Accusation

(November 2026)

WHEN A COURT OF JUSTICE REGARDS A FEW LINES OF MERE ACCUSATION AS "*CLEAR AND CONVINCING EVIDENCE*"

It seems self-evident that in a free democracy the judicial system was devised to ensure that a simple accusation, however forcefully expressed or solemnly presented, cannot by itself constitute proof of its own truth.

Otherwise, would there be any need for a judicial system at all?

Conversely, there have been, and remain, authoritarian regimes in which a mere accusation is regarded by the regime as evidence sufficient for conviction.

Consider, therefore, a real judgment, however improbable, in a supposedly un-authoritarian State of the United States of America, which ruled that the accused committed theft, "*proven by clear and convincing evidence" [verbatim]*, said evidence referring only to a few lines of accusation written by the accuser nearly a decade prior, which neither contained nor invoked any evidence whatsoever.

In the absence of the accused, whom the accuser prevented from appearing at trial, the few lines of accusation were identified by a Court of Justice as the principal, if not only, "*clear and convincing evidence*" of the alleged wrongdoing, and the accused was found liable.

Assuming that the principles upon which the Judiciary was devised in that particular State be in accordance with the Constitution of the United States and the Ideals of the Founding Fathers, those luminaries of the Age of Enlightenment, one may ponder whether a judgment that conflated accusation with evidence did not represent a severe distortion of Justice, whatever the possible reason, be it mere negligence, or simply ineptitude.