

In this debate, the critical question to consider is, “Which of the available options will best promote the interests of oppressed groups or individuals?” We are all gathered here with the intent of ameliorating the scourge of racism and have proposed three different paths to achieve this common goal. If we are truly committed to promoting the interests of oppressed groups, however, we will find that the most meaningful practical solution is that of the “smoking gun” version of the RJA as it navigates a true path to justice for those oppressed individuals denied justice in the courtrooms.

A review of the RJA in its original form reveals that it does not, in fact, promote the interests of oppressed individuals but merely wearies all those involved. Although the RJA has good intentions, it fails to fulfill its promises because the hearings turn into debates about the reliability of numbers in revealing discrimination rather than the injustice suffered by the victim unfairly sentenced to death. As Kent Scheidegger notes, “A difference in raw numbers between racial groups is not proof of discrimination...It is not even probable cause for a suspicion of discrimination” (*New York Times*). When the debate centers around the manipulation of numbers in this way, the RJA is “not a path to justice” (*CNN*). One of the reasons the RJA has met with such resistance may be the difficulty in assigning moral responsibility for implicit bias – a debate that exists in philosophical circles, not just the courtroom. By failing to assign moral culpability, however, and instead allowing statistics to distract from racial injustice, the RJA is not effective in promoting the interests of the oppressed groups.

If the RJA does not serve the oppressed groups, would oppressed individuals be better served by eliminating the RJA altogether? Again, this is clearly not the optimal path. A world without the RJA means that justice is not served at all: the victims of

racial bias sentenced to die will continue to be executed unjustly. Not only will these individuals fail to see justice served, this injustice will be evident to all who witnessed racial discrimination in the courtroom. In other words, the oppressed group at large will know that its interests and its cries for justice are falling on deaf ears.

We are left, then, to analyze the effectiveness of the “smoking gun” version of the RJA in promoting the interests of oppressed groups. This version of the RJA does not fall prey to the “numbers” downfall of the original RJA: by focusing on explicit instances of racism in the courtroom, these hearings are dedicated to remedying undeniable injustices rather than fighting over statistics. Additionally, the fact that justice is being served makes this option preferable to the elimination of the RJA. Thus, the “smoking gun” RJA promotes the interests of oppressed individuals because it both gives these individuals their lives back while signaling to the oppressed group that those who committed these racial injustices are morally blameworthy.