than himself or less accomplished for their age, looking to him for guidance. The clearest image I had of him was in a power suit and tie presiding over a meeting of uniformed nurses' aides and orderlies. I pictured his subordinates as soap opera junkies and rap music fans who didn't get along, rarely read a book, and never attended a seminar in basic communication skills.

I think I can give myself a C+ on guessing his job. It wouldn't be fair to grade myself in guessing his color. That was a gimme. Tune in on a few conservative radio talk shows for awhile and you'll see what I mean.

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The first I heard from Judge was in a short note to me before I read his “peace” letter to the group. At that point, all I knew of him was the fact that Tiger had written the letter you read about that kind of person she was and the kind of rat I was. I didn’t know how to reproduce the letter I was responding to the way he did with my letter to Peggy, but as near as I can recall, he wrote, “What’s in a name?” in the subject box. I remember precisely what he said in his main body of text above his copy of my letter to Peggy, because it was a subtle insult that consisted of only four words, “Have you categorized me?” I pretended not to notice the insult. And once again, Crowe came charging to my rescue at great risk to herself, with Trille and Hhhana slamming the gate on Judge’s pusillanimous retreat.

Sub: A ___ by any other name would have the same aroma

Date: Tuesday, February 11, 1997 1:13 AM

From: Trooper173@aol.com

To: Judge

CC: Hhhana, Patricia Whetham, Petlady, Trille, Dable

Hi Judge— What’s in a name? Everything we have ever learned that tells us what something is.

Of course I haven’t categorized you; I don’t know you. I do know Tiger. I know Lion. I know Bear and Rhino. I also know Dable. Dable is an OJG. Dable is honest, considerate and respectful of everyone. She treats everybody as equals. She values an open exchange of ideas and does not attack the character or the “candle power” of those who disagree with her. She does not use racist code words or in other ways attempt to hurt people she cannot dominate in an honest debate. Some OJG’s do.

Some OJG’s are, in fact, racists of the worst kind—which is to say, arrogant, intolerant people who don’t know they are racists, won’t examine the possibility that they could be and won’t allow an honest discussion of the issue. Case in point (I knew this was coming but I wouldn’t have seen it if someone hadn’t included in their letter to me a copy of what Tiger said about me): After discovering I was a black man, Tiger came

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up with evidence that “proved” I needed to control women—then she compared me directly to O.J. Honestly, now, what do OJ and I really have in common?

Have you noticed how often the word “honest” comes up in this? Certainly some people are racists. Probably some (do you think 10% is too high?) on the CTV threads. And possibly a 50-year-old black man in a “white” profession might know a thing or two about identifying such people that isn’t generally known. Maybe I’m wrong about people like Tiger, Lion and Bear being racists. Maybe they are wrong about O.J. being a murderer. These are terrible things to accuse anybody of without clear and convincing evidence. Maybe we should talk in a civil way about both issues.

I’m sure there are many OJG’s, if not most, who are more like Dable than Tiger. The problem is, people like Tiger dominate the threads and will viciously attack anybody who raises doubts about the compatibility of certain evidence used against OJ. You don’t have to be anywhere near an OJI to do that, any more than you have to be an OJG to question some aspects of a given theory that favors OJ. But if you do, look out for the OJG thought police. If they catch you, you could be in for a rough time.

Tiger and people like her are a special breed. They are bright, charming, articulate, knowledgeable and evil to the core. Tow their line or take your beating. And don’t fight back or the good guys will get you for being uncivilized. —Trooper1

Subj: A ___ by any other name would have the same aroma
Date: Tuesday, February 11, 1997 8:59 AM
From: Pwhithem
To: Judge, Trooper
CC: Hhhana, Petlady, Trille, Dable

Well said Jasper— I think what bothers me the most is that they don’t know what they are doing. They say not me, I’m

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not racist, nasty, etc. They really think they're not. I can take an outright racist better than I can take one who is, but pretends they're not. Just my opinion. Later —Pat (Crowe)

Subj: Re: A ___ by any other name would have the same aroma

Date: 97-02-11 12:40:21 EST

From: Judge

To: Pat, Trooper

CC: Hhhana, Petlady, Trille, Chameleon, Dable

Hello folks—I have not had the opportunity to introduce myself. My name is G___ G_____. Since about January I have been periodically checking in on the discussion groups. I am African-American, 42, married to K__ and I have one child... For the most part I am a person who likes to listen. Sometimes I do stick my two cents in the issues. This I try to refrain from because, as you have already most likely noticed, I can be long-winded.

As is apparent, I am somewhat frustrated that members of the discussion group cannot communicate without resorting to name-calling. Having said that, I must admit that after I read the various post I could see why each side feels the way they do. We African-Americans have been subjected to racism for so many years .., or shall I say generations [*Editor's note: Try centuries*]... we kinda have a radar for it. What I like to do is sometimes hold a mirror up to those that display the tendencies.

Now this is really a delicate task. As some have stated, sometimes prejudgmental attitudes exist without knowledge of the individual. I do not really know the folks that you have made reference to in regards to racism as reflected in the post or e-mailings. Because all of us humans possess the proclivity to prejudice and considering that all humans of good will (the majority of folks... even most of the ones in the discussion

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group) like to think they are without bias as to others, the task at hand in this “group” as well as in America in general is education of the various peoples re: the equality of all even when all are from various backgrounds and/or races.

This Martin Luther King understood well. His approach was both confrontation as well as non-violent. M.L. was truly a special person. Maybe we can meet his standards.

Our task is to carry on his great vision for ourselves first and society second. It is not easy to take demeaning or condescending commentary. Nor should it be tolerated. But to fall into the trap of going tit for tat is not productive and is not in the spirit of M.L. King. Certain words are inflammatory and after stated all listening stops and no productive information comes forth. If I ever got a post that was offensive, I would respond to the group with words proclaiming the wrong. If the group agrees with my response which I hope would be made without emotionalism or resorting to the base level of the initial attacker, the “group” will respond. I believe that the response will be one that shames the attacker who if not evil in fact will see in the mirror of the group response itself and hopefully will grow.

None is perfect. We all have room to grow. Maybe the attacker will feel shamed and apologize as well as learn about him or herself. Now that would indeed be positive and a step towards communication. I have lately heard many apologize. Therefore I have faith in the group. I say give the group a chance. Let's be part of the sharing of perspectives which must occur if this nation is to stand. Peace... I love all of you,
—Judge

Here is a guy talking about how to deal with “people of good will” when hard experience had taught most of the OJIs that the people we were dealing with had more in common with a lynch mob. How can you deal with the broader issues involved in the O.J. case if you can't mention them without being savaged.

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To the extent that it appeared as if we might be persuaded to join the media lynch party, we were treated warmly. As soon as we dug in our heels against it, everything about us became fair game for attack. To the extent that our group represented a microcosm of the continent, that pattern of intolerance on the part of our OJG elite told us what we could expect from the OJG's on television and radio with real power. Whoever could win the hearts and minds of the Judges, would decide the fate of O.J. Simpson and the murderer who framed him.

In another lost letter I wrote to Judge, I gave him the benefit of my experience with Lion and Tiger and warned him against taking their friendly gestures at face value the way I did before they slammed me. I said, "Don't be surprised if they bat their eyelashes and ask you to dance." He misread my message—again—and indignantly informed me and the rest of the group that he wasn't going to let me or anyone else tell him who he could talk to. That was it for me. Hhhana gave it another shot. This is how she explained it...

Subj: Slap & Kiss

Date: Tuesday, February 11, 1997 7:41 PM

From: Hhhana

To: Trooper

CC: Judge, Connie, Pat, Trille

Hey Jasper—Just read the e-mail from Judge. Good stuff. I've included you, Judge, in this letter, but I won't be bombarding you with a lot of stuff you're not at all interested in.

The CTV threads must be down; tried all morning to get in. Think they might be closing out volume 5 and setting up for volume 6? I wouldn't mind seeing some blank pages and the opportunity to start again. Looks like we've all managed to hurt each other's feelings.

Judge, we've had a hard time. I also started reading long before I started posting. In a perfect world, everything you say in your note would work, probably even in a group that meets personally. Cyberspace makes it difficult to initiate any

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curative actions within the group. Pat Whetham (Crowe) comes the closest to being able to referee. And it's a constant thing for her to keep trying to ask people to look at how their posts might be hurtful to others.

When you read the threads, it's obvious that some are using the "kiss and slap" method. It's a tried and true management technique, especially useful with young employees. You slap them, but then you always come back and kiss them. If you post something adverse to certain opinions, they immediately slap you, maybe by insulting you, maybe by making fun of you. Then, to make it look okay, they come back and offer you solace, trying to turn you to their point of view. If it doesn't work, they slap you again, then kiss you.

There are some who have taken all they can, and they just come back slapping. Actually, they are at least more honest. They are not trying to manipulate those of opposing opinions. I also agree with Pat and Jasper, there are several on the CTV threads that are racist and mean-spirited.

Welcome Judge. Hope you'll come on the threads and see what you think when you actually start trying to have an open interaction with some of the participants. —Paula

Subj: Re: Slap & Kiss

Date: 97-02-11 17:23:18 EST

From: Judge

To: Hhhana, Trooper

CC: Connie, Pat, Trille

Hey Paula— Thanks. I kinda figured what you said was the case. Some people remain idealistic. Guess that is just my nature. You folks are great and I hope after O.J. we can still exchange information, ideas, jokes, and etc. Peace—Judge

Subj: Re: Our Rights

Date: Monday, February 11, 1997

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From: Trille

To: All

Hi guys— ...I think the Justice Dept. office of Civil Rights should be contacted, because OJ's civil rights were certainly violated, not the least by having an extremely biased judge, helping the LAPD and LADA VIOLATE HIS CONSTITUTIONAL RIGHTS. For those who disagree, I think you should think HOW YOU WOULD LIKE IT IF IT HAPPENED TO YOU; AN ILLEGAL SEARCH WARRANT ISSUED BY BIASED COURT SYSTEM, POLICE TREAT YOU AS A SUSPECT BEFORE THE BODIES ARE EVEN COLD. EVEN BEFORE LAPD WENT TO ROCKINGHAM, THERE IS PROOF AT LAPD HEADQUARTERS, OJ WAS CONSIDERED A SUSPECT. I think it is horrible that OJ was a suspect before the LAPD HAD EVEN FOUND ANY BLOODSTAINS OR FOOTPRINTS OR ANY EVIDENCE.

THINK ABOUT THIS. THIS IS A TRAVESTY OF JUSTICE. AND NOW, THIS VERDICT WHICH VIOLATES EVEN CALIFORNIA LAW (ADMITTEDLY NOT MUCH). ARE WE GOING TO ACCEPT THIS OR ARE WE GOING TO FIGHT? ARE WE GOING TO LET THEM TRAMPLE ON OUR, YES OUR, RIGHTS, BECAUSE THIS IS NOT JUST ABOUT O.J.!! —Trille

Subj: Re: Our Rights

Date: Monday, February 11,

From: Pat

To: Hhhana, Lion, Trille

CC: All

Trille, hang on a minute. The judge stayed the punitive damage award for 10 days. According to California law, he cannot let it stand. Let's wait and see if he has guts enough to do the right thing. Not likely but you never know. I know he

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wouldn't have the guts to overturn the verdict and call for a new trial but he just may knock the amount down to make it comply with the law in California. Sure hope so. —Pat (Crowe)

Sub: Our Rights

Date: Wednesday, February 12, 1997 3:25 AM

From: Trooper173@aol.com

To: Trille

CC: Hhhana, Pat, Petlady, Dable, Judge

Trille— I'm afraid that most people know damn well this isn't just about OJ. It's about people who can see themselves as victims of the lynch-mob mentality that was unleashed against OJ and those who can't. Most people can't see themselves as victims like OJ because they don't see OJ as one. They see themselves as advocates and activists for justice. They see OJ as a murderer. They see the system as corrupt—but not in the way we do.

They see "liberal" judges and unprincipled lawyers letting criminals (as opposed to defendants) go free when "everybody knows" they should go to prison or die. They have their own idea of what criminals are, what "they" look like, what "they" sound like and what kind of evidence is sufficient to know for certain that "they" are guilty. You said it yourself in your timely observation about the different categories of humanity who were subject to official persecution for being different. We're all different in one way or another. Injustice is, therefore, never about just one person or one group, because where it is allowed to thrive, you can never know who will be next.

Nevertheless, most people in this country simply can't see themselves as defendants in a criminal case because they can't see people like themselves being arrested and tried for a crime they did not commit. By the same token, they would not see

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themselves as criminals even if they planted evidence, misrepresented evidence in court, lied under oath or broke a dozen other laws, as long as they did it to get someone they “knew” was guilty.

It’s all in how you see yourself and “them.” We, the majority, have nothing to fear. It’s only the minorities, the bad minorities who deserve what they get. —Jasper

Subj: Re: Our Rights

Date: 97-02-12 13:41:42 EST

From: Judge

To: Trooper

CC: All

Hello Jasper— I certainly agree with many of your comments re: Our Rights. My view of the O.J. trial is: it was a murder trial vs. one man. For many African-Americans the criminal trial was evidence that if one had enough money and good attorneys maybe the judicial system will work. This was not wrong or right: it just is the way it became... bigger than the issues in the case. We as African Americans have been on the other side of the stick for so long it obviously felt good to many to see the system get its butt whooped.

The criminal jury decided that O.J. was not guilty. His presumption of innocence continues because only a finding of guilt strips one of this presumption. This innocence of guilt allows us to participate in the process, i.e. vote, run for office, etc. This is important to realize. The jury in the civil trial found that he was responsible. Responsible is not the same as guilty. The standards are different.

Many have conceptual problems with two trials on the same issue. American jurisprudence in general supports the proposition that issues should be decided only once. Of course appeals are allowed in as much as there is always a need to be sure the trial judge or trier of fact made its decisions based on

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the facts and applied the correct laws. Also appeals are intended to allow a monitoring of the trial to make sure the due process rights of the individual litigant(s) was not violated. It is clear that to allow multiple adjudications on the same issues undercuts the faith in the process. None would argue with the need for finality in resolution of conflicts.

There is a principle in law called *Res Judicata*. It prevents the same issue from being addressed more than once. No allowance is made for a second bite on the issue. This bar to second bites only applies when the issues are identical and the parties are the same. In a criminal case the state and the accused are the only parties. The stakes are liberty or the possible deprivation of liberties. In contrast, in civil cases the parties are individuals versus other individuals. (Federal questions of violation of civil rights is a different issue and would require another page or two to discuss.) As a general rule in civil actions the purpose is to enjoin wrongful action, declare what is the law, and/or compensate for wrongful actions.

Sometimes punishment is allowed in civil actions to deter what society labels malicious harmful actions. In addition to the differing parties and objectives, civil and criminal trials have one other major difference. The burden of proof is different. In criminal trials the proof must be beyond reasonable doubt. Whereas in a civil proceeding the burden is usually by a preponderance unless it is re: children, then the burden is by clear and convincing evidence. I find no fault with the civil jurors finding it more probable than not that O.J. is responsible. The burden was not difficult to meet, considering the evidence and the help the 13th juror provided. More about that later.

The criminal jury was right in its finding of not guilty. Even one of the white jurors stated that she would have voted not guilty with the evidence that was submitted in the civil case. There is absolutely no question that race did not directly

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come into play in the criminal trial. I do not believe that the jurors let O.J. walk because he was African-American. Nor do I believe as many have suggested that Cochran, as eloquent as he was, convinced the criminal jury to ignore the facts and send America a message (jury nullification). Many of the criminal jurors stated flat out that they did not make a decision based on race. Not just the African-American jurors indicated this, but so did one of the two white jurors, Anise something-or-other. As I stated above, race was not a direct issue but as you have argued, it did play in the issues.

I know of no African-American who has not been treated unfairly by the law enforcement community or at least knows of someone who has been treated unfairly. The jails are full of these cases. Some are on death row. We African-Americans cannot help but have a jaundiced view of law enforcement and the American Justice Process, i.e. courts. So race did play in the decision [*Editor's note: And what about the testimony of and about Mark Fuhrman? If you leave that out of the evaluation, how can you have any real doubts about O.J.'s guilt. You can't. As you will see, Judge didn't*]. African-American juries across America find African-American defendants guilty all the time. However when you have the type of suspicious evidence produced in the O.J. criminal trial there is no doubt in my mind any honest, and reasonable American would have to concluded that the state failed to carry its burden. Yes there was lots of evidence, but every vital piece of evidence, whether it was the DNA, blood vials, bindles, glove, or whatever, had mystery and or suspicion surrounding it.

The prosecution in the criminal case was rushed. As a result arguments were being heard as evidence was coming in. The state was always on the defensive. I guess that's what they get when they rushed to judgment and the defense says OK, bring it on, speedy trial. Brilliant move. Only money allows for that approach.

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My main reason for coming on these boards was to argue for the jurors in the criminal case. Not to necessarily agree or disagree with anyone. Shit man, everyone's got an opinion. I could care less whether someone, white or black, agrees with me. My opinions are like others.... just opinions. What is important is the jurors in the criminal trial not be made out to be villains. They gave up a large part of their life without pay. They were dedicated and serious. In hindsight I am sure they wish they had stayed in that four-cornered stuffy jury room, had coffee, ate donuts, asked for evidence, and then rang that bell. Hindsight is 20/20.

Would the civil jury have "deliberated" as they appeared to have done if they did not have the advantage of hindsight? We will never know. I thought it telling when "white America" was convinced that the verdict was guilty and not one newspaper, TV, or radio commentator have a problem with the quick verdict and "lack of deliberation." It infuriates me when someone suggest that the criminal jury was somehow incapable of or incompetent in doing its job. When it is suggested that the Santa Monica jury would have come to a different result I get pissed. To draw that conclusion is so speculative. Overtones of racism are abundant. Now I agree that race would have a play in the issues. The white jurors would not be so inclined to buy the tampering. If, however, they became aware of the reality of the criminal justice system, ie. cops lie, prosecutors sometimes coach and accommodate lying witnesses, and "scientists" slant their results to fit the result they want, who knows what the results would have been.... speculation.. speculation...

My gut feelings regarding whether O.J. did it or not should not be the issue. Armchair juries are just that, armchair jurors. We cannot substitute our perspective for that of the jury. We, sitting in our homes, make our decisions based on all that we have heard. Some accurate and some not. The civil trial should have been aired so the world could see what

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the jurors saw. So the world could see the 13th juror at work. (Another reason I am pissed about the civil trial).

The judge was so biased in his rulings it was sad. I refuse to believe he did not know that he was violating laws of evidence in many of his rulings. It offends me that the process was tainted by a judge who apparently saw his job as one to correct a “wrong.” So what if he is retiring. Now this episode in our history continues. Which, of course, at least keeps before the world the issues of the fairness of the justice system as perceived by minorities. It, however, is not good for the kids. They, I think, are the real big losers.

In conclusion, my friends, I appreciate your counsel but I have never been one to follow the path of anyone unless I choose to do so. Never will I allow myself be used as a tool. Nor do I go about things the same way as maybe another. If I communicate with the “other” group, it will be my choice. I will never be embarrassed by my choices in life. Hopefully you will respect my decisions as to who I communicate with. Hopefully if I choose to communicate with those that you find distasteful you will not draw conclusions that I am some Uncle Tom or something. However if you do, it is truly your prerogative. I ain't mad at you [*Editor's note: What kind of people would we be if we made judgments like that? How could he suggest that we would? Hopefully, Judge will see what an insult such statements were to us, and that we did not judge him on his choice of correspondents, but on what he chose to say and with whom he chose to share it*].

As I stated in my letter to the group, I am 42 and believe me when I say my profession is full of folks that believe I have no place in it. My concern was: if this group intended to communicate it would succeed only if those who treat each other with total respect. I read enough of the notes to know that many of you have cause to be upset. However two wrongs do not make for right.

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Your choices are clear: Ignore those you perceive that do not see you as equals; Point out the offense and try to cure the problem so attempted communication can continue. Go to another discussion group, etc. I guess I could go and read the other offensive notes but I frankly cannot see the purpose. There is no doubt from what I read that much of your complaints are justified. My personal style of problem resolution in the context of this situation happens to be different from your style. I just like to stay out of the mud. Both King and Malcom X had different styles. Same objectives. As you said we are all intelligent. We live by our own guidelines. Peace —
Judge

P.S. This note will be sent to all regardless of which group they may be in... I am kinda fed up with folks telling me who to and who not to be wary of... I have lived on this earth for some time. I can fend for myself.

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