[Name of the Writer]

[Name of Instructor]

[Subject]

[Date]

Racism in Legal System

Introduction

There have been many instances when the racial discrimination is being carried out during the way jury selection has been carried out (Brown, 2003). The case of Batson v Kentucky stands out the most in sense that how the jurors are not supposed to be excluded based on the prosecutor’s usage of the way peremptory challenges are supposed to be worked out (Brown, 2003). Despite such instances, there is a long history of racial discrimination being carried out during the jury selection and it has remained one of the persistent problems in the United States.

Discussion

Looking at the American legal system, there are many examples of how the racial discrimination has an important undertone during the course of the whole process, in May 2016, there was another case of Foster v Chatman where there was a deliberate effort being made to make sure that how the usage of the peremptory challenges are faced so that the exclusion of the eligible potential African American jurors can be achieved to make sure that all white jury can be placed in terms of the way violation of the Batson in Georgia was supposed to be working out. It was the same jury that sentence an 18-year-old Timothy Foster to death for the murder of an elderly white woman at the given point of time (Brown, 2003). As a matter of fact, the observation was being made where the inference was made that how the two peremptory stories based on the new race are being allowed and how the issue of the racially motivated perspective is being developed at the given point of time (Morehead, 2016).

Now the key thing that has to be noted in this regard is that the legal system is the cornerstone of the value preposition of the nation and maximum effort is needed to be made to make sure that the problems that are bound to handicap the legal system and the semblance of racism in the legal system is needed to be sorted out in the appropriate manner (Fukurai et al. 2013). The way intractable problems and challenges in the legal system are some of the biggest issues that are presented by people at the given point of time (Brown, 2003). The effort must be made by all the stakeholders to make sure that in terms of the peremptory solution, all the instances where the racism has prevailed must be worked out (Tucker, 2017). There is a need to make sure that the structural changes in the system are brought in the fore, but equally important is the assertion that how the endorsing alternatives of the current system are needed to be worked out so that legal ethics in terms of the racism are being worked out (Fukurai et al. 2013).

Conclusion

There are variety of solutions that can be implemented to make sure that the racial discrimination in the legal system can be sorted out (Joy & McMunigal. 2016). The first thing that must be done is that how more inclusive and representative juries are needed to be created (Joy & McMunigal. 2016). The other thing that has to be done is to make sure that there is a need that plausible alternatives are needed to be created for the peremptory challenges and that has to be concluded by making sure that the current system of the peremptory challenges are needed to be aligned in the manner that it comes across as the best alternative for the racial discrimination. There is also a need to make sure that the change in attitude is needed to be brought in (Joy & McMunigal. 2016).

# Works Cited

Brown Jr, Lonnie T. "Racial discrimination in jury selection: Professional misconduct, not legitimate advocacy." *Rev. Litig.*22 (2003): 209.

Fukurai, Hiroshi, Edgar W. Butler, and Richard Krooth. "Race and the jury." *Race and the Jury*. Springer, Boston, MA, 2013. 3-11.

Joy, P. A., & McMunigal, K. C. (2016). Racial Discrimination and Jury Selection.

Morehead, Jere W. "When a Peremptory Challenge Is No Longer Peremptory: Batson's Unfortunate Failure to Eradicate Invidious Discrimination from Jury Selection." *DePaul L. Rev.*43 (2016): 625.

Tucker, S. W. "Racial Discrimination in Jury Selection in Virginia." *Va. L. Rev.* 52 (2017): 736.