

American court system

Law



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Advantages of an adversarial system of justice

A major advantage of the adversarial system is its ability to obtain accurate verdicts. This is because the adversaries have the capacity to reveal facts and transmit critical information to the decision-maker (Kirsten, 2004).

Additionally, this system avoids bias in decision-making that arises when decision-makers act as fact seekers. Moreover, the interest of the parties ensures disclosure of significant evidence and highlights the limitations of the opponent's case. For example, if a defendant in a case has a strong incentive to settle out of jail, the individual will research and give constructive evidence.

Moreover, this system declines a hierarchical model of searching justice and favors the coordinate model (Dammer & Albanese, 2010). The coordinate model exercised by this system divides authority for developing, giving evidence and deciding on the verdict. This division checks power among the eventual decision-makers. Therefore, this system manifests the public's sovereignty, eliminates government abuse, and finally averts lawyers' abuse.

Disadvantages of an Adversarial system of justice

Conclusively, this system requires a neutral fact seeker. It encourages the contrasting sides to search and present their most persuasive evidence.

However, the fact seeker is forbidden from making judgments before winding up the evidence.