



BOOKS

*Race and Law School and Race and Lawyering*¹

Race and Law School

Deo, Meera E., *Unequal Profession: Race and Gender in Legal Academia*. Stanford University Press, 2019.

This book provides an insight into the personal and professional lives of tenured-track law professors who are women of color. The author provides an in-depth look at the intersection of race and gender as it relates to aspects of legal academia including hiring and interactions with colleagues and students. Empirical research results are also provided to support the author's findings. Through hiring, teaching, colleague interaction, and tenure and promotion, Deo brings the experiences of diverse faculty to life and proposes a number of mechanisms to increase diversity within legal academia and to improve the experience of all faculty members.

Deo, Meera E., et. al., editors. *Power, Legal Education, and Law School Cultures*. Routledge, 2019 (See Ch. 9, "The Culture of 'raceXgender' Bias in Legal Academia").

This book examines a myriad of perspectives, diverse settings, and different nations while revealing how hierarchies of power and cultural norms that shape and maintain inequities in legal education. The contributors also tackle questions of class and market as they affect law training. Finally, this collection examines how structural barriers replicate injustice even within institutions representing themselves as democratic and open, revealing common dynamics across cultural and institutional forms.

Jackson, Darrell D. *Black Men in Law School: Unmatched or Mismatched*. Routledge, 2018.

This title refutes the claim that when African American law students are "mismatched" with more selective law schools, the result is lower levels of achievement and success. Presenting personal narratives and counter-stories, the author demonstrates the inadequacy of the mismatch theory and deconstructs the ways race is constructed within American public law schools. Calling for a replacement to mismatch theory, Jackson offers an alternative theory that considers

¹ Compiled by Gail Mathapo, UF Law Librarian and CSRRR Associate Director (August 2020). Book synopses are primarily drawn from the publishers' website.



marginalized student perspectives and crystallizes the nuances and impact that historically exclusionary institutions and systems have on African American law school students.

Mertz, Elizabeth. *The Language of Law School: Learning to "Think Like a Lawyer."* Oxford University Press, 2007. (See chapter 8, "Student Participation and Social Difference: Race, Gender, Status, and Context in Law School Classes").

The book bases its linguistic study on tape recordings from first year Contracts courses in eight different law schools. It also contains a discussion on how these schools employ the Socratic method between teacher and student, forcing the student to shift away from moral and emotional terms in thinking about conflict, toward frameworks of legal authority instead. This move away from moral frameworks is key, the book says, arguing that it represents an underlying world view at the core not just of law education, but for better or worse, of the entire U.S. legal system—which, while providing a useful source of legitimacy and a means to process conflict, fails to deal systematically with aspects of fairness and social justice. The latter part of the study shows how differences in race and gender makeup among law students and professors can subtly alter this process.

Moore, Wendy Leo. *Reproducing Racism: White Space, Elite Law Schools, and Racial Inequality.* Rowman & Littlefield Publishers, 2007.

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, the author explores the historical construction of elite law schools as institutions that reinforce White privilege and therefore naturalize White political, social, and economic power.

Watson, Elwood. *Outsiders Within: Black Women in the Legal Academy After Brown v. Board.* Rowman & Littlefield Publishers, 2008.

Through interviews with prominent legal academics such as Lani Guinier and Kimberle Crenshaw, *Outsiders Within* presents the trials and accomplishments of Black women law professors who began to enter the legal academy in the 1970s and 80s. The often-overlooked legacies of these women are brought to light as chapters highlight the work of important women like Jean Cahn, who co-founded Antioch Law School in 1972, and Emma Coleman-Jordan, who founded the Northeast Corridor Collective of Black women law professors in 1988. The author also discusses the scholarship of a number of Black women law professors who have written on



the intersection of race and gender and employs their findings to determine how the experiences of Black women in the law academy differ from those of Black men and White men and women.

Wilder, Gita Z. *The Road to Law School and Beyond: Examining Challenges to Racial and Ethnic Diversity in the Legal Profession*. Law School Admission Council, 2003.

This title focuses on the process by which prospective lawyers are educated through the steps that lead to a career in the law, comparing the experiences of minorities with those of their nonminority cohorts. The objective is to identify places along the path to the legal profession at which minority members are most likely to fall by the wayside.

Race and Lawyering

Adegbile, Debo, et. al., editors. *Raising the Bar: Diversifying Big Law*. The New Press, 2019.

In *Raising the Bar*, four partners of color from leading law firms engage in a no-holds-barred conversation about what it takes to make it in big law using their own journeys to the top to discuss how law firms can do a better job of attracting and holding on to a more diverse set of young attorneys. They also offer advice to the attorneys themselves on how to succeed in a culture that has long excluded them, including finding mentors among those who don't look like you, building a portable toolkit of skills, establishing key connections outside the firm, and staying "true to you," as young associates of color navigate the foreign terrain of insular firm culture.

Frazier, C. Elisia & Ernestine Forrest, editors. *Dear Sisters, Dear Daughters: Strategies for Success from Multicultural Women Attorneys*. American Bar Association, 2009.

Dear Sisters, Dear Daughters is a collection of inspiring letters from experienced multicultural women lawyers who offer advice and road maps for success as an attorney. This book is organized by practice setting, and at the end of each chapter are tips for success from the authors featured in that chapter. The essays end with a response from a sister/daughter from the next generation.

Grillo, Ralph, et. al., editors. *Legal Practice and Cultural Diversity*. Routledge, 2009.

Legal Practice and Cultural Diversity considers how contemporary cultural and religious diversity challenges legal practice, how legal practice responds to that challenge, and how legal



practice is changing in the encounter with the cultural diversity occasioned by large-scale, post-war immigration. Locating actual practices and interpretations which occur in jurisprudence and in public discussion, this title examines how the wider environment shapes legal processes and is in turn shaped by them.

Headworth, Spencer, et. al., editors. *Diversity in Practice: Race, Gender, and Class in Legal and Professional Careers*. Cambridge University Press, 2016.

Diversity in Practice analyzes the disconnect between expressed commitments to diversity and practical achievements, revealing the often obscure systemic causes that drive persistent professional inequalities. These original contributions build on existing literature and forge new paths in explaining enduring patterns of stratification in professional careers. These more realistic assessments provide opportunities to move beyond mere rhetoric to something approaching diversity in practice.

Lee, Phillip, et. al., editors. *IILP Review 2019-2020: The State of Diversity and Inclusion in the Legal Profession*. Institute for Inclusion in the Legal Profession, 2019. Available at <http://www.theiilp.com/Publications>.

The IILP Review provides the most current data about the state of diversity in the legal profession. The Review features compelling essays (written by attorneys, law professors and academic administrators) that explore the nuances and important subtleties at play as they relate to race, gender, culture, LGBT, disability issues and the importance of diversity and inclusion for lawyers, as well as current research from academic experts.

Melaku, Tsedale M. *You Don't Look Like a Lawyer: Black Women and Systemic Gendered Racism*. Rowman & Littlefield Publishers, 2019.

You Don't Look Like a Lawyer highlights how race and gender create barriers to recruitment, professional development, and advancement to partnership for Black women in elite corporate law firms. Utilizing narratives of Black female lawyers, this book offers a blend of accessible theory to benefit any reader willing to learn about the underlying challenges that lead to their high attrition rates. In particular, the book covers topics such as appearance, White narratives of affirmative action, differences and similarities with White women and Black men, exclusion from social and professional networking opportunities and lack of mentors, sponsors and substantive training. Weaving the narratives with a critical race analysis and accessible writing,



the reader is exposed to this exclusive elite environment, demonstrating the rawness and reality of Black women's experiences in White spaces.

Smith, J. Clay, Jr., editors, *Rebels in Law: Voices in History of Black Women Lawyers*. University of Michigan, 2000.

Black women lawyers are not new to the practice of law or to leadership in the fight for justice and equality. Black women formally entered the practice of American law in 1872, the year that Charlotte E. Ray became the first Black woman to graduate from an American law school. *Rebels in Law* introduces some of these women and through their own writing tells a compelling story about the little-known involvement of Black women in law and politics. Beginning with a short essay written in 1897, the writing collected by J. Clay Smith, Jr., tells us how Black women came to the practice of law, the challenges they faced as women and as Blacks in making a place for themselves in the legal profession, their fight to become legal educators, and their efforts to encourage other Black women and Black men to come to the practice of law.

R. Dinovitzer, B. Garth, G. Plickert, R. Sandefur, J. Sterling & D. Wilkins, *After the JD III: Third Results from a National Study of Legal Careers*, American Bar Foundation and NALP Foundation for Law Career Research and Education, 2014.

This publication is the third in a series of reports that center on research conducted by an interdisciplinary team of scholars. The research team originally assembled to find out the root of dissatisfaction among young attorneys. Over the course of 10 years, these reports have covered the ebbs and flows of the attorneys' careers through an unpredictable legal market. The first and second reports were published in 2004 and 2009 respectively. *After the JD III* begins with a brief executive summary of the research results which is followed by information derived from a survey of a nationally representative sample of lawyers. This report delivers insight into the various factors that relate to building a career in law post the global recession of 2008-2009, such as race and ethnicity, gender, job satisfaction, mobility and turnover.