

UFL LAW

Center for the Study of Race and Race Relations

FREDRIC G. LEVIN COLLEGE OF LAW • FALL 2012



LETTER FROM THE DIRECTOR
Kathryn Russell-Brown

This year, this political season, has been fraught with attempts to talk about and around race. Immigration, healthcare, Trayvon Martin, voter identification, campaign finance, stop and frisk, and education, are among the many issues that intersect with race. In some public quarters, the conversations on race have improved in prevalence and incisiveness. In others though, race issues are decidedly dismissed or framed as happy talk—as in “Aren’t things better today than...” In these times, when there is so much to talk about regarding race, the public conversations on race are missed opportunities. Those who believe that race matters must continue to talk to those who believe there is too much race talk. We do not have the luxury of silence.

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We have been hard at work at the Race Center. We continue to pursue our mission to destigmatize race through broad-based curriculum development. In the 2011-2012 academic year, we focused on developing racial literacy through symposia, lectures, programs, and courses. We were able to engage in broader discussions of race by pairing with other campus centers and

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CSRRR 2012 Spring Lecture

University of North Carolina’s Brophy Gives CSRRR’s 9th Annual Spring Lecture

By Francie Weinberg, *FlaLaw Online*

Though many Americans view the Constitution as a beacon of freedom, Southerners in the antebellum period used it to justify their actions as slaveholders.

“Our nation’s journey toward freedom was shamefully long,” said Alfred Brophy, Judge John J. Parker Distinguished Professor of Law at the University of North Carolina. “Southerners believed slavery could not be undone without having to undo all of society.”

Prof. Brophy, who was instrumental in getting the University of Alabama to apologize for its participation in slaveholding, presented this and other ideas during his lecture, “Slavery, Secession and the Constitution,” the ninth CSRRR Spring Lecture on March 21, 2012.

Prof. Brophy tied together the views of prominent Southerners including John C. Calhoun and Thomas Cobb with the pro-slavery actions of universities in the South to show how they used the Constitution to continue the forced labor system almost a century after the Declaration of Independence.

“They were no longer in the world of Jefferson’s ‘all people are created equal,’” Prof. Brophy said. “Southerners had this sense that slavery was a foundation not just of Southern economy but of freedom for white people.”

Through the use of history, philosophy, economics and law, key governmental figures in the South convinced universities, such as Virginia Military Institute, that the Constitution had been perverted by Northerners.



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CSRRR Open House

The Race Center affiliates and supporters gather to celebrate the start of a new year and learn about CSRRR activities and programs (October 5, 2011).

Upcoming Events Fall 2012–2013

CSRRR Open House

October 3, 2012

UF Black Alumni Weekend

October 12-14, 2012

Program Celebrating 50th Anniversary of UF's First African American graduate, W. George Allen

Oct. 12, 2012 at 3:00 pm

Samuel Proctor Oral History Program

Lecture by Dr. Larry Rivers,

Pres., Fort Valley State University

November 14, 2012 (CSRRR co-sponsor)

CSRRR 10th Annual Spring Lecture

March 20, 2013

Center on Children and Families

Reforming Juvenile Justice Conference

April 26 & 27, 2013 (CSRRR co-sponsor)

For more details, please check the CSRRR website:

www.law.ufl.edu/centers/csrrr

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“The Constitution gave the South political power and made abolition of slavery significantly more difficult,” Prof. Brophy said. “We should learn about Constitutional culture to understand the close relationship between formal law and its surrounding ideas.”

Prof. Brophy said the Constitution, whether interpreted for good or evil, is a central vehicle in understanding both the Civil War and the American experience.

“We have to realize how much Southern advocacy bent a more normal interpretation of the Constitution,” Prof. Brophy said. “Only then can we fully understand this struggle in its entirety.”

Prof. Brophy’s work includes the books: *Reconstructing the Dreamland: The Tulsa Riot of 1921, Race, Reparations, Reconciliation and Reparations Pro and Con*, and *Integrating Spaces: Poverty Law and Race* (co-author).

2012 Evan J. Yegelwel Fellow

Marissa Fallica



Marissa Fallica is a 2L from St. Augustine, FL. She graduated *cum laude* from UF in 2011, with a BA in anthropology, minoring in religion, with a strong focus on civil rights. She is a member of the Student Recruitment Team and is the Special Events Chair for the Association of Public Interest Law.

“Pursuing a career focused on civil rights work is my passion and I am so grateful to Mr. Yegelwel and the Anti-Defamation League (ADL) for making this incredible opportunity possible for me,” Marissa said.

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, has made this Fellowship possible. Mr. Yegelwel is a partner in the Jacksonville, FL law firm of Terrell Hogan Ellis Yegelwel, P.A. Marissa is the sixth Fellowship awardee.

UF Graduate Student Brown Bag Presentations: Showcasing the Work of Emerging Race Scholars

On April 6, 2012, the CSRRR sponsored UF graduate student brown bag presentations. To present work at next year’s Graduate Student Brown Bag, contact CSRRR at csrrr@law.ufl.edu



Ginger Jacobson & Luis A. Caraballo-Burgos, UF Sociology Ph.D. students, present “Race and Hip Hop: Colorblindness in a Colorful Space”



Melanie Acosta & Diedre Houchen, UF College of Education Ph.D. students, present “Seeing the Invisible: Whiteness in Teacher Education, a Critical Race Theory Perspective”



(l-r): Professors Louise Newman (History); Zoharah Simmons (Religion and African American Studies); Debra Walker King (English); Patricia Hilliard-Nunn (African American Studies); Paul Ortiz (Dir. Samuel Proctor Oral History Program); and graduate student Lauren Smith (Women's Studies)

Does *The Help* Help?

Just what are the implications of the novel and film—and the controversy generated about them—for our understanding of history, race, and the uses and abuses of domestic labor in the United States? What can we learn from having a “difficult” conversation about *The Help*? These issues and more were addressed in a panel discussion co-sponsored by the Center for Women’s Studies and Gender Research and the Race Center. A capacity crowd of students, faculty, staff and community members assembled to learn from a diverse panel of UF scholars.

CSRRR Partners with College of Ed



Cirecie West-Olatunji

An interdisciplinary group of UF scholars, departments, and centers have partnered to investigate educational research methodologies used in studying the achievement gap among school-age students. Members of the Emancipatory Educational Research group (EER) include: UF College of Education faculty Cirecie West-Olatunji (EER chair), Linda Behar-Horenstein, James Algina, Bernard Oliver, Don Pemberton, and Michael Bowie; Diane Archer-Banks, University of Florida Alliance; Lauren Shure, Indiana University Equity Project; and Melissa Bamba, CSRRR.

Several theories explain the achievement gap among school-age students. Few have served to rectify the gap for the students in question and many have been shown to be insensitive to racial and cultural issues relevant to socially-marginalized students. The EER, which has been meeting for the past two years, is engaged in planning a number of conferences and research projects to examine current educational research methodologies. Traditionally, educational methodologies have been characterized by an illusion of objectivity, disconnection between the researcher and the researched, and lack of transparency of the researchers’ role that may hinder researchers’ ability to effectively and accurately investigate phenomena associated with persistent underachievement for culturally diverse students. The group will explore and investigate emancipatory educational methodologies that focus on cultural, historical, and contemporary experiences—with full regard for local complexities, power relations and life experiences—with the intention of generating transformative knowledge. For more information: <http://education.ufl.edu/emancipatory-educational-research>

Lecture by Alan Crotzer: Exonerated After 24 Yrs.

In 1981, based primarily on witness identification and testimony, Alan Crotzer was convicted of kidnapping, burglary and rape—crimes he did not commit. He was sentenced to 130 years in prison. In 2006, thanks to post-conviction DNA testing, Crotzer proved his innocence and was exonerated. The April talk, attended by students, faculty and staff, was sponsored by the Levin College of Law’s Criminal Justice Center and the CSRRR.



Christina Vilaseca (LCL '12) & Alan Crotzer



“A Conversation on the Shooting Death of Trayvon Martin” was held on March 28, 2012, at the Levin College of Law. Panelists included UF Law Professors George Dekle, Monique Haughton, Michelle Jacobs, Kenneth Nunn, Katheryn Russell-Brown, and Michael Seigel. Yvette Wiltshire (LCL ‘12) organized the event and moderated the panel. The two-and-one-half-hour event was held before a capacity crowd. CSRRR sponsored the event.

Congratulations to Course Development Grant Winners

The CSRRR Course Development Grant (CDG) funds the development and teaching of courses that substantially address issues of race and race relations



Professor Robert White, Sociology

Robert White is an Assistant Professor in the UF Sociology Dept. His primary research interests are stratification, population health and education. His research examines links between health and socioeconomic attainment, and links the approaches for studying individual attainment to population level phenomena (to assess social inequalities over time). This fall, Prof. White is teaching “Social Inequality.” The course reviews conceptual and empirical research concerning social inequality through a close examination of social processes related to schooling, markets, communities, family and public policy and their consequences in the United States.



Graduate Student Kevin Jenkins, Health Services Research, Management, and Policy

Kevin Jenkins, a Ph.D. student, is teaching “Race, Law and Health” this fall. The course examines the African-American experience at the intersection of race, law and medicine by tackling historical social phenomena that have guided racial existence in America from the Nineteenth through the Twenty-First century. Course material explores the legal contradictions that define the Black medical experience through the law, presidential politics and judicial policy. Students will examine the structure of the American health system through race-based empirical data.



Adjunct Faculty Rosana Resende, Anthropology

Rosana Resende, obtained her Ph.D. in Cultural Anthropology and Graduate Certificate in Latin American Studies at UF. In the spring semester, she will teach “Race and Ethnicity in Latin America and the Caribbean.” The course will explore the various discourses surrounding race and ethnicity in Latin America, tracing these from the colonial period to the contemporary context. The course will be organized around various themes, including the ideologies surrounding race and ethnicity in Latin America; the construction of Latin American racial and ethnic identities; how notions of racial identity have been shaped by the social institutions of politics, education and religion; and the forms of resistance that have emerged around the categories of race and ethnicity.

Course Development Grant Funding News

Special thanks to the UF Office of the Provost for a \$7,500 grant in support of the CSRRR Course Development Grant Program.

Previous Grantees

“My scholarship is richer and I have had the opportunity to design and teach my own course with the excellent support and expertise within the Center and my department.” –Diedre Houchen, 2011-2012 Course Development Grantee.

“The course development grant was incredibly helpful for me, both professionally and personally. Many students were unaware of the consequences of our current energy processes and how the resulting environmental burdens are disproportionately distributed along racial lines.” –Robert Perdue, 2011-2012 Course Development Grantee.

UF Journal of Law and Public Policy & CSRRR Host “Race Talk in the Age of Obama”

By Matt Walker, *FlaLaw Online*

When Barack Obama was elected the first African American president of the United States in 2008, the question of whether America had finally moved into a post-racial society became a widely discussed topic. While the answer to the question is still being debated, it is clear that there are many valid questions about how to approach and discuss issues of race in the modern world.

Scholars addressed some of these questions in a panel discussion based on the December 2011 issue of the *University of Florida Journal of Law and Public Policy* to which each of five panelists contributed an article. Panelists included UF Law professors Jonathan Cohen, Kenneth Nunn and Sharon Rush, and Professor Michelle Deardorff (Jackson State University) and Professor Angela Mae Kupenda (Mississippi College School of Law). Each participant brought a unique academic perspective to the discussion, which was moderated by JLPP editor, Yvette Wiltshire (LCL '12) and included questions from members of the journal. The discussion was held February 8, 2012.

A recurring theme of the discussion was that race should be looked at as a structural institution rather than viewed in terms of personal relationships - an idea put forth by Prof. Deardorff in summarizing her article (co-authored with Prof. Kupenda) titled “Negotiating Social Mobility and Critical Citizenship.”



Dr. Yvette Wiltshire (LCL '12), Kenneth Nunn, Michelle D. Deardorff, Angela M. Kupenda, Sharon Rush, Jonathan R. Cohen, Ronnell Robinzine (LCL '12)

“We had 300 years of racialized, legalized, maintained oppression,” Prof. Deardorff said, “and then we removed the legalized part of it and said it was done.” Yet, all the other structures still remain, she said.

The panel also examined how to address issues of race in educational institutions. “Talking about race is difficult and it is challenging,” Prof. Nunn said. “It takes courage, perseverance, leadership and a thick skin.”

Prof. Cohen remarked, in terms of exchanging ideas in the classroom, you can’t guarantee that people will fully understand you, but it shouldn’t prevent you from expressing your perspective. And he pointed out that the part of the conversation that is in your control is the act of trying to understand what other people in the conversation are saying.

Prof. Rush’s article, “Talking about Race and Equality,” posits the idea that many people fall into two categories when it comes to talking about race - those who let blindness to racial inequality lead to the avoidance of talking about race, and those who see racial inequality everywhere and want to talk about it all the time. She suggests there is a middle ground people can find where they can comfortably address topics of race and inequality.

The discussion led to questions of whether President Obama’s “approach concedes too much by ignoring the discriminatory intent that some people have that undermines (his good intentions).” Prof. Rush said she believes the President understands that many equality-minded people don’t think about, or understand structural racism and that he is “managing the color line with extreme aplomb.”

On the other hand, Prof. Nunn stated that “President Obama’s treatment of race is a consequence of negotiating a culture in our society where he knows it’s an explosive issue. His failure to engage it shows more than anything that we haven’t gotten beyond it.”



New and Noteworthy Books

All descriptions are from the publishers

Covert Racism: Theories, Institutions, and Experiences

*Rodney D. Coates (Ed.)
Haymarket Books (2012)*

Covert racism, subtle in application, often appears hidden by norms of association, affiliation, group membership and/or identity. As such, covert racism is often excused or confused with mechanisms of exclusion and inclusion, ritual and ceremony, acceptance and rejection. Covert racism operates as a boundary keeping mechanism whose primary purpose is to maintain social distance between racial majorities and racial minorities.

The End of Anger: A New Generation's Take on Race and Rage

*Ellis Cose
Ecco (2011)*

With *The Rage of a Privileged Class*, Ellis Cose, a venerated and bestselling voice on American life, offered an eye-opening look at the simmering anger of the black middle class. Some sixteen years later, Cose has discovered this group is much less angry and even optimistic about its future, despite a flagging economy and a deeply divided body politic. With *The End of Anger*, Cose examines these new attitudes as well as the decline of white guilt and the intergenerational shifts in how blacks and whites view and interact with each other. Weaving material from interviews and two large and ambitious surveys, Cose offers an invaluable portrait of contemporary America, one that attempts to make sense of what a people do when the American dream, for some, is finally within reach, as one historical era ends and another begins.

The Meaning of Freedom: And Other Difficult Dialogues

*Angela Y. Davis
City Lights Publishers (2012)*

What is the meaning of freedom? Angela Y. Davis' life and work have been dedicated to examining this fundamental question and to ending all forms of oppression that deny people their political, cultural, and sexual freedom. In this collection of twelve searing, previously unpublished speeches, Davis confronts the interconnected issues of power, race, gender, class, incarceration, conservatism, and the ongoing need for social change in the United States. With her characteristic brilliance, historical insight, and penetrating analysis, Davis addresses examples of institutional injustice and explores the radical notion of freedom as a collective striving for real democracy—not a thing granted by the state, law,

proclamation, or policy, but a participatory social process, rooted in difficult dialogues, that demands new ways of thinking and being.

Critical Race Theory: An Introduction, Second Edition

*Richard Delgado & Jean Stefancic
NYU Press (2012)*

In 2001, Richard Delgado and Jean Stefancic published their definitive *Critical Race Theory*, a compact introduction to the field that explained, in straightforward language, the origins, principal themes, leading voices, and new directions of this important movement in legal thought. Since then, critical race theory has gone on to influence numerous other fields of scholarship, and the Delgado and Stefancic primer has remained an indispensable guide for students and teachers. Delgado and Stefancic have revised the book to include material on key issues such as colorblind jurisprudence, Latino-Critical scholarship, immigration, and the rollback of affirmative action. This second edition introduces readers to important new voices in fields outside of law, including education and psychology, and offers greatly expanded issues for discussion, updated reading lists, and an extensive glossary of terms.

White Party, White Government: Race, Class, and U.S. Politics

*Joe R. Feagin
Routledge (2012)*

White Party, White Government examines the centuries-old impact of systemic racism on the U.S. political system. The text assesses the development by elite and other Whites of a racialized capitalistic system, grounded early in slavery and land theft, and its intertwining with a distinctive political system whose fundamentals were laid down in the founding decades. From these years through the Civil War and Reconstruction, to the 1920s, the 1930s Roosevelt era, the 1960s Johnson era, through to the Ronald Reagan, George H.W. Bush, and Barack Obama presidencies, Feagin explores the effects of ongoing demographic changes on the present and future of the U.S. political system.

Sister Citizen: Shame, Stereotypes, and Black Women in America

*Melissa V. Harris-Perry
Yale University Press (2011)*

Jezebel's sexual lasciviousness, Mammy's devotion, and Sapphire's outspoken anger—these are among the most persistent stereotypes

that black women encounter in contemporary American life. Hurtful and dishonest, such representations force African American women to navigate a virtual crooked room that shames them and shapes their experiences as citizens. Many respond by assuming a mantle of strength that may convince others, and even themselves, that they do not need help. But as a result, the unique political issues of black women are often ignored and marginalized. In this groundbreaking book, Melissa V. Harris-Perry uses multiple methods of inquiry, including literary analysis, political theory, focus groups, surveys, and experimental research, to understand more deeply black women's political and emotional responses to pervasive negative race and gender images. Not a traditional political science work concerned with office-seeking, voting, or ideology, *Sister Citizen* instead explores how African American women understand themselves as citizens and what they expect from political organizing.

Reimagining Equality: Stories of Gender, Race, and Finding Home

Anita Hill
Beacon Press (2011)

In 1991, Anita Hill's courageous testimony during the Clarence Thomas confirmation hearings sparked a national conversation on sexual harassment and women's equality in politics and the workplace. [Now] she turns her attention to another potent and enduring symbol of economic success and equality—the home. Hill details how the current housing crisis, resulting in the devastation of so many families, so many communities, and even whole cities, imperils every American's ability to achieve the American Dream.

Conflict: African American Women and the New Dilemma of Race and Gender Politics

Cindy Hooper
Praeger (2012)

Conflict: African American Women and the New Dilemma of Race and Gender Politics offers a provocative examination of an increasingly important voting bloc, one that impacted the 2008 election and whose loyalties will have far-reaching implications for future contests. This fascinating study is three-pronged. It explores the conflicts African American women experience in prioritizing race over gender, offers data-backed analysis of the substantial power of this bloc to influence elections, and looks at the ways in which the very existence of that influence impacts the political and social empowerment of this dual-identity population.

White Bound: Nationalists, Antiracists, and the Shared Meanings of Race

Matthew Hughey
Stanford University Press (2012)

Discussions of race are inevitably fraught with tension, both in opinion and positioning. Too frequently, debates are framed as clear points of opposition—us versus them. And when considering white racial identity, a split between progressive movements and a neoconservative backlash is all too frequently assumed. Taken at face value, it would seem that whites are splintering into antagonistic groups, with differing worldviews, values, and ideological stances. *White Bound* investigates these dividing lines, questioning the very notion of a fracturing

whiteness, and in so doing offers a unique view of white racial identity. Matthew Hughey spent over a year attending the meetings, reading the literature, and interviewing members of two white organizations—a white nationalist group and a white antiracist group. Though he found immediate political differences, he observed surprising similarities. Both groups make meaning of whiteness through a reliance on similar racist and reactionary stories and worldviews.

The Persistence of the Color Line: Racial Politics and the Obama Presidency

Randall Kennedy
Pantheon (2011)

Renowned for his insightful, common-sense critiques of racial politics, Randall Kennedy gives us a shrewd and penetrating analysis of the complex relationship between the first black president and his African-American constituency. Kennedy tackles such hot-button issues as the nature of racial opposition to Obama; whether Obama has a singular responsibility to African Americans; the differences in Obama's presentation of himself to blacks and to whites; the challenges posed by the dream of a post-racial society; the increasing irrelevance of a certain kind of racial politics and its consequences; the complex symbolism of Obama's achievement and his own obfuscations and evasions regarding racial justice. Eschewing the critical excesses of both the left and the right, Kennedy offers an incisive view of Obama's triumphs and travails, his strengths and weaknesses, as they pertain to the troubled history of race in America.

Seeing Through Race

W. J. T. Mitchell
Harvard University Press (2012)

According to Mitchell, a “color-blind” post-racial world is neither achievable nor desirable. Against claims that race is an outmoded construct, he contends that race is not simply something to be seen but is a fundamental medium through which we experience human otherness. Race also makes racism visible and is thus our best weapon against it. The power of race becomes most apparent at times when pedagogy fails, the lesson is unclear, and everyone has something to learn. Mitchell identifies three such moments in America's recent racial history. First is the post-Civil Rights moment of theory, in which race and racism have been subject to renewed philosophical inquiry. Second is the moment of blackness, epitomized by the election of Barack Obama and accompanying images of blackness in politics and popular culture. Third is the “Semitic Moment” in Israel-Palestine, where race and racism converge in new forms of anti-Semitism and Islamophobia. Mitchell brings visual culture, iconology, and media studies to bear on his discussion of these critical turning points in our understanding of the relation between race and racism.

Life without Parole: America's New Death Penalty?

Charles J. Ogletree, Jr. & Austin Sarat (Eds.)
NYU Press (2012)

Is life without parole the perfect compromise to the death penalty? Or is it as ethically fraught as capital punishment? This comprehensive, interdisciplinary anthology treats life without parole as “the new death penalty.” Editors Charles J. Ogletree, Jr. and Austin Sarat bring together original work by prominent scholars in

an effort to better understand the growth of life without parole and its social, cultural, political, and legal meanings. What justifies the turn to life imprisonment? How should we understand the fact that this penalty is used disproportionately against racial minorities? What are the most promising avenues for limiting, reforming, or eliminating life without parole sentences in the United States? Contributors explore the structure of life without parole sentences and the impact they have on prisoners, where the penalty fits in modern theories of punishment, and prospects for (as well as challenges to) reform.

12 Angry Men: True Stories of Being a Black Man in America Today

*Gregory S. Parks & Matthew W. Hughey (Eds.)
New Press (2011)*

Called a book “which is factual yet reads like a novel” by the *Huffington Post*, *12 Angry Men* reveals some pointed truths about our nation, as a dozen eloquent authors from across the United States tell their personal stories of being racially profiled. We hear from Joe Morgan, a former Major League Baseball MVP, who was tackled and falsely arrested at the Los Angeles airport; Paul Butler, a federal prosecutor who was detained while walking in his own neighborhood in Washington, D.C.; Kent, a devoted husband and father, hauled into central booking for trespassing and loitering when he visits his mother’s housing project; Solomon Moore, a former criminal justice reporter for the *New York Times*, detained by the police while on assignment in North Carolina; and King Downing, former head of the ACLU’s racial profiling initiative, who was himself pursued by National Guardsmen after arriving on the red-eye in Boston’s Logan Airport.

More Beautiful and More Terrible: The Embrace and Transcendence of Racial Inequality in the United States

*Imani Perry
NYU Press (2011)*

For a nation that often optimistically claims to be post-racial, we are still mired in the practices of racial inequality that plays out in law, policy, and in our local communities. One of two explanations is often given for this persistent phenomenon: On the one hand, we might be hypocritical—saying one thing, and doing or believing another; on the other, it might have little to do with us individually but rather be inherent to the structure of American society. *More Beautiful and More Terrible* compels us to think beyond this insufficient dichotomy in order to see how racial inequality is perpetuated. Imani Perry asserts that the U.S. is in a new and distinct phase of racism that is “post-intentional”: neither based on the intentional discrimination of the past, nor drawing upon biological concepts of race. Drawing upon the insights and tools of critical race theory, social policy, law, sociology and cultural studies, she demonstrates how post-intentional racism works and maintains that it cannot be addressed solely through the kinds of structural solutions of the Left or the values arguments of the Right. Rather, the author identifies a place in the middle—a space of “righteous hope”—and articulates a notion of ethics and human agency that will allow us to expand and amplify that hope.

Invisible Men: Mass Incarceration and the Myth of Black Progress

*Becky Pettit
Russell Sage Foundation (2012)*

For African American men without a high school diploma, being in prison or jail is more common than being employed, a sobering reality that calls into question post-Civil Rights era social gains. Nearly 70 percent of young black men will be imprisoned at some point in their lives, and poor black men with low levels of education make up a disproportionate share of incarcerated Americans. In *Invisible Men*, sociologist Becky Pettit demonstrates another vexing fact of mass incarceration: most national surveys do not account for prison inmates, a fact that results in a misrepresentation of U.S. political, economic, and social conditions in general and black progress in particular. *Invisible Men* provides an eye-opening examination of how mass incarceration has concealed decades of racial inequality.

Racism, Public Schooling, and the Entrenchment of White Supremacy: A Critical Race Ethnography

*Sabina E. Vaught
SUNY Press (2011)*

Racism and inequity in U.S. education are pervasive and consistent problems, unavoidable facts of public schooling in this country. This book is a multisite critical race ethnography of institutional relationships and organization in a large, urban, West Coast school district. In this daring and provocative work, Sabina E. Vaught examines the policies and practices that created and sustain racialized inequity and White supremacy in that district’s schools. She interweaves numerous interviews with and observations of teachers, principals, students, school board members, community leaders, and others to describe the complex arrangement of racial power in schooling. Ultimately, Vaught’s analyses map the ways in which institutional relationships around schooling ensure the continued undereducation of Black and Brown youth.

Look, A White!: Philosophical Essays on Whiteness

*George Yancy
Temple University Press (2012)*

Look, a White! returns the problem of whiteness to white people. Prompted by Eric Holder’s charge, that as Americans, we are cowards when it comes to discussing the issue of race, noted philosopher George Yancy’s essays map out a structure of whiteness. He considers whiteness within the context of racial embodiment, film, pedagogy, colonialism, its “danger,” and its position within the work of specific writers. Identifying the embedded and opaque ways white power and privilege operate, Yancy argues that the Black countergaze can function as a “gift” to whites in terms of seeing their own whiteness more effectively. Throughout *Look, a White!* Yancy pays special attention to the impact of whiteness on individuals, as well as on how the structures of whiteness limit the capacity of social actors to completely untangle the way whiteness operates, thus preventing the erasure of racism in social life.

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, including African Americans, Latinos/as, American Indians, Asian Americans and Whites.

In the news

Stay up-to-date on the latest race and race relations news stories. Check out the CSRRR website <http://www.law.ufl.edu/academics/centers/csrrr>

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departments. The panel discussion we co-sponsored with the UF Women's Studies Department on the book, *The Help*, is one example. Over two-hundred people joined us for a rousing and earnest debate about the book's value and impact. Another example is our collaboration with the law school's *Journal of Law and Public Policy*. The result was a special issue of the law journal, "Race in the Age of Obama," which was also the title of a panel we held with contributors to the special issue. As well, we worked with the law school's Criminal Justice Center to host a riveting talk by Alan Crotzer, who, following twenty-four years of wrongful imprisonment, was released through the work of the Innocence Project.

In the spring, we were honored to have esteemed legal scholar Professor Al Brophy give our annual Spring Lecture. His talk dissected some of the ways Southern universities used the U.S. Constitution to justify their pro-slavery actions. Our final spring event was a law panel discussion on the shooting death of Trayvon Martin. As the Florida case continues to unfold, the Race Center will continue the discussion.

Professor Carla Pratt offers wise words in our "7 Questions" column. As usual, our "New and Noteworthy Books" section includes a long list of books on race. While most focus on people of color, a few focus on Whiteness. This is year three for the Course Development Grant program. We are excited about the new race courses made possible as a result of our grants.

For more on each of these stories, keep reading this newsletter. We hope you will find this issue to be thoughtful and informative. Please join us in our work.

Invitation

*Please join us in our efforts
to identify and address difficult but
important
race-related issues.*

*We welcome your
questions and comments at
csrrr@law.ufl.edu.*



7 Questions for Professor Carla D. Pratt

1. Why study race?

I study race because I am fascinated by how it has operated historically and presently to define people and their opportunities. Historically race was used by law to construct a socio-legal hierarchy of people and define their rights and privileges and their position in the polity. Race still permeates many aspects of our lives today because we are living with the legacy of a society founded upon and ordered around race with whiteness being deemed superior to all other racial categories. I study law and race because I think law has a duty to work to ameliorate the legacy of harms that its historical ordering has inflicted on racial minorities. I also think that law should be cognizant of and responsive to the interests of racial minorities as it is being made and applied in the future.

2. How do you incorporate race into your teaching?

I incorporate race into teaching Constitutional Law and Criminal Law by first trying to make sure that I am competent to do so. Hence, when I teach

a case that involves an issue of race, I read the full unedited version of the case, so that my understanding of the case is not filtered through the casebook editor's lens. I also read supporting materials such as newspaper articles from the time and place that generated the case or controversy. I then make sure that I have an understanding of the political landscape that existed at the time the case or controversy arose, and at the time the matter came before the Court for decision. I do this in an effort to bring a greater understanding of the context of the case to the classroom and hopefully enrich the discussion among my students. My hope is that my students will see that law is not made in a vacuum nor derived from some set of neutral principles, but rather it is the product of people elevating one value or set of values over another and making choices about how the law should evolve.

3. Can you suggest a book for "beginners"?

There are so many good books that have been written on race and law that I couldn't possibly suggest just one book. If I had

to identify the top three that I would recommend to those just beginning to study race, I would recommend *White By Law* by Ian Haney Lopez because it explains in detail the role of law in creating and policing the boundaries of race. Then I would recommend *Life on the Color Line* by Greg Williams which is a gripping personal account of how two young boys learn that the society that regarded them as racially white would later regard them as black because race is determined in part by time, place, and reputation. The book also beautifully illustrates the privileges that flow from being white. And finally, no list of recommended reading would be complete without a book by the founding father of critical race theory, so I would also recommend *And We Are Not Saved* by the late and honorable Derrick Bell. Although the stories in this book are fictional, the lessons they reveal about race are very real.

4. What book or article caused you to think about race in a new way?

There are many books and articles that caused me to think about race in new ways

so I suppose the answer to this question depends on the stage in my life when I was reading the book or article. As a child, the book *To Kill A Mockingbird* by Harper Lee caused me to think in a new way about both race and law. It caused me to realize that not all whites during the Jim Crow era were racists and that the struggle for racial equality progressed in part due to white lawyers like Atticus Finch. As a law professor, I would have to say that the book that challenged me to think about race in a new way was *The Miner's Canary* by Lani Guinier and Gerald Torres. It challenges a colorblind approach to remedying social problems and persuasively argues for a race conscious collective activism to advance all subordinated people; not merely people of color.

5. What's the best part of your job?

Having the autonomy to study what interests me and working with young people. I love the energy that law students have, and I enjoy helping them reach their potential and transition from college kids into mature professionals who can solve client problems. Nothing is more rewarding than receiving a note from a former student that says that I helped them achieve their dream. I have a desk drawer where I keep those cards and notes, and on a stressful day, I pull one out and read it and smile; knowing that I have made a positive impact on the lives of others is definitely the best part of my job.

6. What are you reading now?

I am reading *Flagrant Conduct* by Dale Carpenter which tells the story of the two men who found themselves at the center of a movement for gay rights while simply trying to live their lives. The book explains the contested facts underlying the landmark Supreme Court case of *Lawrence v. Texas*. It is an excellent work that is meticulously researched and provides a deeper understanding of this case which overruled

Bowers v. Hardwick to hold that two consenting adults having sex in the privacy of their bedroom have a constitutional right to privacy under the Due Process Clause regardless of whether the couple is a same sex or opposite sex couple. I am also reading Brian Tamanaha's book entitled *Failing Law Schools* which contends that legal education is in crisis and sounds the alarm for immediate reform.

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)?

I think law schools are doing a much better job at incorporating race into the curriculum than when I attended law school 20 years ago. Many law schools offer at least some type of course that is focused on race and law or on the legal experience of a particular racial minority group, and more casebooks address issues of race in

presenting the law for study. However, we could certainly do better by integrating race more into the core curriculum. I am pleased to be at a law school where several of my faculty members incorporate issues of race into teaching core courses such as Criminal Law, Civil Procedure, Contracts and Constitutional Law, to name a few. But some colleagues intentionally avoid discussing issues of race in the classroom out of concern that they will be labeled a racist by students. This is a legitimate concern since when I first started teaching race, I had students label me as "racist" for discussing issues of race in class. Now I deal with this issue by talking with the students up front about the distinction between being racist and being race conscious, and it seems to have helped. I also think it helps that more of my colleagues are talking about race in their classes as well so that students no longer view me as the outlier in classroom pedagogy.

About Professor Carla Pratt

Carla D. Pratt is Professor of Law and Associate Dean for Academic Affairs at Penn State's Dickinson School of Law and an Associate Justice on the Supreme Court of the Standing Rock Sioux Tribe. She has produced scholarship at the intersection of constitutional law, federal Indian law and race, as well as scholarship examining race and the legal profession. Her most recent work is a book co-authored with Dr. Dorothy Evensen at Penn State's College of Education. The book reports the findings of a qualitative study of African American attorneys who entered the profession in the asserted "post-racial" era and is entitled: The End of the Pipeline: A Journey of Recognition for African Americans Entering the Legal Profession. Prior to joining the faculty of Penn State Law, Dean Pratt engaged in the private practice of law as a commercial litigator with the law firm of Drinker, Biddle & Reath LLP in Philadelphia and served as a Deputy Attorney General in New Jersey. Professor Pratt has taught Constitutional Law, Federal Indian Law, Professional Responsibility, Criminal Law and a course on Race, Racism and American Law.



In Memoriam: **Derrick Bell, 1930–2011**

Derrick Bell, a full-time visiting professor at New York University School of Law since 1990, passed away on the evening of Oct. 5, 2011.

For more than two decades, the NYU law school community has been profoundly shaped by Bell's unwavering passion for civil rights and community justice, and his leadership as a

scholar, teacher and activist. A devoted professor of constitutional law, Bell instilled in his students a deep sense of professional and ethical responsibility and encouraged them to confront complex issues about race and difference.

Bell wrote extensively about the progress of racial reform in the United States across a range of genres, from fiction to legal analysis to autobiography. He contributed key writings that helped form the critical race theory movement in the mid-seventies, and his casebook, *Race, Racism and American Law* is used widely in law schools across the country. He also explored these issues as they relate to music in a book of essays and parables, and introduced the *Bell Annual Gospel Choir Concert*, now a long-standing and deeply moving tradition at NYU Law.

In addition to his far-reaching impact as a teacher and scholar, Bell championed the cause of civil rights outside the classroom.

He leveraged his positions as the first tenured African American professor at Harvard Law School and the first African American dean of the University of Oregon School of Law to challenge law schools around the country to embrace diversity in their hiring practices. After graduating from the University of Pittsburgh School of Law in 1957, he worked with the Civil Rights Division of the U.S. Justice Department, the only African American among thousands of lawyers. He left after two years when the government asked him to resign his membership of the NAACP and then went on to become first assistant counsel at the NAACP Legal Defense and Educational Fund under Thurgood Marshall, supervising more than 300 school desegregation cases in Mississippi.

Beginning in 1995, Professor Bell enriched NYU Law's intellectual community by bringing prominent scholars to the annual Bell Lecture to discuss everything from racially tinged economics to post-racial challenges in the Obama era.

Bell is survived by his wife, Janet Dewart Bell, his three children, Derrick, Douglas and Carter, and three siblings. His first wife, Jewel Hairston Bell, died in 1990.

Bell was a beloved member of the NYU community who inspired countless scholars and faculty to stand up for their principles. He will be deeply missed, but his strong moral compass will continue to guide those he leaves behind.

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