

Contemporary cultural diversity issues research paper

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



The criminal justice system is seen to discriminate against certain individuals on the basis of race or gender. In response to this, it has implemented various measures to try and rectify the concerns of the public. Two such measures are jury nullification and the employment of a culturally diverse police force.

Throughout the country, police force organizations recruit minorities in order to ensure their workforces are diverse. Such diversity within the police serves to gain trust from minorities in the public. For example, an African-American officer may be called to an emergency that has occurred in an African-American area (Manda, 2010). Law enforcement organizations require the assistance of their community if they are to succeed in fighting crime. Police officers frequently rely on tipoffs from the public in order to follow criminals, and without this help, many crimes may never be solved. According to Nandra Nittle (2011) on the Race Relations website, “ Racial profiling is a form of discrimination by which law enforcement uses a person’s race or cultural background as the primary reason to suspect that the individual has broken the law.” However, although the law enforcement agencies implement anti-racism rules and strategies, prejudice still exists and can be extremely difficult to eradicate completely. For example, an Arab Muslim may be more likely than a white American to be searched at an airport under suspicion of terrorism, simply because of his or her appearance. In itself, this is racial profiling. The individual Arab, Muslim being questioned may be no more likely than the white American to be a terrorist but, because of his race he is automatically suspected more often. Therefore,

racial profiling is likely to exist in law enforcement agencies, even if it is not intentional.

Jury nullification is when a jury considers the defendant to be guilty but, for reasons known to them, chooses to declare him not-guilty. Jury nullification happens when a jury negates to convict a defendant in spite of evidence of guilt for the reason that the jurors deem the law to be unfair or as being unfairly directed. Race-based jury nullification describes the incidence in which the nullification is founded purely upon the defendant's race.

According to Perna Lal (2010), a professor of law, Paul Butler, claims that in certain instances, the race of a black defendant is a "morally and legally appropriate factor for jurors to consider in reaching a verdict of not guilty or for an individual juror to consider in refusing to vote for conviction." Butler came to this decision during his time working for the United States Attorney's office, and told of a specific incident in his book where he confesses that he was charged and sent to trial for committing assault. He was standing in D. C. Superior Court, and a D. C. policeman took the stand and was dishonest about the crime. Luckily, the jury deemed him innocent and he was set free. Through this experience, Butler witnessed that at times, a black jury would rather free a black defendant than send him to prison, even when there was overwhelming evidence pointing towards his guilt (Lal, 2010).

The criminal justice system has introduced many measures to ensure an unbiased and fair process for every person who comes through it. Jury nullification and culturally diverse law enforcement agencies are just two examples. Arguably, however, everyone has the potential to discriminate

against others and, consequently, perhaps the idea that discrimination could be eradicated entirely is naive.

A contemporary issue or event related to the criminal justice system's response to the public's perception of ethnic and gender bias is the fact that the criminal justice system has put in place certain measures to curb cases of biasness and discrimination.

Vetting of juries to ensure that they meet the required standards of appointment and law practice has significantly reduced cases of biasness. Judges are taken through a series of interviews, pre-determined cases, and assessed on the kind of judgement they would give. This helps the panellist form an opinion on whether the jury is biased or discriminative.

An all inclusive panel of juries which means that gender, race, ethnicity, and professionalism are taken into account ensures that there is fairness in the criminal justice system. A well represented system depicts a positive step taken towards curbing the vice of biasness.

In addition, the criminal justice system has established a court of appeal which provides an opportunity for people to appeal any ruling they consider unfair or whose in their opinion feel were biased or discriminative. Such courts grant the appellant an opportunity for a second hearing and a possible, fair judgement.

Strict penalties, policies, and disciplinary measures have been put in place in every criminal justice system. This has facilitated punishment to punitive juries who go against the code of ethics in their profession. It serves as a control measure, and regulates the kind of ruling given as such bias rulings

are avoided.

Contemporary issues relating to the criminal justice system curbing discrimination against racial and ethnic minority groups has seen several policies and laws enacted that protect the rights of the minority. All human beings are born equal in rights and dignity. Some individuals consider themselves superior to others and want to be accorded exceptional treatment. The apartheid that happened in South Africa is a good example of racism and minority oppression.

The criminal justice system has highlighted the rights of the minority in the society, and protected them from the majority. This has seen several principles and policies defined in the courts of every country to protect its citizens, and accord them equal treatment. The international law prohibits states from engaging in racism and discrimination. It further advocates for a variety of measures to curb the vice by individuals, public organisations, and institutions.

The criminal justice system is of the view that the minority in the society can equally air popular opinions like the majority. This has seen the system clearly define their rights and protect them. In spite of all this measures in place, it is worthwhile noting that the criminal justice system cannot exist without controversy. The world holds different people, and no matter how much the society condemns discrimination and ethnicity it will always find its way in the court system.

References

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