

総合英語 英文読解演習

New Yorkers judge jury duty is worth avoiding

We will stretch our definition of "sign" a bit this month to include an official piece of mail that says, "Important. Jury Summons Enclosed."

We Americans have a constitutional right, when charged with a crime, to a trial by jury. This tradition comes from English law: A judge might decide a trial for political reasons, but a jury of one's peers will judge fairly. Thus trial by jury is a bulwark against oppressive government, a pillar of an open and democratic society.

I actually received my first communication, a questionnaire, last year. After filling out and returning the questionnaire, I would receive my summons, it told me. So I did the only sensible thing. I threw it away.

Jury duty, simply put, is a pain. There are a lot of court cases in New York — criminal and civil — and so a need for a lot of jurors.

For months I heard nothing. I hoped that I had slipped through the cracks. But one day I received a piece of mail that threatened me with jail (30 days) and a fine (\$1,000, ¥115,000), if I did not fill out the questionnaire and deliver it in person to the courthouse within 10 days, I did as I was told.

So I got my first summons in January. You are allowed, when first summoned, to postpone jury duty for up to six months. This I did, figuring, who knows? An asteroid might strike the earth. World War III might intervene. No such luck. The next summons came, and on July 5, I took the train down to the courthouse to perform my solemn civic duty.

The day began with a video that gave us a little historical perspective. Before juries, we found out, one way to determine guilt or innocence was the dunking in water test: If you floated, you were guilty. If you sank and drowned, you were innocent but, unfortunately, dead. Conclusion: Trial by jury is better.

Things were slow, so we were given a long lunch break. I walked up to Chinatown and had noodles. I came back. I sat around. My neighbor snored. At 4 p.m. I was told to come back tomorrow.

On my second day, there was movement. I was one of 60 potential jurors summoned to a courtroom. The judge, the prosecutor, the defendant and his lawyer all were there. The case involved car theft and assault. The task was to pick 12 jurors and four alternates.

The selection process worked this way: 16 names were chosen at random. These 16 sat in the jury box where they were asked to give biographical information and answer a series of questions. When the questions were finished, the judge, prosecutor and defense attorney conferred in private to decide which jurors to choose.

New Yorkers tend to think of themselves as the most open-minded people on earth. But in the courtroom that day, each person did their best to convince the judge that they were narrow-minded, mean-hearted and prejudiced, utterly unfit to serve as a juror.

Many said they had been victims of crimes and were so traumatized that they could not possibly judge impartially. Others said they could not believe the testimony of the police, or said that the defendant looked guilty. One woman said she walked her dog near the scene of the crime, which would make her sympathetic to the victims. Another said that she had had a traumatic experience in court as a child, when no one had believed her testimony, and the stress of merely being in a courtroom was overwhelming.

The judge calmly rejected virtually every escape attempt. There was a recess as the judge and the attorneys discussed the selection. We were called back into the courtroom. Three jurors were chosen. We all watched in envy as those not selected walked happily out of the courtroom.

When my turn finally came, it was well into the afternoon, and there were still 11 spaces to fill. It had been such a tedious day, and I had become annoyed with all the ineffectual and insincere attempts to get dismissed; they did nothing but make the process go slowly. I answered all questions honestly, made no attempt to be dismissed, and resigned myself to serving.

But alas, I am sorry to say that I was not chosen.

A group of about 10 of us left the courtroom together. We considered why we had not been chosen. The answer quickly became apparent: We were all too educated. Of those who had been chosen, none had gone to college and several had not finished high school. Two were non-native speakers of English, who had had great difficulty understanding what they were asked. These were the types of jurors to whom the lawyers wanted to argue their cases.

I knew I was almost home free. The next day, a new pool of jurors arrived. I picked up my proof of service, and held it triumphantly as I walked past the rows and rows of fresh prospective jurors. I had performed my civic duty. I would not be called again for at least two years. And on top of that, I was even going to get paid. Any day now, in fact, I should be receiving from New York State a check for a full \$42 (¥4,830) for each day of service.

