

Structural racism: suggested readings

Sociological

- Bobo, L., J.R. Kluegel, and R.A. Smith. 1997. "Laissez-faire racism: The crystallization of a kinder, gentler anti-black ideology." Pp. 15-44 in *Racial attitudes in the 1990s: Continuity and change*, edited by S. A. Tuch and J. K. Martin. Westport, CT: Praeger.
- Bobo, L. and R.A. Smith. 1998. "From Jim Crow racism to Laissez-faire racism: The transformation of racial attitudes." Pp. 182-219 in *Beyond Pluralism: The conception of groups and group identities in America*, edited by L. Katkin, Tyree. Urbana, IL: University of Illinois Press.
- Bonilla-Silva, Eduardo. 1997. "Rethinking racism: Toward a structural interpretation." *American sociological review* 62:465-480.
- . 2003. *Racism Without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*. Lanham, MD/Boulder/New York/Oxford: Rowman & Littlefield.
- Brown, Michael K., Martin Carnoy, Elliott Currie, Troy Duster, David B. Oppenheimer, Marjorie Shultz, and David Wellman. 2003. *Whitewashing Race: The Myth of a Color-Blind Society*. Berkeley/Los Angeles/London: University of California Press.
- Bullard, Robert D. 2007. "The Black metropolis in the twenty-first century : race, power, and politics of place." Pp. xi, 282 p. Lanham: Rowman & Littlefield Publishers.
- Conley, Dalton. 1999. *Being Black, Living in the Red: Race, Wealth, and Social Policy in America*. Berkeley and Los Angeles: University of California Press.
- Conley, Dalton, Kate Strully, and Neil Bennett. 2003. *The Starting Gate: Birth Weight and Life Chances*.
- Darling-Hammond, Linda. 2007. "The flat earth and education: How America's commitment to equity will determine our future." *Educational Researcher* 36:318-34.
- Dickerson, Niki T. 2007. "Black employment, segregation, and the social organization of metropolitan labor markets." *Economic Geography* 83:283-307.
- Galster, George C. and Edward W. Hill. 1992. "The Metropolis in Black and White." New Brunswick, New Jersey: Center for Urban Policy Research.

- Grant-Thomas, Andrew and John A. Powell. 2006. "Toward a Structural Racism Framework." *Poverty & Race*.
- Lui, Meizhu. 2006. *The color of wealth : the story behind the U.S. racial wealth divide*. New York: New Press.
- Massey, D.S. and N.A. Denton. 1993. *American Apartheid: Segregation and the Making of the Underclass*. Cambridge, MA: Harvard University Press.
- Oliver, Melvin L. and Thomas M. Shapiro. 1995. *Black Wealth/White Wealth: A New Perspective on Racial Inequality*. New York: Routledge.
- Omi, Michael and Winant Howard. 1994. *Racial Formation in the United States: From the 1960s to the 1990s*,
- Orfield, Gary and Nancy McArdle. 2006. "The Vicious Cycle: Segregated Housing, Schools and Intergenerational Inequality." Joint Center for Housing Studies, Cambridge, MA.
- Pager, Devah and Hana Shepherd. 2008. "The sociology of discrimination: racial discrimination in employment, housing, credit, and consumer markets." *Annual Review of Sociology* 34:181-209.
- Pincus, Fred L. 2000. "Discrimination comes in many forms: individual, institutional, and structural." Pp. 31-35 in *Readings for diversity and social justice*, edited by M. Adams, W. Blumenfeld, R. Castaneda, H. Hackman, M. Peters, and X. Zuniga. New York: Routledge.
- Shapiro, Thomas M. 2004. *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality*. New York: Oxford University Press.
- Wilson, William Julius. 1996. *When Work Disappears: The World of the New Urban Poor*. Alfred A. Knopf, Inc.

Legal

J. M. BALKIN, "The Constitution of Status," 106 Yale L. J. 2313 (1993).

DERRICK BELL, *Brown v. Board of Education and the Interest Convergence Dilemma*, 93 Harvard Law Review 518 (1980).

DERRICK BELL, *The Supreme Court 1984 Term -- Foreword: The Civil Rights Chronicles*, 99 Harv. L. Rev. (1985).

IVAN E. BODENSTEINER, *The Supreme Court as the Major Barrier to Racial Equality*, 61 Rutgers Law Review 199 (2009).

PAUL BREST, *Foreword: In Defense of the Antidiscrimination Principle*, 90 Harv. L. Rev., (1976).

MICHAEL K. BROWN & ET AL., *Whitewashing race : the myth of a color-blind society* (University of California Press. 2003).

ERWIN CHEMERINSKY, *The Segregation and Resegregation of American Public Education: The Role of the Courts*, 81 N.C.L.R. 1597 (2003).

KIMBERLE CRENSHAW & ET AL., *Critical Race Theory: The Key Writings that Formed the Movement* (1995).

KIMBERLE W. CRENSHAW, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 Harv. L. Rev. (1988).

RICHARD DELGADO & JEAN STEFANCIC, *Critical race theory : an introduction* (New York University Press. 2001).

JOHN J. DONOHUE, *Foundations of employment discrimination law* (Foundation Press 2nd ed. 2003).

JOHN J. DONOHUE & PETER SIEGELMAN, *The Evolution of Employment Discrimination Law in the 1990s: A Preliminary Empirical Investigation*, in *Handbook of Employment Discrimination Research: Rights and Realities* (Laura Beth Nielsen & Robert L. Nelson eds., 2005).

DAVISON M. DOUGLAS, *Jim Crow moves North : the battle over northern school segregation, 1865-1954* (Cambridge University Press, 2005).

THEODORE EISENBERG, *Disproportionate Impact and Illicit Motive: Theories of Constitutional Adjudication*, 52 N.Y.U.L. Rev, (1977).

OWEN FISS, *Groups and the Equal Protection Clause*, 5 *Philosophy & Public Affairs*, (1976)

WILLIAM E. FORBATH, "*Caste, Class, and Equal Citizenship*", 98 *Mich. L. Rev.*, (1999).

ALAN FREEMAN, "*Antidiscrimination Law; The View from 1989*", in *The Politics of Law: A Progressive Critique*, (David Kairys ed., 1990).

ALAN D. FREEMAN, *Antidiscrimination Law: A Critical Review*, in *The Politics of Law*, (David Kairys ed.

ALAN D. FREEMAN, *Legitimizing Racial Discrimination Through Antidiscrimination Law: A Critical Review of Supreme Court Doctrine*, 62 *Minnesota Law Review*, (1978).

DAVID M. P. FREUND, *Colored Property: State Policy and White Racial Politics in Suburban America*. (Historical Studies of Urban America.) (Univ Chic Pr. 2007).

MARK GALANTER, "*Why the Haves Come Out Ahead: Speculations on the Limits of Legal Change*", 9 *Law & Soc'y Rev.*, (1974).

NEIL GOTANDA, *A critique of "Our Constitution is Color-Blind"*, 44 *Stan. L. Rev.*, (1991).

HUGH DAVIS GRAHAM, *The Civil Rights Era : Origins And Development Of National Policy, 1960-1972* (1990).

ANDREW GRANT-THOMAS & POWELL JOHN A, *Toward a Structural Racism Framework, Poverty & Race*, (2006).

IAN HANEY-LOPEZ, *Institutional racism: judicial conduct and a new theory of racial discrimination*, 109 *Yale law journal*, (2000).

IAN HANEY-LOPEZ, *White by law : the legal construction of race* (New York University Press. 2006).

IAN HANEY-LOPEZ, "*A Nation of Minorities': Race, Ethnicity, and Reactionary Colorblindness*", 59 *Stan. L. Rev.*, (2007).

IAN HANEY-LOPEZ, *Race, law and society* (Ashgate. 2007).

IAN F. HANEY-LOPEZ, *The Social Construction of Race: Some Observations on Illusion, Fabrication and Choice*, 29 *Harv. Civ. R. -- Civ. L.L. Rev.*, (1994).

CHERYL I. HARRIS, *Equal Treatment and the Reproduction of Inequality*, 69 *Fordham L. Rev.*, (2001).

CHRISTINE JOLLS & CASS SUNSTEIN, *"The Law of Implicit Bias"*, 94 Cal. L. Rev., (2006).

PAMELA KARLAN, *Discriminatory Purpose and Mens Rea: The Tortured Argument of Invidious Intent*, 93 Yale Law Journal 111, (1989).

KENNETH KARST, *Law's Promise, Law's Expression: Visions of Power in the Politics of Race, Gender, and Religion* (1993).

KENNETH L. KARST, *The Costs of Motive-Centered Inquiry*, 15 San Diego Law Review 1163, (1978).

MICHAEL J. KLARMAN, *From Jim Crow to civil rights : the Supreme Court and the struggle for racial equality* (Oxford University Press. 2004).

MICHAEL KLARMAN, *Unfinished Business: Racial Equality in American History* (Oxford Univ Press. 2007).

LINDA H. KRIEGER, *The Content of Our Categories: A Cognitive Bias Approach to Discrimination and Equal Employment Opportunity*, 47 Stanford Law Review, (1995).

LINDA H. KRIEGER & SUSAN T. FISKE, *Behavioral Realism in Employment Discrimination and Law: Implicit Bias and Disparate Treatment*, 94 Calif. L. Rev., (2006).

ANDREW KULL, *The Color-Blind Constitution* (Harvard Univ. Press. 1992).

CHARLES R. LAWRENCE, *The Id, the Ego, and Equal Protection: Reckoning with Unconscious Racism*, 39 Stanford Law Review, 317, (1987).

MICHAEL MCCONNELL, *Originalism and the Desegregation Decision*, 81 Va. L. Rev., (1995).

LAURA BETH NIELSEN & ROBERT L. NELSON, *Scaling the Pyramid: A Sociolegal Model of Employment Discrimination Litigation*, in *Handbook of Employment Discrimination Research: Rights and Realities*, (Laura Beth Nielsen & Robert L. Nelson ed., 2005).

LAURA BETH NIELSEN & ROBERT L. NELSON, *Handbook of employment discrimination research: rights and realities* (Springer 2008 (pb. reprint, originally published 2005)).

JOHN E. NOVAK, *The Rise and Fall of Supreme Court Concern for Racial Minorities*, 36 William & Mary Law Review 345, (1995).

DANIEL ORTIZ, *The Myth of Intent in Equal Protection*, 41 Stanford Law Review 1105, (1989).

MICHAEL J. PERRY, *The Disproportionate Impact Theory of Racial Discrimination*, 125 U. Pa. L. Rev. 540, (1977).

ROBERT POST & ROGIN MICHAEL, *Race and representation : affirmative action* (Zone Books. 1998).

ROBERT C. POST & K. ANTHONY APPIAH, Prejudicial appearances : the logic of American antidiscrimination law (2001).

ROBERT C. POST & SIEGEL, REVA B., *"Equal Protection by Law: Federal Antidiscrimination Legislation after Morrison and Kimel"*, 110 Yale L. J., (2001).

JOHN A. POWELL, *"Structural Racism: Building upon the Insights of John Calmore"* 86 N. C. L. Rev. 791, (2007).

Richard PRIMUS, *"Equal Protection and Disparate Impact: Round Three"*, 117 Harv. L. Rev., (2003).

RICHARD PRIMUS, *"The Future of Disparate Impact,"* 108 Mich. L. Rev., (2010).

ROBERT SCHWEMM, *"From Washington to Arlington Heights and Beyond: Discriminatory Purpose in Equal Protection Litigation,"* U. Ill. L. F. 961, (1977).

REVA SIEGEL, *Why Equal Protection No Longer Protects: The Evolving Forms of Status-Enforcing State Action*, 49 Stanford Law Review 1111, (1997).

REVA SIEGEL, *Discrimination in the Eyes of the Law: How 'Color Blindness' Discourse Disrupts and Rationalizes Social Stratification*, 88 Cal. L. Rev., (2000)

REVA B. SIEGEL, *Equality Talk: Antisubordination and Anticlassification Values in Constitutional Struggles over Brown*, 117 Harvard Law Review, (2004)

ROBERT S. SMITH, *Race, Labor, and Civil Rights: Griggs versus Duke Power and the Struggle for Equal Employment Opportunity* (Louisiana State University Press. 2008).

ANN SOUTHWORTH, *Lawyers of the Right: Professionalizing the Conservative Coalition* (2008).

GIRARDEAU A. SPANN, *The Conscience of a Court*, 63 University of Miami Law Review 431, (2009).

DAVID A. STRAUSS, *The Myth of Colorblindness*, Sup. Ct. Rev., (1986).

DAVID A. STRAUSS, *Discriminatory Intent and the Taming of Brown*, 56 University of Chicago Law Review, (1989).

KATHLEEN M. SULLIVAN, *Sins of Discrimination: Last Term's Affirmative Action Cases*, 100 Harvard Law Review 78, (1986).

CASS SUNSTEIN, *The Anticaste Principle*, 92 Mich. L. Rev., (1994).

STEVEN TELES, *The Rise of the Conservative Legal Movement: The Battle for the Control of the Law* (Princeton Univ. Press. 2008).

D. F. B. TUCKER, *The Rehnquist Court and Civil Rights* (1995).

MARK TUSHNET, *The Politics of Equality in Constitutional Law: The Equal Protection Clause, Dr. Du Bois, and Charles Hamilton Houston*, 74 J. Am. Hist., (1987).