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Opening Letter, by Editor-in-Chief, Peter Fleming

Hello, and welcome to the second edition of the Lex Societas Law Journal!

I would like to open this by examining the growth of the journal over the last few months. Since our most recent publication this summer, we expanded from 5 to 16 articles, expanded up to 15 writers, and compiled a team of over 30 journal contributors combined.

I believe I speak for the publications department when I say that we are extremely impressed with how this journal turned out, and are extremely excited for future advancements of the Lex Societas Organization as a whole.

Lastly, I would like to give a special thanks to my 3 executive editors, Bridgette Jeonaire, Belle Whab, and Trisha Rubio. All 3 were key in the operation of this journal, and they greatly improved the quality of our publication.

Now, to introduce the rest of the team which made this project possible:

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Contents:

Op-Eds

Commonwealth of Pennsylvania, Respondent, V Derek Lee, Petitioner, By Sarah O'Campo

At age 29, Derek Lee, participated in a burglary in October 2014. Both Lee and his partner forced the homeowners, a man and woman, to the basement where Lee pistol-whipped the man and went upstairs. His accomplice, however, struggled with the man further while Lee was upstairs. The gun in the accomplice's possession had then gone off, killing the man. In 2016, Lee was convicted of second-degree murder. Individuals convicted of a felony murder in Pennsylvania receive a mandatory life sentence without the possibility of parole (Osdol, Paul Van 24). Pennsylvania is one of the only states where this sentence is mandatory out of the other 48.

The issue that is called to question is whether the petitioner's mandatory life sentence without the possibility of parole for felony murder violates the 8th Amendment and whether the Pennsylvania Supreme Court should provide broader protections concerning the prohibition of cruel punishment in the state.

Derek Lee's defense team asserts that the Pennsylvania law which mandates life sentences without parole for felony murder convictions is unconstitutional. Under Pennsylvania state law (PA State Legislature 2024), defendants charged with felony murder are required to be sentenced to life without parole.

Under Article I, § 13 " Commonwealth v. Lee, 313 A.3d 452, (Pa. 2024), Derek Lee was convicted of second-degree murder in which he had not killed or intended to kill, therefore categorically diminished culpability. According to Cornell Law, diminished culpability is defined as the theory in which a person, due to unique factors, could not meet the mental state required for a specific intent crime (Cornell 2024). Lee argues that this, therefore, considers him ineligible for a life sentence without parole.

Any sentence considered a life or death sentence falls categorically under punishment. Under the constitution's ban on cruel and unusual punishment and Pennsylvania's prohibition of cruel punishment, the 8th Amendment is intended to protect all individuals's guaranteed rights. Madison v. Alabama (2019) concerns the 8th Amendment and decided that executing convicted individuals for a crime they cannot comprehend is outlawed. Harmelin v. Michigan (1991) decided that under the 8th amendment, there is a forbidding of extreme sentences that are "grossly disproportionate" to the crime.

Although those two cases relate to the death penalty, it is important to note that both a life sentence and the death penalty are categorical punishments. One of Madison v. Alabama's reasons for its holding includes Vernon Madison's inability to remember his crime. It is held that the 8th Amendment may permit an individual from being executed even if they do not remember the crime. Formerly upheld cases such as Ford V.

Wainwright and Panetti v. Quarterman only require the sentenced to have a comprehension of the state's punishment, not the memory itself.

In Derek Lee's case, due to his diminished culpability, he is unable to comprehend the state's reasoning for his crime as he was not present for it nor had he had the intent of the murder, therefore voiding him of a life sentence without the possibility of parole as outlined in the precedent set in the Alabama case.

Harmelin v. Michigan upholds that a criminal sentence is constitutional so long as it furthers a state's reasonable belief or purpose of rehabilitation, deterrence, retribution, or incapacitation. A sentence may only be prohibited if the sentence is "grossly disproportionate to the crime."

Under Pennsylvania law, burglary is a first-degree felony punishable by up to 20 years imprisonment with the possibility of parole under the condition of exemplary behavior. Derek Lee committed a property crime. There is a large gap between 20 years and a sentence to death in prison which is what Lee has been convicted of. Prisons across the

state hold more than 1,000 individuals who were sentenced to death in prison without the possibility of getting out. This includes an 18-year-old who was sentenced 30 years ago.

The mandatory punishment does not proportionately fit the crime under state jurisdiction, historical precedent, and goals of Pennsylvania's correctional system. Derek Lee had not killed or had the intent to kill. Governor Shapiro of Pennsylvania released a statement in support of Derek Lee and his defense team stating, "Both offenders should be punished severely, but they should not be punished the same." He continues, "This sentencing scheme is not only unjust; it is unconstitutional."

The National Library Institute defines criminal rehabilitation as the process in which correctional and judiciary institutions ought to work to lessen and restructure criminal behavior through the most commonly used practice of emphasizing reintegration into a community. Derek Lee argues that his sentence which includes the absence of the possibility of parole is considered unconstitutional. The University of Pennsylvania states that the original Pennsylvanian Constitution framers considered any punishment enacted without the consideration of deterring an individual from a crime or rehabilitation as cruel. Those punishments are therefore null and void of protections from the state due to the prohibition of cruel punishment, further supported by the federal court and protected by the state. Continuing to devoid Lee's ability to apply for parole disregards the state's intent for rehabilitation. This calls the defense's stand in asserting that the state shall apply and utilize a specific, proportionate standard in sentencing that assesses a punishment to be in accordance with a crime and its relationship with the goal of rehabilitation and deterrence.

United States v. Booker (2005) dealt with the federal sentencing guidelines and ruled that

guidelines violated the 6th Amendment, right to a jury trial cause. These federal guidelines were a set of rules that had a uniform policy for sentencing individuals convicted of federal crimes. This therefore limited judges' discretion and ability to apply sentencing that fit the facts of a specific circumstantial case. The Supreme Court, however, in 2005 ruled that these guidelines became advisory rather than mandatory.

This allowed judges flexibility in their sentencing and potential for rehabilitation. Morrissey v. Brewer (1972) marked the Supreme Court's emphasis on the due process of parolees under the Fourteenth Amendment, concerning due process rights, specifically for parolees's right to a fair trial under due process of law. The Court ruled that individuals applying for parole have the right to a preliminary hearing to determine if there is probable cause for the alleged parole violations, etc.

The opportunity of parole was established to ensure that convicted individuals have the opportunity to transition back into society and or rehabilitate. The conditions of parole are determined by many factors including a pattern of good behavior. According to Betty Lee, Derek Lee's mother, during his time incarcerated her son became a model prisoner. He is assistant to the chaplain and preaches in prison as well as been appointed to be apart of the executive board for the Pennsylvania Lifers' Association. Despite all of this, Lee's automatic sentence prohibits him from his right to even a fair trial for parole.

Morrissey v. Brewer emphasizes an individual's guaranteed right to a trial under the due process clause under the 14th Amendment. The Supreme Court has been clear. A fair trial is a right and an opportunity for a prisoner to showcase their work and rehabilitation during their time in corrections. Lee has demonstrated consistently throughout his time in prison his good behavior which, in any other circumstances, would grant him the opportunity to parole. Drawing from earlier, the Pennsylvanian constitution states that punishment without the intent of rehabilitation or deterrence is considered cruel. Lee has shown during his years incarcerated that he has ample evidence to show for his deterrence from crime and proof of rehabilitation, but with Pennsylvania's mandatory sentence for felony murder, Lee was stripped of his ability to have a fair trial under due process of law to demonstrate this. Despite, the state's ban on cruel punishment.

Under United States v. Booker, judges were able to gain leniency in terms of their ability to sentence that is no longer required to follow federal guidelines. This allowed judges autonomy over their cases and courtroom to decipher what their ruling may be according to the facts of the circumstances/case. In Pennsylvania, over 1,000 people are forced to

serve life sentences without the possibility of parole for a murder they did not commit. Commonwealth v. Derek is assumed to challenge this felony-murder doctrine affirming that requiring a life sentence without parole for felony murder convictions violates the 8th Constitutional Amendment and Pennsylvania Supreme Court law that revokes cruel punishment. Pennsylvanian judges, due to the felony-murder rule, were forced to sentence these individuals in accordance with this law. However, in the best interest of

the defendants and the rights of the judge to be able to serve their court to the best of their ability, the PA Supreme Court should revoke this law to ensure that their judges have the autonomy to conduct their work without having to follow state guidelines which may conflict with their work (ability to sentencing an individual based on facts of the case rather than automatic sentencing).

If not for rehabilitation and deterrence from crime, Lee's punishment remains void of reasons as to why his sentence and inability to gain access to the ability of parole is being continued to be upheld. Judicial workers cannot warrant their reasoning and experience to apply their expertise to cases that fall under the felony-murder rule. To guarantee autonomy and the right to exercise constitutional and state rights for both the incarcerated and judicial workers, Commonwealth v. Derek Lee must be affirmed in favor of Derek Lee's constitutional rights under the federal and state court. Without the purposes of rehabilitation, deterrence, retribution, or incapacitation benchmarks present for Derek Lee's continued sentencing, all that remains is the cruel and unconstitutional enactment of both the federal and state constitutions.

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Book Bans, by Bridgette Jeonaire

‘Book bans’ have been a topic of political conversation throughout the recent years. In 2021, a record number of 1586 books were banned, a larger number than the amount of all the books banned in 2017-2020 combined.

Since then, the number of banned books have increased exponentially. According to Pen America, 10,046 books were banned during the 2023-2024 academic year. Along with that, Pen America reported that books were banned across 29 states and 220 school districts, with Florida and Iowa having the most bans. Additionally, at least 44% of these books included people of color and 39% included people in the LGBTQ+ community.

Many supporters of book bans believe that they possess the authority to remove books because they feel as though they are doing their part to protect children on the basis of their social/political views. However, book bans, especially those that stem from political beliefs, are inherently unconstitutional because they violate the First Amendment.

The United States Constitution clearly states that: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press..” In other words, the First Amendment protects the right to freedom of speech and the right to receive information, which in this case is by means of literature. Through banning books in both schools and public libraries, officials are blatantly limiting the rights of students and the quality of education that they are receiving.
In 1982, U.S. Supreme Court case Board of Education, Island Trees Union Free School District No. 26 v. Pico, The Island Trees Union Free School District’s Board of Education sought to withdraw books from their middle and high schools on the basis that the books appeared to be:
“anti-American, anti-Christian, anti-Semitic, and just plain filthy.”

Four highschool students and one middle school student banded together in opposition of the Board’s actions, arguing that these bans violated their first amendment rights. More specifically, Senior Steven Pico said that he believed these particular books were banned because, “passages

in the books offended [the group's] social, political, and moral tastes and not because the books, taken as a whole, were lacking in educational value."
It is also important to note that six of the nine books asked to be removed by community group Parents of New York United were written by black authors.
The Court was overall split on this matter but ultimately ruled in a 5-4 decision that these education officials did not have the authority to remove books on the basis of viewpoint. In the plurality opinion, Justice William Brennan stated, "We hold that local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion."
However, despite this ruling, the Justices also agreed that books could be removed by officials if they were "pervasively vulgar", "educationally unsuitable", or just plain age-inappropriate. This landmark case set the standard for book removals, protecting the right to read
and education, but has still been ignored in many instances both publicly and politically.
These recent book bans have also been fueled by the "culture wars" and "war on woke" that have been evoked by the Conservative Party. Through discussion around policies such as Critical
Race Theory (which declares that racism is infused in society), many parents have become increasingly more vocal about what they believe should and should not be taught to their children in classrooms.

In Tennessee, the state's chapter of Moms for Liberty challenged several books within the state, citing that it violated the states ban on teaching Critical Race Theory in K-12 schools. Among these books were: Martin Luther King Jr. and the March on Washington and the autobiography, Ruby Bridges Goes to School.
The organization claimed that these books "reveal a heavily biased agenda, one that makes children hate their own country, each other and/or themselves."
This sense of "guilt" rhetoric is very common and seen a lot amongst those who support banning books based on their views of systemic racism and discrimination. Many believe that the acknowledgment and display of the ways in which American society has historically discriminated against marginalized communities will negatively affect the self-esteem and mindset of children who identify with the background of these oppressors.
In June 2023, the Texas Keller Independent School District banned books which featured "the concept of gender fluidity."
In an interview with The New York Times, Keith Flaugh, co-founder of conservative group "Florida Citizens Alliance" commented on these book bans, specifically books that feature characters in the LGBTQ+ community. He claimed that the books are "sexualizing children" and "normalizing a lifestyle that is a sexual choice." Not only are these claims extremely flawed and paint the Queer community in a predatory
light, they are also an unconstitutional justification for book bans.

In the 1995 case Case v. Unified School District of Kansas, the court ruled that the school district violated students First Amendment rights by choosing to remove the novel Annie on My

Mind by Nancy Garden. This novel, which depicts the relationship between two 17-year old female high school students (Annie and Liza), was donated to the local school district by Project 21, an organization that emphasizes LGBTQ+ inclusivity. In response to this ban, the court stated that: “school officials may not remove books for the purpose of restricting access to the political ideas or social perspectives discussed in them, when the action is motivated simply by the officials disapproval of the ideas involved.” This landmark case was one of the first instances of legal pushback against homophobic rhetoric and protection of members of the LQBTQ+ in literature and education.
In August 2024, the state of Utah imposed a nationwide ban on 13 books in public schools where “at least three of the state’s 41 school district boards claim they contain pornographic or indecent material.”

Furthermore, in August, a federal appeals court ruled in favor of the reinstatement of a 2023 Iowa book ban, which banned all books with “sexual content” along with all books that discussed gender identity and sexual orientation. The court held the opinion that the book bans were constitutional because the Iowa government established “viewpoint-neutral, content-based, age-appropriate restriction on the content of public school libraries.”
Though this justification for these book removals may fall under the exceptions that were put in place by the Supreme Court, many of the recent book bans haven’t been. Even so, this ban in Iowa discriminates against the LGBTQ+ community and further promotes harmful rhetoric. It’s significant to bring light to the fact that this is a valid reason to argue that this exception, set by the Supreme Court, should be abolished or reformed because it provides a loophole for book banners to use even if their concern for book banning is not necessarily due to age-appropriate concerns, but rather to attempt to implement their political views into schools.
Students, especially those within the K-12 system, should not be barred from reading material pertaining to marginalized communities simply because a part of the American population denies their existence and struggle. Academic institutions should remain places of inclusion and honor history, even if it means exposing the dark past of our nation. Students can only be aware of injustices if they are brought to light and should not be subject to a world where information is only provided if it is deemed “appropriate” by a select few.

These book bans have been used to censor the voices of people of color and people of the LBBTQ+ community, effectively erasing them out of the curriculum in some states. The future of education in America should not be dictated by small conservative organizations and any effort to use books as a political ‘gotcha moment’ should be reprimanded, as it violates the first amendment.

The Economic Impact of Civil Rights Legislation on American Labor Markets, by Audrey McMahon

This essay looks into the sizable impact American civil rights legislation has had on the country’s labor markets. The enactment of such key legislation has significantly reduced

prejudicial practices, increased participation in the labor force, improved wage equality, and fostered economic growth in marginalized communities. Through a thorough econometric analysis of labor market data across numerous demographic groups, this essay underlines the long-term economic benefits of protecting civil rights and promoting a more diverse and productive workforce while addressing complications associated with modern labor policy and the plan for the future. The United States economy is a mixture of Socialism and capitalism.1 Capitalism is an economic system in which businesses and property are privately owned and managed. The supply and demand of these businesses freely set prices according to the modern needs of society. Labor is purchased with currency, and the amount of currency is independently decided depending on competition, fluctuations in the value of the currency, and the financial state of the business.2 The amount of currency exchanged for human labor is not affected by any form of discrimination under the Civil Rights Act of 1964. On the other hand, Socialism is an economic system in which businesses are more government-owned and less privately owned, there are little to no independent entrepreneurs, and everyone who is able works for the benefit of the economy and country, not themselves.

In the United States, capitalism is favored over socialism, but the economy remains a combination of the two. The labor market is a crucial part of the economy. It's the availability of employment and the filling of those open positions according to current supply and demand. Also included in the labor market is data reflecting equality, progress, and inclusivity, but also, to this day, injustice. Racism, sexism, ageism, and ableism continue to plague the twenty-first century. The main cause of it is ignorance. A distressingly large chunk of the United States population believes that there are little to no disparities between certain groups of people, especially ones that reflect civil rights issues. Because of this ignorance, members of minorities who cannot find jobs may starve, lose their homes, and become unable to provide for themselves or their families. Not only is this unjust, but it's also bad for the economy. People in the U.S. who cannot find jobs because of disability, social class, or something else are typically put on some sort of financial aid plan. Small amounts of government assistance are proven to contribute to a more positive economy, while large amounts tend to negatively and directly affect the country's economic prosperity4. In recent years, there has been increased government assistance for the poor and decreased economic growth. Civil rights policy has been a priority of the United States since its birth. The first major civil rights legislation was passed in 1866, known as the Civil Rights Act of 1866. This law blurred lines that had been previously sharp and brought together races that had predominantly one relationship up until this point: slave and owner. The act declared all people in the U.S. to be citizens, "without distinction of race or color"5.

In 1964, another legislation was passed, known as the Civil Rights Act of 1964. This act "prohibits discrimination based on race, color, religion, sex or national origin." Since then, provisions have been made to this act, including family status and disabilities. They have also since been applied to the workplace, to hiring, promoting, and firing. Recent civil rights policies, such as the Civil Rights Act of 1964, are the cornerstone of today's labor market. Civil rights legislation such as the acts described above have helped to transform the United States' labor market. However, many seem to think the work is done, that the country has made so much

progress it doesn't need any more. Is this the case, or is there more legislation that needs to be passed to promote economic equality and prosperity? By using data from the past and present, it's possible to know the answer to that. Econometric predictions help experts to know what trends will continue in the future, what caused them in the past, and what needs to be done about them in the present. The data shows that there is still a long way to go as far as civil rights policy is concerned, including adjustments to the labor market. The labor market will continue to change and grow until wages between sexes and races have much fewer discrepancies.

Gaps in data also appear when looking at the opportunity of education before such legislation. This is notable because higher-educated people typically are employed in better-paying jobs. From 1940 to 1960, injustices in education, employment, and pay were extremely prevalent across different races and genders, most notably white and Black men and women, reflecting a pattern of structural prejudice. In 1940, Black employees earned 40% less than their Caucasian counterparts in similar positions. Over the next two decades, the wage gap shrank to 35%, which indicated some progress. This progress, however, wasn't much compared to the significant educational advancements among African Americans during that time. Education typically plays a large role in employment. In 1940, only 7% of African Americans aged 25 and older had a high school degree, while their white counterparts were up to 24%. By 1960, the graduation rate for African Americans had increased by 13%. Even at 20%, Black Americans continued to lag behind white Americans, whose graduation rate was 43%, nearly half of the eligible white population. These educational disparities not only limited access to higher-paying jobs but also the power found in them. Managerial and other powerful positions typically require a higher degree, which due to societal norms, was too often not an option for African Americans. Historically, occupational segregation has created notable economic challenges for Black Americans. In 1960, many Black men were employed at low-paying jobs. 12% worked as janitors and 15% as laborers, and only a small fraction, 3%, held managerial or other high-paying professional positions. Black women struggled even more, discriminated against for both their race and sex. Over 60% of Black women were employed in domestic work, often with low pay and limited opportunities for advancement. Recognizing these patterns is important, as it compels Americans to address such discrimination in hiring and create more pathways for advancement, fostering a more equitable and opportune situation for workers. Labor force participation rates offer valuable insights into how inequalities transform over time. In 1950, a soaring 81% of Black men were part of the labor force, nearly matching the 89% of white men. The difference between the two was influenced by factors such as hiring barriers and occupational segregation, both of which are discrimination fueled by racism. In comparison, economic necessity led to more Black women entering the workforce, despite the wage inequality, because of the need to support themselves and their families. Black women of this time had higher workforce participation than white women. This was because of the role of white women at the time, to be at home and to cook, clean, and raise children. Working for incredibly low wages and not being allowed to have your own money are two very different but very difficult situations. Despite their higher participation rates, Black women were paid significantly less than both white women and Black men. This illustrates the complex challenges that are presented through racial and gender inequalities. This history is what fuels our ongoing journey toward equity and inclusivity in the workplace. During this period, gender wage disparities were

significant. During the 1960s, women earned only 59 cents for every dollar that men earned while performing in similar positions.6

This imbalance reflected societal norms that undervalued and underrepresented women's contributions. It is also critical to acknowledge that Black women faced even greater tribulations due to the intersection of gender and racial discrimination. This highlights the ongoing need for efforts toward equality and the recognition of laborers, regardless of skin color or gender. The data collected from 1940 to 1960 bring to attention the notable challenges faced by Black Americans and women due to societal norms and structural barriers in employment, education, and wages. While it's encouraging to see progress, such as an increase in high school graduation rates for Black Americans, these advances have not been enough to completely eliminate discrimination and inequality. This time period shines light on the urgent need for comprehensive reforms to further eliminate systemic discrimination and expand opportunities for everyone, regardless of race or sex. In doing so, this country can work toward creating lasting change and improving the workplace for all employees. As this country looks ahead to 2025, Americans continue to struggle with significant wage disparities based on gender and race, despite having had some progress over recent decades. For example, African American workers are paid, on average, about 76 cents for every dollar earned by white workers. Hispanic workers earn less than both at approximately 73 cents. It’s also important to note that Asian employees earn around 20% more than their white counterparts. Still, it is crucial to recognize the disparities and misrepresentation that plague the Asian community, where a large portion still faces challenges similar to those faced by other minority groups. The issue of gender wage gaps remains a significant concern, with women currently earning just 82 cents for every dollar earned by their male counterparts. The situation is even more challenging for women of color; Black women earn only 68 cents and Hispanic women earn 63 cents for every dollar earned by white men. This data underscored the critical intersectional challenges that women of color are presented with in the workforce and highlights the legislation still needed to create equal opportunities for workers. Though the data presents more hopeful statistics, higher education alone has not closed the disparities in wages. In 2023, Black college graduates earned around 20% less than their white counterparts with equivalent degrees. Hispanic graduates earned approximately 25% less. This suggests that systemic barriers extend beyond education and that other fields in legislature are needed to create a more diverse and equitable workforce. Even though educational advancements have increased opportunities for various positions, they have not resulted in fair wages. This draws attention to the need for continued efforts to deconstruct the structural inequities that linger in our labor market. By utilizing the power to change and create legislature, Americans can benefit the economy by affecting the labor markets. Participation rates in the labor force in 2023 show slight variations among racial groups. Hispanic Americans had the highest participation rate at 66.5%, while Black Americans had a rate of 62.1%, slightly below the 63.5% rate for white Americans. Additionally, there is a persistent gender gap in participation: 70.5% of men are active in the labor force compared to only 58.3% of women. Unemployment rates further highlight disparities, with Black workers facing an unemployment rate of 5.4%, nearly double the 3.3% rate for White workers. This higher unemployment rate for Black workers has been a consistent trend since the 1970s, indicating systemic barriers in hiring and job retention. Poverty rates in 2023 reveal stark

economic disparities as well. While 8.1% of White families lived below the poverty line, the rates for Black and Hispanic families were 18.8% and 15.4%, respectively—2 to 3 times higher. These disparities reflect broader economic inequities tied to wage gaps, employment opportunities, and systemic discrimination. Asian families had the lowest poverty rate at 7.2%, but subgroup analyses indicate that some communities within this demographic also face significant economic challenges. Representation in leadership and high-paying sectors remains disproportionately low for Black and Hispanic workers. As of 2023, Black workers held only 3.2% of executive roles in Fortune 500 companies, despite making up 13.6% of the U.S. population. Women overall held 29% of executive roles, but women of color accounted for less than 5%, illustrating a profound underrepresentation.

In STEM fields, Black and Hispanic workers represented just 9% and 8% of the workforce, respectively, compared to 67% of White workers. These disparities underscore systemic barriers to entering and advancing in high-paying industries. Unionization provides a pathway for better wages and benefits, with Black workers having the highest union representation rate at 15.8% in 2023. However, even within unions, wage disparities persist, with Black workers earning less on average than their White counterparts. Hispanic workers had the lowest unionization rate at 9.5%, which reflects challenges in accessing organized labor protections, particularly in industries with high concentrations of Hispanic workers. Despite some progress made over the decades, racial and gender disparities in wages, education, and employment remain deeply entrenched in the U.S. labor market. These gaps reflect structural inequities that extend beyond individual qualifications or achievements. Addressing these disparities requires systemic reforms aimed at tackling discrimination, improving access to high-paying opportunities, and promoting equitable representation across all sectors. Future projections of labor market outcomes reveal a blend of opportunities and challenges as civil rights legislation continues to shape economic trends. Wage equality is expected to improve over the coming decades, although disparities are likely to persist without further policy interventions. For instance, the racial wage gap between Black and white workers may not close until 2080, while the gap for Hispanic workers is anticipated to narrow by 2060. Similarly, the gender wage gap is projected to shrink to 94 cents on the dollar by 2050, but achieving complete parity—especially for women of color—might take until 2100. These estimates underscore the necessity for sustained efforts to address systemic inequities. Labor force participation rates are also expected to trend toward greater equality. By 2050, women are predicted to achieve parity with men in workforce engagement, driven by expanded access to childcare and the rise of flexible work arrangements. Racial disparities in participation are likely to decline as educational and skills-training programs increase, although barriers to equitable access may hinder progress. Additionally, occupational representation in leadership positions is projected to improve, with Black workers potentially occupying 10% of executive roles in Fortune 500 companies by 2040, and women anticipated to hold 50% of such positions by 2060, provided current diversity initiatives remain effective. In high-demand sectors like STEM, targeted recruitment and education efforts are expected to open opportunities for underrepresented groups. Hispanic representation in STEM fields could rise to 15% by 2040, although Black representation may remain under 10% without significant policy changes. On the other hand, automation and technological advances pose substantial risks. By 2040, automation is projected to eliminate

25% of current jobs, disproportionately affecting Black and Hispanic workers, who are overrepresented in industries like manufacturing and retail. Investments in reskilling programs could alleviate these impacts, fostering new jobs in emerging fields such as green energy and technology. Economic mobility and poverty reduction are promising areas for improvement, contingent on ongoing civil rights enforcement.

By 2050, poverty rates among Black families are expected to decrease from 18.8% to 10%, while Hispanic families could see a decline from 15.4% to 8%. These projections rely on expanded access to quality education and the enforcement of anti-discrimination measures in the workplace. Addressing wage growth disparities across sectors will also be crucial. Healthcare and technology, in particular, are poised for substantial wage growth, with marginalized groups likely to make significant gains in these industries. Finally, utilizing human rights legislation to affect the labor markets could benefit the overall economic state of America. If by 2050 racial and gender gaps were significantly more closed, it could add $2.1 trillion to the U.S. GDP each year, increasing productivity and consumer spending. New legislation will play a significant role in achieving these outcomes. Equal pay and increased diversity in participation among employees in STEM and business fields could boost equality in the labor markets. Overall, these projections illustrate the transformative potential of civil rights policies in creating a more equitable and prosperous labor market for future generations. Future projections of labor market outcomes show a mix of promise and challenges as civil rights legislation continues to influence economic trends. Wage equality is expected to improve over the coming decades, although disparities will persist without additional policy interventions. For example, the racial wage gap between Black and white workers may not close until 2080, while the gap for Hispanic workers is expected to narrow by 2060. Similarly, the gender wage gap is projected to shrink to 94 cents on the dollar by 2050, but complete parity—particularly for women of color—could take until 2100. These estimates highlight the need for sustained efforts to address systemic inequities. Labor force participation rates are also anticipated to trend toward greater equality. Women are expected to achieve parity with men in workforce engagement by 2050, driven by expanded access to childcare and the rise of flexible work arrangements. Racial disparities in participation are likely to decline as education and skills-training programs grow, although barriers to equitable access may slow progress. Moreover, occupational representation in leadership positions is projected to improve.

Black workers could occupy 10% of executive roles in Fortune 500 companies by 2040, while women are anticipated to hold 50% of such positions by 2060, assuming current diversity initiatives remain effective. In high-demand sectors like STEM, targeted recruitment and education efforts are expected to expand opportunities for underrepresented groups. Hispanic representation in STEM fields could grow to 15% by 2040, though Black representation may remain under 10% without significant policy changes. Conversely, automation and technological advances pose significant risks. By 2040, automation is projected to eliminate 25% of current jobs, disproportionately affecting Black and Hispanic workers, who are overrepresented in industries like manufacturing and retail. Investments in reskilling programs could mitigate these effects, creating new jobs in emerging fields such as green energy and technology. Economic mobility and poverty reduction are promising areas of improvement, contingent on continued

civil rights enforcement. By 2050, poverty rates among Black families are expected to decrease from 18.8% to 10%, while Hispanic families could see a decline from 15.4% to 8%. This depends on how much access is expanded to education and well-paying jobs, enforcing anti-discrimination laws in the workplace, and other legislative tasks. Healthcare and technology, in particular, are projected to see significant wage growth. Marginalized groups are expected to make notable gains in these industries. The court case Muldrow v. St. Louis has also immensely impacted today's labor market. In this case, the bar for discrimination was lowered, allowing more voices to be heard in nationwide courts. The case's decision was in Muldrow's favor, ruling that discrimination in the workplace, under Title VII of the Civil Rights Act, now only needed to be proven through "some harm" and not "significant harm." This was a staple case in civil rights legislation and still affects the labor market today. Muldrow faced employment discrimination based on her sex but had no proof of a "materially significant disadvantage." When she petitioned for compensation against the City of St. Louis, she won, and a new legal reference was born. Finally, broader economic impacts underscore the importance of continued progress. Closing racial and gender wage gaps by 2050 could add $2.1 trillion annually to the U.S. GDP, boosting productivity and consumer spending. Civil rights legislation is the tool that will be used in this process. Such legislation has affected the labor market in the past, is constantly referenced now, and will be expanded to improve the labor market in the future. In doing so, a more equitable situation will be presented in the workplace. In conclusion, civil rights legislation has had, has, and will continue to have an impact on American labor markets.

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Megan’s Law, by Belle Whab

Megan’s Law was implemented after the preventable and brutal murder of Megan Nicole Kanka in Hamilton Township, New Jersey in 1994. Megan Nicole Kanka was only seven years old when she was brutally kidnapped, murdered, and sexually assaulted by Jesse Timmendequas, a neighbor who lived across the street from Megan and her family.

In the end, Timmendequas was sentenced to death on May 30th, 1997. However, his sentence was commuted to life imprisonment without the possibility of parole on December 17, 2007, after the state of New Jersey abolished the death penalty.

The reason that the murder of Megan Nicole Kanka is considered preventable is the fact that the neighbor who murdered Megan, Jesse Timmendequas, was a registered sex offender when he moved into the house across the street from Megan’s family home. Jesse

Timmendequas, who was 33 years old at the time, already had two previous convictions for sexually assaulting young girls.

Megan's Law has sparked a debate about the stability between the safety of the general public and the privacy rights of individuals placed on the sex offender registry. Furthermore, some argue that the law retroactively punishes offenders despite it promoting public safety. The main argument presented by those who oppose Megan's Law is that the law is unconstitutional. Registries release personal information about convicted sex offenders. However, the information disclosed on the registry can vary between states based on the tier. Registries can include the names, addresses, and crime histories of convicted sex offenders. The disclosure of personal information to the public has sparked a debate on whether or not Megan's Law is unconstitutional by means of infringing on a sex offender's right to privacy and retroactively punishing offenders.

Many critics of Megan's law tend to argue that the law is unconstitutional by means of depriving registered sex offenders of their right to privacy and retroactively punishing offenders; however, it is important to recognize that Megan's Law needs to be protected and enforced for the exact reason that it was put in place. Megan's Law was enacted after a little girl was brutally murdered, and her death could have easily been prevented had her family known that there was a registered sex offender living right across the street. Megan's Law is necessary as it protects the public's right to safety by allowing them to be aware of sex offenders in their area which then permits them to act accordingly in order to remain out of harm's way. Additionally, to an extent, it may hinder potential offenders from committing crimes with the fear that their public information will be disclosed. Nevertheless, one of the main concerns presented by individuals

who base their critique of Megan's Law on the offender's right to privacy is the potential for harassment against those placed on the registry.

Megan's Law was passed by former President Bill Clinton and "require(s) the release of relevant information to protect the public from sexually violent offenders." (Wex Definitions team, 2021), It was passed on May 17, 1996, and as of now all fifty states enforce some form of Megan's Law. It was passed in order to enrich public safety through a required sex offender registry and does not infringe sex offenders' right to privacy under the constitution.

Individuals against Megan's Law have claimed that the law violates The Fourteenth Amendment's due process clause. The Fourteenth Amendment's due process clause states that "...No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

As well as the Fourteenth Amendment, critics have argued that Megan's law violates the ex post facto clause of Article I Section 10 of the U.S. constitution. The ex post facto law, in this case, is one which retroactively punishes a person convicted of a crime, Article 1 Section 10 of the U.S constitution prohibits states from passing any laws practicing ex post facto.

Connecticut Dept. of Public Safety v. Doe (2003), revealed that releasing information regarding a convicted sex offender on a registry without a hearing did not violate the Fourteenth Amendment's due process clause. The court came to this conclusion through the fact that offenders were put on the registry based on their convictions rather than how dangerous they were.

Not to mention, Megan's law is completely within the limits of the Ex Post Facto Clause of Article I Section 10 of the U.S. constitution, as exhibited in Smith v. Doe (2003) where the supreme court established the law's intent was not disciplinary, and confirmed that its purpose was to enhance public safety.

A number of individuals insist that Megan's law is unconstitutional and clashes with the Fourteenth Amendment's due process clause in terms of post-conviction requirements (in this case, sex offender registration); this argument can be shown through the case Connecticut Dept. of Public Safety v. Doe. This case started when John Doe, a convicted sex offender, filed a lawsuit arguing that Megan's law violates the Fourteenth Amendment's due process clause through not providing him with a hearing prior to being placed on the registry. The main question of this case was whether or not the Fourteenth Amendment's due process clause required convicted sex offenders impacted by Megan's Law to obtain a hearing prior to the public disclosure of their registry. The court concluded that because Megan's law was based on an offender's convictions rather than the dangerousness of the offender, disclosing an offender on the registry without a court hearing did not violate due process. ("Connecticut Department of Public Safety v. Doe." Oyez. Accessed November 14, 2024. https://www.oyez.org/cases/2002/01-1231.)

In addition to arguing that it violates the Fourteenth Amendment, many individuals who oppose Megan's Law maintain the belief that the law is being used to punish convicted sex offenders rather than to protect public safety. The case Smith v. Doe explored this idea through examining if the Alaska Sex Offender Registration Act was considered a retroactive punishment under the Ex Post Facto Clause of Article I Section 10 of the U.S. constitution, and therefore whether or not it should be forbidden. "In a 6-3 opinion delivered by Justice Anthony M.

Kennedy, the Court held that the Alaska Sex Offender Registration Act's retroactive application does not violate the Ex Post Facto Clause because the act is nonpunitive." ("Smith v. Doe." Oyez. Accessed November 14, 2024. https://www.oyez.org/cases/2002/01-729.).

The purpose of Megan's Law, as established in Smith v. Doe (2003) is to prioritize public safety through the disclosure of information regarding convicted sex offenders living in their area. It allows the general public to determine neighborhoods in which potentially dangerous offenders are located, which then permits individuals to avoid unsafe situations. Communities can spread the word about convicted sex offenders in their neighborhood and take appropriate action in protecting themselves and their families. Moreover, the law was named after and implemented after a seven year old girl was kidnapped, assaulted, and murdered by a man who had already been convicted of assaulting girls around her age. If Megan's Law had been passed prior to her murder, then Megan's family would have known to take action to protect her daughter, and Megan could very well have been living today.

Despite the fact that it protects public safety, a number of individuals have claimed that Megan's Law is unconstitutional by infringing on an offender's right to privacy through violating the Fourteenth Amendment's due process clause and the ex facto clause of Article 1 Section 10 of the U.S constitution. The conclusion made in the Connecticut Dept. of Public Safety v. Doe (2003) overall refuted the argument that Megan's Law places restrictions on sex offenders' right to privacy by bringing attention to the fact that offenders' not receiving a hearing before public disclosure of their registry did not violate the Fourteenth Amendment's due process clause. Together with the ruling in Connecticut Dept. of Public Safety v. Doe, the decision made in Smith v. Doe (2003) was able to provide an answer to a common argument made by the people who opposed Megan's law (in this case, whether or not Megan's Law retroactively punishes sex

offenders) using a legal opinion which establishes that the intention of the act was to protect the public, not to punish offenders.

To summarize, one may argue that Megan's Law risks the balance between public safety and the privacy rights of registered sex offenders. Additionally, they may argue that the law serves as retroactive punishment for offenders attempting to live productive lives. Nonetheless, Megan's Law does not infringe on an offender's right to privacy through clarifying that Megan's law was founded on an offender's convictions and not their dangerousness, as shown in the decision made in Connecticut Dept. of Public Safety v. Doe (2003). Likewise, Smith v. Doe (2003) established that the purpose of Megan's Law was not to punish offenders, but to prioritize public safety.

The protection of Megan's Law is overall relevant today as it continues to provide communities with information that they can use to be aware of registered sex offenders in their area, and with that awareness they can behave to protect themselves and those around them. Along with that, the internet has made sex offender registries more accessible, which increases its efficiency while also increasing potential for harassment. Be that as it may, Megan's law does not violate the rights' of sex offenders as it is constitutional, and its objective is to protect the public, not to punish offenders.

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Juvenile Justice, by Caitlyn Ng

Juvenile Justice: Examining the Age of Criminal Responsibility

The age of criminal responsibility refers to the age at which one could constitutionally be held accountable for any crimes or offenses within legal parameters. However, this proceeding is often viewed as controversial, as not only does it entail having to acquire a balance between the requests of justice and the protection of society, it also needs to take into account equity for children or youth who are considered to be ‘cognitively immature’ [1].

The variations in the criminal age around the world show how juvenile injustices are treated in different societies, and there is no consensus regarding the perspectives concerning children, responsibility, and injustice. In recent years, a poignant concern that has arisen in regards to juvenile justice is the contemporary age thresholds of criminal responsibility: whether it duly takes our modern-day understanding of the adolescent brain development into consideration and aptly reflects it. Significant divergences between these aforementioned age thresholds across the globe suggest our debacle to judiciously impose appropriate juvenile justice upon legal systems. Comprehensively, the lowest age of criminal responsibility is for children of 10 years residing in England and Wales [1], while other relatively higher thresholds like those in Germany and Sweden may lie at 14 to 15 years [2]. Such discrepancies like these naturally raise questions concerning the effectiveness of global systems to curb juvenile delinquency without compromising justice.

In this article, the view is maintained that there is a contradiction between the age of criminal liability established by the legal system and the evidence presented by developmental psychologists as well as the principles underlying the law. Considering that adolescents are less cognitively developed, they possess poor decision-making on the consequences associated with their actions and the risks involved [3]. Accordingly, the legal focus should be changed to rehabilitative justice, with children being the center of emphasis per the UNCRC [2].

On the other hand, scientific research does establish that adolescents should go through a huge amount of neurodevelopmental immaturity in regions of the brain like the prefrontal cortex that is responsible for executive control of behavior. The U.S. Supreme Court recognized this in Roper v. Simmons (543 US 551 (2005)). This case famously declared that “juveniles are categorically less culpable than the average criminal” based upon their cognitive and emotional development [4] relative to the average criminal. This reasoning was later reinforced in Miller v. Alabama (567 US 460 (2012)), which struck down mandatory life sentences for

juvenile offenders [5]. The legal system places an emphasis on the importance of looking at factors such as age as well as the ability for rehabilitation for young offenders. These McCarthy cases are landmark cases in the United States that

represent the fact that developmental science has also begun to inform attorneys' and courts' understandings of children and their needs in the modern legal framework.

According to Article 40 of the Convention on the Rights of the Child, the state parties have the duty of treating children who come into conflict with the law in a manner that will help them to reintegrate as well as develop as individuals [2]. Lower crime rates among youth are reported from countries like Germany and Sweden, which goes to show that more emphasis put on rehabilitation rather than punitive measures results in lower juvenile delinquency. The rehabilitative approach has a basis in developmental science and is consistent with the principles of restorative justice, which seek to integrate juveniles back into society [3].

The age of responsibility in England and Wales, which is set at 10 years, has brought controversy due to the fact that this allows for children who are still too immature to fully understand the repercussions of their actions to be labeled as criminal offenders. Children who are reported to the police at a young age have been shown to develop a routine of committing offenses due to already being reported to the juvenile system. This evidence raises questions, both for the effectiveness and ethics of the practice of conviction of young children in such a manner.

Official opponents of lowering the age of criminal responsibility to the recommended age would worry about provoking delinquency and compromising public order, but this assertion does not hold as well with the evidence available.

According to more recent science, as well as the international debate about the age of criminal responsibility, increases in the thresholds when they do not meet the minimum international standards of protection from children are

unacceptable. Many countries, even those with developed economies, enforce criminal liability on children as young as ten years. Increasing the threshold age and adopting new methods allows for fairness and the reduction of re-offending behavior. Offenders will also be rehabilitated and reintegrated, hence achieving justice and safety simultaneously.

In conclusion, according to current medical studies as well as international conventions on human rights, the age of criminal responsibility needs to be changed in order to prevent repeated offenses which in turn will enhance public safety. Many jurisdictions, notably those with minimal age levels such as ten years, do not consider juveniles' developmental limitations and thus defeat the very purposes of justice. Legal systems may secure justice, cut the chances of repeat offenses, and assist the reintegration of individuals back into society by increasing the age and employing therapeutic models. In so doing, the two objectives of justice and security will be achieved.

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Corporate Governance Faliures- FTX, by Aaryan Polisetty

The collapse of FTX, one of the largest cryptocurrency exchanges founded by Sam Bankman-Fried, has exposed huge lapses in corporate governance and highlighted the dangers of unchecked financial practices in the cryptocurrency industry. This paper examines the legal and ethical consequences of corporate governance failures at FTX, focusing on how mismanagement and fraudulent practices led to its downfall. Additionally, it explores broader implications for regulatory oversight in the cryptocurrency

market. At one point, FTX was considered a leader in the red-hot cryptocurrency sector, boasting millions of users and billions of dollars in investments. However, in November 2022, the company filed for bankruptcy after it was discovered that customer funds were misused to cover losses at Alameda Research, a hedge fund also run by Bankman-Fried. This collapse occasioned billions of dollars of customer and investor losses at the least, and called into question issues of internal controls and legal accountability. A breach of fiduciary duty is the heart of the FTX scandal. The law requires the CEO to act in the interest of his customers and stakeholders, while on the other hand, SBF is accused of siphoning customer deposits into unauthorized usage such as speculation, investment, and personal expenses. That, if true, will undoubtedly represent a clear breach of the fiduciary principles established under US corporate law. According to Section 404 of the Sarbanes-Oxley Act, companies are required to maintain robust internal controls to prevent such mismanagement. FTX's lack of financial transparency and internal

auditing systems directly contravened these legal expectations, allowing Bankman-Fried and his associates to operate without accountability. Fraud also includes the misuse of customer deposits, a definition codified under Title 18 of the United States Code, specifically under wire fraud statutes. In this instance, FTX misled customers and investors about the safety of their money, engaging in practices that were deceptive under federal law. This has parallels to previous financial scandals, such as the Enron case, where misrepresentation of assets led to legal consequences for executives and major reforms in

corporate accountability. FTX was a global company, and hence, its jurisdiction was very blurred. Many of its customers were out of the United States, and cryptocurrency transactions themselves are decentralized, making regulatory oversight hard. International frameworks such as the FATF call for consistent anti-money laundering standards; however, the FTX case demonstrated lapses in enforcement. Such incidents can only be tried successfully with the help of increased international cooperation in the future. The collapse of FTX underlines the importance of strong corporate governance in preventing financial crimes. Companies should put in place clear policies on internal auditing, independent oversight, and transparent reporting. Legal reforms, such as extending Sarbanes-Oxley provisions to private companies like FTX, may help mitigate risks in the future. The FTX scandal has renewed debates over the regulation of cryptocurrency markets. Unlike traditional financial institutions, cryptocurrency exchanges operate in an environment that is largely free of regulation, leaving their customers vulnerable to fraud and mismanagement. Proposed legislation, such as the Digital Asset Market Structure and Investor Protection Act, would bring cryptocurrency under the purview of federal regulators like the SEC. The FTX collapse is a cautionary tale for the cryptocurrency industry and shows what happens when corporate governance goes wrong. Regulators, businesses, and lawmakers have to work together to ensure emerging markets like cryptocurrency adopt transparency, accountability, and consumer protection.

The implosion of FTX showed systemic failures of corporate governance and regulatory oversight that are

far beyond a single company or individual. In terms of these failures, a multi-faceted approach is required that includes more robust laws to regulate cryptocurrency, increased measures for corporate accountability, and deeper international cooperation. This case should serve as a lesson for policymakers in safeguarding investors and restoring confidence in financial systems.

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Social Media and Free Speech, by Aditi Puri

The rise of social media applications as a major platform for public discussion has raised several important questions about the relationship between free speech and the algorithms that control what we see. Platforms like Twitter, Facebook, and YouTube utilize algorithms to organize content and vastly shape public opinion by influencing interactions between users. As these algorithms face wide-spread criticism for silencing opposing views and promoting harmful material overall, legal challenges are starting to explore how the First Amendment particularly applies in this new digital world of ours.

The First Amendment protects freedom of speech and prevents the government from limiting this right. However, applying this principle to private social media companies is complicated. In the recent case of NetChoice, LLC v. Paxton, the Supreme Court examined how much control social media platforms can have over content without necessarily violating our rights of free speech. The main question discussed was whether platforms like Facebook and Twitter should be seen as private companies making editorial choices, similar to newspapers, or as public spaces that must follow much stricter rules about free speech. The Court's decision stated that social media platforms have a First Amendment right to choose what content to publish ortake down. This is extremely consistent with earlier cases that established that editorial decisions, even when made through algorithms, are protected by the First Amendment. The Court specifically mentioned that content moderation which follows a platform's community guidelines is considered to be a form of expression which deserves constitutional protection. While NetChoice is an important case in understanding an evolving legal field, other decisions assist in clarifying the complexities of how this content is curated in general.

In Miami Herald Publishing Co. v. Tornillo, the Supreme Court ruled that a newspaper has an extremely crucial role in public discussion by choosing what content to publish. This helps set a precedent suggesting that social media platforms have the right to curate content also, including the choice to remove or highlight specific posts based on their editorial standards. Additionally, the Moody v. NetChoice ruling further showcased the tension between content moderation and First Amendment rights as a whole. In this case, the Supreme Court sent back to lower courts the question of whether state laws limiting social media companies ability to control user content violated the First Amendment's protection. The ruling emphasized the need for a careful approach as it recognized that platforms can utilize algorithms to enforce moderation guidelines but too much reliance on automated processes can reduce the protections provided by the Constitution. Utilizing algorithms to organize content has significant effects on free speech. Many critics argue that filtering content with algorithms can increase division overall as it amplifies certain viewpoints while sidelining others, a phenomenon that is known as "filter bubbles." Research also shows that social media algorithms often favor content that generates high engagement, usually sensational or polarizing, which limits the variety of opinions available in public discussions as a whole. For example, studies indicate that YouTube's algorithm often recommends videos featuring extremist content, potentially radicalizing viewers. These findings depict the vital andurgent need for transparency regarding how algorithms work and their effects on how information is consumed by viewers. Furthermore, the issue of algorithmic bias drives ongoing conversation about the responsibility of these companies for the content they promote on social media. The relationship between social media algorithms and free speech is complex and presents significant legal challenges that require in depth and careful consideration. As illustrated through cases like NetChoice, LLC v. Paxton and Moody v. NetChoice; courts must

find a balance between protecting editorial decisions and ensuring a diverse range of viewpoints in public forums.

As social media platforms continue to influence modern disputes, the legal rules surrounding algorithms and content moderation are extremely likely to change. It is critical to ensure these rules protect both freedom of expression and the quality of these public discussions. Future legal decisions may need to adapt to the realities of algorithm - driven content curation, creating guidelines that balance the rights of platforms to moderate content with the public's right to access a wide range of ideas. In a rapidly changing environment, ongoing legal challenges are essential in setting the laws that control interaction between technology, speech, and society overall.

The Legality of the Electoral College, by Olivia Yurkus

With recent election cycles focussing on a select number of “swing states”, the Electoral College's legal role in American government has come into question. The Electoral College is the process used in the United States to *indirectly* elect the president and vice president. A set number of “electoral” votes represents each state, and after the popular vote is taken, a matching number of “electors” cast their ballots, usually in accordance with their states popular vote. The main issue surrounding the Electoral College is whether it fairly represents the will of the people- the system sometimes produces outcomes where the winner of the popular vote does not

win the presidency. The Electoral College has been in place to elect every single president, but times are changing, and its relevance and necessity is seeming to wane. Due to its legal and democratic fallacies, the Electoral College has outlived its usefulness and should be abolished —the President should be elected by popular vote, just like members of Congress are.

The Founding Fathers established the Electoral College, partly as a compromise between the election of the President by a vote in Congress and election of the President by a popular vote of qualified citizens. The difficulties faced by obtaining an accurate popular vote, due to travel hardships at the time, made this seem like the best option. But since then, voting has grown more and more accessible, leaving citizens to wonder what legal role the Electoral College actually fulfills. The U.S. Constitution outlines the role of the Electoral College, in Article II, Section 1. This section defines the process for selecting electors, and grants each state a number of electors equal to its *total* number of senators and representatives. The Constitution leaves it to state legislatures to decide how electors are chosen. The first modifying act relating to the Electoral College was the 12th Amendment, which modified the original process. It created separate ballots for president and vice president. That addressed problems from earlier elections, especially the 1800 election, when candidates Thomas Jefferson and Aaron Burr tied for president. The 23rd Amendment, in 1961, gave Washington, D.C. electoral votes, allowing residents to participate in presidential elections. D.C. now receives three electoral votes, the same as the least populous state. The final legal provision related to the Electoral College is U.S. Code - Title 3, Chapter 1 (Electoral Count Act): This law provides detailed rules on how electors cast and count their votes. It governs the procedures for certifying electoral results and resolving disputes during the counting process. The Electoral College is a highly regulated system with history on its side, yet it has no place in today's world.

Democracy is the founding principle of America, where everyone's vote should have the same power. The Electoral College should be abolished because it undermines the principle of "one person, one vote." In the current system, a candidate can win the presidency without winning the popular vote, as we saw in the 2000 and 2016 elections. This creates a disconnect between what the majority of Americans want and the actual outcome of the election. In 2016, Hillary Clinton won the popular vote by nearly 3 million votes, yet Donald Trump won the presidency by winning the Electoral College. If 3 million more citizens, in a representative democracy, wanted Clinton as a president, then she should have been elected.

The system also gives disproportionate power to smaller states, making votes in places like Wyoming more valuable than votes in larger states like California. For example, in 2020, Wyoming had about one electoral vote for every 195,000 people, while California had about one electoral vote for every 713,000 people. This disparity means that a vote in Wyoming has more than three times the weight of a vote in California, giving small states an outsized role in determining the outcome of the election. Why should one person's vote have the power of three just due to state residency? In the past, legal challenges, such as Reynolds v. Sims (1964), have emphasized the importance of everyone's vote counting equally, requiring state legislative districts to have roughly equal populations. While Reynolds applied this principle to state legislatures, it does not extend to states in the presidential elections. The Voting Rights Act of 1965 further reinforces the importance of equal representation, yet the Electoral College system persists. This disproportionate power for smaller states is a direct conflict with American alignment with democratic ideals, and threatens the legality of the Electoral College.

Not only this, but in most states, the winner of the popular vote gets all the state's electoral votes, even if the margin of victory is narrow. This system places disproportionate

importance on "swing states" — states where the vote is closely contested. This results in presidential nominees campaigning almost solely in “swing states” and failing to pay attention to the rest of the country. Not only that, but the full electoral vote going to a candidate who barely won the popular vote is direct ignorance of voter’s voices. In Bush v. Gore (2000), the contestment of Florida underscores how this system can lead to contentious outcomes. In that election, George W. Bush won Florida by just 537 votes out of over 6 million cast, yet he received all of the state’s 25 electoral votes, which ultimately secured his presidency. This “winner-takes-all” approach ignores votes and voices of the 3 million Florida citizens that voted for Al Gore. A final threat due to this revolves around presidential powers. A president who was not elected by the majority of American citizens has the power to appoint a Supreme Court Judge that will make laws over those same American citizens. That is unfair— if a majority of Americans voted against a candidate, why should the people be directly subjected to their decisions? Abolishing the Electoral College would ensure that every vote counts equally, reflecting the true will of the people.

Yet another issue is the actual act of electors voting in the Electoral College. Although electors are expected to vote according to the popular vote in their state, they are not always required to do so. This opens the possibility of "faithless electors" who might vote for someone other than the winner in their state, therefore affecting the election outcome. This happened in Colorado, where a Democratic elector violated his pledge to vote for Clinton, the candidate chosen by the voters in that state. Colorado’s secretary of state removed the elector from his post and replaced him with someone who proceeded to vote for Clinton. In this case, the U.S. Court of Appeals for the Tenth Circuit ruled against the state, holding that it lacked constitutional authority to remove and replace faithless electors. While electors vote as expected 99% of the

time, these outlying “faithless” electors would not be a concern if the Electoral College was not in place.

Overall, the Electoral College should be abolished because it distorts key democratic principles by giving disproportionate power to small states and undermining the idea of equal representation. The system was designed over 200 years ago, in a time when the country and its electorate were very different, and it no longer fits modern democratic values. It directly opposes the core principle of "one person, one vote," as it allows smaller states to have more influence than larger states. The system also magnifies the importance of swing states, where the outcome of the election is often decided, leaving voters in safe states with less impact. Abolishing the Electoral College would ensure that every vote counts equally and reflect the *true will* of the people, making the election process more democratic and fair. Legal precedent is destroyed when it comes to the Electoral College- equal say only matters on a smaller scale. No other system is granted the leeway to rise above American democracy and distort equal representation, so why would that opportunity be offered to a system deciding the most important role in American government? The Constitution, despite being a founding document, is able to be amended, and in this case, it should be. The Electoral System is no longer necessary, reasonable, or fair. It continues to pose a direct opposition to American ideals by blatant ignorance of democracy, legal precedent, and equality. It’s time to replace an outdated, outrageously unfair system with one that extends true democracy and gives all Americans an equal say in choosing their president.

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Gender Bias in Courtrooms, by Ridhima Bhat

Legal courts promise to evaluate the constitutionality of legal conflicts and to bring justice to all parties involved —unless you’re a woman.

Women in the courtroom have faced centuries of gender bias, or the automatic assumption and mental association based on gender, often when women are seen as inferior and untrustworthy. Gender bias in the courtroom denies women equal justice and treatment. This often begins with simple microaggressions; cases filed by men take an average of 346 days, while cases filed by women endure for 392 days; or the false perception that women are more likely to be liars, then it escalates by damaging the lives of women and others around them.

Despite the legal principle of impartiality, gender bias continues to dominate courtroom proceedings, specifically those surrounding divorce and domestic violence, and allows for mistreatment toward female attorneys.

Women have been seen as inferior and weak for generations. There has been an integration of those traditional ideas into modern society, and women are afraid to speak up and out more than ever. Our society continues to provide support for male authority and expects female obedience. In courtrooms, this blatant sexism is what perpetuates the further mistreatment of women. They encounter a prosecution with such efficiency and quickness that would likely be absent if the roles were reversed.

Gender bias can affect the outcomes of divorce-based cases, specifically on the holdings of martial asset divisions. Historically, divorce disadvantaged women the most, as they were not allowed to own any property, and the men were always the breadwinners of the family. Today, the courtroom undervalues women's contributions in the home, creating further disparities. A report conducted by the Florida Supreme Court on gender bias stated that men customarily retain more than half of the assets of the marriage and leave with an enhanced earning capacity in

divorce cases. (1990). On the other hand, the U.S. Government Accountability Office (GAO) stated that women are more likely to experience financial hardship after a divorce. While men's income will typically decrease by around 23% after a divorce, women's income decreases by around 41%, an almost 20% difference (2020). These disparities are a result of two main factors: parental alienation claims and gendered expectations in the home. Parental alienation is a tactic used in custody battles where one parent deliberately expresses unwarranted negativity toward the other parent in front of their child. These claims can sometimes be accepted by courts

without sufficient evidence. In 68% of the court cases between 1989 to 2008 that involved custody battles with parental alienation, the mother was an alienating parent (Bala, Hunt, and McCarney 2010). Gender bias increases the likelihood of women being framed this way; mothers are assumed to be the primary caregivers and therefore held to a higher standard when it comes to their relationship with the child. Not only is it harmful and dangerous to the women it is poorly mislabeled, but also poses a threat to the children involved.

A study conducted by Jennifer Bennett Shinall looked at the implications of gender bias in divorce cases. She gathered over 3,000 participants who were all given the same background information on a couple wanting to get a divorce: Sandra and Tom both worked as accountants until their first child. Then, one of them decided to quit their job and take care of the family. The participants were then randomly allocated to one of four conditions. In two of the conditions (A-B), the participants were told that Sandra became a stay-at-home mom, and the couple lived off of Tom's salary. In the next two conditions (C-D), Sandra was viewed as the primary breadwinner. The participants were then asked to determine how they would divide the $2 million net assets fairly between Tom and Sandra. On average, the person who was the breadwinner of the family gained more of the assets, regardless of gender. However, the amount

Sandra earned when she was the breadwinner was significantly less than Tom's. On average, Tom received 59.81% of the assets, while Sandra received only 55.18% of assets —a difference of $92,600. Men are more likely to be the breadwinners of the family, partially due to the expectation of women to uphold a traditional role. The economic position forced upon them ultimately discredits them from gaining a fair portion of the assets in divorce.

Bias against women can also be seen in cases involving violence, particularly domestic violence

and spousal abuse. Domestic violence is a pervasive and devastating issue that affects individuals of all genders, but women, in particular, continue to face higher rates of physical, emotional, and psychological abuse in intimate relationships. Around 44% of abuse cases go unreported, and when they are brought to court, women receive further mistreatment and are villainized. In the New Jersey case State v. Kelly, (1984) the court illustrated gender bias in their mistreatment of the female defendants.

On May 24th, 1980, Gladys Kelly murdered her husband in New Jersey. Kelly claimed that her husband had been abusive, and had attacked her that night. Allegedly, she stabbed her husband with a pair of scissors in an act of self-defense. Mr. and Mrs. Kelly had been married for seven years, during which Ernest Kelly regularly came home drunk and attacked his wife. On the night of the murder, an inebriated Mr. Kelly reportedly grabbed the collar of his wife's dress, choked her, punched her, and then bit her leg, all while in public. After bystanders managed to pull them apart, Mr. Kelly lunged toward Mrs. Kelly. Fearing for her life, she grabbed scissors from her pocketbook in an attempt to scare him off but instead stabbed him.

About 1 in 5 women have ever had an intimate partner inflict severe physical violence, according to the CDC. Despite these high rates, the legal system is unfit for handling cases involving domestic violence. This is seen in State v. Kelly, in which the court directly neglected

the expert testimony given on the mental state of Mrs. Kelly, which labeled her as a person with battered women's syndrome.

Battered women's syndrome (BWS) is a form of PTSD that women have from living with an intimate male violent partner. This syndrome has physiological effects on a person's mental health such as intrusive memories, dissociation, and higher levels of anxiety. There are

three phases to BWS. The first phase is the tension-building phase, where the abuser becomes increasingly aggravated and irritable. The second; an acute battering incident, where the abuser has a violent outburst. The final phase is the honeymoon phase, where the abuser displays remorse and guilt. This represents a repetitive cycle of abuse and illustrates why many women do not leave their abusers. (Cohen 2024).

Despite this, a popular misconception of BWS is that many women are masochists, and are free to leave their abusers at any point in time but simply choose not to. A defendant can claim self-defense but only in situations that highlight an absolute necessity. While an expert testimony would have helped Kelly's case and illustrated to the jury the severity of her situation, the state continued to undermine the defendant by impeaching her credibility. Kelly's prior conviction for conspiracy to robbery from almost a decade earlier and her history of drugs and alcohol were constantly brought up in front of the jury, an obvious attempt to vilify the defendant. The court stated that BWS only explained that Kelly perceived herself to be in danger, and not if that perception was reasonable. In the end, Mrs. Kelly was seen as an aggressor– someone who intended to kill her husband—and was charged with reckless manslaughter. Due to the inability to understand the cycle of abuse and the physiological impact on women, prosecutors, juries, and even judges tend to be more hostile toward women.

This is a harsh reality for many women that courts continue to ignore. Alongside the physical and emotional trauma that they face in their relationships, there is also a social stigmatization that makes it more difficult for them to ask for help. Courtrooms continue to shame women for staying in abusive relationships. There are also limitations to the resources for domestic violence victims, and many women may believe that it would be safer to not leave their

current situation. These women may only be free once they succumb to their injuries—and die. Women continue to be undervalued and disregarded when needing justice, but gender bias in the courtroom does not stop there. Female attorneys often face many obstacles during their careers that their male counterparts do not. For example, women are more likely to be interrupted, mistaken for non-lawyers, and to be given busy work (Elsesser 2018). Female lawyers are also underrepresented in positions of power, despite having the same education as the men around them. According to a 2021 report by the American Bar Association (ABA), while women account for nearly 40% of lawyers in the United States, they represent only 24% of equity partners at large law firms. There is also a large gap in the salaries between men and women. For every dollar a man makes, a woman makes 84 cents. These disadvantages are rooted in systematic inequality that makes it all the more difficult for women to become successful, high-paying attorneys. Unfortunately, even in situations where female lawyers do reach higher positions, they still are not respected. Often, these women are critiqued for their assertive behavior. Society still expects women to be submissive; when female lawyers show dominance, they are often told to act more “feminine” or “ladylike”. This results in them being removed from essential cases. This mistreatment of female lawyers compared to their male counterparts not only hinders their professional growth and well-being but also perpetuates broader inequalities within the legal field, undermining the pursuit of true justice and equality.

Ending gender bias in courtrooms will not be an easy feat. The obstacles that women face are a direct reflection of the society that we created centuries ago, and these deeply rooted beliefs cannot simply go away. Before beginning with changes in institutions, smaller steps must be taken to reduce gender disparities. Many law schools should aim to teach students about

trauma-informed legal practices that will give proper support to women, particularly in domestic violence cases, along with teachings of the reduction of implicit bias, or subconscious feelings that one has. Courtrooms cannot claim to serve justice if they cannot even respect their attorneys, let alone the defendants or plaintiffs. Law firms must promote equal opportunities for men and women, by implementing policies to ensure that female lawyers have equal access to career advancement, leadership opportunities, and fair compensation. Finally, there should be more public awareness of the disparities that women face. As gender bias becomes a mainstream discussion, this newfound recognition can pressure policymakers and legal institutions to implement reforms.

Gender bias represents an outdated mindset in our society—and treats women as less than. From custody battles to discrimination in the workplace, women are constantly faced with obstacles that have been institutionalized and normalized. Gender bias is shameless and transparent sexism, and if nothing is done to reverse this blatant force against women, they will continue to suffer the consequences for years to come.

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Stories of Wrongfully Convicted Deathrow Inmates, by Maya Kollarmalil

Introduction

Wrongful convictions in the criminal justice system, especially those involving death row inmates, raise issues about fairness in a flawed system. Death row inmates who are later declared

innocent highlight the risks of convicting individuals with faulty evidence. This article will explore the causes, cases, and legal concepts associated with wrongful convictions, while analyzing key factors like flawed forensic evidence, the prosecution's misconduct, mistaken eyewitness testimony, and racial bias. By examining the case, it will argue that the risk of executing innocent people accounts for the abolition of the death penalty.

Wrongful Convictions and the Death Penalty: Defining the Legal Issue

The central issue of wrongful convictions in death penalty cases revolves around the irreversible consequences of a flawed legal process. The criminal justice system is designed to find the guilty, but due to the prosecution's misconduct, innocent people are occasionally sentenced to death. These wrongful convictions often come from flaws in eyewitness testimony, forensic evidence, and police investigations. In the most severe cases, death row inmates are executed, sometimes years after being convicted for crimes they never committed. This issue presents serious legal and human rights concerns, as once an execution is carried out, it cannot be undone, that life is lost.

Cameron Todd Willingham: A Case of Faulty Forensics

Cameron Todd Willingham's case demonstrates the dangers of flawed forensic evidence in numerous death penalty convictions. Cameron was convicted in 1992 of setting fire to his three children, enormously based on testimony from forensic experts who later said that their findings were scientifically inaccurate. Cameron was executed in 2004, despite the evidence that the fire

was likely accidental. Later, investigations were carried out by fire scientists, showing that the fire's cause was not arson but rather an accident, which resulted in Cameron's wrongful execution.

The case highlights the "scientific reliability" in criminal trials, particularly death penalty cases. Under the Frye Standard (Frye v. United States, 1923), scientific evidence must be "generally

accepted" by the majority of the scientific community to be issued in court. In Cameron's case, the arson evidence used in his trial did not meet this standard as the majority didn't agree, yet it was presented as conclusive proof of his guilt. This failure explains the danger of relying on forensic testimony that lacks scientific credibility, especially when it influences decisions on a death sentence.

Legal precedent in Daubert v. Merrell Dow Pharmaceuticals (1993) further clarified the standard for use of the testimony. The Daubert ruling requires that judges test whether the methodology witnesses use is based on sound science. This rule could have prevented Cameron's wrongful conviction if applied properly, but this wasn't the case in his case. Cameron's execution calls into question if death penalty cases, with their irreversible consequences, should be subject to careful examination of the forensic evidence.

Anthony Ray Hinton: The Failure of Testimony & the Faulty Evidence

Anthony Ray Hinton's case gives context to prove the dangers of mistaken eyewitness testimony

and inaccurate forensic analysis, both of which played a role in his wrongful conviction. Hinton was sentenced to death in 1985 for two murders he did not commit, based largely on forensic analysis that mistakenly matched bullets from the crime scene to Hinton's “weapon”. The conviction was later overturned after new evidence tests proved that the bullets did not match Hinton’s gun. Hinton had spent nearly 30 years on death row before being exonerated in 2014. The legal principle in Hinton’s case is the "reliability of forensic evidence" and its use in trials. Misidentifications of eyewitnesses are another common factor in wrongful convictions. In Neil v. Biggers (1972), the U.S. Supreme Court ruled that eyewitness testimony must meet specific

reliability criteria, including the witness's opportunity to observe the suspect. In Hinton's case, the forensic evidence—specifically the misidentification of the bullets—was flawed. The decision highlights the importance of ensuring the reliability of forensic experts before relying on such testimony to convict a person, particularly in death penalty cases where the consequences are interchangeable.

Hinton's exoneration and the flaws in the forensic “evidence” used against him highlight the need for stronger standards in criminal investigations, particularly in cases where someone’s life is at cost. This case also emphasizes the role of ineffective defense counsel in cases, as Hinton's original lawyer was never adamant about challenging the faulty forensic evidence effectively.

The Legal Principle of Prosecutorial Misconduct: A Look at Brady v. Maryland

Prosecutorial misconduct is another significant cause of wrongful convictions in death penalty cases. Prosecutors are supposed to disclose evidence—evidence that might exonerate the

defendant—to the defense. The Brady v. Maryland (1963) ruling established the legal standard that failure to disclose evidence violates the defendant's right to a fair trial. The Brady ruling clarified that withholding evidence that could potentially prove innocence is "unconstitutional", yet this happens far too often in death penalty cases.

In the case of Kerry Max Cook, whose wrongful conviction for the 1985 murder of Linda Mae was based on a confession, prosecutorial misconduct played a central role in his decades-long fight for exoneration. Cook's conviction was overturned in 1997 after DNA testing revealed that another person, not Cook, had committed the crime. During Cook's trial, the prosecution withheld the evidence, including critical DNA evidence that could have exonerated him.

The Brady principle holds that withholding evidence that was harmful to the prosecution's case is a violation of the defendant's due process rights, and this standard should be strictly enforced in death penalty cases. Failure to stick to Brady standards itself continues to show integrity throughout the trial process, especially when a person's life is at stake. In Cook's case, the withholding of crucial evidence delayed the truth for years, ultimately lengthening his time on death row.

Racial Bias and the Death Penalty: The Role of Discriminatory Practices

Racial bias is an unfortunate truth of the death penalty, and it plays a significant role in wrongful convictions, particularly among African American defendants. Research has shown that individuals of color, especially African Americans, are sentenced to death, particularly when the victim is white. Studies such as those cited in McCleskey v. Kemp (1987) suggest that racial prejudice may affect sentencing decisions which leads to the death penalty cases.

In McCleskey v. Kemp, the U.S. Supreme Court ruled that statistical evidence showing racial bias

in death penalty cases did not constitute a violation of the Constitution. However, the ruling ignored the broader systemic racism present in the criminal justice system. The impact of racial bias is evident in the case of Mickey McGuire, an African American man who was wrongfully convicted of murder in a case ruined by racial prejudice. McGuire's case, like many others, illustrates how racial bias can result in the wrongful conviction of innocent individuals.

Conclusion

The wrongful convictions of death row inmates highlight critical flaws in the criminal justice system, particularly in cases involving forensic evidence, eyewitness testimony, prosecutorial

misconduct, and racial bias. These cases show that the justice system is not flawless, and the irreversible part of the death penalty makes it an especially dangerous punishment in cases of wrongful conviction. The stories of individuals like Cameron Todd Willingham, Anthony Ray Hinton, Kerry Max Cook, and Mickey McGuire show the human cost of these errors and the lives at stake. Legal examples such as Brady v. Maryland and Frye v. United States emphasize the importance of reliable evidence and the protection of defendants' rights in death penalty cases.

The application of the death penalty considering these wrongful convictions raises significant

legal concerns. A ban on executions or the abolition of the death penalty altogether is a necessary step in preventing irreversible parts of justice. By addressing these systemic issues and raising concerns about the principles of fairness, reliability, and due process, the criminal justice system can begin to correct these past wrongs and ensure that innocent individuals are not wrongfully executed.

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An Examination of the Age of Consent, by Yexelan Cortez

The Age of Consent in the United States is Time for a Change? Why is No One Educated On the Topic?

Yexalen Cortes

A relationship between an adult, and a minor is legal as long as the relationship is not sexual, but is that morally right?

Out of the fifty states, thirty-one have established the age of consent to be at sixteen. So depending on the age-gap, and the state the couple is in, could change the outcome of the legal procedures around it.

Each state has their own age of consent, Romeo and Juliet Law, and its own definition of sexual contact. Along with the term of sexual contact, some states refer to it with the usage of different names:

- Sexual intercourse
- Sexual conduct
- Acts of penetration

With all of the terms used to reference the same thing, states still have different additional activities that can fall under these phrases.

In California, sexual contact (sexual intercourse) refers to the activities of penetration of the vagina by the penis. California has the age of consent set to eighteen, and has no Romeo and Juliet, and California Penal Code §§261.5(a) and (d) states that it is Statutory Rape is when a minor, sixteen-or younger, has sexual intercourse with someone twenty-one years old, or older.

Besides California, Texas uses both sexual contact, and acts of penetration when references to sexual relationships. In Texas, the age of consent is seventeen, and includes a Romeo and Juliet

Law. For Texas, their law indicated that anyone between the ages of fourteen and seventeen can provide their consent to anyone within three years of their age. Texas also indicates that the penetration of the anus, any sexual organ, or mouth, of a minor by an adult, is illegal. It also indicates that if the minors' genitals make contact with the adults: mouth, anus, or any sexual organ is also illegal.

With this in mind, how can states like: Hawaii, Idaho, Montana, Nevada, New Mexico, and Washington have the age of consent set to sixteen?

Speaking internationally, European countries like France, have recently added an age of consent. Before 2017, France had no age of consent set, and is now set at fifteen (Penal Code Article 227-25). In 2017, the country investigated two cases, where two eleven-year old girls were having sexual conduct with men over the age of twenty-eight. Because there was no age of consent implemented, these men were not charged with Statutory Rape. So in 2018, fifteen became the minimum age of consent in France.

Additionally, there is no reason to maintain the age of consent to be this young. Teenagers are not mature enough to give their consent to acts of penetration. With the increase of hormones in teenagers, they are not in the right state of mind to be offering their consent. With all of this in mind, the age of consent has been neglected in the United States, and those thirty-one states with the implementation of consenting at sixteen, should be abolished, and changed to eighteen nationally. Not only should the age be changed, but also the effects of it.

California has Statutory Rape as something known as a “wobbler”: In California Law, this refers to a crime that can be punished by either a felony or a misdemeanor. This means that the prosecutor is the one to make the decision. Giving a felony means: sixteen months, two or three years in prison, up to $10,000 in fines, and/or felony probation. Felony probation refers to sentencing which is an alternative to prison. It still requires you to serve all parts of your sentence by abiding to all the terms and conditions of probation, and reporting to a probation officer.

Texas is a state that has Statutory Rape set to a second degree felony. Meaning that someone can be convicted with two to twenty years of prison, and up to $10,000 in fines.

Some states fail to realize who the big issue truly is, and many disregard it. Although many states have clear age of consent laws implemented, many people have failed, and are completely unaware of these laws.

Case 1: Students talking and romanticizing relationships with adults, without realizing that it is a crime.

Case 2: Male in particular being applauded and honored for dating older girls as minors.
Case 3: Girls getting slut-shammed for dating older men, and ultimately getting blamed when things go wrong.

Schools lack education on age-gap relationships, as well as education on consent laws. California Education Code Chapter 15.5 67386 (a) indicates that for higher education to receive funding, they must educate students on domestic and dating violence.

(1) Indicates that students must learn what consent is. It ensures that students know that consent requires both parties to be conscious. It also highlights being sober, and force not being implemented.

With higher education (universities and colleges) offering this, so should high schools and middle schools. Although it might be viewed as controversial because they may appear to be younger, most schools already have mandated health classes for seventh grade students. In order to have a preventative measure set on age-gap relationships, middle and high school health classes should implement the law behind consent into the required markings.

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Op-Ed's

Student Protests, by Bridgette Jeonaire

Since the 1900s, college aged students have been at the forefront of anti-war protests, criticizing the American government for their involvement and influence in foreign wars which have impacted many innocent lives. Many college campuses, most notably Columbia University have long held student bodies who are notorious for speaking out against these humanitarian issues.

The Vietnam War student-led protests paved the path for anti-war protests on college campuses, most notably in Columbia University.

In 1955, The Vietnam War was a proxy war fought between the USSR and United States during the period of the Cold War, as a result of the widespread fear of communism within the US. (Vietnam War, Khan Academy, 2016)

Over the course of the war, there were nearly 59,000 casualties, with 55,000 of them being within the region of South Vietnamese, where the US was supposedly holding power.

Within the 20 year-long war there were many, arguably unnecessary, deaths for America and Vietnamese soldiers; it also meant the rise of anti-war outbursts, especially from students. These protests were one of the first times America saw mass demonstrations from young adults.

Student protests on college campuses, across the US, ramped up after 1965 when President Lyndon B. Jonson started enforcing more American military presence and 'bombing campaigns'. Many universities formed a Students for a Democratic Society (SDS) chapter, which heavily criticized and rejected the actions of the American government during the war. (Student Movements, Khan Academy, 2016)

On April 23, 1968, the SDS and other student protests staged a coup of Hamilton Hall, one of the academic buildings on the campus of Columbia University at New York City. Student protests took the building hostage as a sign of disagreement with US involvement in Vietnam. After a week of occupation, the New York City police department (1000 officers) stormed the building, arresting nearly 700 students and injuring nearly 100 (Daniel Arkin, NBC News, 2024).

The usage of Hamilton Hall, as a symbol of student protests, continued throughout the 20th century eventually resurfacing during this past year.

Since the beginning of 2024, there has been a wave of protests on college campuses, majority of which have been calling for campuses to divest from companies supporting the country of Israel, who is currently engaged in a war with Gaza and has severely harmed innocent citizens.

This past April, hundreds of college students set up 'encampments' on their campuses to protest the war in support of a free Palestinian, no longer affected by Israeli military or government officials.

On April 17, Columbia University students supported by the Students for Justice in Palestine and Jewish Voices of Peace, began their encampment on the front lawns of the instruction. While there were many efforts by Columbia University president Minouche Shafik to get rid of the encampments and protestors by employing the NYPD or threatening suspensions for student protestors. (Theo Andres, The College Voice, 2024)

As the days went, more and more encampments popped up across the nation including in Yale University, Harvard University, University of Southern California and University of California Los Angeles.

On April 30, student protests took a page out of their predecessors books and occupied Hamilton Hall, renaming it 'Hinds Hall' in efforts to commemorate the life of a palestinian girl who was killed by Israeli soldiers. Student protestors hung banners out of the windows stating their support for the Palestinian people and disappointment in their University. (Isha Banerjee, Columbia Spectator, 2024)

Similar to 1968, the NYPD stormed the hall Tuesday evening and arrested over 100 students though unlike the Vietnam protests, none of the students were injured.

While this marked a significant turning point in protests at Columbia and NYC at large, it sent a message that student protests around the country were not afraid to get their hands dirty and follow in the footsteps of those that came before them.

Although these student protests may not have ended the wars that they were fighting against, with the Vietnam war ending in 1975 and the Israel-Palestine conflict still ongoing, they certainly brought much attention to these events.

College campuses house some of the most diverse crowds, with young adults mixing in from all socio-economic backgrounds, cultures and religions. Young Adults will be the future of the world and their ability to advocate for the issues they care about reflect these protests. While some may not agree with what these students are protesting or even their actions to achieve attention — it is certainly admirable that they were able to get so many eyes on them both in the 1960s and in the 21st century.

Prior to 2024, we had yet to see such a mass movement of student activists, especially those that would get massive attention from the media and politicians. The ability to protest is so central to our ability to be leaders and having a democratic republic.

There is no doubt that the anti-war protests during the Vietnam War did not set a precedent for the future. In Columbia University, in particular, we see protestors directly repeat the actions of their predecessors because they have realized that the way to gain attention is by doing something out of the ordinary — taking over an academic hall.

These protests are both empowering and inspiring, not only for the public but mostly for youth, reminding students that their voices hold power and solidify their political presence.

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The Rise of AI, by Ali

The Rise of AI and Its Implications Artificial Intelligence has transitioned from a niche technology to a known tool worldwide. With spanning multiple career fields such as law, research topics, and more, AI's rapid expansion raises questions about its impact on existing legal frameworks and the cybersecurity network as a whole. As AI increases in its use and benefits, we must increase our understanding of its implications, which is crucial for drafting laws that address its unique challenges while reducing risks in cybersecurity threats and failures. AI systems, driven by machine learning, are transforming various sectors. Businesses leverage AI to automate processes and make decisions that normal employees may not have thought of. Governments also harness AI for purposes such as policing to smart infrastructure. However, the rise of AI also introduces new risks. On one hand, AI's ability to analyze vast amounts of data and make predictions can bolster cybersecurity efforts by identifying threats faster and more accurately than traditional methods. On the other hand, AI can be weaponized by hackers or political machinists, creating a race between AI developers and cybercriminals who use these same technologies to exploit vulnerabilities. Additionally, the evolution of Intellectual property laws can present challenges for individuals who are unfamiliar with legal intricacies.
AI-generated works, such as art and literature complicated legal matters surrounding ownership

and copyright. Traditionally, IP rights are assigned to human creators, but with the introduction of AI also comes the problem of distinguishing between human and AI work and what to do with IP rights. Who owns a piece of artwork created by an AI, or an invention generated through machine learning models?

We Show Up for You….When Will You Show Up for Us, by Chloe Cannon

I'm done. Me and countless other Black women are done. Election season is always heavy for Black women. The world expects us to save democracy, lead movements, and advocate for every cause. Yet, when we ask for help, when we demand the same energy for our struggles, we are often met with performative allyship or complete silence. The mental and emotional toll of these expectations is unbearable, and this election has left me feeling more exhausted than ever. I woke up the morning after the election with the same pit in my stomach I felt as an eight-year-old Black girl. Back then, I didn't fully understand politics, but I knew enough to feel afraid for myself and my community. That fear never went away. Eight years later, with a deeper understanding of the stakes, that pit has evolved into dread. I know what the next four years could bring, policies and rhetoric that threaten my rights, my safety, and my future. The burden of that knowledge is one I shouldn't have to carry alone, yet society continues to place it squarely on the shoulders of Black women. As I walked into school that morning, I carried that dread with me, and it only deepened. I could hear teachers….GROWN WHITE ADULTS, mocking students who were visibly upset, laughing at children who were let down and failed yet again. Their indifference to our pain felt like another betrayal, a reminder of how easily our struggles are dismissed, even by those entrusted to guide and support us. Adding insult to injury

is the trend of performative activism I've seen all over my For You page, white women wearing blue bracelets to signal they are a "safe space" for marginalized communities. While the intent may be well-meaning, it feels hollow. They can take off their bracelets at the end of the day. I can't take off my skin. Black women don't get the luxury of opting out of their identity or their oppression, and no amount of symbolism will ever change that. True allyship requires action, not just aesthetics. The constant expectation for Black women to be saviors is dehumanizing. We are not superheroes. We are not the eternal fixers of broken systems. We are human beings who deserve rest, support, and genuine solidarity. If the world wants us to keep showing up, it needs to show up for us too, not with empty gestures, but with meaningful change. Until then, I will carry that pit in my stomach. Not because I want to, but because society refuses to share the load. Black women are tired, and it's time the world finally listened.

Vehicle Emmissions, by Sophia Cuperstein

The Supreme Court has recently granted a writ of certiorari regarding a challenge to California's vehicle emissions policy. Fuel producers are objecting to a waiver that was granted by the Environmental Protection Agency (EPA) to California in 2022. The waiver allows the state to establish limits on vehicle emissions that are stricter than those set by the federal government. The stringent policies being set in place in California, and being adopted by states like New York and Oregon, limit the manufacturing capabilities of automakers and fuel producers.

The hearing will take place in the spring of 2025, where SCOTUS will focus its attention on whether or not big oil companies have the standing to challenge the EPA's waivers. When the case was first heard in a federal appeals court in Washington, it was ruled that these companies did not have the legal rights necessary to bring it forward.

Instead, the court stated that fuel producers were not directly affected by the waiver, which instead targets vehicle manufacturers. Although the company's lawyers claimed the effects on oil production are "a matter of common sense" the court's verdict was not redacted. This business-oriented appeal would make it easier for big companies to challenge federal statutes and shift the direction of environmental policies in America.

The appeal will be bolstered by the Trump administration, whose policies are predicted to be in favor of industry giants. President-elect Trump has promised to increase fossil fuel production and attempt to repeal the waivers the EPA has granted to California. Additionally, the conservative-majority court has not been kind to environmental mandates as it has been responsible for limiting the EPA's carbon dioxide regulating authority. Overall, the case will create a new standard for big businesses and has the possibility of revolutionizing vehicle emission regulation.

Duren v. Missouri, by Kaylee Fraim

Duren v. Missouri - Kaylee Fraim

States and counties are entitled to their method of due process and rights illustrated by their constitution, as long as their written legal system does not overlap with the Constitution. An act done by inferior powers under the federal government can be the violation of constitutional rights of an individual, as showcased in several cases like Duren v. Missouri. Duren v. Missouri was a landmark case that emphasized the right to fair trial and impartial jury selection. This case possesses themes of gender discrimination and the proper jury selection process as the Supreme Court considered in their ruling. The Supreme Court associated this case in violation of the Sixth and Fourteenth Amendments concerning the right to trial and fair jury selection.

A following county of Missouri, Jackson County, had defendant, Billy Duren, accused of first-degree murder and first-degree robbery. As a result, due process was followed and he was given a right of trial by jury, but the jury selection process varied in Jackson County in comparison to uniform process. The juror selection process consists of voter lists or licensed drivers in compliance with The Jury Selection and Service Act of 1861. Missouri abided by this, but with the exemption of women on these lists unless these women voluntarily assisted in the process. This stemmed from an assumption that women would be reluctant to fulfill a governmental-active and political role, bestowing this process to mainly men. During 1979 within Missouri, 54% of the adult population were women, and only 26.7% prior to his case were summoned. As a result of this systemic exclusion, Duren's jury consisted of entirely males, from a panel of 48 men and only 5 women. Duren recognized the little political representation of women and petitioned this to the Missouri Supreme Court, as a violation of his constitutional rights.

To petition, Duren appealed this case to the Missouri Supreme Court. The Missouri Supreme Court initially questioned the source of this analysis, and several attributes associated with this petition, and originally concluded that did not violate the fair-cross-section established in Taylor v. Louisiana, in which illustrated the standard to declare a prima facie violation fowling this line of reasoning: "(1) the group which is excluded is a "distinctive" group within the community; (2) that the group's representation in the source from which juries are selected is not fair and reasonable in relation to the number of such persons in the community; and (3) that this underrepresentation results from systematic exclusion of the group in the jury-selection process" (Justia, 1979, 439 U.S. 357). This conclusion was then held, resulting

in the reexamination of this petition and declaring that this systematic exclusion of women violates the fair cross-section of the Sixth Amendment and enforced by the Fourteenth. This was based on the fact that an average of less than 15% women participated in jury within this county.

In an 8-1 majority, Justice Byron R. White delivered the court's opinion concerning this case. They concluded that Duren had provided sufficient evidence that Jackson County violated his constitutional rights of due process and right to fair trial. Accompanied by the lack of state willingness to justify female exclusion from jury participation, Duren demonstrated an underrepresented "distinctive" group referenced in a prima facie violation. Judge William H. Rehnquist digressed with this conclusion, believing that the Due Process Clause and Equal Protection clause were misused.

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Campaign Finance Reform, by Eshal Hameed

The primary issue at hand is the proficiency of current campaign finance laws in the United States in preventing corruption or the appearance of corruption in the political process, while simultaneously respecting First Amendment rights to free speech. This complex issue encompasses multiple critical dimensions, including the influence of wealthy individuals and corporations on political outcomes, the delicate balance between free speech protections and the prevention of corruption, and the long-term implications of the current campaign finance system on democratic representation and voter trust.

The issue of campaign finance reform has been a controversial topic in American politics for decades, with advocates arguing that stricter regulations are necessary to preserve the integrity of the democratic process, while opponents contend that such regulations infringe upon constitutionally protected free speech rights. The debate has intensified in recent years, particularly following the landmark Citizens United v. Federal Election Commission decision in 2010, which dramatically altered the landscape of campaign finance in the United States.

At its core, the issue revolves around the fundamental question of how money should be allowed to influence politics in a democratic society. This includes considerations of whether financial contributions and payments constitute a form of protected speech, the extent to which large donations can create actual or perceived corruption, and how to ensure that all citizens, regardless of their financial means, have a meaningful voice in the political process.

Furthermore, the issue extends to the practical implications of campaign finance regulations on the conduct of elections, the behavior of political candidates and parties, and the overall health of the democratic system. This includes examining the rise of Super PACs, the effectiveness of disclosure requirements, and the potential for campaign finance laws to mistakenly advantage occupants or entrenched political interests.

The legal framework governing campaign finance in the United States is primarily shaped by two key Supreme Court decisions, along with subsequent legislation and regulatory actions. This framework has evolved significantly over time, reflecting changing interpretations of the Constitution and shifting political priorities:

Citizens United v. Federal Election Commission (2010)

This landmark case fundamentally reshaped the landscape of campaign finance law in the United States. In a 5-4 decision, the Supreme Court ruled that the government cannot restrict independent political expenditures by corporations, labor unions, and other associations. The Court's key holdings include:

● Prohibitions on corporate independent expenditures violate the First Amendment.

● Restrictions on electioneering communications by corporations are unconstitutional.

● Reporting and disclaimer requirements for independent expenditures and electioneering communications are constitutional.

The majority opinion, written by Justice Kennedy, argued that political speech is indispensable to democracy and that the First Amendment prohibits restrictions on political speech based on the speaker's corporate identity. The Court reasoned that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption. This decision overturned portions of the Bipartisan Campaign Reform Act of 2002 (also known as the McCain-Feingold Act) and partially overruled Austin v. Michigan Chamber of Commerce (1990), which had previously upheld restrictions on corporate spending to support or oppose political candidates.

The Citizens United ruling has had far-reaching consequences, leading to the creation of Super PACs and a significant increase in outside spending in elections. It has been praised by some as a victory for free speech but criticized by others as opening the floodgates to unlimited corporate influence in politics.

Buckley v. Valeo (1976)

This earlier case established key principles in campaign finance law that continue to shape the legal landscape today. The Court's decision in Buckley addressed various provisions of the Federal Election Campaign Act of 1971 and its 1974 amendments. The key holdings include:

● Limits on contributions to candidates are constitutional as they serve the government's interest in preventing corruption.

● Limits on overall campaign expenditures, independent expenditures, and candidates' personal funds are unconstitutional as they impinge on free speech without sufficient justification.

● Disclosure and reporting requirements are generally constitutional and serve important governmental interests.

The Court in Buckley drew a crucial distinction between contributions and expenditures, reasoning that contributions could be limited because they presented a greater risk of quid pro quo corruption. However, the Court found that limits on expenditures posed a greater threat to free speech and were not sufficiently justified by the government's interest in preventing corruption.

This decision established the framework for much of modern campaign finance law, introducing the concept that money in politics is a form of protected speech under the First Amendment. It also set the stage for future debates about the nature of corruption in politics and the appropriate means of regulating campaign finance.

Additional Legal Framework

● Federal Election Campaign Act (FECA) of 1971 and its 1974 amendments: This legislation established contribution limits, disclosure requirements, and created the Federal Election Commission (FEC) to enforce campaign finance laws.

● Bipartisan Campaign Reform Act (BCRA) of 2002: Also known as the McCain-Feingold Act, this law banned soft money contributions to national political parties and restricted issue advocacy ads. While parts of BCRA were later struck down by Citizens United, other provisions remain in effect.

● SpeechNow.org v. FEC (2010): This D.C. Circuit Court decision, building on Citizens United, led to the creation of Super PACs by holding that limits on contributions to groups making only independent expenditures are unconstitutional.

● McCutcheon v. FEC (2014): This Supreme Court decision struck down aggregate limits on individual contributions to federal candidates, parties, and PACs, further loosening restrictions on campaign finance.

These laws and court decisions collectively form a complex and sometimes contradictory regulatory framework for campaign finance in the United States. They reflect ongoing tensions between efforts to limit the influence of money in politics and constitutional protections for political speech.

The current state of campaign finance law, as shaped by these court decisions and legislative actions, has significant implications for the political process and raises several concerns. This analysis will explore the various facets of the issue in depth.

1. Increased Corporate Influence

The Citizens United decision allows corporations and unions to spend unlimited amounts on independent political expenditures. This has led to a surge in spending by outside groups, potentially drowning out the voices of individual citizens. Proponents argue that this enhances free speech, while critics contend it distorts the democratic process.

Impact on Elections

In the 2020 election cycle, outside spending reached nearly $2.6 billion, a significant increase from pre-Citizens United levels. This massive influx of money has transformed the way campaigns are run and how political messages are disseminated. Large corporations and wealthy individuals now have unprecedented ability to influence elections through independent expenditures.

The rise of "dark money" groups, which don't disclose their donors, has made it harder to track the sources of political spending. This lack of transparency raises concerns about accountability and the potential for foreign influence in U.S. elections. It also makes it difficult for voters to make informed decisions, as they may not know who is behind the political messages they encounter.

Furthermore, the increased role of corporate money in politics has led to concerns about policy outcomes being skewed in favor of business interests at the expense of the general public. Critics argue that this creates a form of systemic corruption, where elected officials are more responsive to their donors than to their constituents.

2. Super PACs

These organizations can raise and spend unlimited amounts of money to advocate for or against political candidates, as long as they do not coordinate directly with campaigns.

Implications

Super PACs have become major players in elections, often outspending the candidates they support. This has led to a situation where a small number of wealthy donors can have an outsized influence on elections. In some cases, Super PACs have spent more money promoting or attacking candidates than the candidates' own campaigns.

The prohibition on coordination between Super PACs and campaigns is difficult to enforce, leading to

concerns about de facto corporations. Many Super PACs are run by former staffers or close associates of the candidates they support, raising questions about the reality of independence. This blurring of lines between campaigns and supposedly independent groups undermines the rationale behind allowing unlimited contributions to these organizations. Moreover, the rise of Super PACs has contributed to the increasing cost of running for office, potentially deterring qualified candidates who lack access to wealthy donors or personal fortunes. This could lead to a political system that is less representative of the general population.

Disclosure Requirements

While Citizens United upheld disclosure requirements, the effectiveness of these measures in providing transparency is debated. Some argue that the current system allows for "dark money" contributions that are difficult to trace.

Challenges

The rise of 501(c)(4) social welfare organizations and other non-profit groups has created avenues for undisclosed political spending. These organizations can engage in political activity as long as it's not their primary purpose, and they are not required to disclose their donors. This loophole has been exploited to channel large sums of money into political campaigns without public scrutiny.

Existing disclosure laws have not kept pace with the evolving landscape of political spending. The Federal Election Commission, tasked with enforcing campaign finance laws, has been criticized for its ineffectiveness, often deadlocking along partisan lines. This has led to a situation where even when disclosure requirements exist on paper, they may not be effectively enforced in practice.

Furthermore, the complex web of political organizations and the various ways money can be transferred between them make it challenging for the public and watchdog groups to follow the money trail. This haze in campaign finance undermines the principle of an informed electorate, which is crucial for a functioning democracy.

4. First Amendment Considerations

Advocates of the current system argue that campaign spending is a form of protected speech, and any limitations infringe upon First Amendment rights. Critics contend that unlimited spending gives outsized

influence to wealthy individuals and corporations.

Competing Perspectives

The Court has consistently held that money in politics is a form of speech protected by the First Amendment. This view is based on the idea that effective political communication in modern society requires the expenditure of money. Supporters of this perspective argue that limiting campaign spending is tantamount to limiting political speech itself.

Critics argue that equating money with speech effectively gives more "speech" to those with greater financial resources. They contend that this creates an uneven playing field in the political arena, where the

wealthy have a disproportionate ability to influence public discourse and policy outcomes. This, they argue, undermines the principle of political equality that is fundamental to democracy.

Moreover, some scholars argue that the Court's interpretation of the First Amendment in the context of campaign finance is overly broad. They suggest that reasonable regulations on campaign spending can coexist with robust protections for political speech, pointing to other democracies that have stricter campaign finance laws without compromising free expression.

Corruption Concerns

While the Court in Citizens United held that independent spendings do not give rise to corruption or the appearance of corruption, many scholars and policymakers disagree. They argue that the current system creates opportunities for trade-off arrangements and erodes public trust in the political process.

Evidence and Arguments

Studies have shown correlations between campaign contributions and legislative outcomes, though causation is difficult to prove. For example, research has indicated that members of Congress are more

likely to meet with and support policies favored by donors than non-donors. While this doesn't necessarily prove trade-off corruption, it suggests that money does influence political behavior.

Surveys consistently show that a majority of Americans believe that campaign contributions have a significant impact on policy outcomes and that the political system unfairly favors the wealthy and well-connected.

Critics argue that the Supreme Court's narrow definition of corruption as limited to trade-off arrangements fails to account for more subtle forms of influence. They contend that a system where large donors have greater access to politicians and more influence over policy creates a form of systemic corruption that is just as damaging to democracy as explicit bribery.

6. Wealth Disparity

The current system may exacerbate existing wealth disparities by allowing those with more financial resources to have a greater influence on political outcomes.

Consequences

Candidates may be more responsive to the concerns of wealthy donors than to those of average constituents. This can lead to policies that favor the affluent at the expense of the broader public interest. For example, studies have shown that policy outcomes in the United States tend to align more closely with the preferences of high-income individuals than with those of middle- or low-income groups.

The high cost of running for office can deter potential candidates who lack personal wealth or access to wealthy donors. This narrows the pool of viable candidates and can result in a political class that is not representative of the general population. It also creates a system where elected officials must spend a significant amount of time fundraising, potentially at the expense of other important duties.

Furthermore, the concentration of political influence among the wealthy can create a self-reinforcing cycle, where policies that benefit the affluent lead to greater wealth concentration, which in turn leads to even more political influence. This dynamic threatens to undermine the principle of political equality that is fundamental to democratic governance.

Academic Perspectives

Two academic sources provide additional insights into this debate, offering nuanced analyses of the challenges and potential solutions in campaign finance reform:

Hasen, Richard L. (2016). "Plutocrats United: Campaign Money, the Supreme Court, and the Distortion of American Elections." Yale University Press.

In this comprehensive work, Richard L. Hasen, a prominent election law scholar, argues that the current campaign finance system leads to political inequality and proposes reforms to limit the influence of money in politics while respecting First Amendment concerns.

Key points from Hasen's analysis include:

● The author contends that the Supreme Court's focus on trade-off corruption is too narrow and ignores broader issues of political equality. He argues that the Court should recognize political equality as a compelling government interest that can justify certain campaign finance regulations.

● Hasen proposes a system of vouchers for political contributions to democratize political influence. Under this system, each voter would receive a set amount of public funds that they could contribute to candidates or political organizations of their choice. This would give all citizens, regardless of their financial means, the ability to participate in campaign financing.

Issacharoff, Samuel, and Karlan, Pamela S. (1999). "The Hydraulics of Campaign Finance Reform." Texas
Law Review, 77(7), 1705-1738.

This seminal article, written well before Citizens United, offers a prescient analysis of the challenges inherent in campaign finance reform. Issacharoff and Karlan suggest that attempts to limit the flow of money in politics often result in that money finding new channels, likening it to water finding its way around obstacles. The authors argue for a more holistic approach to reform that considers these "hydraulic" effects.

Key insights from this article include:

● Political money, like water, will seek its own level. When one avenue of influence is closed off, the money tends to shift to other, less regulated channels. This principle explains why many campaign finance reforms have had unintended consequences and have often been less effective than their proponents hoped.

● The authors argue that this hydraulic principle makes many campaign finance reforms ultimately ineffective. For example, limits on direct contributions to candidates may lead to increased spending by political parties or outside groups.

These academic perspectives offer valuable insights into the complexities of campaign finance reform and highlight the need for nuanced, comprehensive approaches to addressing the influence of money in

politics. They underscore the challenges of crafting effective regulations in this area and the importance of considering both intended and unintended consequences of reform efforts.

Conclusion

The current state of campaign finance law in the United States, shaped by key Supreme Court decisions and legislative actions, presents a complex landscape with competing interests and concerns. While the Court has emphasized the importance of protecting political speech under the First Amendment, critics argue that the system allows for undue influence by wealthy individuals and corporations, potentially undermining the principles of democratic representation.

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