

# White By Law The Legal Construction Of Race

**white by law the legal construction of race:** *White by Law* Ian Haney Lopez, 2006-10  
Publisher Description

**white by law the legal construction of race:** *White by Law* Ian Haney Lopez, 1996 Lopez (U. of Wisconsin; U. of California-Berkeley) explores the social and legal origins of white racial identity, examining cases in America's past instrumental in forming contemporary conceptions of race, law, and whiteness. He traces the reasoning employed by the courts in their efforts to justify whiteness and nonwhiteness, revealing the criteria used up until 1952 to determine whiteness and thus suitability for citizenship, and looks at race relations today. Includes a list of cases and excerpts from selected cases. Annotation copyright by Book News, Inc., Portland, OR

**white by law the legal construction of race: Racism on Trial** Ian F. Haney López, 2009-07-01 In 1968, ten thousand students marched in protest over the terrible conditions prevalent in the high schools of East Los Angeles, the largest Mexican community in the United States. Chanting Chicano Power, the young insurgents not only demanded change but heralded a new racial politics. Frustrated with the previous generation's efforts to win equal treatment by portraying themselves as racially white, the Chicano protesters demanded justice as proud members of a brown race. The legacy of this fundamental shift continues to this day. Ian Haney Lopez tells the compelling story of the Chicano movement in Los Angeles by following two criminal trials, including one arising from the student walkouts. He demonstrates how racial prejudice led to police brutality and judicial discrimination that in turn spurred Chicano militancy. He also shows that legal violence helped to convince Chicano activists that they were nonwhite, thereby encouraging their use of racial ideas to redefine their aspirations, culture, and selves. In a groundbreaking advance that further connects legal racism and racial politics, Haney Lopez describes how race functions as common sense, a set of ideas that we take for granted in our daily lives. This racial common sense, Haney Lopez argues, largely explains why racism and racial affiliation persist today. By tracing the fluid position of Mexican Americans on the divide between white and nonwhite, describing the role of legal violence in producing racial identities, and detailing the commonsense nature of race, Haney Lopez offers a much needed, potentially liberating way to rethink race in the United States.

**white by law the legal construction of race:** *White by Law* Ian Haney-López, 2017

**white by law the legal construction of race:** *The Construction of Whiteness* Stephen Middleton, David R. Roediger, Donald M. Shaffer, 2016-04-13 A CHOICE Outstanding Academic Title, 2017 This volume collects interdisciplinary essays that examine the crucial intersection between whiteness as a privileged racial category and the various material practices (social, cultural, political, and economic) that undergird white ideological influence in America. In truth, the need to examine whiteness as a problem has rarely been grasped outside academic circles. The ubiquity of whiteness--its pervasive quality as an ideal that is at once omnipresent and invisible--makes it the very epitome of the mainstream in America. And yet the undeniable relationship between whiteness and inequality in this country necessitates a thorough interrogation of its formation, its representation, and its reproduction. Essays here seek to do just that work. Editors and contributors interrogate whiteness as a social construct, revealing the underpinnings of narratives that foster white skin as an ideal of beauty, intelligence, and power. Contributors examine whiteness from several disciplinary perspectives, including history, communication, law, sociology, and literature. Its breadth and depth makes *The Construction of Whiteness* a refined introduction to the critical study of race for a new generation of scholars, undergraduates, and graduate students. Moreover, the interdisciplinary approach of the collection will appeal to scholars in African and

African American studies, ethnic studies, cultural studies, legal studies, and more. This collection delivers an important contribution to the field of whiteness studies in its multifaceted impact on American history and culture.

**white by law the legal construction of race: *The Alchemy of Race and Rights*** Patricia J. Williams, 1991 Diary of a law professor.

**white by law the legal construction of race: *Negrophobia and Reasonable Racism*** Jody David Armour, 2000 Tackling the ugly secret of unconscious racism in American society, this book provides specific solutions to counter this entrenched phenomenon.

**white by law the legal construction of race: *Constraint of Race*** Linda Faye Williams, 2010-11-01 The winner of the 2004 W.E.B. DuBois Book Award, NCOBPS and the 2004 Michael Harrington Award for an outstanding book that demonstrates how scholarship can be used in the struggle for a better world.

**white by law the legal construction of race: *Racecraft: The Soul of Inequality in American Life*** Karen Fields, Barbara J. Fields, 2012-10-09 No Marketing Blurb

**white by law the legal construction of race: *The History of White People*** Nell Irvin Painter, 2011-04-18 A New York Times Bestseller This terrific new book...[explores] the 'notion of whiteness,' an idea as dangerous as it is seductive. —Boston Globe Telling perhaps the most important forgotten story in American history, eminent historian Nell Irvin Painter guides us through more than two thousand years of Western civilization, illuminating not only the invention of race but also the frequent praise of "whiteness" for economic, scientific, and political ends. A story filled with towering historical figures, *The History of White People* closes a huge gap in literature that has long focused on the non-white and forcefully reminds us that the concept of "race" is an all-too-human invention whose meaning, importance, and reality have changed as it has been driven by a long and rich history of events.

**white by law the legal construction of race: *Reproducing Racism*** Wendy Leo Moore, 2008 Law schools serve as gateway institutions into one of the most politically powerful social fields: the profession of law. *Reproducing Racism* is an examination of white privilege and power in two elite United States law schools. Moore examines how racial structures, racialized everyday practices, and racial discourses function in law schools. Utilizing an ethnographic lens, Moore explores the historical construction of elite law schools as institutions that reinforce white privilege and therefore naturalize white political, social, and economic power.

**white by law the legal construction of race: *Dog Whistle Politics*** Ian Haney-López, 2014 Describes how conservatives in government are using race-baiting to coax the middle class with promises of curbing crime, stopping undocumented immigration and even halting Islamic infiltration into voting for right-wing policies that ultimately hurt them and favor the rich.

**white by law the legal construction of race: *Race, Law, and American Society*** Gloria J. Browne-Marshall, 2013-05-02 This second edition of Gloria Browne-Marshall's seminal work, tracing the history of racial discrimination in American law from colonial times to the present, is now available with major revisions. Throughout, she advocates for freedom and equality at the center, moving from their struggle for physical freedom in the slavery era to more recent battles for equal rights and economic equality. From the colonial period to the present, this book examines education, property ownership, voting rights, criminal justice, and the military as well as internationalism and civil liberties by analyzing the key court cases that established America's racial system and demonstrating the impact of these court cases on American society. This edition also includes more on Asians, Native Americans, and Latinos. *Race, Law, and American Society* is highly accessible and thorough in its depiction of the role race has played, with the sanction of the U.S. Supreme Court, in shaping virtually every major American social institution.

**white by law the legal construction of race: *Merge Left*** Ian Haney López, 2019-10-01 From the acclaimed author of *Dog Whistle Politics*, an essential road map to neutralizing the role of racism as a divide-and-conquer political weapon and to building a broad multiracial progressive future Ian Haney López has broken the code on the racial politics of the last fifty years.—Bill Moyers In 2014,

Ian Haney López in *Dog Whistle Politics* named and explained the coded racial appeals exploited by right-wing politicians over the last half century—and thereby anticipated the 2016 presidential election. Now the country is heading into what will surely be one of the most consequential elections ever, with the Right gearing up to exploit racial fear-mongering to divide and distract, and the Left splintered over the next step forward. Some want to focus on racial justice head-on; others insist that a race-silent focus on class avoids alienating white voters. Can either approach—race-forward or colorblind—build the progressive supermajorities necessary to break political gridlock and fundamentally change the country's direction? For the past two years, Haney López has been collaborating with a research team of union activists, racial justice leaders, communications specialists, and pollsters. Based on conversations, interviews, and surveys with thousands of people all over the country, the team found a way forward. By merging the fights for racial justice and for shared economic prosperity, they were able to build greater enthusiasm for both goals—and for the cross-racial solidarity needed to win elections. What does this mean? It means that neutralizing the Right's political strategy of racial division is possible, today. And that's the key to everything progressives want to achieve. A work of deep research, nuanced argument, and urgent insight, *Merge Left: Fusing Race and Class, Winning Elections, and Saving America* is an indispensable tool for the upcoming political season and in the larger fight to build racial justice and shared economic prosperity for all of us.

**white by law the legal construction of race: Making Whiteness** Grace Elizabeth Hale, 2010-08-25 *Making Whiteness* is a profoundly important work that explains how and why whiteness came to be such a crucial, embattled--and distorting--component of twentieth-century American identity. In intricately textured detail and with passionately mastered analysis, Grace Elizabeth Hale shows how, when faced with the active citizenship of their ex-slaves after the Civil War, white southerners re-established their dominance through a cultural system based on violence and physical separation. And in a bold and transformative analysis of the meaning of segregation for the nation as a whole, she explains how white southerners' creation of modern whiteness was, beginning in the 1920s, taken up by the rest of the nation as a way of enforcing a new social hierarchy while at the same time creating the illusion of a national, egalitarian, consumerist democracy. By showing the very recent historical making of contemporary American whiteness and by examining how the culture of segregation, in all its murderous contradictions, was lived, Hale makes it possible to imagine a future outside it. Her vision holds out the difficult promise of a truly democratic American identity whose possibilities are no longer limited and disfigured by race.

**white by law the legal construction of race: Critical Race Theory** Norma M. Riccucci, 2022-03-17 This Element explores Critical Race Theory (CRT) and its potential application to the field of public administration. It proposes specific areas within the field where a CRT framework would help to uncover and rectify structural and institutional racism. This is paramount given the high priority that the field places on social equity, the third pillar of public administration. If there is a desire to achieve social equity and justice, systematic, structural racism needs to be addressed and confronted directly. The Black Lives Matter (BLM) movement is one example of the urgency and significance of applying theories from a variety of disciplines to the study of racism in public administration.

**white by law the legal construction of race: On Critical Race Theory** Victor Ray, 2023-04-25 What exactly is critical race theory? This concise and accessible exploration demystifies a crucial framework for understanding and fighting racial injustice in the United States. "A clear-eyed, expert field guide."—Dr. Tressie McMillan Cottom, author of *Thick* From renowned scholar Dr. Victor Ray, *On Critical Race Theory* explains the centrality of race in American history and politics, and how the often mischaracterized intellectual movement became a political necessity. Ray draws upon the radical thinking of giants such as Ida B. Wells, W.E.B. Du Bois, and Dr. Martin Luther King, Jr., to clearly trace the foundations of critical race theory in the Black intellectual traditions of emancipation and the civil rights movement. From these foundations, Ray explores the many facets of our society that critical race theory interrogates, from deeply embedded structural

racism to the historical connection between whiteness and property, ownership, and more. In succinct, thoughtful essays, Ray presents, analyzes, and breaks down the scholarship and concepts that constitute this often misconstrued term. He explores how the conversation on critical race theory has expanded into the contemporary popular conscience, showing why critical race theory matters and why we should all care.

**white by law the legal construction of race:** The Oxford Handbook of American Immigration and Ethnicity Ronald H. Bayor, 2016 What is the state of the field of immigration and ethnic history; what have scholars learned about previous immigration waves; and where is the field heading? These are the main questions as historians, linguists, sociologists, and political scientists in this book look at past and contemporary immigration and ethnicity--Provided by publisher.

**white by law the legal construction of race: Race Law** F. MICHAEL. HIGGINBOTHAM, 2020-08-05

**white by law the legal construction of race: Inventing Latinos** Laura E. Gómez, 2022-09-06 Named one of the Best Books of the Year by NPR An NPR Best Book of the Year, exploring the impact of Latinos' new collective racial identity on the way Americans understand race, with a new afterword by the author Who are Latinos and where do they fit in America's racial order? In this "timely and important examination of Latinx identity" (Ms.), Laura E. Gómez, a leading critical race scholar, argues that it is only recently that Mexican Americans, Puerto Ricans, Cubans, Dominicans, Central Americans, and others are seeing themselves (and being seen by others) under the banner of a cohesive racial identity. And the catalyst for this emergent identity, she argues, has been the ferocity of anti-Latino racism. In what Booklist calls "an incisive study of history, complex interrogation of racial construction, and sophisticated legal argument," Gómez "packs a knockout punch" (Publishers Weekly), illuminating for readers the fascinating race-making, unmaking, and re-making processes that Latinos have undergone over time, indelibly changing the way race functions in this country. Building on the "insightful and well-researched" (Kirkus Reviews) material of the original, the paperback features a new afterword in which the author analyzes results of the 2020 Census, providing brilliant, timely insight about how Latinos have come to self-identify.

**white by law the legal construction of race: Not Just Black and White** Nancy Foner, George M. Fredrickson, 2004-04-22 Immigration is one of the driving forces behind social change in the United States, continually reshaping the way Americans think about race and ethnicity. How have various racial and ethnic groups—including immigrants from around the globe, indigenous racial minorities, and African Americans—related to each other both historically and today? How have these groups been formed and transformed in the context of the continuous influx of new arrivals to this country? In *Not Just Black and White*, editors Nancy Foner and George M. Fredrickson bring together a distinguished group of social scientists and historians to consider the relationship between immigration and the ways in which concepts of race and ethnicity have evolved in the United States from the end of the nineteenth century to the present. *Not Just Black and White* opens with an examination of historical and theoretical perspectives on race and ethnicity. The late John Higham, in the last scholarly contribution of his distinguished career, defines ethnicity broadly as a sense of community based on shared historical memories, using this concept to shed new light on the main contours of American history. The volume also considers the shifting role of state policy with regard to the construction of race and ethnicity. Former U.S. census director Kenneth Prewitt provides a definitive account of how racial and ethnic classifications in the census developed over time and how they operate today. Other contributors address the concept of panethnicity in relation to whites, Latinos, and Asian Americans, and explore socioeconomic trends that have affected, and continue to affect, the development of ethno-racial identities and relations. Joel Perlmann and Mary Waters offer a revealing comparison of patterns of intermarriage among ethnic groups in the early twentieth century and those today. The book concludes with a look at the nature of intergroup relations, both past and present, with special emphasis on how America's principal non-immigrant minority—African Americans—fits into this mosaic. With its attention to contemporary and historical scholarship, *Not Just Black and White* provides a wealth of new insights about immigration, race,

and ethnicity that are fundamental to our understanding of how American society has developed thus far, and what it may look like in the future.

**white by law the legal construction of race: Race and Policing in America** Ronald Weitzer, Steven A. Tuch, 2006-06-12 Race and Policing in America is about relations between police and citizens, with a focus on racial differences. It utilizes both the authors' own research and other studies to examine Americans' opinions, preferences, and personal experiences regarding the police. Guided by group-position theory and using both existing studies and the authors' own quantitative and qualitative data (from a nationally representative survey of whites, blacks, and Hispanics), this book examines the roles of personal experience, knowledge of others' experiences (vicarious experience), mass media reporting on the police, and neighborhood conditions (including crime and socioeconomic disadvantage) in structuring citizen views in four major areas: overall satisfaction with police in one's city and neighborhood, perceptions of several types of police misconduct, perceptions of police racial bias and discrimination, and evaluations of and support for a large number of reforms in policing.

**white by law the legal construction of race: Law, Lawyers and Race** Mathias Möschel, 2016 Critical race theory: The historical context Critical race theory: Its genealogy and writings -- Transplanting critical race theory to Europe -- Towards a european critical race theory -- Contextualising a european critical race theory -- Conclusions.

**white by law the legal construction of race: The Oxford Handbook of Feminist Theory** Lisa Disch, Mary Hawkesworth, 2018-02-01 The Oxford Handbook of Feminist Theory provides a rich overview of the analytical frameworks and theoretical concepts that feminist theorists have developed to analyze the known world. Featuring leading feminist theorists from diverse regions of the globe, this collection delves into forty-nine subject areas, demonstrating the complexity of feminist challenges to established knowledge, while also engaging areas of contestation within feminist theory. Demonstrating the interdisciplinary nature of feminist theory, the chapters offer innovative analyses of topics central to social and political science, cultural studies and humanities, discourses associated with medicine and science, and issues in contemporary critical theory that have been transformed through feminist theorization. The handbook identifies limitations of key epistemic assumptions that inform traditional scholarship and shows how theorizing from women's and men's lives has profound effects on the conceptualization of central categories, whether the field of analysis is aesthetics, biology, cultural studies, development, economics, film studies, health, history, literature, politics, religion, science studies, sexualities, violence, or war.

**white by law the legal construction of race: Legal Fictions** Karla FC Holloway, 2013-12-16 In Legal Fictions, Karla FC Holloway both argues that U.S. racial identity is the creation of U.S. law and demonstrates how black authors of literary fiction have engaged with the law's constructions of race since the era of slavery. Exploring the resonance between U.S. literature and U.S. jurisprudence, Holloway reveals Toni Morrison's *Beloved* and Charles Johnson's *Middle Passage* as stories about personhood and property, David Bradley's *The Chaneysville Incident* and Ralph Ellison's *Invisible Man* as structured by evidence law, and Nella Larsen's *Passing* as intimately related to contract law. Holloway engages the intentional, contradictory, and capricious constructions of race embedded in the law with the same energy that she brings to her masterful interpretations of fiction by U.S. writers. Her readings shed new light on the many ways that black U.S. authors have reframed fundamental questions about racial identity, personhood, and the law from the nineteenth into the twenty-first centuries. *Legal Fictions* is a bold declaration that the black body is thoroughly bound by law and an unflinching look at the implications of that claim.

**white by law the legal construction of race: Birth of a White Nation** Jacqueline Battalora, 2021-05-16 Birth of a White Nation, Second Edition examines the social construction of race through the invention of white people. Surveying colonial North American law and history, the book interrogates the origins of racial inequality and injustice in American society, and details how the invention still serves to protect the ruling elite to the present day. This second edition documents the proliferation of ideas imposed and claimed throughout history that have conspired to give content,

form, and social meaning to one's racial classification. Beginning its expanded narrative with the development of diverse Native American societies through contact with European colonizers in the Tidewater region, and progressing to the emigration of Mexicans, Irish, and other non-whites, this new edition addresses the ongoing production and reproduction of whiteness as a distinct and dominant social category. It also looks to the future by developing a new, applied framework for countering racial inequality and promoting greater awareness of anti-racist policies and practices. Birth of a White Nation will be of great interest to students, scholars, and general readers seeking to make sense of the dramatic racial inequities of our time and to forge an antiracist path forward.

**white by law the legal construction of race: Crossroads, Directions and A New Critical Race Theory** Francisco Valdes, Jerome McCristal Culp, Angela Harris, 2002-08-12 Its opponents call it part of the lunatic fringe, a justification for black separateness, the most embarrassing trend in American publishing. It is Critical Race Theory. But what is Critical Race Theory? How did it develop? Where does it stand now? Where should it go in the future? In this volume, thirty-one CRT scholars present their views on the ideas and methods of CRT, its role in academia and in the culture at large, and its past, present, and future. Critical race theorists assert that both the procedures and the substance of American law are structured to maintain white privilege. The neutrality and objectivity of the law are not just unattainable ideals; they are harmful actions that obscure the law's role in protecting white supremacy. This notion—so obvious to some, so unthinkable to others—has stimulated and divided legal thinking in this country and, increasingly, abroad. The essays in *Crossroads, Directions, and a New Critical Race Theory*—all original—address this notion in a variety of helpful and exciting ways. They use analysis, personal experience, historical narrative, and many other techniques to explain the importance of looking critically at how race permeates our national consciousness.

**white by law the legal construction of race: White Kids** Margaret A. Hagerman, 2020-02-01 Winner, 2019 William J. Goode Book Award, given by the Family Section of the American Sociological Association Finalist, 2019 C. Wright Mills Award, given by the Society for the Study of Social Problems Riveting stories of how affluent, white children learn about race American kids are living in a world of ongoing public debates about race, daily displays of racial injustice, and for some, an increased awareness surrounding diversity and inclusion. In this heated context, sociologist Margaret A. Hagerman zeroes in on affluent, white kids to observe how they make sense of privilege, unequal educational opportunities, and police violence. In fascinating detail, Hagerman considers the role that they and their families play in the reproduction of racism and racial inequality in America. *White Kids*, based on two years of research involving in-depth interviews with white kids and their families, is a clear-eyed and sometimes shocking account of how white kids learn about race. In doing so, this book explores questions such as, "How do white kids learn about race when they grow up in families that do not talk openly about race or acknowledge its impact?" and "What about children growing up in families with parents who consider themselves to be 'anti-racist'?" Featuring the actual voices of young, affluent white kids and what they think about race, racism, inequality, and privilege, *White Kids* illuminates how white racial socialization is much more dynamic, complex, and varied than previously recognized. It is a process that stretches beyond white parents' explicit conversations with their white children and includes not only the choices parents make about neighborhoods, schools, peer groups, extracurricular activities, and media, but also the choices made by the kids themselves. By interviewing kids who are growing up in different racial contexts—from racially segregated to meaningfully integrated and from politically progressive to conservative—this important book documents key differences in the outcomes of white racial socialization across families. And by observing families in their everyday lives, this book explores the extent to which white families, even those with anti-racist intentions, reproduce and reinforce the forms of inequality they say they reject.

**white by law the legal construction of race: Relating Worlds of Racism** Philomena Essed, Karen Farquharson, Kathryn Pillay, Elisa Joy White, 2018-08-20 This international edited collection examines how racism trajectories and manifestations in different locations relate and influence each

other. The book unmask and foregrounds the ways in which notions of European Whiteness have found form in a variety of global contexts that continue to sustain racism as an operational norm resulting in exclusion, violence, human rights violations, isolation and limited full citizenship for individuals who are not racialised as White. The chapters in this book specifically implicate European Whiteness – whether attempting to reflect, negate, or obtain it – in social structures that facilitate and normalise racism. The authors interrogate the dehumanisation of Blackness, arguing that dehumanisation enables the continuation of racism in White dominated societies. As such, the book explores instances of dehumanisation across different contexts, highlighting that although the forms may be locally specific, the outcomes are continually negative for those racialised as Black. The volume is refreshingly extensive in its analyses of racism beyond Europe and the United States, including contributions from Africa, South America and Australia, and illuminates previously unexplored manifestations of racism across the globe.

**white by law the legal construction of race: From Savage to Negro** Lee D. Baker, 1998-11-23 Lee D. Baker explores what racial categories mean to the American public and how these meanings are reinforced by anthropology, popular culture, and the law. Focusing on the period between two landmark Supreme Court decisions—Plessy v. Ferguson (the so-called separate but equal doctrine established in 1896) and Brown v. Board of Education (the public school desegregation decision of 1954)—Baker shows how racial categories change over time. Baker paints a vivid picture of the relationships between specific African American and white scholars, who orchestrated a paradigm shift within the social sciences from ideas based on Social Darwinism to those based on cultural relativism. He demonstrates that the greatest impact on the way the law codifies racial differences has been made by organizations such as the NAACP, which skillfully appropriated the new social science to exploit the politics of the Cold War.

**white by law the legal construction of race: And We Are Not Saved** Derek Bell, 2008-08-01 A distinguished legal scholar and civil rights activist employs a series of dramatic fables and dialogues to probe the foundations of America's racial attitudes and raise disturbing questions about the nature of our society.

**white by law the legal construction of race: A Race So Different** Joshua Chambers-Letson, 2013-12-02 Winner of the 2014 Outstanding Book Award presented by the Association for Theatre in Higher Education Taking a performance studies approach to understanding Asian American racial subjectivity, Joshua Takano Chambers-Letson argues that the law influences racial formation by compelling Asian Americans to embody and perform recognizable identities in both popular aesthetic forms (such as theater, opera, or rock music) and in the rituals of everyday life. Tracing the production of Asian American selfhood from the era of Asian Exclusion through the Global War on Terror, A Race So Different explores the legal paradox whereby U.S. law apprehends the Asian American body as simultaneously excluded from and included within the national body politic. Bringing together broadly defined forms of performance, from artistic works such as Madame Butterfly to the Supreme Court's oral arguments in the Cambodian American deportation cases of the twenty-first century, this book invites conversation about how Asian American performance uses the stage to document, interrogate, and complicate the processes of racialization in U.S. law. Through his impressive use of a rich legal and cultural archive, Chambers-Letson articulates a robust understanding of the construction of social and racial realities in the contemporary United States.

**white by law the legal construction of race: The Color of Law: A Forgotten History of How Our Government Segregated America** Richard Rothstein, 2017-05-02 New York Times Bestseller • Notable Book of the Year • Editors' Choice Selection One of Bill Gates' "Amazing Books" of the Year One of Publishers Weekly's 10 Best Books of the Year Longlisted for the National Book Award for Nonfiction An NPR Best Book of the Year Winner of the Hillman Prize for Nonfiction Gold Winner • California Book Award (Nonfiction) Finalist • Los Angeles Times Book Prize (History) Finalist • Brooklyn Public Library Literary Prize This "powerful and disturbing history" exposes how American governments deliberately imposed racial segregation on metropolitan areas nationwide (New York

Times Book Review). Widely heralded as a “masterful” (Washington Post) and “essential” (Slate) history of the modern American metropolis, Richard Rothstein’s *The Color of Law* offers “the most forceful argument ever published on how federal, state, and local governments gave rise to and reinforced neighborhood segregation” (William Julius Wilson). Exploding the myth of de facto segregation arising from private prejudice or the unintended consequences of economic forces, Rothstein describes how the American government systematically imposed residential segregation: with undisguised racial zoning; public housing that purposefully segregated previously mixed communities; subsidies for builders to create whites-only suburbs; tax exemptions for institutions that enforced segregation; and support for violent resistance to African Americans in white neighborhoods. A groundbreaking, “virtually indispensable” study that has already transformed our understanding of twentieth-century urban history (Chicago Daily Observer), *The Color of Law* forces us to face the obligation to remedy our unconstitutional past.

**white by law the legal construction of race:** *Encyclopaedia Britannica* Hugh Chisholm, 1910 This eleventh edition was developed during the encyclopaedia’s transition from a British to an American publication. Some of its articles were written by the best-known scholars of the time and it is considered to be a landmark encyclopaedia for scholarship and literary style.

**white by law the legal construction of race:** *Empire’s Children* Emmanuelle Saada, 2012-03-02 Operating at the intersection of history, anthropology, and law, this book reveals the unacknowledged but central role of race in the definition of French nationality. The author weaves together the perspectives of jurists, colonial officials, and more, and demonstrates why the French Empire cannot be analyzed in black-and-white terms.

**white by law the legal construction of race:** *Invitation to Law & Society* Kitty Calavita, 2016-04-11 Research and real-life examples that “lucidly connect some of the divisive social issues confronting us today to that thing we call ‘the law’” (Law and Politics Book Review). Law and society is a rapidly growing field that turns the conventional view of law as mythical abstraction on its head. Kitty Calavita brilliantly brings to life the ways in which law is found not only in statutes and courtrooms but in our institutions and interactions, while inviting readers into conversations that introduce the field’s dominant themes and most lively disagreements. Deftly interweaving scholarship with familiar examples, Calavita shows how scholars in the discipline are collectively engaged in a subversive exposé of law’s public mythology. While surveying prominent issues and distinctive approaches to both law as it is written and actual legal practices, as well as the law’s potential as a tool for social change, this volume provides a view of law that is more real but just as compelling as its mythic counterpart. With this second edition of *Invitation to Law and Society*, Calavita brings up to date what is arguably the leading introduction to this exciting, evolving field of inquiry and adds a new chapter on the growing law and cultural studies movement. “Entertaining and conversational.” —Law and Social Inquiry

**white by law the legal construction of race:** *Roots Too* Matthew Frye Jacobson, 2006-02-17 In the 1950s, America was seen as a vast melting pot in which white ethnic affiliations were on the wane and a common American identity was the norm. Yet by the 1970s, these white ethnics mobilized around a new version of the epic tale of plucky immigrants making their way in the New World through the sweat of their brow. Although this turn to ethnicity was for many an individual search for familial and psychological identity, *Roots Too* establishes a broader white social and political consensus arising in response to the political language of the Civil Rights and Black Power movements. In the wake of the Civil Rights movement, whites sought renewed status in the romance of Old World travails and New World fortunes. Ellis Island replaced Plymouth Rock as the touchstone of American nationalism. The entire culture embraced the myth of the indomitable white ethnics—who they were and where they had come from—in literature, film, theater, art, music, and scholarship. The language and symbols of hardworking, self-reliant, and ultimately triumphant European immigrants have exerted tremendous force on political movements and public policy debates from affirmative action to contemporary immigration. In order to understand how white primacy in American life survived the withering heat of the Civil Rights movement and



multiculturalism, Matthew Frye Jacobson argues for a full exploration of the meaning of the white ethnic revival and the uneasy relationship between inclusion and exclusion that it has engendered in our conceptions of national belonging.

**white by law the legal construction of race:** *Race, Racism, and American Law* Derrick A. Bell, Cheryl I. Harris, Justin Hansford, Amna A. Akbar, Atiba Ellis, Audrey G. McFarlane, 2023-02-01  
Intended for use with the authors' forthcoming casebook, *Race, Racism, and American Law*, Seventh Edition (forthcoming 2024), *Race, Racism, and American Law: Leading Cases and Materials* includes significant historical and contemporary cases and materials edited with an aim to foreground the most relevant sections and passages to illustrate the crucial role of race in the formation of US law. This new edition of Derrick Bell's groundbreaking textbook *Race, Racism, and American Law*, like prior versions, eschews a traditional casebook format. The locus of analysis in this text is the struggle for racial justice, and its underlying history and political context as reflected in the ongoing contestation over law, legal reform, and transformation. As such the supplement includes but is not limited to Supreme Court cases. We follow Bell's model of locating all edited cases and materials in the supplement, reserving the book's text to provide historical and political context for significant cases or legislative actions, along with hypothetical questions, comments, and other tools of analysis. Professors and students will benefit from: Both legal and non-legal primary source material. *Leading Cases and Materials* includes selected historical and contemporary cases, legislation, and other legal materials that foreground the crucial role of race and racism, and the struggle for racial justice, within and through US law. A carefully selected compilation of United States Supreme Court Cases. Each case is chosen to guide readers through elements of US jurisprudence which reflect both reform and retrenchment of societal inequity as it relates to the question of race. Cases range from significant 18th century cases such as *Johnson v. McIntosh* (1823) (indigenous people cannot transfer full title to land) to contemporary civil rights decisions such as *Brnovich v. Democratic National Committee* (2021) (further limiting the reach of the Voting Rights Act) and *Comcast v. National Association of African American Owned Media* (2020) (limiting protections against racial discrimination in contracting). Doctrinally and theoretically significant cases from lower federal courts and state courts. Cases from lower courts are selected to provide critical race insights into how judicial institutions outside the US Supreme Court shape doctrine and debates over race and racial inequality. Cases range from *Acre v. Douglass* (9th Cir. 2015) (ban on teaching of Mexican American studies found unconstitutional) to *Lobato v. Taylor* (Colo. 2003) (speculator attempts to divest Mexican American landowners with defective title derived from Mexico). Significant legislative and executive legal documents. This supplement includes materials going beyond traditional edited cases, reflecting the insight that a critical race analysis necessitates a grasp of law beyond the courts. Additional materials range from the United States Department of Justice Investigation of the Ferguson Police Department (2015) to the George Floyd Justice in Policing Act of 2020. Benefits for instructors and students: Provokes discussion on contemporary and historical legal controversies cases and materials edited to address issues the lens of critical race theory's conceptual framework

**white by law the legal construction of race:** *Critical Race Theory* Khiara Bridges, 2018-11-22  
This highly-readable primer on Critical Race Theory (CRT) examines the theory's basic commitments, strengths, and weaknesses. In addition to serving as a primary text for graduate and undergraduate Critical Race Theory seminars or courses on Race and the Law, it can also be assigned in courses on Antidiscrimination Law, Civil Rights, and Law and Society. The book can be used by any reader seeking to understand the relationship between constructions of race and the law. The text consists of four Parts. Part I provides a history of CRT. Part II introduces and explores several core concepts in the theory--including institutional/structural racism, implicit bias, microaggressions, racial privilege, the relationship between race and class, and intersectionality. Part III builds on Part II's discussion of intersectionality by exploring the intersection of race with a variety of other characteristics--including sexuality and gender identity, religion, and ability. Part IV analyzes several contemporary issues to which CRT speaks--including racial disparities in health,

affirmative action, the criminal justice system, the welfare state, and education.

**white by law the legal construction of race: How Race Is Made in America** Natalia Molina, 2014 *How Race Is Made in America* examines Mexican AmericansÑfrom 1924, when American law drastically reduced immigration into the United States, to 1965, when many quotas were abolishedÑto understand how broad themes of race and citizenship are constructed. These years shaped the emergence of what Natalia Molina describes as an immigration regime, which defined the racial categories that continue to influence perceptions in the United States about Mexican Americans, race, and ethnicity. Molina demonstrates that despite the multiplicity of influences that help shape our concept of race, common themes prevail. Examining legal, political, social, and cultural sources related to immigration, she advances the theory that our understanding of race is socially constructed in relational waysÑthat is, in correspondence to other groups. Molina introduces and explains her central theory, racial scripts, which highlights the ways in which the lives of racialized groups are linked across time and space and thereby affect one another. *How Race Is Made in America* also shows that these racial scripts are easily adopted and adapted to apply to different racial groups.

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