

A jury of our fears

[Law](#), [Justice](#)



In the abundance of crimes in today's society, the people put their fate on the hands of a selected group of people, who are expected to give justice onto whatever crime has been committed.

These groups of people can be considered the most crucial part of the criminal justice system of the nation: the decision-making body known as the jury. But lately, instead of bringing justice to the deserving ones, these juries have been feared to come up with faulty decisions and unreliable judgments.

The criminal justice system has been put to question, all thanks to the incompetence of these juries who doesn't pay much attention on their jobs. These juries are so confident that they can give the right decision by merely looking at the people in question, and not by thorough analysis and investigations.

In Rothwax's essay regarding these juries, he stated that " the rhetoric that idealizes the jury and the reality of its operation are in conflict." This means that the juries aren't performing the way they are supposed to perform, and this jeopardizes the judiciary system of the nation. Initially, the definition of what a jury is should be properly established.

According to Rothwax, a jury is 12-man team composed of able-bodied, fair-minded people who mediates between the government and the defendant or the accused individual. In their hands lies the power on how the case will be decided, and usually, what they decided on becomes the conclusion for the case.

But lately, many lawyers and judges pointed out that these trials by jury are often decided out of randomness, and is somewhat far from what should be

a highly-judicial practice of deciding on what will happen to the accused. Instead of deeply analyzing these cases, the jury often acquits those who are obviously guilty defendants because of irrelevant matters.

They are also unable to reach a verdict in cases which seemed to be very overwhelming, thus proving their incompetence in what they do. Instead of arriving to well-thought of decisions, they often rely on hints or trends, like bodily gestures of the defendant, as well as their physical looks and age.

One solution being suggested was on removing the decision making body which is the jury. But this is seen impossible because of the fact that the nation has relied on the jury system of bringing justice, that's why Rothwax proposes several tweaks in the current judicial system of today. These may be a major change or a minor adjustment, but hopefully, these things could solve the current problems being faced by the judicial system today.

One solution could be sharing the Jury duty. This does not limit the legitimate jury choices, since trials are often hindered because of jury who doesn't show up in actual court hearings. With an increased number of choices, the faster the cases could be processed. This opens the possibility for having other people act as jury, like doctors, clergymen, professionals, and so much more.

Handpicking a jury for the case shouldn't also be allowed. This is because defendants who have a large chance of getting convicted can choose some gullible jurors who could cloud up the decision making for the case. In our nations system for selecting the jury, the task is often left with the defense

side. This opens the possibility for having jurors which are poor evaluators of facts, thus jeopardizing the way the case will be decided.

Another would be about abolishing the Unanimous verdict being given by the jury. This is to rule out the possibility of having the decision revoke just because of a single vote.

The sense of voting about what will be the decision will be lost, as it will still be stopped by a stray vote, which could mean that the person who had another may have not properly review the case or evidences. Surely, there are reasons or instances that these jury takes into consideration about the decision. But with say a 11-1 vote, the single vote may be a negligible number in deciding.

Foolish technicalities should also be removed when coming with the right decision by means of a jury. This could just hinder the proceedings of the case, or totally overturn the result of the case.

This is because of the fact that some technicalities which are clearly irrelevant to the case could be used to delay the processing of a case, thus giving those guilty of their crimes plenty of times to hide possible evidences that could lead to solving the case. All over the country, some courts have shown signs that people sometimes turn to foolish technicalities to delay the proceedings of the case to think of a way for him not to get convicted.