FROM THE DIRECTOR
Katheryn Russell-Brown

I spend lots of time thinking, reading, talking, and writing about race-related issues. About ninety-five percent of this work involves my engagement with other adults. I read work by academics, journalists, and bloggers on race issues, I talk with my colleagues at my home institution and abroad about these issues, and I teach and talk with my students about race. What’s largely missing from this discussion is young people—the under 18 crowd. With the exception of my children who are both nine-years-old, I typically do not engage in race-related conversations with young people.

I believe it is important to talk with young people about race. Sometimes these conversations involve race with a lower case “r.” In other, more challenging conversations, it involves “Race” with an uppercase “R”—e.g., questions about racial tensions and interracial crime.

One of the ways that race naturally arises as a discussion point with young people is through literature. Thankfully, there is a much more diverse array of main characters, topics, and authors to select from than when my mother was looking for books for me to read. Of the hundreds of

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CSRRR 2014 Spring Lecture
White Privilege author Peggy McIntosh gives CSRRR Spring Lecture

By Jenna Box, FlaLaw Online

Peggy McIntosh believes she is privileged, and she says every other white person is, too. From something as simple as the ability to buy a Band-Aid that matches her skin to never having been asked to speak for every member of her race, as a white person she is part of an invisible system of advantages. By ignoring the existence of this system, her whiteness will only perpetuate, alienating and oppressing blacks.

The author of White Privilege: Unpacking the Invisible Knapsack made remarks on these topics March 14 in the Chesterfield Smith Ceremonial Classroom for the Center for the Study of Race and Race Relations’ annual spring lecture. The room was packed with a diverse audience, including students, faculty, staff, and community members. All came to hear McIntosh’s thoughts on what she’d first written about in 1988.

“White privilege is like an invisible weightless knapsack of special provisions, maps, passports, codebooks, visas, clothes, tools and blank checks,” McIntosh wrote in the essay. At the event, she explained that a person can’t be blamed for being born with that knapsack and being taught to look down upon those who don’t have it. By being white, McIntosh was inherently a student of that lesson.

The idea that “whites are knowers, and knowledge is white” was something she was taught from a young age. In order to overcome this worldview, McIntosh said she consciously installs “alternative software” that allows her to learn from the people she was taught to look down upon. Without doing this, “the old hard drive gives a special scrutiny to everything (blacks) say — as though I can’t quite trust it, or my mind is probably superior. That’s the knowledge I was raised to (believe).” In order for change to occur, all whites

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must become aware of their habits and deliberately chose to see past the societal system that has taught them they are better simply because of race.

McIntosh challenged every person in the room to consider the ways in which he or she was privileged and disadvantaged by having audience members turn to a partner and discuss these issues from a personal perspective. The result, for many, was a new awareness of racial disparity.

"Those who happen to be born into the group that is given the benefit of the doubt, given jobs, assumed to be good with money, assumed to be reliable with families” are given a “tremendous power,” McIntosh said. “I urge all whites here to use your white power … — which you have more of than you were taught — to weaken the system of white power, and it will alter your friendships, your relationships, (and) your relationship to life itself.”

McIntosh’s lecture “generated interest and buzz like no others have,” said Katheryn Russell-Brown, director of the CSRRR. “Its brilliance is in its nondebatable simplicity: race matters, whiteness matters, white privilege matters, white privilege exists.”

Sharon Rush, associate dean for faculty development, echoed Russell-Brown’s praises for McIntosh’s work. “Understanding that whiteness is a race, and understanding how white privilege functions are two essential steps that every white person must take if we, as a society, are to develop healthy race relations and achieve racial justice,” she said.

Dr. Peggy McIntosh is Associate Director of the Wellesley College Center for Research on Women, expert on White Privilege, and founder and co-director of the National S.E.E.D. (Seeking Educational Equity and Diversity) Project on Inclusive Curriculum. Dr. McIntosh also directs the Gender, Race and Inclusive Education Project. Myriad organizations have invited McIntosh to help them learn about race and race relations, including the United Nations, the Little Rock Civil Rights commission, Minority Museum, the Young Women’s Christian Association, the Space Science Technology Institute, NASA Space Center, as well as many public schools, churches, religious organizations, colleges and universities.

Her visit marked the 11th year the CSRRR has held a spring lecture on the law school campus.

Graduate students meet with CSRRR spring lecture speaker, Peggy McIntosh L-R: Zahra Shekarkhar, Debrechea Hopkins, Diedre Houchen, Prof. Peggy McIntosh, Kevin Jenkins, Ginger Jacobson, Claudia Youakim, Luis Caraballo-Burgos, Andrea Davis, Micah Johnson, and Michal-Ane McIntosh

**2015 CSRRR Spring Lecture**

Jeremy Travis, President of John Jay College of Criminal Justice, will give the 12th annual CSRRR Spring Lecture on March 25, 2015.
UF Law Dean Emeritus, Robert Jerry, Reflects on CSRRR’s Work

I am very pleased to have been invited to contribute to the 2014 Center for the Study of Race and Race Relations newsletter. As I complete 11 years of service as the dean of the Levin College of Law, I look back with great pride and admiration on the Center’s work and accomplishments during this past decade.

Professor Katheryn Russell-Brown, Chesterfield Smith Professor and Director of CSRRR, and I actually started at UF Law together in July 2003, so our administrative journeys have been on parallel, collaborative paths. Anyone who has watched CSRRR move on its path under Professor Russell-Brown’s leadership knows that the Center’s 11 years have been marked by many successes. When Professor Russell-Brown came to us from the University of Maryland, she had already established a national reputation for her scholarship on race. In fact, I remember as the dean-designate learning of her appointment and my excitement at that news. Immediately upon her arrival, Professor Russell-Brown was instrumental in helping us more precisely articulate the mission of CSRRR so that its efforts and energies would be directed to areas where its impact would be most significant. That mission is “fostering communities of dialogue on race and race relations to promote historically-rooted thinking, talking, research, writing, and teaching on race and its effect on our daily lives.”

Although many examples of CSRRR’s impact during these years are worthy of celebration, I have been particularly impressed by CSRRR’s activities in curriculum development. Within two years of Professor Russell-Brown’s arrival, CSRRR was actively engaged in an initiative to enhance curricula in the nation’s law schools on race and race relations. This initiative made available to other law schools through a very successful conference and distribution of the conference’s materials ideas on how to more deeply embed the study of race and race relations in the standard law school academic program.

Shortly thereafter, CSRRR moved its attention to helping the larger university community at UF enhance opportunities for both undergraduate and graduate students to explore race and race relations more deeply in their academic programs. This initiative led to a university program that is now a part of the standard UF experience for all students. The UF Common Reader program for new university undergraduate students actually began when President Bernie Machen embraced a suggestion emerging out of CSRRR for a book on race relations for all UF entering students. The book was Beverly Tatum’s Why Are All the Black Kids Sitting Together in the Cafeteria?

In addition to these initiatives, the CSRRR also awards Course Development Grants (CDG) for graduate students and professors who develop new courses with a focus on race. To date, the CSRRR has awarded 13 such grants. The CDG awards have enhanced the race-related curriculum across the university.

There is much more in the work of CSRRR over the past decade that can be celebrated, but the impact of curricular innovation has reached many generations of students in locations beyond UF, which means the scope of CSRRR’s impact is both far and wide.

I hope that you will continue to visit CSRRR by reading this newsletter, attending future CSRRR events, and engaging the scholarship and other activities of the Center.

Mission Statement

The CSRRR is committed to de-stigmatizing race. With the objective of fostering communities of dialogue, the Center embraces historically and empirically based thinking, talking, teaching and writing on race. To this end, the Center creates and supports programs designed to enhance race-related curriculum development for faculty, staff and students in collegiate and professional schools. Of the six U.S. law schools with race centers, the CSRRR is uniquely focused on curriculum development.

Vision

The Center for the Study of Race and Race Relations (CSRRR) is an academic research and resource center. The Center’s mission will be met through the work of various groups engaged in a wide range of activities. This work includes:

- Producing, supporting, and highlighting race-related scholarship within and beyond the UF community
- Gathering, analyzing, and sharing historical and contemporary knowledge about race and race relations
- Developing and supporting, through teaching, research, writing, and workshops, race-related curricula for collegiate and professional schools
- Fostering non-stigmatizing ways of discussing issues of race and ethnicity for African Americans, Latino/as, American Indians, Asian Americans, and Whites.
Emily Swire, 2L, was selected as the 2014 Evan J. Yegelwel Fellow. She is a member of Gators for Alternative Dispute Resolution and an active participant in the Restoration of Civil Rights Pro Bono Project. Ms. Swire, who is from Boca Raton, graduated summa cum laude from Florida State University in 2013 with a B.A. in Sociology and a minor in Social Welfare. “It is truly an honor to have been selected to work at the ADL, and I am grateful to Mr. Yegelwel and the Anti-Defamation League (ADL) for allowing me this unique opportunity,” Swire said. “I have invariably held a passion for protecting civil rights and religious freedoms, and I am hopeful that my experience will allow me to make a meaningful contribution to civil rights policy, and provide a lasting foundation for my legal career.”

Last fall, Yegelwel Fellowship supervisor, David Barkey, presented “Hate Crimes—Elements, Impact & Offenders.” Barkey is the Southeastern Civil Rights counsel for the Anti-Defamation League.

The Evan Yegelwel Fellowship award allows one UF Law student to complete a summer fellowship at the ADL’s Florida Regional Office in Boca Raton. A generous gift from UF Law alumnus Evan Yegelwel, who graduated in 1980, makes this fellowship possible. Mr. Yegelwel is a partner in the Jacksonville, FL law firm of Terrell Hogan Ellis Yegelwel, P.A. Ms. Swire is the eighth fellowship recipient.

In America?, won the CHOICE award as an outstanding scholarly book in 2011. His new course, “Race, Poverty, and Voting Rights in America” investigates the political forces shaping voting rights in the United States, with special emphasis on the experience that African-Americans, religious/ethnic/national immigrant groups, marginalized populations, and the poorest Americans have had in securing them. The central question is why these populations have had to struggle long and hard to achieve full voting rights equal to those that most White Americans have long had as a matter of right.

Kate A. Ratliff is an assistant professor of psychology at the University of Florida. Her research is in the area of implicit bias – stereotypes and prejudices that exist outside of conscious awareness and control. More specifically, she seeks to understand how such biases form and how they influence behavior. In the spring of 2015, Dr. Ratliff will teach “The Psychology of Prejudice and Stereotyping,” which will focus on empirical scientific research concerning the psychology of people’s beliefs about low-status and minority groups (stereotypes), attitudes toward low-status and minority group members (prejudice), and behaviors toward low-status and minority group members (discrimination).
Did you know that three out of four workers, including more than half of straight, white males, cover at least one aspect of their identity?

UF Law students, faculty and staff listened to Coif Distinguished Visitor Kenji Yoshino, the Chief Justice Earl Warren Professor of Constitutional Law at New York University School of Law, present on this very topic last fall. His talk, “Uncovering Talent: A New Model of Inclusion,” got people thinking about the idea of “covering” — or hiding disfavored aspects of one’s identity in the workplace to avoid stereotypes. Although diversity and inclusion seem to be sought after in today’s workplace, Yoshino’s study found that many workers say they have “covered” in some way.

They cover on the basis of race, sex, sexual orientation, religion, and disability — and in some cases, more than one category. Women are asked to act more like men in the workplace. Gay people are asked not to display same-sex affection in front of co-workers. Those devout in religion are asked to minimize expressions of faith. “This is a form of assimilation that is keeping individuals from feeling fully included in their organization,” he said.

Yoshino presented the full results of his study, which were released in September. In his work, he described acts of covering along four different axes: appearance, affiliation, advocacy and association. Appearance-based covering refers to managing self-presentation so as to blend into the mainstream; affiliation-based covering has to do with how individuals control behaviors to often negate stereotypes that are associated with their group; advocacy-based covering is how much individuals openly stick up for members of their same group; and association-based covering relates to how much individuals associate with other members of their same group.

“Women may downplay their status as mothers or parents because they will be seen as a less-committed worker,” Yoshino said, offering an example of affiliation-based covering. “Think about a minority identity that you hold, because we all hold at least one. It’s not normal, in 2013, to be completely normal in America,” he said. “Think about the ways in which you are being asked to cover along these dimensions and then crucially whether or not that’s a harm to you.”

Yoshino completed this work in collaboration with Deloitte University Center for Inclusion, and the research is ongoing, he said.

“This is really about human flourishing,” he said, “being engaged in a workplace and bringing your whole self to work.”

The event was hosted by the U.F. Chapter of the Order of the Coif, with co-sponsors including the law school’s Center on Children and Families and the CSRRR.

The Coif Distinguished Visitor Program brings distinguished members of the legal profession to Coif Chapter campuses. UF Law was one of only three campuses in the country to be selected for a Coif Distinguished Visitor lecture in 2013.

Race, Culture, & The Classroom Teacher

Melanie M. Acosta is a recent Ph.D. graduate from the University of Florida College of Education. In the spring of 2013, Acosta taught a CSRRR-sponsored course, “Race, Culture, & The Classroom Teacher.” Students examined the ways Black educators and their pedagogy were intimately connected to the struggle for Black liberation and humanity, the impact of this work on student achievement, the implications for teacher practice today, and the ways researchers and policymakers have thought about effective teaching and meeting the educational needs of Black students. Dr. Acosta’s 2013 dissertation research examined the collective theorizing of successful Black educators of Black children in Gainesville, Florida.
At root, covenants were social signals. Their greatest use lay in incisive study, Richard Brooks and Carol Rose unpack why. Upheld covenants for decades, it failed to end their influence. In this rare insight into the ways legal and social norms reinforce one another, the rise and fall of racially restrictive covenants in America, and offers one of the most significant legal victories over racial discrimination. Cottrol explores this remarkable transformation and shows how it is now inspiring civil rights revolution, with the United States having had a more-rigid racial exclusion system than Brazil, the practice of legally mandated segregation. Jim Crow echoed in Jim Crow, the practice of legally mandated segregation. Jim Crow in turn caused leading Latin Americans to regard their nations as models of racial equality because their laws did not mandate racial discrimination—a belief that masked very real patterns of racism. Cottrol unravels a complex odyssey. By the eve of the Civil War, the U.S. slave system was rooted in a legal and cultural foundation of racial exclusion unmatched in the Western Hemisphere. That system’s legacy was later echoed in Jim Crow, the practice of legally mandated segregation. Jim Crow in turn caused leading Latin Americans to regard their nations as models of racial equality because their laws did not mandate racial discrimination—a belief that masked very real patterns of racism throughout the Americas. And yet, Cottrol says, if the United States has had a history of more-rigid racial exclusion, since the Second World War it has also had a more thorough civil rights revolution, with significant legal victories over racial discrimination. Cottrol explores this remarkable transformation and shows how it is now inspiring civil rights activists throughout the Americas.
Republicans calling for a reconstruction of the former Confederacy to the petitions of those individuals who had worked the land as slaves to the white supremacists who would bring an end to Reconstruction in the late 1870s, this crucial concept informed the ways in which many people—both black and white, northerner and southerner—imagined the transformation of the American South.

Beyond Redemption explores how the violence of a protracted civil war shaped the meaning of freedom and citizenship in the new South. Here, Carole Emberton traces the competing meanings that redemption held for Americans as they tried to come to terms with the war and the changing social landscape. While some imagined redemption from the brutality of slavery and war, others—like the infamous Ku Klux Klan—sought political and racial redemption for their losses through violence. Beyond Redemption merges studies of race and American manhood with an analysis of post-Civil War American politics to offer unconventional insight into the violence of Reconstruction.

Legal Fictions: Constituting Race, Composing Literature
Karla F.C. Holloway

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.

For Discrimination: Race, Affirmative Action, and the Law
Randall Kennedy
Random House (2013)

In the wake of the Supreme Court’s recent decision regarding Fisher v. University of Texas, For Discrimination is at once the definitive reckoning with one of America’s most explosively contentious and divisive issues and a principled work of advocacy for clearly defined justice.

With pellucid reasoning, Kennedy accounts for the slipperiness of the term “affirmative action” as it has been appropriated by ideologues of every stripe; delves into the complex and surprising legal history of the policy; coolly analyzes key arguments pro and con advanced by the left and right, including the so-called color-blind, race-neutral challenge; critiques the impact of Supreme Court decisions on higher education; and ponders the future of affirmative action.

Dog Whistle Politics: How Coded Racial Appeals Have Reinvented Racism and Wrecked the Middle Class
Ian Haney López
Oxford University Press, USA (2014)

In Dog Whistle Politics, Ian Haney López offers a sweeping account of how politicians and plutocrats deploy veiled racial appeals to persuade white voters to support policies that favor the extremely rich yet threaten their own interests. Dog whistle appeals generate middle-class enthusiasm for political candidates who promise to crack down on crime, curb undocumented immigration, and protect the heartland against Islamic infiltration, but ultimately vote to slash taxes for the rich, give corporations regulatory control over industry and financial markets, and aggressively curtail social services. White voters, convinced by powerful interests that minorities are their true enemies, fail to see the connection between the political agendas they support and the surging wealth inequality that takes an increasing toll on their lives. The tactic continues at full force, with the Republican Party using racial provocations to drum up enthusiasm for weakening unions and public pensions, defunding public schools, and opposing health care reform.

Rejecting any simple story of malevolent and obvious racism, Haney López links as never before the two central themes that dominate American politics today: the decline of the middle class and the Republican Party’s increasing reliance on white voters. Dog Whistle Politics will generate a lively and much-needed debate about how racial politics has destabilized the American middle class—white and nonwhite members alike.

The New Black: What Has Changed—and What Has Not—with Race in America
Kenneth W. Mack and Guy-Uriel E. Charles

The election and reelection of Barack Obama ushered in a litany of controversial perspectives about the contemporary state of American race relations. In this incisive volume, some of the country’s most celebrated and original thinkers on race—historians, sociologists, writers, scholars, and cultural critics—reexamine the familiar framework of the civil rights movement with an eye to redirecting our understanding of the politics of race.

Through provocative and insightful essays, The New Black challenges contemporary images of black families, offers a contentious critique of the relevance of presidential politics, transforms ideas about real and perceived political power, defies commonly accepted notions of “blackness,” and generally attempts to sketch the new boundaries of debates over race in America.
Legal scholar Daria Roithmayr provocatively argues that racial inequality might now be locked in place. Whites with lucrative jobs informally refer their friends, who refer their friends, and so on. Roithmayr concludes that racial inequality might now be locked in place, unless policymakers immediately take drastic steps to dismantle this oppressive system.

In *Advantage*, Daria Roithmayr locates the engine of white advantage to the unfair tactics of giants like AT&T and Microsoft. With penetrating insight, Roithmayr locates the engine of white monopoly in positive feedback loops that connect the dramatic disparity of Jim Crow to modern racial gaps in jobs, housing and education. Wealthy white neighborhoods fund public schools that then turn out wealthy white neighbors. Whites with lucrative jobs informally refer their friends, who refer their friends, and so on. Roithmayr concludes that racial inequality might now be locked in place, unless policymakers immediately take drastic steps to dismantle this oppressive system.

In *Blinded by Sight*, Osagie K. Obasogie shares a startling observation that blind people think about race visually, just like everyone else. Ask a blind person what race is, and they will more than likely refer to visual cues such as skin color. Obasogie finds that, because blind people think about race visually, they orient their lives around these understandings in terms of who they are friends with, who they date, and much more.

In *Blinded by Sight*, Obasogie argues that rather than being visually obvious, both blind and sighted people are socialized to see race in particular ways, even to a point where blind people “see” race. So what does this mean for how we live and the laws that govern our society? Obasogie delves into these questions and uncovers how color blindness in law, public policy, and culture will not lead us to any imagined racial utopia.

In *Reproducing Racism*, Daria Roithmayr provocatively argues that racial inequality lives on because white advantage functions as a powerful self-reinforcing monopoly, reproducing itself automatically from generation to generation even in the absence of intentional discrimination. Drawing on work in antitrust law and a range of other disciplines, Roithmayr brilliantly compares the dynamics of white advantage to the unfair tactics of giants like AT&T and Microsoft.

In *Unexporting Immigration*, Ediberto Román takes on critics of Latina/o immigration, drawing on empirical evidence to refute charges of links between immigration and crime, economic downfall, and a weakening of Anglo culture. Román utilizes government statistics, economic data, historical records, and social science research to provide a counter-narrative to what he argues is a largely one-sided public discourse on Latina/o immigration.

In *The Price of Paradise*, David Dante Troutt illustrates that many American communities, especially the working and middle class, are facing chronic problems: fiscal stress, urban decline, environmental sprawl, failing schools, mass incarceration, political...
Strategic Diversity Leadership: Activating Change and Transformation in Higher Education
Damon A. Williams
Stylus Publishing (2013)

This book is written from the perspective that diversity work is best approached as an intellectual endeavor with a pragmatic focus on achieving results that takes an evidence-based approach to operationalizing diversity.

It offers an overarching conceptual framework for pursuing diversity in a national and international context; delineates and describes the competencies, knowledge and skills needed to take effective leadership in matters of diversity; offers new data about related practices in higher education; and presents and evaluates a range of strategies, organizational structures and models drawn from institutions of all types and sizes. It covers such issues as the reorganization of the existing diversity infrastructure, building accountability systems, assessing the diversity process, and addressing legal threats to implementation. Its purpose is to help strategic diversity leaders combine big-picture thinking with an on-the-ground understanding of organizational reality and work strategically with key stakeholders and allies.

This book is intended for presidents, provosts, chief diversity officers or diversity professionals, and anyone who wants to champion diversity and embed its objectives on his or her campus, whether at the level of senior administration, as members of campus organizations or committees, or as faculty, student affairs professionals or students taking a leadership role in making and studying the process of change.

Colaborations of Note

“Trouble the Water” Film Screening & Symposium
Hosted by the Samuel Proctor Oral History Program and co-sponsored by the Center for Women’s Studies and Gender Research, Center for Humanities and the Public Sphere, and the CSRRR. [January 2014]

Dr. Martin Luther King Jr. Legacy Celebration
Hosted by the Black Graduate Student Organization and co-sponsored with the CSRRR along with other campus organizations. [January 2014]

“Trayvon Martin: Looking Back, Moving Forward” Town Hall Meeting
Co-sponsored with the Center on Children and Families. [February 2014]

“Fulfilling Gideon’s Promise” Film Screening & Panel Discussion on Public Defense
Hosted by Gator Law ACLU and co-sponsored by the CSRRR, ACLU and UF Student Government. [February 2014]

“Trayvon Martin: Race, Rights, and Justice” Panel
Duke University Sociology Professor Eduardo Bonilla-Silva, presented a keynote lecture centered on the Martin case. His talk was followed by a commentary from Anthropology and African-American Studies Professor Faye Harrison. Co-sponsored by the Center on Children and Families (CCF) and the CSRRR. [February 2014]

Monthly Conversations

In addition to hosting monthly Sister to Sister Diversity Dialogues meetings, the CSRRR began two new initiatives:

“Let’s Talk Race” Faculty Race Dialogues
The Center hosted discussions that allowed UF faculty members to explore issues of race in the classroom, curriculum, and campus.

Law Student Diversity Council
The CSRRR hosted monthly meetings for leaders of the Asian & Pacific American Law Student Association, Black Law Students Association, Caribbean Law Students Association, Latino Law Student Association, and the South Asian Law Society. This council provides a space for collaboration, dialogue, support and student input.

isolation, disproportionate foreclosures, and severe public health risks. In The Price of Paradise, David Dante Troutt argues that it is a lack of what he calls “regional equity” in our local decision making that has led to this looming crisis now facing so many cities and local governments. Unless we adopt policies that take into consideration all class levels, he argues, the underlying inequity affecting poor and middle class communities will permanently limit opportunity for the next generations of Americans.

Arguing that there are “structural flaws” in the American dream, Troutt explores the role that place plays in our thinking and how we have organized our communities to create or deny opportunity. Through a careful presentation of this crisis at the national level and also through on-the-ground observation in communities like Newark, Detroit, Houston, Oakland, and New York City that all face similar hardships, he makes the case that America’s tendency to separate into enclaves in urban areas or to sprawl off on one’s own in suburbs gravely undermines the American dream. Troutt shows that the tendency to separate also has maintained racial segregation in our cities and towns, itself cementing many barriers for advancement. A profound conversation about America at the crossroads, The Price of Paradise is a multilayered exploration of the legal, economic, and cultural forces that contribute to the squeeze on the middle class, the hidden dangers of growing income and wealth inequality, and environmentally unsustainable growth and consumption patterns.

WWW.LAW.UFL.EDU/CENTERS/CSRRR
7 Questions for
Professor Sahar Aziz

1. Why study race?
Each society has particular factors that significantly impact its legal system, often arising from the nation’s historical, economic, and sociological circumstances. America’s long history of slavery coupled with its status as a nation of immigrants, causes race, and its proxies, to affect the promulgation, implementation, and adjudication of law. To believe otherwise is to deny that centuries of inequality based on a person’s ethnic or racial origins had any effect on the present - a proposition I find facially flawed.

Studying race, therefore, is necessary to appreciating the historical basis that led to current public policy and legal doctrine. Similar to studying economics or sociology as a means of developing a nuanced and accurate analysis of current legal developments, race studies illuminate our understanding of myriad areas of law including housing, voting, employment, and education. All of these collectively determine the distribution of wealth among the citizenry and the composition of the political elite who develop a nation’s laws and policies. In the end, neglecting race studies risks producing laws and policies that perpetuate documented historic economic, political, and social inequities that ultimately contribute towards future political instability.

2. How do you incorporate race into your teaching?
Regardless of a student’s interest in or acknowledgement of the role of race in U.S. law, law students should be exposed to different interpretations of law based on one’s racial status, and in effect class status, so that they can better represent a diverse clientele.

In addition to teaching elective courses, such as Race and the Law and Civil Rights Litigation wherein race plays a front and center role in studying particular areas of law, I also incorporate race into my 1L courses. For example, I ask students to consider whether the racial, gender, and class identity of each party in a case may have affected the framing of the issues and reasoning of the judge. I also challenge students to consider whether a doctrine adversely impacts a particular group, even if not overtly intended by the judge or the legislators. Simple exercises that teach students to look beneath what is stated to understand the broader sociological, economic, and political factors at play in a particular case prepares them to be effective lawyers that can operate in the real world rather than naively rely on abstract ideals that we may all strive to attain but do not exist in reality.

I also offer extra credit to students who take the Implicit Bias Test (IBT) for race, gender, and a third category of their choosing (www.implicit.harvard.edu). After taking the exam, they write a short essay explaining what they learned about themselves from taking the test and how they believe race, gender, and other immutable characteristics affect our legal system. To encourage open and honest dialogue, their extra credit assignments are not graded based on the content of their responses but rather completion of the assignment. Many of the students have thanked me for exposing them to the IBT and expressed interest in learning more about race and the law.

3. Can you suggest a book for “beginners”?
I found Richard Delgado and Jean Stefancic’s book Critical Race Theory: An Introduction to be a helpful introductory book for beginners who want a brief summary of the key theories assessing law through a critical race lens. I also found John Tehranian’s book, Whitewashed: America’s Invisible Middle Eastern Minority, an insightful introduction to how social constructions of race have adversely impacted Americans of Middle Eastern descent.

4. What book, article, or DVD caused you to think about race in a new way?
Devon Carbado and Mitu Gulati’s article “The Fifth Black Woman” articulated a phenomenon arising from implicit bias. It describes how the majority group favors a sub-group of African American women who assimilate to the demands of the majority culture while disfavoring those who openly display their non-majority cultural origins through dress, hair, or other means. The article brings to light how discrimination coercively disciplines minorities to assimilate into the majority culture. The high cost of refusing, or being unable to assimilate include loss of access to gainful employment, professional stagnation, and termination. I found the article so intriguing that my forthcoming article in the Michigan Journal of Race and Law, “Coercive Assimilationism: The Triple Bind of Muslim Women in the Workplace,” expands the argument and incorporates Kenji
Yoshino’s work on identity performance to examine how Muslim women internalize prejudices against their racial and religious groups by passing as White or covering their non-White identity. I find the identity performance literature instructive because it focuses on the psychological harms to the racial minority, which can have longer lasting detrimental effects on a person than the material harms.

5. What’s the best part of your job?
It is a privilege to train the next generation of leaders. Because many students who enter the classroom are part of the “colorblind” generation who have been taught that race does not matter, it is transformative for them to learn the difference between the principle that race should not matter and the fact that race does matter in the United States. As such, I enjoy challenging my students to think outside of their comfort zones in analyzing how legal doctrines that appear neutral may be far from it in application. I make it a point to instruct them not to think like me, for I am de facto a member of the elite by virtue of my position as a law professor, but rather develop the empathy of the under-privileged based on various factors. For this reason, I believe it is essential to have a classroom composed of students with different life experiences, often as a result of their racial and class status, to offer their insights into class discussions and case analysis. I learn quite a bit from my students and attempt to incorporate their perspectives into my research on the evolving role of race in the law.

6. What are you reading now?
Accepting the premise that freedom is not free, I am always striving to understand how legal systems aimed at preserving freedom and individual rights came to fruition and are sustained. My current research on the Egyptian uprising and its aftermath, coupled with my work on civil rights in the United States, has led me to the literature on rule of law in developing countries as part of my comparative research on civil and human rights in the United States and Egypt. I am particularly interested in the legal and extra-legal factors that cause a society to meaningfully protect individual rights, particularly for the political opposition, the poor, and ethnic and religious minorities. Through my readings and travels, I have become more convinced that protecting the individual rights of the politically and economically under-privileged is the litmus test of a society’s respect for civil and human rights.

7. What’s your take on how the legal academy is doing with regard to incorporating race into the curriculum (what grade would you give it)?
Most law schools now have a class on Race and the Law, Civil Rights Law, or a similar course where race is openly and consistently discussed. However, the class is often incorrectly perceived as a niche class preserved for progressives and racial minorities seeking to indulge in racial victimhood as opposed to a serious class that addresses important topics affecting all aspects of the law. So long as this is the extent of incorporating race into the curriculum, then law schools will continue to graduate critical masses of students raised in an increasingly segregated society who have minimal, if any experience, interacting with and understanding the experiences of persons from non-majority races, ethnicities, and religions. As America becomes more racially and ethnically diverse and as legal jobs are increasing in small and medium-sized law firms, students must be equipped to understand the social, political, and economic factors that affect minority communities. Students also should be educated about the role of implicit bias that affects each of us, regardless of our racial status, in performing their roles as future lawyers, judges, policy makers, and politicians. Failing to do so contributes to the structural inequities that cause a disproportionate number of people of color to populate the poor, incarcerated, less educated, and those stuck in the lower ranks of the job market. In the long run, as my research on the Middle East has taught me, this is a recipe for social balkanization and political instability-the very thing our Bill of Rights aimed to avoid.

Until race is incorporated into all of the first year law courses in some form, I give the legal academy a C+.

About Professor Sahar F. Aziz
Sahar F. Aziz is currently an associate professor of law at Texas A&M University School of Law. Professor Aziz has taught national security and civil rights law at the Georgetown University Law Center, served as a senior policy advisor for the Office for Civil Rights and Civil Liberties at the U.S. Department of Homeland Security (DHS), and was an associate at Cohen Milstein Sellers and Toll PLLP in Washington, D.C. Professor Aziz’s scholarship focuses on the intersection of national security and civil rights law with a focus on the post-9/11 era. She incorporates critical race theory, feminist theory, and constitutional law into her examination of the disparate impact of post-9/11 laws and public policy on ethnic, racial, and religious minority groups in the United States. Professor Aziz analyzes these issues in multiple contexts including employment, counterterrorism, criminal justice, and civil rights litigation. She also writes on rule of law and democracy in Egypt including gender rights, transparency laws, and election laws. Professor Aziz has presented her work in various forums including U.S. Congressional Briefings, the U.S. Commission on Civil Rights, the U.S. Equal Employment Opportunity Commission, the American Bar Association, and the National Employment Lawyers Association.
White Privilege author Peggy McIntosh gives 2014 CSRRR Spring Lecture

Find the full story, along with information about the 2015 CSRRR Spring Lecture, inside.