

Hybrid Bisexuals Multiracials And Other Misfits Under American Law Critical America

Black and Brown in America Bill Piatt 1997-04 Piatt (law Texas Tech U.) make a case for cooperation among people the dominant culture calls nonwhite and pits against each other for jobs and other privileges of modern society. He talks about the shrinking labor market, the re-segregation of public schools, language barriers, gang warfare, and voting coalitions. Annotation copyrighted by Book News, Inc., Portland, OR

Getting Over Equality Steven D. Smith 2001-09 8 Theism and Tolerance

Rape and the Culture of the Courtroom Andrew E. Taslitz 1999-06
A study of how rape stereotypes are used by defence lawyers to gain acquittals in the USA. The author also presents reform proposals, consistent with feminist theories of justice, designed to improve both the American adversary system in general and the way in which the system handles rape cases.

Please Don't Wish Me a Merry Christmas Stephen M. Feldman 1998-08 Nearly all discussions regarding the role of religion in American life build on two dominant assumptions: first, the separation of church and state is a constitutional principle that promotes democracy and equally protects the religious freedom of all Americans, especially religious outgroups; and second, this principle emerges as a uniquely American contribution to political theory. In *Please Don't Wish Me a Merry Christmas*, Stephen M. Feldman challenges both these assumptions. He argues that the separation of church and state primarily manifests and reinforces Christian domination in American society. Furthermore, Feldman reveals that the separation of church and state did not first arise in America, either at the time of the constitutional framing or

later. In challenging the dominant story of the separation of church and state, *Please Don't Wish Me a Merry Christmas* follows the historical path of two institutions - the Christian church and the state - from the origins of Christianity forward to the present day. Feldman thus focuses on the workings of power in a specific context: he interprets the development of Christian social power vis-a-vis the state and religious minorities, particularly the prototypical religious outgroup, Jews.

Black Rage Confronts the Law Paul Harris 1999-05 Harris, creator of the black rage defense, traces its origin. Emphasizing that the black rage defense must be enlisted responsibly and selectively, he skillfully distinguishes between applying an environmental defense and simply blaming society in the abstract for individual crimes. He also addresses the possibilities of a white rage defense and the more recent phenomenon of cultural defenses. He illustrates how a person's environment can and does affect his or her life and actions. Annotation copyrighted by Book News, Inc., Portland, OR

Notes of a Racial Caste Baby Bryan K. Fair 1999 Affirmative action, the playing field is now level? Fair ambitiously surveys the most common arguments for and against affirmative action. He argues that we must distinguish between America in the pre-civil rights movement era - when the law of the land was explicitly anti-black - and today's affirmative action policies - which are decidedly not anti-white. He concludes that the only just and effective way both to account for America's racial past and to negotiate.

Global Critical Race Feminism Adrien Katherine Wing 2000-05 An anthology containing some 30 essays which focus on topics including a critique of American feminist legal scholarship; motherhood and work in cultural context; Josephine Baker and the Cold War; the campaign against female circumcision; violence against Aboriginal women in Australia; and "marketization" and the status of women in China. Includes a foreword by social

justice activist and professor at the U. of California-Santa Cruz, Angela Y. Davis. Annotation copyrighted by Book News Inc., Portland, OR

Policing Hatred Jeannine Bell 2004-07-12 Explores the interaction of race and law enforcement in the controversial area of hate crime. Bell includes in her work the experiences of detectives who are women, Black, Latino, and Asian American, exploring the impact of the racial identity of both the hate crime victim and the officers' handling of bias crimes.

Taxing America Karen B. Brown 1997-01-01 In the winter of 1996, Steve Forbes--publisher, heir, and presidential candidate--captured the American imagination with his proposal for a flat tax. But while Mr. Forbes claimed that such a tax would level the economic playing field by eliminating countless loopholes and miles of red tape, his actual proposal betrayed such claims to fairness by overtaxing workers and undertaxing financial capital. In the face of recent proposals for dramatic and far-reaching tax reform, *Taxing America* takes a critical look at the way the federal government collects its revenue and exposes the bias at the heart of a system which claims to be objective and fair. Contrary to traditional tax scholarship, these writers argue that an awareness of disability discrimination, economic exploitation, heterosexism, sexism and racism is crucial to any analysis of tax policy. Gathering together essays whose topics range from federal housing policy to environmental clean-up costs to tax treaty policy making, Karen B. Brown and Mary Louise Fellows present a philosophy that is as simple as it is radical: economic arrangements contribute significantly to the creation of social hierarchies and the perpetuation of discrimination. Given this reality, Brown and Fellows maintain that the goal of the federal tax law should be social justice and the disruption of discriminatory and exploitative practices.

Black Men on Race, Gender, and Sexuality Devon Carbado 1999-07-01 In late 1995, the Million Man March drew hundreds

of thousands of black men to Washington, DC, and seemed even to skeptics a powerful sign not only of black male solidarity, but also of black racial solidarity. Yet while generating a sense of community and common purpose, the Million Man March, with its deliberate exclusion of women and implicit rejection of black gay men, also highlighted one of the central faultlines in African American politics: the role of gender and sexuality in antiracist agenda. In this groundbreaking anthology, a companion to the highly successful *Critical Race Feminism*, Devon Carbado changes the terms of the debate over racism, gender, and sexuality in black America. The essays cover such topics as the legal construction of black male identity, domestic abuse in the black community, the enduring power of black machismo, the politics of black male/white female relationships, racial essentialism, the role of black men in black women's quest for racial equality, and the heterosexist nature of black political engagement. Featuring work by Cornel West, Huey Newton, Henry Louis Gates, Jr., A. Leon Higginbotham, Jr., Houston Baker, Marlon T. Riggs, Dwight McBride, Michael Awkward, Ishmael Reed, Derrick Bell, and many others, Devon Carbado's anthology stakes out new territory in the American racial landscape. -- *Critical America*, A series edited by Richard Delgado and Jean Stephanic.

Law and Religion Stephen M. Feldman 2000-09 Twenty-two scholars of law, ethics, philosophy, and religion address the relationship between law and religion in America, offering insights into how religion relates to the public sphere, the Supreme Court, and liberal political theory. Also included is a section exploring "outsider views" of the separation of church and state. Specific chapters focus on issues such as why the state must subordinate religion, religious argument in a free and democratic society, and prayer in the public schools. c. Book News Inc.

Disoriented Robert Chang 2000-10 Does "Asian American" denote

an ethnic or racial identification? Is a person of mixed ancestry, the child of Euro- and Asian American parents, Asian American? What does it mean to refer to first generation Hmong refugees and fifth generation Chinese Americans both as Asian American? In *Disoriented: Asian Americans, Law, and the Nation State*, Robert Chang examines the current discourse on race and law and the implications of postmodern theory and affirmative action--all of which have largely excluded Asian Americans--in order to develop a theory of critical Asian American legal studies. Demonstrating that the ongoing debate surrounding multiculturalism and immigration in the U.S. is really a struggle over the meaning of "America," Chang reveals how the construction of Asian American-ness has become a necessary component in stabilizing a national American identity-- a fact Chang criticizes as harmful to Asian Americans. Defining the many "borders" that operate in positive and negative ways to construct America as we know it, Chang analyzes the position of Asian Americans within America's black/white racial paradigm, how "the family" operates as a stand-in for race and nation, and how the figure of the immigrant embodies a central contradiction in allegories of America. "Has profound political implications for race relations in the new century" —Michigan Law Review, May 2001

Critical Race Feminism, Second Edition Adrien Katherine Wing 2003-10 A classic anthology of writings on the legal status and lived experiences of women of color Now in its second edition, the acclaimed anthology *Critical Race Feminism* presents over 40 readings on the legal status of women of color by leading authors and scholars such as Anita Hill, Lani Guinier, Kathleen Neal Cleaver, and Angela Harris. The collection gives voice to Black, Latina, Asian, Native American, and Arab women, and explores both straight and queer perspectives. Both a forceful statement and a platform for change, the anthology addresses an ambitious range of subjects, from life in the workplace and motherhood to

sexual harassment, domestic violence, and other criminal justice issues. Extending beyond national borders, the volume tackles global issues such as the rights of Muslim women, immigration, multiculturalism, and global capitalism. Revealing how the historical experiences and contemporary realities of women of color are profoundly influenced by a legacy of racism and sexism that is neither linear nor logical, *Critical Race Feminism* serves up a panoramic perspective, illustrating how women of color can find strength in the face of oppression.

When Sorry Isn't Enough Roy L. Brooks 1999-06 PART 7 Jim Crow
Aftermath Leonard V. Kaplan 2001-08 Based on a conference held at the University of Wisconsin Law School in Feb. 2000.

Changing Race Clara E. Rodríguez 2000-07 An introduction to the dynamic complexity of American ethnic life and Latino identity Latinos are the fastest growing population group in the United States. Through their language and popular music Latinos are making their mark on American culture as never before. As the United States becomes Latinized, how will Latinos fit into America's divided racial landscape and how will they define their own racial and ethnic identity? Through strikingly original historical analysis, extensive personal interviews and a careful examination of census data, Clara E. Rodríguez shows that Latino identity is surprisingly fluid, situation-dependent, and constantly changing. She illustrates how the way Latinos are defining themselves, and refusing to define themselves, represents a powerful challenge to America's system of racial classification and American racism.

The Derrick Bell Reader Derrick Bell 2005-08 An authoritative collection of writings from a prominent public intellectual.

Playing it Safe Lisa Kloppenberg 2001-08 Official English, environmental issues, redress for racial wrongs, affirmative action, sexual preference, gender equality, and states' rights are some of the cases Kloppenberg (law, U. of Dayton) accuses the US high court of dodging. She details the strategies they use to

avoid controversy and the costs their inaction imposes on litigants and other seeking constitutional interpretation. c. Book News Inc.

Original Sin Samuel A. Marcossou 2002-06-17 Original Sin brings a rigorous review of the performance of the "new originalists" to the debate, applying their methodology to real cases. Marcossou focuses on the judicial decisions of Clarence Thomas, an avowed originalist who nevertheless advocates "color blind" readings of the Constitution which are at odds with the framers' ideas concerning anti-miscegenation and other laws.

The Empire Strikes Back Arthur D. Austin 1998-09 Austin (jurisprudence, Case Western Reserve University) addresses the fight for dominance between legal scholarship and the liberal white male establishment that currently dominates legal education and practice. He describes the struggle between the sometimes paranoid and antipragmatic "outsiders" (feminists, critical race theorists, and critical legal studies scholars) and the demographically larger camp of traditionalists which he believes to be imperious, closed-minded, and self-perpetuating. Annotation copyrighted by Book News, Inc., Portland, OR

Rethinking Commodification Martha Ertman 2005-08 In a world that is often ruled by buyers and sellers, those things that are often considered priceless become objects to be marketed and from which to earn a profit.

The Smart Culture Robert L. Hayman 2000-08 Interweaving narratives and dramatic case studies, the author argues that persistent beliefs in a natural hierarchy of intelligence among humans have affected the way intelligence has been measured since the founding of the American republic.

Alienated Victor C. Romero 2005-02-01 Throughout American history, the government has used U.S. citizenship and immigration law to protect privileged groups from less privileged ones, using citizenship as a "legitimate" proxy for otherwise invidious, and often unconstitutional, discrimination on the basis of race. While racial discrimination is rarely legally acceptable

today, profiling on the basis of citizenship is still largely unchecked, and has in fact arguably increased in the wake of the September 11 terror attacks on the United States. In this thoughtful examination of the intersection between American immigration and constitutional law, Victor C. Romero draws our attention to a “constitutional immigration law paradox” that reserves certain rights for U.S. citizens only, while simultaneously purporting to treat all people fairly under constitutional law regardless of citizenship. As a naturalized Filipino American, Romero brings an outsider's perspective to *Alienated*, forcing us to look at constitutional immigration law from the vantage point of people whose citizenship status is murky (either legally or from the viewpoint of other citizens and lawmakers), including foreign-born adoptees, undocumented immigrants, tourists, foreign students, and same-gender bi-national partners. Romero endorses an equality-based reading of the Constitution and advocates a new theoretical and practical approach that protects the individual rights of non-citizens without sacrificing their personhood.

From the Ground Up Luke W. Cole 2001 Presents case studies of grassroots activism for environmental justice, highlighting struggles against environmental hazards, toxic waste dumps, and polluting factories which often impact low-income and minority communities.

The Color of Crime Katheryn Russell-Brown 1999-09 As if crime and race in the US were not volatile enough issues independently, there is their explosive interface. This is the territory staked out by Russell (criminology and criminal justice, U. of Maryland), who probes racial stereotypes (some perpetuated by "scientific racism"), the hoaxes they have spawned, differing views of police actions by race, and affirmative race law. A public-police contact survey and case summaries of recent racial hoaxes are appended. Annotation copyrighted by Book News, Inc., Portland, OR

Hybrid Ruth Colker 1996-05 Examines the role of the law in

perpetuating the castigation and invisibility of bisexuals, multiracials, those with hidden disabilities, and others who fall into the gap created by bipolar legal categories. Chapters on a bi jurisprudence, sexual orientation, gender, race, disability, bipolar injustice, and invisible hybrids under the US census outline a framework for a new understanding of legal categories and look at the history of legal definitions of race, gender, and ability in the 20th century. Annotation copyright by Book News, Inc., Portland, OR

America's Colony Pedro A Malavet 2007-11 An examination of the legal relationship between U.S. and Puerto Rico.

Was Blind, But Now I See Barbara J. Flagg 1998 Law professor Flagg contends that most white people associate race with skin pigment: the less someone has of the latter, the less they have of the former. Thinking they have no race therefore, they proclaim their decisions to be race-neutral when they actually reflect white race-specific norms that are invisible to them. She shows how the blindness translates into institutional racism in laws, and suggests some reforms. Annotation copyrighted by Book News, Inc., Portland, OR

Negrophobia and Reasonable Racism Jody David Armour 2000 Jody Armour believes that, despite the fact that most whites today are racially well intentioned, race-based mistrust and misunderstanding pose one of the greatest obstacles to racial harmony in contemporary America. Beset by media images of black criminality, whites consistently cite statistics, trends, and past experiences to support their deep distrust of blacks, a distrust blacks deeply resent. *Negrophobia and Reasonable Racism* is a crucial book, at a crucial time, just as white America is gradually coming to understand the hidden travails of African American life: the suspicious glances in department stores, the baseless questioning by police, the inability to get a taxi. Armour shows convincingly how this phenomenon has been so persistent as to constitute, literally, a tax on African Americans, sapping

them of resources, opportunity, time, and energy. Skillfully drawing on a wide range of referents, from Greek mythology to Thomas Bayes, the father of statistics, Armour plumbs our racial psychology and in the process exposes the racialized nature of our daily life and of our legal system. Unlike so much recent writing on race in America, Jody Armour's book is no plaintive cry of despair. His perspective is rooted in a measured, even hopeful belief that we both must and can overcome racial bias. Toward that end, he introduces specific ways in which we can overcome the unconscious discrimination and the automatic negative responses that tax blacks and so trouble progressive whites.

Critical Race Narratives Carl Gutierrez-Jones 2001-08 The beating of Rodney King, the killing of Amadou Diallo, and the LAPD Rampart Scandal: these events have been interpreted by the courts, the media and the public in dramatically conflicting ways. Critical Race Narratives examines what is at stake in these conflicts and, in so doing, rethinks racial strife in the United States as a highly-charged struggle over different methods of reading and writing. Focusing in particular on the practice and theorization of narrative strategies, Gutiérrez-Jones engages many of the most influential texts in the recent race debates including *The Bell Curve*, *America in Black and White*, *The Alchemy of Race and Rights*, and *The Mismeasure of Man*. In the process, *Critical Race Narratives* pursues key questions posed by the texts as they work within, or against, disciplinary expectations: can critical engagements with narrative enable a more democratic dialogue regarding race? what promise does such experimentation hold for working through the traumatic legacy of racism in the United States? Throughout, *Critical Race Narratives* initiates a timely dialogue between race-focused narrative experiment in scholarly writing and similar work in literary texts and popular culture.

Why Lawsuits Are Good for America Carl T. Bogus 2003-07 Argues that lawsuits work far better than commonly understood

Judging by the frequency with which it makes an appearance in television news shows and late night stand up routines, the frivolous lawsuit has become part and parcel of our national culture. A woman sues McDonald's because she was scalded when she spilled her coffee. Thousands file lawsuits claiming they were injured by Agent Orange, silicone breast implants, or Bendectin although scientists report these substances do not cause the diseases in question. The United States, conventional wisdom has it, is a hyperlitigious society, propelled by avaricious lawyers, harebrained judges, and runaway juries. Lawsuits waste money and time and, moreover, many are simply groundless. Carl T. Bogus is not so sure. In *Why Lawsuits Are Good for America*, Bogus argues that common law works far better than commonly understood. Indeed, Bogus contends that while the system can and occasionally does produce "wrong" results, it is very difficult for it to make flatly irrational decisions. Blending history, theory, empirical data, and colorful case studies, Bogus explains why the common law, rather than being outdated, may be more necessary than ever. As Bogus sees it, the common law is an essential adjunct to governmental regulation—essential, in part, because it is not as easily manipulated by big business. Meanwhile, big business has launched an all out war on the common law. "Tort reform"—measures designed to make more difficult for individuals to sue corporations—one of the ten proposals in the Republican Contract With America, and George W. Bush's first major initiative as Governor of Texas. And much of what we have come to believe about the system comes from a coordinated propagandist effort by big business and its allies. Bogus makes a compelling case for the necessity of safeguarding the system from current assaults. *Why Lawsuits Are Good for America* provides broad historical overviews of the development of American common law, torts, products liability, as well as fresh and provocative arguments about the role of the system of "disciplined democracy" in the twenty-first century.

The Disability Pendulum Ruth Colker 2007-03 In "The Disability Pendulum", Ruth Colker presents the first legislative history of the enactment of the ADA in Congress and analyzes the first decade of judicial decisions under the act. She assesses the success and failure of the first ten years of litigation under the ADA, focusing on its three major titles: employment, public entities, and public accommodations. The book argues that despite an initial atmosphere of bipartisan support with the expectation that the ADA would make a significant difference in the lives of individuals with disabilities, judicial decisions have not been consistent with Congress' intentions. The courts have operated like a pendulum, at times swinging to a pro-disabled plaintiff and then back again to a pro-defendant stance. Colker offers insightful and practical suggestions on where to amend the act to make it more effective in defending disability rights, and also explains judicial hostility toward enforcing the act.

How the Left Can Win Arguments and Influence People John K. Wilson 2001 Describes ways in which the Left can effectively mobilize itself and Americans, who, according to the author, largely agree with progressive ideas.

Discrimination by Default Lu-in Wang 2008-04 Drawing on social psychology to detail three ways in which unconscious assumptions can lead to discrimination, this book demonstrates how these dynamics interact in medical care to produce an invisible, self-fulfilling, and self-perpetuating prophecy of racial disparity.

Science for Segregation John P. Jackson, Jr. 2005-08 With the fiftieth anniversary of the landmark Supreme Court decision *Brown v. Board of Education* now upon us, many have begun to reflect upon how the case altered the course of civil rights and education in America.

The Passions of Law Susan Bandes 2001-05 This anthology treats the role that emotions play, don't play, and ought to play in the practice and conception of law and justice. The work consists

largely of original essays, by scholars of law, theology, political science and philosophy.

The Gender Line Nancy Levit 2000-03 Despite tremendous advances in civil rights, we live in a world where the sexes remain sharply segregated from birth to death: in names, clothing, social groupings, and possessions; in occupations, civic association, and domestic roles. Gender separatism, so pervasive as to be almost invisible, permeates the fabric of our daily social routines. Preferring a notion of gender that is fluid and contextual, and denying that separatism is inevitable, Nancy Levit dismantles the myths of gender essentialism. Drawing on a wealth of interdisciplinary data regarding the biological and cultural origins of sex differences, Levit provides a fresh perspective on gendered behaviors and argues the need for careful cultivation of new relations between the sexes. With its focus particularly on men, *The Gender Line* offers an insightful overview of the construction of gender and the damaging effects of its stereotypes. Levit analyzes the ways in which law legitimizes the social segregation of the sexes through legal decisions regarding custody, employment, education, sexual harassment, and criminal law. In so doing, she illustrates the ways in which men's and women's oppressions are intertwined and how law molds the very definition of masculinity. Despite tremendous advances in civil rights, we live in a world where the sexes remain sharply segregated from birth to death: in names, clothing, social groupings, and possessions; in occupations, civic association, and domestic roles. Gender separatism, so pervasive as to be almost invisible, permeates the fabric of our daily social routines. Preferring a notion of gender that is fluid and contextual, and denying that separatism is inevitable, Nancy Levit dismantles the myths of gender essentialism. Drawing on a wealth of interdisciplinary data regarding the biological and cultural origins of sex differences, Levit provides a fresh perspective on gendered behaviors and argues the need for careful cultivation of new

relations between the sexes. Applying feminist methodology to the doctrine of feminism itself, Levit artfully demonstrates that gender separatism infects even our contemporary views of feminism. Levit asks questions that have been too long been unspoken—those that lie at the core of the feminist project, yet threaten its very foundations. Revealing masculinity as both a privileged and a victimized condition, she calls for a step forward, past the bounds of contemporary feminism and its conflicts, toward a more egalitarian and inclusive feminism. This brand of feminism would reshape traditional masculinity, invite men into feminist dialogue, and claim men as political allies.

Social Scientists for Social Justice John P. Jackson, Jr. 2001-11-01 In one of the twentieth century's landmark Supreme Court cases, *Brown v. Board of Education*, social scientists such as Kenneth Clark helped to convince the Supreme Court Justices of the debilitating psychological effects of racism and segregation. John P. Jackson, Jr., examines the well-known studies used in support of *Brown*, such as Clark's famous "doll tests," as well as decades of research on race which lead up to the case. Jackson reveals the struggles of social scientists in their effort to impact American law and policy on race and poverty and demonstrates that without these scientists, who brought their talents to bear on the most pressing issues of the day, we wouldn't enjoy the legal protections against discrimination we may now take for granted. For anyone interested in the history and legacy of *Brown v. Board of Education*, this is an essential book.

Critical Race Theory Richard Delgado 2001-05-01 For well over a decade, critical race theory—the school of thought that holds that race lies at the very nexus of American life—has roiled the legal academy. In recent years, however, the fundamental principles of the movement have influenced other academic disciplines, from sociology and politics to ethnic studies and history. And yet, while the critical race theory movement has

spawned dozens of conferences and numerous books, no concise, accessible volume outlines its basic parameters and tenets. Here, then, from two of the founders of the movement, is the first primer on one of the most influential intellectual movements in American law and politics.

Destructive Messages Alexander Tsesis 2002-08-19 Tsesis uses historical examples to illuminate the central role racist speech played in encouraging attitudes that led to human rights violations against German Jews, Native Americans, and African Americans, and also discusses the dangers posed by hate speech spread on the Internet today. He also offers an examination of the psychology of scapegoating."--BOOK JACKET.

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