

Us criminal justice system

Law



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The US Criminal Justice System consists of two tiers- the state courts and the federal courts. States are free to provide their citizens with freedoms as long as they do not contradict any constitutional rights (Tarr, 1998). The founding fathers established this system of division of the two courts and had this system not existed, the state of the country and its criminal justice system would be much different today.

Federal courts have control over matters like military, foreign affairs, and money. Other laws such as family and criminal laws are left to the discretion of the state courts (Harp, 1954). If the separation of federal and state courts had not existed, then each state would be free to interpret the constitutional laws, as they deemed correct. In that case, there might be as much as fifty interpretations of the same law. In the absence of federal courts to standardize the federal laws across states, each state would have a difference stance for any given issue, similar to how they do for the death penalty (Bohm, 1987). For complex matters, such as monetary policy and the military, this would lead to massive confusion and would undoubtedly hinder the smooth functioning of the nation.

In addition, the federal government would lose means to carry out many of its objectives (Carp et. al., 2004). For example, the US federal government's current War against Terrorism and War on Drugs are issues that need to be dealt with on a national level. In the absence of the federal courts, the federal government would have to rely on the state governments to help accomplish its goals. This would not only be a tedious process but the effectiveness and level of support would differ from state to state. Thus, the <https://assignbuster.com/us-criminal-justice-system/>

existence of a federal system of courts helps ensure that all the states adhere to the federal government's plan equally and effectively. Moreover, it helps ensure a certain level of uniformity in legal procedures across states.

References

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